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**Thursday, February 11, 1999**

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THE HONOURABLE GILDAS L. MOLGAT  
SPEAKER

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## THE SENATE

Thursday, February 11, 1999

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

Prayers.

### SENATORS' STATEMENTS

#### PRINCE EDWARD ISLAND

COLLEGE OF PIPING AND CELTIC PERFORMING ARTS OF CANADA—WILLIAMS REPORT ON GOVERNMENT WASTE

**Hon. Catherine S. Callbeck:** Honourable senators, I rise today on an issue which has struck a chord in my home province, that being the so-called "Waste Report" recently issued by the Reform Member of Parliament John Williams. In his rhetoric-filled document, Mr. Williams takes particular delight in chiding the federal government for its support of certain projects. One of these projects, as listed by Mr. Williams, is one of the great success stories — in terms of education, culture and tourism — anywhere in the country.

I have watched with great pride over the last two years as the College of Piping and Celtic Performing Arts of Canada, based in Summerside, received international recognition. It now has over 340 students currently enrolled in the college from all corners of the world, from as far away as Australia, New Zealand, Florida, Vancouver, and, yes, even Scotland.

This fine institution has grown and prospered along with its world-class reputation. In his wisdom, however, Mr. Williams chose to single out the College of Piping, and its \$125,000 federal grant, as a waste of money. He does not point out that this money came with the condition that the college raise one quarter of a million dollars in matching funds to carry out its project. He does not say that the money will go toward the production of 40 separate events at the college this year. He neglected to specify that these events will be attended by over 20,000 people and will generate hundreds of thousands of dollars in economic spin-offs for the community.

I would suggest that this institution is very worthy of government assistance.

Last year, at the most prestigious solo piping competition in the world, the champion solo piper was an instructor from the college, while the second-place finisher was an 18-year-old college student.

•(1410)

As you may be aware, the population of my province is comprised mostly of people of Celtic descent, approximately 45 per cent of whom trace their heritage directly to Scotland. Culture, in all its forms, is very important. It is deserving of

support. As the old saying goes, if we do not know where we come from we cannot know where we are going.

For Mr. Williams to describe providing money to this institution as wasteful is a disservice to all Canadians. What Mr. Williams has done is unfortunate and self-serving, and obviously he has not done his homework.

I am inviting him to be my guest this summer at the highland gathering at the College of Piping in Summerside, Prince Edward Island. I firmly believe that if he has the opportunity to experience this wonderful institution firsthand, and witness what it means to the people of Prince Edward Island and visitors to our province, then he will quickly change his mind about its importance.

#### NEWFOUNDLAND

1999 CANADA WINTER GAMES

**Hon. Ethel Cochrane:** Honourable senators, on February 20, western Newfoundland will welcome over 2,600 athletes and some 800 coaches and managers from every province and territory to the Canada Winter Games. That is a bigger contingent of athletes than Japan had in Nagano for the Winter Olympics last year. This will be the first time the winter games have come to Newfoundland and Labrador.

We are looking forward to providing participants and spectators with two weeks filled with good sport and good fun. The games will be centred in Corner Brook; however, the host region includes the communities of Stephenville, Deer Lake, Steady Brook and Pasadena.

The Canada Winter Games is the largest multi-sport event in the nation. From February 20 to March 6 there will be competition in 21 sports. The host region will stage a total of 135 competitive events.

Again, there will be more athletes than at the Nagano Olympics, and we will do it with a budget of just \$38 million, compared with the more than \$1 billion it cost to put on last year's Winter Olympics.

Corner Brook, Stephenville and other communities expect a total attendance of 150,000 at the events, and over 25,000 spectator visits from outside the region. There will be entertainment and social activities to go with the excellent athletic competition. Western Newfoundland is looking forward to treating the "come-from-aways" to our brand of western hospitality.

Honourable senators, I know you are looking forward to the end of winter, but from now until March 6, I invite you to join me in wishing for snow, cold weather and an exciting 1999 Canada Winter Games.

[Translation]

### CITIZENSHIP AND HERITAGE WEEK

**Hon. Lucie Pépin:** Honourable senators, as our colleague Senator DeWare told us so eloquently on Tuesday, this week is Citizenship and Heritage Week.

This brings me great pleasure, both as a senator and as a Canadian who takes great pride in our country and its many accomplishments.

[English]

Canada is truly a wonderful country in which to live. It is important that we take time to reflect on our past and on what it means to be Canadian, that collectively we strive to build a better understanding of each other, our common values and the journey we have made together thus far.

By looking to the past and celebrating our achievements as a nation, we can strengthen our sense of citizenship and shared purpose, and work with one another to fashion the society we want for the future.

Canada has an exceptionally rich and diverse heritage. It is a story made up of many different people, from the First Nations to the European explorers and early settlers, and to tens of thousands of courageous women and men since then who came to Canada from around the globe.

[Translation]

Ours is an inspiring story that draws its power both from the imposing beauty of the land itself and from the determination with which generations of Canadians have worked together to build the country of their dreams.

[English]

For instance, I am particularly glad that more Canadians are coming to appreciate the tremendous contribution made by the people of the First Nations to our country. From the helping hand extended to the first European explorer, to the valour and comradeship of the native Canadians who fought for Canada in both world wars, our First Nations have played a crucial role in the development of Canada.

I am also pleased that more of us are learning to look at Canada's history through the lens of women's experience in addition to that of men.

Marie de la Tour, Marguerite Bourgeoys, Molly Brant: These were brave and adventurous women, as were women like Susanna Moodie, Catherine Parr Trill.

[Translation]

These stories — and many others that speak to the experience of the different cultural communities in our Canadian mosaic — are all part of our common heritage. They are stories that we should learn to tell each other and — where appropriate — to celebrate.

Honourable senators, Citizenship and Heritage Week also shines the light on the pivotal role immigration has played in shaping our nation.

As my colleagues know, successive waves of immigration have strengthened our economy and, in large part, made Canada what it is today — a dynamic, prosperous, multicultural society. French, English, Irish, Dutch, Ukrainians, Chinese, Vietnamese, Ugandans, Somalis, and many others have left their homelands, for one reason or another, and sought a better life here in Canada.

Each has brought with them a dream of the kind of country in which they would like to live.

[English]

Those dreams are what have fashioned us as a nation. The details may have changed over time but the core values have remained the same. Justice, equality and respect for human rights, over the years these have become the hallmark of Canadian society.

[Translation]

Honourable senators, there is value in taking time to reflect on what it means to be a Canadian. What are our responsibilities as Canadian citizens? What kind of society do we want to be at the dawn of the millennium?

Honourable senators, it is my fondest wish that Canadians will take advantage of this week to look not only at the past but to the future as well. Equality, tolerance, sharing and compassion are all key building blocks for a growing economy and a strong social fabric. In short, they are the foundations for a bright and sustainable future.

Let us celebrate the past and shape our future together and talk about it.

### FISHERIES AND OCEANS

#### CREATION OF NEW FISHING ZONE FOR SNOW CRAB

**Hon. Fernand Robichaud:** Honourable senators, I rise again today to speak to you a second time on snow crab.

Coastal New Brunswick and Gaspé fishers are calling for the creation of a new fishing zone in which they may catch snow crab.

At the moment, this privilege is reserved for a number of permit holders, who are the only ones to exploit this very lucrative and abundant resource in zone 12.

