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Tuesday, December 8, 1998

THE HONOURABLE GILDAS L. MOLGAT
SPEAKER

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THE SENATE

Tuesday, December 8, 1998

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

DISTINGUISHED VISITOR IN GALLERY

The Hon. the Speaker: Honourable senators, I should like to draw your attention to a distinguished visitor in our gallery, the former Honourable Senator Lorne Bonnell.

Hon. Senators: Hear, hear!

SENATORS' STATEMENTS

THE HONOURABLE JEAN B. FOREST

TRIBUTE ON RETIREMENT

Hon. Joyce Fairbairn: Honourable senators, yesterday senators made farewell tributes to Jean Forest, who resigned from the Senate last August. I was unable to join in as I was attending a Senate committee meeting at the time. I should like to offer my words to Jean today.

First, it was wonderful that she was able to be up in the gallery to listen to all the fine words and the genuine affection expressed by colleagues on both sides of the chamber; Liberals, Conservatives, independents, all of whom claimed her as a friend because she is that kind of person. She follows her principles wherever they lead her, even if it means from time to time disagreeing with the conclusions of the government. When she did disagree, it was in a clear and straightforward manner, with courtesy and conviction.

Jean is revered for her dedication to human rights, her fierce support for education at every level, her passionate love for every part of her country. These commitments were mirrored in her activities in the Senate, including her work on the Special Senate Committee on Post-Secondary Education, which travelled the country; the hearings of the Veterans Affairs Subcommittee on the future of the War Museum; her courage in following her convictions in the difficult issue of constitutional change in the school system of Newfoundland; her deep concern for the well-being of aboriginal peoples and the strength of the francophone community outside Quebec.

Simply put, Jean Forest was a superb senator for her province of Alberta and her country, as demonstrated by her empathy for the concerns of citizens. In fact, if one tried to create an ideal senator, she would be a worthy model.

She was with us for only a short time and she used every minute of that time. In the end, her family and her love and

concern for the health of her husband and best friend, Rocky, claimed her full attention. They are happily building a new phase of their lives on Vancouver Island.

I will miss her wisdom, her support and her laughter. In spite of the distance, I know our friendship will continue and I wish her and Rocky the best that life has to offer.

AMATEUR SPORT

PRINCE EDWARD ISLAND—CONGRATULATIONS TO CHARLOTTETOWN ABBIES FOR NO. 1 NATIONAL RANKING

Hon. Catherine S. Callbeck: Honourable senators, there are very few things in this country that provide a greater bond than our national winter sport. Who can forget Paul Henderson's heroics or the Gretzky-Lemieux combination working its magic in the competition for the Canada Cup.

•(1410)

Honourable senators, on-ice brilliance does not just happen. Men and women of all age levels work long and hard, some almost from the time they take their first steps, to hone their skills so that they can eventually fulfil their dreams of representing their country internationally or perhaps carrying Lord Stanley's cup, as only the most elite are permitted.

My home province is no stranger to success in the national and international hockey scene. I would suggest that on a per capita basis Prince Edward Island has placed more professional participants on the professional hockey stage than any other jurisdiction in the country. Names like Doug MacLean, Gerard Gallant, Alan MacAdam, Errol Thompson, Bill and Bob MacMillan, and many more ring like a who's who in our nation's hockey lore.

Recently, Prince Edward Island has also been turning heads across Canada with its successes in the ranks of Junior A hockey. For the third consecutive week, the top ranked Junior A hockey club in the country is from Charlottetown. This week, the Charlottetown Abbies retained their number one ranking in the country. Junior A hockey fans in Prince Edward Island could not be more proud.

This is obviously quite an accomplishment. Given the fact that less than two years ago Islanders were celebrating the Cinderella national championship victory of the Summerside Western Capitals, the reputation of Prince Edward Island's junior hockey appears to be solid indeed.

Congratulations should obviously be directed to the coaching staff of Forbie, Mike and Jamie Kennedy, who have taken a mixture of youth and experience and molded it into a unit that has cruised to a 21-1 record this season to date.

General Manager Pat Gaudet also deserves to be recognized for his dedication to the team. However, the one person who I feel should be taking considerable pride in the accomplishments of his team this season is Abbie's owner, Alan Stewart. This hockey team is more than just a team to Mr. Stewart; these young men are his family.

Honourable senators, is that not what amateur sports in this country should be about, teamwork and working together to achieve a common goal? If not for the Alan Stewarts and the Forbie Kennedys of this great country and their willingness to give whatever is necessary to make essential sacrifices to provide the proper environment for our young future stars, who knows where our national sport would be.

I wish the Abbies all the best as they continue to hold their place in the national rankings. I am hopeful that they will be successful as the season moves towards its conclusion.

Some Hon. Senators: Hear, hear!

HUMAN RIGHTS

ANNIVERSARY OF SIGNING OF INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS

Hon. David Tkachuk: Honourable senators, I wish to address the subject of the International Covenant on Civil and Political Rights.

I should first like to put this in some perspective. On December 10, 1948, I was almost four years old when the International Universal Declaration on Human Rights was signed. In the context of world history, this is just a short time ago. In 1960, under John G. Diefenbaker, the Canadian government enshrined the basic principles of freedom and human rights in the Canadian Bill of Rights. When the International Covenant on Civil and Political Rights was open for signature on December 19, 1966, I was just married and 21 years of age.

The country and the world that I grew up in was post World War II, an environment in which all Canadians sought to recognize the importance of never repeating the horrors and atrocities of that war. The lessons learned were terrible and horrifying, and those who were there vowed to never let happen again; to our children, families, communities, country and global community. Yet, we must always be wary because, while events such as those of the Second World War may not occur in that large a circumstance of human tragedy, they can and have happened again on a smaller scale in other countries of the world.

The International Covenant on Civil and Political Rights constitutes the first all-embracing and legally binding international treaty in the field of human rights. Together with the Universal Declaration of Human Rights and other international covenants, it forms the core of the International Bill of Human Rights.

Briefly defined, it affirms the right of all peoples to self-determination, traditional civil and political rights, some children's rights and the cultural rights of ethnic minorities. It has great importance in international efforts to promote universal respect and observance of human rights. Today in Canada it is used as an aid to interpret our own Charter of Rights and Freedoms.

Canada not only made a commitment in 1967 to this covenant, Canada helped to draft it. Canada's own signing of it, which came into force in 1976, is important to the world since, to quote my colleague Senator Raynell Andreychuk when she said on April 28, 1994:

Canada is known worldwide for its commitment to human rights and the quality of its democratic institutions.

Civil and political liberties are protected and embraced as fundamental rights in our Charter. By June 1997, 138 countries had ratified this covenant. The most recent addition has been China, which announced its intention to sign this covenant on March 12, 1998. As a signatory to the ICCPR, Canada must look both within and beyond its borders to help to eradicate egregious human rights violations.

Canada's fourth report, deposited with the United Nations in April 1997, outlined important principles through a number of federal and provincial articles such as the right to self-determination, sexual equality, derogation, preserving rights and right to life, to name but a few. These articles are important.

Honourable senators, look around at our democratic institutions. We are fortunate to live in a country such as this. Can you imagine how our deliberations in this place would change if we lived in a society that did not hold these rights so dear? For this we should be thankful, yet feel more responsible to encourage others to uphold values and rights that improve the quality of life for all.

ADOPTION OF INTERNATIONAL COVENANT ON RIGHTS OF INDIGENOUS PEOPLES

Hon. A. Raynell Andreychuk: Honourable senators, aboriginal rights are human rights issues. In 1994, the working group on indigenous people in the United Nations Human Rights Commission adopted the International Covenant on the Rights of Indigenous Nations.

This covenant is a powerful statement on the rights of indigenous peoples. It affirms that they are people equal in dignity and right to all other peoples, while recognizing the rights of all individuals and peoples to be different, to consider themselves different and to be respected as such.

Despite the considerable contribution that aboriginal peoples make by adding diversity and heterogeneity to a national culture, they are subjected to considerable bias and prejudice in many states. Hill tribes in eastern India, native Indians in Latin America and aboriginal peoples here in Canada, to name a few, have been subjected to particularly humiliating treatment.

The UN Committee on Economic, Social and Cultural Rights has rebuked Canada's acceptance of the deplorable living and housing conditions of our aboriginal peoples. The Standing Senate Committee on Aboriginal Peoples reported on the treatment of aboriginal veterans after the First and Second World Wars and the Korean conflict, noting, in particular, the unacceptable treatment of aboriginal veterans on their return home. This is another example.

Inherent in this mistreatment, oftentimes, is the belief that indigenous peoples are somehow inferior or subordinate to mainstream society. Honourable senators, this is a perception that is morally untenable, malicious and damaging.

During the Progressive Conservative mandate, perhaps the most notable achievement of that government was the establishment of the Royal Commission on Aboriginal Peoples in August 1991, which examined the economic, social and cultural life of First Nations in Canada. The commission's report is the benchmark against which subsequent governments will be judged in dealing with First Nations policy.

The proposed International Covenant on the Rights of Indigenous Peoples highlights the need for all governments to preserve, protect and guarantee the rights and responsibilities of nations and the dignity and inalienable right of all peoples.

I cannot think of a more urgent human rights issue for the Canadian government to resolve in the fiftieth year of the Universal Declaration of Human Rights.

WORLD WAR II

ANNIVERSARY OF COMMENCEMENT OF SIEGE OF HONG KONG

Hon. J. Michael Forrestall: Honourable senators, on this day, December 8, 1941, units of the Imperial Japanese Army started their two-week long Hong Kong offensive, an offensive against the British Commonwealth forces defending the then Crown colony.

Two Canadian infantry battalions, the Winnipeg Grenadiers and the Royal Rifles of Canada, some 1,975 soldiers under the command of Brigadier J. K. Lawson, were among those defenders. In the intense fighting that followed, 23 officers and 267 men were killed, and 483 were wounded. In all, 40 per cent became casualties.

Brigadier Lawson fought the Japanese armed only with his pistol when his headquarters was overrun. Many of you will be aware that, in an incredible act of bravery, Company Sergeant Major John Osborne was awarded the Victoria Cross posthumously for throwing himself on a hand grenade to save his men.

After the fall of Hong Kong on Christmas Day in 1941, 287 Canadians died in captivity due to the brutality of their captors. Those who survived are only just now being recognized by our country.

However, Canada's actions in the Pacific theatre did not end with Hong Kong. The Canadian Army, under Brigadier Harry Foster — a Nova Scotian, I might add — went back with American forces to seize the Aleutian Islands, previously

occupied by the Japanese. Incidentally, Canadian frogmen were active not only there but also in Burma.

The Royal Canadian Air Force was active against Japanese forces in the Aleutians. Two transport squadrons were active in Burma, and I was honoured to be part of the Canadian delegation that visited the areas where Canadians served and where those who died were buried.

A Canadian Canso squadron served in Ceylon. One Canadian, Air Commodore Ret'd Len Birchall, is credited with saving Ceylon, a strategic naval base in the Indian Ocean, from Japanese occupation. Yes, we do have heroes.

The Canadian Navy took part in the Aleutian operations, and *HMCS Uganda*, a cruiser with 700 sailors, served with the Royal Navy in the Pacific. Robert Hampton Gray, a naval aviator flying from a Royal Navy aircraft carrier, sank a Japanese destroyer and was posthumously awarded the Victoria Cross. Canadian merchant vessels sailed bravely throughout the Pacific in that theatre of war.

Honourable senators, on this day, I should like to pass on my personal thanks to the surviving Canadians who served in the Pacific theatre during World War II and to pay tribute to those hundreds of Canadians who sacrificed their lives so that this country might continue to live in freedom.

[Translation]

UNITED NATIONS

FIFTIETH ANNIVERSARY OF SIGNING OF INTERNATIONAL DECLARATION OF HUMAN RIGHTS

Hon. Pierre Claude Nolin: Honourable senators, next Thursday we will be celebrating the 50th anniversary of the Universal Declaration of Human Rights, adopted and proclaimed by the United Nations General Assembly on December 10, 1948. In this text, the UN member states proclaimed their faith in the fundamental rights of humankind, the dignity and worth of the individual, and the equality of men and women.

Since 1948, the United Nations General Assembly has adopted a series of protocols with a view to leading member states to pass legislation in a number of their areas of activity, in order to foster greater respect for human rights in their political, legal and military systems. One of these documents is the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the Abolition of the Death Penalty, which was adopted and proclaimed by the UN General Assembly on December 15, 1989. Through this protocol, the signatory states, including Canada, agreed with the principle that abolition of the death penalty would contribute to promoting human dignity and the development of human rights. Convinced that all measures taken toward abolition of this punishment constituted progress with respect to the enjoyment of privacy, the signatories to this document made an international commitment to abolish the death penalty. This was fully in line with article 6 of the 1996 International Covenant on Civil and Political Rights. It should be pointed out that this article refers to abolition of the death penalty in terms which unambiguously suggest the desirability of so doing.

As you know, honourable senators, Canada has upheld this commitment for a long time. There has been no execution since 1962 and the death penalty was abolished in 1976. Right now, and this will not be the case much longer, the only legislation that still contains references to capital punishment is the National Defence Act, which provides that a soldier found guilty of treason may be sentenced to death. If this same soldier has been charged with misconduct in the presence of the enemy or with an offence in combat, he may be sentenced to death if he acted from cowardice. In a few months, however, these provisions will be a thing of the past.

As you know, honourable senators, the Senate recently studied Bill C-25, which amends certain provisions of the National Defence Act in order to bring it into line with the principles of the Canadian Charter of Rights and Freedoms, which guarantee, among other things, the right to life, and with the principles of Canadian criminal law. With this bill, the death penalty is no longer deemed necessary as punishment for military offences. Its abolition will allow Canada to adopt the same position as that of most of the countries with which it maintains close ties.

First, the death penalty will be abolished for military offences. Second, it will be replaced by a sentence of life imprisonment, with no eligibility for parole for 25 years for most serious offences related to acts of treason.

Honourable senators, as a Canadian, I am proud to see that, with this bill, Canada is once again assuming its international responsibilities by reforming its policies on human rights and the right to life. The National Defence Act goes back to 1950 and it has not been amended since then. The death penalty provisions in the military justice system clearly reflect another era, when the threat of another world conflict loomed.

Honourable senators, the reasons that might justify maintaining the death penalty in the Canadian military justice system are therefore almost non-existent nowadays. Moreover, maintaining this sanction would go against everything that Canada has done in the past 50 years to promote Canadians' right to life.

In conclusion, I believe that, with the bill that we passed and that the other place will undoubtedly pass, Parliament is taking a step in the right direction by getting rid of the last mention in its legislation of this most revolting form of punishment. We are very pleased to see Canada modernize another part of its legislation for the purpose of promoting human rights and the right to life.

[English]

ROUTINE PROCEEDINGS

BUSINESS OF THE SENATE

DISTRIBUION OF DOCUMENT REQUESTED TO BE TABLED

Hon. B. Alasdair Graham, Leader of the Government: Honourable senators, I wish to raise a matter arising out of

[Senator Nolin]

yesterday's proceedings. During yesterday's Question Period, leave was given to table documents that I had received last week from the British Columbia Civil Liberties Association. I believe some honourable senators opposite received the same documents. At any rate, I have since discussed the matter with my honourable friend the Leader of the Opposition. Due to the form of these documents, which include handwritten notes and maps, it was thought more appropriate to have them available for distribution to all senators in the chamber rather than formally tabling them. If any senator who is not now present wishes to have a copy, they need only ask my office. If it is agreeable, I ask that the pages distribute these documents now on the basis that I have outlined. It is my understanding that we have the agreement of the opposition.

•(1430)

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

Hon. Senators: Agreed.

[Translation]

PRIVATIZATION AND LICENSING OF QUOTAS

REPORT OF FISHERIES COMMITTEE TABLED

Hon. Gerald J. Comeau: Honourable senators, I have the honour to table the third report of the Standing Senate Committee on Fisheries, entitled "Privatization and Quota Licensing in Canada's Fisheries."

Honourable senators, pursuant to rule 97(1) and (3), I move that the report be placed on the Orders of the Day for consideration at the next sitting of the Senate.

The Hon. the Speaker: Honourable senators, is it your pleasure to adopt the motion?

Hon. Senators: Agreed.

On motion of Senator Comeau, bill placed on Orders of the Day for consideration at the next sitting.

[English]

CANADA SMALL BUSINESS FINANCING BILL

REPORT OF COMMITTEE

Hon. David Tkachuk, Deputy Chair of the Standing Senate Committee on Banking, Trade and Commerce, presented the following report:

Tuesday, December 8, 1998

The Standing Senate Committee on Banking, Trade and Commerce has the honour to present its

NINETEENTH REPORT

Your committee, to which was referred the Bill C-53, An Act to increase the availability of financing for the establishment, expansion, modernization and improvement of small businesses has examined the said Bill in obedience to its Order of Reference dated December 2, 1998 and now reports the same without amendment, but with observations which are appended to this report.

Respectfully submitted,

MICHAEL KIRBY
Chair

For text of report, see today's Journals of the Senate, Appendix, "A", p. 1176.)

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

On motion of Senator Carstairs, bill placed on the Orders of the Day for third reading at the next sitting of the Senate.

[*Translation*]

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 tomorrow, Wednesday, December 9, 1998, at 1:30 p.m.

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

Hon. Senators: Agreed.

Motion agreed to.

[*English*]

CANADIAN NATO PARLIAMENTARY ASSOCIATION

FORTY-FOURTH ANNUAL SESSION OF NORTH ATLANTIC ASSEMBLY
HELD IN EDINBURGH, UNITED KINGDOM—
REPORT OF CANADIAN DELEGATION TABLED

Hon. Bill Rompkey: Honourable senators, I have the honour to table the sixth report of the Canadian NATO Parliamentary Association which represented Canada at the forty-fourth annual session of the North Atlantic Assembly, held in Edinburgh, United Kingdom, November 9 to 13, 1998.

VETERANS HEALTH CARE SERVICES

NOTICE OF MOTION TO AUTHORIZE SOCIAL AFFAIRS,
SCIENCE AND TECHNOLOGY COMMITTEE
TO EXTEND DATE OF FINAL REPORT

Hon. Orville H. Phillips: Honourable senators, I give notice that on Wednesday, December 9, 1998, I will move:

That, notwithstanding the Order of the Senate adopted on November 5, 1997, the Standing Senate Committee on Social Affairs, Science and Technology which was authorized to examine and report on the state of health care in Canada concerning veterans of war and Canadian Service persons, be empowered to submit its final report no later than February 26, 1999; and

That the committee be permitted, notwithstanding usual practices, to deposit its report with the Clerk of the Senate, if the Senate is not then sitting, and that the report be deemed to have been tabled in the Chamber.

