



# DEBATES OF THE SENATE

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OFFICIAL REPORT  
(HANSARD)

Tuesday, December 4, 2012

The Honourable NOËL A. KINSELLA  
Speaker

This issue contains the latest listing of Senators,  
Officers of the Senate and the Ministry.

## CONTENTS

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

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## THE SENATE

Tuesday, December 4, 2012

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

Prayers.

### SENATORS' STATEMENTS

#### THE HONOURABLE JOYCE FAIRBAIRN, P.C.

**Hon. James S. Cowan (Leader of the Opposition):** Honourable senators, last Friday we all received a communication from the Clerk advising that Senator Joyce Fairbairn is resigning from the Senate effective next month.

It is not my intention today to pay tribute to her extraordinary life and career. There will be opportunity for all of us who wish to do that at a later date. However, I could not allow this announcement to pass without a brief comment.

Senator Fairbairn has spent some 50 years here on Parliament Hill, blazing a path as one of the first women journalists in the Parliamentary Press Gallery, then as a senior adviser to Prime Minister Pierre Elliott Trudeau, and then here in the Senate where she was the first woman to serve as the Leader of the Government. She has been a strong, determined voice on the national stage for so many causes, but most especially for literacy and for those facing health challenges.

Unfortunately, like so many Canadians, Senator Fairbairn has developed health challenges of her own. However, the fighter that she is, Joyce was determined to work for the causes and the people who have come to depend upon her, and she has done her best to continue to work as long as possible. Indeed, just a few weeks ago, she attended several Remembrance Day events and laid a wreath at the cenotaph in Lethbridge on behalf of the Senate of Canada.

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

**Senator Cowan:** I can only imagine how difficult it was for her to take the decision to resign, to leave Parliament Hill after having spent virtually all her adult life here. However, sometimes even the most devoted of public servants must step back and put their own health first.

Now, after a lifetime battling for causes for others, Joyce faces a very personal battle of her own. With the help, support and love of her family and friends — and indeed of so many Canadians who have turned to her for help and support over the years — she is facing her troubles with characteristic courage but, understandably, also with a desire to face her personal challenges as privately as possible. I agree, and I believe that her wishes should be respected.

I hope Senator Fairbairn will be well enough to return after the break to say her farewells to the Senate in person. I know that, like me, many senators are eager to pay tribute to her, and there will be an opportunity for each of us who wishes to do so to speak when we return.

In her letter to His Excellency the Governor General, Senator Fairbairn wrote:

It has been a genuine honour to have been given the privilege of serving Canadians, and especially my fellow Albertans, in the Senate.

Honourable senators, for my part, it has been a genuine honour to have had the privilege of working with and getting to know this remarkable parliamentarian. I am sure all of us wish Joyce the very best in these difficult circumstances.

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

**Hon. Marjory LeBreton (Leader of the Government):** Honourable senators, I wish to join our colleague Senator Cowan to say a brief word about Joyce Fairbairn. Even though, as Senator Cowan mentioned, we will have a day of tribute, hopefully, in honour of Senator Joyce Fairbairn, I did want to make a brief statement today following receipt of Senator Fairbairn's letter of resignation from the Senate of Canada effective January 18. While this news is not unexpected, it is indeed very sad, and we are all sorry to see her leave. As a senator, Joyce Fairbairn was a trailblazer who proudly represented her home province of Alberta and her beloved Liberal Party of Canada, not only in this place but across the country.

Honourable senators, I have known Joyce Fairbairn for 47 years, from our earliest days on Parliament Hill, when she was a journalist and I was a member of the staff of former Prime Minister John George Diefenbaker. In all the time that I have known her, Joyce has been a dignified woman with an extremely warm personality who brought great energy and enthusiasm to everything she did. Little did we know then that years later we would both be so fortunate as to serve in the Senate of Canada.

Only three women have held the position of Leader of the Government in the Senate: Senator Fairbairn, who was the first; Senator Carstairs; and I, who, of course, am the first Conservative Leader of the Government in the Senate. In addition to her work as Leader of the Government, Senator Fairbairn was a member of many Senate committees, too numerous to mention, including being one of the very first members of the Standing Senate Committee on Aboriginal Peoples, back in 1989.

When she was named to the federal cabinet in 1993 by former Prime Minister Jean Chrétien, Senator Fairbairn was also made Minister with Special Responsibility for Literacy — an issue, as we all know, that was very close to her heart and one that she has long championed. I would be remiss if I did not also mention Senator Fairbairn's unwavering support for Canada's Paralympic athletes and her lengthy involvement in the Paralympic movement in our country. Any group that was fortunate enough to have Senator Fairbairn on its side was fortunate indeed, as she was a tenacious and devoted advocate.

Many honourable senators in this chamber today have had family members or friends face the challenges that Senator Fairbairn now faces. The road ahead for our colleague and her family is not an easy one. I would not want Senator Fairbairn to leave this place without our expressing our gratitude for her over 28 years of service in the Senate of Canada, as well as the affection and admiration in which she is held by senators on both sides of the chamber. I will certainly miss her and her warm smile as she sat across there looking at me with a knowing understanding in her eye. Therefore, on behalf of all honourable senators on both sides, I am sure, I wish to extend my very best wishes to Senator Fairbairn and her family.

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

• (1410)

## VIOLENCE AGAINST WOMEN AND CHILDREN

### ANDERSON HOUSE—PRINCE EDWARD ISLAND

**Hon. Catherine S. Callbeck:** Honourable senators, this past Saturday night I had the privilege of participating in the third annual Evening of Wine & Song, a fundraising event for Anderson House, held at Harmony House Theatre in Hunter River, Prince Edward Island.

A sold-out crowd raised more than \$13,500 in much-needed funds for Anderson House, the provincial emergency shelter for women and children who are experiencing physical, emotional or sexual abuse. The evening featured a reception, a fundraising auction and a performance by a number of local entertainers who received a standing ovation at the end of the night.

It was fitting that this event was held close to the National Day of Remembrance and Action on Violence against Women this Thursday, December 6. Despite all of our efforts, violence against women and girls has not been eliminated in this country.

Between April 1, 2009 and March 31, 2010, more than 64,000 women were admitted to Canada's shelters. Women and girls are more likely to experience certain types of serious violence and assault, and young women experience the highest rates of family violence. Aboriginal women are almost three times more likely than non-Aboriginal women to report being the victim of a violent crime, including spousal violence. Honourable senators, it is clear that more needs to be done to end the tragedy of family violence.

I would like to commend Patsy Doiron, for doing a tremendous job of organizing the fundraising event for Anderson House for the last three years. She has committed to continuing next year. I would also like to commend the staff of P.E.I. Family Violence Prevention and others who worked so hard to make this event a success.

All of these people, and many others across Canada, are making a difference to finally make violence against women and girls a thing of the past.

## THE LATE KRYSTYNA RUDKO

**Hon. Nicole Eaton:** Honourable senators, I rise today to announce that Krystyna Rudko, my Policy Adviser, died after a short illness last Wednesday. For Krys, life was about others, not about herself. She looked after everyone else but did not look after herself. Her death was shocking, surprising and devastating.

I first met Krystyna at Conservative Party Headquarters in 2008, where she was executive coordinator for the Conservative Party of Canada. To quote a co-worker: "Because of Krys, everything that was chaos became organized and under control."

I was chairing our policy conference, so we started working together for the duration of the conference in Winnipeg. When Prime Minister Stephen Harper named me to the Senate in 2008, I knew nothing about the Red Chamber or Parliament but remembered working at the convention with this marvellous woman, who was energetic, never at a loss as to what to do and always smiling.

Krystyna, in very short order, moved us into the East Block, effortlessly organizing the movement of furniture, hanging of pictures, hiring an additional staff member and very tactfully but firmly steering this Conservative senator around the intricacies of her new job. As Krys never talked about herself, I did not realize how lucky I was to have this overqualified, highly educated woman running my life on Parliament Hill. As I said earlier, life for Krys was about others, not herself.

It was only later that it came out that Krys had spent 20 years working in the field of demographic and trend analysis, that she had led projects for the United Nations Fund for Population Activities, the United Nations Department of Technical Cooperation for Development, USAID and the Shanghai Municipal Statistics Bureau. She had also lectured at such prestigious institutions as Queen's University, the University of Chicago and the Canadian Centre for Management Development.

Throughout her tenure with the Canadian federal government, she held both management and social policy positions at Health Canada. Her experience there taught her how policy is made and how legislation is enacted at all levels of government, something that was enormously useful to me.

In front of her desk, in our office, were two big armchairs. There was often someone sitting in one of them seeking advice or comfort or both, help with their research or writing or just visiting. I used to tease Krystyna by calling her the queen of the East Block, and she was to those of us who knew her.

Krys was passionate, highly partisan, amusing, kindness itself and so very intelligent. I assure her mother, Maria, that Krystyna will be mourned and much missed by all of us who had the good fortune of knowing and working with her.

Krystyna, may you dwell in the house of the Lord forever. Rest in peace.

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

**Hon. Jim Munson:** That was a beautiful statement, Senator Eaton, and Krystyna was a very nice woman.

### INTERNATIONAL DAY OF PERSONS WITH DISABILITIES

**Hon. Jim Munson:** Honourable senators, yesterday, December 3, was the United Nations International Day of Persons with Disabilities. This year, it is being celebrated around the world, under the theme of removing barriers to create an inclusive and accessible society for all. I am fortunate to have inspiring friends and associates involved in addressing issues affecting people with disabilities. Last night I had the pleasure of being the honorary chair at the Celebration of People Awards Dinner in Ottawa, with many of these very people in this city of champions, these courageous people who work together in advocacy with Citizen Advocacy. Together, we presented awards to some amazing individuals with disabilities and their supporters for their contributions to the Ottawa community. Each in their own way, those we celebrated throughout the event are fulfilling a shared vision to enable people with disabilities to rise from vulnerability and isolation, to live as accepted and engaged members of our community.

In a letter I received earlier this month, the Christian Blind Mission in Toronto asked me to make a statement here in this chamber today to emphasize to honourable senators that all societies are richer when everyone is included equally.

By eliminating discrimination and exclusion, we can create a diverse and inclusive society. This is a society, a future to be proud of. To knock down the barriers, we must first recognize those same barriers, to know what they are and how they impact persons with disabilities. In a statement delivered yesterday, Liberal leader Bob Rae commented that far too many persons with disabilities are "... denied the quality education, the employment and overall life outcomes they deserve, including in Canada, where people with disabilities are twice as likely to live in poverty."

Yesterday was the twentieth anniversary of the UN International Day of Persons with Disabilities, and it is as good an occasion as any to commit to the work required to improve the lives of people with disabilities. We have to work together with the federal government to keep this moving on, to collaborate with other levels of government and stakeholders to create an action plan. More than 1 billion people — 15 per cent of the world's population — live with some form of disability. They are the world's largest minority.

Learning about and setting goals to address issues affecting those with disabilities is not only a Canadian responsibility; it is not only an international responsibility either. It is a human responsibility, and it is time we begin living up to it.

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

### VISITORS IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, in a fortuitous confluence of distinguished visitors to Parliament today, I will shortly meet with His Excellency Kim Hwang-Sik, Prime Minister of the Republic of Korea. I wish to draw your attention to the presence in the gallery of Leaders of the National Korean

Canadian community and Diamond Jubilee recipients as well as Korean War Veteran, Andy Barber. They are the guests of the Honourable Senator Martin.

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

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

### DIAMOND JUBILEE MEDAL RECIPIENTS

**Hon. Yonah Martin:** Honourable senators, it is an honour for me to rise today in the presence of members of the national Korean Canadian community from across Canada in our Senate gallery today. Many have travelled great distances, by air and by car, from various regions of Canada to participate in a special two-day program that included the special Diamond Jubilee Medal ceremony last night and will include a Canada-Korea celebration to mark the fiftieth anniversary of Canada-Korea diplomatic relations this evening. The year 2013 is also the sixtieth anniversary of the signing of the Korean War armistice.

[Translation]

In the Senate chamber, there are pioneers from my ethno-cultural community who, like my parents, Lee Sung and Kye Soon Kim, left Korea in the 1950s, 1960s and 1970s to provide a better life for their families and greater opportunities for their children.

[English]

To all of the pioneers with us here and to those across Canada, I wish to thank you for the immeasurable courage, sacrifice and resilience upon which you have built the strong foundation we stand today.

• (1420)

[Translation]

With only \$150 or \$200 to their name, my parents and many of those with us today worked tirelessly for 16 hours a day managing a small business, gutting fish or sweeping floors, all while studying English or pursuing higher education.

[English]

The community has flourished as a result, and the children of the pioneers have found success in all fields. Here among us are such distinguished Korean Canadians like former Minister Sandy Lee of the Northwest Territories, the first elected Korean female politician in Canadian history; and other well-known trailblazers like Ottawa-born Hollywood superstar Sandra Oh.

Honourable senators, in celebration of our 50 years of Canada-Korea diplomatic relations and 60 years of sacrifice during the Korean War, I now read into the Senate record the names of the Diamond Jubilee medal recipients present in the chamber today. In alphabetical order, they are Andy Barber, a veteran of the Korean War, who represents the some 30,000 Canadians who sacrificed so much so that Korea may be a free and democratic country; Donald Cha; Dr. Hyun-Ju (Joe) Cho; Councillor Raymond Cho; Dr. Young Sup Chung; Vivian Chung; Hoo Jung Jones; Jin Won Kang; Grandmaster Keun Ha Kim;

Dr. Won Kyum Kim; Maria Kim; John Kim; Young-Hae Lee; Rev. Sang Chul Lee; Byung Kee Min; Dr. Doo Ho Shin; Byung Gil (Ron) Suh; and Katherine Uhm Song. They are a wonderful Korean community.

### HMCS OTTAWA

**Hon. Pamela Wallin:** Honourable senators, it is with great pride that I call the attention of the Senate to a remarkable and successful operation and achievement by HMCS *Ottawa*. While deployed to the Pacific approaches of Central and South America in support of the Joint Interagency Task Force South, HMCS *Ottawa* was directly involved in a major drug interdiction that netted over 1,000 kilos of narcotics with a wholesale value of more than US\$29 million.

The Royal Canadian Navy, together with our Royal Canadian Air Force, has been working successfully alongside our allies and whole-of-government partners to help suppress criminal activity at sea and interrupt the flow of illicit drugs destined for our shores. The RCAF also contributed to Operation CARIBBE by providing five CP-140 Aurora long-range patrol aircraft to fly surveillance sorties. Between November 18 and 29, surveillance and detection by crews of our Aurora aircraft assisted in seizing 144 bales of cocaine weighing 4,300 kilograms with a wholesale value of more than US\$116 million.

In the words of Vice-Admiral Maddison, Commander of the Royal Canadian Navy, “We are taking the fight to the narco-terrorists in their backyard, denying them freedom of movement at sea, enforcing the rule of law and making the streets of our Canadian cities safer for our children.”

I am sure honourable senators — including navy man, our speaker — will join me in extending to the men and women of HMCS *Ottawa* congratulations, or as they say in the navy, “Bravo Zulu,” for a job well done.

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[Translation]

## ROUTINE PROCEEDINGS

### THE SENATE

#### STATUTES REPEAL ACT—NOTICE OF MOTION TO RESOLVE THAT THE ACT AND THE PROVISIONS OF OTHER ACTS NOT BE REPEALED

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

That, pursuant to section 3 of the *Statutes Repeal Act*, S.C. 2008, c. 20, the Senate resolve that the following Act and the provisions of the other Acts listed below, which have not come into force in the period since their adoption, not be repealed:

1. *Agricultural Marketing Programs Act*, S.C. 1997, c. 20:  
-sections 44 and 45;
2. *An Act to amend the Canada Grain Act and the Agriculture and Agri-Food Administrative Monetary Penalties Act and to repeal the Grain Futures Act*, S.C. 1998, c. 22:  
-sections 1(1) and (3), 2 to 5, 6(1) and (2), 7, 9, 10, 13 to 16, 18 to 23, 24(2) and (3), and 26 to 28;
3. *An Act to implement the Agreement on Internal Trade*, S.C. 1996, c. 17:  
-sections 17 and 18;
4. *Budget Implementation Act*, 1998, S.C. 1998, c. 21:  
-sections 131 and 132;
5. *Canada Grain Act*, R.S.C 1985, c. G-10:  
-paragraphs (d) and (e) of the definition “elevator” in section 2, and subsections 55(2) and (3);
6. *Canada Marine Act*, S.C. 1998, c. 10:  
-sections 140, 178, 185 and 201;
7. *Comprehensive Nuclear Test-Ban Treaty Implementation Act*, S.C. 1998, c. 32;
8. *Contraventions Act*, S.C. 1992, c. 47:  
-sections 8(1)(d), 9, 10, 12 to 16, 17(1) to (3), 18, 19, 21(1), 22, 23, 25, 26, 28 to 38, 40, 41, 44 to 47, 50 to 53, 56, 57, 60 to 62, 84 with respect to sections 1, 2.1, 2.2, 3, 4, 5, 7, 7.1, 9 to 12, 14 and 16 of the Schedule, and section 85;
9. *Firearms Act*, S.C. 1995, c. 39:  
-paragraph 24(2)(d), sections 39, 42 to 46, 48 and 53;
10. *Marine Liability Act*, S.C. 2001, c. 6:  
-section 45;
11. *Modernization of Benefits and Obligations Act*, S.C. 2000, c. 12:  
-sections 89, 90, 107(1) and (3), and 109;
12. *Preclearance Act*, S.C. 1999, c. 20:  
-section 37;
13. *Public Sector Pension Investment Board Act*, S.C. 1999, c. 34:  
-sections 155, 157, 158, and 161(1) and (4);

14. *Yukon Act*, S.C. 2002, c. 7:

-sections 70 to 75, 77, 117(2), 167, 168, 210, 211, 221, 227, 233 and 283.

### VISITORS IN THE GALLERY

**The Hon. the Speaker *pro tempore*:** Honourable senators, I wish to draw to your attention the presence in the gallery of a group of students from Béatrice Desloges school in Orleans, including Jean-Gabriel De Bané, the grandson of Senator De Bané, and their teachers, Isabelle Sabourin and Lally Durocher.

They are the guests of the Honourable Senator De Bané.

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

• (1430)

[*English*]

### SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

#### NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO MEET DURING SITTING OF THE SENATE

**Hon. Kelvin Kenneth Ogilvie:** Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Social Affairs, Science and Technology have the power to sit on Monday, December 10, 2012, even though the Senate may then be sitting, and that Rule 12-18(1) be suspended in relation thereto.

#### NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO EXTEND DATE OF FINAL REPORT ON STUDY OF SOCIAL INCLUSION AND COHESION

**Hon. Kelvin Kenneth Ogilvie:** Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That notwithstanding the Order of the Senate adopted on June 21, 2012, the date for the presentation of the final report by the Standing Senate Committee on Social Affairs, Science and Technology on social inclusion and cohesion in Canada be extended from December 31, 2012 to June 30, 2013.

### THE SENATE

#### NOTICE OF MOTION TO EXPRESS SUPPORT FOR MALALA YUSUFZAI AND HER FAMILY

**Hon. Salma Atallahjan:** Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Senate of Canada express its support for Malala Yusufzai in light of her remarkable courage, tenacity and determined support for the right of girls everywhere to an education; offer its best wishes for her full recovery; express

its gratitude for the courage of her family and the work of the staff at the Birmingham Hospital in the United Kingdom; and offer its solidarity with girls and young women everywhere whose absolute right to equality of opportunity and quality education in every country of the world is and must always be universal and real.

### FISHERIES AND OCEANS

#### COMMITTEE AUTHORIZED TO MEET DURING SITTING OF THE SENATE

**Hon. Fabian Manning:** Honourable senators, with leave of the Senate and notwithstanding rule 5-5(a), I move:

That the Standing Senate Committee on Fisheries and Oceans have the power to sit at 5:00 p.m. on Tuesday, December 4, 2012, even though the Senate may then be sitting, and that Rule 12-18(1) be suspended in relation thereto.

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

**Hon. Claudette Tardif (Deputy Leader of the Opposition):** May I ask my honourable colleague for an explanation for this request?

**Senator Manning:** Honourable senators, the committee has scheduled witnesses for five o'clock this evening who have travelled here from Newfoundland and Labrador. They are representatives of the Department of Fisheries and Aquaculture of the Government of Newfoundland and Labrador, whom we wish to hear as part of our study on the lobster fishery.

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

**Hon. Senators:** Agreed.

(Motion agreed to.)

[*Translation*]

### BANKING, TRADE AND COMMERCE

#### NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO STUDY THE "NET BENEFIT" CRITERIA STIPULATED WITHIN THE INVESTMENT CANADA ACT

**Hon. Céline Hervieux-Payette:** 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 be authorized to define and report, by way of analyses and expert testimony, on the 'net benefit' criteria stipulated within the *Investment Canada Act* in order to ensure transparency, accountability of the Government and protection of strategic national interest; and

That the committee submit its final report to the Senate no later than March 31, 2013.



[English]

## QUESTION PERIOD

### ABORIGINAL AFFAIRS AND NORTHERN DEVELOPMENT

#### FUNDING LEVELS FOR ON-RESERVE EDUCATION

**Hon. Lillian Eva Dyck:** Honourable senators, on October 3 the minister and officials from the Department of Aboriginal Affairs and Northern Development said that First Nation students from K to 12 were funded on par or above par with students attending provincial schools. The minister's announcement that First Nations students were not underfunded came as a total shock as it is so out of line with the reality of the situation. No doubt his statement will be discussed at the Assembly of First Nations' special chiefs' assembly this week across the river in Gatineau.

The minister's October 3 statement certainly was at odds with what I have learned here in the Senate over the last seven and a half years. For example, during his testimony to the Standing Senate Committee on Aboriginal Peoples in October of 2008 on Bill C-292, the implementation of the Kelowna accord, the Right Honourable Paul Martin said that on reserves, primary and secondary school education is within the federal government's jurisdiction. That being said, he added, the provinces spend substantially more per capita on students within their jurisdiction than the federal government does within its jurisdiction.

How can the Leader of the Government in the Senate reconcile this statement with what the Minister of Aboriginal Affairs and Northern Development is now saying about on-par funding?

**Hon. Marjory LeBreton (Leader of the Government):** I thank the honourable senator for the question. Honourable senators, every year we invest in education for over 117,000 students on reserves. As I have said before in this place, we have announced additional measures, such as early literacy programming, to further improve educational outcomes for First Nation students. Since 2006 we have completed 263 school projects, including 33 new schools.

We will continue to work with the Aboriginal community to take concrete steps to improve educational outcomes for First Nation students. Of course, we have committed to intensive consultation with First Nations on education legislation. This commitment flows directly from the recommendations of the national panel that was co-sponsored by the Assembly of First Nations.

Obviously, as I have said before, honourable senators, it is in the interests of us all in this country, especially with our focus on jobs and the economy, to ensure that First Nations students have the same opportunity as all Canadians. We look forward to continuing this program and having further input from the First Nations communities over the coming weeks and months.

**Senator Dyck:** Honourable senators, at the same committee meeting the former minister of AANDC, the Honourable Andrew Scott, commented on the inadequate funding formula used by the

department. Referring to the province of Saskatchewan, he said that in using and applying the exact same formula used by the province to the demographics that his department was dealing with, it was immediately apparent how badly under-resourced First Nation education was in Canada.

Again, how does the Leader of the Government in the Senate reconcile this with what the current Minister of Aboriginal Affairs and Northern Development and his department now say about on-par funding? It just does not match up.

**Senator LeBreton:** The honourable senator would not expect me to answer for a minister under a previous government. I can only put on the record the substantial effort and progress that has been made under this government. I have no comment on the views of previous ministers. I can only say that I do believe, as I stated a moment ago, that the government has made significant effort and has put significant resources into Aboriginal education, including investment in the many students living on-reserve, the building of many new schools and the upgrading of other schools.

**Senator Dyck:** I thank the honourable senator for her answer, although it does not really answer my question. I will proceed nonetheless.

The Auditor General of Canada reported on the issue of First Nations education in the 2004 and 2011 reports. In 2004 the Auditor General recommended that AANDC undertake a review of all funding formulas for education and determine the real cost drivers for the delivery of service on reserves for comparable educational services. In 2011 the Auditor General noted that no funding adjustments were made after the review.

• (1440)

Why has the department not followed the Auditor General's recommendation and adjusted the funding formulas to reflect the reality of delivering equitable education on reserves?

**Senator LeBreton:** The honourable senator cites the Auditor General's report in 2004 and I cannot answer for that. I know when we formed government in 2006 it was obvious this was an area in dire need of action. I would argue strongly that the government has taken action. I already put on the record the many steps that we have taken and also that the minister and our government look forward to continuing our work with First Nations communities over the coming weeks and months with a view to even improving on the many good things we have already done.

**Hon. Jim Munson:** Honourable senators, I have a supplementary question to the leader. There are other facts involved in this issue when it comes to federal and provincial responsibility. It seems to me they must be partners in this.

Despite overwhelming evidence to the contrary, the leader continues to suggest that First Nations students in on-reserve schools are funded at or above par with students attending provincial schools.

In the 2012 Budget we know that there was an additional \$275 million over three years for the construction or repair of on-reserve schools as well as literacy and numeracy programs. That in itself is acknowledgement of more funding for First Nations education.

In response to that 2012 Budget we have Saskatchewan Minister of Education Donna Harpauer urging the government to invest more in teaching children who attend on-reserve schools. She said that there is a serious gap between the amount of funding spent for First Nations children and those who attend classes in the provincial system. In fact, an increasing number of First Nations students are attending provincially funded schools in that province.

We have First Nations students attending provincial schools, but their band must pay the school board tuition equivalent to the per student provincial rate of funding. The result is that the Government of Saskatchewan is collecting approximately \$1.1 million from First Nation bands to pay for students in the provincial school system.

This is unacceptable, honourable senators. Bands are being forced to fund their students' education in provincial schools because on-reserve schools simply are not up to par. What will be done to correct this situation?