While 1,700 coastal fishers make their living in difficult conditions, they do not have access to this resource, an appreciable quantity of which die annually from aging.

The fishing areas in the zone in question extend from the south coast of the Gaspé to eastern New Brunswick, including Chaleur Bay and the Shediac valley.

A request to create new zones was officially submitted to the Minister of Fisheries and Oceans in March 1998. The zone proposed is already dominated by coastal fishing.

According to the information in the application, lobster represents between 70 per cent and 80 per cent of the total value of the catch by the coastal fleet. Although the coastal fishing zone represents traditional fishing grounds for a significant fleet of fishers, it would be more than justifiable to have these fishing grounds officially recognized as a coastal zone.

This recognition would give and, more important, ensure access to a number of species found in this area, as well as facilitate long-term planning to reduce dependency on lobster fishing.

Instead of having a limited number of licence holders operating a very lucrative crab fishery, coastal fishers would have access to a fair share of this resource.

In addition, plant production would increase, requiring the hiring of more workers to meet the demand. This is a win-win situation.

It was also recommended that a joint management commission be established to reconcile the needs of fishers and those of their communities through a responsible and sustainable approach to resource management.

Snow crab is the only healthy commercial species in the proposed coastal area to which coastal fishers do not have access, which is unacceptable given how plentiful this resource is and since crabs are dying of old age.

Besides, coastal fishers in New Brunswick and the southern part of the Gaspé coast are the only ones in the entire Gulf of St. Lawrence not to have access to the snow crab fishery. New Brunswick is the only province in Atlantic Canada not to have a coastal snow crab fishing zone.

Honourable senators, for these reasons, I reiterate my support to the representations in favour of establishing a fishing area for coastal fishers. By approving the establishment of the proposed fishing zone and making it accessible to coastal fishers, we are practicing what we preach, and that is a fair distribution of the resource belonging to those communities that depend on it.

## ROUTINE PROCEEDINGS

### ADJOURNMENT

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

That when the Senate adjourns today, it do stand adjourned until Tuesday next, February 16, 1999, at 2 p.m.

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

**Some Hon. Senators:** Agreed.

Motion agreed to.

[English]

## BUDGET SPEECH

### ACCOMMODATION OF SENATORS IN COMMONS GALLERY

**The Hon. the Speaker:** Honourable senators, before I call Question Period, I would remind senators that the budget speech will be delivered at 4:15 p.m., Tuesday, February 16, 1999. As has been the practice in the past, only senators will be allowed in the Senate gallery in the House of Commons so that any senators who wish to attend can be accommodated.

## QUESTION PERIOD

### FOREIGN AFFAIRS

#### FAILURE OF PRIME MINISTER TO ATTEND FUNERAL OF THE LATE KING HUSSEIN—SCHEDULING IN PMO—INVOLVEMENT OF CHIEF OF DEFENCE STAFF

**Hon. Noël A. Kinsella (Acting Deputy Leader of the Opposition):** Honourable senators, my question is for the Leader of the Government in the Senate.

Can the leader advise this house who in the Prime Minister's Office is responsible for arranging the schedule of the Prime Minister?

**Hon. B. Alasdair Graham (Leader of the Government):** Honourable senators, I would imagine it would be a combination of people, depending upon the particular event that is being scheduled. I would presume it would be the Director of Operations.

**Senator Kinsella:** Could the leader advise us as to who in the Prime Minister's Office informs the Department of National Defence when a Department of National Defence aircraft is necessary for the Prime Minister's use?

**Senator Graham:** Honourable senators, I am not certain, but I presume it would be the Director of Operations. I will make inquiries and bring forward the proper information.

**Senator Kinsella:** Honourable senators, will the Leader of the Government not agree that certain personnel in the Prime Minister's Office are responsible to inform the various agencies of the government, whether it be the security service, the RCMP or the Department of National Defence, in a timely fashion, that the services of that agency are required?

**Senator Graham:** Yes, I would presume that someone must give them notice.

**Senator Kinsella:** Could the minister explain to this house why such a terrible mistake was made in not getting the Prime Minister to Amman to attend the funeral of the late King Hussein of Jordan, which failure has caused great embarrassment to the country and, no doubt, to the Prime Minister as well?

**Senator Graham:** I am not aware of the intricate negotiations or messages that were forwarded from either the Prime Minister's Office or the Canadian Forces. However, I do know that the Chief of the Defence Staff, General Baril, made a statement yesterday; and I would let it rest at that.

**Senator Kinsella:** Honourable senators, with regard to the statement made yesterday by the Chief of Defence Staff, I believe that most Canadians were quite embarrassed by the unseemly sight of General Baril acting as the fall guy for the Prime Minister.

**Senator Graham:** Honourable senators, it is an unfair statement to characterize General Baril, a distinguished soldier, as a "fall guy." He has built up an enviable reputation in the Armed Forces, both at home and abroad.

General Baril should not be characterized under any circumstances as a "fall guy." He stands on his own merits. I take his word as he gave it.

## FISHERIES AND OCEANS

### REPORT ON WEST COAST FISHING COMMUNITIES— VERACITY OF RELEASED VERSION—GOVERNMENT POSITION

**Hon. Gerald J. Comeau:** Honourable senators, is the Leader of the Government in the Senate aware that the Department of Fisheries and Oceans recently withheld a major report on the economically devastated West Coast fishing communities and then released a sanitized version which omitted key criticisms contained in the initial report?

According to *The Globe and Mail* of February 5, the author of the report, G.S. Gislason, charged that the final version of the report contained inconsistencies and recommendations that he did not make which, he says, "comes close to misrepresentation."

Among the conclusions contained in the original report which were omitted in the final report are: that the West Coast fishing communities have not been well-served by the existing government assistance program; that the fisheries department is in the business of token consultation aimed more at managing public relations than gathering opinions; and that the total salmon fishery job losses by the year 2000 will be 15,500, about double those realized through 1997.

My question for the Leader of the Government in the Senate is this: Such recommendations undermine Canada's faith in the civil service which has a long and proud tradition in Canada. What actions will the government take to ensure that the department will not repeat this type of action in the future?

**Hon. B. Alasdair Graham (Leader of the Government):** Honourable senators, I would agree with Senator Comeau that Canada's public service has a long and proud tradition in our country.

I am not aware of any "sanitized version" of the report that was released. I am sure it is a very timely and interesting report.

On a number of occasions, Senator Comeau has won praise from all sides of this chamber for his work as the distinguished

Chairman of the Standing Senate Committee on Fisheries. It may very well be that the report should be the subject of an examination by the Fisheries Committee.

**Senator Comeau:** Honourable senators, I thank the minister for the praise.

The report is, in fact, very critical of certain actions taken by the department. The removal of those sections which were critical of the department caused the author some concern, since his name remained as author of the report. He did not want to be a party to that.

The loss of 15,500 more jobs would be significant. Does this figure of 15,500 job losses predicted by the author of the report due to problems in the West Coast fishery coincide with the government's numbers? Is this number accurate? If so, will the government take action to respond to the problems this is causing in the affected communities?

**Senator Graham:** Yes, honourable senators, the government has already provided financial assistance to the West Coast fishery.

Senator Comeau also asked whether the figure of 15,500 job losses is consistent with the figure arrived at by the Department of Fisheries and Oceans. I would have to make inquiries to determine whether it is.

Certainly, if the Department of Fisheries and Oceans believes that it would be desirable to provide clarification of the earlier study to which the honourable senator referred, I would be pleased to bring forward such a report.