SECURITY AND INTELLIGENCE

SPECIAL COMMITTEE AUTHORIZED TO TABLE REPORT
WITH CLERK AND PUBLISH AND DISTRIBUTE
SAME DURING PROROGATION

Hon. William M. Kelly: Honourable senators, with leave of the Senate and notwithstanding rule 58(1)(a), I move:

That the Special Senate Committee on Security and Intelligence be permitted, notwithstanding usual practices, to deposit its report on the examination of the current international threat environment with particular reference to terrorism as it relates to Canada with the Clerk of the Senate if the Senate is not sitting, and that the report be deemed to have been tabled in the Chamber; and

That, if before the prorogation of the present session of Parliament, the Special Senate Committee on Security and Intelligence has adopted but not tabled its report, the Honourable Senators authorized to act for and on behalf of the Senate in all matters relating to internal economy of the Senate during any period between sessions of Parliament, be authorized to publish and distribute the report of the committee.

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

Hon. Senators: Agreed.

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

Motion agreed to.

[Translation]

ESTIMATES OF DEPARTMENT OF FISHERIES AND OCEANS

NOTICE OF MOTION TO AUTHORIZE FISHERIES COMMITTEE
TO TABLE REPORT WITH CLERK OF THE SENATE

Hon. Gerald J. Comeau: Honourable senators, I give notice that on Wednesday, December 9, 1998, I will move:

That the Standing Senate Committee on Fisheries, having been authorized by the Senate on December 1, 1998 to examine and report upon the Estimates of the Department of Fisheries and Oceans for the fiscal year ending March 31, 1998 (Parts I and II, tabled in the Senate on March 17, 1998; *Report on Priorities and Planning* and *Departmental Performance Report*, tabled in the Senate on November 3, 1998), and other matters relating to the fishing industry, be empowered to present its final report no later than December 10, 1999; and

That the Committee be permitted, notwithstanding usual practices, to deposit its report with the Clerk of the Senate, if the Senate is not then sitting; and that the report be deemed to have been tabled in the Chamber.

[English]

HISTORY OF THE CHINESE IN CANADA

NOTICE OF INQUIRY

Hon. Vivienne Poy: Honourable senators, I give notice that on Tuesday, February 9, 1999, I will call the attention of the Senate to the history of the Chinese in Canada.

PAGES EXCHANGE PROGRAM WITH HOUSE OF COMMONS

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

[Translation]

Andrea White is from Cornwall, Ontario, and is studying journalism at Carleton University.

[English]

•(1440)

Also with us is Chad Blundon, who is enrolled in the Faculty of Administration at the University of Ottawa majoring in finance. Chad is from St. John's, Newfoundland.

[Translation]

I welcome you on behalf of all senators.

[English]

QUESTION PERIOD

SOLICITOR GENERAL

TREATMENT OF PROTESTORS AT APEC CONFERENCE BY RCMP—
ACCOUNTABILITY TO PARLIAMENT OF STAFF
OF PRIME MINISTER'S OFFICE—GOVERNMENT POSITION

Hon. Noël A. Kinsella (Acting Deputy Leader of the Opposition): Today, honourable senators have on their desks, courtesy of the Leader of the Government in the Senate, a set of documents that were attached to the letter that he tabled from the British Columbia Civil Liberties Society. Document 00672 is a letter addressed to the Right Honourable Prime Minister, Room 230, Langevin Block. The only good thing I have heard lately about the Langevin Block is that the stone of that building came from the Miramichi area of New Brunswick.

I invite honourable members to read that letter. It is from the president of UBC to the Prime Minister and he says, *inter alia*:

Now, regrettably, as we enter the final planning stages for the AELM, officials from your office have decided —

Officers from the Prime Minister's Office have decided —

— to reduce significantly the area available for line of sight access to the APEC leaders. This contravenes the University's commitments to its community, violates a prior agreement, and increases the risk of a serious incident arising out of over-crowding and frustration in a very confined space.

In the second paragraph of that letter, the president of UBC points out that agreement had been reached with the RCMP on a line of sight, and that this line of sight was changed on the orders of officials from the Prime Minister's Office.

Does the Leader of the Government now believe that the Prime Minister's Office is responsible or accountable to Parliament for its actions? If not, to whom is the Prime Minister's Office accountable? If the answer is in the affirmative, what mechanism of Parliament should we be employing to test this accountability?

Hon. B. Alasdair Graham, Leader of the Government: Honourable senators, members of the Prime Minister's staff are responsible to the Prime Minister directly.

Senator Kinsella: Is the Prime Minister accountable to Parliament? If so, what mechanism can we use to test that accountability?

Senator Graham: Parliament has already established a Public Complaints Commission and, as my honourable friend has suggested, due process is being followed.

Senator Kinsella referred to the letter from the president of the University of British Columbia. Is it document 00672?

Senator Kinsella: That is correct.

Senator Graham: I remind honourable senators that some time ago, in exchanges between the opposition and myself on this very subject, I referred to a letter that was written by the president of the university to a member of the Prime Minister's staff, thanking him for his cooperation and the manner in which provision was made for the complainants and those who wanted to protest or demonstrate. It discussed the great cooperation that had been extended to the university by those responsible in order to avoid, as much as possible, any untoward incidents.

Senator Kinsella: Honourable senators, the evidence is clearly before all honourable senators to read for themselves. Officials from the Prime Minister's Office, whether directly or indirectly under the direction of the Prime Minister, did indeed interfere with the activities of the RCMP. The letter from the British Columbia Civil Liberties Association, dated November 30, states clearly at the top of page two:

...that the RCMP appear to have sacrificed the rights and liberties of Canadian citizens so as to further the purely political objectives of the Prime Minister's Office (PMO).

Honourable senators, we will not be duped by the fallacious argument that the RCMP Public Complaints Commission is able to examine the conduct of the Prime Minister or officials in the Prime Minister's Office. Parliament is the body to which the Prime Minister and officials in the Prime Minister's Office are accountable. What vehicle of Parliament would the Leader of the Government envisage us using to hold the Prime Minister accountable for these actions?

Senator Graham: Senator Kinsella has selected a portion of the same letter some of which I read the other day. It is dated November 30 and addressed to me. Presumably there was one addressed to the Leader of the Opposition as well. Allow me to draw your attention to the concluding paragraphs of that letter.

...should a court decide that the current PCC panel is unable to continue, we favour the immediate appointment of a new panel to hear our complaints. It should not be up to the government of the day, or the RCMP, to decide when and how such complaints are to be investigated.

The British Columbia Civil Liberties Association says in the concluding sentence of their letter:

In short, we have unfinished business with the PCC, and we are not prepared to stand idly by and see this process derailed.

Senator Kinsella: Honourable senators, many complainants file complaints under that process. As of yesterday, the RCMP officers and their counsel have asked that that process be abandoned. The students, who represent the vast majority of complainants, through their counsel, have expressed non-confidence in that process. The chairman of the appointed panel has resigned, alleging interference from the chairperson of the council. The former solicitor general has also taken the fall.

The country considers the whole matter a mockery and the real issue remains: What did officials in the Prime Minister's Office and the Prime Minister himself do that has interfered with the civil liberties of Canadians, and how will that be addressed?

We in Parliament have the responsibility to hold accountable every official, including the first minister. We should not be intimidated or shrink away from that responsibility. As the CBC program last week pointed out, there have been inquiries conducted by Parliament in the past, even though other tribunals were examining the same issue within their mandates. What would obviate either a parliamentary committee or a judicial inquiry examining this matter, even though the Public Complaints Commission process would be under way?

Senator Graham: Honourable senators, the Public Complaints Commission is a quasi-judicial body. There are matters now before the Federal Court. We are following due process. The Chief of Staff in the Prime Minister's Office and the former director of operations for the Prime Minister have volunteered to appear before the commission.

It is up to the Public Complaints Commission to determine how it will proceed. The government, even if it wanted to, could not end the hearings. I suggest that we allow those hearings to continue, and that we follow due process in this country.

•(1450)

COMMISSION OF INQUIRY INTO TREATMENT OF PROTESTORS
AT APEC CONFERENCE BY RCMP—POSSIBLE DISMISSAL OF
COMMISSION—GOVERNMENT POSITION

Hon. Terry Stratton: Honourable senators, I wish to continue with the same line of questioning regarding APEC. It concerns something called "credibility."

As we all know, Gerald Morin, the chairman of the three person committee, has resigned. The lawyer for the RCMP has vowed that he will fight the continuation of the commission's proceedings. Morin resigned because Shirley Heafey, chair of the RCMP Public Complaints Commission, asked him to read a letter at the hearings that ordered the commission's lawyer, Chris Considine, to represent the students' complaints.

As set out in an article in the December 5, 1998 issue of *The Ottawa Citizen*, Morin refused to read the letter. Heafey engaged legal help to investigate accusations of bias against Morin without consulting him or the panel. The chair interfered by picking the counsel who would then deal with the matters in the Federal Court, which Morin said was highly improper.

Heafey openly criticized Morin for hiring a private investigator to investigate a break-in of his car and of the panel's Vancouver office.

Has this government initiated an investigation into Ms Heafey's conduct regarding her alleged interference in the conduct and operations of the Public Complaints Commission. If not, will it?

Hon. B. Alasdair Graham (Leader of the Government): Honourable senators, the answer to the honourable senator's "if not" question is: "Not to my knowledge." Under the circumstances, as I understand them and as I have outlined them, that would be inappropriate, because the Public Complaints Commission is at arm's length from the government. As I stated earlier, even if the government wanted to stop the commission, it does not have the power or the authority to do so. I believe that is entirely appropriate. If we are to have a commission, it should be totally at arm's length from the government.

The commission consists of a chair, a vice-chair and a member for each of the contracting provinces, as well as no more than three other members. Once appointed by the Governor in Council, each member holds office during good behaviour and may only be removed for cause.

Mr. Morin has resigned for his own personal reasons. He has also stated publicly, and, as I understand it, he is on record, as I understand it, as saying, that he has full confidence in the remaining two members of the panel. I suggest that we allow them to get on with the job.

Senator Stratton: Honourable senators, the question the government should be asking is whether or not this inquiry has any credibility left in the eyes of Canadians.

Senator Graham: Honourable senators, if the government were interfering with the commission, then the honourable senator would be singing another tune. This government believes in due process. We also believe in transparency, as indicated by the documents that we tabled today.

Senator Lynch-Staunton: Like the Somalia inquiry?

Some Hon. Senators: Shame!

Senator Lynch-Staunton: What about the Airbus and due process?

NATIONAL DEFENCE

TRANSFER OF RESPONSIBILITY FOR SEARCH AND RESCUE CAPABILITY TO SEA KING BASES—POSSIBLE TRANSFER OF OTHER EQUIPMENT—GOVERNMENT POSITION

Hon. J. Michael Forrestall: Honourable senators, since the government of the day has sought to transfer primary responsibility for search and rescue to the Sea King fleet in Nova Scotia, almost to the same degree as on the West Coast, which is virtual abdication of responsibility, when will the government transfer search and rescue duties, as well as search and rescue equipment, to the key bases from which that search and rescue equipment comes?

Hon. B. Alasdair Graham (Leader of the Government): Honourable senators, I will have to take that question under advisement.

Senator Forrestall poses interesting questions on these matters. As I indicated earlier, his knowledge of the military in this country, and, indeed, of military history in general, is very

impressive. He illustrated his knowledge in his statement today when he made reference to the Japanese, Hong Kong, and so on.

I can say, however, that the full complement of Labradors at the present time is 11. There are two at Gander, two at Greenwood, three at Trenton and four at Comox, for a total of 11.

Senator Forrestall: How many are working?

Senator Graham: That is a good question.

Senator Forrestall: None of them!

Senator Graham: It is a fair question. I inquired about that very matter this morning. I understand that it is hoped that all of the Labradors will be operational by Friday of this week.

With respect to Sea Kings, there are two based at Shearwater and 20 at Patricia Bay, which is on Vancouver Island near Esquimalt.

My understanding is that the Canadian Forces are responsible for having 10 helicopters out of the 30 that I mentioned ready to fly at any given time.

SEARCH AND RESCUE CAPABILITY—GROUNDING OF LABRADOR HELICOPTER FLEET—GOVERNMENT POSITION

Hon. J. Michael Forrestall: Honourable senators, I am one of those Canadians who sincerely hope and pray that those Labradors do not fly again anywhere.

We still do not know what caused the crash of the Labrador 305, yet the Labradors are still flying. Would the Canadian Transportation Safety Board not have something to say about that, were it their responsibility? The T-58F engine on the Labrador exploded after it was turned off.

I want honourable senators to listen to this for a moment, because it will give some insight into the problems. That engine subsequently burned for two full days. Crucial evidence was lost in that fire. It is clear that using 35-year-old helicopters is like rolling the dice.

When will the government ground the Labrador fleet? How can the government justify stalling on the initiative that must be taken sooner rather than later on a call for maritime patrol helicopters?

The Sea King is stretched to its limits with its additional search and rescue duty. It is now just a matter of time until we have a serious incident with one of those aircraft, which like the Labrador are over 35 years of age and are based on the technology of the late 1940s or early 1950s. This is the late 1990s. When will these helicopters be grounded? When will we admit that we made a political mistake, which was made in the heat of campaigning? I refer to the cancellation of the contract for the supply of EH-101 helicopters. We would have had 12 of those helicopters by now had that contract not been cancelled. They would have been in our inventory today had that decision not been taken. We would have had 12 helicopters flying, working and operating. They could have been pressed into service in search and rescue.

Senator Ghitter: Shame!

Senator Forrestall: In the name of God, will the government ground these forsaken aircraft before the lives of any more of our Canadian men and women are taken?

Hon. B. Alasdair Graham (Leader of the Government): Honourable senators, the Honourable Senator Forrestall contends that 12 of the helicopters that the previous government had proposed to purchase would now be available. However, that is not my information.

My information is that those helicopters would not be available until late next year. A decision was taken by one government, as opposed to a decision that had been taken by another.

Let us talk about the word “grounded.” It is an important term that has been used extensively in this particular exchange. It is an official DND term that refers to an entire fleet of aircraft and not to a single aircraft. For example, all of the Labradors or all of the Sea Kings could be grounded, but one could not ground an individual helicopter. “Grounded” status is determined by the Chief of the Air Staff. I must say to Senator Forrestall that I am not passing the buck here, because we went over this ground last week, and we plowed it thoroughly. As I said, the final responsibility rests with the Minister of National Defence and with the government.

•(1500)

In order to be clear, the Department of National Defence always suggests that the term “grounded” not be used unless a decision has been taken by, technically, the Chief of the Air Staff.

Senator Forrestall: Honourable senators, I have one final comment.

Yesterday we all witnessed the bravery and skill of civilian helicopter pilots when they snatched from the jaws of death three of the passengers on that ill-fated flight from Baie-Comeau to Rimouski. I should like to be the first among all Canadians presumptuous enough to suggest that those two men are deserving of the highest award for bravery that Canada can offer. In saying that, I extend my admiration to all those men and women who get into the cockpits of Labrador and Sea King aircraft.

Will the minister consider this suggestion?

Senator Graham: Honourable senators, I would join with Senator Forrestall in paying tribute to the heroic rescue efforts that took place yesterday when the aircraft went down between Baie-Comeau and Rimouski. I hope that we can all pursue the matter of an appropriate award for all who were involved.

Senator Forrestall raised the question of the *HMCS Halifax*. I just want to hitchhike on this particular question.

Senator Forrestall: Be careful!

Senator Graham: I may be opening myself up, as I usually do, for another frontal attack, but I want to comment further on

our discussion yesterday with regard to the frigate *HMCS Halifax* incident that took place off the coast of Newfoundland. It is important for us to understand that the *Halifax* was conducting a fisheries patrol mission when it received the so-called “tasking” to rescue the injured fisherman.

While Canadian Forces ships may from time to time carry a Sea King helicopter during fisheries patrol missions, it was not considered a priority by the military for that particular mission.

In addition, I should point out that dangerous icing conditions prevented the Labrador in Gander from participating in the search. That is very important for purposes of clarification.

Senator Forrestall: It was out on another mission, no doubt.

Senator Graham: Given those factors, bringing the fisherman to shore by ship was the fastest and the safest option available.

Senator Comeau: And the only option.

Senator Graham: No. I mentioned that icing conditions prevented the Labrador in Gander from reaching the ship.

Senator Berntson: That was not an option.

Senator Graham: I would add that those on board the *HMCS Halifax*, particularly the medical personnel, provided excellent care to the injured fisherman until he was able to be safely transported to a hospital.

I believe — and I am sure that Senator Forrestall and all honourable senators would agree — that our Canadian Forces personnel make decisions based on years of experience. They did what was appropriate under the circumstances. Again, I believe they deserve our thanks and congratulations for the work they do.

SOLICITOR GENERAL

COMMISSION OF INQUIRY INTO TREATMENT OF PROTESTORS AT APEC CONFERENCE BY RCMP—REASONS FOR CONTINUING MANDATE OF PUBLIC COMPLAINTS COMMISSION— GOVERNMENT POSITION

Hon. Brenda M. Robertson: Honourable senators, my question for the Leader of the Government in the Senate is rather straightforward and returns to fundamental principles. I am reverting to the APEC problem.

My simple question is: Does the government want the Public Complaints Commission to proceed with its work and, if so, why?

Hon. B. Alasdair Graham (Leader of the Government): Honourable senators, the answer is a simple “yes” because, again, we are following due process. The Public Complaints Commission was established to do exactly the job that it is supposed to be doing under the mandate which was provided by Parliament under the direction of the previous government.

Senator Robertson: I thank the honourable leader for that answer. That is interesting.

EFFICACY OF SECURITY ARRANGEMENTS
AT 1999 FRANCOPHONIE CONFERENCE IN
MONCTON, NEW BRUNSWICK—GOVERNMENT POSITION

Hon. Brenda M. Robertson: I have a supplementary question relating to the Francophonie Conference due to be held in Moncton in September.

Does the Leader of the Government not agree that the inquiry into alleged misconduct at last year's APEC summit could result in some valuable lessons for all those involved in the organization and the security arrangements at the Francophonie Conference?

Hon. B. Alasdair Graham (Leader of the Government): Absolutely. I am sure that those involved have already learned some valuable lessons, and I hope they will be taken into account when they are preparing for the important international session of the Francophonie Conference in Moncton next year.

Senator Robertson: What assurances can the Leader of the Government provide this chamber that the work of the inquiry will be finished so that the results may be of benefit to the organizers of the Francophonie Conference?

If the leader cannot provide assurances, would he not agree that the collapse of the complaints panel and the admission by the head of the Public Complaints Commission that, although she believes that the panel should continue its work but she is not sure how, provide a compelling argument to establish a fast-track, independent or parliamentary inquiry to get the information that is required to prepare for the security of the Francophonie Conference?

Senator Graham: Honourable senators, there is a matter before the Federal Court which must be decided before the Public Complaints Commission can proceed. As I indicated the other day, the judge involved has expressed a hope that the Chief Justice will be able to take steps to provide an answer to the questions before the Federal Court at an early date. We hope that the Public Complaints Commission will be able to get on with its work.

