



Debates of the Senate

1st SESSION

•

36th PARLIAMENT

•

VOLUME 137

•

NUMBER 11

OFFICIAL REPORT
(HANSARD)

Thursday, October 23, 1997

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THE HONOURABLE GILDAS L. MOLGAT
SPEAKER

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

Debates: Victoria Building, Room 407, Tel. 996-0397

Published by the Senate

Available from Canada Communication Group — Publishing, Public Works and
Government Services Canada, Ottawa K1A 0S9, at \$1.75 per copy or \$158 per year.

Also available on the Internet: <http://www.parl.gc.ca>

THE SENATE

Thursday, October 23, 1997

The Senate met at 2:00 p.m., the Speaker in the Chair.

Prayers.

SENATORS' STATEMENTS

MOTHERS AGAINST DRUNK DRIVING

Hon. Marjory LeBreton: Honourable senators, this morning, here in Ottawa, MADD Canada, Mothers Against Drunk Drivers, released an important survey which, it is hoped, will start the process for immediate action to deal with a national tragedy — drunk driving.

Four to five Canadians are killed every day by drunk drivers, and another 300 Canadians are injured every day. From 1983 to 1991, 17,630 Canadians were killed, and 1.1 million were injured. Just think of these numbers in terms of an equivalent city in Canada: The entire population of a small city is killed and more than the entire population of the National Capital Region, Ottawa and the Outaouais, is injured at the hands of drunk drivers.

As Tony Carvalho from MADD said this morning:

The deaths, injuries, pain and suffering caused daily by drinking and driving, and the fact that a review of our laws to combat this problem has not been made in over ten years, makes this issue our national tragedy.

A poll of 1,200 Canadians revealed that nine out of every ten Canadians, or 94.3 per cent, believe that impaired driving is a problem which the government should fight; three out of four Canadians surveyed, or 74.7 per cent, believe the federal and provincial governments are not doing enough to reduce impaired driving; 94.4 per cent of Canadians believe changes to the Criminal Code must be implemented so that anyone involved in a car crash resulting in death or serious injury is legally obligated to provide a blood sample at the request of the law enforcement officers; almost three of every four Canadians, or 73 per cent, support the blood-alcohol concentration, or BAC, level being moved from its present 80 milligrams per decilitre of blood, or 80 mg/dl, to 50 mg/dl; and eight out of every ten Canadians, or 85.4 per cent, support changes to the Criminal Code to include a minimum jail sentence should a driver be convicted of impaired driving causing death. MADD Canada's findings also report that nine out of every ten Canadians surveyed, or 90.2 per cent, support the creation of a national victim's bill of rights.

MADD Canada's board of directors are meeting this week in Ottawa with federal MPs, senators, and Justice Department officials to push for legislative change. The organization has forwarded a three-point plan that urges Parliament to act immediately in the following areas:

1. Review the Criminal Code to lower the legal blood-alcohol concentration from 80 mg/dl to 50 mg/dl. MADD believes that Canada's impaired driving laws should be in line with those of more progressive countries such as Australia, Belgium, Finland, Greece, the Netherlands, Norway, Portugal, and France, all of which have recently lowered their drinking limits;
2. Review the Criminal Code to extend the reasonable and probable grounds for which law enforcement officers can investigate crash scenes that involve death or serious injury; and
3. Create standards to enact a national victim's bill of rights. MADD Canada believes that fundamental standards for victim's rights need to be established in federal law — in short, victims should have equal standing in the courts.

Honourable senators, the time to act is now. Remember that every day that goes by, between four and five of your fellow family members and neighbours are killed and 300 are injured, all at the hands of drunk drivers. Action is required now. We cannot stand by and allow this tragedy to impact on the lives of innocent Canadians.

Hon. Erminie J. Cohen: Honourable senators, I rise today to speak in support of the sentiments expressed so forcefully by our colleague Senator LeBreton. I share her concern, as do we all, about the dreadful and tragically needless toll that impaired driving wreaks on Canadian society. Like her, I, too, support the mission of Mothers Against Drunk Driving, which is to stop impaired driving and support victims of this violent crime. I join with her in urging the federal government to take action on this terrible problem.

Documents released earlier today by MADD Canada confirm that impaired driving is still very much a problem. The statistics are heartbreaking and terrifying. They bear repeating. For example, impaired drivers caused over half of Canada's 3,300 road fatalities in 1995, and every 24 hours, every day of the week, they kill 4.5 people in Canada and injure over 300. Their victims are our families, friends, neighbours, and co-workers. If action is not taken soon, their victims could even be ourselves.

Believe me, there are many impaired drivers out there. A quarter of our population drink and drive. Honourable senators who find themselves on the road tonight might wish to consider that one out of five drivers on Canadian roads at night have been drinking and that about one in 25 is legally impaired.

Canadians who are not part of the current government already recognize that impaired driving is a major problem. They do not need to hear these kinds of statistics to know that something must be done about it.

Further, MADD Canada is not simply pointing out something we already know is a problem; it is also making concrete proposals about what Canada's legislatures can do about it. I fully support these proposals, which were just enumerated by Senator LeBreton.

What is more, MADD Canada wants to ensure that the rights of the victims of drunk drivers are no longer ignored. These would be established in a victims' bill of rights that would include fundamental principles for the victim, such as the right to be kept informed of all proceedings, and the right to be present and heard at every stage of a judicial process.

• (1410)

Ten other countries have already adopted a legal blood-alcohol limit of .05 or lower. In Canada, there has been movement in every province to crack down on impaired driving. A number of provincial governments have even gone ahead and implemented such measures as 24-hour licence suspensions for blood-alcohol levels as low as .04.

Meanwhile, we have not heard a peep from the federal government. In fact, it has been 10 years since the Criminal Code was amended in this area. Surely, Ottawa should be leading the provinces here, not the other way around. After all, impaired driving is an issue that is critical to Canadians and their families in every region of the country. Federal leadership is needed, and it is needed now.

MADD Canada's recent survey, also released today, shows that nine out of ten Canadians think impaired driving is a problem that government should fight; and three out of four Canadians believe our governments are not doing enough to reduce impaired driving. If that is not a mandate for action, I do not know what is.

It also bears noting that MADD Canada is not alone in calling for the legal blood-alcohol limit to be lowered. National and international organizations, including the Canadian Medical Association, the Ontario Medical Association and the Association for the Advancement of Automotive Medicine also support this recommendation.

I invite honourable senators to join with MADD Canada, Senator LeBreton and myself in calling on the government to

crack down on impaired drivers and to uphold the rights of their victims. Each and every one in this chamber has a responsibility to Canadians to help stop the murders that occur every day on our highways.

BREAST CANCER AWARENESS MONTH

Hon. Landon Pearson: Honourable senators, October is Breast Cancer Awareness Month. So many Canadians continue to be afflicted by this disease. For example, some 18,000 new cases are predicted this year.

I am sure I am not the only person in this chamber to have a deep personal interest in this issue. My own awareness of breast cancer was raised dramatically seven years ago this month when I entered several months of treatment. Discovering out of the blue that one has cancer is not really the ideal way to learn about the disease. I would have been much better prepared to manage my own and my family's experience if I had known in advance what I now know.

For the news is not all bad. On the contrary, with respect to breast cancer there is real improvement. Incidence rates appear to be levelling off and the mortality rate in Canada has gone down steadily since 1991. Most recent U.S. statistics — and ours are usually similar — put at 97 per cent the five-year survival rate for women with localized breast cancer, and at 76 per cent the rate for those whose cancer has spread into surrounding tissues. These advances are the result of earlier detection through mammography and other means, better treatment and, possibly, changes in fertility rates.

We also know more about how the disease evolves, and much more about the factors that put women at risk. For example, studies have shown that the smoking and drinking that too many young girls take up while their breast tissue is forming augment their risk of developing the disease later by as much as 80 per cent.

Finally, thanks to increased awareness, there are excellent support services in place through the Canadian Cancer Society and other active voluntary organizations.

All of this progress has demystified the disease in the last decade, and made it less terrifying. In my experience, individuals who are not frightened are much readier to think about early detection and prevention.

In 1992, the House of Commons Subcommittee on the Status of Women began hearings into the status of breast cancer research, funding, treatment and care in Canada. This parliamentary inquiry into breast cancer gave women a public and political platform to talk about their own experiences, and to talk with other women about the disease that threatened their lives. These women raised awareness about breast cancer, and the movement continues to give voice to the concerns of women about the disease.

Following the commitment made in Red Book II, our government will expand to \$35 million over the next five years the Canadian Breast Cancer Initiative, a program to inform Canadian women of the importance of early detection and to educate physicians on communicating with and counselling patients. The Canadian Breast Cancer Initiative has helped to further breast cancer treatment and build community support networks for thousands of affected women throughout Canada.

Honourable senators, there is not a single family that I know of that has not been touched by some form of cancer. Cancer is a challenge that confronts us all. The history of breast cancer in Canada in recent years shows what progress is possible with advances in knowledge and awareness.

The rise in the incidence of prostate cancer over the same period, however, shows how much remains to be done. Awareness and knowledge are tools essential to us all. With them we may prevent the preventable, and cure the curable, but where neither is possible, we can at least learn to bear the inevitable with dignity and grace.

UNITED NATIONS DAY

Hon. A. Raynell Andreychuk: Honourable senators, October 24 is set aside annually as United Nations Day. It is a time for Canadians to reflect upon the worth of the United Nations. Often, we hear of the shortcomings of this valuable institution. Rather, I believe we should contemplate what this world might be like without the United Nations and all its agencies.

The shortcomings of the United Nations are, in fact, the shortcomings of its member states. As we continue to press for reform in the United Nations, we must be mindful that the year commencing December 10, 1997 through December 10, 1998 will be the year to commemorate the fiftieth anniversary of the Universal Declaration of Human Rights.

It is the duty of all states to promote and protect all human rights and fundamental freedoms. I therefore urge the Government of Canada to place the promotion and protection of all human rights as a top priority in the international community, and in its own practices, policies and actions.

I urge the Canadian government to rededicate its real and effective leadership in the cause of the promotion and protection of all human rights and fundamental freedoms. I urge the Government of Canada to utilize the fiftieth anniversary of the Universal Declaration of Human Rights as a year not of celebration but of fundamental change in the activities and actions of the world community, thereby making the United Nations more vital.

We have a long way to go to ensure that the conditions that most of us enjoy in Canada will continue to be available to us and to all people of the world. Fundamental human rights are not a luxury.

I urge the Government of Canada to act in a fundamental and consistent way as a leader in this cause, and to prepare a true program of action for this anniversary.

NOVA SCOTIA

CONGRATULATIONS TO LUNENBURG YACHT CLUB ON WINNING CHISHOLM TROPHY

Hon. Wilfred P. Moore: Honourable senators, I rise today to make a statement in recognition of the Lunenburg Yacht Club, which is located on Herman's Island on the shores of beautiful Prince Inlet within the waters of Mahone Bay, Nova Scotia. The spirit of the small community of Lunenburg and the high quality of the club's junior sailing program are well known. Its young sailors have gone on to become provincial, national and world champions in various classes of yachts.

Tomorrow, here in Ottawa, the Lunenburg Yacht Club will be honoured by the Canadian Yachting Association at its annual awards presentation. The club will receive the cherished Chisholm Trophy for staging the best Canadian regatta during the past sailing season. The regatta was the Canadian Youth/Highliner Sailing Championships held in mid-July.

The championships saw 225 young men and women from across Canada gather to compete in Lasers, Laser IIs, Bytes and Windsurfers. In addition to the keen competition, those youth also were treated to our legendary South Shore hospitality, and they made some lasting friendships.

Any event of this size requires leadership, dedication and volunteerism. I wish to extend sincere congratulations to Ron Whynacht, Commodore of the Lunenburg Yacht Club, his fellow officers and his crew of unselfish volunteers who staged this regatta.

I also wish to commend National Sea Products Limited of Lunenburg, the lead sponsor of this regatta, and the community spirit that it exhibited by contributing its resources to this Canadian championship event.

In closing, I would add that it is most fitting that the Lunenburg Yacht Club receive this award from the Canadian Yachting Association this year, which is the fiftieth anniversary of the founding of the club.

• (1420)

ROUTINE PROCEEDINGS

ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES

FIRST REPORT OF COMMITTEE TABLED

Hon. Ron Gitter: Honourable senators, pursuant to rule 104 of the *Rules of the Senate*, I have the honour to table the first report of the Standing Senate Committee on Energy, the Environment and Natural Resources, which deals with the expenses incurred by the committee during the Second Session of the Thirty-fifth Parliament.

(For text of report, see today's Journals of the Senate.)