## NATIONAL DEFENCE

### SEARCH AND RESCUE HELICOPTER REPLACEMENT PROGRAM— ALLOCATION OF FUNDS TO UPGRADE CF-18 FLEET— PRIORITY OF PROGRAM—GOVERNMENT POSITION

**Hon. J. Michael Forrestall:** Honourable senators, yesterday I raised the question of the significance of search and rescue capability in Canada and our capacity to replace the aging fleet of Labrador helicopters.

I have been advised by sources in the Canadian national defence structure, upon which I have relied for many years, that the Minister of National Defence did not know that there was \$1.2 billion kicking around on the books, that it came to light only as a result of due diligence and access to information.

I am told as well, and I agree with the proposition, that this could well be the result of politics within the Armed Forces — the interests of F-18 pilots versus the interests of helicopter pilots.

Could the minister determine whether that is the case? Would he then bring to this chamber an explanation of why that money was not used to buy EH-101 helicopters to replace the aging Labradors, thus relieving the undue pressure being placed upon the Sea Kings which must now answer virtually 60 per cent of the calls for service by the Labradors?

**Hon. B. Alasdair Graham (Leader of the Government):** Honourable senators, I do not think that an amount as large as \$1.2 billion could be kicking around on the books of the Department of National Defence without the minister's knowledge. Moreover, I do not think that an expenditure of \$1.2 billion would be made to refit and upgrade the CF-18s without the express knowledge and approval of the minister.

I would hesitate very much in pitting the pilots of one section of the Armed Forces against those of another. We should all press on, Senator Forrestall, in encouraging the government to do what must be done to provide our Armed Forces personnel with proper equipment.

As I have said, we have already ordered the replacements for the Labradors. The minister and the department are considering how best to approach the question of replacements for the Sea Kings. I hope that our combined efforts will meet the satisfaction of both the Armed Forces personnel and the Canadian public.

**Senator Forrestall:** Perhaps, honourable senators, the minister would rise one day next week and tell us where that \$1.2 billion came from. It should be used for search and rescue equipment, as he and all Canadians well know.

We do not want to get into what Mr. Gates had to say in his diary about that equipment. Now we know the truth. Where did the \$1.2 billion come from?

**Senator Graham:** It came from the resources of the Department of National Defence.

**Senator Forrestall:** Sure it did. Why, then, was it not used properly?

## FOREIGN AFFAIRS

### VISIT BY RUSSIAN DELEGATION—ASSISTANCE TO ALLEVIATE FAMINE—GOVERNMENT POSITION

**Hon. Leonard J. Gustafson:** Honourable senators, my question is directed to the Leader of the Government in the Senate.

Last night, I and various other senators attended a meeting with a Russian delegation led by their minister of agriculture. Very sad information was brought to the Parliament of Canada. We were told very bluntly of a collapsed economy and a country that is almost under the rule of the mafia. We heard about drought. Russia, which normally produces 90 million tonnes of wheat, can now only produce 40 million tonnes as a consequence of a drought. We were told of famine and hunger in that country.

For many years, the Russians bought large amounts of grain from Canada. Canada currently has a glut of wheat. Would the Leader of the Government in the Senate carry to cabinet a suggestion which I think would meet the approval of many senators, including Senator Stewart who chaired the meeting? That suggestion is that that glut of grain be given as aid or as part of a long-term loan to Russia.

**Hon. B. Alasdair Graham (Leader of the Government):** Honourable senators, I congratulate Senator Gustafson for his timely intervention and for his continuing interest, not only in the concerns that arise as a result of declining farm incomes in Western Canada, but in other parts of the world as well. As the greatest and most fortunate country in the world, we do have responsibilities.

The honourable senator is absolutely right in stating that the Russian economy has collapsed. The Russian delegation and the spokespersons made very forceful representations calling attention the famine in that country.

For humanitarian reasons, among many others, I would be happy to bring Senator Gustafson's representations to the attention of the Prime Minister, the Minister of Foreign Affairs, the Minister of Trade and the Minister of Agriculture.

•(1440)

**Hon. Marcel Prud'homme:** Honourable senators, perhaps in the representations the minister could say that many of the 18 senators — and, it was the largest congregation of senators in the history of this parliamentary group that is not officially funded by Parliament — and the 19 members of the House of Commons who attended the meeting expressed non-partisan views. The views expressed by Senator Gustafson were shared by many of the members. Senator Gustafson took the initiative to rise today, but many of those in attendance share his views. If the leader would like the list, I would be happy to provide it.

**Senator Graham:** Honourable senators, as a matter of fact, I would be interested in the members who attended, and I congratulate our colleagues who attended that meeting.

I will bring the matter to the attention of those I mentioned earlier. I remember many years ago — and I am sure Senator Prud'homme was in attendance — when the man who was then responsible for agriculture, and later became the President of the Soviet Union, Mr. Mikhail Gorbachev, came to Canada. Senator Whelan was the then minister of agriculture. I attended a joint meeting of both Houses. I believe it was the agriculture committees and the foreign affairs committees of both Houses. It was a most interesting discussion. I will not go into the details of the most interesting discussions as I recall them, but that was the beginning of a very important dialogue between our two countries — perhaps what we might characterize as “a new beginning.”

Our friends in what is now Russia are having a difficult time. I am sure that Canada, with its very enviable role on the world stage, will be most anxious to provide whatever help it can at this time. I would be very pleased and honoured to bring forward the representations that have been made by Honourable Senators Gustafson and Prud'homme. I know that Senator Stewart, who is the Chairman of the Foreign Affairs Committee and who chaired the particular meeting to which the honourable senators refer, and all honourable senators would want to join in making their individual representations to our colleagues in the government.

**ANSWER TO ORDER PAPER QUESTION TABLED**

RATIFICATION OF CONVENTION ON COMBATING BRIBERY OF  
FOREIGN PUBLIC OFFICIALS IN INTERNATIONAL BUSINESS  
TRANSACTIONS SPONSORED BY OECD—  
GOVERNMENT POSITION

**Hon. Sharon Carstairs (Deputy Leader of the Government)**  
tabled the answer to question No. 137 on the Order Paper—by  
Senator Lynch-Staunton.

**ORDERS OF THE DAY****RAILWAY SAFETY ACT**

BILL TO AMEND—SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Poulin, seconded by the Honourable Senator Pearson, for the second reading of Bill C-58, An Act to amend the Railway Safety Act and to make a consequential amendment to another Act.

**Hon. J. Michael Forrestall:** Honourable senators, I rise today to speak to second reading of Bill C-58. I had the honour, as some of you will know, to chair a subcommittee of the Standing Senate Committee on Transportation and Communications of this chamber and, latterly, the Special Senate Committee on Transportation Safety. The special committee recently tabled its interim report, which we all believe significantly adds to the literature on transportation safety in our country.

If I may be permitted a small commercial in this respect, I believe through our hearings and travels we have accumulated a great deal of knowledge in the area of transportation safety. Having released our interim report, we will now concentrate first on air safety. We hope to have our report before the chamber before the summer recess. We will then move into the other modes. That is, rail, marine and highway transport, which was the subject that led us to this current round of studies on transportation safety and security, the first round having been brought to our attention by our former colleague Senator Keith Davey. Highway transport will, perhaps, be the most interesting because we will be trying to deal with the difficulties on Canada's highways, issues such as safe trucking and so on.