All of the evidence provided before the Public Complaints Commission will be public. It is a public forum. All of the documents presented to the commission will be transparent and made public.

I do not think it is necessary for anyone to wait for the final report of the chair, or of the Public Complaints Commission, to learn lessons from the incidents that occurred in Vancouver last year during the APEC Conference, and to apply those lessons to the important conference upcoming in Moncton next year.

Senator Robertson: Honourable senators, I disagree, but I will come back to the question at another date.

PRECINCTS OF PARLIAMENT

CHRISTMAS LIGHTS ON PARLIAMENT HILL—REQUEST TO EXTEND
SHOW UNTIL AFTER ORTHODOX CHRISTMAS
CELEBRATIONS—GOVERNMENT POSITION

Hon. A. Raynell Andreychuk: Honourable senators, I would point out to the Leader of the Government in the Senate that, every year, the lights on Parliament Hill are turned on with great fanfare at a ceremony attended by the Governor General. It is often televised and shown across Canada. Those lights stay on during the festive season, reminding us of the meaning of Christmas and New Year.

This is also a time when our Jewish colleagues reflect upon their celebrations. However, the Orthodox community has brought to my attention that those of us who celebrate a different calendar — our Christmas Eve is January 6 and Christmas Day is January 7 — feel that we are not being taken into account on the celebrations on the Hill because the lights are generally turned off about January 3.

•(1510)

The Orthodox community, which is made up of Russians, Ukrainians, Bulgarians, Romanians and others, is a broad-based community, and they have asked me to ask you to intervene with the NCC to keep the lights on through January 6 and 7. If we can keep the lights on for the whole month of December and into January, surely two more days in this week, when we are celebrating human rights, is not too much to ask. In their opinion, it is not a special favour, but one for which there is a broad base of consensus. To give them an opportunity to reflect on the Hill with the lights on would be a benefit.

These groups have approached the NCC. The NCC has been ambivalent at best, saying that they will take the request under consideration, but they do not seem to be moving on it.

Would the Prime Minister and the cabinet intervene to keep the lights on?

Hon. B. Alasdair Graham (Leader of the Government): Honourable senators, I thank Honourable Senator Andreychuk for bringing this matter to our attention. The people to whom she refers have made an enormous contribution to growth and development in every province of our country.

For those of us of a particular faith, January 6 is also the feast of the Epiphany. If I could keep the lights on right through the end of January, I should love to do so. They add some great joy on rather dark evenings for those of us who spend much time in these precincts.

If Senator DeWare could put a blue light among all those red lights — red being the traditional light of choice, no matter which government is in office — on the Christmas tree for the festivities that took place here last night, I will certainly bring Senator Andreychuk's request to the attention of my colleagues. We will use whatever persuasive powers we can possibly muster to encourage the National Capital Commission to keep those lights on as long as possible.

Senator Andreychuk: Honourable senators, I should advise that the request came to me through the Orthodox community, but there are certain sections of the Catholic community who also celebrate the Julian calendar. It is a broad-based request and I would ask your government to consider it.

Senator Graham: Again, honourable senators, I thank Senator Andreychuk for bringing this matter before the chamber.

CAPE BRETON DEVELOPMENT CORPORATION

POSSIBLE NEGOTIATIONS ON SALE OF CORPORATION—
FURTHER CONSULTATIONS WITH CABINET COLLEAGUES—
POSITION OF LEADER OF THE GOVERNMENT

Hon. Lowell Murray: Honourable senators, I should like to return to a question I raised yesterday concerning the plans of the government with regard to the privatization of the Cape Breton Development Corporation.

Notwithstanding the categorical statements made by the Leader of the Government in the Senate yesterday to the effect that no one authorized to speak for the government is engaged in discussions with anyone in the private sector concerning the possible sale of Devco, the Canadian Press reports this morning that the privatization of Devco is expected to be announced before January 1. Further, it reports, specifically contrary to the statement of my honourable friend, that Ottawa is talking to a Nova Scotia group and two American firms about Devco assets.

My question is: Has the minister had an opportunity to consult with colleagues about the statements that he made in the Senate yesterday? Does he have any reason to reconsider the categorical statements he made yesterday on this matter?

Hon. B. Alasdair Graham (Leader of the Government): Honourable senators, the answer is a categorical "no." I stand by the answers that I gave yesterday. I do not know where the Canadian Press got its information.

I repeat that no one has been authorized by the Government of Canada to negotiate, in any way, shape or form, the sale of Devco.

ORDERS OF THE DAY

COMPETITION ACT

BILL TO AMEND—THIRD READING—DEBATE ADJOURNED

Hon. Sharon Carstairs (Deputy Leader of the Government) moved the third reading of Bill C-20, to amend the Competition Act and to make consequential and related amendments to other Acts.

Hon. Nicholas W. Taylor: Honourable senators, I do not know who will be responsible for giving the speech to close the debate on third reading. However, I ask that whoever wraps up the bill answer the questions on wiretapping that were put

forward by the Canadian Bar Association and circulated on November 18. In particular, in reference to wiretaps, why was clause 47 not deleted from Bill C-20?

On motion of Senator Tkachuk, debate adjourned.

[*Translation*]

TOBACCO ACT

BILL TO AMEND—SECOND READING

On the Order:

Resuming debate on the motion of the honourable Senator Mahovlich, seconded by the honourable Senator Butts, for the second reading of Bill C-42, to amend the Tobacco Act.

Hon. Thérèse Lavoie-Roux: Honourable senators, allow me to address the proposed amendment to Bill C-42, to amend the Tobacco Act.

[*English*]

I wish to emphasize an important point in broaching this issue. Central to this bill is the concern for the health of Canadians, in particular, of young Canadians. This is a concern that all parliamentarians share, as evidenced on a number of occasions by the strong support on both sides of the House and this chamber for the government's endeavours to discourage smoking.

This issue touches all our lives as we have all been affected by the loss of someone dear to a smoking related disease, such as lung cancer or heart disease. This is an issue which touches our conscience since smoking kills. Our responsibility is one of protecting the well-being of Canadians.

[*Translation*]

If we look at statistics on the health of Canadians, we can see that, every year, more than 40,000 Canadians die of tobacco related illnesses. That is more than 100 a day. According to one report, in 1991, 45,064 Canadians died of a tobacco related illness.

And the forecast is 47,000 by the year 2000. In Quebec, one person in four dies of cancer. This is one of the highest rates in the world. Furthermore, 300 non-smokers die of lung cancer every year as a result of second-hand smoke. Children are particularly vulnerable to the harmful effect of smoke. Because they breathe faster than adults do, they inhale larger volumes of air and therefore more pollutants. Because they weigh less and are developing, children are also more susceptible to the adverse effects of toxins. We must protect them, as we must protect infants who are born smaller because their mother smoked or was exposed to smoke during pregnancy.

Adults can decide whether or not they want to smoke, the choice is theirs, but children and infants are victims, because the choice is not theirs.

Honourable senators, we have a responsibility, in fact a duty, to protect our children and to remove hazards that may threaten them.

Smoking among young people is one of the most distressing aspects of the problem. The statistics are alarming. They reveal that young people are smoking more and more, and Health Canada points out that 27 per cent of young people between the ages of 15 and 17 are smoking and that the figure reaches 37 per cent in the case of 19-year-olds.

According to the Canadian Medical Association, 500,000 young Canadians will start smoking in the next five years, and research indicates that tobacco will shorten the life of half of them.

Young people think they are invincible, but that is far from the case. We must fight this epidemic and do everything to prevent our young people from giving in to the primary cause of avoidable death in Canada.

[English]

•(1520)

Some have suggested banning tobacco products altogether. Perhaps this is not realistic, given our belief in a free and democratic society, although it would certainly address the problem more directly. The government has adopted a variety of approaches in working towards a solution: public education, taxation, and legislation.

As you will recall, our colleagues Senator Kenny and Senator Nolin proposed a bill calling for a 50-cent levy on each carton of cigarettes, which would have yielded a fund of \$120 million each year to put into educational programs aimed at discouraging smoking. We unanimously supported Bill S-13 in the Senate, but it was defeated in the House of Commons. I am sure many of you received representation requesting that the government accept Bill S-13.

Instead, the Minister of Health proposes to spend only \$20 million each year on its tobacco control strategy over the next five years. I hope that the government will follow through on its promise, but must point out with dismay that \$20 million does not come near the \$120 million goal which we in the Senate supported so wholeheartedly.

Another approach that the government has taken to reduce tobacco consumption in Canada has been by means of legislation. The Tobacco Act of 1988, which banned the advertisement of cigarettes, was invalidated by the Supreme Court of Canada, so a revised act was introduced and became law in April 1997. That act aims to protect the health of Canadians by regulating the manufacture, sale, labelling, and promotion of tobacco products, and met with considerable political and public support. Indeed, it is a progressive piece of legislation.

Bill C-42, the legislation at hand, seeks to amend section 24 of the Tobacco Act. This bill proposes to phase in the Tobacco Act by phasing out tobacco sponsorship programs over the next five years. The amendment was apparently introduced in response to

organizers of tobacco industry-sponsored events who were requesting more time to seek alternative sponsorship of their events, despite the fact that the federal government had been warning them for 10 years that cigarette sponsorship would be banned. I understand that Air Canada has already indicated its interest in sponsoring the Grand Prix auto race, and I wonder if finding alternative sponsors for the arts and sports events in question is such a difficult task as to warrant the introduction of a bill such as this Bill C-42.

Honourable senators, I am gravely concerned about the changes proposed by Bill C-42. We in the Senate have an opportunity to give sober second thought to legislation passed in the House of Commons. I certainly urge you to give careful consideration to Bill C-42.

[Translation]

This bill postpones the primary intent of the Tobacco Act, which is to stop exposing our young people to a dangerous product. Each year we lose waiting, thousands of adolescents, as many as 250,000 according to some observers, become hooked or dependent on cigarettes. Do we really mean it when we say we want to protect our young people? Should we not think of them first? Naturally they do not have the voice of the tobacco industry or cultural or sporting event sponsors such as the promoters of the Grand Prix or the Jazz Festival. I have nothing against such events. Not so long ago, I really enjoyed playing tennis. These events should not have priority over the health of our young people.

[English]

There has been significant controversy over Bill C-42 in the House of Commons. I will not attempt to review each logistical problem which our colleagues outlined, but a number of amendments proposed by the Canadian Cancer Society, and endorsed by all four opposition parties, were overlooked when Bill C-42 was adopted in the House of Commons last week. I am sure you must have received representation from the Canadian Cancer Society, as I have on several occasions lately, regarding Bill C-42.

One amendment to Bill C-42 would place a ceiling on money which tobacco companies could spend on sponsorship advertising over the next five years. As it stands, until the Tobacco Act comes into full effect, Bill C-42 allows tobacco companies to pour ever-increasing amounts of money into advertising their products at arts and sports events. They could revive events they previously sponsored. We cannot count on them to impose limitations on promotion; we must take leadership. Tobacco companies increased their expenditures on sponsorship from \$10 million in 1967 to \$16 million in 1996 when a loophole was found in the former Tobacco Product Control Act. We need to contain the problem and not allow it to be perpetuated at the expense of our youth.

Another concern is the way in which the legislation is drafted. It does not guarantee the allocation of funding of \$60 million over five years for educational programs. It is imperative that, five years from now, the federal government is as bound to its commitment as it presently tells us it is.

Honourable senators, we must not fight this battle in a half-hearted way. Bill C-42 could have serious consequences, and we must not rush to adopt it. Banning tobacco advertising and sponsorship is a progressive measure, and we must not postpone it without due consideration.

Furthermore, the Canadian government must stand by its commitment towards public education and youth programs aimed at discouraging smoking among youth in Canada. It is an ounce of prevention, considering that smoking costs our health care system billions of dollars each year. Our response must match the magnitude of this problem. Let us stand by the vast majority of Canadians who want the government to discourage young people from becoming addicted to smoking. We must ask ourselves: Does this amendment go far enough in protecting our young Canadians? This is a health issue, not a partisan issue. I urge you to consider Bill C-42 with all the attention it requires.

The Hon. the Speaker: If no other honourable senator wishes to speak, I will proceed with the motion for second reading. It was moved by Honourable Senator Mahovlich, seconded by Honourable Senator Butts, that is this bill be read the second time.

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

Motion agreed to and bill read second time.

REFERRED TO COMMITTEE

The Hon. the Speaker: When shall this bill be read the third time?

On motion of Senator Mahovlich, bill referred to the Standing Senate Committee on Legal and Constitutional Affairs.

•(1530)

EXTRADITION BILL

SECOND READING—DEBATE ADJOURNED

Hon. Joan Fraser moved the second reading of Bill C-40, respecting extradition, to amend the Canada Evidence Act, the Criminal Code, the Immigration Act and the Mutual Legal Assistance in Criminal Matters Act and to amend and repeal other Acts in consequence.

She said: Honourable senators, I am pleased to have the opportunity today to speak to Bill C-40 on extradition.

[*Translation*]

This bill is very important because it introduces a modern and effective system for handling extradition requests. It gives Canadians an appropriate legal tool with which to respect our international commitments.

[*English*]

This bill will provide much needed modernization to our extradition law. As was mentioned in the other place, the present

Extradition Act, which is of general application, and the Fugitive Offenders Act, which applies to the extradition process between Commonwealth countries, both date from the end of the nineteenth century. Both are more than one hundred years old. Some amendments to the extradition appeal process were made six years ago, but the rest of these statutes have remained the same since that time.

Society, however, has evolved a lot in the last decades; so has criminality. Modern criminality includes telemarketing fraud, theft of information by computer, using the Internet to commit an offence in another jurisdiction, international drug trade, and other transborder crimes. Canada is now seriously involved in the fight against international and global crime; our country is a member of a number of international bodies that are addressing this crime problem.

We therefore need to strengthen our legislation and eliminate its deficiencies. All of the bodies which have considered the serious problem of transnational organized crime have identified extradition as a critical instrument to combat this growing threat to world peace.

With Bill C-40 we now have the possibility of extraditing fugitives to the international criminal tribunals which have been established by the United Nations Security Council for Rwanda and the former Yugoslavia. Honourable senators will recall that our compatriot Madam Justice Louise Arbour is the chief prosecutor. We shall thus reaffirm Canada's strong support for the work of such bodies in bringing to justice those responsible for genocide, war crimes and crimes against humanity.

[*Translation*]

Bill C-40 allows extradition based on a bilateral treaty or multilateral convention, or when the requesting state or entity is designated as a partner in the schedule to the bill.

[*English*]

The bill also permits the Secretary of State for Foreign Affairs to enter into agreement for extradition with any state or entity on a case-by-case basis. The bill will also apply to all requests for extradition made by Canada to a foreign state.

One concern about the present extradition process is that countries requesting the extradition of a fugitive submit their request according to a fairly narrow approach to what is acceptable evidence. This creates real difficulty, especially for countries working under a civil law system, which accept a wider variety of forms of evidence. The new legislation allows more latitude in admitting different forms of evidence while retaining the same legal standard for extradition.

A Canadian judge will still have to be satisfied that there is sufficient evidence of the conduct underlying the request for extradition — conduct that, if it occurred in Canada, would justify trial for a criminal offence. Lawyers refer to this as the *prima facie* test.

What would be modified is the form of evidence that could be presented to the extraditing judge. This approach addresses the current difficult evidentiary requirement for first-person affidavits, devoid of hearsay, which is the main problem encountered by states requesting extradition from Canada. Experience shows that it is already extremely difficult for states to meet the *prima facie* standard in relation to certain types of modern crime, for example, complicated fraud. When we say "extremely difficult," we mean extremely difficult. It can take years to prepare these cases. It can require hundreds of affidavits from countries around the world just to conduct the extradition case in Canada. With the increasing complexity of transborder and international crime, the process will be more difficult in the future.

With Bill C-40, the judge would admit into evidence documentation contained in a record of the case. This record could contain evidence gathered according to the rules and procedures followed in the requesting state. The objective is to accept the evidence in the form used by the foreign state, provided that it is sufficient, according to a Canadian extraditing judge, to demonstrate criminal conduct under Canadian law, and to require a trial in the requesting state. This record of the case would be certified by appropriate authorities in the requesting state. It would be accompanied by certain assurances in relation to issues such as the availability of evidence, its sufficiency for prosecution purposes, or its accuracy.

Honourable senators, it is important to note that the notion of a record of the case is consistent with recent Supreme Court of Canada decisions on hearsay. In these decisions, the Supreme Court abandoned the strict formalism of the hearsay rule and adopted a more flexible standard based on necessity and circumstantial guarantee of trustworthiness.

[Translation]

The bill strengthens the guarantees accorded fugitives. By submitting the file of a person sought for extradition, requesting authorities will have to certify in Canada not only that evidence is available for a trial, but also, in the case of a common law system, for example, that it is sufficient to justify a trial in this country.

[English]

The person sought for extradition will have a better view of the case, as they will see a summary of evidence as opposed to just affidavits on particular elements.

[Translation]

The Minister of Justice can refuse to issue an authority to proceed if he is not satisfied with the record of the case. The judge will order provisional committal only if the evidence justifies provisional imprisonment in Canada, had the offence been committed here.

[English]

To conclude on the issue of evidence, I will say that "the record of the case for all states" options seems to be the best

compromise between the present impractical evidentiary requirements and the absence of any judicial assessment of the evidence.

[Translation]

Bill C-40 is well balanced, because it establishes procedural guarantees and human rights for the fugitive, while making the extradition process more accessible to countries with legal systems and evidence rules that are different from ours.

[English]

Honourable senators, Bill C-40 also improves considerably the procedure for extradition. This process should be clear, and the written statute should detail the nature of the process and the protections accorded to the those who are the subject of extradition proceedings.

In this bill, the current two-track system is maintained. The judicial track will continue to ensure that the underlying conduct would be criminal in Canada and that there is a case against the person. The Minister of Justice will have responsibility for assessing the foreign legal system to ensure that human rights are respected, and that a fair trial will be provided in the requesting state.

One very important feature of the bill outlines the mandatory and discretionary grounds for the refusal of surrender to the requesting state by the minister: political offence, lack of jurisdiction, death penalty, humanitarian considerations, previous acquittal or conviction, and trial *in absentia*. Under no circumstance shall the minister make a surrender order if she or he is satisfied that the surrender would be unjust or oppressive, or that extradition has been sought for the purpose of prosecuting or punishing the person by reason of race, nationality, ethnic origin, colour, language, religion, political opinions, sex, sexual orientation, age, status, or physical or mental handicap.

[Translation]

The minister retains the discretion to decide in each specific case whether it is appropriate to seek assurances from the extradition partner that capital punishment will not be imposed.

[English]

In the case of a person under the age of 18 at the time of the alleged commission of the crime, the minister has the discretion to refuse to make a surrender order if satisfied that the fundamental principles established in the Young Offenders Act to protect the young person are not respected. In making this decision, the minister can consider the particular circumstances of the case.

