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(HANSARD)

Tuesday, March 18, 1997

THE HONOURABLE GILDAS L. MOLGAT
SPEAKER

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THE SENATE

Tuesday, March 18, 1997

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

Prayers.

PAGES EXCHANGE PROGRAM WITH HOUSE OF COMMONS

The Hon. the Speaker: Honourable senators, I should like to introduce to you the House of Commons pages who will be here this week on the exchange program.

[*Translation*]

On my right is Cléo Chartier of St. Lazare, Manitoba. She is continuing her studies at the University of Ottawa. She is enrolled in the Faculty of Administration and majoring in business.

[*English*]

On my left is Pascal Zamprelli from Dartmouth, Nova Scotia, who is studying marketing in the Faculty of Administration at the University of Ottawa.

Cléo and Pascal, I wish you welcome on behalf of all senators.

SENATORS' STATEMENTS

THE SENATE

Hon. Michel Cogger: Honourable senators, I wish to raise a point of order.

The Hon. the Speaker: Honourable Senator Cogger, I cannot accept a point of order at this point in our proceedings. However, you are entitled to make a statement.

Senator Cogger: Then I will make a statement, and honourable senators can interpret it as a point of order if they wish to do so.

Honourable senators, let me preface my comments by stating that what I am about to say is not meant as a personal attack on the Leader of the Government in the Senate, whom I love dearly and respect a great deal. However, in the recent past, it has happened many times that we have congregated in this chamber and said prayers promptly at 2 o'clock, only to be held up like a bunch of school kids awaiting their teacher to walk in. Nothing gets started, and I do not think that is right. I do not think it is properly respectful of the institution or senators. When the Speaker has assumed the Chair, opened the sitting, and prayers have been said, I suggest, with due respect to all honourable senators, that the proceedings should commence.

[*Translation*]

NATIONAL FRANCOPHONIE WEEK

Hon. Eymard G. Corbin: Honourable senators, this week is the Semaine mondiale de la Francophonie. Thursday will be the Journée mondiale de la francophonie.

La Francophonie is more than just the counterpart of the Commonwealth, and although, historically speaking, this group of countries that are totally or partially French-speaking is much younger, the concept itself goes back much further. The original idea of uniting francophones throughout the world was suggested by Léopold Sédor Senghor in 1962, when he was president of Senegal. This led to the birth of the Agence de coopération culturelle et technique and, of course, the Association des parlementaires de langue française, which since then has become an essential component of the Francophonie, the Assemblée des parlementaires.

Honourable senators will recall that the first summit where leaders of francophone countries throughout the world were to meet was held in Paris in 1986. Since then, summits have alternated among host countries throughout the world.

Today, la Francophonie presents more than 160 million francophones in 49 countries spread over five continents. It is defined as a pluralistic community whose common denominator is sharing the French language while respecting the ethnic and cultural identities of each partner. Over the years, it has become steadfastly involved in conflict prevention and international cooperation. It also has a major cultural role based on the essential components of a living francophonie, such as the Agence de coopération culturelle et technique, which I mentioned earlier, and TV5. The founding date of the Agence de coopération culturelle et technique, March 20, was selected as the official day of la Francophonie.

La Francophonie has over the years become a world presence reflecting partnership and modern ideas. It mobilizes the francophone community around the major issues that will determine our future.

Canada will contribute $4 million to the cost of organizing the summit in November 1997 in Hanoi, which will be an attempt to strengthen the presence of the Francophonie in Asia. Only one summit has been held in North America so far, and that was in Quebec City in 1987.

In its capacity as a participating government, New Brunswick will propose Moncton as the host city for the 1999 Summit. I have no doubts, personally, that this Acadian city will be selected. May I offer my best wishes to all my francophone brothers and sisters on this occasion.

Hon. Rose-Marie Losier-Cool: Honourable senators, I would also like to mark la Semaine mondiale de la Francophonie, and to pay particular homage to the Acadians, the segment of la Francophonie for which we have battled with such enthusiasm and conviction. To have remained francophone in Acadia means having had the courage to realize one's dreams.

The Acadian dream was such a strong one that it allowed us to gain a clearer idea of the problems in order to survive, and to actualize ourselves, as Acadians. As Victor Hugo said:

The strugglers are the ones who survive.

Today, the Acadian community has a decisive role to play and is carving out a major place for itself on the Canadian and the international scene. Because Acadie is not a province, with specific geographical borders, everyone has a different perception of what it represents.

Whether Acadians live on the Magdalen Islands, in Louisiana, in Grand-Pré, in one or another of the regions of New Brunswick, including Tracadie — so dear to my heart — they all hold French dear.

The Acadian people has been able to see its dreams come true because of education, and the vital role education has played in Acadia.

Where education is concerned, I think the significant turning point for the Francophonie was the election of francophone Acadian Premier Robichaud, later Honourable Senator Louis Robichaud, who said:

Education is the greatest weapon a people can have.

His equal opportunity program ensured all Acadians of an education in French.

Acadian women have also played a significant, though often low-key, role, like Pélagie, in Antonine Maillet's Prix Goncourt winning novel *Pélagie La Charette*, who had the courage to turn her dreams into reality, realizing that one's children must be educated, not for oneself, but for the future of the world.

So then, what exactly is the Acadian francophonie? In short, it is French schools with school boards administered by francophones; it is the Université de Moncton with its law faculty; it is Nova Scotia's Université de Pointe-à-l'Église; it is the Collège d'Acadie, located in Nova Scotia and offering a distance education program; it is community radio, francophone community centres, the Conseil économique du Nouveau-Brunswick, the Société des Acadiens et des Acadiennes du Nouveau-Brunswick, the Fédération des francophones de Terre-Neuve et du Labrador, the Acadians of Miscouche and Prince Edward Island. It is a francophone community with an economic, cultural, technological and linguistic vision.

[*English*]

•(1410)

ROUTINE PROCEEDINGS

ADJOURNMENT

Hon. Richard J. Stanbury (Acting Deputy Leader of the Government): Honourable senators, in the absence of Senator Graham, and in my capacity as Acting Deputy Leader of the Government, with leave of the Senate and notwithstanding rule 58(1)(*h*), I move:

> That when the Senate adjourns today, it do stand adjourned until tomorrow, March 19, 1997 at 1:30 p.m.

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

Hon. Senators: Agreed.

Motion agreed to.

MANGANESE-BASED FUEL ADDITIVES BILL

ALLOTMENT OF TIME FOR DEBATE—NOTICE OF MOTION

Hon. Richard J. Stanbury (Acting Deputy Leader of the Government): Honourable senators, there have been discussions with senators opposite about allocating a specified number of hours for the debate at third reading of Bill C-29. Unfortunately, we have not been able to reach a mutually satisfactory agreement.

Consequently, in my capacity as Acting Deputy Leader of the Government, and on behalf of Senator Graham, I give notice that on Wednesday, March 19, 1997, I will move:

> That, pursuant to Rule 39, not more than six hours of debate be allotted to the consideration of the motion by the Honourable Senator Kenny for third reading of Bill C-29, An Act to regulate interprovincial trade in and the importation for commercial purposes of certain manganese-based substances;
>
> That when debate comes to an end or when the time provided for the consideration of the said motion has expired, the Speaker shall interrupt, if required, any proceedings then before the Senate and put forthwith and successively every question necessary to dispose of the said motion; and
>
> That any recorded vote or votes on the said question shall be taken in accordance with the provisions of Rule 39(4).

LEGAL AND CONSTITUTIONAL AFFAIRS

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

Hon. Lorna Milne: Honourable senators, with leave of the Senate and notwithstanding rule 58(1(*a*), I move:

> That the Standing Senate Committee on Legal and Constitutional Affairs have power to sit at 3:15 p.m. tomorrow, Wednesday, March 19, 1997, even though the Senate may then be sitting and that Rule 95(4) be suspended in relation thereto.

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

Some Hon. Senators: Explain!

Senator Milne: Honourable senators, in the absence of Senator Carstairs, who is ill today, it is my understanding that that is the only time that the minister can appear before the committee. Ministers' time being very difficult to get, I suggest that the Senate allow the committee to sit.

Hon. Noël A. Kinsella: Honourable senators, could the honourable senator explain why she is bringing forward this motion from the Legal Committee when the deputy chairman of that committee is in the chamber?

•(1420)

Senator Milne: I cannot explain that.

Senator Doody: There is no leave.

[*Translation*]

Hon. Pierre Claude Nolin: Honourable senators, as deputy chairman of that committee, I also want to ask some questions.

[*English*]

Did the minister give the committee other options, or is that the only time he could appear?

Senator Milne: It is my understanding that that is correct.

Senator Nolin: Honourable senators, I do not believe that. Is the minister available for only one period of two hours in an entire week?

Senator Robichaud: You have never been a minister.

Senator Nolin: I have worked for ministers, even prime ministers. I am reluctant to agree with that excuse.

The Hon. the Speaker: Is leave granted?

Senator Nolin: No.

Senator Lynch-Staunton: No.

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

FOREIGN AFFAIRS

COMMITTEE AUTHORIZED TO MEET DURING SITTING OF THE SENATE

Hon. John B. Stewart, Chairman of the Standing Senate Committee on Foreign Affairs, with leave of the Senate and notwithstanding rule 58(1)(*a*), moved:

> That the Standing Senate Committee on Foreign Affairs have power to sit at 4:00 p.m. today, Tuesday, March 18, 1997, even though the Senate may then be sitting, and that rule 95(4) be suspended in relation thereto.

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

Hon. C. William Doody: Explain.

Senator Stewart: Honourable senators, the Standing Senate Committee on Foreign Affairs is carrying on with its study of Canada's relations with Asia-Pacific. We are working against something of a time barrier. We do not know whether there will be an election in June, in October or next year. Nevertheless, there is to be an Asia-Pacific Economic Conference in Canada in the autumn.