CAPE BRETON DEVELOPMENT CORPORATION

FIRST REPORT OF SPECIAL COMMITTEE TABLED

Hon. Bill Rompkey: Honourable senators, pursuant to rule 104 of *Rules of the Senate*, I have the honour to table the first report of the Special Committee of the Senate on the Cape Breton Development Corporation, which deals with the expenses incurred by the committee during the Second Session of the Thirty-fifth Parliament.

(For text of report, see today's Journals of the Senate.)

NATIONAL FINANCE

FIRST REPORT OF COMMITTEE TABLED

Hon. Terry Stratton: Honourable senators, pursuant to rule 104 of the *Rules of the Senate*, I have the honour to table the first report of the Standing Senate Committee on National Finance, concerning the expenses incurred by the committee during the Second Session of the Thirty-fifth Parliament.

(For text of report, see today's Journals of the Senate.)

LEGAL AND CONSTITUTIONAL AFFAIRS

FIRST REPORT OF COMMITTEE TABLED

Hon. Lorna Milne: Honourable senators, pursuant to rule 104 of the *Rules of the Senate*, I have the honour to table the first report of the Standing Senate Committee on Legal and Constitutional Affairs, concerning the expenses incurred by the committee during the Second Session of the Thirty-fifth Parliament.

(For text of report, see today's Journals of the Senate.)

TRANSPORT AND COMMUNICATIONS

FIRST REPORT OF COMMITTEE TABLED

Hon. J. Michael Forrestall: Honourable senators, on behalf of the Honourable Senator Bacon, pursuant to rule 104 of the *Rules of the Senate*, I have the honour to table the first report of the Standing Senate Committee on Transport and Communications, which deals with the expenses incurred by the committee during the Second Session of the Thirty-fifth Parliament.

(For text of report, see today's Journals of the Senate.)

ASIA PACIFIC REGION

REPORT OF FOREIGN AFFAIRS COMMITTEE TABLED

Hon. John B. Stewart: Honourable senators, I have the honour to table an interim report of the Standing Senate

Committee on Foreign Affairs. This report is entitled "The Importance of the Asia Pacific Region for Canada."

ADJOURNMENT

Hon. Sharon Carstairs (Deputy Leader of the Government): Honourable senators, with leave of the Senate, and notwithstanding rule 58(1)(h), I move:

That when the Senate adjourns today, it do stand adjourned until Tuesday, October 28, 1997, at two o'clock in the afternoon.

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

Hon. Senators: Agreed.

Motion agreed to.

CANADA-UNITED STATES INTER-PARLIAMENTARY GROUP

THIRTY-EIGHTH ANNUAL MEETING HELD IN
NOVA SCOTIA AND PRINCE EDWARD ISLAND—
REPORT OF CANADIAN DELEGATION TABLED

Hon. Jeremiah S. Grafstein: Honourable senators, I have the honour to table in both official languages the report of the Canadian delegation to the thirty-eighth annual meeting of the Canada-United States Inter-Parliamentary Group held in Sydney, Nova Scotia, and Charlottetown, Prince Edward Island, from September 11 to 15, 1997.

THIRTY-EIGHTH ANNUAL MEETING HELD IN
NOVA SCOTIA AND PRINCE EDWARD ISLAND—
NOTICE OF INQUIRY

Hon. Jeremiah S. Grafstein: Honourable senators, with leave of the Senate, I give notice that on October 28, 1997, I will draw to the attention of the Senate the thirty-eighth annual meeting of the Canada-United States Inter-Parliamentary Group held in Nova Scotia and Prince Edward Island from September 11 to 15, 1997.

TRANSPORT AND COMMUNICATION

NOTICE OF MOTION TO AUTHORIZE COMMITTEE
TO ENGAGE SERVICES

Hon. J. Michael Forrestall: Honourable senators, on behalf of the Honourable Senator Bacon, I give notice that on Tuesday, October 28, 1997, she will move:

That the Standing Senate Committee on Transport and Communications have power to engage the services of such counsel and technical, clerical and other personnel as may be necessary for the purpose of examination and consideration of such bills, subject-matters of bills and estimates as are referred to it.

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO EXAMINE
AND MAKE RECOMMENDATIONS UPON THE STATE OF
TRANSPORTATION SAFETY AND SECURITY IN CANADA

Hon. J. Michael Forrestall: Honourable senators, on behalf of the Honourable Senator Bacon, I give notice that on Wednesday, October 29, 1997, she will move:

That the Standing Senate Committee on Transport and Communications be authorized to examine and make recommendations upon the state of transportation safety and security in Canada and to complete a comparative review of technical issues and legal and regulatory structures with a view to ensuring that transportation safety and security in Canada are of such high quality as to meet the needs of Canada and Canadians in the twenty-first century;

That the papers and evidence received be taken on the subject and the work accomplished during the Second Session of the Thirty-fifth Parliament be referred to the Committee;

That the Committee be authorized to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings; and

That the Committee present its final report no later than December 31, 1998.

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO EXAMINE
AND REPORT UPON CANADA'S INTERNATIONAL
COMPETITIVE POSITION IN COMMUNICATIONS

Hon. J. Michael Forrestall: Honourable senators, on behalf of Senator Bacon, I give notice that on October 29, 1997, she will move:

That the Standing Senate Committee on Transport and Communications be authorized to examine and report upon Canada's international competitive position in communications generally, including a review of the economic, social and cultural importance of communications for Canada;

That the papers and evidence received on the subject and the work accomplished by this committee during the Thirty-fifth Parliament be referred to the Committee;

That the Committee be authorized to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings; and

That the Committee present its final report no later than December 31, 1998.

LEGAL AND CONSTITUTIONAL AFFAIRS

NOTICE OF MOTION TO AUTHORIZE COMMITTEE
TO ENGAGE SERVICES

Hon. Lorna Milne: Honourable senators, I give notice that on Tuesday, next October 28, 1997, I will move:

That the Standing Senate Committee on Legal and Constitutional Affairs have the power to engage the services of such counsel and technical, clerical and other personnel as may be necessary for the purpose of its examination and consideration of such bills, subject-matters of bills and estimates as are referred to it.

NOTICE OF MOTION TO AUTHORIZE COMMITTEE
TO PERMIT ELECTRONIC COVERAGE

Hon. Lorna Milne: Honourable senators, I give notice that on Tuesday next, October 28, 1997, I will move:

That the Standing Senate Committee on Legal and Constitutional Affairs be authorized to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings.

QUESTION PERIOD

THE ENVIRONMENT

REDUCTION OF GREENHOUSE GAS EMISSIONS—
ALTERNATIVE TAX MEASURES UNDER CONSIDERATION—
GOVERNMENT POSITION

Hon. Ron Gitter: Honourable senators, I do not like to harp on one particular topic, but I will in any event, with your permission.

I, along with many other Canadians, am becoming more and more confused with respect to the policy of the Government of Canada relative to global warming. Yesterday, the United States publicly announced its position which, I understand, involves accepting mandatory measures to reduce greenhouse gas emissions, although over a longer period of time.

This leaves the Government of Canada as the only G-7 nation that is keeping its policy secret, not only from other nations but from Canadians as well. One reason things are getting more confusing is that, according to *The Globe and Mail* this morning, the Minister of Natural Resources has — and rightly so — rejected the notion of a carbon tax, but has said that other tax measures are a possibility.

My question to the Leader of the Government is: What alternative tax measures is the government considering?

Hon. B. Alasdair Graham (Leader of the Government): Honourable senators, to my knowledge, the government has not identified any specific alternative tax measures at the present time.

• (1430)

Senator Ghitter: What, then, is the government considering? If the Minister of Natural Resources says they are considering something and the Leader of the Government in the Senate is saying that they are not, which is it? Are they or are they not?

Senator Graham: Quite obviously, if the Minister of Natural Resources has said that other forms of taxation might be considered, then I would take him at his word. However, what specifics there may be have not been identified.

REDUCTION OF GREENHOUSE GAS EMISSIONS—IMPLICATIONS OF MORE STRINGENT PROVISIONS—GOVERNMENT POSITION

Hon. Ron Ghitter: Honourable senators, another minister of the Crown, the Minister of the Environment, yesterday was quoted as saying, “I think we made a mistake in 1992 at Rio in saying we would make a commitment to level our emissions to 1990 by the year 2000,” and continued on to say, “We didn’t realize what was implied by making that commitment.”

I note that that same minister attended Rio in 1992, and supported even more stringent emission targets than those which were adopted. Yet, she is now quoted as saying, “There was no information in front of any of us to make realistic determinations at the time.” This must surely be an embarrassing admission for her, in light of the views she expressed in Rio.

My question, then, is as follows: With this in mind, does the government have any information that could explain to us the implications of more stringent provisions? What are the stringent provisions? What is the position of the government? Does the government have any reports that could assist us in understanding these implications?

Hon. B. Alasdair Graham (Leader of the Government): Honourable senators, with respect to the lack of information at the Rio Summit in 1992, I presume the reason for not having information would fall on the shoulders of the previous government. In other words, it occurred under another watch.

However, I do know that a considerable amount of information has been gathered in preparation for the discussions that will take place in Japan. As I mentioned yesterday and on other occasions, preparatory meetings are being held in Bonn at the present time. Climate change, of course, is a sustainable development challenge with environmental, economic and social dimensions. We are working towards a balanced approach that best suits

Canada’s circumstances at the present time, one that is more meaningful and realistic, and one where equitable targets are agreed to globally. We will continue to advocate this particular approach.

REDUCTION OF GREENHOUSE GAS EMISSIONS—REQUEST FOR COPIES OF STUDIES AND OTHER INFORMATION AVAILABLE

Hon. Ron Ghitter: That was a great answer. I suggest the Leader of the Government consider going into politics.

Simply stated, if there is information that would assist the government in making these decisions, will the Leader of the Government in the Senate undertake to provide those studies, or whatever information is available, within the next two weeks to enable us to review the information before the government takes us too far down the path?

Hon. B. Alasdair Graham (Leader of the Government): Honourable senators, I would be happy to enquire and determine whether such information can be made available. The federal ministers, as I indicated earlier, are fully engaged in developing Canada’s position and will take the views of key players, such as provinces, into consideration. I would be happy to attempt to provide my honourable friend with whatever information might be available.

CANADIAN HERITAGE

RUMOURED CHANGE OF NAME FOR CANADIAN WAR MUSEUM—GOVERNMENT POSITION

Hon. J. Michael Forrestall: Honourable senators, I have a question for the Leader of the Government in the Senate. Rumours are circulating — indeed, swirling throughout Ottawa today, and somewhat further afield than just here — that the government has plans to change the name of the Canadian War Museum to the Canadian Museum of Military History and Peace or the Canadian Museum of Peace and Security. It is obvious to any interested individual that thousands of Canadian veterans, serving members of the Canadian Armed Forces and their families would be somewhat insulted, to say the least, and grossly hurt and offended by such a disgraceful attempt to placate elements in our society and the Liberal Party who believe Canadian history started in 1960. Is there any truth to these rumours?

Hon. B. Alasdair Graham (Leader of the Government): As usual, my honourable friend is way ahead of me when it comes to things in the military field. I guess I will need to re-enlist, and try to become a full Chief Petty Officer instead of an Acting Petty Officer in the Sea Cadets.

I understand the concern of my honourable friend. I have no knowledge of any plans to change the name of Canada’s venerable, very valuable and esteemed war museum. I will attempt to find out and provide my friend with the proper answer as soon as it becomes available.

Senator Forrestall: Honourable senators, would the Leader of the Government, then, take to his colleagues in cabinet the serious reminder from myself, at least, and a very large and significant section of the Royal Canadian Legion that such a move would not be looked upon with much favour? Indeed, unless there is an urgent and demonstrable need for such a change, and until some time after a public debate has taken place, no such action should be taken.

Senator Graham: I should be very happy to draw my honourable friend's very legitimate concerns to the attention of my colleagues.

HUMAN RESOURCES

USE OF SURPLUS IN EMPLOYMENT INSURANCE FUND— GOVERNMENT POSITION

Hon. Terry Stratton: Honourable senators, I rise to ask a follow-up question to the response of the Leader of the Government to Senator Meighen's question of October 1 on employment insurance premiums. The honourable leader stated that a cut in the EI premium would cost the government some \$4.2 billion in lost revenue. I would point out to him that this amount may be overstated by 25 to 50 per cent, because it fails to take into consideration increased revenue through greater employment and investment that would be generated by a reduction in premiums.

Be that as it may, the honourable leader will no doubt recall that in 1995, the Minister of Finance indicated that when the EI surplus reached \$5 billion, we would reduce premiums to the break-even point because the surplus would then be sufficient to deal with a recession equivalent to the recession of 1990.