The safeguards referred to in the legislation are, of course, in addition to the protection provided by the Canadian Charter of Rights and Freedoms.

Another important feature of this bill is that it will harmonize the extradition and refugee processes. Conflict may arise when a person is subject to an extradition request and makes a claim for

refugee status. In order to avoid the duplication of decision-making, the bill establishes a means for consultation between the Minister of Justice and the Minister of Citizenship and Immigration in such matters. The bill establishes that the decision on the refugee status will be adjourned until the final decision on extradition is rendered.

Bill C-40 also brings amendments to the Criminal Code, the Mutual Legal Assistance in Criminal Matters Act and the Canada Evidence Act. These amendments allow for the use of video and audio link technology to gather evidence and provide testimony from witnesses in Canada or abroad. Honourable senators will note in the bill a delightful new legal term, "the virtual presence" of witnesses. These new provisions can be used in any criminal proceeding, including extradition, when witnesses cannot be brought before the court because they are outside Canada, or when they are in another part of Canada and circumstances preclude their attendance.

With respect to video and audio link evidence from Canada to a foreign state, the foreign state's laws relating to evidence and procedure would apply as though the person testifying in Canada were physically before the foreign court, but only if the evidence would not disclose information that is protected by the Canadian law on non-disclosure of information of privilege.

Canadian law relating to contempt of court, perjury and contradictory evidence would apply to these witnesses, whether they are testifying from Canada to a foreign state or from outside Canada to Canada. If the witness is elsewhere in Canada, the court could order that the evidence be provided by video or audio link if it is appropriate considering all the circumstances. If the witness is outside Canada, the evidence will be received if its reception would not be contrary to the principles of fundamental justice.

[Translation]

These provisions represent a change in oral evidence that reflects the realities of modern life and the rights of the accused.

[English]

In summary, honourable senators, Bill C-40 makes our extradition process more accessible to foreign states, brings our extradition procedures and practices closer to those of other countries and, most important, prevents Canada from becoming a safe haven for fugitives from justice.

I believe that it merits our support.

On motion of Senator Beaudoin, debate adjourned.

[Translation]

ROYAL CANADIAN MINT ACT CURRENCY ACT

BILL TO AMEND—SECOND READING—DEBATE ADJOURNED

Hon. Marisa Ferretti Barth moved the second reading of Bill C-41, to amend the Royal Canadian Mint Act and the Currency Act.

She said: Honourable senators, it is always a great honour to have the opportunity to talk about a Canadian institution that has done such a good job of protecting and promoting the symbols of our nation and, consequently, our identity. I am referring of course to the Canadian Mint.

Established more than 90 years ago, the Mint supplies Canadians and international customers with high-quality coins at reasonable cost and on time.

The Mint is the only corporation mandated to produce, sell and distribute coins in Canada.

The Mint balances this important role against that of a commercial entity required to make a profit for its shareholder: the Government of Canada.

It does so by selling on the global market its monetary products and services, which account for 70 per cent of the mint's revenues and help reduce the overall cost of producing Canadian circulation coins.

It was over 10 years ago that Parliament amended the Royal Canadian Mint Act to improve the organization's trading pattern.

Throughout this decade, as the global market and economy were developing at an ever-increasing speed, we have not been monitoring these changes; we waited too long to make the necessary changes.

Honourable senators, I am pleased to speak to Bill C-41 and to share with you a number of proposed government amendments to the Royal Canadian Mint Act.

We must amend the act that currently governs the Mint, so that it will better reflect current markets and will, through greater business flexibility, seize good business opportunities.

Many parts of the legislative text are of an administrative nature.

The new act would make a distinction between two types of coins: circulation coins and non-circulation coins, to reflect the two markets served by the Mint. Until now, the distinction was based on the metals used to make the coins.

The approval process for the new circulation coins would remain the prerogative of the House of Commons and the Senate.

The changes to the composition of circulation coins would continue to be governed by regulations.

The process to approve non-circulation coins would be streamlined, so as to be more efficient and allow the Mint to respond more quickly to the demand of ever changing markets, in a very competitive environment.

The Mint would now have the authority to determine and change the characteristics of non-circulation coins, except for their design. The minister responsible for the Mint would be the only one with the authority to change the design of these coins.

The Mint would therefore be more receptive to the market and its clientele, while being accountable for the major issue of the design, since related decisions will be made by an elected representative.

Bill C-41 also proposes minor administrative changes to the Royal Canadian Mint Act to increase the redeemability of \$1 and \$2 coins.

However, the major and necessary changes are found in clauses that give the Royal Canadian Mint greater flexibility to achieve its objective of becoming the world leader in the coin trade sector.

Honourable senators, with Bill C-41, the government is proposing to give to the Mint the powers of a natural person, to provide it with the necessary flexibility to achieve its long-term strategic thrust, and fulfil its vision of becoming the world leader in its area.

The powers of a natural person will permit it to fulfil this public role of producing Canadian coins and making a profit.

These powers will place the Mint on an equal footing, not only with other successful commercial Crown corporations but also — and equally important — with its main competitors, the mints of other governments such as the United Kingdom, Austria and Germany.

These new powers will increase the Mint's competitive edge and its ability to react to today's world markets, for it must be constantly on the watch for new opportunities and sufficiently flexible to respond to them.

In order to break into the international coinage market, a great deal of experience is not the only thing needed; the Mint must be forward-looking and sufficiently competitive to grasp the opportunities that arise and to get its share of the market.

This requires it to have the proper tools, including adequate borrowing power.

That is why the government proposes enhancing its borrowing power.

Honourable senators, I must repeat that this necessary amendment ought to come as a surprise to no one, since the matter has not been debated for 10 years.

This increased borrowing power will make it possible to give the Royal Canadian Mint the flexibility and room to manoeuvre the market requires.

Any prudent business re-examines its borrowing power regularly, in order to be able to react in an efficient and timely manner.

There is one thing we can be sure of: as it exercises its new powers and wishes to take advantage of its new borrowing power, the Mint will still be subject to the same rigorous responsibility structure as it is at present.

The proposed changes to the Royal Canadian Mint Act and the Currency Act will equip the Mint with the tools it requires to

continue to serve Canadians well and to be competitive internationally.

The benefits to Canada are clear.

Honourable senators, the Mint's success will mean higher exports of Canadian technology and know-how, which will create many jobs for Canadians.

The Mint is a symbol of the Canadian spirit, and the coins it produces are a proud illustration of our heritage.

The Mint is known around the world for the excellent quality and economic production of its coins. It has served Canadians well for 90 years and we want to ensure that it continues to do so.

In closing, honourable senators, I respectfully submit that, because of Bill C-41, the Mint will be up to the task ahead. It will be able to carry out its mandate and better able to go on serving Canadians.

On motion of Senator Kinsella, debate adjourned.

[*English*]

•(1550)

APPROPRIATION BILL NO. 4, 1998-99

SECOND READING

Hon. Anne C. Cools moved the second reading of Bill C-60, for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 1999.

She said: Honourable senators, Bill C-60, also known as Appropriation Bill No. 4, 1998-99, is seeking parliamentary authority to grant to Her Majesty certain sums of money as provided for in the Supplementary Estimates (B) 1998-99, in the amount of \$3 billion. Supplementary Estimates describe the government's need for additional supply.

The Supplementary Estimates (B) 1998-99, the second Supplementary Estimates for this fiscal year, were tabled in the Senate on October 29, 1998, and were then referred to the Standing Senate Committee on National Finance for examination. Our committee heard from Treasury Board officials Richard Neville and Andrew Lieff, who appeared before our committee on November 18 and 26, 1998.

The Supplementary Estimates (B) 1998-99 were voted on and adopted in the National Finance Committee meeting of December 3. The chairman of the committee, Senator Terry Stratton, presented the committee's seventh report later that same day. That report was adopted in this chamber yesterday.

Honourable senators, these Supplementary Estimates are consistent with the government's budget of February 24, 1998, and include the expenditures for the fisheries adjustment and restructuring for Atlantic Canada and British Columbia, as well as certain other items which were not specifically identified or sufficiently developed when the Main Estimates 1998-99 were introduced.

Some of these major items include the following. There is provision for an amount of \$628.1 million to two departments, Fisheries and Oceans Canada and Human Resources Development Canada, for the Canadian Fisheries Adjustment and Restructuring initiatives to address the impact of the TAGS program on individuals, communities and provinces on the East Coast, and the introduction of adjustment and restructuring initiatives for the West Coast fisheries.

As well, some \$473.7 million will be granted to 76 various departments and agencies under the carry-forward provision to meet operational requirements originally provided for in 1997-98. This provision reflects the government's approach to reduce year-end spending and to improve cash management. It allows managers to carry forward, from one fiscal year to the next, an amount of up to 5 per cent of their operating budget of the previous year, including salaries, operating expenses and minor capital expenditures.

Some \$272.4 million will be granted to 19 departments regarding the year 2000 date computer problems. The primary objective of this allocation is the removal of financial impediments to departments resolving the year 2000 system compliance issues.

The Department of National Defence will receive \$236 million for partial payments to the provinces for natural disaster assistance, including the January 1998 ice storm and the floods in several provinces, under the Disaster Financial Assistance Arrangements.

Some \$180.5 million will be granted to 55 departments and agencies for collective agreements' compensation and adjustments concluded to date. Collective bargaining resumed in early 1997, and this amount represents retroactive and ongoing incremental salary costs for 1998-1999.

Human Resources Development Canada will receive \$98.3 million for the Canadian Opportunities Strategy, as announced in the 1998 Budget. Funding is also included for the operating costs of the strategy and contributions for its Youth at Risk Program.

The Canadian Broadcasting Corporation will be granted \$88.4 million for separation payments under their Early Departure Incentive and Early Retirement Incentive Programs.

Some \$69.6 million will be granted to the Canadian Space Agency for further investments in three major space projects, including the Radarsat-II Program.

The Department of Foreign Affairs and International Trade will receive \$88.4 million to provide certain provinces with their share of the revenues from fees paid by softwood lumber exporters.

Five departments will receive \$60 million for the *Gathering Strength: Canada's Aboriginal Action Plan*, as announced in January 1998. This is the government's response to the Royal Commission on Aboriginal Peoples. These funds will help support strong communities, strengthen aboriginal governance

and build new partnerships and fiscal relationships with Canada's aboriginal people.

Some \$58.5 million will be granted to Industry Canada for SchoolNet, the Community Access Program, and related initiatives connecting Canadians to the Information Highway.

Health Canada will receive \$58 million for priority health initiatives, including public education programs of the tobacco control initiative, the development of the Canadian Health Info-Structure, strengthening blood safety and surveillance activities, as well as the implementation of the Aboriginal Head Start On-Reserve Program.

These major items amount to \$2.28 billion of the \$3 billion for which the government is seeking Parliament's approval today. The balance of the \$.72 billion is spread among a number of other departments of which the specific details are included in these Supplementary Estimates.

Honourable senators, I would like to thank Treasury Board officials, Mr. Neville and Mr. Lieff, for their presentation before our committee. Their performance was excellent. The committee was impressed with their openness and their proper respect for this committee's function as a parliamentary committee reviewing the administrative task of scrutinizing government expenditures. The entire committee was struck by the work of these two gentlemen. We were extremely appreciative of their testimony.

I urge all honourable senators to support and pass Bill C-60, thereby enabling the Supplementary Estimates (B) 1998-99 to become law, and allowing the government of Canada to obtain the necessary funds which it needs to conduct its work.

•(1600)

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

Hon. Senators: Agreed.

Motion agreed to and bill read second time.

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

On motion of Senator Cools, bill placed on the Orders of the Day for third reading at the next sitting of the Senate.

OFFICIAL LANGUAGES COMMISSIONER

MOTION ON APPOINTMENT ADOPTED

Hon. Sharon Carstairs, pursuant to notice of December 7, 1998, moved:

That, in accordance with subsections 49(1) and 49(2) of the Act respecting the status and use of the official languages of Canada, Chapter O-3.01 of the Revised Statutes of Canada 1985, this House approves the appointment of Dyane Adam as Commissioner of Official Languages for Canada for a term of seven years.

She said: Honourable senators, Mr. Victor Goldbloom's term will expire on December 23, 1998, and I wish to begin my remarks today by first extending to Mr. Goldbloom, on behalf of this chamber, and I believe on behalf of all Canadians, appreciation for his many years of commitment and dedicated service.

This is an extremely important position. It is a position that Parliament has established to protect and promote one of Canada's defining characteristics: our two official languages. The Commissioner of Official Languages is a special ombudsperson who reports directly to Parliament.

[Translation]

The commissioner is responsible for protecting and promoting the linguistic rights of individuals and groups in Canada and for monitoring the linguistic performance of federal institutions and other organizations governed by the Official Languages Act.

The commissioner investigates complaints and makes recommendations so that the linguistic rights of Canadians in their dealings with federal institutions are respected.

[English]

The commissioner also has a responsibility to inform and educate Canadians about the Official Languages Act and the commissioner's role in encouraging the Government of Canada to ensure that our two official languages are respected, protected and promoted.

The role of the commissioner is clearly focused on people. The commissioner meets regularly with Canadians of all ages and conditions in every province, working with them to enhance respect for our two official languages. The commissioner also meets with officials from the various orders of governments, and individuals from the private community and academic sectors. The commissioner also plays an important role in assisting official language minority communities in developing and enhancing their vitality and obtaining the rights guaranteed them by the Constitution and the Official Languages Act.

Madam Dyane Adam clearly possesses the skills, background and experience to fulfil the responsibilities of this position.

[Translation]

Over the years, Dr. Adam has helped launch numerous provincial and regional organizations and projects for the francophones and women of Ontario and of Québec.

She has been promoting and defending our two official languages for a long time.

She founded the Réseau des chercheuses féministes de l'Ontario français and belongs to a number of organizations, including the Consortium des universités de la francophonie ontarienne.

[English]

She served for three years as chair of the Advisory Committee on Francophone Affairs with the Ontario Ministry of Education and Training.

[Senator Carstairs]

Members of the Joint Committee on Official Languages recently had the opportunity to meet with Madam Adam to discuss her qualifications for this position. I believe all honourable senators will agree that Madam Adam is an impressive individual and a most suitable candidate who will bring to the role a wealth of knowledge and a passion for the promotion and protection of the linguistic rights of all Canadians.

This appointment will be effective on August 1, 1999. Mr. Goldbloom has agreed to serve in the interim, subject to consultation by the Prime Minister with the Speaker of the Senate and —

POINT OF ORDER

Hon. Noël Kinsella (Acting Deputy Leader of the Opposition): Honourable senators, I rise on a point of order. I believe that there is a provision in the rules that addresses given in this chamber may not be taken from the Hansard of the other place. I have been following word for word several of the statements of the Deputy Leader of the Government, and if we want to have all of the Hansard put into place, I can ask my colleagues to continue this. Senator Carstairs seems to be giving Don Boudria's speech. Randy White then spoke, and perhaps one of us could read his speech. Suzanne Tremblay then spoke, and I suppose I could try to get Senator Lynch-Staunton to read that.

Senator Lynch-Staunton: God forbid!

Senator Kinsella: Perhaps His Honour could give us some guidance on that point.

Hon. Sharon Carstairs (Deputy Leader of the Government): All I can say, honourable senators, is that this does not come from a copy of the Hansard. This comes from speaking notes that were given to me. I assumed they were original speaking notes when I made the presentation this afternoon, and I deeply regret if, in fact, they have been taken directly from the announcement in the other place.

Senator Kinsella: I accept the deputy leader's explanation.

The Hon. the Speaker: Honourable senators, under the circumstances, with the explanation from the Deputy Leader of the Government, it seems that indeed speaking notes may have been prepared by the same person and may be identical, but there is no indication that it is a quotation from the other place, so Senator Carstairs may carry on.

Senator Carstairs: Thank you, honourable senators. Let me assure all honourable senators that, in future, I will make sure I have original speaking notes.

As I said earlier, Mr. Goldbloom has agreed to serve in the interim, subject to consultation by the Prime Minister with the Speaker of the Senate and the Speaker of the House of Commons.

I would therefore call on all honourable senators to support the adoption of this motion.

[Translation]

Hon. Gérald-A. Beaudoin: Honourable senators, last week in the Official Languages Committee we heard Dr. Dyane Adam, who has just been appointed by the government as Commissioner of Official Languages.

I had the opportunity to ask Dr. Adam a number of questions on the scope and the role of the Official Languages Act, and on her publications, which are numerous, impressively so. This is a position of the highest importance. The responses given by Dr. Dyane Adam, her writings, her actions, her academic background, speak for themselves. The selection strikes me as an excellent one.

I therefore take pleasure in inviting all of my colleagues to approve the appointment of Dr. Dyane Adam as Commissioner of Official Languages for Canada for a term of seven years.

The Hon. the Speaker: Honourable senators, are there any other senators who wish to speak?

Some Hon. Senators: No.

The Hon. the Speaker: It has been moved by the Honourable Senator Carstairs, and seconded by Senator Joyal, that in accordance with subsections 49(1) and 49(2) of the Act respecting the status and use of the Official Languages of Canada, Chapter O-3.01 of the Revised Statutes of Canada, 1985, this house approves the appointment of Dr. Dyane Adam as Commissioner of Official Languages for Canada for a term of seven years. Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

Motion agreed to.

[English]

DNA IDENTIFICATION BILL

REPORT OF COMMITTEE

Leave having been given to revert to Reports of Committees:

Hon. Lorna Milne, Chair of the Standing Senate Committee on Legal and Constitutional Affairs, presented the following report:

Tuesday, December 8, 1998

The Standing Senate Committee on Legal and Constitutional Affairs has the honour to present its

SIXTEENTH REPORT

Your Committee, to which was referred Bill C-3, An Act respecting DNA identification and to make consequential amendments to the Criminal Code and other Acts, has, in obedience to the Order of Reference of Thursday,

October 22, 1998, examined the said Bill and now reports the same without amendment.

However, your Committee received the following undertakings from the Solicitor General and his officials, including the Commissioner of the Royal Canadian Mounted Police:

The Solicitor General will, during the anticipated 18-month hiatus between Royal Assent and the coming into force of Bill C-3, proceed with a new bill that will bring within the ambit of the DNA data bank those offenders who are convicted in the military justice system;

The new bill will also give Senate and House of Commons committees the same authority to conduct the five-year review required under Bill C-3;

The Commissioner of the RCMP, supported by the Solicitor General, agreed to the creation of an independent advisory committee, including a representative from the Office of the Privacy Commissioner, that would oversee the implementation of the Act and the ongoing administration of the DNA data bank. Your Committee urges the Solicitor General to include the appointment of the advisory committee in regulations to the Act;

The Solicitor General agreed that the regulations to Bill C-3 would be prepublished and available to the Senate for comment and evaluation;

The Commissioner of the RCMP undertook to include a report on the operation of the DNA data bank as part of his annual report to the Minister which would then be tabled in Parliament;

Officials from the Department of the Solicitor General also agreed to clarify in regulations that what is meant by "DNA profile" is "not a profile for medical reasons," but for law enforcement purposes only. This would address your Committee's concern that forensic DNA analysis utilise only those markers that do not predict any medical, physical or mental characteristics, in order to protect the genetic privacy of those individuals included in the data bank;

In response to your Committee's concern about the highly sensitive nature of the information contained within the data bank and the rapidity of technological change, the Solicitor General agreed to consider including within the proposed new bill, provision for parliamentary review every five years.