I believe all members of the committee agree on this. We are hoping that the work of our committee will be constructive and will help Canada to promote trade between Canada and Asia-Pacific. We should like to proceed with the meeting at four o'clock today. We had to cancel last week because of the business in the chamber.

The Hon. the Speaker: Is leave granted?

Hon. Senators: Agreed.

Motion agreed to.

QUESTION PERIOD

TRANSPORT

FUTURE OF INTERNATIONAL FLIGHTS INTO MIRABEL—RUMOURED ESTABLISHMENT OF AD HOC COMMITTEE OF LIBERAL CAUCUS—GOVERNMENT POSITION

Hon. Michel Cogger: Honourable senators, I have a question for the Honourable Leader of the Government in the Senate. Perhaps she can shed some light on a matter that seems to be rather confusing. It is a question of great importance to Montrealers and to the economic vitality of the city of Montreal, and has to do with the possible transfer of international flights from Mirabel.

[*Translation*]

According to an article published in *Le Devoir* on Saturday, an ad hoc committee of the Liberal caucus proposes to make recommendations to the Minister of Transport on this issue, which is a vital one and which involves major economic interests and jobs in a city that badly needs them. There is a lot of confusion. First, what is the status of this ad hoc committee, which, according to *Le Devoir*, comprises Senator Rizzuto, Senator Hervieux-Payette, Senator Bacon and MPs Michel Dupuy and Bernard Patry? The concern is that much greater since, to my knowledge, at least two of the alleged members of the committee have denied being a part of it. One of them in response to a question, said: "What committee? I am not on any committee. I do not know what you are talking about."

This strikes me as an odd approach or a way of leaving a lot of confusion surrounding a question that is so vital and cannot be treated lightly. Let us consider only one major user, like Air Canada, which must know about the existence of the committee, if there is one, as well as the committee's mandate and its membership. Otherwise, how could it hope to make representations to the members? Could the Leader of the Government in the Senate enlighten us, please?

[*English*]

Hon. Joyce Fairbairn (Leader of the Government): Honourable senators, before responding to this question, I want to express my apologies for being late today and for recent occasions when I have been in a bit of a rush upon entering the chamber. I agree with my honourable friend that it is discourteous to this house, and I will make every endeavour to rearrange my business so that I get here first, not last. I thank the honourable senator for drawing the matter to my attention.

With regard to the question asked, honourable senators know that ministers often ask members of their caucuses for help and advice. As to the creation of an ad hoc committee, I am not aware of it. I will try to obtain more information for the honourable senator. I will also ask my colleagues on this side of the house for some assistance and will determine for my honourable friend whether such an ad hoc committee has been set up.

TREASURY BOARD

PUBLIC SERVICE—EQUALITY OF OPPORTUNITY FOR MEMBERS OF VISIBLE MINORITIES—GOVERNMENT POSITION

Hon. Donald H. Oliver: Honourable senators, my question is for the Leader of the Government in the Senate. She will recall that a few weeks ago I spoke about a document reporting on the position of visible minorities in the public service. The leader will know that that report included some appalling statistics indicative of systemic racism in the bureaucracy.

In the March 16 edition of *The Ottawa Citizen*, Kathryn May wrote a story entitled "New talent pools created to groom future managers." In that article she indicated that there are now 75 spots for people who will be groomed for positions as deputy ministers and assistant deputy ministers, and that 78 per cent of the 3,000 applicants were over the age of 45. There has never been an opportunity greater than this in which the Government of Canada can ensure visible minority representation in the upper ranks of the public service.

Will the Leader of the Government give an undertaking to the Senate that she will speak to the President of the Treasury Board and other members of cabinet urging them to ensure that visible minority representation in Canada will now be enforced by providing fair opportunities for visible minorities in the public service to become, for the first time, ADMs and DMs?

Hon. Joyce Fairbairn (Leader of the Government): Honourable senators, I will indeed pass my honourable friend's comments on to the President of the Treasury Board. In fact, I shall carry his message beyond that minister, perhaps to other contacts within the Privy Council Office.

AGRICULTURE

RESEARCH BY DEPARTMENT ON NICOTINE CONTENT OF TOBACCO—GOVERNMENT POSITION

Hon. Stanley Haidasz: Honourable senators, I have a question for the Leader of the Government in the Senate. No doubt she is aware of articles in the press this morning about a CTV investigative program last Sunday evening that stated that Agriculture Canada has been using taxpayers' money to help the tobacco industry to either monitor or obtain high yields of nicotine in tobacco grown in Prince Edward Island and Ontario. Since this is contrary to the tobacco strategy of the Minister of Health, can the Leader of the Government in the Senate explain these disparate policies of two government departments in dealing with nicotine in tobacco?

•(1430)

Nicotine is addictive. It is blamed for 40,000 deaths in Canada annually, and for hundreds of thousands of chronic, tobacco-related illnesses. Tobacco also accounts for a direct economic loss to Canada of about $10 billion per year and an indirect loss of close to $27 billion, according to health economists.

Hon. Joyce Fairbairn (Leader of the Government): Honourable senators, I have been trying to get the full story on this matter today. My colleague the Minister of Agriculture is in Asia, so I have not had the opportunity to speak with him directly.

I am advised by the Department of Agriculture that it is simply not the case that the department is working to develop a high-nicotine tobacco crop. In fact, the small amount of research being done by Agriculture and Agri-Food Canada on tobacco has

been focusing on breeding for disease resistance, reducing pesticides, ensuring soil management and that kind of thing. Also, the Department of Agriculture has a goal to move tobacco farmers away from the growing of tobacco and into alternate crops such as ginseng.

I will try to obtain more information on this matter for my honourable friend, but I have been assured by the officials in Mr. Goodale's department that they are not in the business of research to develop high-nicotine tobacco crops.

Senator Haidasz: Honourable senators, I hope that the Leader of the Government in the Senate will be successful in obtaining for us this information, because, yesterday, in the other place, a member of Parliament, a medical doctor from Alberta, had in his hands the whole report of the Department of Agriculture's research on tobacco. I have in my hand just part of the report from that department. There seems to be some confusion on how to interpret this report of the Department of Agriculture. There are passages in this report, the one I have in my hand, that say that such research was conducted, and refer to research in tobacco pertaining to monitoring and obtaining high yields of nicotine in tobacco grown in Ontario and in Prince Edward Island.

Senator Fairbairn: Honourable senators, I will certainly follow up on the questions of my honourable friend. I myself am not clear on the timing of the information that has been put out. I do know that the amount of money being used by Agriculture and Agri-Food Canada for tobacco research has been reduced by 90 per cent, and that research has been terminated entirely at several facilities. I am also told that the nicotine levels in tobacco crops has declined significantly in the 1990s as compared to the 1980s. However, I want to obtain some further information on this matter for my honourable friend.

I am endeavouring to answer the question today simply to indicate that the information that I have is that this is not the kind of research that is currently being undertaken by the department.

DELAYED ANSWERS TO ORAL QUESTIONS

Hon. Richard J. Stanbury (Acting Deputy Leader of the Government): Honourable senators, I have four delayed answers, including a response to a question raised in the Senate on November 22, 1995, by the Honourable Senator Mira Spivak regarding greenhouse gas emissions; a response to a question raised in the Senate on February 11, 1997, by the Honourable Senator Lynch-Staunton regarding intergovernmental affairs, changes to section 93 of the Constitution requested by the province of Quebec accompanied by historic linguistic guarantees; a response to a question raised in the Senate on February 13, 1997, by the Honourable Senator Richard J. Doyle regarding safety of blood supply; and a response to a question raised in the Senate on March 12, 1997, by the Honourable Senator Roberge regarding PCO transfer of personnel from ministers' offices.

ENVIRONMENT

REDUCTION OF GREENHOUSE GAS EMISSIONS—ESTABLISHMENT OF NATIONAL STANDARDS—GOVERNMENT POSITION

(Response to question raised by Hon. Mira Spivak on November 22, 1995)

Canada, as a Party to the United Nations' Framework Convention on Climate Change (FCCC), has committed to aim to reduce greenhouse gas emissions to 1990 levels by the year 2000. The provinces and territories have adopted this commitment on a national level. Quebec and British Columbia have also adopted the commitment on a provincial level. All jurisdictions and all sectors of Canadian society will have to take action if greenhouse gas emissions are to be reduced. The federal government cannot unilaterally mitigate climate change. Significant reductions in greenhouse gas emissions can only be achieved with the direct co-operation of provincial governments, since provinces hold considerable constitutional authority related to energy production, energy use and transportation.

At the November 20, 1995 meeting in Edmonton, federal and provincial energy and environment ministers tabled the plans of each jurisdiction to help Canada meet this goal. A major component of the plans was the voluntary commitments of the private sector. It was recognized that while these voluntary actions will make a significant contribution, they will not be sufficient to enable Canada to meet its goal. The Government of Canada continues to believe that a full range of measures will inevitably be necessary for Canada to meet its commitments.

The review of Canada's National Action Program has been completed and was presented at the Joint Meeting of Energy and Environment Ministers in Toronto on December 12, 1996. While some progress has been made, without additional measures, Canada is unlikely to meet its stabilization commitment. Ministers considered progress to date and next steps at the Joint Meeting. In addition to the new measures announced by provincial and territorial jurisdictions, Environment Canada and Natural Resources Canada announced additional federal measures that complement and strengthen existing actions under the National Action Program.