**Senator LeBreton:** The minister has worked in collaboration with various provinces to improve the situation with regard to education for Aboriginals living on reserve.

I can only repeat what I said to Senator Dyck. We have made a very serious commitment as a government to continue with our intensive consultations and our work with First Nations to ensure that we focus on the very serious issue of educating our young Aboriginal people living on reserve. This commitment is real and taken very seriously. The minister works diligently with First Nations to further improve the already obviously credible and positive results we have received thus far.

**Senator Munson:** Honourable senators, obviously the numbers and figures that the leader keeps putting out are not sitting well with Saskatchewan's Minister of Education. It seems, as usual, that the government is downloading its responsibility, and it should not be when it comes to Aboriginal youth. The government has a serious responsibility to care for and educate Aboriginal youth and work with bands on reserve.

Just this year, on February 27, a motion concerning First Nations education was unanimously adopted in the other place. It called on the government to fulfil Shannen's Dream by, among other things, providing funding that will put reserve schools on par with non-reserve provincial schools.

It seems to me there is a contradiction here. How can the government support this motion and maintain that First Nations students attending on-reserve schools receive the same amount of funding as those in provincial schools? It is a simple question.

**Senator LeBreton:** It is interesting, because all the significant measures taken by our government and the various budgetary measures we have taken to assist and improve the education of

Aboriginal peoples living on reserve were voted against by the honourable senator's colleagues in the other place each and every time.

I can only say that we have a very solid record. I will repeat what I said to Senator Dyck. Every year we invest in education for 117,000 students on reserve. We have also announced additional measures such as early literacy programs and we have invested in infrastructure. We have completed 263 school projects and have built 33 new schools. I would think this is quite a commendable record on the part of the government.

Having said that, as I indicated, the Minister of Aboriginal Affairs, working with the leaders of the First Nations, continues to work to make even further improvements. As we know, education was the focus of a report of the Standing Senate Committee on Aboriginal Peoples. Many of the recommendations in that Senate report have been implemented by the government.

**Hon. Claudette Tardif (Deputy Leader of the Opposition):** I have a supplementary question. There is overwhelming evidence that First Nations students attending band schools are not funded at the same level. Even the Standing Senate Committee on Aboriginal Peoples, which released its report last year on First Nations education, was very clear on the fact that First Nations students received lesser funds when they attended band schools. Not much has changed in the last year.

How can this situation continue in the face of the overwhelming evidence that exists?

**Senator LeBreton:** Obviously, the government acknowledges that there is a great deal of work to be done. That is why the government and the Minister of Aboriginal Affairs are continuing with intensive work with Aboriginal leaders to further improve the situation.

**Senator Dyck:** Honourable senators, my question is directed again to the Leader of the Government in the Senate. We are not questioning the government's record on what they have done on Aboriginal education. We are questioning the minister's statement on October 3 that First Nations K to 12 on-reserve students are funded at the same level as those students attending off-reserve schools. That is the intent of questioning.

Because the minister's statement was so preposterous, Vice Chief Simon Bird of the Federation of Saskatchewan Indian Nations said he called the department's accounting "Pinocchio accounting" because it was like a fairy tale: It did not make sense. The fact that the minister and his department refused to release the on-reserve, per student funding rate and hide behind this story only hurts First Nations children attending schools on reserves. The spin the minister and the department have put on this are really just like a fairy tale and tall tales.

If honourable senators remember the story of *Pinocchio*, in order to be a real boy Pinocchio had to listen to his conscience, and the Blue Fairy made him into a real boy instead of a wooden puppet. Pinocchio was a puppet whose nose grew when he did not tell the whole truth, and it was not until he listened to his

conscience, Jiminy Cricket and the Blue Fairy, that he learned from his mistakes and started telling the truth, the whole truth, and was able to become a real boy.

Who on the government side will act as Jiminy Cricket, the government's conscience, and come clean with the real funding numbers?

• (1450)

**Senator LeBreton:** Honourable senators, everyone in the government, and especially those working with the very serious issues faced in some of our Aboriginal communities, and particularly about Aboriginal education, shows a great deal of good conscience and are working very hard. Two other programs have been embarked upon by the government — the Education Partnerships Program and the First Nation Student Success Program. The government has embarked upon many programs.

As I have already pointed out, significant resources have been put into improving the educational situation of Aboriginals on reserves. The minister has and will continue to work with the leadership of First Nations.

I would not for one moment suggest that any of the very good efforts by the present Minister of Aboriginal Affairs and the previous ministers were anything but absolutely always acting in good faith and good conscience on behalf of Aboriginal citizens of this country.

**Senator Dyck:** Will the Leader of the Government in the Senate table in this chamber the exact methodology used by Aboriginal Affairs and Northern Development to arrive at the figure of \$14,243 per First Nation student, as stated by the minister on September 14 and October 3 of this year? How did they arrive at that figure where they are claiming that students on reserve are funded at the same or higher levels than students off reserve? Will she table that information in the chamber?

**Senator LeBreton:** I thank Senator Dyck for that question. I will simply refer her last question to the Minister and the Department of Aboriginal Affairs and ask them to provide as much information as possible by written response.

**Hon. Jane Cordy:** Honourable senators, the Minister of Aboriginal Affairs has said that the on-reserve schools have the same level of funding as the off-reserve schools, and we know that is not true. We know the provinces have increased funding by at least 3.8 per cent a year, and we know the federal funding has a 2 per cent cap and has for a number of years. We know that the fastest-growing demographic in the Canadian population are Aboriginals under the age of 25.

Will the government remove the 2 per cent cap? That cap does not even hold the level of funding due to the large increases of Aboriginal students attending schools. It is the fastest-growing demographic. We are not even holding at the same level. In fact, we are losing ground in terms of amounts of money being given to the on-reserve schools.

**Senator LeBreton:** Honourable senators, I can only respond that the government will continue to work very hard with our Aboriginal leadership and all concerned to make sure educational outcomes for Aboriginal students improve.

**Senator Cordy:** When the Aboriginal leadership appeared before the Social Affairs Committee they said they did not want the 2 per cent cap and that was a major issue for them, the lack of funding. The leader did not answer my question. Will the Harper government remove the 2 per cent cap for Aboriginal education?

**Senator LeBreton:** Honourable senators, we will continue to work with the Aboriginal communities to continue to seek improvements to education outcomes for our young Aboriginal students.

## TREASURY BOARD

### PUBLIC SERVICE COMMISSION—EMPLOYMENT EQUITY FOR PERSONS WITH DISABILITIES

**Hon. Catherine S. Callbeck:** Honourable senators, my question is for the Leader of the Government in the Senate. It is particularly relevant today because yesterday was the United Nations International Day of Persons with Disabilities.

The Public Service Commission of Canada attempts to appoint persons within four employment equity groups in order that the public service is representative of the population. One of those groups is persons with disabilities, which represents 4 per cent of the labour market. That 4 per cent is supposed to be the target for hiring, but the appointment rate for persons with disabilities last year was only 3 per cent. Therefore, the Public Service Commission is not meeting its employment equity obligations.

Why is this government not meeting its own target for hiring persons with disabilities?

**Hon. Marjory LeBreton (Leader of the Government):** I thank the honourable senator for the question. As she pointed out in her question, this particular file is managed by the Public Service Commission. Obviously, the honourable senator cites some statistics that in her view are not good enough. I will simply take her question as notice because, as the honourable senator knows, the Public Service Commission operates independently of the government. I will endeavour to have them provide a written answer to the question.

**Senator Callbeck:** I certainly will be pleased to get a written answer to that question.

The government itself has said that Canadians with disabilities face unique challenges in finding jobs. However, the number in the public service has not improved over the past three years. In 2009-10 the appointment rate was 3.1 per cent. The following year, it dropped to 2.6 per cent, and last year, as I said, it was 3 per cent.

Even worse, this trend is complicated by the fact that the rate at which these employees are leaving the public service is twice their recruitment rate. What will the government do to correct this situation?

**Senator LeBreton:** Again, honourable senators, I will take that question as notice. It is fair to say, however, that as we seek to keep people in the workforce and encourage people into the workforce, whether they have disabilities or are older Canadians, the government has many programs to retrain and work with people with special needs. We have a very good record in that regard.

However, with regard to the actual hiring in the public service, as I pointed out, the Public Service Commission operates independent of the government and I will refer the honourable senator's question to them for a written answer.

[Translation]

## JUSTICE

### MANDATORY MINIMUM SENTENCES

**Hon. Céline Hervieux-Payette:** Honourable senators, my question is for the Leader of the Government. Last week, the Barreau du Québec, which has a membership of 24,000 lawyers, filed an application in the Quebec Superior Court challenging certain provisions of Bill C-10, which now goes by the misnomer of the Safe Streets and Communities Act.

The Barreau du Québec believes that this bill does nothing to ensure the safety of Canadians. It questions the effectiveness of mandatory minimum sentences in criminal matters. Our neighbours to the south criticized this effectiveness when they appeared before our committees. The Barreau also believes that the bill undermines the independence of the courts. For these reasons, it is asking the courts to rule on the constitutionality of these provisions.

Does the government intend to respect the judiciary and restore its independence? Will it amend Bill C-10 in order to enforce the Constitution Act of Canada?

[English]

**Hon. Marjory LeBreton (Leader of the Government):** Honourable senators, the government consulted with all provinces and territories with regard to the changes in Bill C-10, including with the Province of Quebec. Of course, there has been a public opinion poll in the Province of Quebec that, in fact, shows that 77 per cent of Quebecers support tougher sentences for criminals, which in many cases is higher than the national average.

**Senator Hervieux-Payette:** On its website, the Canadian Criminal Justice Association stated:

Sentences should be based on individual contextual factors relating to each offence, rather than legislated minimums that result in ineffective, expensive, and unduly harsh periods of incarceration.

Mandatory minimums and consecutive sentences do not deter crime. Rather, lengthier periods of incarceration may actually *increase* the likelihood of recidivism among offenders. Offenders simply do not consider the *length* of sentence when deciding whether or not to commit an offense. Rather, their concern lies with whether or not they

will be caught and punished for the offense. Accordingly, mechanisms that promote severity of punishment as the ultimate sentencing rationale will fail to yield tangible deterrent effects.

• (1500)

When will the government legislate for all Canadians rather than satisfy only its reformist electoral base and listen to the professionals of the Canadian criminal justice association?

**Senator LeBreton:** First, honourable senators, it will be of interest to note that just this week, the Ontario Superior Court upheld our mandatory minimum penalties with respect to drive-by and other reckless shootings, finding our penalties to be constitutional. I do believe it is fair to say that Canadians lose faith in our criminal justice system when they feel the punishment does not fit the crime. Our measures specifically target sexual offenders that prey on our children and individuals who sell illegal drugs.

With regard to the honourable senator's question, obviously judges have these changes before them. They will adjudicate in their own courts, as they should. However, I would suggest to the honourable senator that when this bill was before Parliament recently, that would have been the time and place for her or other senators who disagree with the bill to speak up. The bill is now law.

**Senator Hervieux-Payette:** I was one of the people who spoke against the bill and told the leader that three quarters of those who will suffer will be Aboriginal females. It is not serving a purpose for rehabilitation. It is not being fair to these people. They should be taken to a place where they can learn something about the future and receive proper treatment, if needed. Those who will be punished are not those the government is aiming to punish.

**Senator LeBreton:** I strongly disagree. We aim to punish criminals who prey on children and individuals who sell illegal drugs. I doubt very much that the honourable senator would find Aboriginal women in this cohort.

## NATIONAL DEFENCE

### MILITARY COLLEGES— PROGRAMS FOR ABORIGINAL YOUTH

**Hon. Roméo Antonius Dallaire:** Honourable senators, my question is on education and Aboriginal youth.

We have all the demographics from the Aboriginal Committee showing that Aboriginal youth are the fastest-growing body or youth in the country, and giving them a better education will permit them to have greater leadership roles and responsibilities within the mosaic of Canada.

About three years ago, the Armed Forces instituted a program at the Royal Military College that would permit Aboriginal youth to spend a year at that institution to give them a framework to adapt to the academic milieu with a certain structure around them in order for them to build on their potential leadership skills. It was tough the first, second and third years. Last year, they had

19 students. This program is essential because the Canadian Forces are looking to recruit more Aboriginal people within their ranks; they have served well in wartime, and now we think they should participate in the armed forces of today.

Why does the leader think that with the budget cuts the Department of National Defence cut that program completely instead of following its original plan under Canada First, which was to expand the program to include not only RMC but also the Collège militaire royal de Saint-Jean?

**Hon. Marjory LeBreton (Leader of the Government):** Honourable senators, last January I participated in the Crown-First Nations Gathering. I sat in for a half day on the session on proper education for Aboriginal youth. There were some useful and helpful dialogue and suggestions.

I have already put on the record, honourable senators, the major steps the government has taken thus far. That being said, there is a great deal of work to do; there is no doubt about that.

With regard to RMC, any program that brings Aboriginal youth into the various levels of government is to be commended. I am not aware of the claims that the honourable senator makes. I will have to seek some information, and I will respond with a written answer.

#### DELAYED ANSWER TO ORAL QUESTION

**Hon. Claude Carignan (Deputy Leader of the Government):** Honourable senators, I have the honour to table an answer to the oral question asked by the Honourable Senator Downe on June 19, 2012, concerning Canadian participation in the Trans-Pacific Partnership negotiations.

#### INTERNATIONAL TRADE

##### TRANS-PACIFIC PARTNERSHIP

*(Response to question raised by Hon. Percy E. Downe on June 19, 2012)*

Our Conservative government is committed to protecting and strengthening the long term financial security of hard-working Canadians. Canada's prosperity is directly linked to reaching beyond our borders for economic opportunities that serve to grow Canada's trade and investment.

Since Canadians entrusted Prime Minister Stephen Harper with a strong, stable, national majority government, we have continued, and intensified, our pursuit of new and deeper trading relationships. Our Government clearly understand that our standard of living and Canadians' future prosperity depend on such efforts.

As a Pacific nation, Canada's interest in joining the Trans-Pacific Partnership (TPP) is consistent with our active, ongoing and growing presence in the Asia-Pacific region. With Canada and Mexico, the TPP market

represents more than 658 million people and a combined GDP of \$20.5 trillion. That is why Canada is pleased to be formally joining the TPP negotiations.

Joining the TPP is good news for hard-working Canadian families. Opening new markets and increasing Canadian exports to fast-growing markets throughout the Asia-Pacific region is a key part of our government's plan to create jobs, growth and long-term prosperity. It is an important step forward in our government's active and growing presence in the Asia-Pacific region. The region is a priority market for Canadian businesses, offering enormous opportunities to our exporters. Our Government continues to deliver new opportunities for hard-working Canadians.

#### BUSINESS OF THE SENATE

**Hon. Catherine S. Callbeck:** Honourable senators, I rise on a matter of house business regarding Delayed Answers.

On May 2 of this year, I asked the Leader of the Government in the Senate if she would follow up on a question with regard to the Veterans Independence Program. The problem is the inconsistencies of the eligibility criteria, wherein not all spouses are eligible for the same benefits. The leader took the question as notice and said she would seek clarification from the Minister of Veterans Affairs.

Also, on March 27 of this year, I asked about Prince Edward Island's application for funding under the Green Infrastructure Fund for a power cable project between New Brunswick and Prince Edward Island. The leader took the question as notice.

I have not received an answer to either question yet, and I am wondering when I might receive a reply.

*[Translation]*

**Hon. Claude Carignan (Deputy Leader of the Government):** We will follow up and determine when the answers will be available.

#### ORDERS OF THE DAY

##### BUSINESS OF THE SENATE

**Hon. Claude Carignan (Deputy Leader of the Government):** Honourable senators, pursuant to rule 4-13(3) I would like to inform the Senate that, when we proceed to Government Business, the Senate will address the items in the order in which they appear on the Order Paper, with the exception of third reading of Bill S-10, which will be last.

*[English]*

##### FIRST NATIONS FINANCIAL TRANSPARENCY BILL

##### SECOND READING—DEBATE ADJOURNED

**Hon. Dennis Glen Patterson** moved second reading of Bill C-27, An Act to enhance the financial accountability and transparency of First Nations.

He said: Honourable senators, there are many persuasive arguments for this legislation that justify the Senate's support. First and foremost, Bill C-27, the First Nations financial transparency bill, promotes transparency and accountability for First Nations communities by requiring chiefs and councillors to publish their salaries and expenses. Bill C-27 will also require First Nation chiefs and councillors to maintain standard accounting procedures and good business practices. It will bring First Nations accounting and public disclosure standards into line with those other levels of government across the country, providing clarity, consistency and certainty for First Nations about how their monies are spent.

The federal, provincial and territorial governments and municipalities — and I should say the Senate of Canada and the Parliament of Canada — all publish financial statements detailing their expenditures and remuneration paid to elected leaders. This information is routinely shared with the public through annual reports and regular online postings.

This bill does not set a higher standard for First Nation leaders than that which applies to other governments in Canada. What is being asked of the leadership of First Nation communities is nothing more than what is expected of elected officials in other jurisdictions across Canada, who are all required by law to report on how public money is spent. This is the same level of transparency and accountability that all Canadians, including First Nations, should expect and deserve.

This should not suggest in any way that no First Nations are currently practising transparency and accountability. That is not true. A number of First Nations already post their complete audited financial statements in band offices or on their websites. Some First Nations print and distribute this information to households on reserve. Some hold community meetings where members can come to ask questions of their leaders and perhaps of their auditors.

• (1510)

Honourable senators, these First Nations should be congratulated for their efforts. However, the fact of the matter is that some First Nations do not do this at all. Instead, they work to keep this information hidden, if not from all members, from those who oppose them. As reported by some witnesses before the committee considering this bill in the other place, intimidation has occurred in some communities when a member asked for access to this basic financial information.

Honourable senators, when a handful of First Nation leaders deny their members access to this basic information, they are denying their constituents vital information that is their democratic right to receive, and, by doing so, these leaders are risking tarnishing the reputation of all First Nation governments, including those who are trying to be transparent. Too often, in fact, First Nation residents bring complaints to Aboriginal Affairs and Northern Development Canada that their elected officials fail to answer for their actions, denying those residents their democratic rights as citizens.

Honourable senators, First Nations should not have to go to the federal government for this information. Rather, they should be able to get this information directly from their own First

Nation government. There have been repeated calls for greater transparency and accountability when it comes to the remuneration of First Nation leaders. That was clearly reflected by witnesses during recent hearings into this bill by the Standing Committee on Aboriginal Affairs and Northern Development in the House of Commons.

First Nation leaders also recognize the need for greater transparency and accountability. This is why, in 2010, at a special assembly of chiefs, the Assembly of First Nations passed a resolution:

To lead by example and demonstrate to other orders of government processes for accountability. . . . Ensuring information about community finances and decision making is easily accessible, and available via the Internet where applicable.

However, so far, there are only 19 First Nations that I am aware of that have made their information publicly available on their websites. Bill C-27 responds to that AFN resolution and gives First Nation governments an opportunity to demonstrate their own commitment to transparency and accountability to their members.

Of particular interest to senators, this legislation complements and will help to advance our recent work on Bill S-6, the proposed First Nations elections act. Like Bill S-6, the First Nations financial transparency act will provide new frameworks that support stronger, more stable and effective First Nation governments.

Once this proposed legislation is adopted, it will put information regarding a First Nation's financial situation, including remuneration and expenses paid to its chief and council, directly into the hands of First Nation members. Armed with this data, they will be able to make informed decisions about spending in their communities and about how much money their leaders are paid.

This bill will also assist First Nation members to become better informed about the situations facing their communities and thus better able to participate in their community's electoral process and to make informed decisions about whom to support at election time, and, if this information is not made available, this bill will provide individual members with the tools they need to hold their own governments to account.

This underlines the importance of Bill C-27, to ensure good governance and promote democracy because the foundation of democracy is the principle of accountability. Those who are elected or appointed by elected officials are accountable to the citizens they represent.

Equally important, Bill C-27 will create an environment conducive to private sector investment as the proposed legislation will inspire confidence among prospective business partners. When it is clear how a community manages its money and how it accounts for those expenditures, companies interested in pursuing joint ventures will have greater confidence that they can count on a First Nation to be a reliable partner. This will lead

to job creation and economic growth on reserves. In turn, this will translate into greater self-reliance and a better standard of living for First Nation residents. This is ultimately what the Government of Canada is working to achieve. All of our legislative initiatives are aimed at enabling Aboriginal people to achieve economic success so they can maximize the benefits of self-sufficiency and prosperity.

Honourable senators, now that I have highlighted what Bill C-27 will do, permit me briefly to reinforce what it will not do. This proposed legislation will not set salary levels for chiefs and councillors. It will be up to the First Nation to set the appropriate level of remuneration for elected officials. The act will simply ensure the public disclosure of financial information, empowering band members to decide if levels of compensation are appropriate.

Something else that needs to be clear is that the public disclosure of financial statements of band-owned businesses will not undermine their competitiveness. Bill C-27 would not require each individual business owned by the First Nation to publish its own set of detailed financial statements. It requires only that the band publish audited, consolidated financial statements of the First Nation as a whole.

This would include any entities which, according to Generally Accepted Accounting Principles, are to be consolidated with the First Nation, including most band-owned businesses. This is in keeping with accounting principles and rules that apply already to government-owned businesses across Canada.

As these statements are highly aggregated, they would not reveal any proprietary information that would undermine their competitiveness. To make this point even clearer, the government introduced amendments to clarify that the requirements for First Nations would need to be in line with the Generally Accepted Accounting Principles and that First Nations band-owned businesses would not be required to post their full financial statements.

The amendments also establish distinct definitions of what is meant by salaries versus expenses, a concern raised during committee hearings of the other chamber that has now been addressed.

The new wording balances the need for precision in legislative drafting to be consistent with Generally Accepted Accounting Principles.

Honourable senators, the final point I want to emphasize is that this proposed legislation would not create any additional paperwork for First Nation governments. All that is being asked is that they publicly post consolidated financial statements each year, which are audited by independent, accredited professional auditors. This is already a requirement of their funding agreements, so it does not add to their workload. Some have suggested that because this information is already prepared by First Nations and provided to the government, this means this bill is not required. On the contrary, this bill corrects a situation which no longer makes sense. Yes, this information is provided to the department, but why should a First Nation member seeking basic financial information about his or her own band be required to turn to the minister to get this basic information? The role of

the minister in policing what should be matters of local accountability is outdated and, frankly, paternalistic, and it prevents greater accountability from developing at the community level. This bill will rectify this situation by putting into the hands of individual members the legal tools they require to hold their own governments to account. In so doing, it would lessen the role of the minister in refereeing local disputes about access to basic information. I would think and hope that everyone would see this as an enormously positive step for First Nation people.

Honourable senators, we have made every effort to ensure this legislation satisfies the needs of First Nation residents to have access to the information they need while reducing the reporting burden on band councils. As I have noted, these documents, the audited, consolidated financial statements and the schedule of remuneration and expenses, are already prepared by First Nation governments as a requirement of their funding agreements with Aboriginal Affairs and Northern Development Canada. There are other documents which First Nations are required to prepare for the government, far too many in many cases. However, this bill requires not a single new document or report.

Furthermore, First Nations do receive a grant toward the costs of preparing audited consolidated financial statements through band support funding. Therefore, First Nations are already doing this, are already supported financially for doing it and now will simply be asked to make some of these documents public to their members.

• (1520)

By the way, if a First Nation does not already have its own website, nothing in this bill requires them to develop one. Instead, they can ask another organization to post these documents on their behalf. Failing that, Aboriginal Affairs and Northern Development Canada can post these documents on behalf of the First Nation.

Once again, the suggestion that this bill will increase the reporting burden of First Nations or will result in higher costs for First Nations governments is not borne out by the facts. Nothing in this bill is unreasonable or onerous. It is quite simply good business practice.

In closing, I would like to draw the attention of honourable senators to an editorial published yesterday in Regina's *Leader Post*, entitled "New law should not be a burden." It states:

It's good news that the First Nations Financial Transparency Act has passed in the House of Commons. It's difficult to see how anyone could sincerely oppose a law requiring any government to publish basic financial information.

I would also like to note that this is not the first time a Minister of Aboriginal Affairs has introduced legislation on this subject. There are both similarities and contrasts, but former Minister Nault's Bill C-7 also covered much of the same ground as this bill in a previous government in the other place.

I call on honourable senators to lend their support to this worthy legislation. I believe First Nations members are counting on us to look out for their best interests. We must not let them down.

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

**Hon. Lillian Eva Dyck:** Would the honourable senator take a question?

**Senator Patterson:** Yes.

**Senator Dyck:** I just have one quick question for the honourable senator. He mentioned that Bill C-27 complements Bill S-6 on First Nations elections, which we dealt with here in the chamber last year. Since it is complementary, is it part of an overall government plan? In that case, if they complement each other, why was it introduced as a private member's bill instead of a government bill?

**Senator Patterson:** I thank the honourable senator for the question. It is true that Bill C-27 had its first iteration as a private member's bill sponsored by an MP from Saskatchewan in a previous government. However, my understanding is that the bill died on the Order Paper with the last election. Also, since that last election, the bill has now been introduced by the government as a government bill.

I guess it goes to show that good private members' bills, even if they falter in Parliament, can be reintroduced as government measures, as this bill is being introduced by this government now.

**The Hon. the Speaker *pro tempore*:** Is there further debate?

(On motion of Senator Dyck, debate adjourned.)

### CANADA LABOUR CODE EMPLOYMENT INSURANCE ACT

#### BILL TO AMEND—SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Eaton, seconded by the Honourable Senator Seidman, for the second reading of Bill C-44, An Act to amend the Canada Labour Code and the Employment Insurance Act and to make consequential amendments to the Income Tax Act and the Income Tax Regulations.

**Hon. Jane Cordy:** Honourable senators, it is my pleasure to speak today to Bill C-44, An Act to amend the Canada Labour Code and the Employment Insurance Act and to make consequential amendments to the Income Tax Act and the Income Tax Regulations.