Your Committee recognizes the pressing need for a national DNA data bank that will enable Canadian law enforcement agencies to make full use of recent technological advances for the benefit of enhanced public safety. However, Committee members are also concerned that the proposed legislation may affect the privacy of

Canadians in unprecedented and unintentional ways. In addition, your Committee believes that the nature of the information contained in the proposed DNA data bank calls for the strict monitoring of any process that would allow for its release to governments or agencies outside Canada.

Your Committee welcomes the undertakings made in the course of these hearings and recognizes that they will substantially address many of the concerns raised by Committee members. A copy of a letter from the Solicitor General to the Chair of your Committee, dated December 1, 1998, is appended to this report.

Respectfully submitted,

LORNA MILNE
Chair

(For text of letter, see today's Journals of the Senate Appendix "B", p. 1186.)

Hon. Jerahmiel S. Grafstein: Honourable senators, I know that this is highly out of order but, with leave of the Senate, I wish to take a few moments to describe the formulation of this report. It is highly unusual because the report was made without amendment, but some unusual facts surround this report.

With leave of my colleagues on the other side, I will address this report for a few minutes.

Hon. Sharon Carstairs (Deputy Leader of the Government): Honourable senators, I believe there is agreement to do so, but later this day.

Hon. John Lynch-Staunton (Leader of the Opposition): Honourable senators, we must follow some basic rules. The rules provide that there is no debate on a report that is submitted without amendment. We then proceed immediately to third reading where there is opportunity for debate. I do not know why we need to make an exception here. We have a heavy agenda in front of us and a lot of inquiries on which our colleagues wish to speak. The honourable senator is asking for leave to do something that can be done tomorrow and something for which I do not see any urgency. I cannot be persuaded that we should give leave on this matter.

The Hon. the Speaker: Leave is not granted.

Honourable senators, when shall this bill be read the third time?

On motion of Senator Milne, bill placed on the Orders of the Day for third reading at the next sitting of the Senate.

PRIVATE BILL

THE ROMAN CATHOLIC EPISCOPAL CORPORATION OF MACKENZIE—BILL TO AMEND—REPORT OF COMMITTEE ADOPTED

The Senate proceeded to consideration of the fourteenth report of the Standing Senate Committee on Social Affairs, Science and Technology (Bill S-20, to amend the Act of incorporation of the Roman Catholic Episcopal Corporation of Mackenzie, with amendments) presented in the Senate on December 3, 1998.

Hon. Nicholas W. Taylor: Honourable senators, I move the adoption of the report.

Motion agreed to and report adopted.

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

On motion of Senator Taylor, bill placed on the Orders of the Day for third reading at the next sitting of the Senate.

ROYAL ASSENT BILL

CONSIDERATION OF REPORT OF COMMITTEE—MOTION IN AMENDMENT—SPEAKER'S RULING—ORDER WITHDRAWN

On the Order:

Resuming debate on the motion of the Honourable Senator Milne, seconded by the Honourable Senator Bryden, for the adoption of the Twelfth Report of the Standing Senate Committee on Legal and Constitutional Affairs (*Bill S-15, An Act respecting the declaration of royal assent by the Governor General in the Queen's name to bills passed by the Houses of Parliament, with amendments*) presented in the Senate on June 18, 1998,

And on the motion in amendment of the Honourable Senator Grafstein, seconded by the Honourable Senator Pépin, that the Report be not now adopted, but that it be referred back to the Standing Senate Committee on Legal and Constitutional Affairs for further consideration.—(*Speaker's Ruling*).

The Hon. the Speaker: Honourable senators, I am prepared to make my ruling now on this order, which was standing in my name.

Honourable senators, last Tuesday, December 1, during debate on the motion to adopt the twelfth report of the Standing Senate Committee on Legal and Constitutional Affairs respecting Bill S-15; and the motion in amendment of Senator Grafstein, Senator Lynch-Staunton sought leave to withdraw the bill. In making his request, he expressed some reservation about his right to do so. For my part, I, too, had certain doubts about the acceptability of the request given that the Senate was debating the report on the bill rather than the bill itself. Senator Kinsella correctly pointed to the novel aspects of this proceeding. Subsequently, I agreed to take the matter under advisement.

[Translation]

After considering the relevance of the request by Senator Lynch-Staunton on procedure, I am now prepared to give my decision.

Rule 30 permits a senator moving a motion or making an inquiry to withdraw or modify same with leave of the Senate. It seems therefore that Senator Lynch-Staunton is entitled to this request. Erskine May (22nd edition at page 467) states that a bill introduced into the House of Lords may — with the unanimous consent of the House — be withdrawn by the lord presenting it at any time after first reading.

Certain restrictions must, however, be taken into account before Senator Lynch-Staunton's request may be granted at this point as the Senate is studying a report recommending amendments to Bill S-15.

[English]

•(1620)

According to *Beauchesne's Parliamentary Rules & Forms*, sixth edition, citation 587 at page 178, a motion cannot be withdrawn by leave whenever there is also an amendment to be disposed of since the question on the amendment stands before the original motion. In this particular case, what we are dealing with now is the report of the Standing Senate Committee on Legal and Constitutional Affairs and the amendment of Senator Grafstein to refer the bill back to the committee. Bill S-15 is not actually before the Senate for debate. As I understand it then, it would be necessary to dispose of Senator Grafstein's amendment and the report before the Senate would be debating the bill. Until that happens, I do not believe that Senator Lynch-Staunton is entitled to make a request to withdraw the bill.

Debate on the amendment of Senator Grafstein can now resume.

Hon. Jerahmiel S. Grafstein: Honourable senators, if it remains the wish of Senator Lynch-Staunton to withdraw this bill, I will not provide any barriers to his proceeding in this fashion. Therefore, I would be glad to withdraw my amendment to make a navigable path for the Leader of the Opposition to withdraw his bill.

The Hon. the Speaker: Is it agreed, honourable senators, to allow honourable Senator Grafstein to withdraw his amendment?

Hon. Senators: Agreed.

Hon. Sharon Carstairs (Deputy Leader of the Government): Honourable senators, I suggest that we withdraw the report of the Standing Senate Committee on Legal and Constitutional Affairs.

The Hon. the Speaker: Honourable senators, is it agreed that the report be discharged at this time?

Hon. Senators: Agreed.

The Hon. the Speaker: The report is discharged and the bill is now before the Senate.

Hon. John Lynch-Staunton (Leader of the Opposition): Honourable senators, in the mode of withdrawal, I will not break the pattern. I thank Senator Grafstein for his courtesy.

I will not argue the merits of the bill except to say that I was afraid that, with Senator Grafstein's well-intentioned interest in the bill and from what I read of his remarks, it might have lost its original purpose. Therefore, rather than burden the Standing Senate Committee on Legal and Constitutional Affairs with additional work, I felt it was preferable to ask that the bill be withdrawn. During the recess, I shall try to develop a new draft to present as soon as we return which I hope will address the concerns that were raised here and in committee.

The principle of the bill is supported by the government, the Governor General's office and the Supreme Court. It has overwhelming support elsewhere. The purpose is not to abolish the traditional Royal Assent ceremony as we know it. This bill offers a substitute for the ceremony in cases where it is found necessary to move quickly and to have bills given Royal Assent expeditiously. The traditional ceremony would remain.

Without again returning to the debate we had in June, we are the only Commonwealth country which persists in keeping the traditional Royal Assent ceremony. The United Kingdom is now moving to abolish hereditary peers. Even when Her Majesty the Queen opened Parliament last month, she had fewer attendants than before. In Canada we will be changing the oath of allegiance. New Canadians will no longer swear allegiance to Her Majesty, successors and heirs.

I do not think we should be too rigidly disciplined by traditions, some of which are not Canadian traditions. I hope that the bill I present in February will allay some of the apprehensions that Senator Grafstein and others have expressed.

Again, I thank Senator Grafstein for allowing the bill to be withdrawn. I hope that what will be presented in February will meet with his approval.

The Hon. the Speaker: Honourable senators, is leave granted for Honourable Senator Lynch-Staunton to withdraw the bill?

Hon. Senators: Agreed.

Motion agreed to and order withdrawn.

[Translation]

OFFICIAL LANGUAGES ACT

PROGRESSIVE DETERIORATION OF FRENCH SERVICES
AVAILABLE TO FRANCOPHONES OUTSIDE OF QUEBEC—
INQUIRY—DEBATE ADJOURNED

On the Order:

Resuming debate on the Inquiry by the Honourable Senator Simard, calling the attention of the Senate to the current situation with regard to the application of the Official Languages Act, its progressive deterioration, the abdication of responsibility by a succession of governments over the past 10 years and the loss of access to services in French for francophones outside Quebec.—(*Honourable Senator Beaudoin*).

Hon. Gérald-A. Beaudoin: Honourable senators, the Official Languages Act was an important event in the history of Canadian federalism. It was a turning point. This Act was the product of the Laurendeau-Dunton commission. Three prime ministers invested particular effort in it: Messrs Pearson, Trudeau and Mulroney.

This is a good measure which does much to promote better cooperation and better relations between the various groups that make up Canadian society.

I wish to draw the attention of my colleagues to the fact that the two official languages enjoy equality of status, and to the issue of delegation.

We must remember that section 2 of the act provides that French and English enjoy equality of status at the federal level. While section 133 of the Constitution Act, 1867 is very useful and significant, it is just an embryo of bilingualism.

The act of 1968-69 and that of 1988 complete the picture. I draw your attention to the equal status of the two official languages. Of course, we all know that there are fewer francophones than anglophones in our country. Nevertheless, the two official languages enjoy equal status under the Constitution. Canada's political and legal framework is thus changed. In my opinion, and this is the essence of the motion of my colleague Senator Simard the money spent on implementing the Official Languages Act is an excellent investment in the future of our country.

The second point concerns the powers that the federal authority can delegate to the provinces and municipalities in the area of contraventions, to which my colleague Senator Losier-Cool alluded in her excellent speech. This is not an interparliamentary legislative delegation which, as we know, is prohibited under case law, but an administrative delegation.

Under the 1982 Contravention Act, the federal Minister of Justice has the power to sign agreements with the provinces or the municipal or local authorities, to allow them to prosecute people for violations of federal acts. I do not oppose such delegation, provided the Official Languages Act continues to be complied with.

A few days ago, I explained to the Standing Joint Committee on Official Languages that if a federal delegation is made, we must at least make sure that the political entity receiving delegated powers will be as bilingual as the delegating authority. Indeed, the Parliament of Canada and the federal government must be bilingual under the Official Languages Act, and they make great efforts to implement bilingualism. The same cannot be said of the legislative authorities receiving delegated powers.

Not all of them are subject to the same institutional bilingualism requirements as some provinces. I believe it is not too much to ask that, when taking over federal responsibilities under the terms of an agreement, they should also, like the federal government, abide by the bilingualism requirement.

Arrangements may have to be made that will make us incur additional expenditures.

This will be money well spent. It is in keeping with the spirit of the Official Languages Act.

The Association des juristes d'expression française de l'Ontario was right to suggest that the Contraventions Act should be amended to include a guarantee that linguistic rights will be maintained should the provinces or their municipalities take over proceedings for contraventions to the laws of Canada.

A brief comment, in closing, on Part VII of the Official Languages Act.

I have always been in favour of implementing this important part of the Official Languages Act, dealing with the promotion of both French and English. Section 41 reads as follows:

The Government of Canada is committed to enhancing the vitality of the English and French linguistic minority communities in Canada and supporting and assisting their development; and fostering the full recognition and use of both English and French in Canadian society.

It is not enough to state that our two official languages are on an equal footing in federal jurisdictions. We must take this a step further by actually promoting both official languages. To those who object for financial reasons, we say that few expenditures in Canada represent as good an investment in the future of Canada as whatever is spent on official languages.

On motion of Senator Corbin, debate adjourned.

[English]

UNITED NATIONS

INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS—RECENT RESPONSES TO QUESTIONS FROM COMMITTEE—INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Kinsella calling the attention of the Senate to the Responses to the Supplementary Questions emitted by the United Nations Committee on Economic, Social and Cultural Rights on Canada's Third Report on the International Covenant on Economic, Social and Cultural Rights.—(*Honourable Senator Cohen*).

Hon. Erminie J. Cohen: Honourable senators, I rise today to resume debate on the inquiry made by my colleague Senator Kinsella on November 24 calling the attention of the Senate to the recent meetings held in Geneva examining Canada's level of compliance under the obligations we assumed in 1976 by signing the Covenant on Economic, Social and Cultural Rights.

The National Anti-Poverty Organization, along with several other non-governmental organizations, travelled to Geneva to take part in this examination and were allowed 10 minutes for their report on Canada's compliance with the convention. Unfortunately, their time was shortened to three minutes. I have the full presentation. I should like to read it into the record.

Since the UN gave Canada a failing grade last Friday and criticized our record of protecting the economic, cultural and social rights of our citizens, it is fitting that we hear these words from the report of the National Anti-Poverty Association since the rising level of homelessness and poverty in Canada was a major issue for the committee.

Honourable senators, the following is the oral presentation to the UN Committee on Economic, Social and Cultural Rights given in Geneva by the National Anti-Poverty Organization on November 16, 1998:

The National Anti-Poverty Organization (NAPO) is a national, non-profit, non-partisan organization representing the 5.2 million Canadians currently living below the poverty line. NAPO has approximately 3,000 members — including 700 groups.

Our report will focus primarily on the impact of government measures on economic and social conditions in Canada and the resulting loss of economic and social rights. The frayed social safety net of 1998 bears little resemblance to the social security system that had been in place since the 1960s.

I will not be limiting my remarks to the original period of the review (that is, ending in September 1994), but will include those fundamental changes that have occurred in recent years to both federal and provincial social security programs — including welfare, unemployment insurance and the increasing atmosphere of intolerance for poor people in Canada.

These changes have invariably involved decreases in the quality and quantity of services available. In some jurisdictions, the changes have been so severe that the most vulnerable people are having difficulty obtaining adequate food and shelter.

Since 1993, when this Committee expressed concern about Canada's inability to reduce poverty, the Canadian people have witnessed a further collapse of the social safety net and the government has yet to establish a serious strategy to eradicate poverty. In fact, due in large part to extreme measures taken by both federal and provincial governments in the name of debt and deficit reduction, the past five years have seen the most dramatic reversal of social and economic equalization initiatives since Canada's social security system was set up over thirty years ago.

One of the most profound changes to Canada's social security framework came with the elimination of the Canada Assistance Plan (CAP) and the implementation of the Canada Health and Social Transfer in 1996.

Under CAP, federal funding was provided to provinces for social assistance programs as long as certain conditions (or standards) were maintained by the province; for example, welfare had to be provided to anyone in need. With the repeal of CAP, these standards no longer exist. With the introduction of the CHST, the federal government also significantly reduced its financial support for social

programs. In real per capita terms, federal cash transfers to the provinces for welfare, health and post-secondary education fell by more than 40 per cent between 1993-1997.

Regarding welfare:

In March 1997, there were an estimated 2.7 million people receiving welfare in Canada — and approximately 1.1 million were children. Social assistance levels vary widely between provinces, but virtually all are woefully inadequate. In Newfoundland, for example, a single employable person receives a mere 19 per cent of the Low Income Cut Off (LICO), while in the Northwest Territories, she/he would receive 76 per cent.

Recent statistics collected by the Canadian Association of Food Banks shows that approximately three-quarters of households using food banks receive income from social assistance.

Provincial governments have engaged in actions that promote a growing intolerance for social assistance recipients — from increased policing measures to stem the “flood” of welfare fraud (which in reality sits at about 4 per cent and in many jurisdictions includes administrative error) to blaming the poor for their poverty **and** being the cause of high government debts and deficits. There is now an identifiable division between “deserving” and “undeserving” poor in Canada. The “deserving” poor includes only the disabled, sometimes single parents with young children but mostly the working poor. The “undeserving” poor (or those other than the disabled and single parents with young children on social assistance), have found the rates reduced, numerous circumstances that can lead to total or partial ineligibility for benefits, reduced services and subsidies and increased requirements to search for work (usually low-paid, short-term, and/or part-time — if they can find work at all), take part on work fare programs, or undertake training or post-secondary education (at their own expense which usually means going into debt with student loans).

•(1630)

Pioneered by the Province of British Columbia in 1996, and introduced to the whole country in 1998, the National Child Benefit (NCB) purports to address the problem of child poverty in Canada. Although the benefits go to all children in low income families, the only actual beneficiaries of the NCB are working poor families since the provinces are allowed to deduct the full amount of the increased federal benefit from families on welfare. Only two provinces, Newfoundland and New Brunswick, have chosen to allow welfare families to keep this money. In the end, this means that of the 1.5 million children living in poor families in Canada, approximately 1.1 million receive no benefit from this program.

Regarding employment insurance:

The right of Canadians to social security, including social insurance, has been weakened by a series of cuts that were made to the Employment Insurance program between 1993

and 1997. By 1998, restricted eligibility requirements and lower benefit levels have led to increasing annual surpluses. By the end of 1998, the Employment Insurance fund is expected to exceed \$20 billion. The government intends to use this surplus to reduce government debt and to allow for some small tax decreases.

The changes to the Employment Insurance program have taken several forms. The shift from using the number of weeks worked to determine eligibility to using the number of hours worked has meant that workers must work longer to be eligible. It also means that someone can be denied benefits because they are a half hour short — as happened in Victoria recently to a woman who was denied maternity benefits.

Employment Insurance benefits have been reduced in amount and duration so that today's rates are 5 per cent less than they were in 1991 and the benefit period is nearly half that of the 1980s. Perhaps most profound has been the combined effect of longer eligibility requirements and increased grounds for disallowance.

The number of workers in 1998 who are eligible to receive benefits is approximately 37 per cent. By comparison, in 1969, 82 per cent of workers qualified for coverage.

The 45 per cent of workers who no longer qualify for Employment Insurance benefits — when faced with unemployment — now must rely on inadequate provincial and territorial welfare systems.

Regarding intolerance for the poor:

In 1993, following Canada's second periodic review, the Committee recommended that Canadian human rights legislation include more explicit reference to economic, social and cultural rights. The government of Canada has failed to act on this recommendation. At the same time, the atmosphere of intolerance for and prejudice against poor Canadians has grown.

It has become socially acceptable to openly abuse and malign poor people. Many, including governments, public utilities, financial institutions and landlords, choose to deal with their discomfort about the growing number of poor people by denying or minimizing the reality of poverty or asserting that poor people — not government choices and economic forces — are the cause of their own poverty.