At the first Conference of the Parties to the United Nations Framework Convention on Climate Change (CoP1), held in 1995, Parties agreed that current commitments were inadequate to meet the ultimate objective of the Convention, which aims to prevent dangerous anthropogenic interference with the global climate system.Both the domestic and international climate change agenda is driven by the mounting scientific consensus that indicates that climate change is real and that action to reduce greenhouse gas emissions is urgently needed.

The Second Conference of Parties (CoP2), which was held in July 1996 in Geneva, accepted the Intergovernmental Panel on Climate Change's latest scientific assessment, which states that "the balance of evidence suggests that there is a discernible human influence on global climate." Further, the Ministerial declaration from CoP2, which Canada endorsed, urges parties to instruct their representatives to accelerate negotiations on the text of a legally binding protocol, or another legal instrument, to be completed in time for adoption at the third session of the Conference of Parties in December 1997.

Addressing climate change is a challenge for everyone, individually and collectively. If greenhouse gas emissions are not reduced, Canada runs the major risk of falling behind competitively and losing out on crucial commercial opportunities in energy efficiency and renewable resource technology. The threat of climate change is real, and actions will be taken to deal with that threat in a manner which complements a competitive economy for Canada abroad and full employment at home.

INTERGOVERNMENTAL AFFAIRS

CHANGES TO SECTION 93 OF CONSTITUTION REQUESTED BY PROVINCE OF QUEBEC ACCOMPANIED BY HISTORIC LINGUISTIC GUARANTEES—GOVERNMENT POSITION

(Response to question raised by Hon. John Lynch-Staunton on February 11, 1997)

On the matter of the provision for official languages in federal-provincial labour market development agreements, the *Employment Insurance Act* states that the active employment measures will be delivered in either official language where there is significant demand for that assistance in that language.

This means that the government of Canada will:

- negotiate with each province and territory a commitment that respects this guideline; and

- at a minimum ensure that services will be provided in both official languages where there is significant demand.

The government of Canada's position on this issue is quite clear: the integral application of the guideline regarding official languages.

The agreements recently reached with Alberta and New-Brunswick fully meet the requirements of the *Employment Insurance Act* while reflecting the particular conditions of each province.

The government is convinced that this will also be the case with all federal-provincial labour market development agreements.

With respect to the second issue raised by the Honourable Senator Lynch-Staunton regarding the Government of Quebec's wish to replace religious school boards with linguistic schools and possible changes to the Canadian Constitution, the Canadian government has not yet received any formal request from the Government of Quebec. Until we do, the government cannot comment on a request that does not exist.

The federal government is sensitive to the needs of linguistic minority communities and is committed to ensuring that those needs are taken into account in delivering federal programs and services and in addressing change.

HEALTH

SAFETY OF BLOOD SUPPLY—PROSPECTIVE NATIONAL BLOOD SYSTEM TO BE ESTABLISHED WITHIN PARAMETERS OF RECOMMENDATIONS FROM KREVER INQUIRY—GOVERNMENT POSITION

(Response to question raised by Hon. Richard J. Doyle on February 13, 1997)

The initiative taken by Canada's Health Ministers to renew the blood system, and to create a new national authority that would meet the four principles of safety, accountability, transparency, and full integration, is not intended to pre-empt or to subordinate Justice Krever or the work of his Commission. Rather, it is intended to prepare the necessary ground work for governments to make a timely and appropriate response to his final recommendations.

Accordingly, on February 10, 1997, federal, provincial and territorial health Ministers announced that before making final decisions about the structure of the new national blood system, they would like an opportunity to review the recommendations of Justice Krever's final report.

Ministers emphasized that in the interim, federal, provincial and territorial officials will continue their planning on the structure of the new system in order to be in a position to respond quickly following review of Justice Krever's recommendations.

In February 1995, the Krever Commission presented a very comprehensive Interim Report on the safety of the blood system, which told Canadians that Canada's blood supply today is not less safe than that of other developed countries.

This message is very important. Canadians should be reassured that blood, blood components and blood products in Canada are of the highest quality, and as safe as those in any developed country.

In June, 1995 the Government tabled a response to Justice Krever's Interim Report, showing action has been taken on every recommendation aimed at the Government, and highlighting many initiatives that strengthen the way the Government regulates blood safety, and monitors blood diseases and the health risks inherent in using blood.

PRIVY COUNCIL OFFICE

TRANSFER OF PERSONNEL FROM MINISTERS' OFFICES—GOVERNMENT POSITION

(Response to question raised by Hon. Fernand Roberge on March 12, 1997)

Included in the Ministers' Offices Activity of the PCO for 1996-97 was a small unit dealing with Parliamentary Returns, staffed by public servants. For the 1997-98 Estimates, this unit was transferred from the Ministers' Offices Activity and reflected under the Privy Council Office Activity in order to more accurately reflect the reporting relationship. These officials fulfil an ongoing departmental function and have always been part of the Public Service.

The 1994-95 fiscal year was the first full year of operation for the current PMO. Not all positions were staffed as of the beginning of the year which resulted in lower than planned utilization of human resources.

MANGANESE-BASED FUEL ADDITIVES BILL

ALLOTMENT OF TIME FOR DEBATE—NOTICE OF MOTION—POINT OF ORDER

Hon. John Lynch-Staunton (Leader of the Opposition): Honourable senators, before we proceed to Orders of the Day, I would raise a point of order. I am perplexed over how we can accept a government notice of motion from a senator who has identified himself as acting for the Deputy Leader of the Government. There is nothing in our rules that allows such a title or a position to be identified in the application of those rules. Moving time allocation is not exactly a routine proceeding, and therefore, I do not know how Senator Stanbury can be eligible to move such a motion. My point of order is that he is not eligible to do so, and therefore his notice should be ruled out of order.

Senator Corbin: In other words, he has no right to sit in that chair?

Senator Lynch-Staunton: I did not say that.

Hon. Richard J. Stanbury (Acting Deputy Leader of the Government): Honourable senators, I can only say that I, of course, did not give this notice of motion without first checking to be sure of its legality. If you wish to ask His Honour the Speaker to make a ruling, I am sure he will be glad to do so. Certainly, the sources that I consulted indicated that that was the way in which it should be done.

Hon. Eymard G. Corbin: Honourable senators, if there must be a challenge, it should not be on the proposal put forward by the Acting Deputy Leader of the Government. It ought to be a challenge to the fact that he is sitting in that chair. The fact that he does sit in that chair gives him all the powers, including the power to give the notice that he has indeed given. That is the point which the Chair ought to consider, if need be.

Hon. Noël A. Kinsella: Honourable senators, rule 39(1) is very explicit:

> ... the Deputy Leader of the Government in the Senate, from his or her place in the Senate, may state...

I simply draw Your Honour's attention to rule 39(1).

Hon. John B. Stewart: Honourable senators, if there is a difficulty about Senator Stanbury giving the notice, perhaps there would be no such comparable difficulty if the notice were given by the Leader of the Government in the Senate? I notice that the rule starts off with:

> At any time while the Senate is sitting, the Leader of the Government in the Senate or the Deputy Leader of the Government...

Therefore, if there is a difficulty, evidently it could be remedied quite quickly.

Senator Lynch-Staunton: The question is not who is eligible; the question is who is ineligible. In our rules, there is no such position identified as "acting deputy government leader." Therefore, we maintain that Senator Stanbury was not entitled to make this motion. If the Leader of the Government wants to make the motion, that is fine, but let us follow the rules.

•(1440)

Hon. Jerahmiel S. Grafstein: Honourable senators, I fail to see the difference between an acting deputy leader and a deputy leader. The person who sits in that chair assumes all the power and support of this side for his responsibilities. The fact that he chose to call himself "interim deputy leader" is a matter of form and a nicety; it does not go to the substance. Who shall occupy the position of government leader or deputy leader is for us on this side to determine. We certainly do not determine leadership on the other side, and from time to time we challenge their leadership.

Senator Lynch-Staunton: That brings up an interesting point: Who are we to deal with? Today it may be Senator Stanbury; tomorrow who shall it be?

Senator Grafstein: Whoever occupies that chair.

Senator Lynch-Staunton: It is interesting to see who will sit in that chair. Every time we see someone sitting there, that person will be the acting deputy leader?

Senator Grafstein: He is there, and he has the power.

Senator Lynch-Staunton: There is nobody sitting in Senator Hébert's chair, therefore there is no whip, if I follow your logic.

Senator Grafstein: There is clearly a significant difference between the front row and the other rows.

Senator Lynch-Staunton: You are being specious.

Senator Grafstein: It is not specious. As a late justice of the Supreme Court of Canada said, "There is, my lords, a distinction without a difference."

The Hon. the Speaker: Does any other honourable senator wish to speak on the point of order? If not, I will take the matter under advisement and report later this day, if possible.

We have had similar instances in the past. In fact, I was in that same position of deputy leader, and I was replaced by the same Senator Stanbury for a period of one month. We will look into what happened during that time. I hope to report later this day.

ORDERS OF THE DAY

CRIMINAL CODE

BILL TO AMEND—SECOND READING—DEBATE CONTINUED

On the Order:

> Resuming the debate on the motion of the Honourable Senator Carstairs, seconded by the Honourable Senator Milne, for the second reading of Bill S-13, to amend the Criminal Code (protection of health care workers).—*Honourable Senator DeWare.*

Hon. Mabel M. DeWare: Honourable senators, I rise today to express some concerns on Bill S-13, an Act to amend the Criminal Code (protection of health care providers).

While I understand and support the intent of this bill, it fails to address the whole picture. Clearly, the intent has been lost in that the media have labelled it the "euthanasia bill." This is unacceptable and proves the need for more education of the general public concerning the practice of withdrawing and withholding treatment, and providing treatment for the purpose of alleviating suffering that may shorten life, as well as the difference between those two practices and assisted suicide and euthanasia.