The amendments proposed in Bill C-44 are designed to provide improved support for families who find themselves in times of extraordinary hardships. As the sponsor of Bill C-44 stated, we can all sympathize with parents who are forced to deal with unimaginable hardships, and we must do what we can to provide the support these families need.

Bill C-44 enhances access to EI sickness benefits, special EI benefits for parents of critically ill children, and makes amendments to the Canada Labour Code to provide unpaid leave and job protection for parents tending to family tragedies.

I believe most of us support allowing a parent caring for their baby to suspend their parental benefits to apply for sickness benefits in the event that they fall ill while on parental leave, and to extend their parental benefits. This switch from parental to sickness benefits would be done without having to prove the claimant is otherwise available for work.

The government claims that Bill C-44 will provide access to sickness benefits for claimants who are in receipt of parental benefits. However, it needs to be stated that this enhanced access to sickness benefits during parental leave is not new and is currently provided for in the EI program. This enhanced access to sickness benefits was actually provided for by the Liberal government in 2002 in Bill C-49. Bill C-49 removed the caps, or anti-stacking rules, removing the barrier to making sickness claims while on parental leave.

In 2002, Bill C-49, brought forward by the Chrétien government, was intended to ensure that a person who falls ill during parental leave can collect EI sickness benefits. Ironically enough, the Conservatives, in opposition, voted against this bill in 2002.

The bill did pass. However, unfortunately, the department interpreted the law in a way to deny sickness benefits before, during and after parental leave. It took an appeal challenge in 2011 to the EI Umpire to get clarification. The Employment Insurance Umpire ruled that legislative changes in Bill C-49 were intended to make sickness benefits available to women who became ill immediately before, during or after receiving maternal or parental benefits. However, claimants are continuing to be denied these benefits even after the umpire's ruling, and I hope that Bill C-44 will provide clarification to the current rules and correct this injustice.

Unfortunately, in the budget bill brought forward in the spring of 2012 by the Conservative government, Bill C-38, an omnibus bill, did away with Employment Insurance Umpires and Employment Insurance Boards of Referees. If a worker's claim is dismissed by the new Ottawa-based tribunal, there can be no appeal to an umpire as there was in 2011. If a claimant's appeal to a one-person Ottawa-based tribunal is rejected, there will be no umpire because that stage of appeal was axed with Bill C-38 in the spring of this year.

Another welcome change proposed in Bill C-44 is the creation of an EI benefit that would provide income support for up to 35 weeks to eligible parents caring for a child with a critical illness or injury. The key word here is "eligible." To be eligible to qualify for this benefit, a claimant must have 600 hours of employment over six months.

Our economy is shifting drastically toward part-time employment. Recent numbers show that one in seven employed Canadians are part-time employees, with close to 80 per cent of fathers and 75 per cent of mothers not reaching the 600-hour requirement. If the numbers were to be broken down, one would find that nearly 275,000 fathers and 680,000 mothers would not qualify for this benefit. More must be done to allow these parents access to the programs available to other parents.



The number of hours of labour force attachment should be reduced to 420 over six consecutive months instead of the 600 required in this bill. This change would ensure benefits to part-time workers who would not otherwise qualify for this EI benefit. This would truly help families in need, because Bill C-44 is called the Helping Families in Need Act. If we really want to help families in need, we should consider reducing the hours from 600 to 420 over six consecutive months.

Additionally, I hope that the definition of “critical illness,” which is not in the bill but will be in the regulations, will be flexible enough to allow the help to parents who need the financial support at a time of great stress to families.

I also question the 35-week cap on benefits. As we all know, many treatments of serious illnesses require a minimum of 35 weeks. I am thinking specifically of cancer treatments, which span months with chemotherapy, radiation treatment and surgery.

• (1530)

I think the least we can do with this bill is to provide a minimum of 52 weeks of benefits for families who are caring for a sick child.

Along with the amendments to the Canada Labour Code proposed in this bill, to protect the parents’ employment and allow unpaid leave for parents whose child dies or disappears as a result of a suspected criminal offence or who need to care for a critically ill child this is a compassionate and much-needed small step forward.

I support the first steps this bill takes to help ensure parents do not suffer additional financial hardships when caring for critically ill children or dealing with a child who died or disappeared as a result of suspected criminal activities.

I look forward to the opportunity to study Bill C-44 in committee.

**The Hon. the Speaker *pro tempore*:** Will the honourable senator accept a question?

**Senator Cordy:** Yes.

**Hon. Catherine S. Callbeck:** Thank you for the explanation of the legislation we have before us. Certainly, I am in favour of improving support for families. However, I want to ask the honourable senator about one change that I do not see here and it is something I would like to see in legislation and that is concerning the two-week waiting period for maternity and parental benefits. That is a unique situation and the two-week period in those situations really causes unfair hardship.

I would like to ask the honourable senator her opinion on that.

**Senator Cordy:** I thank the honourable senator for her excellent question. I know that Senator Callbeck has spoken on this on a number of occasions in the Senate. She is absolutely right. When I had my briefing with the department yesterday, I brought up that very point and I said we are talking about a bill that has the wonderful title of helping families in need, and yet we have

families who are having to wait for two weeks with no income coming in. In fact we are supposed to be helping families in need, then I agree that this should have been an important part of this bill, that we did away with the two-week waiting period. As the honourable senator has said in the chamber on other occasions, the two-week waiting time would not cost anything extra for the government. It would simply mean that people begin to collect benefits immediately.

I am not sure why this measure was not included in the bill. This piece of legislation would have been the perfect opportunity to bring forward doing away with the waiting times. It is certainly something about which we are well aware. The honourable senator has spoken on this subject so many times, and others in the chamber have spoken about it. This would indeed have been the perfect time to bring forward that legislation at no cost to the government.

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

**Some Hon. Senators:** Question.

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

**Some Hon. Senators:** Agreed.

(Motion agreed to and bill read second time.)

REFERRED TO COMMITTEE

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

(On motion of Senator Carignan, bill referred to the Standing Senate Committee on Social Affairs, Science and Technology.)

## VISITOR IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I wish to draw the attention of honourable senators to a distinguished visitor in the Governor General’s Gallery: Premier David Alward of New Brunswick.

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

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

[*Translation*]

## PROHIBITING CLUSTER MUNITIONS BILL

THIRD READING—  
MOTION IN AMENDMENT NEGATIVED

On the Order:

Resuming debate on the motion of the Honourable Senator Fortin-Duplessis, seconded by the Honourable Senator Nolin, for the third reading of Bill S-10, An Act to implement the Convention on Cluster Munitions;

And on the motion in amendment of the Honourable Senator Hubley, seconded by the Honourable Senator Downe, that Bill S-10 be not now read a third time but that it be amended,

(a) in clause 11,

(i) on page 6,

(A) by replacing lines 24 to 32 with the following:

“over it, if the person does not expressly request that a cluster munition, explosive submunition or explosive bomblet be involved in the carrying out of the activity;

(b) requesting the carrying out of an activity that may involve the use of a cluster munition, explosive submunition or explosive bomblet by the armed forces of that state, if the person does not expressly request that a cluster munition, explosive submunition or explosive bomblet be used and the choice of munitions used is not within the exclusive control of the Canadian Forces; or

(c) moving a cluster munition, explosive submunition or explosive bomblet from a”, and

(B) by replacing lines 43 and 44 with the following:

“engaging in an activity related to the transport — other than the actual transport — of a cluster munition, explosive”, and

(ii) on page 7,

(A) by replacing lines 4 to 14 with the following:

“that is not a party to the Convention, from receiving, comforting or assisting another”, and

(B) by adding after line 21 the following:

“(4) No person contravenes section 6 by reason only that the person engages in military cooperation or combined military operations involving Canada and a state that is not a party to the Convention that might engage in activities prohibited under section 6.

(5) A person who is subject to the Code of Service Discipline under any of paragraphs 60(1) (a) to (g) and (j) of the *National Defence Act*, or who is an employee as defined in subsection 2(1) of the *Public Service Employment Act*, and who is directing or authorizing activities in the course of engaging in military cooperation or combined military operations involving Canada and a state that is not a party to the Convention must make their best efforts to discourage the armed forces of that state from using, or planning to use, cluster munitions,

explosive submunitions or explosive bomblets, and must provide those armed forces with advice respecting the availability of alternative and effective conventional munitions.”;

(b) on page 8, by adding after line 28 the following:

#### “INTERNATIONAL RELATIONS

**16.1** (1) The Minister of National Defence must advise the government of any state that is not a party to the Convention, and with which Canada is engaged in military cooperation or combined military operations, of Canada’s obligations under the Convention.

(2) Any agreement between Canada and a state that is not a party to the Convention pursuant to which a person referred to in subsection 11(1) is on attachment, exchange or secondment, or serving under similar arrangement, with the armed forces of that state, must provide that the person will not be ordered by, and will not be required to follow any order issued by, a member of those armed forces to perform an act that is prohibited by this Act.”;

(c) on page 9, by adding after line 8 the following:

“**17.1** (1) Every person who commits, outside Canada, an act or omission that would, if committed in Canada, be an offence under this Act, is, if the person is a Canadian citizen, a permanent resident within the meaning of subsection 2(1) of the *Immigration and Refugee Protection Act*, or a corporation incorporated under the laws of Canada or a province, deemed to have committed that act or omission in Canada.

(2) For greater certainty, section 130 of the *National Defence Act* applies in relation to this Act.”;

(d) on page 10, by adding after line 17 the following:

#### “ANNUAL REPORT

**23.1** (1) Within four months of the end of each fiscal year, the Minister of Foreign Affairs, the Minister of National Defence and the Attorney General of Canada must jointly prepare a report on the implementation of the Convention and the enforcement of this Act, and the Minister of Foreign Affairs must cause a copy of the report to be laid before each House of Parliament on any of the first fifteen days on which that House is sitting after the report is completed.

(2) The annual report must include a description of the progress made by the Government of Canada in relation to the following:

(a) the promotion of the norms established by the Convention;

(b) the encouragement of states that are not parties to the Convention to ratify, accept, approve or accede to the Convention;

(c) the notification of states with which Canada is engaged in military cooperation or combined military operations, but which are not parties to the Convention, of Canada's obligations under the Convention;

(d) the discouragement of states with which Canada is engaged in military cooperation or combined military operations, but which are not parties to the Convention, from using cluster munitions, explosive submunitions or explosive bomblets; and

(e) the deactivation, disposal and destruction of all cluster munitions, explosive submunitions or explosive bomblets possessed by Her Majesty in Right of Canada in a manner that protects the environment and human health.”.

**Hon. Suzanne Fortin-Duplessis:** Honourable senators, I would once again like to thank honourable senators on both sides of the chamber for having given careful attention to this bill throughout our discussions. Today I wish to talk about the amendments proposed by the honourable senators in the opposition during the debate on November 28. Instead of addressing each amendment separately, I will address them more generally, given that most of us are already familiar with the proposed amendments and the reasoning behind them.

I would first like to address the concerns that were raised regarding clause 11 of the bill, without a doubt the clause that drew the most attention during our deliberations. The opposition felt that the clause is too general and that it allows too many exceptions. The government is of the opinion that the bill, in its current form, fully complies with the spirit of the convention and will enable Canada to meet all of its obligations. The wording of clause 11 is very specific given that, under article 9 of the convention, Canada, as a state, must put domestic legislation in place to outlaw all activities prohibited by the convention, which Canada has done. The general obligations set out in article 1 and the exceptions set out in article 21 guided the drafting of this bill. Those two provisions require the creation of offences and exceptions, but the wording cannot be too general.

I remind my esteemed colleagues that the states parties are also obligated to encourage the states not party to stop using, possessing or stockpiling cluster munitions and to ratify the convention. This convention contains both positive obligations and prohibitions, but the positive obligations are directed at Canada as a state, and not at the individual members of the Canadian Forces. From a legal standpoint, it would be difficult to include them in the provisions that set out the prohibitions.

It has come up a number of times that Canadian Forces members participating in joint operations could get caught in an ethical dilemma. These ethical dilemmas come up often during the course of military operations, but we believe that it is not appropriate or required by the convention to use our own domestic criminal laws to resolve them.

Under the convention, the states parties must be transparent and produce reports, and we completely agree that Canada should report the progress it is making on its convention obligations, which it has already done voluntarily. However, we do not think it is necessary to implement another accountability mechanism in the current bill, such as an annual report to Parliament, since the convention already includes its own accountability structure.

• (1540)

Finally, I would like to point out that we all want the same thing: to eliminate all cluster munitions and to have all countries adhere to the convention. But before that can happen, we must consider that some countries continue to use these weapons. Some of them are among our closest allies, and we conduct joint military missions with them to strengthen global peace and security and to protect Canada's values and interests.

The government believes that the bill, in its current form, strikes the right balance, a balance that was negotiated when the convention was drafted. This bill includes the prohibitions that Canada must introduce into its criminal law and the exceptions with respect to military cooperation, and it protects Canadian Forces members against inappropriate criminal prosecution. It requires Canada, as a party to the convention, to fulfil its fundamental obligations to not manufacture, possess or use these munitions, to destroy existing stocks and, through diplomacy, to convince other countries to ban cluster munitions and ratify the convention.

Honourable senators, I recommend that you vote against the amendments.

[English]

**The Hon. the Speaker pro tempore:** Further debate on the amendment?

**Hon. Roméo Antoinius Dallaire:** Are we not allowed questions?

**The Hon. the Speaker pro tempore:** Will the honourable senator entertain a question?

[Translation]

**Senator Fortin-Duplessis:** Yes.

**Senator Dallaire:** Thank you.

You certainly were not given an easy task when you were handed a bill that deals with the technical military world and the technology of arms. Nevertheless, you fulfilled your role, and I would like to acknowledge that and commend you.

Earlier, you mentioned an issue that I would like some clarification about. Basically, you said that criminal law should not resolve ethical dilemmas. Okay. But do you not believe that criminal law should not create ethical scenarios in which

individuals have to come to terms with these same values, this same sense of right that is supposedly being put into practice through this legislation?

Do you not find it completely inappropriate that this bill creates this scenario by means of the exception in clause 11?

**Senator Fortin-Duplessis:** Honourable senators, first, because Senator Dallaire raised the subject of criminal law, I will answer his question and then some. As the senator knows, from the opening clauses of the bill, any Canadian company that manufactures a cluster munition in whole or in part will be liable to imprisonment and a fine of \$500,000 or more.

I believe the senator mentioned clause 11; this clause was drafted to ensure that our soldiers, the women and men participating in military operations, are protected from criminal prosecution. I think that clause 11 provides some solid guarantees for our soldiers, and I do not see the need to add anything to it. I said it was important to enable participation in military operations.

**Senator Dallaire:** I would like to ask a supplementary question.

Clause 11 goes well beyond simply protecting people from criminal prosecution. Let us remember that 77 countries have ratified the convention. We have been told that the interpretation of article 21 of the convention, which was interpreted in clause 11 of the bill, is much more dynamic and far-reaching, even in terms of protection.

The purpose of the amendments proposed was simply to reach a level of objectivity in order to prevent soldiers from getting stuck using these weapons, which, as you just said, we want to eliminate from our stockpile and we want absolutely nothing to do with.

However, if our soldiers are with people who have these weapons, they are required to use them. The purpose of the proposed amendments to clause 11 was to establish that, even if our soldiers were with other people, they still would not use those weapons. It would not be possible for them to be taken to court as a result. On the contrary, they would have even more protection because they would not even have to think about what to do if such a situation should arise because it would be part of the doctrine. Did you not consider our amendments from this perspective?

**Senator Fortin-Duplessis:** I would like to thank Senator Dallaire for this supplementary question. First, I would like to say that, after Earl Turcotte left, skilled negotiators from Foreign Affairs and International Trade Canada and the Department of National Defence worked on this. They worked tirelessly to ensure that Bill S-10 is consistent with the convention.

The Honourable Senator Dallaire and his colleague proposed a huge number of amendments, and Senator Dallaire has just shared his opinion, but we do not share it. I think that the government did all it could, that this is a good bill, and that everyone should support it.

[ Senator Dallaire ]

**Senator Dallaire:** In your response you referred to Mr. Turcotte, who played a key role in these negotiations. You also said that the Department of National Defence and Foreign Affairs and International Trade Canada worked tirelessly to ensure that the bill contained a guarantee that our soldiers would not be held criminally responsible. That is not a problem. The departments also worked tirelessly to ensure that the entire convention is applied in the legislation, and we are not against that. On the contrary, we support it. There were a number of excellent provisions that met needs.

But where I think our public servants and diplomats from the Department of Foreign Affairs and International Trade, as well as from the Department of National Defence — and they are all familiar with how it works — and the Judge Advocate General and the lawyers went too far is when they went beyond what could be a possible scenario in which these individuals could end up in a legal straitjacket.

In this context, it is good that they negotiated amongst themselves, but that does not mean that this is innate knowledge. Do you not think that they have gone beyond a minimum requirement concerning legal protection, to show that our soldiers, when they are deployed with other forces, will abide by our country's desire not to use these arms?

**Senator Fortin-Duplessis:** Once again, I thank the Honourable Senator Dallaire for his third question. I think that Senator Dallaire believes that this bill is too general and allows for too many exceptions, while we believe that the bill as it stands now is fully in keeping with the spirit of the convention and will allow Canada to fulfill all of its obligations.

• (1550)

[*English*]

**Hon. A. Raynell Andreychuk:** Honourable senators, I wish to enter into the debate, particularly regarding the amendments, but before I do so, I think it is necessary to correct some inaccuracies that have been stated publicly about hearings at the Standing Senate Committee on Foreign Affairs and International Trade.

It was stated publicly, but not retracted, that amendments were put forward by Senator Dallaire. He indicated that to iPolitics. In fact, he presented no amendments to the committee. Senator Hubley put the amendments before the committee. A statement was made that there was a lack of transparency in our hearings. All of our hearings were public, including the debating and the voting.

There was also a comment that Senator Dallaire's opinions were not accepted. That may be correct. He was not a witness, and, obviously, he did not convince all of his colleagues of his position.

I want to commend Senator Hubley. This was not an easy bill. It was a technical bill and required understanding of international law and Canadian criminal law. She admirably listened to all of the witnesses and particularly to those who were not in support of the bill, seeing her role as a critic to see how the bill could be improved. She handled the amendments and the conduct of the

bill through the committee very admirably, and I thank her for her cooperation and her commitment to this issue of cluster munitions and their abolition. She was tirelessly looking after the land mines issue, and I can see that she will do the same on cluster munitions. I wanted that on the record.

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

**Senator Andreychuk:** The amendments go beyond the implementation of the convention. If I were to look at the convention, Article 21 is the section that everyone has difficulty with. That is the interoperability section. There is a recognition right in the convention that cluster munitions are being used by some states that are not party to the convention, or there is a possibility that those states might use them.

It would have been better if we could have gotten a convention that had absolutely no exceptions, no Article 21. However, once the convention had Article 21, those countries that signed on had an obligation to give full force and effect to the convention, and clause 11 in Bill S-10 is the Canadian response to Article 21 of the convention.

In fact, in my opinion, the ethical dilemma that is proposed to be taken care of in the amendments adds to the ethical dilemma of our military forces. I believe that the balance struck in Bill S-10 deals with a defence for soldiers and military who find themselves in a situation that is contemplated in Article 21 of the convention. They very clearly point out when it will be a defence to a criminal charge for our military if they are in a theatre of operation. It nowhere states in the convention, nor is it intended in Bill S-10, that Canada would use cluster munitions. I thank Senator Hubley for making that point. She made it very strongly and forcefully, and I endorse it. There are no Canadians who advocate cluster munitions and their use.

However, we also understand that our defence and security is locked in with that of our allies, and some of those have not signed on to the convention. It seems to me that what the Government of Canada did in this bill is to say that if, in an interoperability situation, soldiers are confronted with the use of some cluster munitions by our allies, they will not be criminally charged in those specific areas that are outlined in clause 11.

To accept the amendments muddies it further. It puts the ethical dilemma on the soldiers in a way that is not contemplated by the convention. The amendments go further in putting responsibilities on our military that are not contemplated in the convention. Therefore, I believe that the amendments should fail.

**Senator Dallaire:** Would Senator Andreychuk accept questions?

**Senator Andreychuk:** Yes.

**Senator Dallaire:** I thank her for the recap of our sessions and of the interaction that we have had in public, both mine and hers. May I state that, although I stand by the essence of my interview, there are elements there that could have been improved upon. Therefore, I will take that as notice from the honourable senator and mean no disrespect to her, as chair, in that regard.

On the essence of the debate, the honourable senator really came to the heart of it when she said that, if there had not been Article 21, we would not have had clause 11. No problem. If there were no Article 21, we would not be able to operate with those countries that are non-signatories. That means that if there were no Article 21, we would not be interoperable with those who use cluster munitions. Those who use them now include the Americans in particular and the Israelis even recently, and we are certainly not willing to be interoperable with some rogue states that are using them.

Therefore, without having Article 21, we would not be allowed, in any coalition mission, such as the one in Libya, to have any officer in any command position or in any exchange position with any of those forces, particularly the Americans, because they would use cluster munitions, and we said that we do not even want to come close to them.

Is it not best that, versus the land mines exercise, they tried to frame the ability of interoperability without putting in prejudice to the individuals who are being used in that interoperability? Clause 11, to apply Article 21, makes a lot of sense. That is to say that it is trying to clarify what is happening to those who are in that situation.

However, in so doing, do you not agree that on the one hand we are saying in the bill, "Do not even think about cluster munitions. They are evil; they are ugly," and on the other had, however, in clause 11 we are saying, "By the by, should you be deployed with the Americans, then you can use them because you are under command there, and if it requires those weapons, then you order them and use them"? Is that not a fundamental ethical dilemma for the individual who, for all his training and everything that the nation stands for, does not want to have anything to do with them but who, in operations, through the way that clause 11 is written, can do it? He should feel comfortable because he will not be charged and thrown in jail. I do not think that that is enough. Do you not agree?

**Senator Andreychuk:** I will answer it this way: There were many witnesses who came before the committee who do not like clause 11, but they are also the same people who do not like Article 21. I had the feeling that perhaps what they were doing was trying to use levers that were not available in the convention negotiations, and they were using them against the countries as they are starting to implement the convention.

While it may be nice to say that we should have gone the New Zealand route regarding clause 11, we are not New Zealand. We are not in the same situation, and it is incumbent on the Canadian government to interpret Article 21 to the best of their ability for Canadians, for the interoperability sections for Canadians.

• (1600)

We find ourselves in a NORAD/NATO situation; and I am not sure what other situations we will find ourselves in. Article 21 is there because we are not sure how countries will have to defend themselves in the interim.

I do not want Article 21 any more than anyone else, but once we have Article 21, we need section 11. I would prefer it to be very specific, so that soldiers know what is correct and what is not correct. I want policy, practices and procedures on the back of my government, not the soldiers.

The government has a responsibility to continue negotiating with the United States, Israel and everyone to get rid of cluster munitions. The Government of Canada has the responsibility to ensure that they have policies and practices that ensure cluster munitions are not used and, to the extent possible, to convince their allies not to use them.

I see section 11 totally differently than the honourable senator sees it. I see the soldier knowing exactly what he can and cannot do and where it will lead, because it is a criminal charge. We will ask our soldiers to put their lives on the line for us, and we will put the added stress on them of having them work out the ethics of when they intervene and how they intervene. That is what the amendments talk about. The judgment calls will be made by the soldier or the officer in a split-second situation. I prefer our government to have the responsibility of getting rid of cluster munitions universally. However, if we have to be in an interoperability situation, it will be policies and practices that have put us there, and the soldier will carry out his duties knowing that section 11 is there for his or her benefit.

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

**Senator Dallaire:** Honourable senators, I could use everything the honourable senator said and go the other way, which we tried to do with the amendments in respect of the individual on the ground.

A major commanding an American company, who may have in their doctrine for a specific target area the use of cluster munitions and who may order it under section 11, will not be held accountable legally but will be held accountable morally. That same company commander will walk through that area and will see the impact of those cluster munitions, as we have seen through all of these operations to date when they are used. In fact, 98 per cent of the munitions kill civilians and a 97 per cent rate of non-exploding munitions happens in built-up areas or treed and bush areas.

That major will be living with that knowledge and will see the bodies and the impact. That is what he or she will live with. Yes, they will not be court-martialed under the National Defence Act or the Criminal Code, but they will be held accountable morally and ethically.

Does the honourable senator not think that with the amendments we presented, where it does not affect interoperability, because the example used was that if we do not do this, we will not be able to have our people interoperable and deployed with the Americans in particular?

Honourable senators, where I am going with the interoperability argument is that artillery officers have the means of delivering tactical nuclear weapons in NATO. Under NATO doctrine, tactical nuclear weapons are instruments in the concept of operations that we had in Central Europe. However, we decided

not to use them. Not only did we not build them, which we could have done, but we also decided not to use them. Since the 1960s, we have never trained personnel in the use of tactical weapons. That did not affect our interoperability with the Americans or the Germans, because we were core reserve for both.

In my opinion, putting a limitation on a weapons system that we know the Americans do not want to use — having seen the effects of them in Syria — and saying, “By the way, a Canadian who is going with you will not use them,” will not affect interoperability. Yet, the way the bill is written, section 11 gives full potential for that to happen, based on our concern for interoperability.

**Senator Andreychuk:** With respect, I do not think the emphasis should be on the morality. The emphasis is on the convention and Bill S-11.

Honourable senators, is it agreed that I have a few minutes to respond?

**Hon. Senators:** Agreed.

**Senator Andreychuk:** The honourable senator is putting the emphasis on some ethics and morality. Soldiers face ethics and morality every day they are in a war zone, in particular where civilians are involved. To hivy off this and say that this is the only place where there are ethics and morality — no. However, that is why we have policies, practices, procedures, military courts, et cetera.