Human rights protection is the first important step in both reversing these trends and beginning to provide an environment conducive to full economic and social participation by all Canadians. Canada's government shows no interest in doing so although the majority of provincial governments have some sort of protection in their human rights codes for those on welfare.

And now for a few quick facts:

1. The use of food banks doubled from 1989 to 1997. In March 1998, 162,496 people received food from food banks. 75 per cent were on welfare — typically 40 to 50 per cent were children.
2. The average debt load of a student graduating with a bachelor's degree is \$25,000.
3. 1.7 million Canadians — or 43 per cent of all renters — paid more than 30 per cent of household income on shelter.
4. Federal funding for housing was terminated in 1993.
5. By conservative measure, there are over 200,000 Canadians who are homeless.
6. The cities of Toronto and Ottawa have supported a call by social agencies to have homelessness declared a national emergency.

Conclusion:

The cancellation of the Canada Assistance Plan in April 1996 has had profoundly negative effects on poor Canadians. Without national standards, the poor are at the mercy of policy makers who choose to blame the poor for their poverty — and expect them to survive with little or no support by society. NAPO would suggest that the Committee propose the following changes to Canada.

1. Enact legislation that confirms the unconditional right for all Canadians to receive financial assistance from government if they are in need.
2. Support the passage of Bill S-11 to amend the Human Rights Act to include "social condition" as one of the prohibited grounds of discrimination.
3. Improve the Employment Insurance program so that it reduces the financial insecurity of Canadians (struggling in the new labour market) to ensure benefits are available to all who are in need.
4. Develop a concrete plan of action (that does not rely on growth from private sector investment) to eliminate poverty, homelessness and the need for food banks.

Thank you.

This concludes their presentation.

It should be reassuring to honourable senators to note that in this report NAPO included a recommendation to pass Bill S-11 as an important step to advance the rights of the poor, something which this chamber has already unanimously agreed to do. As my colleague Senator Kinsella pointed out when introducing the inquiry, we in the Senate seem to be quite a few miles ahead of the government on that particular front.

Allow me to congratulate the two NAPO presenters who did an excellent job illustrating how difficult life has become for Canada's poor. One of the presenters, Pam Coates, President of NAPO, is from my home city of Saint John, New Brunswick. To quote the New Brunswick *Telegraph Journal*:

The UN Committee heard this anti-poverty activist loud and clear on Canada's shabby treatment of its poor citizens.

Honourable senators, it is my hope that 1999 will see many social policy changes so that we will improve the living conditions of Canada's poor.

On motion of Senator DeWare, debate adjourned.

SOLICITOR GENERAL

COMMISSION OF INQUIRY INTO TREATMENT OF PROTESTORS AT APEC CONFERENCE BY RCMP—PROVISION OF FUNDS FOR DEFENCE OF STUDENTS—MOTION—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Carney, P.C., seconded by the Honourable Senator Bolduc:

That the Senate supports the granting of funding for legal counsel to complainants at the APEC hearing in Vancouver before the RCMP Public Complaints Commission.—*(Honourable Senator Graham, P.C.)*

Hon. Marjory LeBreton: Honourable senators, I wish to speak to the motion moved by my colleague Senator Carney which deals with the rights of Canadians to be accorded the full benefit of Canadian citizenship.

Once again Canadians are faced with a situation which is cause for concern, or should be. The issues surrounding the APEC controversy go straight to the heart of what Canadians value: freedom of speech, freedom of assembly, the right to peaceful protest, respect for our people and institutions, and individual rights and freedoms. All of these proud Canadian traditions were swept aside by the Prime Minister, his office and his collaborators in government. Does no one on the government side have the courage to speak out? Are they willing conspirators in thwarting the rights of our citizens and the rights of Parliament?

By way of chronology, the following is a matter of record with regard to the political role of the foreign affairs section of the PMO in the APEC affair. Time does not permit the full chronology, but the following will give us a good idea of what transpired.

July 18, 1997 — in a memo from the Canadian Ambassador to Indonesia, Gary Smith:

Anti-Suharto "wanted" posters put up in various Canadian cities have become a topic of intense diplomatic discussion at the highest level.

July 30, 1997 — in a memo reporting on a meeting between Minister of Foreign Affairs Lloyd Axworthy and Indonesian Foreign Minister Ali Alatas:

Alatas said "...if it caused concern to Canadian government because agitation of these groups could not be controlled and dignity of President [Suharto] was sullied, the President would rather not come to Canada."

The minister [Axworthy] said he apologized for the poster campaign. It was outrageous and excessive and not the way Canadians behaved.

•(1650)

August 11, 1997 — draft text for Letter from Lloyd Axworthy to his Indonesian counterpart:

With respect to security arrangements for the APEC Economic Leaders Meeting...you have my assurance that the interests/concerns of the Indonesian government will be given the utmost consideration....Security measures...will not permit demonstrators on any sidewalks immediately adjacent to the Hotel Vancouver or on any access route into the Hotel.

August 27, 1997 — notes of RCMP Superintendent Wayne May:

Walk through of sites and meeting with PMO - Jean Carle [Director of Operations], Peter Vanderloo [Executive Director of ACCO]... Security perimeter will need to be adjusted at UBC re: Protestors.

PM specific wish that this is a retreat and leaders should not be distracted by demos, et cetera.

August 27, 1997 — e-mail from RCMP Inspector Bill Dingwall to Superintendent May:

Jean Carle does not want the demonstrators close at all!

September 3, 1997 — Lloyd Axworthy's letter to Minister Ali Alatas — which was strengthened from the suggested draft:

I have conveyed the security concerns of President Suharto to Prime Minister Chrétien. I can assure you that [demonstrators] will not be permitted in close proximity to the President.

September 4, 1997 — e-mail from RCMP Inspector Bill Dingwall to Corporal. Peter Koleyak:

Jean Carle (PMO Director of Operations) and Robert's (Vanderloo) request to have demonstrators pushed back a bit further than originally planned... In addition, Robert is considering placing plants/trees at the foot of Gate 4 so that when the leaders depart they will be surrounded by trees, et cetera (aesthetically pleasing.) This also helps with the sight lines.

September 12, 1997 — another e-mail from Inspector Dingwall to Constable Don Merkel regarding coverings to block sight lines:

On the same date:

September 12, 1997 — in a note regarding the delivery of Axworthy's Letter on AELM security measures, it is reported that the letter does —

...address both the physical security and "proximity" concerns —

September 19, 1997 — a memorandum was prepared for the Prime Minister and was accompanied by talking points:

Ambassador Parwoto [Indonesia's Ambassador to Canada] is apparently skeptical about the degree to which Canada is prepared to take action to avoid embarrassment to President Suharto. Your meeting with him will serve as an important opportunity to underline the importance Canada attaches, at the highest levels, to President Suharto's attendance and the seriousness with which it intends to address his physical security in Vancouver.

Please convey to the President my [Chrétien's] intention to telephone him personally in the coming days to discuss his participation in the Vancouver APEC Leaders' Meeting.

Canada will be taking particular care to ensure the President's stay is a pleasant and rewarding one. His personal security is assured, and steps will be taken to preserve his comfort.

October 1, 1997 — in a memorandum for the PM regarding his invitation letters to APEC leaders:

Your letter to Indonesia's President Suharto contains additional language acknowledging his personal concerns and stressing your determination that all arrangements will be taken to ensure an uneventful stay in Vancouver.

October 3, 1997 — a letter from Jean Chrétien to Suharto:

I understand you have had discussions with my Minister of Foreign Affairs on the arrangements for the Vancouver meetings. I have directed my officials to spare no effort to ensure that appropriate security and other arrangements are made for your stay in Canada as our guest.

October 9, 1997 — a memorandum from Ambassador Smith regarding the delivery of the PM's letter it is reported:

The President therefore has decided to attend. Step one has been achieved. Now we have to turn our attention to ensuring that he gets back without too much difficulty.

October 21, 1997 — a memorandum from RCMP Corporal Peter Koleyak to S/Sgt. Peter Montague [Security Liaison to Indonesia]:

The ambassador...wanted me to assure him that he could tell his President that things were under control and there would be no reason for concern regarding embarrassing incidents and that the President would not see any major demonstrations...I gave him my assurance that all procedures are in place to address his concerns...He then informed me that Prime Minister Chrétien had advised him that he could personally contact the Prime Minister if

he had any concerns with the security arrangements and the Prime Minister had assured him that he would personally see to it that his concerns were addressed.

November 14, 1997 — e-mail from Inspector Dingwall to Superintendent May:

If they hang banners towards the MoA [Museum of Anthropology - the site of the Leaders' Summit], are they going to be visible through the trees? Could we erect some sort of draping to cut off the view? Secondly, they are only leasing the building and I suppose that we could make the argument that the exterior of the building is not being rented and the University, as landlord, could remove them...We could wait until game day and remove them ourselves ... Common sense tells us we do not want banners nor would the PMO's office. Having said that, banners are not a security issue. They are a political issue. Who is looking after that?

If they are not going to be permitted, what is the authority for removing them and who is going to do it?

November 20th — e-mail from Inspector Dingwall to Superintendent May:

Supt. Thompsett advised that tent city will probably be moving down from current location to the Museum of Anthropology. Robert Vanderloo advised who in turn advised PMO - who are very concerned. Tomorrow #1 —

I assume that is the Prime Minister.

— had planned to tour several sites and this may be affected...We will also need to examine options of limiting media coverage should the decision be made to remove them...(during the quiet hours, moving in buses, moving media back, et cetera.)

On November 21 various RCMP notes reveal the following:

The PM directs the RCMP to arrest members of APEC Alert who are peacefully camped out at the site of the Leaders' Summit. Various "economies" are scheduled to tour the site in the next few days. The PM himself is scheduled to visit the site on the 21st. Various other documents show that the APEC Threat Assessment Group (TAG) and RCMP do not believe that the students pose any threat to the site.

PM "wants the tenters out."

PM says leave them until 6pm.

PM wanted everyone removed.

November 21, 1997 — Memo from Chris Brown (APEC-UBC Liaison) to UBC President Piper:

The Federal Government threatens the University that they will take over the Summit site prior to the agreed date in order to arrest the students camping there. On the 20th, the PM cancelled a signing ceremony at UBC with the Australian PM in order to put pressure on the University.

The University capitulates, and hands the site over to the Government. Six students are arrested on the 22nd and 23rd and charged with mischief. They are not released from jail until they sign a set of conditions which include "I will not participate or be found in attendance at any public demonstration or rally that has gathered together for the sole purpose of demonstrating against the Asia Pacific Economic Cooperation or against any nation participating in the so named conference."

December 3, 1997 — a note to Superintendent Thompsett states the following:

The night before the Leader's Summit, the tent city located at the University of British Columbia included over 80 tents, with 100-200 people sleeping inside the occupied Student Union Building. On November 25th, the day of the Leader's Retreat, approximately 3,000 people rally outside the Goddess of Democracy statue and then march to the Summit. During the various protests, students are arrested for being protest organizers, "saying foolish things," holding signs, walkie-talkies or megaphones. Students involved in civil-disobedience are pepper-sprayed rather than being arrested, and students blocking one of the three motorcade exits are pepper-sprayed out of the way without warning. Almost all the woman arrested are strip-searched and some have "cavity searches." In all, 78 APEC related arrests are made at UBC in the weeks surrounding the Summit.

The writer then concludes:

My recommendation is to never hold an APEC event at a University.

The final statement in the chronology entitled, "Post-APEC — RCMP Q&A's for media" makes the following interesting comment:

The Prime Minister's Office was not involved in RCMP security arrangements.

RCMP media relations officer John Buis repeatedly insists to media that PMO had no involvement in security arrangements.

•(1700)

There you have it, honourable senators — undeniable interference and obsessive political involvement. We have many examples of a government out of control — a government that will not tolerate opposition or dissent. I refer in particular to the Pearson airport affair, the Somalia inquiry, the dismissal of the chief actuary of the Canada Pension Plan, the treatment of a public servant who told the truth about Parliament Hill renovations, actions against MPs who will not follow the Liberal Party of Canada line, in particular Messrs Baker, McWhinney and Nunziata, the marching orders to support the government against hepatitis C victims, the killing of Bill S-13, which was intended to save the lives of young Canadians, the scandalous treatment of a former prime minister in the Airbus affair — and now APEC.

The fingerprints of the Prime Minister and the Prime Minister's Office are all over the aforementioned and now they would have us believe, in the case of the APEC, that there is a place, a vehicle, the Public Complaints Commission, to get to the bottom of the APEC/Peppergate/Save-a-Dictator affair.

As further proof of their inability to tolerate dissent, look no further than the actions of the Prime Minister's Director of Communications, Mr. Peter Donolo, against the CBC's Terry Milewski. There is an odd contradiction here, would you not agree, honourable senators? On the one hand, the government's first line of defence on the indiscretions of Andy Scott was to blame MP Dick Proctor for having ears. "Snooping," the Prime Minister called it. They kept this up for days and days. "How dare you snoop on a private conversation?" they said. Then what did they do? They eavesdropped, by way of the Internet, on a private conversation between the CBC's Milewski and Craig Jones. It was a handy diversionary tactic, something they often do. Get the heat off themselves; more muddle, more confusion: all very convenient. Now the Public Complaints Commission sits in limbo. All this suits the Prime Minister and the PMO very well.

Let us make one thing very clear: The Public Complaints Commission, if it ever does get up and running, does not have the mandate to get to the bottom of the role of the Prime Minister, the Prime Minister's Office, or other members of the government, as I have outlined in my chronology.

There is only one obvious solution: Name an arm's length judicial inquiry or, better still, in my view, put this whole matter into the hands of parliamentarians, in the form of a special parliamentary committee with a mandate, such as was the case with the Senate's Pearson airport inquiry, where witnesses are called and required to testify under oath. Surely this is what is owed to the public to whom we are all accountable. How can any party which claims to believe in parliamentary democracy refuse to agree to such a reasonable course of action? To refuse, I am afraid to say, is an admission of guilt, an attempt to avoid scrutiny.

I will close by quoting from a CBC commentary on October 5, 1998. This commentary was provided by Dr. John Dixon of the British Columbia Civil Liberties Association, which the government seems to be very anxious to quote these days. It is particularly crisp in its presentation of the constitutional ramifications of ignoring this important issue. The following text is taken verbatim; these are the words of Dr. John Dixon:

The APEC story runs, as the journalists say, on two very long legs. One of them is the iconographic image of a fifty-something RCMP officer going nuts with a party-pak of pepper spray. The other leg is an image of a shrugging Prime Minister, doing the "little guy from Shawinigan" thing as he delivers his big brush-off line: "Pepper? Dats some ting dat I put on my plate."

There's a heavy dotted line connecting these images, with a big question mark on it. Or maybe five or six question marks. Because everybody understands that many, many

things had to go wrong before a federal policeman would dream of attacking Canadian citizens — citizens, that is, caught in the act of expressing their view that human rights are more important than trade.

Sorting out all the strands connecting the Prime Minister's Office and the disastrous RCMP performance at APEC is going to provide lots and lots of fun — spectator and otherwise. Eventually, however, even the longest legs get run off a story like this. Our media need constant movement, drama, speed, and — first, last, and always — powerful visuals.

The Hon. the Speaker: I am sorry, senator, but the 15-minute time period is up.

Senator LeBreton: I have only one more page to go, honourable senators.

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

Hon. Senators: Agreed.

Senator LeBreton: Thank you.

Commission and court hearings run very short on these commodities, and without them a mass audience starts to fade.

I point this out not to depress, but to put us all on alert. Because the heart of the APEC story, quite apart from its great legs, is about nothing less than democracy's one true thing, and it would be tragic for us to lose interest in it. That "one true thing" is that it is not the political parties in power, not the mandarins in the public service, not the police, and not the judiciary, who are sovereign in Canada. It is the Canadian People who form the sovereign branch of their own government, and in whom reside the ultimate source of all legitimate political power and authority.

Flowing from this fundamental fact of democratic life is the great free speech corollary that when the people come together to confer or discuss or argue or demonstrate about any matter of political importance, no inferior branch of their government may interfere with them. So after all the fuss dies down, about what the PM knew and when he knew it, or what staffer has to be thrown out of the great canoe, we will be confronted with the enduring national question: How did it come to be that a Canadian politician, or his staff, or the police directed by them, could think for one nanosecond that the tone of a state visit is more important than the civil rights of the citizenry?

THIS is the great issue that the commission hearings and the lawsuits must struggle to bring into focus — and then keep in focus — for Canadians and their legal culture. In aid of this struggle, I propose that we have a plan — like all good Canucks who realize that we must travel far by snow

in the deepening cold. When we find the inevitable APEC fatigue starting to set in, we have to be ready to give ourselves a good pinch to keep from lying down in the snow. So put these words on your fridge door now: IF YOU'RE TIRED OF APEC, YOU'RE TIRED OF JUSTICE AND DEMOCRACY.

On motion of Senator Pépin, debate adjourned.

UNIVERSAL DECLARATION OF HUMAN RIGHTS

COMMEMORATION OF FIFTIETH ANNIVERSARY—
INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Wilson calling the attention of the Senate to the fiftieth anniversary year of the Universal Declaration of Human Rights, and its implications for Canada.—
(*Honourable Senator Carstairs*).

Hon. A. Raynell Andreychuk: Honourable senators, I welcome the opportunity that Senator Wilson has given us to speak to the fiftieth anniversary year of the Universal Declaration of Human Rights and its implications for Canada. I would also like to share some observations for your deliberation.

The preamble to the Universal Declaration of Human Rights, adopted and proclaimed by the General Assembly on December 10, 1948, states:

Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

It goes on to say:

Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people,

The declaration further goes on to state:

...THE GENERAL ASSEMBLY proclaims THIS UNIVERSAL DECLARATION OF HUMAN RIGHTS as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.

It is therefore worthy to note that the rights and freedoms are for all people, irrespective of where they live. States are recognized as member states by joining the United Nations. By doing so, they are obliged to adhere to this declaration, and therefore, no state is exempt of its obligation and no peoples should be deprived of the rights within the declaration. It is deplorable that sovereignty is allowed to excuse nations, allowing barbarous acts and cruel and inhumane treatment of citizens by nation states.

The implication for Canada, therefore, is that every individual, and the government in particular, must ensure that our laws, practices and actions are consistent with the spirit and the letter of the universal declaration. Canada has also a responsibility to ensure that other countries, once members of the United Nations and signatories to the covenants, carry out their responsibilities. The United Nations is so structured that review mechanisms and implementation mechanisms are built into the follow-up to attempt to implement these words into actions and compliances.

•(1710)

If the Universal Declaration and the subsequent covenants are to have any meaning, the Canadian government must change its present behaviour in two major ways. First, Canada must exercise leadership in adherence to and support of the declaration and the subsequent covenants and must submit to scrutiny and heed the advice of those tasked with their implementation, and Canada must comply with the obligations imposed by the declarations and covenants.