When the Special Senate Committee on Euthanasia and Assisted suicide commenced its hearings, we quickly discovered that there were many other topics that needed to be addressed before we could accept a change in the law regarding euthanasia or assisted suicide. These issues, honourable senators, included the need for comprehensive and accessible palliative care, clarification in the Criminal Code between withdrawing and withholding treatment and treatment aimed at alleviating the suffering that may shorten life, as well as the acceptance of advance directives.

In almost a year and a half of study, we realized that there were many other questions we would not be able to address due to the complexity of this subject. After intense deliberations, we made unanimous recommendations on the subject of withholding and withdrawing treatment, and treatment aimed at alleviating suffering that may shorten life. Testimony from many witnesses made it clear that, even though these two practices were widely accepted throughout the country, there was still reluctance on the part of some medical professionals who feared the threat of being held liable. Consequently, we recommended that both practices be clarified in the Criminal Code. We outlined measures we felt should be implemented simultaneously. These other recommendations have, thus far, been ignored.

One of the most important recommendations that has been overlooked was ensuring that the division of Health Canada responsible for health protection and promotion in cooperation with the provinces and territories and the national associations of health care professionals should develop guidelines and standards.

Another recommendation made with respect to treatment to alleviate suffering that might shorten life was to have more research done on education and training on pain control. This issue was reinforced, honourable senators, through the testimony of some of the medical professionals, who told us that, when they gave too many drugs to their patients, it would often shorten those patients' lives. We felt that, if a life was shortened and the patient only had a certain time to live, pain control was more important. We felt it was necessary for there to be more research in the field of pain control and management.

In the area of withholding and withdrawing treatment, we recommended that the federal ministry of health, in cooperation with the provinces and territories, sponsor a national campaign designed to inform the public of their rights with respect to the refusal of life-sustaining treatment. I understand that these other recommendations cannot be included in the text of Bill S-13 because it is a modification of the Criminal Code, and no such room exists for guidelines or educational programs. However, perhaps this bill should not have been introduced by itself, but should have been submitted with another piece of legislation that would have ensured that the ministry of health would take care of the other recommendations at the same time as the clarification of the Criminal Code.

The Special Senate Committee on Euthanasia and Assisted Suicide was careful in its deliberations to ensure that, if there was a change in the Criminal Code, there would be key measures put in place to avoid abuse. As a result, we felt it necessary to say in our report that treatment could not be withdrawn or withheld, nor could pain control be administered, without the express consent of a competent individual or the person best suited to speak on his or her behalf. However, in the instance of administering treatment to alleviate suffering that might shorten life, the bill does not include the obligation of health care providers to obtain a free and informed consent from the patient, his living will or a surrogate decision maker. This is dangerous, and it is an aspect that must be looked at carefully when this bill goes to committee.

Honourable senators, it was my pleasure to be a member of this committee. The issue was mostly driven by the *Rodriguez* case, and the fact that this woman, Sue Rodriguez, was compelled to go to the Supreme Court for a decision on whether she could have assisted suicide. We feel that the question has not yet been answered. It was the impression of the committee that people are asking for assisted suicide because there is not enough palliative care. There are not enough support systems and teams in this community — and in the country — to help these people. If such facilities were there, would people need to ask?

That is where we were coming from with our report. That is why we did not arrive at a total consensus, and we were not able to agree to assisted suicide and euthanasia, because those questions were not answered. If this bill will help us to answer some of those questions, I would be happy to support it, honourable senators, but there must be some amendments and guidelines.

I stress my support for the intent of this bill. I should, however, like to reiterate the need for complementary legislation for the necessary guidelines. As well, the committee must study the legislation extensively in order to ensure the safety of both health care providers and their patients.

•(1450)

Senator Bosa: Honourable senators, I move that this bill be referred to —

[*Translation*]

Hon. Gérald-A. Beaudoin: Honourable senators, this bill follows on the report of the Special Senate Committee on Euthanasia and Assisted Suicide, published on June 6, 1995. It deals with two aspects of this report, which were unanimously approved by the members of the committee; the withholding and the withdrawal of life sustaining treatment.

This committee, you will recall, was composed of the following senators: Joan Neiman, Thérèse Lavoie-Roux, Gérald-A. Beaudoin, Sharon Carstairs, Eymard Corbin, Mabel DeWare and Wilbert Keon. Senator Jean-Noël Desmarais, although not a member of the committee, took a very active part in our discussions. We were divided on the issue of euthanasia and assisted suicide. However, we were of one opinion with respect to the two other aspects.

The purpose of Bill S-13 is not to amend the provisions of the Criminal Code regarding euthanasia and assisted suicide.

These provisions remain unchanged in the Criminal Code. Instead, this bill would add a section to the Criminal Code.

Patients need legal protection. Doctors and nurses must know what they may and may not do. That is the purpose of this bill.

In the next few minutes, I intend to look at the legal and constitutional considerations.

The courts have already led the way with the *Nancy B* case. It is now up to the legislators. I am not in favour of leaving this issue up to the courts alone. Case law has consistently recognized the Parliament of Canada as having the power to make legislation protecting the lives and health of Canadians, based on its exclusive jurisdiction in criminal law.

We must have the greatest respect for those who wish to live and survive hooked up to equipment. The law must protect them. We must also, however, respect those who wish, with full knowledge of what they are doing, to refuse a treatment or who wish to have the plug pulled. I do not favour aggressive therapy. A patient must have the right to refuse treatment. I am in favour of pulling the plug if a patient clearly requests this.

My colleague Senator Thérèse Lavoie-Roux emphasized, and rightly so, the parameters, conditions and consent required in this situation. If someone is unable to give his or her consent, the family should be allowed to do so, having considered the patient's best interests. We must legalize the principle recognized in *Nancy B.* Some provinces have already passed legislation on living wills, mandates and powers of attorney. The remaining provinces must be urged to follow suit.

We must not forget that health comes primarily under provincial jurisdiction. The Supreme Court made this point clearly in 1938 in the reference concerning adoption. With respect to the particular issue of the patient's consent regarding the course to follow — withdrawing or continuing treatment — the Civil Code of Quebec states in article 10:

> Every person is inviolable and is entitled to the integrity of his person.
>
> Except in cases provided for by law, no one may interfere with his person without his free and enlightened consent.

Article 11 reads:

> No person may be made to undergo care of any nature, whether for examination, specimen taking, removal of tissue, treatment or any other act, except with his consent.
>
> If the person concerned is incapable of giving or refusing his consent to care, a person authorized by law or by mandate given in anticipation of his incapacity may do so in his place.

In light of these provisions, it is important to emphasize the role and powers of provincial legislatures in these areas. There is also the federal jurisdiction in criminal matters. In this instance, federal-provincial co-operation seems to me not only inevitable, but necessary.

In order to protect the patient, the most important thing is to ensure that the patient's request and consent are properly formulated and that the powers and the duties of the health care professionals are clearly identified.

Senator Carstairs' bill amends the Criminal Code by adding a new section, 45.1, after section 45.

Bill S-13 does not define refusal of treatment and removal from equipment. To avoid any confusion, I propose that, when it is referred to committee, the bill be amended to include the following definitions, which appear in English and French in the report of the special committee on euthanasia. There are five definitions: Withholding of life-sustaining treatment is: not starting treatment that has the potential to sustain the life of a patient; withdrawal of life-sustaining treatment is: stopping treatment that has the potential to sustain the life of a patient; treatment aimed at the alleviation of suffering that may shorten life is: the administration of sufficient amounts of drugs to control suffering even though this may shorten life; assisted suicide is: the act of intentionally killing oneself with the assistance of another who provides the knowledge, means or both; and euthanasia is: a deliberate act undertaken by one person with the intention of ending the life of another person to relieve that person's suffering, where that act is the cause of death.

In my opinion, these five definitions will more properly place the bill in its legal context.

I recommend that the bill provide only for the withholding of life-sustaining treatment and the withdrawal of life-sustaining treatment, and that it not authorize euthanasia and assisted suicide.

•(1500)

That, honourable senators, is my contribution. I believe the Senate was right to create a special committee on the issues we have just analyzed in legal and constitutional terms. In my opinion, this report moves things along.

Hon. Eymard G. Corbin: Honourable senators, I will not say all that I have to say on this issue today. Still, I want to give you an idea of what my position will be regarding the legislative proposal made by Senator Carstairs. Let me say at the outset that, as soon as we talk about euthanasia, many people in this country get all worked up. People get upset because they do not know what we are talking about. They have not made an effort to understand the plight of a dying person, the various types of deaths, or the professional situation of the medical and paramedical establishment, but they discuss the issue with great passion, as was the case with abortion. These people rely on half-truths, often on prejudices, and all too often, unfortunately, on ignorance, pure and simple.

The Senate authorized a review of euthanasia and assisted suicide. A committee spent 18 months looking at the issue, before reporting its findings to this house. I would be curious to know how many people in the country, how many members of the press gallery, bothered to read the report, to read the testimonies of the experts who were invited to appear before the committee, as well as the opinions of many other witnesses. Especially since they are the ones who shape public opinion, who report, often in a very inaccurate manner, on parliamentary activities.

This, I believe, is the fundamental problem.

If we want an in-depth discussion on euthanasia, we must start by finding out as much as we can on this subject. The Senate was the first Canadian legislative body to look at the issue. Since the report was tabled in the Senate quite a while ago, it would have been logical for the federal and provincial governments in power to indicate their intention of holding a major conference on the issue of euthanasia in this country, especially since they are responsible for managing health care services to Canadians. This would prevent us from having to rely on isolated measures, as was done in the Netherlands, or from going through the back door and using a coroner's report to authorize the medical profession to practice euthanasia in specific circumstances. This is not how we want to deal with the issue here in Canada. The debate must be public and open.