Accordingly, would the Leader of the Government tell us for what purpose the government is accumulating a \$7-billion surplus in the fund for this calendar year, a surplus which will total \$13 billion by December 31, and \$15 billion or \$16 billion by the end of the fiscal year, namely March 31, 1998? Would the Leader of the Government clarify today whether the amount in excess of \$5 billion is designed to deal with a future recession of a two- to three-year duration, with the unemployment rate in the 11 to 12 per cent range, or is it simply a surtax on jobs through high EI premiums, with a view to using the accumulated surplus to reduce the deficit?

Hon. B. Alasdair Graham (Leader of the Government): Honourable senators, I could simply say that the answer would be no, but this is an interesting question. It has been asked by others in other fora. I will attempt to determine from the Minister of Finance what his precise answer would be in the circumstances.

As you know, it has been established by the government actuary that certain amounts are required in order to stabilize and provide for the future, in relation to the amount that should be in

the EI fund. I will attempt to get further information so that it better clarifies the situation.

CHANGES TO CANADA PENSION PLAN— EFFECT ON YOUTH EMPLOYMENT—GOVERNMENT POSITION

Hon. Terry Stratton: My supplementary question relates back to the concerns of our youth. Youth unemployment ranges from 15 to 19 per cent. Some say that it is really 17 per cent. In any event, here we are hitting that segment of our population which desperately needs jobs with high premiums in unemployment insurance.

Coupled with that, the Minister of Finance has introduced a bill to modify Canada Pension Plan premiums and jack them up sky-high. The youth attitude toward the government today is that all they are doing is indulging in tax grabs. These are the kids who will pay the price for the future. When we know we are moving towards a huge surplus, why do we continue taxing this generation when they are completely and utterly decimated by unemployment, and completely and utterly disillusioned in their attitude towards government?

• (1440)

Hon. B. Alasdair Graham (Leader of the Government): Honourable senators, I have reviewed the efforts that have been made in regard to youth employment. Youth unemployment is obviously too high. I have enunciated on several occasions the measures that have been taken by the government to improve that situation. The fiscal priorities of the government are to bring the deficit under control, which it is doing, so that we can provide an opportunity for more employment, particularly in the youth sector.

The senator also inquired about adjustments that will be made with respect to the CPP. That is being done, of course, so that today's generation will not have to pay tomorrow. We are being very realistic, and I am sure that Senator Stratton recognizes that. The government is taking the measures it has today with respect to the CPP, through legislation which we will see in this chamber in the near future, so that the youth of today will not have to be paying in higher amounts or greater measure tomorrow.

Senator Stratton: Honourable senators, I have a very brief supplementary question. If that is true, and I have no doubt that the leader believes that to be true, my concern is that the youth do not believe it. The youth do not believe that when they reach retirement age they will see a nickel. Does the government not owe it to the youth of today to say that in five or ten years, yes, the fund will be on good ground. I am sure it is trying, but somehow the message is not getting through, and as a result, that bill will hit this place, and all hell will break loose.

Senator Graham: Honourable senators, we will see what happens at that particular time. However, I want to remind honourable senators that eight out of ten provinces have joined in the agreement to preserve the CPP.

CHANGES TO CANADA PENSION PLAN—REFERRAL OF BILL FOR
PRE-STUDY—GOVERNMENT POSITION

Hon. Noël A. Kinsella (Acting Deputy Leader of the Opposition): Honourable senators, in light of the exchange on the Canada Pension Plan, I wish to ask the Leader of the Government a question.

Canadians are awakening to the content of the proposed amendments. The Prime Minister has said that this legislation must be passed before the end of December. There are issues concerning collective agreements across Canada in which there is a blending of the CPP contribution with contributions particularly to money-purchased pension plans. The effect is that with the increase in the contribution to the CPP there is a corresponding decrease in the contribution to the money-purchased plan. This means that there will be less money in a money-purchased plan for the purchasing of annuities, and equally, the burden of reduced benefits for those who are earning more than \$38,000. In light of this question and the question that we asked of the government two weeks ago, is the government open to having this matter submitted to one of the standing committees for pre-study?

Hon. B. Alasdair Graham (Leader of the Government): Honourable senators, for the moment we are continuing to monitor the progress of the bill in the other place and we are taking the urgent nature of the legislation into consideration.

As I noted when this matter was first raised by the Honourable Senator Kinsella earlier this month, there are many significant items of business before this house, both in terms of legislation and special committee examinations. However, we are consulting and discussing with the leadership on the other side the best way to accomplish our many priorities.

I want to assure Honourable Senator Kinsella that the question of pre-examination on Bill C-2 is a very serious one. It is one that would need to be determined by agreement and joint consultation. I would be pleased to proceed with that kind of consultation in the near future.

HUMAN RIGHTS

ANALYSIS OF VIOLATION SITUATIONS—REFERRAL TO STANDING
OR SPECIAL COMMITTEE—GOVERNMENT POSITION

Hon. Donald H. Oliver: Honourable senators, my question is for the Leader of the Government in the Senate. From time to time over the last few months, a number of senators on this side — Senator Kinsella, Senator Andreychuk, Senator Ghitter, Senator Di Nino, myself and others — have raised a number of questions and made a number of statements regarding human rights violations in places like China, Bosnia and Somalia, the hazing rituals of our armed forces and so on.

Following those questions I have asked the Leader of the Government in the Senate if a proper forum in the Senate could be established for dealing with and analyzing these ongoing human rights concerns.

My question to the Leader of the Government is: Is he prepared to do something about establishing a standing Senate committee on human rights to help deal with concerns such as those raised in Somalia and Bosnia?

Hon. B. Alasdair Graham (Leader of the Government): I thank honourable Senator Oliver for a very important question. Honourable senators, I recall when I was sitting as Deputy Leader of the Government this question being raised by several honourable senators, including the honourable senator. It is a matter which must now be addressed very seriously. Almost on a daily basis, the honourable senator draws our attention to problems that are of concern to all honourable senators and should be of concern to all Canadians.

I do believe at the present time this is not a matter for a special committee, because the Honourable Senator Oliver can rise in his place at any time and initiate an inquiry with a view to establishing a special committee.

I am informed that the Standing Committee on Privileges, Standing Rules and Orders will, in the very near future, be doing an examination of the existing standing committees and their mandates. At that particular time, we could ask that committee if they would undertake to explore the possibility of establishing a special committee as suggested by my honourable friend.

NATURAL RESOURCES

REPORT ON ONTARIO HYDRO NUCLEAR POWER STATIONS—
ADEQUACY OF FIRE PROTECTION SERVICE—
ROLE OF ATOMIC ENERGY CONTROL BOARD

Hon. Mira Spivak: Honourable senators, last evening, as many of you may have seen, the CBC's network news revealed that it had obtained an internal document which was part of the Andonini report of last summer, but which had not been made public with that report on Ontario Hydro's nuclear power stations. The document discusses the lack of basic fire protection in those stations.

It seems that all of the nuclear power stations, including Pickering and Bruce where the risks are most critical, do not have professional fire-fighters or fire-fighting teams capable of dealing with major fire in a nuclear facility. They do not have sprinkler systems or fire stops or adequate fire walls protecting control systems.

According to the report, these stations do have a casual attitude towards fire safety, which places it lower in priority than the domestic hot water system. They have volunteer fire-fighters who are inadequately trained. Silicone foam insulation can also be found on these sites, which tends to burn like peat.

The Pickering Generating Station had 30 fires last year, which is 3,000 per cent higher than the norm. Year after year, the Atomic Energy Control Board has renewed licences to these facilities, even though no one with expertise in fire protection at nuclear facilities is on their staff.

Since the AECB reports to the Minister of Natural Resources, what accountability is now required on the part of the minister, and what action, if any, does the minister intend to take to remedy the situation?

• (1450)

Hon. B. Alasdair Graham (Leader of the Government): As the honourable senator knows, the Ontario nuclear power stations are under the jurisdiction of the Government of Ontario. Of course, if complaints or representations were made to the Atomic Energy Control Board, that board would be forced to respond.

I know the situation is alarming. I also know that the President of Ontario Hydro has publicly stated that it is of great concern to him, and that he is attempting to address the problem. It is a problem not only for Ontarians but for all Canadians, and it is one that I will bring to the attention of my honourable colleague and ask him what, if any, role the Atomic Energy Control Board will be playing in this respect.

FUNDS FOR PROMOTION OF CANDU REACTOR BETTER SPENT ON
FEDERAL OVERSIGHT—GOVERNMENT POSITION

Hon. Mira Spivak: Honourable senators, the Atomic Energy Control Board is definitely a federal responsibility, and that particular federal responsibility guarantees the safety of these nuclear stations simply by the fact that the control board must approve the licence for each and every one of those stations every year. This is not a minor responsibility; it is a major responsibility.

Since there seem to be all kinds of problems with these power stations, will Team Canada continue to market CANDU reactors in developing countries, or would that money be better spent in improving federal oversight of the nuclear industry here?

Hon. B. Alasdair Graham (Leader of the Government): Honourable senators, the honourable senator is quite correct in her assertions, but it would merely be one's opinion as to whether or not the money could be better spent in Canada with respect to safeguards or whether the government should continue its promotion of the CANDU reactor. A variety of opinions exist on that subject, but I will attempt to bring a more complete answer to my honourable friend.

Senator Spivak: Honourable senators, the reason for my comment in relating the sale of CANDU reactors to this particular situation in Ontario is this: If, in our country, with its highly regulated structure, we can have such a shocking lack of basic fire protection — and sprinklers are not very esoteric — what risks are we taking when we sell these reactors to countries which do not have such stringent regulations? After all, no environmental assessments are done on those sales, because cabinet has excluded these transactions from such assessment. That is the point I am trying to make, and I would be interested in the comments of the Minister of Natural Resources, in view of this developing situation in Ontario.

Senator Graham: As the honourable senator knows, the CANDU reactor is regarded as probably the safest and most

efficient reactor in the world, but I will be happy to convey the concerns of my honourable friend to the appropriate minister.

NATIONAL DEFENCE

REGULAR REMUNERATION FOR RESERVE FORCES—GOVERNMENT
POSITION

Hon. J. Michael Forrestall: Honourable senators, I have a brief question. Honourable senators will know that Canada's military reservists provide a dedicated service to this country, at little cost to the Canadian taxpayer. However, thousands of reservists, both full- and part-time, have not been paid, either in a timely fashion or in a correct manner, for more than four years now due to an ineffective and inadequate pay system. These outstanding citizens depend upon their reserve pay to help reduce their debts and support their families.

Will the government make a commitment to fix this inadequate pay system immediately to demonstrate their interest in Canada's reserve forces?

Hon. B. Alasdair Graham (Leader of the Government): Honourable senators, I will certainly bring that matter to the attention of my colleagues, and make every effort to ensure that our very valuable and outstanding members of the reserves are not only paid but paid on time and, as the honourable senator said himself, in a timely fashion.

TRANSPORT

RECENT MARITIME TRAGEDY IN
NEWFOUNDLAND—GOVERNMENT RESPONSE

Hon. J. Michael Forrestall: Honourable senators, perhaps the Leader of the Government in the Senate has an update that he could provide to us regarding the tragedy occurring off the east coast of Newfoundland as we sit here this afternoon.

Hon. B. Alasdair Graham (Leader of the Government): Honourable senators, I am not aware of the tragedy to which the honourable senator has just referred. Perhaps he could enlighten the chamber.

Senator Forrestall: Honourable senators, a merchant ship with a crew of some 30 people has sunk. Of course, there are no helicopters available to get to them. They are trying to get the Coast Guard vessel alongside, but that will not be possible for another eight or ten hours, perhaps less than that by now.

I had thought that the Leader of the Government might have been given an update as he came into the chamber. The situation has the makings of a very serious and grievous tragedy if many of those crew are lost.

Senator Graham: I thank the honourable senator for bringing that matter to our attention. It is very sad, indeed tragic, news. It underlines and emphasizes the importance of many of the matters that he has raised in this chamber on other occasions.

PRECINCTS OF PARLIAMENT

RELIABILITY OF SENATORS' ELEVATOR— GOVERNMENT POSITION

Hon. Louis J. Robichaud: Honourable senators, I should like to ask a question of the Leader of the Government in the Senate. My preface will be very brief.

I have been in this business of politics for approximately 45 years, almost 24 of them in the Senate. I have noticed in the process that the only thing more consistent than the inconsistencies of certain politicians is the mechanical failure of the senators' elevator. As I speak to you, it is broken down yet again. Since I have been in the Centre Block, this elevator has broken down again and again. The Department of Public Works is spending millions of dollars for renovations around the building. It seems a pity that the Minister of Public Works could not find a few hundred dollars to buy a couple of pulleys or a few cables, whatever it takes, to make the senators' elevator in the Centre Block work.