This commercial is directed particularly at my colleagues opposite. Since the establishment of the special committee last June, we have not had so much a problem of attracting quality people but in retaining their interest. Frequently, those who have come to join us in our study have had prior obligations and responsibilities and have found it difficult to stay with us on a full-time basis. If there is anyone over there who has an interest in air safety and security, they might seek out their whip, indicate their interest and come and join us. We can promise a variety of

interests, interesting people and some travel, but we do not do very much heavy lifting.

Honourable senators, returning to the subject of Bill C-58, both the Subcommittee on Communications and the Special Committee on Transportation Safety and Security have studied the rail industry in some depth. We have met with the major operators and unions in Canada, with the singular exception of VIA Rail which we intend to meet with later this spring.

In the United States, we met with the umbrella groups of management and unions, as well as officials from Amtrak. In both France and Great Britain, we had extensive meetings with public officials and officials from France's high speed rail facility. All of this has given a number of senators in this place, namely, Senators Bacon, Mercier, Adams, Roberge, and myself, a great deal of knowledge and depth with which to assess the merits of the bill before us today and, indeed, other transportation bills that will be forthcoming in the months ahead.

In its interim report, the Special Senate Committee on Transportation Safety and Security raises a number of issues concerning rail safety in Canada. Two recent reports from the Transportation Safety Board are highlighted. The board, in its reports on the derailment outside Edson, Alberta, and the VIA train derailment near Biggar, Saskatchewan is quite critical of rail safety. It is critical of the lack of attention to safety in relation to two accidents which possibly could have been prevented.

I commend to all senators the reading of chapter 4 of our report, as that is the main chapter on the subject-matter of the bill before us.

Our discussions on rail safety have also revealed the concerns of the unions over the downsizing of the workforce in the rail industry. Few industries have been hit as hard as the rail transportation sector in Canada in terms of sheer numbers. The practical applications of computer technology have caused this situation. Unions are concerned — and, frankly, so am I — that downsizing could negatively affect safety.

We can only urge the unions and management to continue to work together in the interest of safety. There is a responsibility on all of us to work toward a culture of safety in our thoughts and in our actions with respect to all forms of transport in Canada.

•(1450)

Turning specifically to Bill C-58, I must say that I welcome many of the concepts set out in the bill and look forward to the deliberations of the Standing Senate Committee on Transport and Communications.

Clause 1 of the bill sets forth the objectives of the Railway Safety Act. These objectives do not specifically mention the unions involved in the rail industry. I believe that because these groups expressed great interest in safety, and because it is their members who are on the front lines of safety, the unions should



be specifically mentioned in either paragraph (b) or paragraph (c) which set forth the responsibility for safety or the improvement of safety.

Clause 13 of the bill gives the minister the power to require a railroad to formulate safety rules; alternatively, such rules can be imposed by the minister. There is a period set out in the bill for consultation. We would hope that the minister would ensure, either through an amendment to this bill or in a regulation, that the unions are consulted and taken into account in meaningful ways.

Clauses 15 and 19 give specific powers to the minister dealing with safety matters. Under clause 15, the minister can exempt railway companies from the application of certain regulations. These are regulations that deal with safety at rail crossings and other potential hazards. As with other bills we have seen recently in this place that give discretion to the minister, no criteria are set out for exercising that discretion. We hope that, in using his discretion, the minister will continue to err on the side of safety.

Clause 18 allows the minister to require that train whistles not be blown in residential areas late at night. That would be a blessing in my community for hundreds and hundreds of senior citizens; however, it might pose a safety problem. For insomniacs, I suppose the sound of the whistle would be no problem. For those, however, who may be awakened from a sound sleep, I suppose a train whistle could be disturbing. I hope again that the discretion to shut down train whistles will be used sparingly. There are only a limited number of ways to notify the public of an oncoming train. Here, the minister should err on the side of safety in granting approval to shut down the whistle. Perhaps in committee he will tell us how he intends to exercise his discretion. It is only the train whistle that lets you know a train is coming.

Clause 19 gives the Minister of Transport the power to make regulations in relation to the construction and maintenance of the roads and the control of vehicular and pedestrian traffic to ensure safe rail operations at level crossings. Indeed, again I draw your attention to the pertinent sections of our interim report that is already before the chamber. As roads and highways are within provincial jurisdiction, we continue to be concerned about the constitutional effect of certain regulations that are contemplated and, indeed, set forth.

I am pleased that the bill gives regulation-making power to the cabinet respecting the development and implementation of safety management systems by railway companies. This is a positive move on the part of the government, and it is most welcome.

In Great Britain, rail companies are required to submit and update "safety cases." These safety cases are to be developed by management in conjunction with the rail unions. I hope that is the direction in which we are moving here in Canada.

As much of this bill will be implemented by regulation, we would hope that these same regulations will be tabled in both

Houses before they become law. I am sure that members of the Standing Senate Committee on Transport and Communications would like to review them. This bill generally is a positive step forward. It is the result of an overlook of the system required by statute.

Canadians are fortunate to have a railway transport system as large as it is and as safe as it is. However, the sad fact is that it needs to be made safer, and it can and must be made safer through the appropriate application of regulations and by a concerned and growing awareness on the part of both management and unions of the need to practise safety and to develop a culture for safety. In the final analysis, that is the only way we will be able to hold the line on some of the tragic accidents that have been occurring all too frequently on our rail systems.

**The Hon. the Speaker:** Honourable senators, it was moved by the Honourable Senator Poulin, seconded by the Honourable Senator Pearson, that 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 Carstairs, bill referred to the Standing Senate Committee on Transport and Communications.

[Translation]

## SCRUTINY OF REGULATIONS

### THIRD REPORT OF COMMITTEE TABLED

Leave having been given to revert to the presentation of reports from standing or special committees:

**Hon. Céline Hervieux-Payette:** Honourable senators, I have the honour to table the third report of the Standing Joint Committee for the Scrutiny of Regulations on the repeal of subsection 68(1) of the Narcotic Control Regulations.

### FOURTH REPORT OF COMMITTEE TABLED

**Hon. Céline Hervieux-Payette:** Honourable senators, I have the honour to table the fourth report of the Standing Joint Committee for the Scrutiny of Regulations on the repeal of subsections G. 06.001(1) and J. 01.033(1) of the Food and Drug Regulations.

[English]

## PRECLEARANCE BILL

### SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Carstairs, seconded by the Honourable Senator Joyal, P.C., for the second reading of Bill S-22, authorizing the United States to preclear travellers and goods in Canada for entry into the United States for the purposes of customs, immigration, public health, food inspection and plant and animal health.

**Hon. John Buchanan:** Honourable senators, I rise to support Bill S-22. I also rise to agree with just about everything that my fellow Nova Scotian, Senator Carstairs, said.

The substance of this bill has been on the agenda of the Canada-U.S. Parliamentary Association for at least the last three years. I led the discussion at our annual meeting two years ago, held in Cape Breton, which also included the Open Skies agreement of 1995.

Given the fact that over 80 U.S. destinations can now be reached from many Canadian cities, preclearance is very important, because most of these destinations in the U.S. do not have customs and immigration inspection. Therefore, passengers from Canada going to many of these destinations must stop at an intermediate airport for customs clearance.