I sat on the committee that reviewed the issue of euthanasia and assisted suicide. I do not doubt the good intentions of my colleague Senator Carstairs as regards the objectives of this private bill, but I believe she is making a mistake. She is making a mistake, because what she is proposing is an isolated measure seeking to amend part of the Criminal Code, but this is not the way Canadians want Parliament to deal with this. Canadians want a comprehensive debate on all the aspects of this issue.

Our report was meant as a rough draft, a way of launching the debate, but everything seems to have come to a halt. I am not saying someone is deliberately blocking the process, but I think we should deal with the issue of euthanasia once and for all, because this very topical issue will not go away. The danger is in letting the debate bog down. People motivated by self-interest will hijack the process to achieve their goals. The debate should be both public and extensive.

I will limit myself to these comments for today. I intend to address the issue again shortly. I therefore move that the debate be adjourned.

Hon. Philippe Deane Gigantès: I have a question. Do you not think that Senator Beaudoin's speech and references to the Civil Code bring a much needed degree of clarity to the debate? I think that our biggest problem with the term "euthanasia" is that the public sees it as the decision by a third party to end someone's life for the purpose of ending this person's suffering but without asking for permission. This is what people have in mind when the word "euthanasia" is used. Senator Beaudoin's comments, based on the Civil Code, clarified this point. Do you not agree?

Senator Corbin: Senator Beaudoin has extensive legal knowledge. I trust his expertise in this area and would not dare argue. What you are saying, Senator Gigantès, is that, in people's minds, euthanasia is the ending of someone's life by a third party. I would reply that some people may think like that, but that others are afraid of it, and therein lies the danger. There are many people in this country who still do not know what the word "euthanasia" means. I am personally against euthanasia per se. Before taking any steps to amend the Criminal Code or any other legislation and encroaching on the Code of professional conduct, I think governments, parliamentarians and professional bodies should agree on the legal approach to this problem. At that point, lawyers can get involved.

A societal debate has just been launched. The few governments around the world that support the idea of euthanasia are not very compassionate. The Netherlands is often cited as an example. There were some recent developments in Australia's Northern Territory, but neither the national Parliament nor the courts have made a decision. The State of New York commissioned an exhaustive study by a very talented group of professionals, who rejected euthanasia. The House of Lords, in England, did the same thing.

Some witnesses who testified before the committee discredited these people, claiming that they did not know what they were talking about, that the issue was not being taken seriously. In that case, why not launch a great national debate? I think it is up to the government, any government, to open the discussions on this issue. We have sent signals, expressed views, received feedback from the Minister of Health, but that was not enough, in my opinion.

•(1510)

At the risk of repeating myself, I wish I could answer you today, but I would rather not. I will get back to this later.

On motion of Senator Corbin, debate adjourned.

[*English*]

PRIVATE BILL

AN ACT TO INCORPORATE THE BISHOP OF THE ARCTIC OF THE CHURCH OF ENGLAND IN CANADA— BILL TO AMEND—THIRD READING

Hon. Noël A. Kinsella, for Senator Meighen, moved the third reading of Bill S-15, to amend An Act to incorporate the Bishop of the Arctic of the Church of England in Canada.

Motion agreed to and bill read third time and passed.

NUCLEAR SAFETY AND CONTROL BILL

THIRD READING

Leave having been given to revert to Order No. 1:

Hon. Nicholas W. Taylor moved the third reading of Bill C-23, to establish the Canadian Nuclear Safety Commission and to make consequential amendments to other Acts.

MOTION IN AMENDMENT

Hon. Mira Spivak: Honourable senators, I move, seconded by the Honourable Senator Carney:

> That Bill C-23 be not now read the third time but that it be amended in clause 2, on page 2, by replacing lines 5 to 9 with the following:
>
> "Minister" means the Minister of the Environment.

Honourable senators, I am moving this amendment not only for myself, but also for Senator Pat Carney, who wished to be associated with it. Senator Carney has a great deal of experience in this area.

Clause 2 of this bill designates the Minister of Natural Resources as the responsible minister for the Canadian Nuclear Safety Commission, the new regulatory agency for nuclear energy in Canada that replaces the Atomic Energy Control Board. Briefs on Bill C-23 presented to the House of Commons committee and our committee offered the very reasonable opinion that this designation is not appropriate.

The Minister of Natural Resources will continue to be the minister responsible for Atomic Energy of Canada Limited, AECL, which promotes and sells nuclear energy. Ministers of natural resources have performed very ably in promoting Canadian nuclear technology at home and internationally. The new commission replacing the AECB will have the explicit duty of overseeing matters of health, safety and protection of the environment. It will have authority to require financial guarantees and to order remedial action requiring responsible parties to pay for clean-up costs.

The whole thrust of the bill is to clarify the distinction between AECL and the new safety commission. It makes abundant good sense not to place the Minister of Natural Resources in a position of potential conflict between promotional and safety interests. The first reason for this amendment is to ensure that regulatory and promotion functions be clearly separated.

The reason for proposing that the Minister of Environment be the minister responsible for the new safety commission is also to ensure that cabinet and those responsible for making important decisions relating to nuclear safety and the protection of the health and security of Canadians have access to another pool of scientific opinion and knowledge beyond those within the nuclear industry, which, I am told, is dominated by physicists. It will help ensure that there will be sufficient checks and balances in arriving at informed judgments about very serious matters. It is this commission, for example, that will evaluate whether a nuclear storage site is suitable.

This is not a minor thing. In creating a commission whose prime focus is health, safety, protection of the public and defence of the environment, we should not designate a minister whose primary purpose is the promotion of nuclear energy. It is this logic that I hope senators will consider in deciding whether or not to vote for this amendment.

We have a horrible example of what happens when the foxes are guarding the chicken coop: The Canadian Environmental Assessment Act has not been as effective as it could have been because the people evaluating and assessing the projects have been the very people who have put forth the projects. A recent study by Price Waterhouse pointed out that a serious flaw in the enabling legislation was that it did not provide for an independent body to evaluate environmental, socio-economic and other impacts.

This is an important amendment. I do hope that senators will look at it and find that, indeed, they can support it.

Hon. Nicholas W. Taylor: Honourable senators, in speaking against this amendment, I must say at the outset that I admire Senator Spivak's tenacity. That same motion was put forward by the same two senators in the committee hearings and was defeated. If you refer to your Hansard of March 13, you will find that the committee has recommended that the Canadian Nuclear Safety Commission and Atomic Energy of Canada report to separate ministers.

Although I welcome the thrust of the amendment by the Honourable Senators Spivak and Carney, in that it specifies the ministers, the committee wanted this bill to stand for a number of years, and only the Lord knows what a newly elected Prime Minister will do in setting up a cabinet. Trying to designate the responsibility in the legislation to the Minster of Environment or the Minister of Natural Resources, when it may be that the appropriate person should be the Minister of Health or whomever, might lead to further problems. The unanimous recommendation put forward by the committee is that the proposed section state that the agencies come under two separate ministers, as opposed to specifying the ministers. I do not know how the Privy Council will be constructed in the future, or what designation will be given to ministers. The committee, in its wisdom, unanimously recommended that the Canadian Nuclear Safety Commission and Atomic Energy of Canada report to separate ministers.

•(1520)

I would ask honourable senators to defeat the motion in amendment and pass the bill with the recommendation as submitted by the Honourable Senator Ghitter, as chairman of the Standing Senate Committee on Energy, the Environment and National Resources, with the unanimous recommendation of the committee.

Senator Spivak: Honourable senators, Senator Taylor is quite right in saying that that was, indeed, the recommendation of the committee.

The Hon. the Speaker: Is Senator Spivak answering a question at this time or asking a question?

Senator Spivak: I am answering a question.

The Hon. the Speaker: Please proceed.

Senator Spivak: The honourable senator was questioning the audacity of my motion in amendment, and I would be happy to respond.

The honourable senator omits two important facts. The first is that this was indeed a unanimous recommendation of the committee only after the defeat of a proposed amendment that would have done exactly this. The second is that, had the committee been equal to the task of instituting this not as a recommendation but as an amendment, this action today would have been unnecessary.

Honourable senators, we cannot leave everything in the hands of the Privy Council and the first ministers because they do not necessarily have access to all of the relevant information. The issue relating to conflict of interest has to do with ministers who have certain mandates and other ministers who have other mandates. This amendment will not guarantee a perfect solution, but it at least sets up checks and balances. We know what happens to recommendations that come from the Senate. They have no clout. However, if this were presented in the form of an amendment, it would have some clout. A recommendation can be ignored. Certainly, as the bill now stands, there will be no checks and balances, as would happen if two ministers were involved.

I propose the Minister of the Environment on this bill. I do not think it will ever happen that the Minister of the Environment would not have it within his or her purview to look at the effects of nuclear energy on the environment. We are speaking here specifically to the environment. Of course, it also relates to health, but the Minister of Health always has a mandate to consider the health of Canadians. At this point, the Minister of the Environment does not have the reporting line of this new agency.

Honourable senators, that is the reason for my motion in amendment, and that is my answer to Senator Taylor's question.

The Hon. the Speaker: If no other honourable senators wish to speak on the amendment, then I will put the question.

It was moved by the Honourable Senator Spivak, seconded by the Honourable Senator DeWare:

> That Bill C-23 be not now read the third time but that it be amended in clause 2, on page 2, by replacing lines 5 to 9 with the following:
>
> "Minister" means the Minister of the Environment.

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

Some Hon. Senators: Yes.

Some Hon. Senators: No.

The Hon. the Speaker: Will those honourable senators in favour of the motion please say "yea"?

Some Hon. Senators: Yea.

The Hon. the Speaker: Will those honourable senators opposed to the motion please say "nay"?