Canada has had a history, since the inception of the declaration, of scrupulously adhering to the declaration and being open to criticism when we were found wanting. We have used this in diplomacy to our advantage to indicate that there is no country, including ours, that could be smug about its own record. It is only when there is openness, frankness and willingness to adhere to international laws that these international laws will take hold. Therefore, Canada must again reassert its position to be equally transparent with the bodies that scrutinize us in Canada on behalf of all of us, as is our responsibility.

It is with regret that I note that of late Canada has acted at times cavalierly and sometimes less than forthrightly in its response to scrutiny by international bodies. When Canada was called on to defend its human rights records before the UN Committee on Economic Social and Cultural Rights as early as November 1997, it was reported that Canada's chargé d'affaires at the UN in Geneva, Andrew McAlister informed the head of the committee that "Canada is not prepared to appear before the committee next spring." Mr. Philip Alston, who heads the UN committee, replied that no other country had deigned to challenge the timing of its human rights review. He noted "that it was inappropriate for any country to dictate the ground rules for a review by the UN Committee." Further, it would appear that Canada's response, when it finally came, painted a picture that was more glowing than worthy of our real position.

We have heard from Senator Cohen and from Senator Kinsella previously on the lack of forthrightness in our position.

It is obvious that the Canadian government, while properly pointing out our accomplishments, did not balance the report with a realistic picture of our shortcomings on aboriginal issues, poverty, the plight of single mothers and their families and the homeless, to name just some of the issues. It left no room but to elicit from the UN Committee on Economic Social and Cultural Rights a strong rebuke of Canada's human rights record, citing the shortcomings as shocking in a developed country.

I urge all honourable senators to read that report.

Another sign of deterioration in Canada's commitment is that, although we espouse support and supremacy of international law, passing the Coastal Fisheries Act, a domestic law passed in 1994, and using the "reservation" mechanism to preclude the jurisdiction of the International Court of Justice is not consistent with our continuing support for the supremacy of international law. We put Madam Justice Arbour in her position in the hope that we would show a clear and positive sign that we support international law above national law, yet we pass our own laws to subvert international law.

The outcome of our actions in boarding the Spanish trawler *Estai* is that Canada is now in a position to be against international law. After five continuous decades of support, we now join those who flaunt international law and make it easier for them to do so.

The repercussions have been felt by Canada diplomatically in trade and foreign affairs for some considerable time in Europe and elsewhere throughout the United Nations system. It might have been worth it, but not one fish was saved because of our actions. We may have created Captain Canada, but we did not create laudable human rights goals.

The third example I wish to point out has been indicated by Senator Wilson. In our rating as No. 1 under the UNDP index, as Senator Wilson pointed out, we have a 99 per cent literacy rate. It certainly makes me uncomfortable that Canada can be rated No. 1 on such data, when anyone who has studied literacy in Canada knows that we have a problem. Senator Fairbairn can speak more eloquently on this than I can, but the truth is that we have a dramatic problem with real illiteracy in Canada.

Rather than using the UNDP designation of No. 1 for Canada as an excuse or defence or for boasting, it would be wise for Canada to exercise humility in attempting to do better. Surely the real test of human rights standards is how we progress and not how we rate against others. We may be grateful to live in a country such as Canada, but it puts a great responsibility on us to improve and to set a better standard than we are doing at present.

The second behavioural change that it would be advisable for the Canadian government to undergo would be to ensure that other countries conform to the declaration and the covenants that the United Nations have put in place, and which those nations have signed. Again in recent years, we have fallen short in our responsibility to ensure, through UN implementation mechanisms and other avenues, that other countries are meeting their obligations to the covenants that they have signed or agreed to.

Rather, we have allowed those countries to hide behind their sovereignty and the use of cultural values as reasons not to be held accountable. If we were honest and forthright about our own shortcomings, and, if we were truly committed to human rights, there would be no dialogue in Canada about trade first and imposing our values second. Surely, we should be exercising our responsibilities to ensure that human rights come first.

In that respect, I believe that the Standing Senate Committee on Foreign Affairs and International Trade has rightly pointed out that Canada has a commitment to place human rights first and to support conditions that support human rights. Those conditions include good governance, an independent judiciary and an informed civil society, to name but a few.

We must immediately stop allowing other countries to hide behind sovereignty. As the High Commissioner for Human Rights, Mary Robinson, pointed out recently, good human rights records are in the best interest of trade and business. When the actions of countries are grounded on good, independent courts, the rule of law, respect for citizens' rights and adherence to human rights, then peace and stability follow and, consequently, the appropriate environment in which to build long-term trading relationships. One need only look at recent history to know that, despite all our sacrifices of human rights in the Asia-Pacific region, for example, trade has not been assured. The regime of Indonesia has not given Canadian trade its legitimacy over human rights.

One further difficulty with the present Canadian government's attitude and policy is noted in Canada's foreign policy document. In the government's response to the recommendations of the special joint parliamentary committee reviewing Canadian foreign policy, the government stated in its reply on February 7, 1994, that the government had decided to focus Canada's foreign policy on three key objectives: promoting prosperity and employment; promoting our security within the stable global framework; and projecting Canadian values and culture. Canada should not — and I emphasize, “should not” — have as its foreign policy the objective of projecting Canadian values and cultures. Critics of Canada's position are rightly pointing out that it is not our business to export our values and cultures to the world. This has never been in keeping with Canada's tradition, nor does it serve Canada well. While it is fair and necessary for Canada to share Canadian values and to expose other countries to our culture, it is surely not our position to be imposing our value system on others. Surely Canada's role is to ensure adherence to shared human values that are entrenched in the Universal Declaration and its covenants. We must push the notion of the universality of these rights.

•(1720)

The greatest responsibility to the universal declaration is that Canada, through its government, must clearly and consistently put the universal human rights agenda above all else.

It was reassuring recently to hear Minister Marchi point out that there is something new in the trade policy, and that is human rights. Many of us thought it had never left the trade policy, or in fact should not have left trade policy. Nonetheless, putting it back

is reassuring. He went on to say that we would be projecting and promoting our values, our human rights. It is not for Canada to put our rights in front of everyone. It is with humility that we put the universal human rights agenda first.

Again I would quote Human Rights Commissioner Mary Robinson. She stated:

...it's important that governments stand up for human rights, stand up against each other and we're going to continue to have the courage to do that work.

I believe that most Canadians have been consistent and clear in a commitment to human rights. What is necessary is that the Prime Minister and his entire cabinet must follow.

On motion of Senator Roche, debate adjourned.

MULTILATERAL AGREEMENT ON INVESTMENT

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Spivak calling the attention of the Senate to the differences between the proposed Multilateral Agreement on Investment and the NAFTA.— (*Honourable Senator Eyton*).

Hon. Noël A. Kinsella (Acting Deputy Leader of the Opposition): Honourable senators, I wish to make a few remarks on this inquiry which is at its fifteenth day. I then propose to ask that we adjourn the debate once again in the name of Senator Eyton.

I would salute my colleague Senator Spivak for calling our attention to some of the differences between the proposed Multilateral Agreement on Investment and the NAFTA. This was an important observation.

We have had some experience with the NAFTA, and in particular the economic impact it has had on Canada. Although there is some debate, I believe the experience, by and large, has been a positive one as it relates to our economic and social situation in Canada today.

However, the MAI remains under negotiation. That negotiation has moved from the tutelage of the OECD to the World Trade Organization, with the objective of trying to establish some universal principles for the movement of investment capital. The negotiators are faced with many difficult corollary issues which speak to the matter of state sovereignty, the economic, social and cultural rights of the peoples in different countries, and to what has often been referred to as the “new” generation of human rights: issues of solidarity, issues of the environment and issues of development.

As our debate on this important inquiry continues I hope that some of those issues will be addressed.

I would now move the adjournment of the debate in the name of Senator Eyton.

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

AGRICULTURE

RESULTS OF FIRST HEMP CROP—INQUIRY

Hon. Lorna Milne rose pursuant to notice of December 1, 1998:

That she will call the attention of the Senate to the state of this year's fibre hemp crop.

She said: Honourable senators, in March I reported to this chamber that Canadian farmers would be growing industrial hemp for the first time in over 60 years. I also related to you the potential spin-offs and the boundless list of uses of this crop. The crop has been sown, harvested and the products are in the stores.

This year was certainly not without problems. It started in May when Health Canada was late, in some cases extremely late, in granting licences. Separate licences are required to purchase seed and to grow the crop. With all the delays, some growers gave up even before they got the crop in the ground.

Kenex, a hemp processor near Chatham, Ontario, did much of the administration and the research for their 52 growers as the farmers became overwhelmed by all the paperwork. Planting started late because of all these administrative problems, which was unfortunate as the month of May provided ideal planting weather.

In spite of that, farmers from various regions of Canada reported a quick emergence of the seed. Several reported germination two days after planting. However, the late start did affect the yields, and experts predict it reduced them by 20 per cent to 50 per cent. The farmers are pleased with their result, and most have higher than average yields.

Testing is required three times throughout the growing season. Costs incurred by the farmers was enormous. Indeed, several growers were unaware of the requirement for these tests until they received their approved licence.

The real problems began when farmers started to harvest their crop. One man told me that he spent almost a week inside his combine modifying it and it still caught fire the first time around the field. I believe it will take a while for the machinery to be refined to work efficiently in North American conditions.

This year, 2,400 hectares were commercially planted in Canada. Every province except Newfoundland and Labrador had farmers growing industrial hemp. Ontario and Manitoba had the largest number. Ontario farmers seeded 1,163 hectares. Manitoba was second with 606. Many in the industry are predicting that these provinces will lead the industrial hemp production and processing in Canada. It will be interesting to watch the progress of the industry in these two provinces over the next few years. I believe it will come down to Ontario excelling in fibre

production and Manitoba in hemp seed. It seems that Western Canada does not produce as high a quality of fibre as that grown in the Ontario setting. Rather, the climate and growing season of the Prairies are more suited for several seed producing varieties of hemp.

My own particular interest, of course, was in the traditional tobacco-growing farms of southern Ontario. Hempline Incorporated of London, Ontario, contracted 500 acres to 20 farmers in southwestern Ontario, 100 of which were grown in the traditional tobacco lands. By all accounts, the harvest went very well. The yields were affected by the administrative delays in planting, but most farmers will make a profit or break even. Unfortunately, one group of farmers near Peterborough still has 35 tonnes of high quality hemp seed unsold.

In British Columbia, the number of growers was far less than predicted. The onerous nature of the regulations and applications discouraged many potential growers. Several farmers ploughed their fields down prior to harvest; one due to continual theft of the seed head by neighbouring beach dwellers, and another on orders from Health Canada because the grower had been supplied with an unknown mixture of seed varieties. A research grant plot by the Gitsegukla and in Hazelton was raided by a grizzly bear in search of the highly nutritional grain.

•(1730)

In Alberta, Dr. Stanford Blade continued with his research plots. The people of the Blood Reserve, in southern Alberta, are getting ready to grow hemp next year.

Saskatchewan farmers were most affected by the licensing delays. One farmer near Regina was unable to plant until July, nearly two months later than desired. However, his crop progressed very well and was harvested on September 26. The seed is to be crushed into oil and sold to American health food stores. Per acre, he expects to make double what he would normally make on barley.

Despite a severe drought in Nova Scotia, one grower grew five hectares this year, with great results. The crop responded, in spite of dryness, and on day 60 his plants were two metres in height. He plans to grow 200 hectares next year and is actively working on plans to build a processing facility in the Annapolis Valley.

Despite the general success with Canada's first commercial crop, there is much to learn from research farms. In addition to the 2,400 hectares grown commercially, 107 hectares were grown under research licences.

The growing was not the only success story this season. The processing sector is garnering attention from other countries. I recently attended the North American Industrial Hemp Council's annual conference, in Washington D.C. I do not think that ever in Washington's history the words "Canada" and "Canadian" have been repeated so often over a two-day period.

I want to warn Canadians that the Americans are coming. Political pressure is increasing in the United States for the legalization of industrial hemp. Hawaii, North Dakota, Oregon, Illinois, Indiana, Kentucky, Wisconsin and Tennessee all have

groups that are pushing strongly for the crop. Lawsuits and petitions are proliferating; universities are conducting studies; and some state governors are onside.

The Oglalla Sioux of the Pine Ridge Reservation in South Dakota passed a resolution for the growing of industrial hemp directly challenging the U.S. federal drug laws and citing NAFTA and GATT in support. The Navaha of Arizona planted hemp two years ago.

In Canada, even in this short time, hemp products are become being readily available. It is not just the small, independent organic and health food stores promoting hemp product; major companies are jumping in as well. The Body Shop launched their line of hemp beauty products in October. Most of the Body Shop products by year's end will contain hemp from Saskatchewan fields.

We have Canadians exploring the possibility using hemp in food and drink products — from cookies and ice cream to cooking oil, beer and pretzels, hemp has it covered.

From a fibre perspective, Kanex of Ontario hopes to have hemp components in Cadillacs in 2002.

Hempline is selling vast fibre to American upholstery plants. They are also promoting a line of hemp chips for animal bedding and have reportedly found a buyer for this as well.

The responses all indicate that the fibre produced in Canada this year is world class. Stakeholders in Quebec are currently developing hemp for the pulp and paper industry in Lac Saint-Jean and an initiative for combining hemp fibre with recycled cotton to make denim.

By actively promoting themselves and marketing the possibilities of hemp, Hempline and R&D Hemp of Ontario and Manitoba offered their farmers a guaranteed market for their crop.

The industry needs to develop on its own and, in this regard, there are models of success. One encouraging finding reported in Washington was the fact that once manufacturers gain market share, they tend to keep that initial advantage. Therefore, it behoves Canadian producers and manufacturers to gain and entrench their market share before the Americans get started.

This is an issue for industry as well as agriculture. Spin-off industries from hemp production are potential job producers at home as well as a source of export dollars.

While most involved in the hemp industry had few positive words for Health Canada this spring, upon reflection, most view this inaugural year as a learning year and are willing to assist in working out the bugs before the next season. Processors and farmers alike have made suggested changes in the application process. They would like to see a more concise and easy to understand application form, and an early administration of permits to allow for adequate time to purchase seed.

To their credit, Health Canada is currently organizing stakeholder meetings to be held early next year in several regions

of the country. It is my hope that these will prove effective in strengthening the communication between the various levels.

Canadian farmers are among the best in the world. They have proven this year that hemp is a viable crop in Canada. Whether or not it is an economically viable crop is still to be proven. It will depend on the increased efforts of the manufacturing and marketing sectors.

The Hon. the Speaker: If no other honourable senator wishes to participate, this inquiry will be considered debated.

ELECTION OF CANADA TO UNITED NATIONS SECURITY COUNCIL

INQUIRY—DEBATE ADJOURNED

Hon. Douglas Roche rose pursuant to notice of November 19, 1998:

That he will call the attention of the Senate to the election of Canada to the United Nations Security Council for 1999–2000, and Canada's role in contributing to peace, global security and human rights in the world on the eve of the new millennium.

He said: Honourable senators, in calling the attention of the Senate to the election of Canada to the United Nations Security Council for 1999-2000, I wish, first, to congratulate the government. In doing so, I include the governments of Canada of the past 50 years. I do not bring a partisan position to this chamber. I sit in this chamber as an independent senator. I have worked with both major parties as they formed the Government of Canada.

In the 25 years that I have worked at the United Nations in one capacity or another, either as parliamentarian, ambassador or consultant and advisor, the strength, dedication and devotion that Canada has brought to the United Nations has always been apparent to me. It is for no small reason that are we so highly regarded. As a matter of fact, I used to be embarrassed when people would comment on the wonderful things Canada that was doing at the United Nations. While I would agree with them, I must also say that we need to do better.

Second, I would congratulate our Minister of Foreign Affairs, the Honourable Lloyd Axworthy. In my considered view, he is one of the great Canadian foreign ministers. I personally do not appreciate the attacks that have been made on Mr. Axworthy from certain sources. I hope those sources will read these words in Hansard and recognize that I speak for many Canadians. In September, I went across this country and spoke in 16 cities. I know that the Minister of Foreign Affairs has the support of many Canadians around our country for what he has done towards the elimination of land mines, the development of criminal court, and the advancement of the small arms issues. Under his leadership, Canada will continue to play a strong role in the United Nations Security Council. For the sixth time Canada has been elected as a member of the Security Council. Hardly another country in the world has been elected so often.

Before I leave this subject, I would also congratulate the current Canadian ambassador to the United Nations, Bob Fowler, who has done an outstanding job. I know how easy it is for a country to lose an election for membership to the Security Council if that country's resident ambassador is not doing his or her job. Therefore, I sincerely congratulate Bob Fowler.

Honourable senators, now that we are on the Security Council, what will we do there? We are leaving behind a century that has been the bloodiest century in the history of humanity. More than 100 million people have been killed in war deaths in this century. We must lower that number in the next century.

Currently, 1.2 billion people do not have enough water, sanitation facilities or adequate health care. They do not have the basic amenities of life. Can we not do better in next century?

We are leaving behind a century in which we have despoiled the environment, emitted warming gasses that are now depleting the atmosphere, causing ozone depletion, the spread of deserts and the ruination of forests which, in turn, cause the migration of untold numbers of peoples who have become uprooted from their homes. Can we not improve that situation in the next century?

•(1740)

We are leaving behind a century in which human rights violations have been massive. We have had the Holocaust; we have had genocide; we have had exterminations of peoples; we have had slaughters of peoples. Can we not do better in the next century?

Honourable senators, we can and we must do better in the next century. Canada has a great responsibility and a very special role to play. The United Nations reminds us of this when they name us as the No. 1 country in the world, when you apply all the quality-of-life indices about longevity and health and so on.

However, we cannot live solely for ourselves in this country. We must live outward-directed, and I say to you that we will find our own soul inside Canada when we pay more attention to the needs of peoples around the world, which is now approaching a population of 6 billion people. We are one-half of one per cent of the people of the world, occupying land space as the second largest country in the world. Do you think we can escape the tremendous problems that the world is now facing and that will come increasingly in the next century? Indeed, we cannot. Therefore, I say that the hopes and fears and the grief and anxieties of humanity must be the hopes and fears and the grief and anxieties of Canadians themselves.

We cannot do everything for everyone. That is certain. Nor should we try, and I do not suggest that. However, we can help to build the conditions for peace and security in the world that is ahead. My message is short. We must build up the multilateral systems of world management so that, in a responsible way, we can help the management of the planet. No one country can solve the problems of today, so massive are they.

I will give you an indication of some of the problems the world is facing that cannot be resolved by action only at the

national level. They are problems that respect no borders, such as organized crime, trafficking in children and drugs, the AIDS pandemic, decertification, ozone depletion. There are problems that share the common denominator of poverty, malnutrition, illiteracy, inadequate housing, unemployment. With increasing frequency, these problems escalate into crisis and disaster. There are problems that tear at the roots of our societies in developing and industrialized countries alike — crime, racism, ethnic strife, violence against women, political and social exclusion, and massive violations of human rights. That list, honourable senators, can go on and on.