•(1500)

The Canada-U.S. Parliamentary Association endorsed reciprocal legislation which would enable open skies and the 1974 air transport agreement to work more efficiently for both countries. We have had preclearance, as Senator Carstairs said, since 1952, and it is now in effect in Vancouver, Edmonton, Calgary, Winnipeg, Toronto, Ottawa and Montreal. I draw to the attention of the Leader of the Government in the Senate that one area in Canada does not have preclearance — Atlantic Canada. However, as a result of this legislation, we may soon have preclearance at Halifax International Airport to serve Atlantic Canada.

This legislation is necessary because Canadian law has changed since 1974. In particular, the 1982 Charter of Rights and Freedoms has granted Canadians new, individual rights, and the 1974 agreement must now be updated to conform.

U.S. officials performing preclearance will be subject to the Charter of Rights and Freedoms, the Canadian Bill of Rights, and the Canadian Human Rights Act, as noted in the preamble to this bill and in clause 6(1) of the bill. Criminal law under the act must be administered by Canadian authorities according to clause 6(2).

Canadian law both provides the structure for the preclearance regime under this preclearance legislation and directs its

enforcement. It does this basically in three ways: by delineating the application of U.S. law and excluding U.S. criminal law; by ensuring that in the case of a conflict of laws, Canadian law overrides U.S. law; and by ensuring that all travellers are protected by the Canadian Charter of Rights and Freedoms. These are items that we discussed on at least three occasions in the Canada-U.S. Parliamentary Association.

Honourable senators, the administration of U.S. law is limited to those laws dealing with customs, immigration, public health, food inspection, and plant and animal health. Only the provisions of those laws that are directly related to the admission of travellers and the importation of goods to the U.S. would be administered.

These border control laws can only be applied in preclearance areas or in-transit areas which would be designated by the Government of Canada. Canadian law underlies the entire regime. The act contains various provisions that ensure the supremacy of Canadian law and the exclusivity of Canadian criminal law.

In relation to travellers, a traveller would have the right to leave a preclearance area without going to the U.S.A., unless the traveller is informed that the preclearance officer suspects that the traveller has provided a false or deceptive declaration, or has obstructed the officer in the performance of his or her duties. A traveller who is detained for frisking or strip search would have the right to have the decision reviewed by a senior officer, and more important, Canadian officers would conduct strip searches.

Preclearance officers would be given the authority under the act to order anyone found in a preclearance area to report to him or her or leave the area. A frisk search of a traveller would be conducted in the following circumstances: if the officer suspects that the person is carrying anything that would present a danger to human life or safety, and/or if the officer suspects that the traveller is carrying anything that would prove he or she gave a false or deceptive answer to the officer's questions. In such circumstances the officer could refuse to preclear the traveller into the U.S.

In relation to goods, a preclearance officer would be given the authority under the act to examine goods submitted for preclearance; detain any goods that have been submitted for preclearance until the officer is satisfied the goods have been dealt with in accordance with the act; seize any goods that the officer believes on reasonable grounds relate to or provide evidence of a traveller's false or deceptive declaration; submit for forfeiture goods lawfully seized; and examine a means of transportation subject to preclearance.

With this bill, Canada and the United States will be joining many other countries that have already legislated preclearance laws. The bill clarifies the legal status of U.S. preclearance at Canadian airports, including Halifax airport in the very near future; offers legal protection for people travelling from Canada to the U.S.; protects our rights under Canadian protection laws; outlines the responsibility of U.S. officials and Canadian authorities; and ensures that Canadian laws override U.S. laws in the event of conflict.

Honourable senators, the bill will now allow for in-transit clearance, which we discussed also at length in the Canada-U.S. Parliamentary Association. Passengers from Europe and Asia will not have to pass through Canadian inspection and U.S. inspection but will be able to go directly to the U.S. preclearance inspection process. We have at present in-transit preclearance in Vancouver, which will be extended to other countries.

I support this bill, honourable senators, as I did the subject when it was under discussion by the association.

Motion agreed to and bill read second time.

REFERRED TO COMMITTEE

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

On motion of Senator Carstairs, bill referred to the Standing Senate Committee on Foreign Affairs.

### COMPETITION ACT

BILL TO AMEND—MOTION TO CONCUR WITH MESSAGE FROM COMMONS REFERRED TO BANKING, TRADE AND COMMERCE COMMITTEE

On the Order:

Resuming debate on the motion of the Honourable Senator Graham, P.C., seconded by the Honourable Senator Carstairs:

That the Senate concur in the amendments made by the House of Commons to its amendments to Bill C-20, An Act to amend the Competition Act and to make consequential and related amendments to other Acts; and

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

**Hon. John Lynch-Staunton (Leader of the Opposition):** Honourable senators, my participation in this debate is motivated not so much by Bill C-20 itself, as it is by the reaction of the Minister of Industry following the unanimous decision — and I stress the word “unanimous” — of the Senate on December 10 to send the bill back to the House of Commons with an amendment. Instead of limiting his comments to understandable annoyance at not having Bill C-20 receive Royal Assent before the Christmas break, the minister issued a press release the following day, which is riddled with inaccuracies and misleading statements. The tenor of the press release is in its heading, which reads as follows: “Minister Manley Disappointed Over Tory Senators Scuttling of Bill That’s Designed To Protect Canadian Consumers.”

The dictionary defines “scuttling” as “scrapping or abandoning.” That Tory senators be accused of something they did not do is not only false, but is the sort of rhetoric one should not expect from a senior minister of the Crown, unless he wishes

to be identified with the anti-Senate element in the Official Opposition and its excessive rantings.

The press release says that the bill was denied passage by Progressive Conservative members of the Senate. This is absolutely false. It was returned to the House of Commons with an amendment, with the unanimous consent of all members present, Liberal, Conservative and Independent. The minister then asked, and I quote, “Whose public interest are the Tory senators serving?” The not-too-subtle implication is clear, totally unfounded and unfair, and even malicious.

On December 16, I wrote a letter to the minister in which I outlined the reasons behind the amendment and included a copy of the Canadian Bar Association brief, the observations of the Standing Senate Committee on Banking, Trade and Commerce, and the relevant extracts from our *Debates of the Senate*. This letter and a copy of the press release was sent to all members of the Senate. I ended the letter as follows:

I trust that after reading this documentation, you will not hesitate to have a corrected press release prepared and given the same distribution as the erroneous one of December 11.

I have yet to receive even an acknowledgement of the letter, and I am not aware of a correction having been issued.

Had the minister rejected our amendment outright and reintroduced his original one, his testiness, however ill-founded, might be more understandable. In fact, what is before us is a revised amendment which, as stated by the Leader of the Government in the Senate yesterday:

...restored the substance of the whistle-blowing provisions but made significant changes to address concerns that had been expressed to witnesses who appeared before the Standing Senate Committee on Banking, Trade and Commerce and by members of this chamber.

On the one hand, we on this side are unfairly condemned for denying passage of a bill, which was not the case. We were singled out also for removing, “some teeth from the Bill by deleting the amendment to protect ‘whistle-blowers.’” As I said earlier, this was a decision of all senators present.

Now we have an amendment which, in Senator Graham’s own words, contains “significant changes” from the government’s original one to meet concerns expressed in committee and in this chamber. What all this means is that the minister should be grateful to the Senate for having improved his bill. Instead, he authorized a nasty and ill-tempered statement, replete with misinformation, misrepresentation, and offensive innuendo. The entire Senate, not just this side, has been put under a cloud as a result.