Hon. B. Alasdair Graham (Leader of the Government): Honourable senators, that is without doubt the best question of the day. Obviously my influence around here has been elevated to new heights. I will see if I have enough pull to get the pulleys fixed. I will do my best, as soon as I am allowed out of the chamber, to ensure that the elevator is put into better shape than it has ever been, and that it operates at an appropriate speed.

HUMAN RESOURCES

CHANGES TO CANADA PENSION PLAN—POSSIBLE MOTION FOR PRE-STUDY OF BILL—GOVERNMENT POSITION

Hon. Finlay MacDonald: Honourable senators, I was interested in the leader's answer to the questions posed by Senator Kinsella. I do not know what the reaction will be when the people of Canada fully realize the consequences of Bill C-2 — for all practical purposes the CPP bill. When one looks at the conduct of its passage through the other place, and at the timetable that is being imposed, one has to wonder if anything could be more reasonable, or more in the spirit of the Senate and our duties, than for all honourable senators to give support to a motion to examine the substance of that bill, instead of being driven, as usual, to a last-minute, cursory examination of it.

Hon. B. Alasdair Graham (Leader of the Government): Honourable senators, I do not know that it would require giving support to a motion. I believe a motion would be required to give it pre-study. Discussions, as I have indicated, have been held with the leadership opposite. They have been held with the Chairman of the Standing Senate Committee on Banking, Trade and Commerce, to which Bill C-2 will be referred.

• (1500)

I believe that, after further discussions with the leadership opposite and with the Chairman of the Standing Senate Committee on Banking, Trade and Commerce, we could respond

in the affirmative. Those discussions will be held, as I said, in the very near future. I hope we will be able to give a more positive answer at that time. I am looking at this proposal in a positive way, and I hope we will be able to act on it at the earliest possible time.

Senator MacDonald: Could we assume, therefore, that this issue might come to a head next week?

Senator Graham: The answer is yes.

PRECINCTS OF PARLIAMENT

CONDITION OF CARPET IN CHAMBER—GOVERNMENT POSITION

Hon. Raymond J. Perrault: Honourable senators, I join with my colleague from New Brunswick in suggesting that we need to upgrade our facilities, including those in this chamber itself. Why must we roll out worn and tattered carpet for guests? Honourable senators, I have never seen an entrance carpet in a worse state of repair, and day after day we have visitors in this place. It projects a very shabby image of the Senate. Why can we not get a new carpet?

Hon. B. Alasdair Graham (Leader of the Government): Honourable senators, that matter will be referred to the Standing Committee on Internal Economy, Budgets and Administration.

UNIVERSAL DECLARATION OF HUMAN RIGHTS

COMMEMORATION OF FIFTIETH ANNIVERSARY— PLANS OF GOVERNMENT

Hon. Noël A. Kinsella (Acting Deputy Leader of the Opposition): Honourable senators, in light of the statement made by our colleague Senator Andreychuk regarding the fact that tomorrow is United Nations Day, and being mindful of the fact that one of the greatest achievements of the United Nations has been the proclamation of the Universal Declaration of Human Rights which took place on December 10, 1948, and therefore the fiftieth anniversary will be in 1998, could this house be informed of the plans that the Government of Canada has to mark the fiftieth anniversary of the Universal Declaration of Human Rights, an instrument that has become known as the Magna Carta of the 20th century?

Hon. B. Alasdair Graham (Leader of the Government): Honourable senators, I have some idea that there are plans underway, but I should like to bring a more detailed answer to the chamber in the near future.

DELAYED ANSWER TO ORAL QUESTION

Hon. Sharon Carstairs (Deputy Leader of the Government): Honourable senators, I have a response to a question raised in the Senate on October 1, 1997 by the Honourable Senator J. Michael Forrestall regarding shortfall of funds in the armed forces budget.

NATIONAL DEFENCE

SHORTFALL OF FUNDS IN ARMED FORCES BUDGET— GOVERNMENT POSITION

(Response to question raised by Hon. J. Michael Forrestall on October 1, 1997)

Reducing Canada's federal deficit has been one of the Government's top priorities and the Department of National Defence (DND) — like all other departments and agencies — has been asked to play a role in reducing government spending. For DND, the 1994 and 1995 federal budgets removed approximately \$9.8 billion from the department's funding over the period 1994-95 through to 1998-99. This has resulted in a \$638-million reduction in the Defence Services Program in fiscal year 97/98. Budget 96 also directed a further \$600-million reduction in fiscal year 98/99. These cuts have affected all elements of the Canadian Forces and the Department. In the specific case of the Land Force, this has contributed to a requirement to reduce forecast spending in fiscal year 98/99 by \$134 million; consequently, the Chief of Land Staff has issued direction to his subordinate commanders to reduce spending for that period.

To be clear, the funding restrictions that currently challenge all parts of the Canadian Forces are not being met by the Army alone. However, the Land Force is experiencing funding shortfalls in its efforts to reach a financially achievable program. This shortfall has been addressed for fiscal year 98/99, and options have been proposed by the Chief of Land Staff to address the projected future shortfalls, including possible options which impact upon strength, structure and organization. No decisions have been made with respect to any of these options, especially one which proposes such a significant change to the Army force structure. However the Land Force, like the rest of the Canadian Forces, is required to reduce the cost of doing business. A reduction of personnel strength is only one possibility and will be considered along with alternative methods of achieving the mandated savings. The end result must be an affordable Land Force program that fully complies with the Canadian Forces' responsibilities resident in the 1994 Defence White Paper.

In conclusion, while it is correct that Land Force plans are currently being reviewed, it must be recognized that this is being done within the context of the normal strategic planning process within DND. While budgets are stretched, the 1994 Defence White Paper was developed with current funding levels clearly in mind. Thus, while the Government does not wish to downplay this issue, it also remains confident that Canada will continue to be able to field sufficient combat-capable land, sea and air forces to meet current and future defence needs.

ORDERS OF THE DAY

CANADA EVIDENCE ACT CRIMINAL CODE CANADIAN HUMAN RIGHTS ACT

BILL TO AMEND—SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Lewis, seconded by the Honourable Senator Stewart, for the second reading of Bill S-5, to amend the Canada Evidence Act and the Criminal Code in respect of persons with disabilities, to amend the Canadian Human Rights Act in respect of persons with disabilities and other matters and to make consequential amendments to other Acts.

Hon. Noël A. Kinsella (Acting Deputy Leader of the Opposition): Honourable senators, as we have had occasion to mention previously and as outlined by Senator Lewis, this bill is packaged and presented to us as amendments designed to afford greater protection to persons with disabilities. However, upon examination of the bill, we see that, under the cover of something that is considered acceptable I believe to all honourable senators, a number of things that are far more than of a housekeeping nature have been slipped in. That has led me to want to examine in some detail the bill and ensure that I have identified the principles upon which the bill rests.

For example, the other day we had the opportunity to point out that in the amendments to the Human Rights Act, particularly the provision for the establishment of the Canadian Human Rights Tribunal, a number of the members of the Canadian Human Rights Tribunal must be lawyers. I reject that principle because I think that the statement of qualifications —

Some Hon. Senators: Hear, hear!

Senator Kinsella: Having touched the appropriate nerve, I will just say that I really do want to see the briefing materials that the Department of Justice would have prepared on the bill. I have not yet received them, as I had hoped. My colleague Senator Lewis has agreed that they should send us some materials.

As I mentioned previously, as this bill is being introduced in the Senate, we must ensure that we do a first-class job.

I support in principle the proposals to the effect that persons with disabilities receive better protection from discrimination, but there are a number of other things involved here as well. Therefore, until we receive that documentation from the ministry involved, I shall move the adjournment of the debate.

On motion of Senator Kinsella, debate adjourned.

[Translation]

DISTINGUISHED VISITOR IN THE GALLERY

The Hon. the Speaker: Honourable senators, it gives me great pleasure to draw your attention to the presence in our gallery of our former colleague Senator Jean-Louis Roux. On behalf of all the honourable senators, welcome.

SPEECH FROM THE THRONE

MOTION FOR ADDRESS IN REPLY—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Forest, seconded by the Honourable Senator Mercier, for an Address to His Excellency the Governor General in reply to his speech at the opening of the first session of the Thirty-sixth Parliament.—(5th day of resuming debate)

Hon. Gérald-A. Beaudoin: Honourable senators, in the Speech from the Throne, the Governor General stated:

The single most important commitment of the Government is to keep Canada united. The Government of Canada can have no greater duty or responsibility.

This could not have been expressed any better.

In my reply to the Speech from the Throne, I would like to address the constitutional question in general and the Calgary declaration in particular.

The Calgary declaration made on September 14 and 15, 1997 has initiated debate. That is a first step. Plan A must not, in my opinion, be abandoned. It is what will save Canada! The Calgary declaration is headed in the right direction, then, but it is not the final destination. This is, moreover, an opinion shared by Premiers Clark, Romanow, McKenna and Tobin, according to *La Presse* of October 4.

Premier Roy Romanow is quoted in *The Globe and Mail* of October 9, 1997 as saying that we must move ahead, building on the momentum of Calgary.

I would just like to say a word on the eight points of the Calgary declaration.

Individual equality: That is obvious. In our democracies, citizens are equal under the law. The Canadian Charter of Rights and Freedoms refers in article 15 to the individual's right to equality. There are four equality rights guaranteed by article 15 of the Charter: the right to equality before the law, the right to

equality under the law, the right to the equal protection of the law and the right to the equal benefit of the law.

Equality of the provinces: Just as citizens are equal, so are the provinces, according to the declaration. If the provinces are equal in the Canadian federation, it is not because the citizens are equal. The provinces are equal with respect to legislative jurisdiction, because the Constitution, in sections 92, 93, 94A and 95, confers the same legislative jurisdictions upon them. There are some democracies which are unitary states, France and the United Kingdom for example, where citizens are equal before the law, but which have neither provinces, nor lander, nor cantons, nor federated states.

There are federations in which the federated states do not necessarily have the same powers. This is asymmetrical federalism, and some of these do exist. Professor Ronald Watts discusses them in his *Comparing Federal Systems in the 1990s*.

Not counting the division of legislative jurisdictions — and even here there is an asymmetry in article 94 of the Constitution Act of 1867, the Canadian Constitution contains asymmetries nevertheless. Prince Edward Island, with a population of 130,000, is represented by four senators and four members of Parliament in Ottawa. That is an asymmetry. Quebec is excluded from a possible standardization of private law under section 94. That is another asymmetry. Finally, the provinces do not enjoy equal representation in the Senate and the Supreme Court. Representation in the Senate is on a regional basis, the country being divided into four regions, Quebec and Ontario each counting for one. In the Supreme Court of Canada, three of the nine judges are required by law to come from Quebec, and the six others from the other provinces. This asymmetry comes from having two legal systems in Canada: civil law in Quebec and common law in the rest of Canada.

With respect to language, at the provincial level, legislation must be passed in both official languages in Quebec, Manitoba and New Brunswick. The other provinces are not bound by bilingualism. This is yet another asymmetry.

The provinces are not equal under the procedure to amend the Constitution — with the exception of section 41, which provides for unanimous support in five areas. The general 7-50 formula does not enshrine the equality of the provinces. Quite the contrary. Together, Quebec and Ontario have a veto.

To conclude, the Calgary declaration should state instead that the provinces have the same legislative jurisdiction.

Regarding Canadian values, the Calgary declaration refers to values that bind us all: diversity, tolerance, compassion, equal opportunities. Sections 3, 4 and 5 of the 1982 Charter, not to mention section 1, entrench our democratic rights. Not only does this Charter recognize rights and freedoms, it enshrines values. The rule of law, as stated in the Charter's preamble, should be reiterated here. It is a fundamental value.

As for the aboriginal peoples and multiculturalism, the Calgary declaration alludes to the aboriginal peoples and their cultures. It stresses the multicultural nature of Canada, which is already been entrenched in section 27 of the 1982 Charter. Section 35 of the Constitution Act, 1982, deals with the rights of the aboriginal peoples of Canada. The aboriginal issue will not go away; time and imagination will be required to resolve this issue. There is work to be done in this respect.

The unique character of Quebec society: The phrase "unique character" is not bad. The Calgary declaration does not use the word "promote." Yet, that word is already in section 27 of the Charter and section 36 of the Constitution Act, 1982. However, it says that the Government of Quebec has a duty to "develop the unique character of Quebec society." These words mean something. "To promote" means, among other things, "to help, to encourage, to protect, to support," while "to develop" means "to promote the growth, to cause to grow, to cause to unfold."

The legislature and Government of Quebec have a role to develop the unique character of Quebec society. At first glance, one can conclude that this role is "to promote." The words are different, but the idea is the same: To develop is certainly to promote.