There is nothing in section 11 that says it is okay for a Canadian to start reinterpreting the convention in any broad way. In fact, section 11 narrows it more and more. It comes to the point that I agree with the honourable senator and many witnesses in wishing that Article 21 were not there.

However, as the minister said, in the real world of balancing the safety and security of citizens in the theatre of operation with our allies, we came to Article 21. That debate is over. Article 21 is there. If we wish to start renegotiating the convention, which perhaps we should do, that is a different issue. It is not the bill before us, Bill S-10.

I do not think my opinion counts and, with respect, all of us today, the military, Justice officials and Foreign Affairs officials, say that the best interpretation of Article 21 in implementation into our criminal law is section 11. Honourable senators, our duty is to monitor them from now on to see whether in fact it is so. However, I do not want to second-guess whether or not it is, so I am accepting their opinion that it was the best that could be done, in anticipation of what we will face from a military point of view. That does not detract from the fact that, from this moment on, I will spend my time, as I know Senator Hubley will, in trying to get rid of Article 21 in a different forum.

**Hon. David P. Smith:** Honourable senators, there is one flaw in the defence of section 11, although I do not think any witnesses before the committee supported section 11 other than government witnesses. All the groups that appeared were against it, including a former senior Canadian official who has since left the

government. He was not happy with it and is now working for the United Nations in Laos, where he sees damage from land mines and cluster munitions all the time.

The flaw is that there is no equivalent to section 11 in the land mines agreement. Is the honourable senator suggesting that we need to reopen the land mines agreement to add an equivalent to section 11? I do not think anyone was suggesting that was necessary at all. I defer to Senator Dallaire's experience on operations with allies.

• (1610)

Does the honourable senator think the government needs to reopen the land mines agreement to include the equivalent of section 11? Why would we have it in one and not the other when it is really the same issue?

**Senator Andreychuk:** With respect, honourable senators, land mines and cluster munitions are not the same. They are both abhorrent and neither should be used. However, one cannot equate how one approaches getting rid of land mines and getting rid of cluster munitions in the same breath. They are very different.

Land mines are planted. They need to be disarmed and dismantled. We need to know where they are. Cluster munitions usually come from above, although I am told it can be otherwise. They are very different and the conventions are very different. Therefore, the responses to the implementation of both conventions have to be different.

The honourable senator says "all the witnesses." With respect, the witnesses who chose to appear before us at the time were those who were unhappy with Article 21, and I have a lot of sympathy for them. However, cluster munitions are different from land mines.

I am sorry that I do not have the land mines document before me. In it are some discussions on where land mines, specifically, were used, how they were used and how to get rid of them. It was specifically for land mines. The cluster munitions document is specifically for cluster munitions. They are different weapons, but they are both abhorrent.

I believe that we must approach them differently, as the conventions approach them differently.

[*Translation*]

**Hon. Fernand Robichaud:** Honourable senators, I understand that we have to protect our Canadian soldiers and that the government signed a convention to eliminate the use of these weapons.

I have a problem with section 11, where it reads:

11. (1) Section 6 does not prohibit a person who is subject to . . .

I also have a problem with paragraph 11. (1)(b), where it reads:

(b) expressly requesting the use of a cluster munition, explosive submunition or explosive bomblet by the armed forces of that state if the choice of munitions used is not within the exclusive control of the Canadian Forces . . .

We are giving Canadian soldiers the opportunity to specifically request the use of such weapons, and I have a lot of problems with opening that door. I understand that soldiers can be in situations where other countries that have not signed the convention may be using these weapons; however, to say that a Canadian can specifically request the use of such weapons goes completely against the convention that we signed.

[*English*]

**Senator Andreychuk:** I do not interpret it quite the way the honourable senator does.

In interoperability situations, there are commanders and soldiers, and the action is fast moving. This contemplates a defence in any possible scenario that the military now thinks might happen. The use of cluster munitions must be weighed in a split second against the defences needed.

We should monitor this to see if that wording leads to any broadening of defences beyond what is necessary. However, at the moment, I can only pay respect to our military that it has the same objective as we do, namely, to abolish cluster munitions and to ensure the safety and security of our country.

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

**Hon. Senators:** Question.

**The Hon. the Speaker:** All those in favour of the motion will signify by saying "yea."

**Some Hon. Senators:** Yea.

**The Hon. the Speaker:** All those opposed to the motion will signify by saying "nay."

**Some Hon. Senators:** Nay.

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

*And two honourable senators having risen:*

**The Hon. the Speaker:** Call in the senators.

Do the honourable whips have advice?

**Senator Munson:** Thirty minutes, sir.

**The Hon. the Speaker:** There will be a 30-minute bell. The vote will take place at 4:45 p.m.

• (1640)

Motion in amendment negatived on the following division:

YEAS  
THE HONOURABLE SENATORS

|                 |                          |
|-----------------|--------------------------|
| Callbeck        | Jaffer                   |
| Chaput          | Joyal                    |
| Charette-Poulin | Lovelace Nicholas        |
| Cordy           | Mahovlich                |
| Cowan           | Massicotte               |
| Dallaire        | Mercer                   |
| Dawson          | Moore                    |
| Day             | Munson                   |
| De Bané         | Ringuette                |
| Downe           | Rivest                   |
| Dyck            | Robichaud                |
| Eggleton        | Smith ( <i>Cobourg</i> ) |
| Fraser          | Tardif                   |
| Furey           | Watt                     |
| Harb            | Zimmer—30                |

NAYS  
THE HONOURABLE SENATORS

|                  |                         |
|------------------|-------------------------|
| Andreychuk       | Marshall                |
| Ataullahjan      | Martin                  |
| Bellemare        | McInnis                 |
| Boisvenu         | McIntyre                |
| Braley           | Meredith                |
| Brazeau          | Mockler                 |
| Brown            | Neufeld                 |
| Buth             | Ngo                     |
| Carignan         | Nolin                   |
| Comeau           | Ogilvie                 |
| Dagenais         | Oliver                  |
| Demers           | Patterson               |
| Doyle            | Plett                   |
| Duffy            | Poirier                 |
| Eaton            | Raine                   |
| Enverga          | Rivard                  |
| Finley           | Runciman                |
| Fortin-Duplessis | Seidman                 |
| Frum             | Seth                    |
| Gerstein         | Smith ( <i>Saurel</i> ) |
| Greene           | Stewart Olsen           |
| Housakos         | Stratton                |
| Johnson          | Tkachuk                 |
| Lang             | Unger                   |
| LeBreton         | Verner                  |
| MacDonald        | Wallace                 |
| Maltais          | Wallin                  |
| Manning          | White—56                |

ABSTENTIONS  
THE HONOURABLE SENATORS

Nil

**The Hon. the Speaker:** Honourable senators, we are now at third reading on the main question. Are honourable senators ready for the question?

**Hon. Senators:** Question.

**The Hon. the Speaker:** On debate, the Honourable Senator Dallaire.

• (1650)

**Senator Dallaire:** Honourable senators, first may I congratulate Senator Hubley and her staff for their extensive work on this quite technical bill. I also thank Senator Fortin-Duplessis.

[*Translation*]

I would also like to thank Senator Fortin-Duplessis for her work on a topic that she is not necessarily familiar with.

[*English*]

I thank the Standing Senate Committee on Foreign Affairs that gave substantial opportunity for those who had an opinion on this bill to present their arguments, and although many of them were against the bill and had commentary that was negative to the bill, they were heard. To me, that is significant, particularly given the nature of many of the witnesses who were there.

I will come to one witness in particular who has been referred to a couple of times, and I would like to give you a few quotes and background to the commentary.

I rise now to discuss Bill S-10 at third reading and to present my argument for why I think we should vote against it.

As honourable senators know, the devastating effects of cluster munitions are felt in many parts of the world. These lethal weapons are used mainly against civilian rather than military targets for the initial concept of their use, which does not exist any longer; that is to say, massed armoured forces. Research has shown that 98 per cent of victims are in fact civilians, for we are engaged in mostly imploding nations and in failing states, better known as civil wars. As such, the belligerents are often intertwined within the infrastructure of the nation and within the civilian population.

It is not unusual for some of the bomblets contained in the device to fail to detonate, only to explode years later, injuring and even killing adults and children. Mines blow off legs; bomblets blow off heads. These victims have absolutely nothing to do with the conflict; they are simply in the wrong place at the wrong time. Many children have been injured because they thought the bombs they found on the ground were old toys, and they do have a perspective to them that attracts the attention of young children.

[*Translation*]

Cluster munitions were recently used in Syria and caused a significant amount of damage. After a fighter jet deployed these weapons, a dozen children died from the effects of the cluster munitions and about 15 people were wounded. All of these victims were civilians. How many other people will have to die before we understand that these weapons must never be used again? I repeat: they must never be used again by anyone. We must not wait for Canadian soldiers to lose their lives before we realize that we must do everything we can to stop the use of these



weapons. We can set an example in the fight against these weapons. Our forces may one day be involved in a civil war conflict in which these weapons will be used against us. Or even worse, these weapons could have been used, could have been left behind on the ground and could accidentally explode, wounding or killing our soldiers.

In international military law, decisions are made by weighing the military advantage against the collateral damage. Since over 95 per cent of victims are civilians, it is very obvious that the military advantage is much smaller than the collateral damage. So we must do everything we can to eliminate this weapon.

Canada, which was a world leader on the international treaty to ban landmines in 1997, has not been able to be a leader once again with cluster munitions. There are some differences between these two treaties.

The celebration marking the 15th anniversary of the Ottawa Convention took place yesterday. It is interesting to note that very few senators from the other side of this chamber joined with the amputee associations to celebrate this agreement that our country was courageous enough to sign 15 years ago.

A number of witnesses who appeared before the Foreign Affairs and International Trade Committee indicated that Canada's legislation with regard to these weapons was among the worst they had ever seen. It is inconceivable that Canada, a country that literally launched the movement against the use of anti-personnel mines, could support such weak legislation by failing to take action in this regard.

Although many people boast that Canada was one of the first nations to sign the Oslo Convention, that does not mean anything, because Canada followed that up with legislation that many experts feel is inadequate and porous.

[English]

Earl Turcotte led the Canadian delegation during negotiations leading up to the Convention on Cluster Munitions. He fought hard for improvements to the proposed legislation, which he considers inadequate.

• (1700)

This gentleman at Foreign Affairs was of senior rank and, between 2005 and 2011, led the Department of Foreign Affairs and International Trade in several arms controls instruments: the UN program of action on small arms and light weapons proliferation; the *Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects*; the anti-personnel land mine treaty; and had the great honour of leading the Canadian delegation throughout the negotiations on the Convention on Cluster Munitions.

This is not just someone who happened to be involved or someone interested in the subject. This is a person who was engaged in the nuts and bolts of the convention and brought to it enormous successes from previous treaties over a period of at least six years in which Canada led many of these conventions for their applications.

Throughout the negotiations, our Canadian delegation worked closely with the U.K., France, Germany, Australia and many other countries to ensure we achieved the highest possible humanitarian standard in the convention. At the same time, it was necessary for some of us to ensure that we could continue to engage effectively in combined military operations with allies such as the United States, who have chosen for the time being, at least, not to become party to the convention. With significant effort, we succeeded in negotiating into the text of the convention Article 21, which makes explicit provision for continued military cooperation with non-party states. Article 21 happens to be based largely upon text that Mr. Turcotte personally drafted in Dublin during the negotiations. He said:

I believed then and I continue to believe that this provision for continued interoperability is an essential element of the convention . . . However, Article 21 must be considered in its entirety and within the context of the broader convention.

The broader convention is right. The sin against it is the interpretation of Article 21 in clause 11.

He continues:

There are now 111 signatories to the convention, of which 77 have ratified or acceded, including many of Canada's allies. After Canada signed in 2008, throughout 2009 and 2010 officials in Foreign Affairs, myself included, were embroiled in an intense debate with the Department of National Defence regarding which specific military activities would be or should be prohibited or permitted during joint operations with non-party states.

In late 2010, senior officials in the two departments came to agreement. I believed at that time that some of the scenarios that would be permitted in the draft legislation are illegal under the convention and are completely inconsistent with our publicly stated desire and legal requirement under the convention to protect civilians from this weapon.

That is the ultimate aim. He goes on to say:

I issued a conscientious objection and asked that my name be removed as the lead departmental contact on the proposed legislation as I could not, in good conscience, defend it in its existing form.

Honourable senators, I have not seen that courage often. It is extraordinary from such a high level, with such a conviction on a piece of the convention that ended up in legislation, that a civil servant takes this courageous position. It is not an insignificant gesture of concern in regard to the content of this legislation, and so it should be regarded with that depth of argument when we are looking at clause 11, and we looked at it, of course, previous to the amendments.

I find it troubling that this man, who has been so involved in this issue and so anxious to enhance Canada's performance on cluster munitions, has asked that his name be removed from this file because he does not want to be associated with such a defective piece of legislation. Here is what he said, and I do not

wish to repeat it, only to reinforce the fact that he objected and took the conscientious decision to resign not only from this treaty negotiation but also from Foreign Affairs. Here is the reason he said he quit the bill: Bill S-10 does not respect the very foundation of the Oslo convention that we led. If we were people who watched it from the sidelines and joined in if we felt like it, that would be one thing, but we actually led the debate. We launched it and pushed it, and it has extraordinary elements in it, but it went awry. It went awry when it hit the public servants. In DND, the military, whether at the general officer rank or the JAG rank — God knows who was in there — the convention and the legislation, particularly in our interpretation of the convention, went awry.

One of the problems with clause 11 of the bill is that it proposes several exceptions to clause 6. For example, it would allow the weapons to be used in cases of military cooperation and when the decision to use the weapon is not made by a Canadian officer. According to defence and government experts, clause 11 would protect our soldiers during joint missions with states that had not signed the convention — absolutely correct. Many non-governmental organizations have clearly stated that clause 11 should be removed.

I am not of that ilk. I never wanted clause 11 to be removed. I wanted it to be cleaned up, clarified and weighted down with more depth to ensure that commanders in the field could not only feel confident in the use thereof because they would not be held criminally responsible, but also would be demonstrating, consistent with our philosophy regarding this weapons system, that they do not believe in its use and that they are not simply passively employing it, but they are, in fact, using their thoughts, their brains, their professional ethics and, of course, their instinctive professional abilities to make split-second decisions when so required.

We want to remove scenarios that impose upon them decisions for which they have doubt. Clause 11 puts in doubt because we are sinning against the philosophical framework of our doctrine, which we inculcate in those same officers in regard to the weapons that we would never want to use.

[*Translation*]

A Canadian officer who is sent to serve in an allied country that is not a party to the convention, and who, according to the allied doctrine, orders the use of cluster munitions, may have to deal with this fundamental ethical problem. This officer is stuck between a rock and a hard place because, on the one hand, he operates under Canadian law and, on the other, he must obey the doctrines of other countries.

The amendments we proposed concern the clause that would allow Canadian soldiers to work with allies that are not a party to the convention, but which clearly establishes that the order to use cluster munitions would never be given by a Canadian officer. This is a nuance that is permitted in joint operations, in NATO or UN missions or operations. We have been very involved in joint operations that use munitions, and even small arms, and so it is plausible that we will use cluster munitions.

Honourable senators, I would like to ask for a few more minutes please.

[ Senator Dallaire ]

**The Hon. the Speaker:** Is it your pleasure, honourable senators, to agree to the request?

**Hon. Senators:** Agreed.

[*English*]

Honourable senators, I hope you will, if not forgive me at least note that if I am getting worked up and even emotional with this bill, I have been in my previous employ an officer in the field, a field commander faced with decisions shrouded in ethical dilemmas. I bear the scars and live with the consequences that clinical decisions and objective policies have created for us in the field as we try to interpret them. I served for 37 years in the forces, and I bring that experience to this hallowed chamber. It is my responsibility to tell honourable senators of the ethical dilemmas that our lack of field experience can create, and it is my responsibility to rectify this legislation to prevent future Canadian Forces officers from bearing the same scars I do. We should have improved clause 11 and, in so doing, I believe we should not vote for this legislation as it stands.

• (1710)

I will curtain my remarks and go to the concluding comments.

Canadians are often called on to work with the British, French and, of course, American forces. The British and the French, with whom we have secondments, have made it clear that they do not want to use cluster munitions and that is why they signed the convention — two of our primary allies. Remember we often talked about the Four Eyes or Five Eyes. Those are Australia, the U.K., the U.S., Canada and New Zealand. All except the United States have signed that they will not use them. Only the United States, which has a massive inventory, has not ratified it. However, the horrors that we saw in the media about the Syrians using those cluster munitions, and I speak of the American media, was extraordinary. I cannot see an American commander ordering the use of cluster munitions in civil war conflicts where in fact the enemy forces are totally integrated within the civilian population and they are fighting primarily in built-up areas where these weapon systems do nothing more than destroy people and lie about to destroy children, in particular.

We have a chance to give Canada the opportunity to enhance its image abroad by strengthening this legislation. I would like to close by saying for the umpteenth time that the Senate and honourable senators could have had a direct impact on strengthening this weak legislation. As it stands, Bill S-10 is flawed and does not respect the full spirit of the convention. As senators, I believe our responsibility is to improve it, and in the circumstances in which we find ourselves at third reading, I recommend we vote against the bill.

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

**Some Hon. Senators:** Question.

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

**Some Hon. Senators:** Agreed.

**Some Hon. Senators:** On division.

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

### CRIMINAL CODE

BILL TO AMEND—THIRD READING—  
DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Runciman, seconded by the Honourable Senator White, for the third reading of Bill C-290, An Act to amend the Criminal Code (sports betting).

**Hon. Vernon White:** Honourable senators, there were many things I wanted to say to each of you today regarding Bill C-290, but I will try to focus on what I see as the most important.

I have spoken in the Senate a half dozen times, and this is one of the more important, and I thank you for your time.

First, I want to thank the chair and deputy chair of the Legal and Constitutional Affairs Committee for allowing us to fully examine this piece of legislation. Senator Fraser and Senator Runciman showed what the job of a senator is as we took this bill apart to ensure we fully examined the impact it will have on Canada and Canadians. Thanks to you both.

As I prepared to speak today, I realized there are many things I could speak to specifically relating to what I see as a result of Bill C-290, but I decided to tell you what I would not speak to as well. For example, I had considered talking about the impact increased gambling through single-event betting would have on our families. In fact, I could have spoken about witnesses who talked specifically about the impact they have seen on families and the breakdown by this terrible addiction, gambling, and that I have personally investigated and arrested otherwise lawful individuals because they allowed their addiction to take over their lives and jeopardize their families.

I could have spoken of research on youth in Windsor, Ontario, where 8.1 per cent of youth observed aged 14 to 19 years old have been identified as having problem gambling as an affliction, a growing problem among our youth. In fact, that very research has shown that problem gamblers are six times more likely to be divorced than non-problem gamblers and that problem gamblers are four times more likely to have problems with alcohol and four times as likely to smoke daily than non-problem gamblers. It sounds like gambling is one ingredient in a recipe for disaster among young people and families.

Studies have indicated that family conflict is up to 50 times higher among families of problem gamblers compared to those who do not have problem gamblers in their family. I have chosen not to focus on that area of gambling and the impact it has had and is having on Canadians and their families. I am certain others may focus on this area, however.

I had considered speaking of the rising suicide rates since the expanding gambling phenomena in Canada; that cities have seen a direct correlation to increasing suicide rates in those areas where gambling has gained prominence; that the Canada Safety Council indicated in their report of 2006 that there were approximately 200 suicides as a result of gambling, and yet they offer a caveat as the statistics are probably lower than the reality because many people fail to identify this issue in their reporting due to embarrassment, so it is likely under-reported. However, I will leave this for others to speak to as again it may be too easy to allow my personal experience to focus on such a negative part of this bill before us today.

I could have spoken about those people who are often the first in line in our gambling venues, those living on limited incomes, pensioners, vulnerable and low-income groups, and those with other addictions. Having spoken to the operations manager at one casino, he spoke to the fact that they see an upsurge in revenue at the same time every month, the time when CPP and OAS cheques are issued. In one study, the legalization of casinos has seen a threefold increase of gambling addicts in one researched U.S. state, showing an addiction rate of all adults at 5.4 per cent identified as pathological or problem gamblers in that state.

In testimony before the U.S. House Judiciary Committee, evidence was presented and accepted that identified that casinos do not want to stop gambling addiction because they can depend on addicts for a huge percentage of their profit. Professor Earl Grinols presented evidence at that committee that pathological and problem gamblers, representing 4 per cent of the adult population, account for as much as 52 per cent of an average casino's revenues. In fact, having spoken to one particular social worker, I was advised that their file count with gambling addiction at the core has risen dramatically, in particular among the groups I mentioned, but that too will not be talked about by me today. I will leave it to someone else.

I could speak about the fact that Canada has tens of thousands of locations for gambling and that our revenue in this area has risen from under \$2 billion per year to almost \$14 billion per year in less than two decades. This is not some new vein of wealth we have tapped into; it is the vein of the Canadian public. It is not new money spent on gambling but, rather, money for families often spent on gambling, out of one pocket and into the pockets of casinos and provinces overseeing those facilities. The University of Calgary identified in their research that gambling addiction and alcoholism have similar rates of prevalence in Canada, at approximately 5 per cent. In fact, Canada is now fourth in the world in gambling per capita, behind Australia, Singapore and Ireland, and far above our southern neighbors, the U.S.A., sitting at thirteenth, according to research done by *The Economist*.

I am all for Canada aspiring to be number one. In fact, I say it every day: We live in the best country in the world, one that focuses our energy on our Canadians, built on our diversity with Canada's First Peoples and our settlers over generations to become one of the most successful nations in the world. I tell everyone I know, from wherever they may come, that there is no better nation to live in. However, being number one in gambling is not my aspiration, not with what I know about this terrible addiction and what I know about those who are afflicted by this terrible disease.

I could speak to the fact that we would be following in the shoes of the one state in the United States that has this form of legislation — Nevada. I mean no disrespect to the state of Nevada, but I do not want my country becoming Nevada North. In fact, the vast majority of states in the United States have no interest in this type of legislation, and those that do have an interest have identified it specifically because of its revenue-generation potential. I will speak to this later, briefly, but it will not be my focus today, other than to say that what happens in Vegas I would like to see say in Vegas.

I could have focused on those who are the most addicted to gambling in this great country. We have seen this group become so addicted they fail to see the other issues I have talked about here today. They have chosen to ignore it, for the most part. They do understand at some level the impact it is having on addicts as they donate their money to organizations that help the gambling-addicted, almost akin to a drug dealer providing funding for a drug treatment centre. It would be funny, if you had a perverse sense of humor, I guess.

That group, those most addicted to gambling in this country, are the very provinces we live in. They will do anything to tap the last vein of a Canadian willing to bet one more dollar — not one more new dollar, by the way, but one more dollar out of the pockets of those I referred to, often our most vulnerable. However, I will stay away from this, as some might think I am province-bashing. I will let senators judge for themselves.

I could talk about what some in that other place have said, that billions are being spent offshore by people betting online, and it is probably true. The other truth is that Australia, which has single-event betting and has the biggest gamblers in the world per capita, still spends well in excess of \$1 billion a year offshore. That is because offshore betting includes online poker, reportedly the most common form of offshore gambling. This bill will have no impact on that line.

• (1720)

A number of researchers have looked at offshore gambling. Overall, they report that poker has a three-to-one prevalence in online gambling over sports betting. The reality is that the amount being bet offshore is much less than the numbers produced by proponents of Bill C-290. In fact, the work of PricewaterhouseCoopers shows a much smaller amount being spent on sports betting offshore, that is, if the bettor decides to bet in a casino in Canada rather than from their living room offshore, if we pass this bill.

Some supporters of this bill say that over 100 million people living close to our border might be willing to drive into Canada to place a wager on a single-event sport. Let us be serious. That is not why we are building a bridge between Windsor and Detroit. I am sure that is not the trade we are talking about. The truth is that two things will occur if we adopt this bill. Canadians will gamble more — I will bet on that — and we might have Americans betting from their place of residence, if they can, which would be illegal by the way, and we might find our own government-run industry being investigated by our American friends as a result of the Unlawful Internet Gambling Enforcement Act of 2006, which is legislation regulating online

gambling. It prohibits gambling businesses from knowingly accepting payments in connection with the participation of another person in a bet or wager that involves the use of the Internet and that is unlawful under any federal or state law. We could find our very own gambling venues investigated, as have other countries that are providing gambling venues that have been deemed illegal in the United States of America.

More important, we will not have 100 million Americans, or any number like that, crossing the border to bet at our establishments. Let us be honest with ourselves; this is about engaging Canadians once again to increase their gambling. The answer to our problem of offshore gambling might be to consider initiating our own legislation, as the U.S. has done, to combat this activity rather than engaging in it ourselves. Surely that was considered when this bill was debated, so I will leave it to senators to consider what was examined.

Honourable senators may be asking themselves what I will talk about. I will talk about integrity — the integrity of sport in this country. This is a challenging bill for me due to the things mentioned but not spoken to and about what I will now speak to.

With the passing of this legislation, we would put the integrity of sport in Canada in a very difficult position. This is not just about betting on the NHL, NBA, NFL or other leagues. In fact, even if it was, they said “No thanks, do not include us,” when they made presentations to the committee.

The reality is that this bill would open up single-event betting for whatever purposes the provinces want it and, as I stated earlier, we already know how bad their addiction has become. They could open up amateur sports to this betting. Why would they not if this is in fact about gambling revenue and not sport?

I have not heard one presentation on how good this will be for the well-being of Canadians. Not one proponent spoke to the value of this bill for the good of Canadians, which is directly involved, of course. In fact, the sports tell us that they do not want to be involved either. Not one person has said that this will be good for Canadians, for youth or for sport.

Let us talk about amateur sport. In October of this year in Florida there was a major takedown of an illegal gambling ring betting on a single event. More than \$100,000 had passed through hands on the event being bet on, according to police officials. This was happening in the stands, by the way. That could be legal in Canada under this legislation if the provinces chose to make it so. I forgot to mention that the sport being bet on was peewee football, which is played by 13-year-olds.