Had the minister issued at least a correction, if not an apology, I would not have spoken as I have today. I do, however, think it is important that the position taken by the Senate be set out accurately and, since the Minister of Industry has yet to publicly recognize it, at least it will appear in the Senate Hansard.

By accepting a number of significant recommendations from the Senate, the minister has the answer to his question:

Whose public interest are the Tory senators serving?

It is the same as his. I trust that he will confirm this when he appears before the Banking Committee during its examination of Bill C-20.

**Hon. Sharon Carstairs (Deputy Leader of the Government):** Honourable senators, I thank Senator Lynch-Staunton for setting the record straight on Bill C-20. I should like to move the following motion: I move:

That the motion, together with the message from the House of Commons, on the same subject dated February 5, 1999, be referred to the Standing Senate Committee on Banking, Trade and Commerce for consideration and report.

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

**Hon. Noël A. Kinsella (Acting Deputy Leader of the Opposition):** Reference was made, honourable senators, by Senator Lynch-Staunton to some correspondence and a press release from the minister. It is important for not only the Banking Committee members but each member of this House because our decision on Bill C-20, when we passed the amendment that was sent to the other place, was done so unanimously. That press release from the minister speaks to all of us. I would ask that it be tabled.

**Senator Lynch-Staunton:** I did send copies to all honourable senators. I would be happy, with consent, to table both my letter and a copy of the press release.

**The Hon. the Speaker:** Is it the wish of honourable senators that it be tabled?

**Hon. Senators:** Agreed.

**The Hon. the Speaker:** If no other honourable senator wishes to debate further, I will then proceed with the question.

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

Motion agreed to.

#### A BILL TO CHANGE THE NAME OF THE ELECTORAL DISTRICT OF STORMONT—DUNDAS

THIRD READING

**Hon. Bill Rompkey** moved the third reading of Bill C-445, to change the name of the electoral district of Stormont—Dundas.

Motion agreed to and bill read third time and passed.

[*Translation*]

#### A BILL TO CHANGE THE NAME OF THE ELECTORAL DISTRICT OF SACKVILLE—EASTERN SHORE

THIRD READING

**Hon. Gerald Comeau** moved the third reading of Bill C-464, to change the name of the electoral district of Sackville—Eastern Shore.

Motion agreed to and bill read third time and passed.

[*English*]

#### ACCESS TO INFORMATION ACT

BILL TO AMEND—SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Maheu, seconded by the Honourable Senator Ferretti Barth, for the second reading of Bill C-208, to amend the Access to Information Act.

**Hon. Mabel M. DeWare:** Honourable senators, I rise to speak to and support Bill C-208, which proposes to strengthen the Access to Information Act.

I am sure we all agree that this act is an important tool of modern democracy. The act helps Canadians participate more effectively in their governments. It also enables them to better hold their elected representatives to account. However, there has been many well-documented cases where the access to information rights of Canadians have been blatantly denied and that is because the current act lacks teeth. Right now, the government and its officials risk nothing more than a slap on the wrist if they wilfully suppress information.

This point was made very forcefully by Canada's Information Commissioner in his last two annual reports, and recalled to us last week by our colleague, the Honourable Senator Maheu.

In discussing Bill C-208, we should keep in mind the purpose of the Access to Information Act. As stated in subsection 2(1) of the statute, the act aims to, and I quote:

...provide a right of access to information and public records under the control of a government institution in accordance with the principles that government information should be available to the public, that necessary exemptions to the right of access should be limited and specific, and that decisions on the disclosure of government information should be reviewed independently of government.

The bill before us is certainly loyal to this purpose. It clearly reinforces the principles that government information should be available to Canadians. It does so by amending a section of the act which is crucial to its proper administration, the section that contains the few teeth it does have.

The Office of Information Commissioner of Canada was created to serve a watchdog function. The commissioner's role is to investigate complaints from people who believe they have been denied their rights under the act. Thus, section 67 made it an offence to obstruct the commissioner, or any person acting on behalf or under the direction of the commissioner, in the performance of the commissioner's duties and functions. It provides that this offence is punishable on summary conviction by a fine of up to \$1,000.

However, \$1,000 is no great sum, especially these days; therefore, the fine is not much of a deterrent. In any event, it is pretty hard to find cases where even this small penalty has been imposed. The term "obstruct" is so vague as to be almost meaningless, and there is no mention of intent.

•(1520)

This, then, is the section that Bill C-208 seeks to amend. It would add to section 67 a subsection making it a criminal offence to alter, destroy, mutilate, shred, falsify or conceal records or documents in order to deny a right of access under the act. It would also make it a criminal offence to order any person to restrict access to any documents by any of these means. I believe that this amendment will give the Access to Information Act some of the teeth that it so desperately needs and it is evident that all Canadians will benefit from it.

This amendment also faithfully reflects the recommendations made by the Information Commissioner. As the senator noted last week, the commissioner developed that recommendation as a result of allegations of document tampering and destruction raised by the Krever commission and the Somalia inquiry. As I recall, similar concerns were also raised during the Pearson inquiry and in connection with the Airbus affair.

Hopefully, however, the passage of Bill C-208 will help to prevent further such occurrences as the inquiry into events, for instance, surrounding the Vancouver APEC summit unfolds.

Honourable senators, while I am in favour of the bill, I have one concern that I wish to put on the record. That concern does not relate to the bill. Rather, it relates to a certain impression that I feel has been conveyed during parliamentary debate. In discussing offences under the amended act, many references were made in the other place to public servants, bureaucrats and senior managers, among others. I wish to make it clear that I do not view this bill as attempting to make a scapegoat out of the hard-working employees of government departments, agencies and Crown corporations.

While all of us are public servants in the truest sense of the term, I feel it is only fair to point out that Bill C-208 will apply equally to elected officials who have instructed someone to alter or conceal a document. With the passage of Bill C-208, those acts will also be an indictable offence. Therefore, I believe that this amendment speaks to the concept of ministerial responsibility.

In conclusion, I wish to state clearly that my colleagues on this side of the chamber support Bill C-208 in its entirety. I commend

the bill's sponsor for introducing such necessary legislation. I am also pleased to note that all parties in the other place supported it.

I am rather puzzled why it was left to a Liberal backbencher to introduce a bill to implement repeated recommendations from the Information Commissioner. Surely, Canadians would feel more assured if this initiative had been put forward by the government, after all, the Red Book promised that openness would be the watchdog of the Liberal government. I hope we can look forward to further amendments that expand the scope of this act to include a wider range of documents and to address other concerns raised by the Information Commissioner.

Motion agreed to and bill read second time.

REFERRED TO COMMITTEE

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

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

POINT OF ORDER

**Hon. Lowell Murray:** Honourable senators, I have asked that Item No. 3 stand. However, while I have the floor, I should like to say that I am getting old and cranky and it is getting late.

I simply wish once more to make an appeal to honourable senators that, when they make an exception to the rule about a bill, especially if they make an exception to the rule in order to send a bill to the Standing Senate Committee on Social Affairs, Science and Technology that would not ordinarily be sent to that committee, some advance notice or consultation be given to the chairman and members of the committee. That would be warmly appreciated.

## UNITED NATIONS

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

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 DeWare*).

**Hon. Mabel M. DeWare:** Honourable senators, I rise today to resume the debate on the inquiry called by my colleague Senator Kinsella, on November 24. He wishes to call the attention of the this chamber to Canada's level of compliance with the International Covenant on Economic, Social and Cultural Rights.