We are also struck by the declaration made by Claude Ryan, which was published in the October 1, 1997 issue of *L'actualité*. He stated:

It must be recognized from the outset that Quebec is not a province like the others. Because of the language and culture of the majority of its people, Quebec sees itself as a people or, if you like, as a distinct society or as a nation, in the sociological sense of the term.

Canada already includes several peoples and several nations. The Supreme Court recognized this in its rulings relating to native peoples. There are also multinational federations in the world. In French or in English, the word "people" creates few problems. However, the word "nation" in English is controversial. This must be taken into consideration.

It is important at this stage that the Constitution of Canada include an interpretation clause. It will come to life when the issue is referred to the Supreme Court.

Division of powers: Point 6 of the Calgary declaration is drawing attention. What is awarded to one province must also be offered to the other provinces. No special status is to be given to the province of Quebec.

However, if you read point 6 carefully, you see that some kind of asymmetry is always possible. Indeed, a power may be offered to a province, but it does not mean that the province will accept it. The federal government may want to transfer a specific area of

jurisdiction to the provinces. Take for instance manpower training. The federal government has already signed agreements with several provinces in this area. The agreement is "accessible" to all the provinces, but not all of them choose to take advantage of it. The same could be true in other areas like the fisheries, immigration, personal bankruptcies, and so on.

Some federalists want an asymmetrical federalism, which some federations have opted for. The authors of the Pepin-Robarts report did consider it. I think it would be difficult to achieve under these circumstances. However, as some have pointed out before, there are some asymmetrical elements in our Constitution.

Cooperation between both levels of government: The Calgary declaration brings back the notion of "cooperative federalism." I am glad to see that, on the issue of the division of powers, the nine premiers are in favour of some kind of cooperative federalism. Canadian federalism can be flexible. The clearly defined division of powers, which was so popular in the last century and at the beginning of the 20th century, would be harder to implement nowadays. In fact, because of globalization and the interdependence of nations, it is in practice almost impossible to govern and legislate in isolation. Governments must cooperate. Cooperative federalism supports this kind of cooperation.

The guidelines for the public consultation process: The Calgary declaration includes certain guidelines on public consultation. This consultation must be open to all, under the aegis of the governments concerned, according to a reasonable time-frame, with each province deciding on the process to be followed.

Related to this issue is the holding of referendums in certain western provinces. Referendums are optional in our country. They are not part of the amending formula. They are nevertheless a very popular tool. It goes without saying that a province can hold a referendum. It is simply a matter of authorizing it by passing legislation to that effect. A province can also take the results of a referendum into account. Such is the extent of a referendum. In fact, to provide in an act that implementation of the amending procedure must be preceded by a referendum might be close to being unconstitutional. It is so true that if Western Canada does not hold a referendum, or if Ottawa does not take into account the existing legislation on vetoes, any constitutional amendment that would follow would still be valid, because it is not the Constitution that would not have been violated but an ordinary law. However, there would be a political price to pay.

In conclusion, we must avoid comparing the Calgary declaration with the Meech Lake Accord or the Charlottetown Accord. The Calgary declaration has no constitutional significance. The context, the approach and the players are different, and the stakes are not the same.

Some federalists are saying it is better not to implement plan A than to risk failure. If that is the case, then the game is already lost. Since when do we say that it is inappropriate to try to do better? "Paris is well worth a mass," said Henri IV. Canada is well worth another try. The polls tell us Quebecers want to stay in the federation, provided they are recognized for who they are and feel protected under the amending formula. It is not the end of the world. But if we do not act, it might be the end of the country. We must act. To remain passive is much more risky.

We also hear: "If Canada is divisible, so is Quebec." This, too, must be qualified. First, we must ask ourselves whether Canada is divisible, and if so, how and under what conditions.

The Canadian Constitution makes no provision for secession. It was not anticipated in 1867. A province could leave the federation if an appropriate constitutional amendment was adopted to that end. Should there be unanimity, or seven provinces representing 50 per cent of the population? The debate is open; both views have their supporters. In the reference to the Supreme Court, this sub-question is left out. Furthermore, the Attorney General of Canada specifically requested the Court not to rule on this matter.

Without a constitutional amendment, can a province unilaterally leave the federation? The Supreme Court has been asked to rule on this point. It flows from section 1 of the 1982 Charter, which is at the heart of the Constitution, as are federalism and parliamentarianism for that matter, that Canada is a free and democratic society. Federalists, of course, say that Canada is a free and democratic country, and that Quebec must not be held back by force if the referendum question is clear, and is a good reflection of the views of the majority. It would then be necessary to negotiate issues like the debt and native peoples.

But what is a clear question, a clear verdict? Can the Supreme Court rule? The debate continues. It is both legal and political in nature. This is not the first time the Supreme Court has been asked to rule on a difficult problem. It did so on the occasion of the September 1981 patriation. Its role is to set legal and constitutional parameters, to stop at the point it judges to be the right one. It must say where law ends and politics begins. In the meantime, this does not prevent the political arms, ours in the Senate, and the House of Commons, from taking their full responsibility and giving their opinions in their respective spheres of influence, by virtue of the principle of the separation of the three powers, which is also at the heart of our constitutional system.

[English]

Hon. Peter Bosa: Honourable senators, I am pleased to take part in the Address in Reply to the Speech from the Throne, but before I embark on my remarks I should like to congratulate Senator Forest, the mover of the motion for the address, and Senator Mercier, the seconder, for the very good job they have

done. Both are recent appointments to the Senate, and they have shown that it did not take them long to become involved in the workings of the Senate. It is a pleasure to work with them.

Hon. Senators: Hear, hear!

Senator Bosa: Honourable senators, the key to much of the good news given to Canadians in the Speech from the Throne is the sound financial position of the government. Federal deficit reduction measures are being applied at an orderly pace based on two-year rolling deficit targets. Over the past three fiscal years, the deficit targets have been bettered. As the figures released by the Honourable Paul Martin in his economic statement of October 15 convincingly show, the fiscal year 1996-97 will be remembered as the year when the deficit-reduction battle was decisively won.

The 1996-97 deficit came in, after year-end adjustments, at \$8.9 billion. This is almost \$20 billion lower than the previous year, and it represents the largest year-over-year improvement in the history of this country. It represents a state of affairs profoundly different and profoundly better than the \$42-billion deficit inherited by this government when it took power in 1993.

As the government's requirements move into a surplus position, the government no longer needs to resort to borrowing in private credit markets. According to international projections, in 1998, Canada will be alone among the G-7 countries in being able to claim this achievement.

The contribution of the fiscal discipline of the government to Canada's victory over the deficit is shown in the story of program spending in recent years. Between 1993-94 and 1996-97, program spending fell by \$15.2 billion, which represents a reduction of almost 13 per cent.

Honourable senators, Canada's macro-economic policy frame, with its focus on putting public finances on a sound basis and keeping inflation low, has also played a crucial role. It is clearly now paying off in the form of stronger growth and job creation. The Canadian economy expanded at a robust annual rate of 4.9 per cent in the second quarter of 1997, following growth of 3.7 per cent in the first quarter and 1.5 per cent in 1996. This significant strengthening of the pace of activity has prompted the International Monetary Fund to raise its forecast for 1997 as whole to 3.7 per cent.

• (1530)

The Canadian economy's growth is far from being entirely the result of the development in financial markets. Business confidence remains at a record high, while consumer confidence has reached its highest level in almost nine years. This confidence, combined with lower interest rates, is translating into stronger demand by both households and firms. Business investment is surging. Sales of resale housing has strengthened and sales of a wide range of consumer goods are strong.

The policies that have been put in place in recent years are paying off. Canada's inflation rate is at its lowest sustained level in three decades. Low inflation has helped keep interest rates down. Short-term interest rates are five percentage points lower than they were two years ago, and long-term interest rates are also markedly lower. These factors are translating into a stronger economy and continuing real gross domestic product.

More important, we are seeing the creation of more jobs. Since the beginning of this year, 279,000 new jobs have been created. The last four months have seen the biggest improvement in youth employment since 1990, involving some 63,000 new jobs.

Indeed, one of the most important signals which the Speech from the Throne gives to Canadians is probably the statement that the government is now in a position to make strategic investments in our children and our youth, our health, our communities and our knowledge and creativity while continuing to improve the nation's finances. Canadians have already seen some evidence of this new, more positive environment with the announcement on June 2, 1997, that better than expected progress on deficit reduction would enable cancellation of reductions to the Canada Health and Social Transfer after the 1997-98 fiscal year. The cash component of the transfer will thus bottom out at \$12.5 billion rather than declining to just over \$11 billion as previously planned. This means that more money will be available for social programs.

Child poverty has been widely recognized in recent years as a problem of special seriousness. It generates a particularly broad and troubling range of future social problems, in addition to inflicting in the present deprivation on those who are just beginning their lives and who depend on others for their necessities of life.

Discussions among the federal, provincial and territorial governments on a coordinated approach to child poverty, and the integration of federal tax benefits and provincial welfare assistance continued intensively through December 1996 and January 1997, following the initial meeting on November 27, 1996, of an inter-governmental body, the Federal-Provincial-Territorial Ministerial Council on Social Policy Renewal, established by the June 1996 First Ministers Conference to address social union issues. Agreement was speedily achieved on the urgency of the problem and the broad parameters of the benefits – for example, limiting the federal role to the distribution of tax benefits and the need to avoid their being offset by provincial funding reductions.

In late January 1997, agreement in principle was reached on the federal deficit and the following month the federal budget announced a commitment of \$600 million per annum, in addition to the \$250-million Working Income Supplement announced a year earlier. During the remainder of 1997, work has proceeded on the details of the National Child Benefit. The benefit will apply in all provinces except Quebec which will administer its

own child income support regime. Implementation is now planned for July of 1998.

Fundamentally, the National Child Benefit is a measure to improve support to low-income families with children. It will have two main elements — increased federal benefits for families with net incomes below \$26,000 through the Canada Child Tax Benefit, and provincial and territorial reinvestments in services and benefits for children in low-income families.

Key objectives of the initiative are to reduce the extent and depth of child poverty in Canada and to help parents with low incomes stay in the labour market. In his Address in Reply to the Speech from the Throne, the Prime Minister announced the government's intention to establish a Canada Millennium Scholarship Endowment Fund for the purpose of helping young Canadians prepare for the knowledge-based society of the next century. The income from the fund will be used to reward academic excellence by providing thousands of scholarships each year beginning in the year 2,000 for low- and moderate-income Canadians to help them attend university and colleges. The fund will operate at arm's length from the government. It is the government's hope that the Millennium Scholarship Endowment Fund will do for young Canadians and Canada what our historic investment after World War II in post-secondary education did for our returning soldiers to lay the foundations for the prosperity we have enjoyed as a nation for the past 50 years.

The Canadian Foundation for Innovation, given specific attention in the Speech from the Throne, addresses a critical gap in Canada's innovation strategy. On that front, investment from the federal government of \$800 million will enable the foundation to contribute an average of about \$180 million annually over the next five years to modernize research facilities and equipment. Support will target four key areas: science, health, engineering and the environment. In addition, using its funding base, the foundation will encourage further contributions from a wide range of sources in both the private and public sectors. These efforts are expected by the government to trigger total potential investment of up to \$2 billion over five years.

A range of other initiatives could also be mentioned in connection with the theme of innovation. There is, for example, the Network of Centres of Excellence which received permanent annual funding of \$47.4 million in the 1997 budget. The network links teams of researchers from universities, industry and government, allowing them to share skills and resources and collaborate on projects critical to Canadian economic and social development.

Mention could also be made of the Industrial Research Assistance Program. The program in the 1997-federal budget renewed the government's commitment to the National Research Council's Industrial Research Assistance Program through annual funding of \$96.5 million. IRAP provides technical expertise to small- and medium-sized enterprises through a network of some 250 scientists with industry experience across the country.

The Speech from the Throne reflects the perception that issues of national unity cannot be addressed in isolation but are, rather, one dimension of virtually all aspects of our national life, including the role and impact of governments. It thus refers to the need for a stronger Canada, recognizing that as the country is strengthened, it will grow more unified.

The commitment of the federal government to work in partnership with those of the provinces is abundantly apparent in the continuing process of negotiating federal-provincial agreements over the transfer of administrative responsibilities for labour-market training. Since May of 1996, when responsibilities for active employment measures, funded through the Employment Insurance Fund, were offered to the provinces, a series of agreements has been concluded, beginning with a Canada-Alberta agreement of December 6, 1996. On April 21, 1997, agreement in principle was achieved between the Government of Canada and that of Quebec, where there has been a long-standing dissatisfaction with a perceived federal intrusion in this area.