Some Hon. Senators: Nay.

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

An Hon. Senator: On division.

Motion in amendment negatived, on division.

The Hon. the Speaker: Honourable senators, we will now deal with the third reading motion.

It was moved by the Honourable Senator Taylor, seconded by the Honourable Senator Milne, that this bill be read the third time.

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

Motion agreed to and bill read third time and passed.

MANGANESE-BASED FUEL ADDITIVES BILL

CONSIDERATION OF INTERIM REPORT OF ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES COMMITTEE MOTION TO RETURN REPORT TO COMMITTEE— DEBATE ADJOURNED

On the Order:

> Resuming debate on the consideration of the sixth report of the Standing Senate Committee on Energy, the Environment and Natural Resources (Interim Report on Bill C-29, to regulate interprovincial trade in and the importation for commercial purposes of certain manganese-based substances), presented in the Senate on March 4, 1997.—(*Honourable Senator Buchanan, P.C.*).

Hon. Noël A. Kinsella: Honourable senators, I rise to participate in the debate on this item. I wish to add my comments to the excellent address made by Senator Ghitter.

Honourable senators, the government, through its spokesperson on this bill, the Minister of the Environment, Mr. Marchi, appeared before the Standing Senate Committee on Energy, the Environment and Natural Resources and said:

> In the spring of 1996, after taking on this portfolio, I personally asked the refiners to provide Canadians with a choice of fuels: A pump with MMT additive, and a green pump without the chemical additive.

Honourable senators, if the Minister of the Environment was telling us that it was his policy and the policy of the Government of Canada that it was acceptable to have a pump at gas stations with MMT, provided there were other pumps without MMT, how in heavens does it follow that his whole argument for Bill C-29, which bans the transportation of MMT, makes any sense at all? Surely, there is a clear contradiction in the minister's position. He introduces a bill to ban this terrible MMT additive in gasoline, and I will review for honourable senators the arguments made in favour or banning the transportation of MMT. However, then the minister turns around and says that it is satisfactory as long as one pump at the gas station has gasoline that does not contain this additive.

Honourable senators, there is a fundamental contradiction in the policy of the minister. He appeared before our committee and made the statement I just read, which can be found on page 32 of the interim report we are now debating.

Honourable senators, the job of opposition members in this chamber — and hopefully it is the job of the opposition in the other place — is, in the course of studying a bill, to try to ascertain the truth, and to bring criticism, in the finest epistolic definition of "criticism," to the task of trying to find the truth. I do not mean criticism to be cantankerous or to be obstructionist; not at all; I mean criticism in the nosologic sense. Senator Gigantès would appreciate that.

•(1530)

What did we on this side do? We looked at the argument advanced by the government in support of Bill C-29. We were told that we must pass this law; we must ban the transportation of MMT because it is a health hazard to Canadians. We took note of that. It was a serious consideration. Quite frankly, if it had been true, it would have meant that we could have supported the initiative.

We were also told the reason the Government of Canada was bringing forward this measure was that MMT is an environmental hazard, that the manganese that is emitted is of great concern to the Government of Canada. Again, if the evidence were true, then there would be support from this senator at least for the banning of this chemical.

A third argument advanced was that the government wants to have Canadian fuels harmonized with fuels in other parts of the world, in particular across North America. At first blush, that sounded like a reasonable objective.

Fourth, it was argued that we must ban this MMT in gasoline because it gums up on-board diagnostic devices in automobiles. These devices are used to alert the driver as to whether the exhaust system is functioning properly. One could only be open to the evidence: if we are setting standards that automotive manufacturers must meet in terms of pollution control devices, then we must be partners with that industry in realizing those kinds of instruments.

Honourable senators, the Energy Committee held a number of hearings and a number of witnesses came forward to testify. What did we discover? For our part, we were anxious to get to the bottom of these concerns. Was there a health hazard? Was there an environmental hazard? Was there an issue of harmonization of fuels? Does MMT gum up OBD devices? Honourable senators, the report of the committee, which represents the views of the majority on the committee, and the appendix, which represents a minority opinion, is unanimous with regard to the health question. It was a bogus argument. The evidence is that MMT is not a health hazard. Therefore, such a rationale for the bill is gone.

Then there is the question of whether MMT is an environmental hazard. The evidence, a summary of which is found in the interim report, could not conclude that MMT is an environmental hazard in the manner in which it is utilized in gasoline. If it were, then we would say, "Ban the material. Get rid of it." Indeed, why do we not have an amendment to environmental legislation to deal with it up front, legislation in which there is found a process that can be utilized in the banning of hazardous materials?

What about the harmonization argument? That argument was easy to deal with because our major trading partner, the United States, had lifted the ban that they once had on MMT in gasoline. Consequently, if we pass this legislation, we would be placing Canadian refiners who export gasoline formulated with MMT into the United States at a tremendous disadvantage. This is particularly true for my part of Canada, New Brunswick, where the largest oil refinery in the country is located. I refer to the Irving Oil refinery in Saint John. That refinery exports large quantities of refined petroleum products into the northeastern United States. If that market begins to demand a gasoline formulated with MMT, which it may now do since the lifting of the ban, we will be out of harmony. Indeed, that particular refinery will be at a tremendous disadvantage, as will the refinery in Newfoundland, which ships a great deal of its refined products to the American market.

As this report illustrates, honourable senators, at the end of the day it all boiled down to the question of whether the small quantity of MMT that is placed in the gasoline toward the end of the refining process has the effect, when it is burned in the automobile, of fouling up the sensor devices that are part of the on-board diagnostic instruments in newer cars. We are not talking about all of the 14 million automobiles in the Canadian fleet. We are talking about only those automobiles that have been manufactured in the last couple of years. Therefore, we needed to know what was the evidence.

We had the two big giants of industry at loggerheads over this matter. On the one hand was the automobile industry; on the other hand was the petroleum industry. Quite frankly, I am sad to say that the Ministry of the Environment reneged on its duty. It did not play the honest broker that it normally does in all kinds of disputes of this sort between these industries. It would appear that the previous Minister of the Environment misspoke when she said that if the oil and automobile industries did not resolve this issue, then she would. Clearly, with that kind of situation presented, the automobile industry just smiled and said, "Fine. We will not collaborate with oil at all because the minister is on our side. She will come in with a law to ban the stuff."

We really had to find out for ourselves. The members of the committee did an excellent job. They listened to the evidence. I think we understood it as well as any jury of laymen and women could understand such technical data. It was clear that there was conflicting evidence. It was the conclusion of members of the committee who wrote the minority opinion that, if anything, the evidence leads to the conclusion that MMT does not foul up the OBD devices. However, we were impressed by the fact that eight governments in Canada have said to the federal government, "You should not pass this law. We believe that MMT does not foul up the devices, and we have already demonstrated that the other arguments advanced for the legislation are resting on quicksand."

•(1540)

Honourable senators, the witnesses, particularly from the Government of Alberta and the Government of Nova Scotia, said, "Look, why not submit this data to a group of objective scientists?" and the Royal Society of Canada was mentioned. That is interesting, because, only a few weeks before, the Prime Minister of Canada had been utilizing the studies of the Royal Society of Canada on asbestos in his dealings with the Government of France, when there was a dispute on the safety of that product.

We thought it made eminent sense. We were advised that the Royal Society could do this study in a period of 11 or 12 weeks. All parties would live by the results of that objective, third-party analysis — an analysis that should have been done, and a third-party role that should have been played by the Minister of the Environment. They failed in their duty.

Here was a way out. We would have the Standing Senate Committee on Energy, the Environment and Natural Resources have the Royal Society do the objective study, and whatever the results were, that would be the finding of this house and also the finding that the automobile industry, the oil industry and those other eight governments in Canada were quite prepared to live with.

It is still our view, honourable senators, that this is the reasonable way to go. Those who have been following this story, and there have been a number of interested Canadians following this story, are now arguing that this bill, on its own merits, is resting on quicksand. It raises all kinds of problems relating to NAFTA challenges and breaching of federal-provincial trade agreements. None of this is necessary. There is a way out, and the way out is to let this question be assessed by an independent third party. The data is there.

MOTION TO RETURN REPORT TO COMMITTEE

Hon. Noël A. Kinsella: Consequently, honourable senators, I move, seconded by the Honourable Senator Doyle:

> That the Interim Report concerning Bill C-29, An Act to regulate interprovincial trade in and the importation for commercial purposes of certain manganese-based substances, be not now proceeded with but be returned to the Standing Senate Committee on Energy, the Environment and Natural Resources with instructions to implement the recommendation found on page 40 of the Interim Report, to wit:
>
> > We recommend that the Royal Society of Canada undertake a thorough assessment of all information pertinent to Bill C-29 and report its findings back to the Committee at its earliest opportunity; and
> >
> > That the Senate do not proceed with further consideration of Bill C-29 until after the Committee has tabled such findings in the Senate.

Hon. Nicholas W. Taylor: Honourable senators, I was a bit disconcerted because the Leader of the Opposition was holding up a Red Book.

Senator Lynch-Staunton: It is not yours.

Senator Taylor: Now it has turned blue.

Honourable senators, for nearly two years, Come By Chance and other refineries have been exporting gasoline to the United States, yet manganese was illegal in that country. Could the Honourable Senator Kinsella tell us whether that gasoline was bootlegged or if there was, indeed, manganese in it?

Senator Kinsella: I thank the honourable senator for his question. I did visit the Irving oil refinery in Saint John. For a number of years, they have been manufacturing MMT-free gasoline.

Senator Berntson: Which had 50 octane.

Senator Kinsella: They fired up the octane level by burning more crude and doing it at higher temperatures. That has a lot of negative spin-offs in terms of the ambient environment in Saint John. There is a cost to the environment of getting the same level of octane when you have to burn the crude longer, and at higher tempers.