To freshen our memories and to put my remarks in context, I should like to provide some brief background on the covenant. This international agreement, along with the Universal Declaration of Human Rights, is one of five instruments that, together, form the International Bill of Human Rights. It was adopted by the UN General Assembly in December 1966 and came into force in January 1976. Canada signed it in August of that year.

While the agreement is non-binding, compliance with it during the next 10 years was still disappointing. That is because some of its terms needed clarification. It was not being monitored effectively. That changed in 1986 when the United Nations Committee on Economic, Social and Cultural Rights was created. This group of independent human rights experts has applied itself with energy to the task of ensuring that member countries live up to the promises they made in signing the covenant.

The UN committee has required those countries, including Canada, to submit periodic reports outlining their level of compliance. In 1998, Canada submitted its third such report. Then, when the committee first looked at the report, it asked Canada to answer 81 supplementary questions. During the last week of November, the committee met in Geneva to consider Canada's report as well as the responses to those supplementary questions. On December 4, the committee adopted its concluding observations on Canada's third report. It is these that I should like to talk about today.

The committee's observations regarding the current state of certain areas of federal jurisdiction should serve as a wake-up call to a government that has become complacent.

We in this chamber are proud of the fact that the United Nations has, for five years now, rated Canada as the best place in the world to live. That is because we have ranked at the top of the UN development program's Human Development Index with measures which measure life expectancy, education levels and per capita income.

As the committee noted, this means that Canada has the capacity to achieve a high level of respect for economic, social and cultural rights. However, that rating does not tell the whole story. We should be ashamed that the UN Human Poverty Index ranks Canada 10th on the list of industrialized countries. Therefore, there is an obvious gap between what we could do and what we have been doing. Simply put, honourable senators, we are not fooling anybody, least of all the United Nations. Canada's failure to protect the economic, social and cultural rights of its people is, quite frankly, a source of international embarrassment.

•(1530)

In its concluding observations on Canada's third report, the UN Committee on Economic, Social and Cultural Rights detailed no fewer than 25 principal subjects of concern. Among those are the replacement of the Canada Assistance Plan by the Canadian Health and Social Transfer, and unemployment insurance restrictions. It is these two examples on which I wish to focus today, because they clearly show that not only has Canada not

made any progress in implementing covenant rights here, but it has actually been going backward.

The committee points out that the replacement of CAP by the CHST has made it harder for disadvantaged groups to enjoy the rights that Canada promised them in signing the International Covenant on Economic, Social and Cultural Rights. Among other things, CAP set national standards for social welfare and guaranteed the right to an adequate standard of living. In contrast, under the CHST, those features were eliminated and cash transfers to the provinces for social assistance were slashed.

As a result, social assistance rates for people were cut in several provinces, increasing already-high levels of homelessness — an example of which we saw yesterday — and hunger. In the last five years, the committee notes, the number of tenants spending more than 50 per cent of their income on rent has increased by 43 per cent. Between 1989 and 1997, the number of food banks in Canada almost doubled. Unfortunately, however, they can still meet only a fraction of the increased needs of the poor.

The UN committee also points out that these CHST-related cutbacks have had a particularly harsh impact on women. Single women are, after all, the majority of the poor, the majority of adults receiving social assistance, and the majority among users of social programs. It is also concerned that these cutbacks have helped create additional obstacles to women escaping domestic violence. These are things that we should keep in mind as Canada prepares to celebrate International Women's Day on March 8.

As if these problems were not enough, the government has also squeezed the unemployment insurance system — or Employment Insurance, as the government likes to call it now. A growing number of working Canadians must struggle to keep from falling into the welfare trap because they are not getting the income protection that they are paying for due to restrictions on unemployment insurance.

The UN committee is concerned that successive restrictions to unemployment insurance benefits have caused a dramatic drop in the proportion of unemployed workers receiving benefits to about half of previous coverage, in the lowering of benefit rates, and in the reduction in the length of time for which benefits are paid. Fewer lower-income families are eligible for any benefits at all, while part-time, young, marginal, temporary and seasonal workers are frequently denied benefits. This is particularly apparent in the Atlantic region, where I come from.

Honourable senators, as the Canadian Labour Congress found in a recently released study, Employment Insurance today offers fewer benefits to fewer of the unemployed. In 1997, only 36 per cent of the unemployed collected benefits, down from 56 per cent in 1993. Put another way, of 1.4 million Canadians who were out of work in 1997, only 500,000 were able to qualify.

Women have been especially hard hit by the restrictions, with only 32 per cent of jobless women getting benefits last year. One reason for this is the new rules for part-time workers. More hours of work are needed to get benefits, often creating a bar that those in part-time or temporary jobs simply cannot pass.

The jobless are typically out of work for a longer period of time than in the past. Yet, benefits are now exhausted much earlier. While government racks up premium surpluses in the \$6-billion range each and every year, Canadians have only one chance in three of collecting, should they lose their jobs.

Honourable senators, these are two areas which were of major concern to the UN Committee on Economic, Social and Cultural Rights. I hope they help us to better understand Canada's obligations under the international covenant and how we have failed to live up to them.

Based on Canada's third report and its responses to the supplementary questions, the committee has again urged Canada to expand protection in human rights legislation to include social and economic rights and to protect poor people in all jurisdictions from discrimination because of social and economic status.

Bill S-11, introduced by my colleague the Honourable Senator Cohen, proposes to do just that at the federal level. I applaud the good sense and compassion of all members in this chamber in passing such an important piece of legislation. I pray that the members of the other place will be overcome by good sense during their consideration of it.

On motion of Senator LeBreton, debate adjourned.

[Translation]

## DEVELOPING COUNTRIES

### STATUS OF EDUCATION AND HEALTH IN YOUNG GIRLS AND WOMEN—INQUIRY—DEBATE ADJOURNED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Losier-Cool, calling the attention of the Senate to population, education and health, particularly for young girls and women in many developing countries.—  
(Honourable Senator Pépin).

**Hon. Lucie Pépin:** Honourable senators, today I wish to respond to the comments from Senator Rose-Marie Losier-Cool and Senator Andreychuk with respect to the study on the education and health of young girls and women that this house is preparing to carry out.

My contribution today will focus mainly on the impact of AIDS on the health and education of young girls and women, especially in developing countries. Senator Andreychuk has given us the disturbing figures on the economic impact of AIDS in sub-Saharan Africa. I think that the human cost of this epidemic is a subject that deserves further consideration. Most of the examples I will give you come from southern Africa, the part of the world that has been hit the hardest so far, but my comments will also be relevant to the situation of young girls and women in other parts of the world, including North America. I think that we should learn from the devastation experienced in

southern Africa because of AIDS, if we want the young girls and women in that region and others to be safe and to be able to survive and to achieve their full potential.

Honourable senators, on December 1, Canada joined the international community in celebrating World AIDS Day. This annual event is an occasion for countries to reflect on what has been done during the previous year to fight the HIV/AIDS pandemic worldwide. Sadly, all too often, our prevention and treatment efforts are largely cancelled out by the suffering, discrimination and death toll associated with this disease. Last year was no exception.

In 1998 alone, and in sub-Saharan Africa alone, the estimated number of deaths from AIDS is 2 million, and the number of HIV infections, 4 million. Since the start of the epidemic, 83 per cent of deaths attributed to AIDS have been in this region, although it accounts for only about 10 per cent of the world population. Of the 11 million dead, one quarter were children.