The commitment to progress on national unity made in the Throne Speech is also a commitment to embrace constructive contributions from other partners in the federation. Thus, the Speech from the Throne expresses the government's willingness to work with provinces to achieve progress based on the constitutional agreement accepted by all premiers except Lucien Bouchard, who chose not to attend the special meetings on September 14 and 15 in Calgary. The proposal which will be presented to provincial legislatures following public consultation processes already launched in several provinces will amend the Constitution by including the following seven affirmations:

• (1540)

1. All Canadians are equal and have equal rights protected by law.
2. All provinces, while diverse in their characteristics, have equality of status.
3. Canada is graced by a diversity, tolerance, compassion and an equality of opportunity that is without rival in the world.
4. Canada's gift for diversity includes aboriginal peoples and cultures, the vitality of the English and French languages, and a multicultural citizenry drawn from all parts of the world.
5. In Canada's federal system, where respect for diversity and equality underlies unity, the unique character of Quebec society, including its French-speaking majority, its culture and its tradition of civil law, is fundamental to the well-being of Canada. Consequently, the legislature and Government of Quebec have a role to protect and

develop the unique character of Quebec society within Canada.

6. If any future constitutional amendment confers powers on one province, these powers must be available to all provinces.
7. Canada is a federal system where federal, provincial and territorial governments work in partnership while respecting each other's jurisdictions. Canadians want their government to work cooperatively and with flexibility to ensure the efficiency and effectiveness of the federation.

Canada stands with the rest of the world at the threshold of a new millennium. While inevitably a great deal of what the future will bring cannot be foreseen, the dawn of a new period of human history is an appropriate time to remind ourselves of the continuing importance of some basic truths. Communities that manage their finances wisely will prosper. Communities that are committed to innovation and creativity will progress. Communities that recognize that the meeting of human needs and the fulfilment of human potential are central parts of the challenge of economic growth will, in the long run, surpass those which hold a narrower economic vision. Communities that combine their energies in common enterprise will outdistance communities divided within themselves.

As the millennium approaches, Canadians are fortunate indeed to have a government that recognizes and practices these truths.

On motion of Senator Carstairs, debate adjourned.

CHILD CUSTODY AND ACCESS REFORM

MOTION TO ESTABLISH SPECIAL JOINT COMMITTEE—
DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Pearson, seconded by the Honourable Senator Carstairs:

That a Special Joint Committee of the Senate and the House of Commons be appointed to examine and analyze issues relating to parenting arrangements after separation and divorce, and in particular, to assess the need for a more child-centred approach to family law policies and practices that would emphasize parental responsibilities rather than parental rights and child-focused parenting arrangements based on children's needs and best interests;

That seven Members of the Senate and sixteen Members of the House of Commons be members of the Committee with two Joint Chairpersons;

That changes in the membership, on the part of the House of Commons of the Committee be effective immediately after a notification signed by the member acting as the chief Whip of any recognized party has been filed with the clerk of the Committee;

That the Committee be directed to consult broadly, examine relevant research studies and literature and review models being used or developed in other jurisdictions;

That the Committee have the power to sit during sittings and adjournments of the Senate;

That the Committee have the power to report from time to time, to send for persons, papers and records, and to print such papers and evidence as may be ordered by the Committee;

That the Committee have the power to retain the services of expert, professional, technical and clerical staff, including legal counsel;

That a quorum of the Committee be twelve members whenever a vote, resolution or other decision is taken so long as both Houses are represented and the Joint Chairpersons will be authorized to hold meetings, to receive evidence and authorize the printing thereof, whenever six members are present, so long as both Houses are represented;

That the Committee be empowered to appoint, from among its members, such subcommittees as may be deemed advisable, and to delegate to such subcommittees, all or any of its power except the power to report to the Senate and House of Commons;

That the Committee be empowered to authorize television and radio broadcasting of any or all of its proceedings; and

That the Committee make its final report no later than November 30, 1998; and

That a message be sent to the House of Commons to acquaint that House accordingly.

Hon. Duncan J. Jessiman: Honourable senators, I rise today to speak on the motion to establish a joint committee on custody and access. I emphasize those two words.

In the *Debates of the Senate* of October 7, 1997, at page 71, under "Routine Proceedings" we see the heading "Child Custody and Access Reform, Notice of Motion to Establish Special Joint Committee."

Under that heading the Honourable Senator Carstairs, Deputy Leader of the Government, gave notice that on October 9, 1997, she would move the motion which she then read to the chamber.

On October 9, 1997, in the *Debates of the Senate*, at page 153, the Honourable Senator Landon Pearson, for Senator Carstairs, pursuant to notice of October 7, 1997, moved the motion, which I will read in part. This is really the guts of this motion. I ask you to listen carefully. If you understand it, you are doing better than I.

It says:

That a special joint Committee of the Senate and the House of Commons be appointed to examine and analyze issues relating to parenting arrangements after separation and divorce, and in particular, to assess the need for a more child-centred approach to family law policies and practices that would emphasize parental responsibilities rather than parental rights and child-focused parenting arrangements based on children's needs and best interests;

It is my opinion that the drafters of that motion are looking to the committee to choose between parental responsibilities in respect of parenting, on the one hand, and parental rights and child-focused parenting arrangements based on children's needs and best interests, on the other hand. This is not what was asked for by the Standing Senate Committee on Social Affairs, Science and Technology, nor is it what the government agreed to in February 1997 in a letter written by then minister of justice, Allan Rock, on February 12, 1997, and appended to the report of the Standing Senate Committee on Social Affairs, Science and Technology to the Senate on that same day.

The following is what was agreed to by the government. I read from page 1520 of the *Debates of the Senate* of February 12, 1997:

The Minister of Justice and Attorney General of Canada, the Honourable Allan Rock, in his letter of 12th February 1997 to the Chair of the Committee confirmed that the "government will take the steps necessary to introduce a motion in this session to establish a Joint Senate-House of Commons Committee to study issues related to custody and access under the *Divorce Act*. The government is offering this commitment in response to concerns raised by some Senators —

— Senator Cools, myself and others —

— on behalf of non-custodial parents, who believe that this issue should be re-examined."

Simply put, the non-custodial parents who have access rights to their children by order of a court want similar legislation to that passed respecting the enforcement of child support orders; that is to say, they want legislation that will provide more effective and less expensive mechanisms for the enforcement of their access orders. Many argued that child support was being dealt with before any consideration at all of legislation reforms in the areas of access and custody of children.

Had I been asked to draft the first part of this motion, I would have worded it as follows:

That a Special Joint Committee of the Senate and the House of Commons be appointed to examine and analyze issues related to custody and access of children after their parents have separated and/or divorced, including the following issues, namely:

1. the adequacy of current access enforcement mechanisms;
2. the rights of second or subsequent families;
3. the desirability of the mandatory mediation of divorce disputes;
4. the rights of grandparents or other third parties to apply for access or custody;
5. mobility rights of parents after divorce;
6. the rights of non-custodial parents to receive information about the children and to be consulted in decisions regarding such children, e.g.,
 - a) is the non-custodial parent to be consulted when deciding such matters as
 - i) what schools the children will attend,
 - ii) what course of study the children will take,
 - iii) what church the children will attend,
 - iv) what doctor will be consulted.
 - b) what responsibility does the custodial parent have to keep the non-custodial parent informed about the children;
7. the psychological and developmental effects of divorce on children;
8. the language of divorce — the use of the words “custody” and “access” are terms used in the criminal law and law of property and therefore are inappropriate to describe relationships between parents;
9. Should there be a presumption in favour of “joint custody” or “shared parenting”, which is the case in some jurisdictions, but is currently not the case in Canada; and
10. Such other issues as the Committee may consider appropriate.

• (1550)

I understand that Senator Cools is proposing to move an amendment to the wording of this first paragraph. I thank her for

that. If that amendment makes it clear that the committee’s mandate will include examining and analyzing the issues I have enumerated above, I shall certainly support her amendment.

On motion of Senator Cools, debate adjourned.

NATIONAL DEFENCE

MOTION TO ESTABLISH SPECIAL COMMITTEE TO EXAMINE ACTIVITIES OF CANADIAN AIRBORNE REGIMENT IN SOMALIA—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Lynch-Staunton, seconded by the Honourable Senator Berntson:

That a Special Committee of the Senate be appointed to examine and report on the manner in which the chain of command of the Canadian Forces, both in-theatre and at National Defence Headquarters, responded to the operational, disciplinary, decision-making and administrative problems encountered during the Somalia deployment to the extent that these matters have not been examined by the Commission of Inquiry into the Deployment of Canadian Forces to Somalia;

That the Committee in examining these issues may call witnesses from whom it believes it may obtain evidence relevant to these matters, including but not limited to:

1. former Ministers of National Defence;
2. the then Deputy Minister of National Defence;
3. the then Acting Chief of Staff of the Minister of National Defence;
4. the then special advisor to the Minister of National Defence (M. Campbell);
5. the then special advisor to the Minister of National Defence (J. Dixon);
6. the persons occupying the position of Judge Advocate General during the relevant period;
7. the then Deputy Judge Advocate General (litigation); and
8. the then Chief of Defence Staff and Deputy Chief of Defence Staff.

That seven senators, nominated by the Committee of Selection, act as members of the Special Committee, and that three members constitute a quorum;

That the Committee have power to send for persons, papers and records, to examine witnesses under oath, to report from time to time and to print such papers and evidence from day to day as may be ordered by the Committee;

That the Committee have power to authorize television and radio broadcasting, as it deems appropriate, of any or all of its proceedings;

That the Committee have the power to engage the services of such counsel and other professional, technical, clerical and other personnel as may be necessary for the purposes of its examination;

That the political parties represented on the Special Committee be granted allocations for expert assistance with the work of the Committee;

That it be empowered to adjourn from place to place within and outside Canada;

That the Committee have the power to sit during sittings and adjournments of the Senate;

That the Committee submit its report not later than one year from the date of it being constituted, provided that if the Senate is not sitting, the report will be deemed submitted on the day such report is deposited with the Clerk of the Senate; and

That the Special Committee include in its report, its findings and recommendations regarding the structure, functioning and operational effectiveness of National Defence Headquarters, the relationship between the military and civilian components of NDHQ, and the relationship among the Deputy Minister of Defence, the Chief of Defence Staff and the Minister of National Defence.

Hon. Bill Rompkey: Honourable senators, last spring I assumed the task of chairing the Special Senate Committee on the Canadian Airborne Regiment in Somalia. I did that because of the respect I had for the Canadian Armed Forces, and because I was convinced at that time that the task we were undertaking was important, timely, and in the interests of the Canadian people and the armed forces. At that time, I rose in the chamber and said I was prepared to continue that inquiry in the fall to complete what we were intending to begin last spring.

Honourable senators, I must tell you that, after considerable reflection, I do not think it would be the best use of our resources to proceed with this inquiry now. I have spoken with a number of my colleagues and they agree. Quite simply, we think that it is now time to turn the page, to stop scrutinizing the past, and to continue to look to the future.

Are there unanswered questions arising out of the Somalia affair? Yes, clearly there are. However, given the huge amount of resources already expended on Somalia, and the long list of reforms of the military that have been outlined as a result, I believe the time is past when we can confidently say that we are acting in the best interests of the Canadian people if we devote limited resources to pursuing answers to these questions.

We have just concluded an election. The Canadian people were very clear about their concerns. I heard Canadians concerns about the future of our health care system, and the future of our children's education. I heard their concerns about jobs for themselves, and especially about jobs for young people, for today and for the future. I heard concerns about the fishery and the environment.

Yes, there are still unanswered questions about what happened in Somalia in 1993 and, like many of you, I personally would like to know the answers to these questions. I am as curious as anyone else about what was going on in Kim Campbell's office during those critical days. However, honourable senators, frankly, more pressing questions are facing Canadians right now; questions that affect their everyday lives in a substantive way.

The taxpayers have spent about \$15 million and invested two and a half years to try to unravel the events surrounding the Somalia affair. Four separate reviews have addressed the issues surrounding the Somalia deployment, including, of course, the Létourneau commission. Even though we still have not learned everything, we now know a great deal about what happened, and we simply must now turn our attention to other matters such as health care and education for our children, and matters such as Senator Pearson wants to address in a special joint committee on custody and access; matters such as Devco which Senator Murray and others which to pursue. We simply cannot do it all. We have limited resources.

Last spring, I said we should continue this matter in the fall. Events during the summer, and reflection, have made me change my mind. In considering Senator Lynch-Staunton's motion, I found myself reflecting on the old adage that generals too often fight the last war rather than the one we are facing. I am concerned that by dwelling longer on the events of almost five years ago, that is what we would be doing, instead of looking to the present and especially to the future.

We have a new Minister of National Defence and a new Chief of Defence Staff, both of whom come to their positions eager to prepare the Canadian Armed Forces to meet the challenges of the future. We have a new Parliament with many new faces and new ideas.