In any event, they had been marketing — and indeed shipping to the New England market — MMT-free gasoline for some time. It was my understanding that Come By Chance was also doing the same, although I am not certain.

Senator Taylor: Then they know how to do it?

Senator Kinsella: Absolutely.

On motion of Senator Taylor, debate adjourned.

ALLOTMENT OF TIME FOR DEBATE—
NOTICE OF MOTION—POINT OF ORDER—
SPEAKER'S RULING

The Hon. the Speaker: Honourable senators, this might be an opportune time for me to rule on the point of order raised earlier this day by the Leader of the Opposition. The point of order was whether Senator Stanbury could, indeed, proceed to act as the Acting Deputy Leader of the Government for the purposes of the motion he had made.

I did not want to rule immediately because I first wanted to be sure that there was nothing in the books establishing how one becomes the Deputy Leader of the Government or the Deputy Leader of the Opposition. Indeed, there is nothing in the books. It has been by precedent.

The practice in the past, and I believe it has occurred on both sides of the chamber, is that the person who sits in the chair of the Deputy Leader, either of the Government or the Opposition, is deemed to have that authority. If honourable senators will check back, they will find that, on both sides, it has happened that that person has acted in that position. The book does not say anything else, so I must operate on the basis of precedent.

Further, today, the Senate did accept that Senator Stanbury indeed had the right to proceed since, at the early part of the day's proceedings, under Government Notices of Motions, Senator Stanbury rose and asked leave of the Senate to move a motion, and no point of order was raised.

Senator Lynch-Staunton: A point of order cannot be raised during Routine Proceedings.

The Hon. the Speaker: That is true. However, that point was not raised regarding this particular motion. I am prepared to rule that, by precedent, the person sitting in the chair of either the Deputy Leader of the Government or the Deputy Leader of the Opposition is, indeed, entitled to act for that person.

I therefore rule that the motion made by Honourable Senator Stanbury is in order.

POINT OF ORDER

Hon. Philippe Deane Gigantès: Honourable senators, I wish to raise a point of order —

Hon. John Lynch-Staunton (Leader of the Opposition): You cannot raise a point of order after a Speaker's ruling. It must first be approved by saying "yea" or "nay." Come on! There must be something in the rules that we can respect.

The Hon. the Speaker: We then proceed to the next item under Orders of the Day.

Senator Gigantès: Honourable senators, with all due respect, when Senator Kinsella spoke, he spoke for 18 and a half minutes. The rules allow for 15 minutes, and I wish the rules would be obeyed. If someone had said, "Your time is up," he would have had to ask for permission to continue, and I would have refused it, as I will refuse it to everyone hereafter, whenever I am present.

•(1550)

Hon. Noël A. Kinsella: Honourable senators, on the point of order, Senator Corbin was well within his 15 minutes, but with the questions raised by Senator Gigantès his intervention was well over the 15 minutes allotted. As we know, the speech and the questions are to be within the given 15-minute period. Of course, I am responding to Senator Gigantès' point of order and I am quite in order to do so.

The Hon. the Speaker: Honourable senators, the rule book is clear. It provides for a 15-minute period for all senators, with the exception of the leaders on both sides, the senator sponsoring a bill and the first speaker following the sponsor. The Table tries to follow that rule. If we have failed to do so, I accept the responsibility. We will be more rigorous in the future, if that is the wish of the Senate.

HUMAN RIGHTS

VISIBLE MINORITIES AND THE PUBLIC SERVICE OF CANADA— REPORT TO HUMAN RIGHTS COMMISSION— INQUIRY—DEBATE CONTINUED

On the Order:

> Resuming the debate on the inquiry of the Honourable Senator Oliver calling the attention of the Senate to a report submitted to the Canadian Human Rights Commission (CHRC) by John Samuel and Associates Inc., entitled: *Visible Minorities and the Public Service of Canada*.—(*Honourable Senator Gigantès*).

Hon. Philippe Deane Gigantès: Honourable senators, I should like to congratulate Senator Oliver again for bringing this subject to our attention. It is indeed a very serious matter which should be examined. I shall ask the appropriate section of the Research Branch of the Library of Parliament to provide me figures which I will make available to any of you who wish to have them. It will not be my product but that of the Library of Parliament.

I think, from my cursory, provisional research, that Senator Oliver is right in his figures, that there is something to this issue, and I intend to work at it as much as I can.

On motion of Senator Kinsella, debate adjourned.

VETERANS AFFAIRS

RECENT FUNERAL FOR CANADIAN AIRMEN WHO DIED IN PLANE CRASH IN BURMA DURING WORLD WAR II— INQUIRY—DEBATE ADJOURNED

Hon. Lorna Milne rose pursuant to notice of March 10, 1997:

> That she will call the attention of the Senate to the recent funeral of Canadian servicemen whose plane crashed in Burma in 1945.

She said: Honourable senators, a few weeks ago, a group of about 130 Canadians flew around the world to lay to final rest, with full military honours, six young Canadian heroes: Flying Officer William Joseph Kyle, Flying Officer David McLean Cameron, Warrant Officer I Stanley James Cox, Warrant Officer II William Bennet Rogers, Flight Sergeant Charles Peter McLaren, Leading Aircraftman Cornelius John Kopps.

They died in Burma when their plane went down during a monsoon storm on June 21, 1945. They were members of the RCAF 435 Chinthe Squadron and were flying supplies "over the hump" from where they were stationed in the Imphal Valley in India to the British Army in northern Burma, when their plane disappeared on the return flight close to the India-Burma border.

It is a fascinating story. Nothing more was heard of these young men until a watch, which had been found by a local hunter in 1990, eventually found its way to the Commonwealth Graves Commission Cemetery at Taukkyan and was identified in July of 1995 as belonging to Canadian William Kyle. Two attempts were made to locate and identify the wreckage, in late 1995 and March 1996, but both failed. The site of the crash was just too remote, about 50 kilometres from the nearest village and in jungle, and over 50 years of monsoon rains and jungle vegetation had buried much of what was left of the plane.

The third attempt, in December 1996, was a masterpiece of cooperation between our government, the military regime in Burma — or the Union of Myanmar, as they prefer to be known — the Burmese ambassador here in Ottawa, Dr. Kyaw Win and the Canadian Embassy in Bangkok, which has responsibilty for Burma. A recovery team was formed consisting of representatives of Veterans Affairs Canada, Foreign Affairs personnel and Canadian Forces experts in many fields, who were brought together by Major William Leavey. The venture involved hard training, both here in Canada and later in Burma, under conditions of high heat and humidity. For their part, the Burmese army not only rediscovered the site in the first place, but cleared a helicopter landing pad and flew the Canadian team into the site.

RCAF Dakota KN 563 went down when the plane was caught in a monsoon cloud with its tremendous wind shear forces — forces that could carry a loaded Dakota straight up at a speed of 6,000 feet per minute, and a second later force it down at the same speed. Apparently, remains of a wing were found about two miles from the main crash site, so it seems very likely that a wing was torn off the plane. To give you an idea of the tremendous wind forces inside these clouds, an airplane that crashed in a monsoon storm in India during the war was found with its wings bent up just like the petals of a flower.

The crash site was in a ravine with a steep slope, and the plane had broken up into hundreds of pieces scattered over an area of about 30 square meters. Since the crash, the wreckage had been buried by over 50 years of jungle growth and soil erosion during the annual monsoon rains. Our team had only three days to do any sort of recovery, so they dug and dug, and dug some more. Even the Burmese officers threw off their uniforms and dug.

The team recovered much wreckage, none of it more than one and a half metres across, some human remains for burial and the plane's propeller, identification number and roundel from the fuselage, which will be displayed here in the War Museum in Ottawa.

The recovery team was superb. Each member of it found the experience to be immensely rewarding, and very emotional. Just before they had to leave the recovery site, the team held a memorial service there in the jungle, with a Canada Remembers flag flying at half mast and six poppies pinned to a tree. They left the site with an outwardly cheery but a heart-rending farewell: "See you later, guys."

Because of the efforts of this recovery team, a group of Canadians gathered on March 5 of this year in Taukkyan War Cemetery, 35 kilometres out of Rangoon to put these six young heroes to rest. The group was led by Lawrence MacAulay, Secretary of State for Veterans Affairs, and included members of each of the six men's families, veterans who had served in Burma with the young men, representatives of the 435-436 & Burma Squadrons Association, the Royal Canadian Legion, the president of the Army Navy and Air Force Veterans in Canada, the Deputy Minister for Veterans Affairs and various members of his department, three Members of Parliament — John Loney, Stéphan Tremblay and Jack Frazer — Senator Forrestall and myself, as well as a large armed forces contingent, a National Film Board crew and some members of the press and service magazines — an impressive turnout.

•(1600)

Taukkyan War Cemetery is a beautiful and peaceful spot. It is an oasis of flowering trees and shrubs, nicely cut green grass and a cenotaph. It is dominated by the enormous Rangoon Memorial dedicated to the 26,875 members of the armed forces of the Commonwealth who have no known graves but who lie somewhere in the steaming jungles of Burma. The memorial is surrounded by neat rows of headstones for the 6,368 people who are buried there. Our armed forces had seen to it that the graves of all of the Canadian soldiers buried there were marked with small Canadian flags in order that we could visit them after the service.

The service was very moving. The fact that it was conducted with full military honours helped the families get through it and deal with the memories that were flooding through their minds. It was all most beautifully done, from the Colour Guard to the Honour Guard, partly made up of present members of the 435 Transport and Rescue Squadron, stationed in Winnipeg; from Padré Major Kevin Dingwall's thoughtful and insightful eulogy to Secretary MacAulay's emotional mention of the fact that:

> ...from cities and towns across Canada, these six young men found themselves together at a moment in time that ended their lives and forever changed the lives of families and friends thousands of miles away; every mother's son, every father's pride and joy, a hero to a brother or sister. Now they were gone forever.