That could be the future of gambling in Canada, but who cares; it is about revenue. It is not about children, families or sports integrity; it is about money. Think about the impact this could have on our youth, for their sake and the sake of integrity in sport in this country.

What sports can you bet on? You can bet on any sport that the book you are wagering with covers. Therefore, we will leave it to the gambling-addicted provinces to decide. In most cases and at most bookmaking facilities, illegal or otherwise, it will include professional and college football, basketball, baseball, hockey,

horse and dog racing, and anything else they wish, usually dependent on them having an opportunity to make money. Those who are hoping to see the bill pass are rubbing their hands. It likely will.

Some who appeared in support of Bill C-290 spoke about the fact that athletes must sign a letter indicating they will not cheat, and that includes gambling. I guess we have never seen athletes cheat in sports before.

Let us have a look. In 2003 the National Collegiate Athletic Association conducted a survey of student athletes on gambling. Of Division 1 football players, the highest of the high in the NCAA, 1 per cent reported having taken money for playing poorly; 2 per cent reported being contacted by an outside source to share inside information; and 3 per cent reported providing insider information about a game. We think they will not cheat.

A players association survey of Eastern European soccer players published earlier this year found that almost 12 per cent have been approached to consider fixing a match, while almost 24 per cent said they were aware of match fixing that took place in their league. Most of the countries engaged in the survey had single-event betting. In fact, in one country surveyed, 35 per cent said they had been approached to fix a match, while in another country 45 per cent of the players surveyed stated that they knew of a game that was fixed.

Tim Donaghy, a former professional basketball referee, worked in the NBA for 13 seasons. He resigned from the league in 2007 as a result of reports of an investigation by the FBI into allegations that he bet on games he officiated during his last two seasons and that he made calls affecting the point spread in those games. He pled guilty to two federal charges and was sentenced to 15 months in jail.

This case is important because the player, coach or referee does not have to guarantee a win or a loss. In this case, he only had to guarantee that he would beat the spread, that he would change the course of the game and influence the number of points by which the game was won or lost.

The people who presented information to us from the major leagues — the NHL, NFL, NBA and Major League Baseball — all asked us to defeat this bill for the sake of their sports. They also spoke openly about the impact it could have on expansion in Canada by them or their minor league teams.

We heard from the only university in Canada that plays within the National Collegiate Athletic Association, Simon Fraser University, although others have applied for entry into this organization. They told us that they would not be permitted to have championships or tournaments in Canada if this bill is passed. In fact, the state of Nevada, which I spoke of earlier, does not have any of the major sports leagues operating within their state, and the NCAA does not allow tournaments as a result of their legislation surrounding and allowing single-event betting because they fear match fixing that much and its impact on the integrity of sport.

With single-event betting, the proliferation of betting can impact on every sport in Canada. Our youth, our amateurs and our professional sports have a tremendous reputation worldwide

for their integrity in sport, and we should not jeopardize that with this legislation.

To recap, we have had betting on sporting events in Canada for a while, but when you have to bet on more than one game, which is the way we do it, the odds — pardon the pun — of influencing their outcomes are much more difficult as you have to influence multiple players, multiple coaches and multiple officials on multiple teams in multiple matches, which is almost impossible.

With single-event betting, you need to only influence one player, one coach, one official and, as I said, not to win or lose but to beat or meet the spread between winning and losing. That is much easier and, as evidenced elsewhere, a shot at the integrity of sport in Canada.

The truth is that in countries where single-event betting is legal, which is particularly seen in Europe, we have seen many dramatic and extensive instances of game fixing in cricket and soccer matches; too many to name and too many to ignore.

Declan Hill, a Canadian journalist and author, wrote in his PhD thesis and his book *The Fix* specifically about the problems with match fixing in Europe and Asia as well as focusing his attention on the potential for that here in Canada.

**The Hon. the Speaker:** I regret to advise the honourable senator that his 15 minutes have expired. I wish also to advise the house that the 45 minutes reserved for the opposition will be used by Senator Baker.

Senator White is asking for another five minutes. Is that agreed?

**Hon. Senators:** Agreed.

**Senator White:** Declan Hill has looked at the impact in China, Singapore and Europe and has given evidence and speeches in multiple forums specifically on the issue of match fixing and the impact it is having on the integrity of sport, specifically as it relates to betting. He does not offer an opinion on this legislation but rather on the impact gambling/betting is having on sport overall.

• (1730)

He states categorically that the greatest threat to the integrity of sport in Canada is match fixing. As he says, the reality is that the issue will not be the big game where team 1 is expected to lose to the better team, team 2, and instead the weaker team 1 wins the game. He says the games being fixed will be the same game but the spread would indicate that the weaker team will lose by two goals and instead it loses by four. You see, the public expected a loss. They got a loss. The bookmakers predicted a loss. They got a loss. However, they lost outside of the spread, causing millions of dollars to be won or lost as a result of the fix.

He also indicates it is likely to be in the second or third tiers of sport, not at the top of the sport, where the fix will occur — less publicity, lower scrutiny. In essence, it will be betting on a junior hockey match or second or third tier baseball or soccer match, maybe peewee football, betting on a team to lose by more than the odds makers have identified is the likely scenario.

Speaking with Mr. Hill last week, he stated that match fixing should be our biggest concern regarding sports integrity in this country. I would argue that the passing of Bill C-290 would increase the likelihood of match fixing.

This would have been the end of my speech today, but something else is bothering me about this legislation and the professional teams' involvement. When I heard Senator Runciman speak last week, he mentioned the teams and leagues that were against the legislation, specifically referring to the National Football League. I asked myself how it is that these bookmakers, like the OLG, Ontario Lottery and Gaming Corporation, able to bet on multiple events and, in the future, single events if this passes, are getting away with trademark infringement.

I called the National Football League legal department yesterday and asked them about their trademark and whether the passing of this bill would infringe on their individual corporate trademarks. They advised that in their opinion it would, and they said they have already taken action in Canada against organizations that infringed on these trademarks, and they have been successful in getting injunctions against those organizations.

I asked them how OLG gets away with this infringement now with this piece of federal legislation that is so important to our country's integrity. The answer is that the Ontario Lottery and Gaming Corporation uses only the city name, not the team name, to get away from the trademark infringement. It is not San Diego Chargers; it is San Diego.

I find it slightly offensive that an arm of government, albeit provincial, uses such tactics to ensure that they are not infringing on the trademarked rights of any organization, so having confidence in their managing a single-event betting scheme is not for me, I have to say.

As an aside, the NFL is looking at the OLG program again to see if there is something they can do from a trademark infringement perspective, so there is another pressing issue with this legislation. It infringes, I would argue, upon the trademark rights of the very entities it purports to use in its gaming scheme without their authority, organizations that have asked us to defeat this bill and that have taken others to court to stop what the law purports to make legal specifically in relation to trademark infringement.

There are more tentacles to this than an octopus has, and I ask you to consider each of those today.

To conclude, having worked in three provinces and three territories as a police officer for more than 30 years, as a commanding officer of the RCMP and a chief of police for approximately 10 of those years, I can and will personally attest to the tragedy that follows addictions, including gambling addictions. Anything we do to propagate this terrible illness will be a mistake, in my opinion.

Lastly, they say in gambling that we the consumer really cannot win. The house always wins. Let us turn that around today. Had the house heard the evidence we heard, I believe they would have

agreed with us and would have taken a different look at the bill. Please help me in defeating Bill C-290.

**Hon. Bob Runciman:** Will the honourable senator take a question?

**Senator White:** Absolutely.

**Senator Runciman:** I wonder if the senator would agree that the expert testimony we heard from Professor Derevensky of McGill University indicated that he does not believe this legislation, if passed, will create more problem gamblers.

The honourable senator focused on the integrity of professional teams. He heard my speech last week. I challenged that issue with respect to what they are doing to damage their own integrity. The honourable senator also referenced Simon Fraser University, the only Canadian school with membership in the NCAA.

Is the honourable senator aware that the Western Athletic Conference, the West Coast Conference, the Mountain West Conference and the Pac-12 are all holding their men's basketball championships in Las Vegas, Nevada, in March of next year? These are all NCAA conferences. Further, is the honourable senator aware that the Pac-12, one of the most prestigious leagues in the NCAA, is actually hosting its event at the MGM Grand Hotel and Casino? What does that say about integrity?

**Senator White:** To answer the first question first, I heard witnesses tell us that they do not believe this will bring about more problem gambling. We also heard that two and a half decades ago when gambling was introduced in Canada. We heard that gambling would not have an impact on this country, but it has had a tremendous impact.

As for professional sports and their involvement, all I know is the evidence they presented. The NFL is now in court in New Jersey trying to stop this particular legislation from passing. When it was in Oregon, they would not allow the NBA team from Portland to be included in the gambling. I do know that about professional sports.

As for the NCAA, I can only talk about the evidence that was presented by Simon Fraser University. I did not speak to anyone from the NCAA. The witness in that case was clear that if this legislation passed, they would not see tournaments in Canada. That is all I can speak to.

**The Hon. the Speaker:** If there is no further debate, is it agreed the matter stands adjourned in the name of Senator Baker?

**Hon. Senators:** Agreed.

(On motion of Senator Baker, debate adjourned.)

## FOOD AND DRUGS ACT

### BILL TO AMEND—THIRD READING

**Hon. Kelvin Kenneth Ogilvie** moved third reading of C-313, An Act to amend the Food and Drugs Act (non-corrective contact lenses).

He said: Honourable senators, Bill C-313 proposes to amend the definitions section of the Food and Drugs Act so that non-corrective contact lenses fall under the definition of “device.” The current definition of “device” within the Food and Drugs Act does not capture non-corrective contact lenses, also referred to as cosmetic or non-prescription contact lenses. Such lenses are purely aesthetic and serve no therapeutic purpose within the Food and Drugs Act. However, once they are deemed to be a device, non-corrective contact lenses would be subject to the classification rules of the Medical Devices Regulations.

Honourable senators, for your background information, I will refer to the situation with regard to prescription lenses. Prescription contact lenses are those that are intended to correct the vision situation faced by a given individual. They must be prescribed by someone licensed to fit such lenses. Such lenses must fit the curvature of the eye. Not everyone can wear prescription contact lenses, and of course there is a variety of eye curvatures among the population. The principal issues arising from an improperly fit lens include scratching of the eye surface, irritation that can arise in a number of ways and infection.

Prescription lenses, as I mentioned, come in a number of curvatures. However, we were told, and it was confirmed by an industry spokesperson, that cosmetic lenses come in only one size. Furthermore, they can currently be purchased off the shelf. There is no requirement for the intervention of anyone trained in the proper application of lenses.

You will all appreciate that the placing of a lens on the cornea of the eye that does not fit properly could easily lead to infection, scratching and further damage to the eye. The longer that occurs, the more severe the damage.

These cosmetic lenses are largely used by young people. We heard that they are reluctant to give up the personal cosmetic benefit that they perceive, even when their eye is clearly infected and they are suffering from the presence of the particular cosmetic lens.

• (1740)

Honourable senators, this bill will ensure that cosmetic lenses will now be prescribed by those trained and licensed in the same way as corrective lenses. This is as it should be. I urge you all to support the passage of this bill.

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

**Hon. Art Eggleton:** I have a question, if I might, to the honourable senator. Unfortunately, I could not be at the meeting, but I did get some of the points that were being made by one of the witnesses. I would like the honourable senator’s comment on this.

I hear what he is saying and it sounds very compelling. A witness from the industry suggested that designating the device is a good idea because it helps to ensure quality and safety, which is paramount in this particular case. However, they said it also could have unintended consequences. Because these are cosmetic contacts, they have not been subject to prescriptions in the past; but making them subject to prescriptions, they argue, would then

add substantially to the cost. You go to the optometrist, for example, and there will be a cost not covered by medicare, and this drives up the price considerably.

However, at the same time, one can go online and order these lenses for \$25 or \$35. They can get them apparently from sources in the Far East. The argument they were making is that it would defeat the purpose of the legislation, which they say is fine as far as designation goes, but it is the prescription part of it that they felt was going a little too far. I wonder if the honourable senator might comment on that.

**Senator Ogilvie:** I thank the honourable senator for the question. Clearly, the industry spokesperson did make those points, and we heard, and we all understand, of course, that there is no way that any society can totally protect against the illegal sale of materials within its borders. However, by including these devices within the act, they are then covered by law with regard to their use within the country. I think that was the principal part of the honourable senator’s question. Does that cover the issue?

**Senator Eggleton:** Yes.

**Hon. Jim Munson:** Just a question on procedure. Who is the sponsor of this bill? Senator Ogilvie is the chair of the committee, so who is sponsoring it? He sounds like he is sponsoring this bill in his speech.

**The Hon. the Speaker:** The only question before the house is the motion that was moved by the Honourable Senator Ogilvie, seconded by the Honourable Senator Duffy, that the bill be read the third time. That is the question that is before the house.

Are honourable senators ready for the question?

**Hon. Senators:** Question.

**The Hon. the Speaker:** It is moved that Bill C-313, an Act to Amend the Food and Drug Act (non-corrective contact lenses) be read the third time. Is it your pleasure, honourable senators, to adopt the motion?

**Some Hon. Senators:** Agreed.

**Some Hon. Senators:** No.

**The Hon. the Speaker:** On division? Carried, on division.

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

[Translation]

## OFFICIAL LANGUAGES ACT

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

On the Order:

Resuming debate on the motion of the Honourable Senator Chaput, seconded by the Honourable Senator Hubley, for the second reading of Bill S-211, An Act to amend the Official Languages Act (communications with and services to the public).

**Hon. Claude Carignan (Deputy Leader of the Government):** Honourable senators, I thought there were other senators who wanted to speak to this bill. I also thought that Senator Fraser wanted to address the chamber today, but apparently not. In any case, I will move the adjournment.

(On motion of Senator Carignan, debate adjourned.)

[English]

## CANADA NATIONAL PARKS ACT

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

**Hon. Bob Runciman** moved second reading of Bill C-370, An Act to amend the Canada National Parks Act (St. Lawrence Islands National Park of Canada).

He said: Honourable senators, I rise today to speak at second reading of Bill C-370, An Act to amend the National Parks Act. This piece of legislation would change the name of St. Lawrence Islands National Park to Thousand Islands National Park. It is as simple as that.

Within a day or two of being named as a senator for the province of Ontario by Prime Minister Harper in 2010, I requested a designation of Thousand Islands and Rideau Lakes. I wanted to identify with and promote an area that I love, and before I talk about the park and its name, I will tell you briefly a bit about the area.

I have lived in the Thousand Islands all of my life. I have spent countless hours boating in the islands, and I am proud to say that I own one of the Thousand Islands. It is not much more than an oversized shoal, but it has three trees and qualifies as an island. The Thousand Islands is an 80-kilometre stretch of the St. Lawrence River between Kingston and Brockville. Despite its name, it is comprised of 1,864 islands on both sides of the Canada-U.S. border. The islands, formed 10,000 years ago by the last ice age, are part of the Frontenac Arch, a granite bridge that links the Canadian Shield to the Adirondack Mountains in New York State.

The park that is the subject of this bill is part of the Frontenac Arch Biosphere Reserve, which was officially designated by UNESCO in 2002. It is considered the most biodiverse area in Canada, according to Don Ross, the executive director of the reserve. The area was the playground of many of the rich American industrialists of the Gilded Age. Two castles and numerous impressive summer homes dot the islands. That remains as evidence of that era. In recent years, it has become what I consider one of Canada's best kept secrets, one of North America's best kept secrets, and it is far from reaching its potential despite being one of the most stunningly beautiful areas in all of Canada, offering excellent boating, fishing and the best freshwater diving in Canada. Needless to say, the tourism industry is vital to the local community, but in my view, we are just scratching the surface. There is always room for more.

The St. Lawrence Islands National Park was originally proposed as a national park by Sir John A. Macdonald but was not established until 1904, when it became the first national park

east of the Rocky Mountains. Comprising just over 20 islands, it was the smallest national park in Canada until a recent expansion. It offers camping, boating, birdwatching and a host of other activities, in addition to a range of interpretive programs.

The park is a central player in preserving the environment and interpreting the area's rich natural and human history for visitors and area residents alike. It is a beautiful park, and I visit it frequently.

• (1750)

There is no question that the park's name does not adequately reflect its location. It could be located anywhere from just east of the Great Lakes to just west of the Atlantic Ocean. The name does not describe the place. Many locals share that view, including my good friend and the sponsor of this bill in the other place, Gord Brown, the member of Parliament for Leeds-Grenville.

The name of this park should be "Thousand Islands National Park." Before introducing this bill, Mr. Brown undertook to ensure that others in the region felt the same way. He consulted municipalities from Kingston to Brockville, and talked to business owners, tourism organizations, the native community and constituents from all walks of life. Every municipality along the length of the park has passed a resolution supporting this bill; they all want the park's name changed.

In renaming national parks, Parks Canada observes the principles of the Geographical Names Board of Canada. This involves consulting residents, historical documents, files and other sources to determine if the name is appropriate. Parks Canada has done that in this case.

I have already mentioned the primary reason for this change. The proposed name of "Thousand Islands National Park" describes the location perfectly. The park is in the heart of the Thousand Islands.

This may seem like a modest initiative, but it could be quite significant. The reason this is important touches on something I mentioned earlier. Although tourism is important to the Thousand Islands, it is still somewhat of an undiscovered gem. When I travel, I make a point of asking people if they know about the Thousand Islands. Nine out of ten times, they do not. It was undoubtedly better known a century ago than it is now to the residents of the big cities along the Eastern Seaboard, such as New York and Boston.

Today we have fewer Americans visiting than ever. In recent years, tourism operators have focused on the market in China and elsewhere in Asia as a source of visitors with some degree of success, but it is a very competitive business and, as honourable senators well know, the concept of branding is very important in tourism marketing. It is difficult to promote a destination without a strong brand.

Tourist organizations in my area promote the Thousand Islands. Residents think of themselves as living in the Thousand Islands. The park is located between my home in Brockville, which calls itself the "City of the 1000 Islands," and MP Brown's home in Gananoque, which bills itself as the "Gateway to the



Thousand Islands.” The road that runs past the park’s mainland headquarters and visitor centre is the Thousand Islands Parkway, yet the park is called St. Lawrence Islands National Park.

As Ted Hsu, the MP for the Kingston and the Islands, noted in his speech in the other place in support of this bill, this is not a case of rebranding; it is a case of naming the park in a manner that is consistent not only with its location but with the existing brand of the region. Changing the name will not result in the sudden influx of thousands of new tourists and millions of dollars, but it is a positive step in the right direction. It makes it easier to promote the region and raise awareness throughout North America and beyond.

Parks Canada says the major cost will be to change the names on signs. It intends to update the four main signs if the name is changed and then replace the remainder within the park over a 10-year period. Promotional materials are updated annually, so this requires no additional expenditure.

Honourable senators, this is a way we can help the people of the Thousand Islands, and I ask for your support for Bill C-370 to rename the St. Lawrence Islands National Park as “Thousand Islands National Park.”

(On motion of Senator Tardif, debate adjourned.)

## STUDY ON PRESCRIPTION PHARMACEUTICALS

### FOURTEENTH REPORT OF SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY COMMITTEE AND REQUEST FOR GOVERNMENT RESPONSE ADOPTED

On the Order:

Resuming debate on motion of the Honourable Senator Ogilvie, seconded by the Honourable Senator Frum, that the fourteenth report (interim) of the Standing Senate Committee on Social Affairs, Science and Technology, entitled: *Canada’s Clinical Trial Infrastructure: A Prescription for Improved Access to New Medicines*, tabled in the Senate on November 1, 2012, be adopted and that, pursuant to rule 12-24(1), the Senate request a complete and detailed response from the government, with the Minister of Health being identified as minister responsible for responding to the report.

**Hon. Art Eggleton:** Honourable senators, I rise to support this report from the Standing Senate Committee on Social Affairs, Science and Technology. I will speak briefly to it and to just a few of the recommendations, not all of them. There are a dozen recommendations here in total.

This is the first of a four-part study that is being undertaken over a considerable period of time by the committee on the very important subject of prescription pharmaceuticals. Believe me, honourable senators, as we got into this, I really came to appreciate just how important and significant to the population of this country this particular study can be.

I applaud the members of the committee who have participated in this, and I particularly want to single out the chair, the honourable Senator Ogilvie. This is an area in which he has

considerable knowledge and expertise through much of his life as a scientist and he, together with the considerably knowledgeable witnesses that we have before our committee, is helping to guide us through this particular study.

The first recommendation in the report is one that recommends establishing a national framework for coordinating clinical trials. This is a vital recommendation because we have been hearing that we are losing a lot of clinical trials. Between 2006 and 2010, for example, there was a 30-per-cent loss. That not only has an economic impact, but it also has an impact in terms of losing the expertise. If we do not have as much of it being done here, then we risk losing a lot of the knowledge and dismantling many of the teams involved in the clinical trial process.

While that is significant and important, of paramount importance to me is the safety, efficacy and efficiency of prescription drugs. Our prime concern has to be how the public is impacted.

I did note that when this particular recommendation was commented on in the media, a doctor at the Ottawa Hospital noted that Canada’s high standards put it at a disadvantage in competition with markets such as Brazil, Russia, India and China, where clinical trials are considerably cheaper to conduct.

I do not for one moment believe that should become part of the reason why we should be adopting this first recommendation. This is not about a race to the bottom. I think we want to continue to have the high standards that we have in this country. If we can have high standards and still attract more of the clinical trials through providing this national framework to help in the organization of it, then that is all to the better. However, let us not forget the public safety, efficacy and efficiency of the drugs.

Recommendation 2 gets into one of the issues that was talked about more than any other at the committee, and that is the openness and transparency of the system. We are behind in Canada. We are behind the Europeans and the Americans in terms of what we do to open up the process. This recommendation is saying that we should have compulsory registration.

The first part of it says to do it under existing legislation and regulatory authorities, but there are a lot of questions about whether that is sufficient. In the next bullet in recommendation 2, we go to the possibility of necessary amendments so that we can, in fact, get to the kind of registration that will be similar to what is done in Europe or the United States, and from which we model much of our activity and much of our discussion during this study. I think that is the key direction in which we need to go.

• (1800)

I hope that Senator Ogilvie and his colleagues will try to impress upon the Minister of Health that this is a wise direction in which to go. A couple of weeks ago, she announced that they would have a list — not a compulsory registration but a web-based list — of Health Canada authorized drug clinical trials in patients. Further down in the press release she talks about encouraging sponsors to register clinical trials.

I think we came to the conclusion that we needed to go further than that, and that is what recommendation 2 helps to do.

**The Hon. the Speaker:** It being six o'clock, unless indicated otherwise, we will rise.

[*Translation*]

**Hon. Claude Carignan (Deputy Leader of the Government):** Honourable senators, I propose that we not see the clock, so that we may continue.

**Hon. Senators:** Agreed.

[*English*]

**Senator Eggleton:** We also noted in recommendation 2 that this compulsory registration should be applicable to phases II and III, and at some point in time in the course of this study we might want to re-examine that in terms of also including phase I. We are looking for the openness and transparency that will help protect the public interest in doing that.

The end of recommendation 2 talks about ensuring transparency of the clinical trial processes and the processes of Health Canada. We heard a lot of criticism from witnesses about Health Canada's processes, for example, that they are not as open as they should be, by any means. If we look at recommendation 10, it is about the Auditor General's report. He found them lacking in a number of areas, and we made it clear that they have to get their act in better shape, and they certainly have to follow the recommendations of the Auditor General. They are not doing enough inspections. They set an inspection target of 2 per cent. It sounds very low to start with, but they are only doing 1.3 per cent.

They also do a considerable amount of manual data, which in this age of electronic reporting and assembly of data is very time consuming and very out of date.

There are many criticisms about the processes at Health Canada, and this report attempts to deal with that.

Recommendation 3 is about the research ethics boards, an accreditation program, and talks about a national standard for research ethics boards. It is a zoo out there in terms of research ethics boards, and a lot more can be done to make it a more efficient and effective system. Recommendation 3 and a couple of other recommendations start to get to that.

Recommendation 6 talks about all population groups that can reasonably be expected to consume a drug, once approved for sale in Canada, should, in fact, be part of the clinical trial evidence. There was a lot of discussion about the fact that frequently children or pregnant women are exempt from these studies, yet at the same time we learned that as much as 75 per cent of drug therapy used for children is done without any clinical evidence of the efficacy of the drug in the child population. It is a totally unacceptable position that we put these people through by not having the proper clinical trials examination of how it would affect this part of the population.

[ Senator Eggleton ]

Finally, I will talk about one thing we did not cover in the recommendations but that we will have to keep an eye on. Health Canada has a system whereby the industrial applicant of a drug pays for it. As opposed to it coming from general revenues, the applicant pays for it. However, there is also a system by which it is tied to a 300-day timeframe or 180-day time frame, and if Health Canada does not complete it in that time period, they can lose some of that money. There is an incentive, obviously, to speed it up, but speeding it up is not necessarily always the best thing. As one of the witnesses said before the committee, drugs that have a standard review of 300 days have a one-in-five chance of developing a serious safety issue. Those reviewed in 180 days have a one-in-three chance. Speeding things up and tying it into collecting money risks compromising safety. Apparently, Canada and the United States are the only two countries that tie user fees to timelines in reviewing a new drug application. That is something that still needs watchful examination.

Honourable senators, this is the first of the four studies. It helps move the agenda forward, and it can do some valuable things in terms of prescription pharmaceuticals. We are just now into completing the study on the post-approval phase.

We have a good opportunity to make a difference to the prescription of pharmaceuticals and the safety of Canadians, the more efficient use of these drugs by Canadians, and that is a valuable contribution that is being made by the Senate.

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

**Some Hon. Senators:** Question.

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

**Hon. Senators:** Agreed.

(Motion agreed to and report adopted.)