The Leader of the Progressive Conservative Party, in his first speech to the new Parliament, urged the government to set priorities and to tell us how we would enter the new millennium. Mr. Charest spoke of health care, child poverty, youth policies, jobs and taxes. Nowhere in his speech did he call for a reopening of the investigations into what happened in Somalia when his party was last in power.

Senator Lynch-Staunton: He asked for it the other day in Question Period.

Senator Rompkey: I have no doubt that he, too, would like the answers. However, I suspect that Mr. Charest realizes, as we do, that we must set priorities and surely the future of our health care system and the future of our education system and our children must all take priority over trying again to unravel the events that took place in the offices of Kim Campbell and others in the Department of National Defence during the final months of the last Conservative government. I am satisfied that lessons have been learned and changes have been made in response to the terrible events of 1993.

After initiating his motion here, Senator Lynch-Staunton gave an interview on *As It Happens* in which he was asked about the reforms already initiated in the department, and whether, in fact, things that went wrong in the department have already been changed. Senator Lynch-Staunton admitted that he did not know. However, the motion calls for the proposed committee to make recommendations regarding the structure, functioning and operational effectiveness of National Defence headquarters, the relationship between the military and civilian components of NDHQ, and the relationships between the Deputy Minister of Defence, the Chief of Defence Staff and the Minister of National Defence.

Obviously, Senator Lynch-Staunton launched his motion without being familiar with all of the reforms that have already been implemented in the department in response to the 1993 events. I can tell you that the reforms are considerable. They specifically address those very issues that Senator Lynch-Staunton would have the Senate consider.

The Létourneau commission report contained 160 recommendations. Last week, the Minister of National Defence released a 113-page report called "A Commitment to Change" in which he set out a detailed response to each of these 160 recommendations, and accepted 132.

Even before that report was issued, the Minister of National Defence had announced in his report to the Prime Minister changes being implemented within the Department of National Defence. In fact, there have been no fewer than four separate reviews of the issues surrounding the Somalia deployment, each of which made significant recommendations for reform.

First, there was the report of the Department of National Defence board of inquiry. It made 33 major recommendations. As a result, the Canadian Forces developed, among other things, a harassment and racism awareness policy, and a zero-tolerance approach to racism.

There was then a second review, the post-operations report produced by the Deputy Chief of Defence Staff. That report contained 18 major recommendations and 140 minor recommendations on subjects ranging from training, operations,

personnel, equipment, to command and control. The product of this exercise was the publication of the "Joint Doctrine for Canadian Forces Joint and Combined Operations." In addition, the Canadian Forces reviewed the way in which they prepare for missions, and this review covered rules of engagement which, as you know, arose as a key issue during the Somalia deployment.

• (1600)

The third review was, of course, that undertaken by the Létourneau commission. In a process that spanned over two years, the commission heard some 116 witnesses over 183 days, resulting in over 38,000 pages of hearing transcripts. It reviewed over 150,000 documents and released 419 document books. This resulted in a final report that totalled nearly 1,700 pages and contained about 160 recommendations. As we learned last week, the government has accepted 132 of these recommendations — that is about 83 per cent.

However, even before the commission issued its report, a fourth review was conducted, namely the report of the Minister of National Defence to the Prime Minister on the leadership and management of the Canadian Forces. That report, which addressed many of the same concerns raised by the Létourneau commission, set out a comprehensive plan to reform aspects of the Department of National Defence and the Canadian Forces. It reflected comments received by the minister from people all across the country and expert advice from four of Canada's most respected defence scholars: Professors David Bercuson, Jack Granatstein, Albert Legault and Desmond Morton. It also included a review of the military justice system conducted by a special advisory group comprised of the Right Honourable Brian Dickson, former chief justice of the Supreme Court of Canada, Lieutenant-General Charles Belzile, and J.W. Bud Bird, former Conservative cabinet minister. This group, under the leadership of former chief justice Dickson, made 35 proposals for changes to the military justice system, all of which were recommended by the Minister of National Defence to the Prime Minister.

In total, this report to the Prime Minister contained 100 recommendations for change in the Canadian Forces. These represented the framework for far-reaching reform and change in the Canadian Forces, organized around four basic themes: the need for strong, principled leadership at all levels of the Canadian Forces; the need for justice and fairness; the need for clear lines of accountability; and the need for greater openness and transparency.

These recommendations are reflected in the report issued last week which directly responded to each and every one of the 160 recommendations made by the Létourneau commission. Let me highlight a few for the benefit of those honourable senators who may not be familiar with the document. The overwhelming majority of the Létourneau commission's recommendations, 112 out of 160, dealt specifically with issues that the minister has described as leadership and management issues. These include

recommendations on leadership, accountability, the chain of command, discipline, training, mission planning, operational readiness, and openness and disclosure. The introduction to this section of the report describes the minister's response to the commission's recommendations:

The responses in Part I, based on a detailed review of the above Commission of Inquiry recommendations, clearly indicate that a majority of the recommendations are supported. More significant is the fact that implementation is already underway or has been completed in a large number of cases.

One issue that I want to highlight in particular concerns the criteria for selecting personnel for overseas deployment. The commission of inquiry recommendation 20.7 recommended that the relevant Canadian Forces Administrative Orders be amended to place priority on discipline as a criterion to make it mandatory to consider behavioural suitability, but at the same time to reinforce that ultimate responsibility and accountability for screening of personnel rests with the commanding officers. The minister's report notes that this recommendation will be fully implemented by the summer of 1998.

The main recommendation of the commission that was not accepted, and which has attracted a fair amount of attention in recent days, concerns the proposed inspector general, but, in fact, as the minister's report points out, this recommendation ran counter to the very lines of responsibility and accountability underlined as critically important by the commission elsewhere in their report. Instead, a new ombudsman will be appointed with direct access to the minister, the Chief of Defence Staff and the deputy minister, independent of the chain of command and accessible to all members of the Canadian Forces without fear of retribution, and capable of addressing either individual or systemic problems. This ombudsman will be required, every year, to issue a public report, a tool that we all know to be very effective.

Public annual reporting will also be required of the Chief of Defence Staff, the Judge Advocate General, the Canadian Forces Provost Marshal, the new proposed independent grievance review board and the new proposed Military Police Complaints Commission. In other words, there will now be six separate reports made to the public from the Canadian Forces every year — a very important step to increasing transparency.

The new Military Police Complaints Commission is itself a very significant reform of the existing system. It will be a civilian body, established to receive and investigate, not only complaints concerning the conduct of military police, but also allegations of interference by the chain of command.

As we know, honourable senators, issues of the chain of command have been of critical importance to those who have reviewed the events surrounding the Somalia deployment. Many

of the recommendations of the commission specifically address problems relating to these issues. Reviewing last week's report, one sees that every single recommendation in that chapter 17 has either been implemented already or is accepted and is being implemented.

Similarly, the recommendations in chapter 25 on military planning, many of which also concern the chain of command, are all either already implemented, are accepted and being implemented, or are noted as standard procedure.

Honourable senators —

The Hon. the Speaker: Senator Rompkey, I regret to have to interrupt you but your 15-minute speaking period has expired. Are you requesting leave for an extension of time?

Senator Rompkey: Yes, Your Honour.

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

Hon. Senators: Agreed.

Senator Rompkey: Thank you, honourable senators. I shall not be much longer but I think it is important to put these points on the record.

Extensive reforms are in progress to the military justice system. As mentioned earlier, the Special Advisory Group on Military Justice and Military Police Investigation Services, headed by the former chief justice of the Supreme Court, the Right Honourable Brian Dickson, submitted a report on its assessment of the military justice and military police investigation services on March 14, 1997. That report contained 35 detailed recommendations to improve the efficiency and independence of the military justice system and the military police. The Minister of Defence at that time gave his full support to these recommendations when he reported to the Prime Minister last March, and the Prime Minister endorsed early action on the recommendations.

The Létourneau commission also made a series of recommendations on improvements to the military justice system. In his report last week, the minister set out his response to these recommendations, noting which were accepted and being implemented and which were not. In general, the reforms are designed to ensure transparency in the administration of military justice and to increase public accountability.

The investigative, prosecuting and judicial functions within the military system will be separated to avoid real and perceived conflicts of interest. Reforms are in progress to afford the rights of individuals greater protection. The military policing capability of the Canadian Armed Forces will be significantly improved. As I mentioned earlier, the oversight review of the military justice system will be strengthened.

Honourable senators, these are just a few of the recommendations designed specifically to ensure that the terrible events of March 1993, do not recur. Overarching all these reforms will be a new Monitoring Committee on Change, comprised of eight prominent, highly regarded Canadians who will report semi-annually to the minister on the process of implementing change at the department and in the Canadian Forces. They will monitor change initiatives, the process of implementation for these changes, and evaluate their effectiveness. It will be chaired by the Honourable Willard Estey, who will be joined by Mr. David Bercuson, Ms Carole Lafrance, Mr. Daniel Dewar, the Honourable John Fraser, retired Brigadier-General Sheila Hellstrom, Mr. Laurier LaPierre and Mr. John Rankin.

• (1610)

Honourable senators, lessons have been learned from the Somalia affair. It has been studied at great length and at great expense to the Canadian taxpayer. Are there more lessons that could be learned? No doubt. The time has come to stop the formal inquiries and allow the Canadian Forces, which have been studied long enough, to move on and get on with their job.

Perhaps later it would be appropriate for us to examine how well the Canadian Forces have adjusted to the sweeping changes that have been made to their structure and to evaluate whether those changes are sufficient to ensure that there will never be a repetition of what occurred in Somalia. In the meantime, they should be allowed, I submit, to get on with the job and to get back into the real world.

As for us, there is much that we can do. There are matters now before the Senate. These are issues that have a tremendous impact not only on the lives of individual Canadians but on society itself and on our nation. It is to these problems and others like them that we should be devoting our attention and resources.

It is for these reasons that I cannot support Senator Lynch-Staunton's motion.

Hon. John Lynch-Staunton (Leader of the Opposition): Honourable senators, will Senator Rompkey permit some brief comments and two or three questions?

I am, of course, astonished at the extraordinary flip-flop by Senator Rompkey who, as he himself said, voted with the rest of this house last April in favour of a government motion to establish a committee of inquiry similar to the one which is before us today. I hope that he will tell me that he is only speaking in his own name and not in the name of Senator Fairbairn, who proposed the motion on behalf of the government and spoke very eloquently in favour of it and, no doubt, convinced many of her colleagues to vote with her.

My second question relates to a quotation from the executive summary of the Létourneau commission, as Senator Rompkey

made only very brief reference to its recommendations. At page ES-3, the commission states:

However, we must also record with regret that on many occasions the testimony of witnesses was characterized by inconsistency, improbability, implausibility, evasiveness, selective recollection, half-truths, and plain lies.

The Hon. the Speaker: Honourable Senator Lynch-Staunton —

Senator Lynch-Staunton: Your Honour, I am leading to a question.

The Hon. the Speaker: You are not closing the debate?

Senator Lynch-Staunton: I cannot speak in the debate. I am trying to restrict this to comments and questions. I have already spoken.

The Hon. the Speaker: It is your motion.

Senator Lynch-Staunton: I have asked leave for brief comments and two or three questions.

Indeed, on some issues we encountered what can only be described as a wall of silence. When several witnesses behave in this manner, the wall of silence is evidently a strategy of calculated deception.

This has nothing to do with matters of four years ago. We are talking about matters of perhaps just a few months ago.

My question to Senator Rompkey is: How else can I interpret his refusal to support this motion as nothing but sanctioning this calculated deception?

Senator Rompkey: With regard to the first question, honourable senators, I obviously was speaking for myself. However, I did say in my remarks, and I repeat now, that I have consulted fairly widely with my colleagues on this side. It is fair to say that there is a great deal of support on this side for the position that I have taken in my remarks. However, in the final analysis, I speak simply for myself.

With regard to the second question, certainly I agree that the text said that there was evasiveness, inconsistency, and a wall of silence. There is nothing to show that one could ever fully break through that impasse. Indeed, Peter Desbarats was questioned, during an interview regarding his recently published book, about the conflict between the statements of Mr. Clair and Mr. Fowler covering what happened in Kim Campbell's office at that time. When asked whether we would ever know for sure, he answered, "Probably not."

Senator Lynch-Staunton: Because you do not want to ask him.

Senator Rompkey: What is the truth? Will we ever be able to get at the exact truth? We will hear the same witnesses. I submit that perhaps the Senate does not have the tools which a court of law would have available to find the answers to questions.

We could go on for years asking questions and we could go on spending more taxpayers' dollars. I submit two things: First, we have been at this question long enough. Second and more important, I believe the Canadian Forces have received severe body blows of a number of kinds over the past five to ten years. If we persist in dragging the Canadian Forces farther through the mud, we will no longer have any Canadian Armed Forces in this country. I submit it is time now to, in the vernacular, lay off. Leave them alone. Let them regroup. Let them get back into the real world. Let them get on with their jobs and let us produce Canadian Armed Forces of which we can be proud. That is my position.