From the veterans marching in procession to the graveside to the careful placing of Canadian soil on the casket, to the bugler sounding the haunting notes of the "Last Post," to the piper playing the "Flowers of the Forest," from the moment when their loved one's posthumous medals and a neatly folded flag were handed to a representative of each family, to the touching moment when Mark Kyle laid a white rosary on the casket that held his uncle's remains, the entire ceremony was emotional and moving. It was perhaps a good thing that the Honour Guard was not able to fire the traditional three volleys over the grave, for that would have had everyone in a flood of tears. Burma's military regime refused to allow real weapons into the country, so the guard was armed with rubber replicas of their rifles.

The great kindness and consideration with which the families were treated, as well as the service itself, helped each of the families to close the circle of their loved ones' lives and to write an end to the chapter. It was most thoughtfully and graciously done by both the Department of Veterans Affairs and the armed forces.

The relatives there were a most interesting and remarkable group of people. As I have mentioned, William Kyle was represented by his brother's son Mark, from Perth, Ontario. A fine young man.

David Cameron was represented by his brother and his wife George and Dorothy Cameron from Port Elgin, Ontario. George later said that he thought he had been prepared for the emotion of the day, but that the service brought back the impact of the dreaded 1945 phone call that gave the family the news just as if it had happened yesterday. The Camerons were particularly touched when the piper played the "March of the Cameron Men" one evening during the trip.

Stanley Cox was represented by the son he never saw. Philip Magee with his wife Aurelia came from Bakersfield, California, to take part in the ceremony. It must be difficult to have no personal knowledge of your father, and the entire trip helped Mr. Magee realize what his father must have been like. The reminiscences of the veterans seemed to be of particular interest to him.

William Rogers was represented by his younger brother Don Rogers, who was there with his wife Joan, from Scarborough, Ontario. Don and William grew up on the corner of Vernon and Watt streets in Halifax, and the neighbourhood there held their own memorial service on the morning of March 5, with a colour party from Scotia Branch 25 of the Royal Canadian Legion and a bugler.

Peter McLaren was represented by his sister Elinor and her husband George Brown of Campbellville, Ontario, where she and her brother were raised on the next farm to some of my husband's relatives. Peter was a most prolific letter writer and Elinor still has the 150 letters that her brother sent to his parents, and about 100 that he sent to her describing the conditions the men were flying under, and how hard it was to keep clean and neat. Those letters would probably make a story in themselves.

Cornelius Kopp was well represented by five sisters and four brothers. In all, there were 17 members of the Kopps family there for the funeral service, and they came from St. Catharines, Vineland, Parry Sound, Calgary, Kamloops, Mesa, Arizona and Snohomish, Washington. It had been over ten years since they were last able to get together and it was truly heart-warming to see them reminiscing amongst themselves and, as one of the brothers pointed out, to realize that this might well be the last time they would all be able to get together.

The one thing that I regret about the expedition is that I did not take a tape recorder. The stories related by the families and veterans were worth recording, for the occasion seemed to unlock memories and emotions in a way that rarely happens. Perhaps that was because we were all there specifically to remember. The plane and the hotels that we stayed in echoed with stories, each one worth recording and each one worth a book.

Cecil Law of Kelowna, British Columbia, was introduced to me as the grandfather of the squadron. He is a handsome and intelligent gentleman who has taken the effort to write down some of his memories and feelings in the form of verse.

I shared a dinner in Rangoon with Leonard Craig of Ottawa and Smith Falls. He believes he may have been the last person to see the Dakota KN 563 before it went down. Both planes were returning from dropping supplies, and when Mr. Craig saw the monsoon cloud looming ahead, his plane veered to go around it, but when he last saw the other Dakota, it did not seem to be trying to avoid the storm.

Leslie Hempsall of Surrey, British Columbia, shared some of his remarkable career and war stories with me. I will not steal his thunder and tell you what they are, because he is looking for a publisher for his book. He has written his story about the war in Burma.

My seat-mate on the long flight was Herbert Coons, of Toronto and Collingwood. What an interesting life he has led since leaving the service. This man's best story was of the time he won the bar to his DFC flying the milk run into Shwebo. Some Japanese fighters, known as "Zeros," attacked the unarmed Dakotas and Mr. Coons took violent evasive action. Then he saw another Dakota under fire and without thinking he deliberately flew his own aeroplane as a diversion between the fighter and the other Dakota. The diversion worked, but the enemy fighter diverted onto Coon's own plane. After managing somehow to evade four attacks, he was losing crucial height and when he turned to meet the fifth attack he was too low. He touched a tree, and his plane lost four feet off the end of one wing. At this point the Japanese fighters called off their attack and Coons managed to limp back to base in the Imphal Valley, literally on a wing and a prayer. When asked later what on earth he was trying to do, engaging in a dog fight with one of the most nimble fighters of the war in a clumsy, unarmed Dakota, he shrugged it off with, "It just seemed like the natural thing to do."

I should like tell honourable senators about an incident that added a special and personal poignancy to the trip. I had asked for some help in finding out if a particular person might, just perhaps, be buried in that cemetery. After the service was over, I went to look for his grave. Thanks to the help of Barbara Murray of VAC and Shelley Whiting of the Canadian Embassy in Bangkok, I found the grave of my mother's first cousin. William Bainbridge served with the British Army in Burma and was killed by a booby trap along the Burma Road in 1943. He is buried in the Taukkyan War Cemetery, not far from the cenotaph. Padré Dingwall came over and said some comforting words over his grave for me, on behalf of William's two surviving sisters in England. There are some pictures on their way to England right now.

Let me close my report on this special and moving trip by quoting from the poem "Dedication," written by our veteran poet Cecil Law who was along on the trip with us.

> Like a pyramid whose summit bathes in the first rays of the rising sun your dreams were splendid.
>
> Inspired with a youthful confidence in yourself and in the goodness of life, secure in the affection of a friendly father and doting mother, basking perhaps in the love of a young wife and proud of your own reflection in a child's changing features or, maybe, still under the charming spell of the "one and only", your optimism was sure of the promises of life: the world lay at your feet.

The Hon. the Speaker: Senator Milne, I hate to interrupt you, but your allotted 15-minute speaking time is up.

Senator Milne: Honourable senators, may I have permission to complete my remarks?

The Hon. the Speaker: Is leave granted?

Senator Gigantès: No.

The Hon. the Speaker: Leave is not granted.

•(1610)

Senator Milne: Your Honour, I would like to finish reading this poem.

The Hon. the Speaker: Senator Milne, I asked for leave, and I heard a "no."

Hon. Anne C. Cools: Honourable senators, to the extent that Senator Gigantès has denied Senator Milne unanimous consent to finish what I thought was an important and touching speech about six Canadian veterans who not only gave their lives but also had the fact of their perishing remain undiscovered for some 50 years; to the extent that this country has just completed many notable celebrations on the occasion of the 50th anniversary of the end of World War II and such sad and terrible events, I would like to do Senator Milne a favour by reading the poem that she was about to read. I wish to complete for her what I view to be her personal tribute to those young men who died.

Senator Milne, I thank you for everything that you have said. I, too, have listened to Reveille and the Last Post. This is very emotional. I have listened to recitations of *In Flanders Fields* and the music of *Flowers of the Field*. When one attends veterans' memorials, it is difficult to keep a dry eye.

I am happy to complete Senator Milne's words for her and for those who gave their lives.

Senator Milne: I thank you.

Senator Cools: Senator Milne's speech finishes as follows:

> Let me close my report on this very special and moving trip by quoting from the poem "Dedication," written by our veteran poet Cecil Law.
>
> Like a pyramid whose summit bathes in the first rays of the rising sun your dreams were splendid.
>
> Inspired with a youthful confidence in yourself and in the goodness of life, secure in the affection of a friendly father and doting mother, basking perhaps in the love of a young wife and proud of your own reflection in a child's changing features or, maybe, still under the charming spell of the "one and only", your optimism was sure of the promises of life: the world lay at your feet.
>
> You were young
>
> Suddenly, like the walls of Jericho, your dreams crumbled, shattered by the mighty blasts of the trumpets of war.
>
> You have perished but, Oh! Not in vain!
>
> Through your sacrifice an ideal was maintained, a cause was saved, freedom is still a reality, the dreams of your brothers and sisters, perhaps of the child who will not know you, are still possible. We who have returned and who knew you — we are grateful.

The poem ends with:

> ... We have returned once more "determined to deliver" not the lethal instruments of war, but the living message written with your blood. "*The youth of Canada must have its chance. We have paid with our lives that their dreams might not be in vain*."

Senator Milne's speech ends with:

> Our Canadian Armed Forces were simply splendid throughout this entire expedition. They truly did us all proud.

Honourable senators, the famous poem that is used on these occasions is called the "Act of Remembrance." Usually at war memorial ceremonies, one veteran will rise and, invariably from memory, recite the "Act of Remembrance." That act, in point of fact, is taken from Laurence Binyon's poem *For the Fallen*, and the critical words in that poem are:

> They shall not grow old, as we that are left grow old....We will remember them.

War is a young man's business. For all of us who, somewhere in our consciousness, feel enormous indebtedness to these young boys who left their families and went to far-off lands to fight because they believed in the cause of freedom, I say a profound "Thank you." They shall not grow old as we do.

On motion of Senator Kinsella, for Senator Forrestall, debate adjourned.

The Senate adjourned until Wednesday, March 19, 1997, at 1:30 p.m.

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Tuesday, March 18, 1997