## NATIONAL FINANCE

### MOTION TO AUTHORIZE COMMITTEE TO STUDY TAX CONSEQUENCES OF VARIOUS PUBLIC AND PRIVATE ADVOCACY ACTIVITIES UNDERTAKEN BY CHARITABLE AND NON-CHARITABLE ENTITIES NEGATIVED

On the Order:

Resuming debate on the motion of the Honourable Senator Cowan, seconded by the Honourable Senator Tardif:

That the Standing Senate Committee on National Finance be authorized to examine and report on the tax consequences of various public and private advocacy activities undertaken by charitable and non-charitable entities in Canada and abroad;

That, in conducting such a study, the Committee take particular note of:

- (a) Charitable entities that receive funding from foreign sources;
- (b) Corporate entities that claim business deductions against Canadian taxes owing for their advocacy activities, both in Canada and abroad; and
- (c) Educational entities that utilize their charitable status to advocate on behalf of the interests of private entities; and

That the Committee submit its final report to the Senate no later than June 30, 2013, and retain all powers necessary to publicize its findings for 180 days after the tabling of the final report.

**Hon. Nicole Eaton:** Honourable senators, I would like to share a few reflections on Senator Cowan's very thoughtful motion which was brought forward to this chamber on May 8, 2012.

I thought we dealt with part (a) of the motion very thoroughly last spring. We conducted an inquiry into the interference of foreign foundations in Canada's domestic affairs and their abuse of Canada's existing Revenue Canada charitable status. We had some very productive debate on the matter and benefited from the input from a number of senators.

Senator Wallace addressed the current legislative framework in Canada; Senator Smith investigated and reported on the economic consequences of this foreign interference; Senator Finley probed exactly how much money was coming into Canada and the paths it was taking; Senator Lang pointed out the lobbying and political activities of some "charitable" groups; Senator Plett further explored how these activities were infringing on Canadian sovereignty; Senator Mockler provided some shining examples of positive and true charitable activity; and, based on his first-hand experience in Nunavut, Senator Patterson recounted some horror stories of interference, manipulation and disrespect for the charitable institution there.

The findings of these senators made a powerful case for immediate action to increase the level of transparency in the charitable sector and to expand the oversight of the CRA with respect to Canadian charities.

Fortunately, Bill C-38 provided targeted and much-needed legislative amendments that would facilitate the introduction of elements that the Senate found to be crucial to resolving these important issues.

Bill C-38 directed the Canada Revenue Agency to be more diligent in policing political activities carried out by charities; to ensure that substantially all of a charity's resources are devoted to charitable purposes and that no more than 10 per cent of the charity's resources are devoted to political activities; require that charities be more transparent in providing more information on their political activities as part of their regular reporting to CRA, including the extent to which their political activities are funded by foreign sources; and, further, to impose a one-year suspension

on a charity's ability to issue tax receipts if it exceeds the spending limit on political activities, or if it fails to provide complete and accurate information on its annual return.

• (1810)

The government provided the CRA with \$8 million more over the next two years to implement these directions.

The Income Tax Act was also amended to limit how charities may fund the political activities of other charities, by making the act of giving a donation by one charity to another a political activity if it can be reasonably considered that the purpose of making the donation is to support the other charity's political activities.

Thanks to these new measures, transparency in the charitable sector is now on the rise, and the generosity and philanthropy of Canadians will not be threatened by future abuses of CRA charitable status.

I hope very much that further debate on Bill C-45 in the House of Commons will also produce an amendment to the Income Tax Act that will require the tagging of foreign donations to Canadian charities and allow for the tracking of this tagged money from the initial donor all the way to the final recipient.

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

**Senator Eaton:** Honourable senators, I must say I believe that going forward with this motion would not be time-efficient. The first part of this motion duplicates the work that has already been done by my inquiry into the charitable sector, not to mention the legislative changes that have been put in place and that have largely resolved the issue of transparency.

The second focus of the senator's motion would involve an examination of "corporate entities that claim business deductions against Canadian taxes owing for their advocacy activities, both in Canada and abroad."

Without knowing exactly what we are looking for or even knowing if the tax system is being manipulated, we would be obliged to investigate individual corporations to determine what they are claiming as deductions.

According to Statistics Canada, as of 2010 there were 1,337,940 Canadian-controlled corporations and 7,724 foreign-controlled corporations operating in Canada. Where would we start looking? How would we find which corporations were engaging in questionable deductions? We would have a list of 1.3 million corporations to look through. Without existing evidence that could point us in a certain direction, we would be looking for the old needle in the haystack, only this time without the benefit of knowing that there is even a needle to be found.

Looking at our current system of income taxation would open up a Pandora's box of tax law, the 2,900 pages of our Income Tax Act, not to mention the 1,600 pages of regulations, 96 pages of rules and innumerable CRA policy statements.

There are at least seven bills currently before Parliament that deal directly with changes to Canadian tax law: Bill C-44, the helping families in need bill; Bill C-45, the jobs and growth bill;

Bills C-48, C-377, C-458, C-463 and S-205, five acts to amend the Income Tax Act — technological changes, labour organizations, charitable gifts, travel expenses and carbon offset tax credit; and Bill C-462, the disability tax credit promoters restrictions bill.

As evidenced by these bills currently before Parliament, we are constantly and incrementally re-evaluating and improving the tax system, making reasonable changes where they are needed.

The third part of Senator Cowan's motion, examining "educational entities that utilize their charitable status to advocate on behalf of the interests of private entities," has also largely been resolved by the changes introduced by Bill C-38. Educational entities that have charitable status are by definition charities; as such, they are bound to abide by the same rules and guidelines the CRA applies to govern the activities of all charities.

As a corollary, all educational institutions with charitable status are required to limit their political activities to 10 per cent or less of their resources.

A charity's status would be more of a hindrance than a help in terms of the freedom to engage in political or advocacy activities. Since the educational entity could use no more than 10 per cent of its resources, it would not be of much use to private organizations to have an educational entity, a charity, advocate for certain interests on its behalf.

Considering the expanded oversight of the CRA and the new rules for the reporting of donations, it would be very difficult, near impossible, for a private organization to surreptitiously use an educational institution as an advocacy pawn.

It is for these reasons, honourable senators, that I will not be supporting Senator Cowan's motion going forward. Much of the subject matter of his motion has already been dealt with, and the part that remains is simply too broad in scope to be given proper consideration by a Senate committee already nearing its maximum capacity.

Honourable senators, I would strongly urge you to consider these points and vote this motion down.

**Hon. James S. Cowan (Leader of the Opposition):** If there are other senators who wish to speak, I would invite them to do so. Otherwise, I will have just a few words to say in conclusion of the debate before the vote.

**The Hon. the Speaker:** If Senator Cowan speaks, it has the effect of closing the debate.

**Senator Cowan:** I will not detain honourable senators long. I want to say a few words in response to the address by Senator Eaton, which we have been waiting for for some time now.

I want to just make it clear to honourable senators what seems to me to be obvious, that there is a great distinction between an inquiry and a study. We all use these inquiries, and they are a useful tool for us in the Senate. We can draw the attention of the Senate to an issue, as Senator Eaton did when she drew the attention of the Senate to what she described as an abuse of the

Canadian tax system by foreign foundations. She and a number of her colleagues spoke about that, and some of us on this side spoke and asked questions as well.

It was a useful debate, but it is a debate. It is a debate amongst 105 senators. No one else has an opportunity to participate in it. No one has an opportunity to express a view, to defend himself or herself, to come forward with evidence. When you or I speak on an inquiry, it is the expression of an opinion of an individual senator, and it is an opinion that is expressed within the confines of Parliament with the protection of parliamentary immunity.

A study is a very different thing. A study gives witnesses an opportunity to come and be heard, and experts to be called and give testimony under oath either in defence of or contrary to a position. I think there is a clear distinction. Senator Eaton suggested that at least part of the proposed reference to our National Finance Committee has already been dealt with by an inquiry that she launched, and she referred to a number of her colleagues who spoke on the issue — she did not refer to any of the rest of us who spoke on that particular inquiry. However, those contributions, valid as they were, were simply expressions of opinion by individual senators. They were not evidence, and none of the entities that were referred to in the interventions by any senator were ever given an opportunity to be heard.

The reason for this motion of mine was to give the entities that were referred to in Senator Eaton's inquiry and others that were referred to by colleagues opposite, and some referred to by colleagues on this side, an opportunity to be heard on that issue. Is there in fact a problem with our charitable regime where charities do not know where the line is between what they are permitted to do and legitimate public advocacy on matters of public concern? Is that a real problem, or is it another instance of an artificial problem being created and floated out there and then a government coming in and saying, "Now that this problem has been identified, we have the solution to that problem"?

• (1820)

While we are looking at that, as I said in my response to Senator Eaton when she spoke, I was not aware that this was a problem, but if it is a problem we should look at it and it should be fixed. That was the reason for the first part.

As far as I could determine, if an international foundation transfers money to a Canadian foundation which uses that money in accordance with the permitted activity of the Canadian foundation, it has absolutely no impact on the Canadian tax system. There are no tax receipts issued; there is no impact. Senator Day made that point early on. He said that he did not understand it and asked for an explanation. The response was that it was a technical issue. Well, that is the very kind of technical issue that ought to be reviewed and considered by committee.

I could not see that the particular focus of Senator Eaton's inquiry had anything to do with the operation of our income tax system. However, I thought that if it did, in fairness and to be complete, we should also look at what will or does have an impact on our income tax system, and that is the perfectly legitimate use of the money of Canadian corporations to hire lobbyists and other persons and firms to assist them in lobbying for or against

legislation in this country. They deduct that, as they are perfectly entitled to do. I thought that, in fairness, if you are going to look at one thing you should look at the other.

I also thought it would be appropriate to look at educational institutions. Many of us in this chamber have or have had long-standing affiliations with universities. We brag about the money that is attracted to Canada by those institutions. In my experience and judgment there is nothing wrong with that. That is something not to be criticized but rather to be celebrated.

In an unpaid political announcement for another inquiry, I hope that in the course of the inquiry in which Senator Segal and I will be participating other honourable senators will take the opportunity to talk to universities in their area and tell us what they learn so that we can celebrate the successes of those institutions. Part of the success is due to their ability to attract international funding. That international funding comes, in my judgment, because excellent research is being done by Canadian institutions.

I think that is perfectly legitimate. If there is something wrong with what is taking place, we should look at it, and the place to look at it, in my judgment, is our National Finance Committee. It was for that reason that I have made this motion. I am disappointed that Senator Eaton finds herself unable to support it, but I hope that other of her colleagues will join us on this side in support of this motion.

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

**Some Hon. Senators:** No.

**Some Hon. Senators:** Yes.

**The Hon. the Speaker:** To make it perfectly clear, honourable senators, I will put it more formally. Those in favour of the motion will please signify by saying “yea.”

**Some Hon. Senators:** Yea.

**The Hon. the Speaker:** Those opposed to the motion will please signify by saying “nay.”

**Some Hon. Senators:** Nay.

**The Hon. the Speaker:** Clearly the “nays” have it.

*And two honourable senators having risen:*

**Senator Munson:** I am tempted to ask for an hour bell, but a 30-minute bell.

**The Hon. the Speaker:** The vote will take place at five minutes to seven.

Call in the senators.

• (1850)

Motion negated on the following division:

YEAS  
THE HONOURABLE SENATORS

Callbeck  
Chaput  
Charette-Poulin  
Cordy  
Cowan  
Dallaire  
Dawson  
Day  
De Bané  
Downe  
Dyck  
Eggleton  
Fraser  
Furey

Harb  
Hervieux-Payette  
Jaffer  
Joyal  
Lovelace Nicholas  
Mercer  
Moore  
Munson  
Ringuette  
Rivest  
Robichaud  
Tardif  
Zimmer—27

NAYS  
THE HONOURABLE SENATORS

Andreychuk  
Ataullahjan  
Bellemare  
Boisvenu  
Bralley  
Brazeau  
Brown  
Buth  
Carignan  
Comeau  
Dagenais  
Demers  
Doyle  
Duffy  
Eaton  
Enverga  
Finley  
Fortin-Duplessis  
Frum  
Gerstein  
Greene  
Housakos  
Johnson  
Lang  
LeBreton  
MacDonald  
Maltais  
Manning

Marshall  
McInnis  
McIntyre  
Meredith  
Mockler  
Neufeld  
Ngo  
Nolin  
Ogilvie  
Oliver  
Patterson  
Plett  
Poirier  
Raine  
Rivard  
Runciman  
Seidman  
Seth  
Smith (*Saurel*)  
Stewart Olsen  
Stratton  
Tkachuk  
Unger  
Verner  
Wallace  
Wallin  
White—55

ABSTENTIONS  
THE HONOURABLE SENATORS

Nil

• (1900)

## LEGAL AND CONSTITUTIONAL AFFAIRS

### COMMITTEE AUTHORIZED TO MEET DURING SITTING OF THE SENATE

**Hon. Bob Runciman**, pursuant to notice of November 28, 2012, moved:

That, for the purposes of its consideration of Bill S-12, An Act to amend the Statutory Instruments Act and to make consequential amendments to the Statutory Instruments Regulations and Bill C-36, An Act to amend the Criminal Code (elder abuse), the Standing Senate Committee on Legal and Constitutional Affairs be authorized to meet at 3:30 p.m. on Wednesday, December 5, 2012, even though the Senate may then be sitting, and that rule 12-18(1) be suspended in relation thereto.

He said: This request is really to accommodate the Minister of Justice who was to appear before the committee to discuss both Bill S-12 and Bill C-36.

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

**Hon. Senators**: Agreed.

(Motion agreed to.)

## THE SENATE

### MOTION TO URGE THE GOVERNMENT OF THE ISLAMIC REPUBLIC OF IRAN TO RELEASE NASRIN SOTOUDEH ADOPTED

**Hon. Linda Frum**, pursuant to notice of November 29, 2012, moved:

That the Senate of Canada, alarmed by the lengthy hunger strike of the unlawfully incarcerated human rights lawyer Nasrin Sotoudeh, deplore the treatment she has received at the hands of the government of the Islamic Republic of Iran and urge that she be immediately and unconditionally released.

She said: Honourable senators, it is with a sense of tremendous relief that I rise to announce that since giving notice of this motion at the last sitting of the Senate, Nasrin Sotoudeh, the courageous Iranian political activist has, as of today, ended her 49-day hunger strike.

She did so when the Iranian regime complied with her demands to lift the restrictions set on her family and, in particular, her 13-year-old daughter. The travel restrictions were viewed by both Sotoudeh and her husband, Reza Khandan, as a prelude to trumped-up charges that would soon be levelled at their child. A 13-year-old girl in Iran is subject to adult laws and adult punishments, Iranian style. In the words of Sotoudeh's husband, the purpose of her hunger strike was to prove that no charges against their daughter were valid.

In a life filled with heroic and courageous acts, this most recent act of defiance by Sotoudeh seems the most astonishing and heroic of them all. She chose to risk her life and indeed came very close to losing it, as we know from the reports of her weakened condition, but she was willing to die to protect her daughter's life. This is what this good and noble woman was forced to do, and this is what she did.

However, even with her hunger strike over, Sotoudeh's situation remains alarming. Her health remains fragile, and the arbitrary actions of the regime can turn against her again at any time. She has been punished for her fight for the human rights and dignity of all Iranian people. She must be set free.

Honourable senators, I call on this house to stand together to call for the immediate and unconditional release of Nasrin Sotoudeh, a heroic lawyer and activist, a loving mother, an innocent woman. Honourable senators, please let this motion pass unanimously today so that Nasrin Sotoudeh will know that in her struggle for liberty and decency the world and Canada stands with her.

**Hon. Joan Fraser**: Honourable senators, it is my great honour to second this motion. Like all of us, I was just tremendously pleased to hear that Nasrin Sotoudeh was able to end her hunger strike today. However, I want to echo Senator Frum's words and ask us all to accept this motion today because, although she is not on a hunger strike anymore, she was on a hunger strike for seven weeks. Imagine the physical condition of someone who has been on a hunger strike for seven weeks. Now imagine the quality of the medical treatment, if any, that she will receive in prison. If we add our voice to those around the world who are calling for her release, it can have an impact, and I urge us to do so today. She has no time to lose.

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

**Hon. Senators**: Agreed.

(Motion agreed to.)

## MISSING AND MURDERED ABORIGINAL WOMEN

### INQUIRY—DEBATE ADJOURNED

**Hon. Sandra Lovelace Nicholas** rose pursuant to notice of November 28, 2012:

That she will call the attention of the Senate to the continuing tragedy of missing and murdered Aboriginal Women.

She said: Honourable senators, I stand in this chamber today to speak to an inquiry into the tragedy of missing and murdered Aboriginal women. This is an issue that has been front and centre in our Aboriginal communities for over a decade. It is an issue that has caused so much pain and suffering in homes, in families and throughout Aboriginal communities. It is an issue that must truly be recognized as one that is about more than just politics, programs or services.

• (1910)

It is a story of human tragedy, of loss of life, of shattered dreams and of broken families. What is more, it is an issue that is of considerable importance to all Canadians, Aboriginal and non-Aboriginal alike. It speaks to a need for greater community safety. It deals with protecting families at risk. It is recognizing that, as a nation, we must do more — much more — to help overcome this human tragedy.

Honourable senators, you have likely seen or heard of the statistics: nearly 600 cases of missing or murdered Aboriginal women; and 153 cases of murder, representing approximately 10 per cent of the total number of female homicides in Canada, despite the fact that Aboriginal women make up only 3 per cent of the total female population in Canada.

What makes the review of the figures even more sorrowful is that they represent an even greater tragedy: A great majority of the victims were young, under the age of 31. What is more, 88 per cent of missing and murdered Aboriginal women left behind children and grandchildren.

As a mother, a sister, a daughter and a grandmother, and as a proud First Nations woman, I ache for the families of these victims. As a parliamentarian, I am moved to speak to this chamber in the name of those whose voices have been silenced and thus can no longer be heard.

I believe it needs to be recognized that if we are to overcome the tragic losses that have occurred with our Aboriginal women and girls, then we need to rise above party politics. If we are to prevent further losses while honouring the memories of those whom we mourn, then we have to act now.

There is work to be done here in our country's Parliament. There is similar work that the provinces will need to do. Cities must become involved as well, since the majority of cases occurred in urban areas.

This is not to say that no effort has been applied so far in overcoming the tragedy of missing and murdered Aboriginal women. The Native Women's Association of Canada has been a tireless champion of this cause through its Sisters in Spirit initiative and its follow-up research program, What Their Stories Tell Us.

I understand that there have been discussions between provinces and with national Aboriginal organizations on this critical issue, the latest of which took place in Manitoba early in November. This is another key step in helping to build momentum on moving forward with all stakeholders.

From the federal perspective, we acknowledge the measures and funding announced by the government in Budget 2012 aimed at this matter. Yet, there continue to be calls by some for a national inquiry into missing and murdered Aboriginal women.

Some say a public inquiry should be held. However, that is beyond my authority as a senator. What I can do is bring the attention of this chamber to the matter, in the hope that we will

engage in considerate, serious and constructive discussion, which may lead to a roadmap of how to advance this issue going forward. That is the most respectful way that I have envisioned to honour the memory of those poor girls and women.

Let us work together across party lines and jurisdictions to act for Canadians, for Aboriginal women and girls and their families. Let us do what we are here to do as legislators and advocates on behalf of Canadian society.

I propose that we study this matter in and through this honourable place, that we review the status, impact and effectiveness of the government's response to date, and that we engage in dialogue with national Aboriginal leaders, particularly the Native Women's Association of Canada, to determine ways and means of working with them to truly end the plight of Aboriginal women.

I humbly ask all honourable senators from both sides of the chamber to contribute to the debate and consider solutions to this national tragedy.

Throughout this inquiry, we must begin to wrestle with the fact that progress so far has likely not been good enough to honour the memories of those missing and murdered and to protect our Aboriginal women and girls from any further harm. We have the means to do more. We have the opportunity to do more.

Honourable senators, if one segment of our population continues to be victimized and have their very lives put at risk, then all of Canada is at risk.

The number of missing and murdered Aboriginal women represents a true crisis in Canadian society, a crisis I believe we in this chamber can help overcome through our stewardship and leadership.

I am determined to help us do so, honourable senators, and I ask for your help in this undertaking. Let us work constructively, using all of the talents and experiences that have brought us here, to rid Canada of the terrible legacy of missing and murdered Aboriginal women once and for all.

**Hon. Lillian Eva Dyck:** Honourable senators, I would first like to thank my honourable colleague and friend Senator Sandra Lovelace Nicholas, who initiated this inquiry in the Senate. She dutifully used the honours and privileges of this chamber to act on this important issue, while the government continues to turn a deaf ear to the cries for a national inquiry into missing and murdered Aboriginal women in Canada.

I would like to congratulate the honourable senator on her continued efforts to bring this issue to the attention of other senators, the government and the general public.

• (1920)

We share the same passion and urgency on this issue. In fact, in 2007, or thereabouts, with the support of my friend Senator Lovelace Nicholas, I wrote a proposal on missing and murdered Aboriginal women, which we submitted to the Standing Senate

Committee on Aboriginal Peoples. Unfortunately, the committee as a whole was not in favour of undertaking a study of missing and murdered Aboriginal women at the time.

Over the past three years, both Senator Lovelace Nicholas and I have actively asked this government for an action, a national inquiry, into this issue. Over that time, through Senators' Statements, questions in Question Period and speeches in the chamber, I have consistently raised this issue on over 10 different occasions, often through lengthy Question Period exchanges with the Leader of the Government in the Senate.

I have attended conferences on the issue of missing and murdered Aboriginal women, attended and/or spoken at several Sisters in Spirit vigils in Saskatoon and Ottawa. In 2005, I was one of the founding members of the Iskwewuk E-Wichiwochik, which is Cree for "women walking together." This is a grassroots group with people from many walks of life and a variety of community organizations whose primary aim is to support the families of missing and murdered Aboriginal women by bringing attention and memory to the issue.

I asked two of the key grassroots members what their main concern was. Both of them told me that there was still not enough attention given to the family members of missing and murdered Aboriginal women; that family members should have more input into developing the strategy for a national inquiry; and that there should be more opportunities for all families to tell their unique stories through speaking, writing or videotaping.

Honourable senators, I have also used my voice to speak about the need for a public inquiry outside of the Senate at Sisters in Spirit gatherings and other events.

Missing and murdered Aboriginal women is an issue that I and the Liberal official opposition in the Senate have consistently pushed this government on.

I have given many speeches and was even asked to write a summary of my reflections and insight after attending a Missing Indigenous Women conference held in August 2008 at Luther College in Regina. I would have liked to read my chapter into the record, but with such short notice, I have not had time to get permission from the publisher of the book, *Torn From Our Midst: Voices of Grief, Healing and Action from the Missing Indigenous Women Conference, 2008*. I also provided personal sponsorship to offset expenses for members of the families of missing women to attend this conference.

These days, I no longer need a prepared text to give a speech at the Sisters in Spirit vigils. I speak from what I have learned in the last seven and a half years. More important, I speak from the heart, as my elders have taught me. I will, however, read into the record a prepared speech that I gave at a Sisters in Spirit vigil in 2008 in Saskatoon. Here it goes:

Good morning to you all, and thank you for being with us here today. I thank Elder Corrine Eyahpaise and Maria Linklater. Because of their prayers, drumming and singing, we will have a successful event. My goal today is to give you some background information about this vigil and the startling statistics concerning missing Aboriginal women.

The Sisters in Spirit vigils have been held annually across Canada since 2006 to remember and honour the Aboriginal women who have gone missing or who have been murdered. This year—

Remember, honourable senators, this was in 2008.

— 37 communities across Canada are holding vigils. The Native Women's Association of Canada chose to use the full moon, depicted in West Coast style, as a symbol for these vigils. Grandmother Moon represents the sacredness and power of women. The artist chose blue for the moon, and to me that represents water. Water is one of the four elements, and our bodies are comprised mostly of water. The moon's gravitational pull on water creates the tides, and the moon pulls on the water in our bodies as well. When women are menstruating, we are said to be on our Moon-time. It is a time of great spiritual power and sacredness, not at all a time of shame or dirtiness, as taught in mainstream culture.

Through their research work, NWAC has confirmed that more than 500 Aboriginal women have gone missing or have been murdered across Canada in the last 30 years. About half of these Aboriginal women were under the age of 25. One third are still listed as missing, and two thirds have been murdered. In other words, about 170 Aboriginal women are missing and about 340 have been murdered. Saskatchewan, Manitoba, and B.C. have the highest numbers of missing or murdered Aboriginal women.

According to the Saskatchewan Association of Chiefs of Police website, there are 28 missing women in Saskatchewan, and 16, or nearly 60 per cent, of these are Aboriginal women. Yet only about 14 per cent of the provincial population currently is Aboriginal. These numbers clearly demonstrate that being Aboriginal puts a woman at a much greater risk of being abducted and "made" missing.

In 2004, Amnesty International released the Stolen Sisters report, which showed that Indigenous women in Canada face gender- and race-based discrimination, and that this is further compounded by discrimination due to poverty, ill health or involvement in the sex trade. The Stolen Sisters report stated that Aboriginal women (aged 25 to 44) are five times more likely to die of violence.

In 2005, the Native Women's Association of Canada launched the Sisters in Spirit initiative, the main objective of which was to address violence directed against Aboriginal women. The Sisters in Spirit initiative is committed to increase public awareness across Canada about the impact of racialized, sexualized violence against Aboriginal women which leads to their disappearance or death.

The statistics which I mentioned earlier clearly show that Aboriginal women are much more at risk for being made missing or murdered, but sadly, societal indifference helps perpetuate this. In 1996, Warren Goulding, a journalist, stated:

I don't get the sense the general public cares much about missing or murdered Aboriginal women. It's all part of this indifference to the lives of Aboriginal people. They don't seem to matter as much as white people.