Senator Lynch-Staunton: My final question, honourable senators, is based on page ES-37:

Perhaps the most troubling consequence of the fragmented, dilatory and incomplete documentary record furnished to us by DND is that, when this activity is coupled with the incontrovertible evidence of document destruction, tampering, and alteration —

By the way, none of this took place in Somalia four years ago.

— there is a natural and inevitable heightening of suspicion of a cover-up that extends into the highest reaches of the Department of National Defence and the Canadian Forces.

My question to Senator Rompkey is: Why does he not want to get into an examination of what allowed the cover-up to take place, according to the Létourneau commission, into the "highest reaches" of the Department of National Defence and the Canadian Forces, events that have nothing to do with the tragic events in Somalia four years ago?

Senator Rompkey: The answer, honourable senators, is exactly as I have stated in my remarks. Actions have been taken. Systems have been put in place. Changes have been made to ensure openness and transparency. It is clear that all aspects of the Department of National Defence, including the justice system, must report every year. There will be six different reports every year coming from the Department of National Defence and the Canadian Forces. There is a move towards transparency and openness.

Senator Lynch-Staunton: Could you answer the question, Senator Rompkey?

Senator Rompkey: I suggest that that is the answer to the question.

Senator Lynch-Staunton: You are party to the cover-up.

Senator Rompkey: In my view, it is time now to let that process take its course. I am not saying we should not review the Canadian Armed Forces. There are many things which should be reviewed, but let us do it in a healthy, progressive and positive way. Let us give these changes time to take effect and then do a review.

Senator Lynch-Staunton: Leave the rot there. Shame.

Hon. Noël A. Kinsella (Acting Deputy Leader of the Opposition): Honourable senators, as Senator Rompkey reads the motion that is before us, I would ask whether he finds any part of the motion more offensive in his viewpoint — and we have listened to his argument — than other contents of the motion before us?

To put it another way, are there any elements in this motion brought by Senator Lynch-Staunton that he finds less problematic from the viewpoint that he has articulated for us?

Senator Rompkey: Honourable senators, I would not have used the word "offensive." I do not find anything Senator Lynch-Staunton does to be offensive. I find him to be a gentleman. I do not find any part of this motion offensive. I congratulate him for bringing it forward. This is an issue which should be aired and debated. However, I have said where I stand.

Looking at all of the evidence, looking at the past and examining it, it is clear to me that we should not pursue this issue. As I said before, we should allow time for effecting the changes which have been made and then we can do a review. No, I do not find any part of the motion offensive.

• (1620)

Senator Kinsella: Honourable senators, can I take it from that answer that if we were to bring some amendments to the motion, elements of it would be respectful of the points the honourable senator is making, and yet allow parts of the matter which ought to be examined to go forward? In other words, he used the term "this issue." Well, the issue is complex. Would he accept that, because it is complex, we could examine parts of it that would be respectful of the points the honourable senator makes?

Senator Rompkey: Honourable senators, I see what Senator Kinsella is getting at, but I must say that my position would be "no." Given the issue as such, and what happened in 1993 in the aftermath of the other matters that Senator Lynch-Staunton has included in that motion, I would oppose the motion in its entirety at this point.

On motion of Senator Forrestall, debate adjourned.

ASIA PACIFIC REGION

INTERIM REPORT OF FOREIGN AFFAIRS—INQUIRY—
DEBATE ADJOURNED

Hon. John B. Stewart rose pursuant to notice of October 21, 1997:

That he will call the attention of the Senate to the interim report of the Standing Senate Committee on Foreign Affairs entitled: "The Importance of the Asia Pacific Region for Canada."

He said: Honourable senators, earlier today I presented a report prepared by the Standing Senate Committee on Foreign Affairs in the last session of the Thirty-fifth Parliament. That is an interim report dealing with our relations with the Asia Pacific region.

I want to call attention to some of the information set forth in that report. There are a fair number of figures in the report, but they are all very interesting.

Canada's exports to Japan exceed our exports to the United Kingdom. Canada's exports to Japan exceed our exports to France. They exceed our exports to Germany and to Italy. Indeed, Canada's exports to Japan exceed our exports to all four of these European countries combined.

In 1988, Canada's merchandise exports to the European Union were worth \$10.9 billion. Our exports to Japan and other Pacific Rim countries, excluding the United States, amounted to \$16.9 billion — that is, \$6 billion more to Japan than to the other Pacific Rim countries.

In 1996, the figures for the European Union were \$14.9 billion, but \$22.5 billion to Japan and the other Pacific Rim countries.

What is the message? The answer is: Look west.

Again, it is estimated by the World Bank that imports by the developing countries of East Asia will increase by an average of 10 per cent per year over the next six or seven years. That is a splendid market for an exporting country.

Think, then, of China. Since 1979, the size of the Chinese economy has increased by 475 per cent. There are those who estimate that if recent growth rates continue, China will have a purchasing power in the year 2020 equal to that of the United States of America.

Again, the message is: Look west.

What about our own export performance relative to the Pacific Rim, excluding the United States? Our committee report says something about this at page 15. It would appear that our exports are unusually heavily balanced or biased toward natural resources. We have a sentence or two in the report that I think honourable senators should ponder. We state:

This result suggests to the authors that Canada may have an implicit industrial strategy buried in its tax structures and elsewhere that "may have directed Canada to inappropriate specialization in natural resource-based industries. What may be called for is a new pattern of industrial incentives that would encourage Canadian entrepreneurs to migrate out of natural resources and into growth-oriented, high-wage technology industries."

Let me move on to a third point. Canada is an efficient exporter of certain commercial services. We were told in the meetings we held in Vancouver that:

...Canadian engineers are the best in the world... they are the best in terms of their ability to develop science and technology. However, our ability to exploit it is absolutely abysmal.

Those are the words of Dr. John MacDonald, Chairman of MacDonald-Dettwiler and Associates, a most impressive witness.

Another very impressive witness heard in Vancouver was Dr. William Saywell, President of the Asia Pacific Foundation. He told us that no country in the world has a better educational and training structure than Canada. It is competitive in terms of price, and it is delivered in a safe, friendly and hospitable environment.

Another reason for the suitability of our universities and colleges is that, together with those in the United States, the United Kingdom, Australia and New Zealand, they provide education in English, the premier language of the Asia Pacific region. The implication of his testimony is that we should be making a greater effort to bring students from that area to our colleges and universities.

One of the things that readers of the report will notice is that in our tables, we compare our exports to both the European Union and the Asia Pacific part of Asia with our exports to the United States of America. What we show is that approximately four-fifths of our exports go to the United States. Increasingly, the Canadian economy is being integrated with that of the United States.

That raises the very interesting question related to direct investment. Where are the Japanese investing their money in North America? Given the fact that the North American economy is increasingly integrated, it is fair to ask if they are inclined to put their money in California or in Ontario, for example? The statistics set forth in answer to those questions are disturbing.

• (1630)

The material provided to us showed that we are not a very attractive place for investment. The Japanese have not found us very attractive. I will give examples.

With respect to investment in motor vehicle parts manufacturing, Ontario ranks seventh. Indiana, Michigan and Ohio are well ahead of us.

With regard to pulp and paper manufacturing, the first Canadian province to appear in the ranking is Quebec. It is in tenth place in North America. British Columbia ranks twelfth, and Ontario ranks fourteenth. These figures on how Japanese investors rate our attractiveness for investing in North America prompt me to ask: "What is the trouble?"

On page 24 of the report we set forth some evidence that was given to us. First, although Canada has a population of 30 million, our Canadian market is spread out geographically. That does not, of course, deal with the fact that much of the integrated North American market is close, let us say, to Ontario. Second, Canadian labour costs are not low by international standards. Third, we were told that Canada is thought to be more interested in protecting the environment than in encouraging industrial and commercial development. Fourth, we were told that, when governments change at the provincial level, sudden changes can occur in industrial policy and legislation, particularly with regard to labour and the environment. This can be disturbing for those making direct investment in Canada. Fifth, there is the impression that Canadian tax rates are higher than those in the United States.

Given the fact that our economy is increasingly integrated with that of the United States, and given the fact that this means that we have to be concerned about the location of direct foreign investment coming into North America, it is clear that we have to try to deal with the problems that are identified as tipping that direct foreign investment to other parts of the North American continent.

One of the reasons your committee undertook this study is that during this year Canada has been chairing the Asia Pacific Economic Conference. Canada's work in that role will come to its climax next month in the leaders' meetings and ministerial meetings to take place in Vancouver.

We made certain recommendations concerning Canada's goals at Vancouver. These deal with reducing tariff walls, with reducing non-tariff barriers to trade in the area, and with investment. We also made a recommendation that while the admission of China to the World Trade Organization probably should not be put on the formal agenda, there should be informal discussions in Vancouver toward advancing the time when China will be ready to assume its proper role in the World Trade Organization.

Honourable senators, in view of the great importance of our economic relations with the non-North American members of the Asia Pacific, I commend this interim report to you.

Before I sit down, I wish to say that the committee was well served not only by the witnesses who came to us, both here in Ottawa and in Vancouver, but by two members of our staff. I

want to mention both our clerk, Serge Pelletier, and our Director of Research, Anthony Chapman. Mr. Chapman was from the Research Branch of the Library of Parliament. I regret to say that he is no longer with the research branch. He has gone to work for the Privy Council Office. I am confident that that office soon will reflect the high quality of his performance. Your committee is very grateful to him.

Honourable senators, I commend the report to your attention.

On motion of Senator Kinsella, debate adjourned.

ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES

COMMITTEE AUTHORIZED TO ENGAGE SERVICES

Hon. Noël Kinsella (Acting Deputy Leader of the Opposition), for Senator Ghitter, pursuant to notice of October 22, 1997, moved:

That the Standing Senate Committee on Energy, the Environment and Natural Resources have power to engage the services of such counsel and technical, clerical and other personnel as may be necessary for the purpose of its examination and consideration of such bills, subject-matters of bills and estimates as are referred to it; and

That the Committee have power to adjourn from place to place within and outside Canada for the purpose of such studies.

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

Hon. Senators: Agreed.

Motion agreed to.

COMMITTEE AUTHORIZED TO PERMIT ELECTRONIC COVERAGE

Hon. Noël Kinsella (Acting Deputy Leader of the Opposition), for Senator Ghitter, pursuant to notice of October 22, 1997, moved:

That the Standing Senate Committee on Energy, the Environment and Natural Resources be empowered to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings.

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

Hon. Senators: Agreed.

Motion agreed to.

COMMITTEE AUTHORIZED TO STUDY MATTERS
RELATED TO MANDATE

Hon. Noël Kinsella (Acting Deputy Leader of the Opposition), for Senator Ghitter, pursuant to notice of October 22, 1997, moved:

That the Standing Senate Committee on Energy, the Environment and Natural Resources, in accordance with rule 86(1)(p), be authorized to examine such issues as may arise from time to time relating to energy, the environment and natural resources generally in Canada; and

That the Committee report to the Senate no later than March 31, 1999.

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

Hon. Senators: Agreed.

Motion agreed to.

The Senate adjourned until Tuesday, October 28, 1997, at 2 p.m.

**THE SENATE OF CANADA
PROGRESS OF LEGISLATION
(1st Session, 36th Parliament)
Thursday, October 23, 1997**

**GOVERNMENT BILLS
(SENATE)**

No.	Title	1st	2nd	Committee	Report	Amend.	3rd	R.A.	Chap.
S-2	An Act to amend the Canadian Transportation Accident Investigation and Safety Board Act and to make a consequential amendment to another Act (Sen. Graham)	97/09/30	97/10/21	Transport and Communications					
S-3	An Act to amend the Pension Benefits Standards Act, 1985 and the Office of the Superintendent of Financial Institutions Act (Sen. Graham)	97/09/30	97/10/21	Banking, Trade and Commerce					
S-4	An Act to amend the Canada Shipping Act (maritime liability) (Sen. Graham)	97/10/08	97/10/22	Transport and Communications					
S-5	An Act to amend the Canada Evidence Act and the Criminal Code in respect of persons with disabilities, to amend the Canadian Human Rights Act in respect of persons with disabilities and other matters and to make consequential amendments to other Acts (Sen. Graham)	97/10/09							

COMMONS PUBLIC BILLS

No.	Title	1st	2nd	Committee	Report	Amend.	3rd	R.A.	Chap.
C-220	An Act to amend the Criminal Code and the Copyright Act (profit from authorship respecting a crime)	97/10/02	97/10/22	Legal and Constitutional Affairs					

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