I will not drag down through excessive pessimism the assessment of this problem as we take our place in the Security Council. Rather, I want this to be an empowering experience for us, because we do have the capacity in our country to make a change. We can help to develop the world system of better management from our place on the Security Council by three sets of priorities. I will only say a few words on each, although each of these priorities is itself probably the subject of a full speech.

The first is the development of international law. We ought to have at the foremost of our considerations as we take our place on the Security Council, a privileged place, that we must have the development of a human community under world law if we are to survive these massive problems that afflict the 21st century. We are starting in that direction, and Canada should take its share of the credit in the development of the international criminal court which just started.

The International Court of Justice has been around a long time, and it is part of the Charter of the United Nations. It is part of the wing of the whole UN, and the major powers are ignoring what the International Court of Justice says. In its most important advisory opinion ever given on the question of nuclear weapons, the International Court of Justice said that use or threat of use of nuclear weapons would generally contravene every aspect of humanitarian law. It said with one voice that nations must conclude a set of negotiations that would lead to a program for nuclear disarmament. That opinion is being ignored by the major powers.

I want Canada to go into the Security Council and raise its voice. For some reason, the preposterous notion has grown through the years that the Security Council does not deal with the question of nuclear weapons. The Security Council is charged with dealing with peace and security; that is its main reason for being, and yet it leaves it to other bodies to hold the conference on disarmament and to deal with the problem of nuclear weapons. I say Canada ought to bring the question of nuclear weapons into the discussions, debates, and votes of the Security Council.

The second major priority that Canada should bring to the Security Council is the question of democracy. We live at a time when democracy is spreading around the world. We pride ourselves on the fall of the Berlin Wall, on democracy spreading through Eastern Europe, on the collapse of the military dictators in Latin America and on the advancement of democracy in the Middle East. We are cheering all that. One of the most undemocratic places I have ever seen in my experience is the

United Nations itself, and that is because of the hold on power by the five major powers. They have held to themselves the veto power given them at the end of World War II, when the world was totally different.

Fifty-one countries signed the Charter in 1945, and now there are 185 countries, because of the development of peoples of the world who are no longer represented on the Security Council on a permanent basis. Can you imagine that the entire continent of Africa does not have a permanent seat, that the entire continent of South America does not have a permanent seat, and that the entire continent of Asia, which holds half the people of the world, only has one seat? Of course it must be reformed and democratized.

Why, I would like to know, does the Security Council never have a summit meeting? I must correct myself. They did have one summit meeting. In the entire 53-year history of the United Nations, there has been one meeting of the Security Council at the summit level, and that was on January 30, 1992. I will not go into the reasons here why they felt it propitious at that time.

Nonetheless, as we cross over into the next century, if we are to have meetings of the G-8 every year, which gets to be tiresome after a while considering how little they do, surely Canada could go to the Security Council from its seat on the Security Council and say, "Let us have a meeting of the Security Council at its summit in order to discuss these key problems of poverty and nuclear weapons, and other weapons of mass destruction, as the chief impediments to peace and security, which is what the Security Council is supposed to be doing." Let us have a better partnership as governments to advance that agenda.

The third priority that I would suggest for Canada to advance at the Security Council is the priority I call an umbrella of human rights. We just heard a speech from a distinguished ambassador, Senator Andreychuk, on human rights. Briefly, I would say that it is not enough to observe the fiftieth anniversary of the Universal Declaration on Human Rights, as we are now doing. We must extend the meaning of the covenants on political and civil rights and economic and social rights to the advancement of what the Secretary General of the United Nations himself calls the emerging right to peace. We must have a better understanding of what UNESCO is trying to do in advancing a culture of peace.

For an important reason, the United Nations General Assembly has selected the decade 2001-10 as the International Decade for the Advancement of the Rights for Peace with Special Application to Children. That is an important measure to extend and deepen the concept of human rights that Canada ought to be advancing at every turn.

Finally, in this respect, I hope that Canada will never give its assent to any form of military intervention in any country conducted by any country unless it has the express authorization of the UN Security Council. There have been instances in the past — the Gulf War was certainly one — in which there was a

campaign that took place under UN auspices, to be sure, but it was not a UN war.

•(1750)

The Secretary General of the United Nations, Mr. Javier Perez de Cuellar, himself specified that at the time. My point is that Canada has a duty to the citizens of this country who want to espouse the values of peace and reconciliation through arbitration and mediation. Military force is a last resort only, not a first resort. Therefore, we must follow what the former secretary general of the United Nations, Mr. Boutros-Ghali, said in his agenda for peace. He said that we should work much harder for preventive diplomacy, to try to solve problems upstream before they happen, rather than downstream after they have happened. Nothing could be a sharper example of what I mean than the problem of nuclear weapons.

Honourable senators, we must solve the problem of nuclear weapons before it is too late, and Canada can bring those views into the Security Council.

Finally, they talk about the reform of the UN and administrative reform. That is fine. I am all for administrative reform. However, the true reform that Canada must speak up for in the United Nations as we go into the next century is a reform of the attitude of the major powers so that they will begin to recognize that they are part of this international human community, not the dominators of it.

Hon. Marcel Prud'homme: Honourable senators, I believe the Honourable Senator Graham wishes to adjourn this debate in his name.

Hon. B. Alasdair Graham (Leader of the Government): No.

Senator Prud'homme: It seems there is a pre-disposition by many senators to adjourn debate on this issue. Given what I said earlier, it would be logical to assume that I do not wish to adjourn this item under my name. However, I know that other senators wish to participate in this debate at some future time.

The Hon. the Speaker: Honourable senators, if no one moves the adjournment, I have no alternative.

Senator Graham: Honourable senators, I privately indicated an interest in participating in the debate at some point. It is not my intention to speak at the present time, nor before the adjournment. However, if any other honourable senator wishes to speak, they can take the adjournment and I will speak in due course.

Senator Prud'homme: Honourable senators, you will remember that I started this matter.

On motion of Senator Graham, debate adjourned.

CANADA-JAPAN INTER-PARLIAMENTARY GROUP*[English]*

THIRD ANNUAL VISIT WITH DIET MEMBERS IN JAPAN—
NINTH ANNUAL MEETING WITH JAPAN-CANADA FRIENDSHIP
LEAGUE, HELD IN ALBERTA—EXECUTIVE COMMITTEE MEETING
OF ASIA-PACIFIC PARLIAMENTARY FORUM HELD IN PERU—
SIXTH GENERAL ASSEMBLY OF ASIA-PACIFIC PARLIAMENTARY
CONFERENCE ON THE ENVIRONMENT AND DEVELOPMENT
HELD IN CHINA—INQUIRY

Hon. Dan Hays rose pursuant to notice of December 2, 1998:

That he will call the attention of the Senate to the third annual visit of the Canada-Japan Inter-Parliamentary Group with Diet Members in Japan from May 22 to June 2; the Ninth Annual Meeting between the Canada-Japan Inter-Parliamentary Group and the Japan-Canada Parliamentarians Friendship League, held in Alberta from August 21 to 28; the Executive Committee Meeting of the Asia-Pacific Parliamentary Forum, held in Peru from September 6 to 8; and the Sixth General Assembly of the Asia-Pacific Parliamentarians' Conference on Environment and Development, held in China from October 14 to 18, 1998.

He said: Honourable senators, in speaking to this inquiry standing in my name, I will comment on the significant activities of the Canada-Japan Inter-Parliamentary Group and the Asia-Pacific Parliamentary Forum that have taken place over the past few months. These include a special visit, the third of its kind, to Japan in the spring of this year; our ninth annual meeting between the Canada-Japan Inter-Parliamentary Group and the Japan-Canada Parliamentarians Friendship League, held in Banff, Calgary, Edmonton and Fort McMurray this summer; an executive committee meeting of the Asia Pacific Parliamentary Forum held in Lima, Peru, in September; and something new — our participation in the Sixth General Assembly of the Asia Pacific Parliamentarians Conference on Environment and Development held in Guilin, China, in October.

[Translation]

The purpose of the Canada-Japan Inter-Parliamentary Group is to promote exchanges between Japanese and Canadian parliamentarians, to propose initiatives contributing to a better mutual understanding of common bilateral and multilateral problems, and to work towards development and cooperation between both countries in all sectors. Exchanges take two main forms. First of all, there are annual meetings that alternate between the two countries. (See the report on the eighth annual meeting between the Canada-Japan Inter-Parliamentary Group and the Japan-Canada Parliamentarians Friendship League.) Then there is the president's annual visit, or blitz as it is called, to Diet members.

The first annual visit occurred in 1995. It allowed us to advance specific Canadian interests in the housing sector and to promote Canada's Action Plan for Japan.

The second annual visit further raised the Canadian profile and introduced at the parliamentary level the idea of building a closer bilateral peace and security dialogue. On this matter, I am pleased to report that a very successful symposium on bilateral peace and security cooperation between Japan and Canada was held in Vancouver September 11 to 12, 1998.

During the third annual visit, the most ambitious to date, we met with over thirty Diet members, including the then minister of foreign affairs, Mr. Obuchi, the former prime minister of Japan, Mr. Nakasone, and the Chair of the Japan-Canada Parliamentarians Friendship League, Dr. Tatsuo Ozawa. Our meetings were productive and covered the following areas: peace and security, including the ratification of the international Anti-Personnel Landmines Convention; agriculture in the context of the next multilateral round of agricultural trade policy talks due to start in 1999; financial and commercial interests; and culture.

After meeting with senior Diet members, journalists and academics, we concluded that although Japan's economy is in recession, financial sector stabilization, deregulation, and improved supervision — combined with the inherent strengths of their economy — all give us reason to be optimistic about the potential for Canadian companies wishing to do business in Japan.

We had the pleasure of meeting a number of young Canadians participating in the Japan English Teachers' Program, or JET, established by former prime minister Nakasone as a means of exposing young foreigners to Japanese culture. I am proud to report that there are presently more than 850 young Canadians in the JET program, the highest representation of any participating country on a per capita basis.

Our visit also took us to the Tohoku and Hokkaido Regions, both of which offer potential for Canadian investments and further trade opportunities.

The Tohoku Region accounts for one-fifth of Japan's total area, approximately 10 per cent of its total population and 8 per cent of its gross national product. We met individually with several opinion-makers and elected officials, including Mr. Shiro Asano, the Governor of the Miyagi Prefecture. We also hosted a luncheon for representatives of several corporations currently conducting business with Canadian firms.

The Island of Hokkaido is much less densely populated than Japan's other large islands and its northerly climate more closely resembles that of Canada. Its economy is dependent on a fairly significant degree of government support. We met with representatives of the Hokkaido International Business Association — which is an association of young entrepreneurs — with local opinion-makers and with local elected officials, including Governor Tatsuya Hori of Hokkaido. In each of these meetings we stressed the importance of maintaining close ties between Canada and Japan.

As some honourable senators may know, the Island of Hokkaido is twinned with the Province of Alberta, and there are currently 23 urban areas in Japan that are twinned with Canadian towns and cities. Furthermore, we are attempting to arrange an exchange of editorials between the *Calgary Herald* and the *Hokkaido Shimbun Press* on a theme such as the impact of the Asian financial crisis.

A highlight of the visit was a trip to central Hokkaido to meet with officials from twinned cities. We exchanged the flags of the towns of Canmore and Higashikawa and visited with the mayors and officials of the towns of Kamikawa, Kamiyubetsu, Okoppe and Tokoro, which are twinned with the Alberta towns of Rocky Mountain House, Whitecourt, Stettler and Barrhead, respectively.

Toward the conclusion of the visit, I had the pleasure of addressing the annual meeting of the Hokkaido-Canada Society on the theme of "Canada and Japan: Building a Common Future." In my remarks, I noted that Canada and Japan have many new opportunities to benefit from our evolving trade, security and people-to-people relationships.

The Hon. the Speaker: I regret to interrupt the honourable senator, but it is now 6 p.m., and I must leave the Chair, unless there is agreement not to see the clock.

Hon. Sharon Carstairs (Deputy Leader of the Government): Honourable senators, there is agreement not to see the clock.

The Hon. the Speaker: Honourable senators, is it agreed that I not see the clock?

Hon. Senators: Agreed.

Senator Hays: I thank honourable senators.

Honourable Senators, the third annual visit to Japan demonstrated that the networks and friendships built through parliamentary associations are very valuable in promoting Canadian interests abroad. The warm welcome extended to us and the openness of the conversations concerning the challenges facing Japan underscored the international reputation that Canada has earned as a caring nation with a vibrant economy and an abundance of natural resources.

[*Translation*]

Honourable senators, I would like to comment on the ninth annual meeting between the Canada-Japan Inter-Parliamentary Group and the Japan-Canada Parliamentarians Friendship League held in Alberta from August 21 to 28, 1998.

This week in Alberta gave delegates from both countries first-hand experience of the various aspects of bilateral relations, thus helping to further strengthen the growing personal ties between Japanese and Canadian politicians and business people, as well as public servants and academics.

[*English*]

Although the formal bilateral consultations held at the University of Alberta were the central event of the ninth annual meeting, the overall program provided a wealth of information to

both the Canadian and Japanese delegates on cultural, commercial, economic, agricultural, natural resources and environmental issues.

The program included activities at the Banff Centre for the Arts, which is one of Canada's premier cultural institutions; a tour of Banff National Park, including briefings on environmental issues and urban development; a tour of a ranch, namely, mine, in the Rocky Mountains; and a visit to the Western Heritage Centre; a meeting with officials from the City of Calgary; and a visit to Fort McMurray to tour the Syncrude development, the world's largest producer of synthetic oil from oil sands. As well there were cultural events, including a traditional tea ceremony in the Ozawa Pavilion at the Kurimoto Japanese Garden located on the grounds of the University of Alberta.

I should like to mention that the head of the Japanese league received an honorary doctorate from the University of Alberta for his support of the construction of the pavillion and the garden.

Dr. Roderick Fraser, President of the University of Alberta, and the Honourable David Hancock, the Alberta Minister of Inter-governmental and Aboriginal Affairs, hosted formal dinners in honour of the ninth annual meeting and in recognition of the support and contribution of Dr. Tatsuo Ozawa. Members of Parliament, members of the Alberta Legislative Assembly and community and business leaders attended the dinners.

On the final evening, the Canada-Japan Business Association of Edmonton hosted a formal dinner at which Dr. Ozawa was the keynote speaker. He gave an important speech explaining the current economic situation in his country.

In the bilateral consultations, we discussed the political and economic situations in both Canada and Japan; international affairs; peace and security; and trade and culture.

Honourable senators, I now turn to comments concerning Canada's attendance at a meeting of the Executive Committee of the Asia-Pacific Parliamentary Forum.

The United States, a regular member of the executive committee, was unable to participate and invited Canada to attend in light of their absence. This was timely since Canada is currently seeking a position on the executive committee. I remind honourable senators that Canada hosted the successful fifth annual meeting of the Asia-Pacific Parliamentary Forum in Vancouver, which Your Honour attended.

[*Translation*]

The Asia-Pacific Parliamentary Forum, now in its seventh year, is growing in importance. What goes on in the Asia-Pacific region is of great importance to Canada: concerns about environmental changes around the world, the security and stability of the Korean peninsula, the efforts aimed at eliminating anti-personnel mines, the impact of technological change, requirements for honest trade and the elimination of corruption are but a few examples of the questions the meeting dealt with. Canada is one of the founding members of the APPF and hosted the fifth meeting in Vancouver in 1997.

[English]

We are looking forward to participating in the seventh annual meeting in Lima. It is our hope that we will be able to promote government initiatives, such as the elimination of small arms and an improved international monetary surveillance system.

In October, I had the pleasure of attending the sixth General Assembly of the Asia-Pacific Parliamentarians Conference on Environment and Development.

[Translation]

The conference was established in 1993 by the Korean parliamentary league for children, the public and the environment to mark the first anniversary of the Rio Earth Summit. Canada has been a member of APPCED since 1993, but participated officially only in the sixth annual meeting, held in 1998. The conference gave the 28 member countries the opportunity to discuss sustainable development, increased parliamentary contacts and allowed Canada's interests to be presented at a multinational forum.

[English]

The theme of the conference was "The Sustainable Development of Tourism." The plenary sessions and the resulting joint communiqué, known as the Guilin Declaration, focussed on the following three areas of discussion. They included relations between tourism development and environmental and natural resource protection; principles and strategies for the sustainable development of tourism; and the promotion of sustainable tourism development through enhanced international cooperation.

Participation in this assembly was a positive experience, having laid the groundwork for future parliamentary contacts and cooperation. Future participation should be considered worthwhile. To this end, the report that I tabled in this chamber last week offered recommendations for consideration. I commend the report to honourable senators.

For my part, I am proud of the work of the Canada-Japan Inter-Parliamentary Group and the Asia-Pacific Parliamentary Forum. I look forward to continuing to work with members of both this chamber and of the other place in advancing Canada's interests in the Asia-Pacific region.

Honourable senators, I should like to confirm my strong belief that the importance of international parliamentary associations in informing parliamentarians on policies in other countries must not be underestimated in this new age of international interdependence. What transpires in other regions of the world has tremendous consequences for Canada, as do our actions for other regions. Parliamentary associations are also about those valuable friendships and bonds that are built between parliamentarians of different countries over time. I invite all honourable senators to participate in the work of the association.

The Hon. the Speaker: If no other honourable senator wishes to speak, this inquiry shall be considered debated.

•1810)

HUMAN RIGHTS

MOTION TO ESTABLISH STANDING COMMITTEE—
DEBATE ADJOURNED

Hon. A. Raynell Andreychuk, pursuant to notice of December 3, 1998, moved:

That rule 86(1) of the *Rules of the Senate* be amended by inserting immediately after paragraph (q) the following new paragraph (r):

(r) The Senate Committee on Human Rights and Fundamental Freedoms, composed of twelve members, four of whom shall constitute a quorum, to which shall be referred, on order of the Senate, bills, messages, petitions, inquiries, papers and other matters relating to the protection of human rights and fundamental freedoms.

She said: Honourable senators, if I may, in deference to the late hour, I will stand this over.

On motion of Senator Andreychuk, debate adjourned.

NATIONAL DEFENCE ACT

BILL TO AMEND—MESSAGE FROM COMMONS

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons returning Bill C-25, to amend the National Defence Act and to make consequential amendments to other Acts, and acquainting the Senate that they had agreed to the amendments made by the Senate to this bill without amendment.

CANADA CUSTOMS AND REVENUE AGENCY BILL

FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-43, to establish the Canada Customs and Revenue Agency and to amend and repeal other Acts as a consequence.

Bill read first time.

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

On motion of Senator Carstairs, bill placed on Orders of the Day for second reading on Thursday next, December 10, 1998.

The Senate adjourned until Wednesday, December 9, at 1:30 p.m.

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