Indifference by mainstream society may be part of the problem, but in my opinion there is a deeper and more disturbing problem. The problem is that there are some men who act out their disdain and disgust towards Aboriginal women. These men by virtue of their maleness and perceived superiority feel entitled to violate and murder Aboriginal women.

Three years ago, Iskewuk E-Wichiwitochik, a community group, arose from concerns that Aboriginal women in Saskatchewan were continuing to be disappeared and were still being murdered at a greater rate than other women. Individuals and people from different organizations in Saskatoon joined together to bring awareness to this issue and to provide local support to the families of missing Aboriginal women. Iskewuk E-Wichiwitochik is a co-organizer of today's event.

Unfortunately, it is a shameful fact that the abduction and murder of Aboriginal or Indigenous women is a global phenomenon. In Mexico, for example, since the early 1990s, thousands of women have disappeared and hundreds have been killed in the city of Juarez. In both Mexican and Canadian society, our colonial legacy has persisted and resulted in a society where systemic sexualized and racialized violence is the norm.

In August, I attended The Missing Indigenous Women Conference at the University of Regina. The mothers of missing Indigenous women from Mexico told us about their struggles and they shared with us the ways in which they remembered and honoured women who had been disappeared or murdered. A black cross on a pink background was used to represent the spirits of the missing and murdered Indigenous Mexican women.

• (1930)

At the conference in Regina, pink cloth banners painted with a black cross were tied around the trees between Luther College and the Conexus Arts Centre, and these pink banners guided us on a protest walk, just as we were guided by the pink banners on our walk this morning. These banners reminded me of the prayer cloths that we tie around trees, and I took some of them from the Regina conference to a sweat lodge to be smudged and blessed, and will present them to our speakers to help them find the wisdom, the strength and the courage to take the necessary steps to put a stop to violence against all women.

The spirits of our missing sisters, as represented by Grandmother Moon and the pink banners, give us the guidance and the strength to work to end the violence directed against women, and Aboriginal women in particular.

That is the end of my 2008 speech.

Honourable senators, I may not have written a song about missing and murdered Aboriginal women, but I have sung the "Strong Woman" song many times at various marches to protest the violence directed against Aboriginal women. As recently as October 4 of this year, I sang this song along with other

Aboriginal women at the Sisters in Spirit vigil in Saskatoon. It is a song that honours the strength and resilience of Aboriginal women and is said to have originated in the prison for women in Kingston by Aboriginal women who sang to the Grandmother Spirits to keep them safe during a prison riot. They were not harmed. If we had a drum here and other singers, we could sing the "Strong Woman" song for you.

Honourable senators, in 2005 the Native Women's Association of Canada initiated the Sisters in Spirit project and the Grandmother Moon logo. In the first phase of this project, Sisters in Spirit conducted research and gathered statistical information on violence against Aboriginal women through over 200 variables and indicators. This sophisticated database led to the breakthrough of the first glimpse of the problem — over 582 missing and murdered Aboriginal women throughout Canada. This information was collected over five years, with initial funding from the then-Liberal government at \$5 million over that five-year term.

Honourable senators, I cannot stress enough the importance of this groundbreaking research by Sisters in Spirit and the Native Women's Association of Canada. For the first time, we were able to statistically collect, track and investigate cases of missing and murdered Aboriginal women and girls. With this research, the first cracks of light were coming to the darkest corners of our Aboriginal communities. This research then allowed the Sisters in Spirit team to investigate the root causes of violence against Aboriginal women and provide unique expertise in the development of tools to help stem the violence. This research was the reason that so many Canadians called for a national inquiry.

Sadly, this government in 2010 eliminated the funding for the Sisters in Spirit initiative. Instead of rewarding this outstanding group of researchers and front-line workers to continue to expand their database, this government made sure that none of the \$10 million that was promised in Budget 2010 to address this disturbingly high number of missing and murdered Aboriginal women went to Sisters in Spirit. Additionally, this government imposed measures on the NWAC-Sisters in Spirit initiative if they sought additional funding in a new agreement. These conditions were, first, Sisters in Spirit must promise to quit working on the internationally acclaimed database; second, they had to stop using government funds for research and policy; and third, if they were to use federal funding they had to change the name to Evidence and Action and discard the Grandmother Moon logo associated with Sisters in Spirit.

When asked why these changes were necessary for any new proposal for funding, the then Parliamentary Secretary for Indian Affairs, Shelly Glover, said, "That project was finished. Now we are working with them to pursue other projects."

Honourable senators, never did NWAC or Sisters in Spirit insist that their research and database project was complete. It really was just the starting point.

**The Hon. the Speaker *pro tempore*:** I regret to inform the honourable senator that her 15-minute speaking time has expired. Are you prepared to ask the chamber for more time?

**Senator Dyck:** Could I have a few more minutes, please?

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

**Hon. Senators:** Agreed.

**Senator Dyck:** Sisters in Spirit and its logo, a West Coast pictogram of Grandmother Moon — and I have one pinned to my bag — the symbol of life and healing for Aboriginal women, honoured the lives and stories of these lost women. The decision of the federal government to ask NWAC not to use the Sisters in Spirit name and logo was such a bad decision. It was disrespectful of the cultural importance of Grandmother Moon to all Aboriginal women. Despite the federal ban, though, Aboriginal women and men still rally around the Sisters in Spirit vigils and the Grandmother Moon logo.

Initially, there was hope that the new \$10-million investment by the federal government meant that they were taking the issue of missing and murdered Aboriginal women seriously. There was hope that that would be the start of an investment into a national inquiry into missing and murdered Aboriginal women and girls. Unfortunately, we would yet again be disappointed by the lack of leadership of this government. Instead of \$10 million for Sisters in Spirit, instead of \$10 million for a national inquiry, the funding went to a new missing persons unit for the RCMP. This unit will not be running until early next year and will not have a dedicated section for Aboriginal women.

Honourable senators, three years will have passed since this government made a terrible funding cut. Three years will have passed before this missing persons unit will even be up and running. Additionally, there is no certainty that missing and murdered Aboriginal women will even be a focus of this new unit: wrong decision after wrong decision, more and more disappointments.

We are left with the present situation. The Native Women's Association of Canada continues to try to add to their database through other means of funding. Their list now reaches over 600 missing or murdered Aboriginal women. We still do not have any other credible alternative avenue where this research could be done or a similar up-to-date database. We have now lost three years: three years without a sufficient mechanism to track new cases of missing and murdered Aboriginal women, to update old files, to help families move on by providing them with closure and adequate support.

I hope the government will take heed of this inquiry here in the Senate. I encourage senators from both sides to engage in this inquiry and to take it back to their provinces and communities. Hear the stories of these Aboriginal women and their families, and perhaps then the wheels of justice will finally gain the momentum required to push this government to initiate a national inquiry. I am encouraged that the Honourable Senator Brazeau has recently come onside with the need for a national inquiry. I hope he can convince his Conservative colleagues to also come onside and make a national inquiry a reality.

As I noted recently in Question Period, though three federal ministers were invited to attend the National Aboriginal Women's Summit in Winnipeg just a few weeks ago, none showed up. This was disappointing, to say the least. It is time for Ministers Ambrose, Duncan and Nicholson to step up and show Canadians that they are concerned, that they really do care about this issue, by taking action and initiating a national inquiry and a national action plan. It is time to take this action requested by both the Native Women's Association of Canada and the Assembly of First Nations.

Amnesty International has just launched a "Write for Rights Canada: No More Stolen Sisters" initiative to put pressure on the Prime Minister to collaborate with indigenous women's organizations to develop and adopt a comprehensive coordinated national action plan to stop violence against women, including addressing both the social and the economic inequalities that lead to increased risk for indigenous women. It is time for action.

Honourable senators, let me conclude with a Cherokee saying: A nation is not defeated until the hearts of its women are on the ground; then it is defeated no matter how strong its weapons or how brave its warriors.

I will repeat that: A nation is not defeated until the hearts of its women are on the ground; then it is defeated no matter how strong its weapons or how brave its warriors.

How many more of our women's hearts have to hit the ground before this federal government takes action?

(On motion of Senator Jaffer, debate adjourned.)

(The Senate adjourned until Wednesday, December 5, 2012, at 1:30 p.m.)

## **APPENDIX**

Officers of the Senate

The Ministry

Senators

(Listed according to seniority, alphabetically and by provinces)

**THE SPEAKER**

The Honourable Noël A. Kinsella

**THE LEADER OF THE GOVERNMENT**

The Honourable Marjory LeBreton, P.C.

**THE LEADER OF THE OPPOSITION**

The Honourable James S. Cowan

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

Gary W. O'Brien

**LAW CLERK AND PARLIAMENTARY COUNSEL**

Mark Audcent

**USHER OF THE BLACK ROD**

Kevin MacLeod

## THE MINISTRY

(In order of precedence)

(December 4, 2012)

|                                      |  |
|--------------------------------------|--|
| The Right Hon. Stephen Joseph Harper | Prime Minister   |
| The Hon. Robert Douglas Nicholson    | Minister of Justice and Attorney General of Canada                                 |
| The Hon. Marjory LeBreton            | Leader of the Government in the Senate   |
| The Hon. Peter Gordon MacKay         | Minister of National Defence   |
| The Hon. Vic Toews                   | Minister of Public Safety  |
| The Hon. Rona Ambrose                | Minister of Public Works and Government Services                                   |
|                                      | Minister of State (Status of Women)  |
| The Hon. Diane Finley                | Minister of Human Resources and Skills Development                                 |
| The Hon. John Baird                  | Minister of Foreign Affairs  |
| The Hon. Tony Clement                | President of the Treasury Board  |
|                                      | Minister for the Federal Economic Development Initiative<br>for Northern Ontario   |
| The Hon. James Michael Flaherty      | Minister of Finance  |
| The Hon. Peter Van Loan              | Leader of the Government in the House of Commons                                   |
| The Hon. Jason Kenney                | Minister of Citizenship, Immigration and Multiculturalism                          |
| The Hon. Gerry Ritz                  | Minister of Agriculture and Agri-Food  |
|                                      | Minister for the Canadian Wheat Board  |
| The Hon. Christian Paradis           | Minister of Industry and Minister of State (Agriculture)                           |
| The Hon. James Moore                 | Minister of Canadian Heritage and Official Languages                               |
| The Hon. Denis Lebel                 | Minister of Transport, Infrastructure and Communities                              |
|                                      | Minister of the Economic Development Agency of Canada<br>for the Regions of Quebec |
| The Hon. Leona Aglukkaq              | Minister of Health   |
|                                      | Minister of the Canadian Northern Economic Development<br>Agency                   |
| The Hon. Keith Ashfield              | Minister of Fisheries and Oceans and<br>Minister for the Atlantic Gateway          |
|                                      | Minister of the Environment  |
| The Hon. Peter Kent                  | Minister of Labour   |
| The Hon. Lisa Raitt                  | Minister of National Revenue   |
| The Hon. Gail Shea                   | Minister of Aboriginal Affairs and Northern Development                            |
| The Hon. John Duncan                 | Minister of Veterans Affairs   |
| The Hon. Steven Blaney               | Minister of International Cooperation  |
| The Hon. Julian Fantino              | Minister of International Trade  |
| The Hon. Edward Fast                 | Minister for the Asia-Pacific Gateway  |
|                                      | Minister of Natural Resources  |
| The Hon. Joe Oliver                  | Minister of Intergovernmental Affairs  |
| The Hon. Peter Penashue              | President of the Queen's Privy Council for Canada                                  |
|                                      | Minister of State (Atlantic Canada Opportunities Agency)<br>(La Francophonie)      |
|                                      | Associate Minister of National Defence   |
| The Hon. Gordon O'Connor             | Minister of State and Chief Government Whip  |
| The Hon. Maxime Bernier              | Minister of State (Small Business and Tourism)                                     |
| The Hon. Diane Ablonczy              | Minister of State of Foreign Affairs<br>(Americas and Consular Affairs)            |
|                                      | Minister of State (Western Economic Diversification)                               |
| The Hon. Lynne Yelich                | Minister of State (Transport)  |
| The Hon. Steven John Fletcher        | Minister of State (Science and Technology)   |
| The Hon. Gary Goodyear               | (Federal Economic Development Agency for Southern<br>Ontario)                      |
|                                      | Minister of State (Finance)  |
| The Hon. Ted Menzies                 | Minister of State (Democratic Reform)  |
| The Hon. Tim Uppal                   | Minister of State (Seniors)  |
| The Hon. Alice Wong                  | Minister of State (Sport)  |
| The Hon. Bal Gosal                   |  |

## SENATORS OF CANADA

### ACCORDING TO SENIORITY

(December 4, 2012)

| Senator                          | Designation                        | Post Office Address       |
|----------------------------------|------------------------------------|---------------------------|
| The Honourable                   |                                    |                           |
| Anne C. Cools                    | Toronto Centre-York                | Toronto, Ont.             |
| Charlie Watt                     | Inkerman                           | Kuujuuaq, Que.            |
| Joyce Fairbairn, P.C.            | Lethbridge                         | Lethbridge, Alta.         |
| Colin Kenny                      | Rideau                             | Ottawa, Ont.              |
| Pierre De Bané, P.C.             | De la Vallière                     | Montreal, Que.            |
| Gerald J. Comeau                 | Nova Scotia                        | Saulnierville, N.S.       |
| Donald H. Oliver                 | South Shore                        | Halifax, N.S.             |
| Noël A. Kinsella, <i>Speaker</i> | Fredericton-York-Sunbury           | Fredericton, N.B.         |
| Janis G. Johnson                 | Manitoba                           | Gimli, Man.               |
| A. Raynell Andreychuk            | Saskatchewan                       | Regina, Sask.             |
| Jean-Claude Rivest               | Stadacona                          | Quebec, Que.              |
| Terrance R. Stratton             | Red River                          | St. Norbert, Man.         |
| David Tkachuk                    | Saskatchewan                       | Saskatoon, Sask.          |
| Pierre Claude Nolin              | De Salaberry                       | Quebec, Que.              |
| Marjory LeBreton, P.C.           | Ontario                            | Manotick, Ont.            |
| Céline Hervieux-Payette, P.C.    | Bedford                            | Montreal, Que.            |
| Marie-P. Charette-Poulin         | Nord de l'Ontario/Northern Ontario | Ottawa, Ont.              |
| Wilfred P. Moore                 | Stanhope St./South Shore           | Chester, N.S.             |
| Fernand Robichaud, P.C.          | New Brunswick                      | Saint-Louis-de-Kent, N.B. |
| Catherine S. Callbeck            | Prince Edward Island               | Central Bedeque, P.E.I.   |
| Serge Joyal, P.C.                | Kennebec                           | Montreal, Que.            |
| Francis William Mahovlich        | Toronto                            | Toronto, Ont.             |
| Joan Thorne Fraser               | De Lorimier                        | Montreal, Que.            |
| George Furey                     | Newfoundland and Labrador          | St. John's, Nfld. & Lab.  |
| Nick G. Sibbeston                | Northwest Territories              | Fort Simpson, N.W.T.      |
| Jane Cordy                       | Nova Scotia                        | Dartmouth, N.S.           |
| Elizabeth M. Hubley              | Prince Edward Island               | Kensington, P.E.I.        |
| Mobina S. B. Jaffer              | British Columbia                   | North Vancouver, B.C.     |
| Joseph A. Day                    | Saint John-Kennebecasis            | Hampton, N.B.             |
| George S. Baker, P.C.            | Newfoundland and Labrador          | Gander, Nfld. & Lab.      |
| David P. Smith, P.C.             | Cobourg                            | Toronto, Ont.             |
| Maria Chaput                     | Manitoba                           | Sainte-Anne, Man.         |
| Pana Merchant                    | Saskatchewan                       | Regina, Sask.             |
| Pierrette Ringuette              | New Brunswick                      | Edmundston, N.B.          |
| Percy E. Downe                   | Charlottetown                      | Charlottetown, P.E.I.     |
| Paul J. Massicotte               | De Lanaudière                      | Mont-Saint-Hilaire, Que.  |
| Mac Harb                         | Ontario                            | Ottawa, Ont.              |
| Terry M. Mercer                  | Northend Halifax                   | Caribou River, N.S.       |
| Jim Munson                       | Ottawa/Rideau Canal                | Ottawa, Ont.              |
| Claudette Tardif                 | Alberta                            | Edmonton, Alta.           |
| Grant Mitchell                   | Alberta                            | Edmonton, Alta.           |
| Elaine McCoy                     | Alberta                            | Calgary, Alta.            |
| Lillian Eva Dyck                 | Saskatchewan                       | Saskatoon, Sask.          |
| Art Eggleton, P.C.               | Ontario                            | Toronto, Ont.             |
| Nancy Ruth                       | Cluny                              | Toronto, Ont.             |
| Roméo Antonius Dallaire          | Gulf                               | Sainte-Foy, Que.          |
| James S. Cowan                   | Nova Scotia                        | Halifax, N.S.             |

| Senator                   | Designation                               | Post Office Address               |
|---------------------------|---|-----------------------------------|
| Andrée Champagne, P.C.    | Grandville                                | Saint-Hyacinthe, Que.             |
| Hugh Segal                | Kingston-Frontenac-Leeds                  | Kingston, Ont.                    |
| Larry W. Campbell         | British Columbia                          | Vancouver, B.C.                   |
| Rod A. A. Zimmer          | Manitoba                                  | Winnipeg, Man.                    |
| Dennis Dawson             | Lauson                                    | Sainte-Foy, Que.                  |
| Sandra Lovelace Nicholas  | New Brunswick                             | Tobique First Nations, N.B.       |
| Bert Brown                | Alberta                                   | Kathryn, Alta.                    |
| Stephen Greene            | Halifax-The Citadel                       | Halifax, N.S.                     |
| Michael L. MacDonald      | Cape Breton                               | Dartmouth, N.S.                   |
| Michael Duffy             | Prince Edward Island                      | Cavendish, P.E.I.                 |
| Percy Mockler             | New Brunswick                             | St. Leonard, N.B.                 |
| John D. Wallace           | New Brunswick                             | Rothesay, N.B.                    |
| Michel Rivard             | The Laurentides                           | Quebec, Que.                      |
| Nicole Eaton              | Ontario                                   | Caledon, Ont.                     |
| Irving Gerstein           | Ontario                                   | Toronto, Ont.                     |
| Pamela Wallin             | Saskatchewan                              | Wadena, Sask.                     |
| Nancy Greene Raine        | Thompson-Okanagan-Kootenay                | Sun Peaks, B.C.                   |
| Yonah Martin              | British Columbia                          | Vancouver, B.C.                   |
| Richard Neufeld           | British Columbia                          | Fort St. John, B.C.               |
| Daniel Lang               | Yukon                                     | Whitehorse, Yukon                 |
| Patrick Brazeau           | Repentigny                                | Maniwaki, Que.                    |
| Leo Housakos              | Wellington                                | Laval, Que.                       |
| Suzanne Fortin-Duplessis  | Rougemont                                 | Quebec, Que.                      |
| Donald Neil Plett         | Landmark                                  | Landmark, Man.                    |
| Michael Douglas Finley    | Ontario—South Coast                       | Simcoe, Ont.                      |
| Linda Frum                | Ontario                                   | Toronto, Ont.                     |
| Claude Carignan           | Mille Isles                               | Saint-Eustache, Que.              |
| Jacques Demers            | Rigaud                                    | Hudson, Que.                      |
| Judith G. Seidman         | De la Durantaye                           | Saint-Raphaël, Que.               |
| Carolyn Stewart Olsen     | New Brunswick                             | Sackville, N.B.                   |
| Kelvin Kenneth Ogilvie    | Annapolis Valley - Hants                  | Canning, N.S.                     |
| Dennis Glen Patterson     | Nunavut                                   | Iqaluit, Nunavut                  |
| Bob Runciman              | Ontario—Thousand Islands and Rideau Lakes | Brockville, Ont.                  |
| Pierre-Hugues Boisvenu    | La Salle                                  | Sherbrooke, Que.                  |
| Elizabeth (Beth) Marshall | Newfoundland and Labrador                 | Paradise, Nfld. & Lab.            |
| Rose-May Poirier          | New Brunswick—Saint-Louis-de-Kent         | Saint-Louis-de-Kent, N.B.         |
| David Braley              | Ontario                                   | Burlington, Ont.                  |
| Salma Ataullahjan         | Toronto—Ontario                           | Toronto, Ont.                     |
| Don Meredith              | Ontario                                   | Richmond Hill, Ont.               |
| Fabian Manning            | Newfoundland and Labrador                 | St. Bride's, Nfld. & Lab.         |
| Larry W. Smith            | Sauvel                                    | Hudson, Que.                      |
| Josée Verner, P.C.        | Montarville                               | Saint-Augustin-de-Desmaures, Que. |
| Betty E. Unger            | Alberta                                   | Edmonton, Alta.                   |
| JoAnne L. Buth            | Manitoba                                  | Winnipeg, Man.                    |
| Norman E. Doyle           | Newfoundland and Labrador                 | St. John's, Nfld. & Lab.          |
| Asha Seth                 | Ontario                                   | Toronto, Ont.                     |
| Ghislain Maltais          | Shawinigan                                | Quebec City, Que.                 |
| Jean-Guy Dagenais         | Victoria                                  | Blainville, Que.                  |
| Vernon White              | Ontario                                   | Ottawa, Ont.                      |
| Paul E. McIntyre          | New Brunswick                             | Charlo, N.B.                      |
| Thomas Johnson McInnis    | Nova Scotia                               | Sheet Harbour, N.S.               |
| Tobias C. Enverga, Jr.    | Ontario                                   | Toronto, Ont.                     |
| Thanh Hai Ngo             | Ontario                                   | Orleans, Ont.                     |
| Diane Bellemare           | Alma                                      | Outremont, Que.                   |

## SENATORS OF CANADA

### ALPHABETICAL LIST

(December 4, 2012)

| Senator                           | Designation                        | Post Office Address      | Political Affiliation |
|-----------------------------------|------------------------------------|--------------------------|-----------------------|
| The Honourable                    |                                    |                          |                       |
| Andreychuk, A. Raynell            | Saskatchewan                       | Regina, Sask.            | Conservative          |
| Ataullahjan, Salma                | Toronto—Ontario                    | Toronto, Ont.            | Conservative          |
| Baker, George S., P.C.            | Newfoundland and Labrador          | Gander, Nfld. & Lab.     | Liberal               |
| Bellemare, Diane                  | Alma                               | Outremont, Que.          | Conservative          |
| Boisvenu, Pierre-Hugues           | La Salle                           | Sherbrooke, Que.         | Conservative          |
| Braley, David                     | Ontario                            | Burlington, Ont.         | Conservative          |
| Brazeau, Patrick                  | Repentigny                         | Maniwaki, Que.           | Conservative          |
| Brown, Bert                       | Alberta                            | Kathryn, Alta.           | Conservative          |
| Buth, JoAnne L.                   | Manitoba                           | Winnipeg, Man.           | Conservative          |
| Callbeck, Catherine S.            | Prince Edward Island               | Central Bedeque, P.E.I.  | Liberal               |
| Campbell, Larry W.                | British Columbia                   | Vancouver, B.C.          | Liberal               |
| Carignan, Claude                  | Mille Isles                        | Saint-Eustache, Que.     | Conservative          |
| Champagne, Andrée, P.C.           | Grandville                         | Saint-Hyacinthe, Que.    | Conservative          |
| Chaput, Maria                     | Manitoba                           | Sainte-Anne, Man.        | Liberal               |
| Charette-Poulin, Marie-P.         | Nord de l'Ontario/Northern Ontario | Ottawa, Ont.             | Liberal               |
| Comeau, Gerald J.                 | Nova Scotia                        | Saulnierville, N.S.      | Conservative          |
| Cools, Anne C.                    | Toronto Centre-York                | Toronto, Ont.            | Independent           |
| Cordy, Jane                       | Nova Scotia                        | Dartmouth, N.S.          | Liberal               |
| Cowan, James S.                   | Nova Scotia                        | Halifax, N.S.            | Liberal               |
| Dagenais, Jean-Guy                | Victoria                           | Blainville, Que.         | Conservative          |
| Dallaire, Roméo Antonius          | Gulf                               | Sainte-Foy, Que.         | Liberal               |
| Dawson, Dennis                    | Lauson                             | Ste-Foy, Que.            | Liberal               |
| Day, Joseph A.                    | Saint John-Kennebecasis            | Hampton, N.B.            | Liberal               |
| De Bané, Pierre, P.C.             | De la Vallière                     | Montreal, Que.           | Liberal               |
| Demers, Jacques                   | Rigaud                             | Hudson, Que.             | Conservative          |
| Downe, Percy E.                   | Charlottetown                      | Charlottetown, P.E.I.    | Liberal               |
| Doyle, Norman E.                  | Newfoundland and Labrador          | St. John's, Nfld. & Lab. | Conservative          |
| Duffy, Michael                    | Prince Edward Island               | Cavendish, P.E.I.        | Conservative          |
| Dyck, Lillian Eva                 | Saskatchewan                       | Saskatoon, Sask.         | Liberal               |
| Eaton, Nicole                     | Ontario                            | Caledon, Ont.            | Conservative          |
| Eggleton, Art, P.C.               | Ontario                            | Toronto, Ont.            | Liberal               |
| Enverga, Tobias C., Jr.           | Ontario                            | Toronto, Ont.            | Conservative          |
| Fairbairn, Joyce, P.C.            | Lethbridge                         | Lethbridge, Alta.        | Liberal               |
| Finley, Michael Douglas           | Ontario—South Coast                | Simcoe, Ont.             | Conservative          |
| Fortin-Duplessis, Suzanne         | Rougemont                          | Quebec, Que.             | Conservative          |
| Fraser, Joan Thorne               | De Lorimier                        | Montreal, Que.           | Liberal               |
| Frum, Linda                       | Ontario                            | Toronto, Ont.            | Conservative          |
| Furey, George                     | Newfoundland and Labrador          | St. John's, Nfld. & Lab. | Liberal               |
| Gerstein, Irving                  | Ontario                            | Toronto, Ont.            | Conservative          |
| Greene, Stephen                   | Halifax - The Citadel              | Halifax, N.S.            | Conservative          |
| Harb, Mac                         | Ontario                            | Ottawa, Ont.             | Liberal               |
| Hervieux-Payette, Céline, P.C.    | Bedford                            | Montreal, Que.           | Liberal               |
| Housakos, Leo                     | Wellington                         | Laval, Que.              | Conservative          |
| Hubley, Elizabeth M.              | Prince Edward Island               | Kensington, P.E.I.       | Liberal               |
| Jaffer, Mobina S. B.              | British Columbia                   | North Vancouver, B.C.    | Liberal               |
| Johnson, Janis G.                 | Manitoba                           | Gimli, Man.              | Conservative          |
| Joyal, Serge, P.C.                | Kennebec                           | Montreal, Que.           | Liberal               |
| Kenny, Colin                      | Rideau                             | Ottawa, Ont.             | Liberal               |
| Kinsella, Noël A., <i>Speaker</i> | Fredericton-York-Sunbury           | Fredericton, N.B.        | Conservative          |



| Senator                    | Designation                               | Post Office Address               | Political Affiliation    |
|----------------------------|---|-----------------------------------|--------------------------|
| Lang, Daniel               | Yukon                                     | Whitehorse, Yukon                 | Conservative             |
| LeBreton, Marjory, P.C.    | Ontario                                   | Manotick, Ont.                    | Conservative             |
| Lovelace Nicholas, Sandra  | New Brunswick                             | Tobique First Nations, N.B.       | Liberal                  |
| MacDonald, Michael L.      | Cape Breton                               | Dartmouth, N.S.                   | Conservative             |
| Mahovlich, Francis William | Toronto                                   | Toronto, Ont.                     | Liberal                  |
| Maltais, Ghislain          | Shawinigan                                | Quebec City, Que.                 | Conservative             |
| Manning, Fabian            | Newfoundland and Labrador                 | St. Bride's, Nfld. & Lab.         | Conservative             |
| Marshall, Elizabeth (Beth) | Newfoundland and Labrador                 | Paradise, Nfld. & Lab.            | Conservative             |
| Martin, Yonah              | British Columbia                          | Vancouver, B.C.                   | Conservative             |
| Massicotte, Paul J.        | De Lanaudière                             | Mont-Saint-Hilaire, Que.          | Liberal                  |
| McCoy, Elaine              | Alberta                                   | Calgary, Alta.                    | Progressive Conservative |
| McInnis, Thomas Johnson    | Nova Scotia                               | Sheet Harbour, N.S.               | Conservative             |
| McIntyre, Paul E.          | New Brunswick                             | Charlo, N.B.                      | Conservative             |
| Mercer, Terry M.           | Northend Halifax                          | Caribou River, N.S.               | Liberal                  |
| Merchant, Pana             | Saskatchewan                              | Regina, Sask.                     | Liberal                  |
| Meredith, Don              | Ontario                                   | Richmond Hill, Ont.               | Conservative             |
| Mitchell, Grant            | Alberta                                   | Edmonton, Alta.                   | Liberal                  |
| Mockler, Percy             | New Brunswick                             | St. Leonard, N.B.                 | Conservative             |
| Moore, Wilfred P.          | Stanhope St./South Shore                  | Chester, N.S.                     | Liberal                  |
| Munson, Jim                | Ottawa/Rideau Canal                       | Ottawa, Ont.                      | Liberal                  |
| Nancy Ruth                 | Cluny                                     | Toronto, Ont.                     | Conservative             |
| Neufeld, Richard           | British Columbia                          | Fort St. John, B.C.               | Conservative             |
| Ngo, Thanh Hai             | Ontario                                   | Orleans, Ont.                     | Conservative             |
| Nolin, Pierre Claude       | De Salaberry                              | Quebec, Que.                      | Conservative             |
| Ogilvie, Kelvin Kenneth    | Annapolis Valley - Hants                  | Canning, N.S.                     | Conservative             |
| Oliver, Donald H.          | South Shore                               | Halifax, N.S.                     | Conservative             |
| Patterson, Dennis Glen     | Nunavut                                   | Iqaluit, Nunavut                  | Conservative             |
| Plett, Donald Neil         | Landmark                                  | Landmark, Man.                    | Conservative             |
| Poirier, Rose-May          | New Brunswick—Saint-Louis-de-Kent         | Saint-Louis-de-Kent, N.B.         | Conservative             |
| Raine, Nancy Greene        | Thompson-Okanagan-Kootenay                | Sun Peaks, B.C.                   | Conservative             |
| Ringnette, Pierrette       | New Brunswick                             | Edmundston, N.B.                  | Liberal                  |
| Rivard, Michel             | The Laurentides                           | Quebec, Que.                      | Conservative             |
| Rivest, Jean-Claude        | Stadacona                                 | Quebec, Que.                      | Independent              |
| Robichaud, Fernand, P.C.   | New Brunswick                             | Saint-Louis-de-Kent, N.B.         | Liberal                  |
| Runciman, Bob              | Ontario—Thousand Islands and Rideau Lakes | Brockville, Ont.                  | Conservative             |
| Segal, Hugh                | Kingston-Frontenac-Leeds                  | Kingston, Ont.                    | Conservative             |
| Seth, Asha                 | Ontario                                   | Toronto, Ont.                     | Conservative             |
| Seidman, Judith G.         | De la Durantaye                           | Saint-Raphaël, Que.               | Conservative             |
| Sibbeston, Nick G.         | Northwest Territories                     | Fort Simpson, N.W.T.              | Liberal                  |
| Smith, David P., P.C.      | Cobourg                                   | Toronto, Ont.                     | Liberal                  |
| Smith, Larry W.            | Saurel                                    | Hudson, Que.                      | Conservative             |
| Stewart Olsen, Carolyn     | New Brunswick                             | Sackville, N.B.                   | Conservative             |
| Stratton, Terrance R.      | Red River                                 | St. Norbert, Man.                 | Conservative             |
| Tardif, Claudette          | Alberta                                   | Edmonton, Alta.                   | Liberal                  |
| Tkachuk, David             | Saskatchewan                              | Saskatoon, Sask.                  | Conservative             |
| Unger, Betty E.            | Alberta                                   | Edmonton, Alta.                   | Conservative             |
| Verner, Josée, P.C.        | Montarville                               | Saint-Augustin-de-Desmaures, Que. | Conservative             |
| Wallace, John D.           | New Brunswick                             | Rothesay, N.B.                    | Conservative             |
| Wallin, Pamela             | Saskatchewan                              | Wadena, Sask.                     | Conservative             |
| Watt, Charlie              | Inkerman                                  | Kuujuuaq, Que.                    | Liberal                  |
| White, Vernon              | Ontario                                   | Ottawa, Ont.                      | Conservative             |
| Zimmer, Rod A. A.          | Manitoba                                  | Winnipeg, Man.                    | Liberal                  |

**SENATORS OF CANADA**  
**BY PROVINCE AND TERRITORY**

(December 4, 2012)

**ONTARIO—24**

| Senator                     | Designation                               | Post Office Address |
|-----------------------------|---|---------------------|
| The Honourable              |   |                     |
| 1 Anne C. Cools             | Toronto Centre-York                       | Toronto             |
| 2 Colin Kenny               | Rideau                                    | Ottawa              |
| 3 Marjory LeBreton, P.C.    | Ontario                                   | Manotick            |
| 4 Marie-P. Charette-Poulin  | Northern Ontario                          | Ottawa              |
| 5 Francis William Mahovlich | Toronto                                   | Toronto             |
| 6 David P. Smith, P.C.      | Cobourg                                   | Toronto             |
| 7 Mac Harb                  | Ontario                                   | Ottawa              |
| 8 Jim Munson                | Ottawa/Rideau Canal                       | Ottawa              |
| 9 Art Eggleton, P.C.        | Ontario                                   | Toronto             |
| 10 Nancy Ruth               | Cluny                                     | Toronto             |
| 11 Hugh Segal               | Kingston-Frontenac-Leeds                  | Kingston            |
| 12 Nicole Eaton             | Ontario                                   | Caledon             |
| 13 Irving Gerstein          | Ontario                                   | Toronto             |
| 14 Michael Douglas Finley   | Ontario—South Coast                       | Simcoe              |
| 15 Linda Frum               | Ontario                                   | Toronto             |
| 16 Bob Runciman             | Ontario—Thousand Islands and Rideau Lakes | Brockville          |
| 17 David Braley             | Ontario                                   | Burlington          |
| 18 Salma Atallahjan         | Toronto—Ontario                           | Toronto             |
| 19 Don Meredith             | Ontario                                   | Richmond Hill       |
| 20 Asha Seth                | Ontario                                   | Toronto             |
| 21 Vernon White             | Ontario                                   | Ottawa              |
| 22 Tobias C. Enverga, Jr.   | Ontario                                   | Toronto             |
| 23 Thanh Hai Ngo            | Ontario                                   | Orleans             |
| 24                          |   |                     |

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**SENATORS BY PROVINCE AND TERRITORY**


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**QUEBEC—24**


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Senator

Designation

Post Office Address

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**The Honourable**

|    |                               |                 |                             |
|----|-------------------------------|-----------------|-----------------------------|
| 1  | Charlie Watt                  | Inkerman        | Kuujuaq                     |
| 2  | Pierre De Bané, P.C.          | De la Vallière  | Montreal                    |
| 3  | Jean-Claude Rivest            | Stadacona       | Quebec                      |
| 4  | Pierre Claude Nolin           | De Salaberry    | Quebec                      |
| 5  | Céline Hervieux-Payette, P.C. | Bedford         | Montreal                    |
| 6  | Serge Joyal, P.C.             | Kennebec        | Montreal                    |
| 7  | Joan Thorne Fraser            | De Lorimier     | Montreal                    |
| 8  | Paul J. Massicotte            | De Lanaudière   | Mont-Saint-Hilaire          |
| 9  | Roméo Antonius Dallaire       | Gulf            | Sainte-Foy                  |
| 10 | Andrée Champagne, P.C.        | Grandville      | Saint-Hyacinthe             |
| 11 | Dennis Dawson                 | Lauzon          | Ste-Foy                     |
| 12 | Michel Rivard                 | The Laurentides | Quebec                      |
| 13 | Patrick Brazeau               | Repentigny      | Maniwaki                    |
| 14 | Leo Housakos                  | Wellington      | Laval                       |
| 15 | Suzanne Fortin-Duplessis      | Rougemont       | Quebec                      |
| 16 | Claude Carignan               | Mille Isles     | Saint-Eustache              |
| 17 | Jacques Demers                | Rigaud          | Hudson                      |
| 18 | Judith G. Seidman             | De la Durantaye | Saint-Raphaël               |
| 19 | Pierre-Hugues Boisvenu        | La Salle        | Sherbrooke                  |
| 20 | Larry W. Smith                | Saurel          | Hudson                      |
| 21 | Josée Verner, P.C.            | Montarville     | Saint-Augustin-de-Desmaures |
| 22 | Ghislain Maltais              | Shawinigan      | Quebec City                 |
| 23 | Jean-Guy Dagenais             | Victoria        | Blainville                  |
| 24 | Diane Bellemare               | Alma            | Outremont                   |

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**SENATORS BY PROVINCE-MARITIME DIVISION**


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**NOVA SCOTIA—10**

| Senator                   | Designation              | Post Office Address |
|---------------------------|--------------------------|---------------------|
| The Honourable            |                          |                     |
| 1 Gerald J. Comeau        | Nova Scotia              | Saulnierville       |
| 2 Donald H. Oliver        | South Shore              | Halifax             |
| 3 Wilfred P. Moore        | Stanhope St./South Shore | Chester             |
| 4 Jane Cordy              | Nova Scotia              | Dartmouth           |
| 5 Terry M. Mercer         | Northend Halifax         | Caribou River       |
| 6 James S. Cowan          | Nova Scotia              | Halifax             |
| 7 Stephen Greene          | Halifax - The Citadel    | Halifax             |
| 8 Michael L. MacDonald    | Cape Breton              | Dartmouth           |
| 9 Kelvin Kenneth Ogilvie  | Annapolis Valley - Hants | Canning             |
| 10 Thomas Johnson McInnis | Nova Scotia              | Sheet Harbour       |

**NEW BRUNSWICK—10**

| Senator                            | Designation                            | Post Office Address   |
|------------------------------------|--|-----------------------|
| The Honourable                     |  |                       |
| 1 Noël A. Kinsella, <i>Speaker</i> | Fredericton-York-Sunbury               | Fredericton           |
| 2 Fernand Robichaud, P.C.          | Saint-Louis-de-Kent                    | Saint-Louis-de-Kent   |
| 3 Joseph A. Day                    | Saint John-Kennebecasis, New Brunswick | Hampton               |
| 4 Pierrette Ringuette              | New Brunswick                          | Edmundston            |
| 5 Sandra Lovelace Nicholas         | New Brunswick                          | Tobique First Nations |
| 6 Percy Mockler                    | New Brunswick                          | St. Leonard           |
| 7 John D. Wallace                  | New Brunswick                          | Rothsay               |
| 8 Carolyn Stewart Olsen            | New Brunswick                          | Sackville             |
| 9 Rose-May Poirier                 | New Brunswick—Saint-Louis-de-Kent      | Saint-Louis-de-Kent   |
| 10 Paul E. McIntyre                | New Brunswick                          | Charlo                |

**PRINCE EDWARD ISLAND—4**

| Senator                 | Designation          | Post Office Address |
|-------------------------|----------------------|---------------------|
| The Honourable          |                      |                     |
| 1 Catherine S. Callbeck | Prince Edward Island | Central Bedeque     |
| 2 Elizabeth M. Hubley   | Prince Edward Island | Kensington          |
| 3 Percy E. Downe        | Charlottetown        | Charlottetown       |
| 4 Michael Duffy         | Prince Edward Island | Cavendish           |

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**SENATORS BY PROVINCE-WESTERN DIVISION**


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**MANITOBA—6**

| Senator                          | Designation         | Post Office Address |
|----------------------------------|---------------------|---------------------|
| The Honourable                   |                     |                     |
| 1 Janis G. Johnson . . . . .     | Manitoba . . . . .  | Gimli               |
| 2 Terrance R. Stratton . . . . . | Red River . . . . . | St. Norbert         |
| 3 Maria Chaput . . . . .         | Manitoba . . . . .  | Sainte-Anne         |
| 4 Rod A. A. Zimmer . . . . .     | Manitoba . . . . .  | Winnipeg            |
| 5 Donald Neil Plett . . . . .    | Landmark . . . . .  | Landmark            |
| 6 JoAnne L. Buth . . . . .       | Manitoba . . . . .  | Winnipeg            |

**BRITISH COLUMBIA—6**

| Senator                         | Designation                          | Post Office Address |
|---------------------------------|--------------------------------------|---------------------|
| The Honourable                  |                                      |                     |
| 1 Mobina S. B. Jaffer . . . . . | British Columbia . . . . .           | North Vancouver     |
| 2 Larry W. Campbell . . . . .   | British Columbia . . . . .           | Vancouver           |
| 3 Nancy Greene Raine . . . . .  | Thompson-Okanagan-Kootenay . . . . . | Sun Peaks           |
| 4 Yonah Martin . . . . .        | British Columbia . . . . .           | Vancouver           |
| 5 Richard Neufeld . . . . .     | British Columbia . . . . .           | Fort St. John       |
| 6 . . . . .                     | . . . . .                            | . . . . .           |

**SASKATCHEWAN—6**

| Senator                           | Designation            | Post Office Address |
|-----------------------------------|------------------------|---------------------|
| The Honourable                    |                        |                     |
| 1 A. Raynell Andreychuk . . . . . | Saskatchewan . . . . . | Regina              |
| 2 David Tkachuk . . . . .         | Saskatchewan . . . . . | Saskatoon           |
| 3 Pana Merchant . . . . .         | Saskatchewan . . . . . | Regina              |
| 4 Lillian Eva Dyck . . . . .      | Saskatchewan . . . . . | Saskatoon           |
| 5 Pamela Wallin . . . . .         | Saskatchewan . . . . . | Wadena              |
| 6 . . . . .                       | . . . . .              | . . . . .           |

**ALBERTA—6**

| Senator                         | Designation          | Post Office Address |
|---------------------------------|----------------------|---------------------|
| The Honourable                  |                      |                     |
| 1 Joyce Fairbairn, P.C. . . . . | Lethbridge . . . . . | Lethbridge          |
| 2 Claudette Tardif . . . . .    | Alberta . . . . .    | Edmonton            |
| 3 Grant Mitchell . . . . .      | Alberta . . . . .    | Edmonton            |
| 4 Elaine McCoy . . . . .        | Alberta . . . . .    | Calgary             |
| 5 Bert Brown . . . . .          | Alberta . . . . .    | Kathryn             |
| 6 Betty E. Unger . . . . .      | Alberta . . . . .    | Edmonton            |

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**SENATORS BY PROVINCE AND TERRITORY**


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| 3 Elizabeth (Beth) Marshall . . . . . | Newfoundland and Labrador . . . . . | Paradise            |
| 4 Fabian Manning . . . . .            | Newfoundland and Labrador . . . . . | St. Bride's         |
| 5 Norman E. Doyle . . . . .           | Newfoundland and Labrador . . . . . | St. John's          |
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## CONTENTS

Tuesday, December 4, 2012

|  | PAGE |  | PAGE |
|--|------|--|------|
| <b>SENATORS' STATEMENTS</b>                                |      | <b>QUESTION PERIOD</b>                                       |      |
| <b>The Honourable Joyce Fairbairn, P.C.</b>                |      | <b>Aboriginal Affairs and Northern Development</b>           |      |
| Hon. James S. Cowan . . . . .                              | 2926 | Funding Levels for On-Reserve Education.                     |      |
| Hon. Marjory LeBreton . . . . .                            | 2926 | Hon. Lillian Eva Dyck . . . . .                              | 2931 |
| <b>Violence against Women and Children</b>                 |      | Hon. Marjory LeBreton . . . . .                              | 2931 |
| Anderson House—Prince Edward Island.                       |      | Hon. Jim Munson . . . . .                                    | 2931 |
| Hon. Catherine S. Callbeck . . . . .                       | 2927 | Hon. Claudette Tardif . . . . .                              | 2932 |
| <b>The Late Krystyna Rudko</b>                             |      | Hon. Jane Cordy . . . . .                                    | 2933 |
| Hon. Nicole Eaton . . . . .                                | 2927 | <b>Treasury Board</b>  |      |
| Hon. Jim Munson . . . . .                                  | 2927 | Public Service Commission—Employment Equity                  |      |
| <b>International Day of Persons with Disabilities</b>      |      | for Persons with Disabilities.                               |      |
| Hon. Jim Munson . . . . .                                  | 2928 | Hon. Catherine S. Callbeck . . . . .                         | 2933 |
| <b>Visitors in the Gallery</b>                             |      | Hon. Marjory LeBreton . . . . .                              | 2933 |
| The Hon. the Speaker . . . . .                             | 2928 | <b>Justice</b>   |      |
| <b>Diamond Jubilee Medal Recipients</b>                    |      | Mandatory Minimum Sentences.                                 |      |
| Hon. Yonah Martin . . . . .                                | 2928 | Hon. Céline Hervieux-Payette . . . . .                       | 2934 |
| <b>HMCS <i>Ottawa</i></b>                                  |      | Hon. Marjory LeBreton . . . . .                              | 2934 |
| Hon. Pamela Wallin . . . . .                               | 2929 | <b>National Defence</b>                                      |      |
| <hr/>  |      | Military Colleges—Programs for Aboriginal Youth.             |      |
| <b>ROUTINE PROCEEDINGS</b>                                 |      | Hon. Roméo Antonius Dallaire . . . . .                       | 2934 |
| <b>The Senate</b>  |      | Hon. Marjory LeBreton . . . . .                              | 2935 |
| Statutes Repeal Act—Notice of Motion to Resolve that       |      | <b>Delayed Answer to Oral Question</b>                       |      |
| the Act and the Provisions of Other Acts not be Repealed.  |      | Hon. Claude Carignan . . . . .                               | 2935 |
| Hon. Claude Carignan . . . . .                             | 2929 | <b>International Trade</b>                                   |      |
| <b>Visitors in the Gallery</b>                             |      | Trans-Pacific Partnership.                                   |      |
| The Hon. the Speaker <i>pro tempore</i> . . . . .          | 2930 | Question by Senator Downe.                                   |      |
| <b>Social Affairs, Science and Technology</b>              |      | Hon. Claude Carignan (Delayed Answer) . . . . .              | 2935 |
| Notice of Motion to Authorize Committee to Meet during     |      | <b>Business of the Senate</b>                                |      |
| Sitting of the Senate.                                     |      | Hon. Catherine S. Callbeck . . . . .                         | 2935 |
| Hon. Kelvin Kenneth Ogilvie . . . . .                      | 2930 | Hon. Claude Carignan . . . . .                               | 2935 |
| Notice of Motion to Authorize Committee to Extend Date of  |      | <hr/>  |      |
| Final Report on Study of Social Inclusion and Cohesion.    |      | <b>ORDERS OF THE DAY</b>                                     |      |
| Hon. Kelvin Kenneth Ogilvie . . . . .                      | 2930 | <b>Business of the Senate</b>                                |      |
| <b>The Senate</b>  |      | Hon. Claude Carignan . . . . .                               | 2935 |
| Notice of Motion to Express Support for Malala Yousafzai   |      | <b>First Nations Financial Transparency Bill (Bill C-27)</b> |      |
| and her Family.  |      | Second Reading—Debate Adjourned.                             |      |
| Hon. Salma Ataullahjan . . . . .                           | 2930 | Hon. Dennis Glen Patterson . . . . .                         | 2935 |
| <b>Fisheries and Oceans</b>                                |      | Hon. Lillian Eva Dyck . . . . .                              | 2938 |
| Committee Authorized to Meet during Sitting of the Senate. |      | <b>Canada Labour Code</b>                                    |      |
| Hon. Fabian Manning . . . . .                              | 2930 | <b>Employment Insurance Act (Bill C-44)</b>                  |      |
| Hon. Claudette Tardif . . . . .                            | 2930 | Bill to Amend—Second Reading.                                |      |
| <b>Banking, Trade and Commerce</b>                         |      | Hon. Jane Cordy . . . . .                                    | 2938 |
| Notice of Motion to Authorize Committee to Study the       |      | Hon. Catherine S. Callbeck . . . . .                         | 2939 |
| “Net Benefit” Criteria Stipulated within the Investment    |      | Referred to Committee . . . . .                              | 2939 |
| Canada Act.  |      | <b>Visitor in the Gallery</b>                                |      |
| Hon. Céline Hervieux-Payette . . . . .                     | 2930 | The Hon. the Speaker . . . . .                               | 2939 |
| <hr/>  |      | <b>Prohibiting Cluster Munitions Bill (Bill S-10)</b>        |      |
|  |      | Third Reading—Motion in Amendment Negatived.                 |      |
|  |      | Hon. Suzanne Fortin-Duplessis . . . . .                      | 2941 |
|  |      | Hon. Roméo Antonius Dallaire . . . . .                       | 2941 |
|  |      | Hon. A. Raynell Andreychuk . . . . .                         | 2942 |
|  |      | Hon. David P. Smith . . . . .                                | 2944 |
|  |      | Hon. Fernand Robichaud . . . . .                             | 2945 |

|   | PAGE |  | PAGE |
|---|------|--|------|
| <b>Criminal Code (Bill C-290)</b>                           |      | <b>National Finance</b>                                      |      |
| Bill to Amend—Third Reading—Debate Continued.               |      | Motion to Authorize Committee to Study Tax Consequences      |      |
| Hon. Vernon White . . . . .                                 | 2949 | of Various Public and Private Advocacy Activities Undertaken |      |
| Hon. Bob Runciman . . . . .                                 | 2952 | by Charitable and Non-charitable Entities Negatived.         |      |
| <b>Food and Drugs Act (Bill C-313)</b>                      |      | Hon. Nicole Eaton . . . . .                                  | 2957 |
| Bill to Amend—Third Reading.                                |      | Hon. James S. Cowan . . . . .                                | 2958 |
| Hon. Kelvin Kenneth Ogilvie . . . . .                       | 2952 | <b>Legal and Constitutional Affairs</b>                      |      |
| Hon. Art Eggleton . . . . .                                 | 2953 | Committee Authorized to Meet during Sitting of the Senate.   |      |
| Hon. Jim Munson . . . . .                                   | 2953 | Hon. Bob Runciman . . . . .                                  | 2960 |
| <b>Official Languages Act (Bill S-211)</b>                  |      | <b>The Senate</b>  |      |
| Bill to Amend—Second Reading—Debate Continued.              |      | Motion to Urge the Government of the Islamic Republic        |      |
| Hon. Claude Carignan . . . . .                              | 2954 | of Iran to Release Nasrin Sotoudeh Adopted.                  |      |
| <b>Canada National Parks Act (Bill C-370)</b>               |      | Hon. Linda Frum . . . . .                                    | 2960 |
| Bill to Amend—Second Reading—Debate Adjourned.              |      | Hon. Joan Fraser . . . . .                                   | 2960 |
| Hon. Bob Runciman . . . . .                                 | 2954 | <b>Missing and Murdered Aboriginal Women</b>                 |      |
| <b>Study on Prescription Pharmaceuticals</b>                |      | Inquiry—Debate Adjourned.                                    |      |
| Fourteenth Report of Social Affairs, Science and Technology |      | Hon. Sandra Lovelace Nicholas . . . . .                      | 2960 |
| Committee and Request for Government Response Adopted.      |      | Hon. Lillian Eva Dyck . . . . .                              | 2961 |
| Hon. Art Eggleton . . . . .                                 | 2955 | <b>Appendix . . . . . i</b>                                  |      |
| Hon. Claude Carignan . . . . .                              | 2956 |  |      |





---

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