In the countries hardest hit — Botswana, Namibia, Swaziland and Zimbabwe — between 20 and 25 per cent of the adult population is HIV-positive or has AIDS. This represents at least one-fifth of the population between the ages of 15 and 49 years. As Dr. Peter Piot, Executive Director of UNAIDS, stated at the launch last December of the 1998 world report on AIDS, sub-Saharan Africa is facing a human disaster of unprecedented proportions, and the extent of the devastation is greater than that of any of the droughts or other natural catastrophes that have occurred in the past.

Such figures speak for themselves. The entire population is concerned — men, women, adolescents, children, parents, grandparents. A number of studies carried out in Africa and elsewhere, however, indicate that the ones most at risk of a new infection are youth aged 14 to 24, girls and young women in particular.

[English]

•(1540)

Young women's greater risk for HIV infection has both biological and socio-economic roots. Compared with that of males, the female reproductive tract is more susceptible to infection with HIV and other sexually transmitted infections. The reproductive tract is particularly fragile in young girls. Compounding the biological vulnerability of girls are social realities, including women's lower social status and unequal gender relations. As a result, young women have less control over their lives and bodies than their male counterparts, and boys and young men are often encouraged, tacitly or openly, to adopt aggressive sexual and personal behaviour.

[Translation]

According to the statistics, girls and young women are often infected at a younger age than boys. In many African countries, more than three times as many girls as boys of the same age are infected. Many girls in sub-Saharan Africa begin having sexual relations at an early age and often, honourable senators, against their will. In a survey of a group of young women in Malawi,

more than half reported having been forced by their male partners. Another study in Nigeria reported more than 20 per cent had been forced into sex.

The difference in the ages of boys and girls contracting the infection indicates that adolescent girls often have older men as partners. We know that, when the epidemic started to spread, older men often chose very young sexual partners in the belief that they were not yet infected with HIV. Teachers, for example, with authority over them and older than them often force these young girls to have sex. Adolescent girls have little chance of finding a job that allows them to earn a living. Zambian researchers looking at adolescent sexuality have noted that, in some villages, the more serious the economic problems, the greater the number of young girls accepting payment for sex. The dependence of young women on older men for work, food, shelter and protection makes them extremely vulnerable to sexual abuse and exploitation. The result is unwanted pregnancies and infections from STDs and HIV. Once pregnant, these women are even more socially and economically vulnerable, because they are often forced to leave school and thereafter have to look after a child.

Honourable senators, the HIV infection has devastating effects that we are well aware of. There is no cure and people in most developing countries cannot afford the complex therapeutic cocktail that is so successful in prolonging the lives of persons with HIV or AIDS in North America. Part of the tragic nature of AIDS is that it does not affect only those who have the virus. It is usually women who have to shoulder the additional burden of caring for the members of their families and communities who have been infected with the virus, and it is also women who look after the young orphans, after their parents die. These additional responsibilities do not leave enough time for farm work or gainful employment. Their income goes down and their diet suffers.

It is estimated that when a family's principal income provider is HIV-positive, the household income diminishes by at least 50 per cent, and the money spent on "non-essential" needs such as education can go down by 75 per cent or more. When there are not enough resources to send children to school, young girls are kept at home and cannot get an education, since they are more likely to have to assume additional responsibilities related to caring for the sick at home.

Even in families where an effort is made to keep children in school, young people are sometimes rejected by their friends and even forced to quit school, because of the deeply rooted biases against HIV.

This, then, is the devastating impact of HIV on the less fortunate: Children in a family affected by this illness are forced, by circumstances or because of discrimination, to abandon their studies. The limited opportunities open to them make them even more vulnerable to economic and sexual exploitation, which increases their chances of becoming infected.

Honourable senators, I could spend the day giving you even more depressing statistics and scenarios to illustrate the extent to which the AIDS epidemic is sweeping Africa. Sadly, the numbers too often remain abstract concepts, and people feel there is nothing they can do to change them. However, it would be dangerous not to take them seriously, for 900 million young people — the most the world has ever seen — are now about to enter their adolescence and reproductive years. We cannot, through our failure to act, take away their chance for a future.

With no cure for AIDS, and no vaccine against it, and given the cost of the current treatment protocols, it is essential to take steps to raise people's awareness of AIDS and to prevent HIV infection. It is vital for young people to be fully informed before they become sexually active and to learn how to protect themselves. A thorough examination of the awareness programs carried out throughout the world by the World Health Organization and UNAIDS shows that sex education does not hasten or increase sexual activity, contrary to the fears of many parents and politicians. In fact, good quality programs help young people to delay becoming sexually active and to make responsible decisions to protect themselves when they do.

UNAIDS has demonstrated that the most effective programs are those which combine a number of characteristics: teaching which includes abstinence as well as safe sex practices; detailed information on the consequences of sexual activity, presented in clear and non-judgmental terms; encouragement to acquire practical knowledge in order to boost confidence; reinforcement of group values against risky behaviour.

For young girls and young women, practical knowledge and self-confidence are particularly important. However, to reduce women's greater vulnerability, long-term measures are needed to eliminate inequality between the sexes in legislation, in access to health care, in education, in social standards and in mentalities.

Experts the world over agree increasingly on one fact: People are more vulnerable to HIV and associated illnesses when their basic rights are violated. This close link between the protection of human rights and the fight against HIV was one of the great crusades of the late Jonathan Mann, who was tragically lost in the Swissair plane crash in Nova Scotia last September.

The rights to be recognized and protected urgently include:

- the right to research, receive and publish information on the prevention and treatment of HIV;

- the right to individual security and to protection against forced sexual relations, rape and other forms of exploitation;

- the right to health and to adequate and affordable health care services, including family planning, sexual education and reproductive health care, as protection against AIDS;

- the right to confidentiality and to be treated with respect by health and social service providers;



the right to be free from all forms of discrimination, including discrimination on the basis of sex, age, seropositivity and sexual orientation;

the right to education and to acquire the skills, self-confidence and knowledge necessary to enter the labour market and achieve one's full potential;

the right to work and to be paid enough to live in conditions of basic human dignity;

the right to equality under the law and, for women in particular, the right to own, inherit and transfer landed property and other income producing property;

the right, for children and youth, to grow up in a supportive environment;

the right to take advantage of scientific advances.

These rights have already received international recognition in treaties that Canada has signed, including the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child.

[English]

Honourable senators, I see clearly the many linkages between the formation and protection of human rights, winning the war against AIDS, and improving the health and educational status of girls and women in developing countries.

•(1550)

I hope that we in this chamber will do all we can to ensure that these linkages are built into development assistance policies and programming. It would be a fitting way to mark the fiftieth anniversary of the Universal Declaration of Human Rights, and to demonstrate its continued relevance in a new millennium.

On motion of Senator Wilson, debate adjourned.

[Translation]

## CHILD POVERTY IN CANADA

### INQUIRY

**Hon. Thérèse Lavoie-Roux** rose pursuant to notice of Tuesday, February 9, 1999:

That she will call the attention of the Senate to the state of poverty in Canada with particular emphasis on child poverty, the International Human Rights Covenants signed by Canada, effecting the difficult transition from welfare to work and the effect that social assistance cuts across Canada have had on the poor with the hope that, through our

discussions, recommendations as to methods for alleviating poverty may emerge.

She said: Honourable senators, today I want to speak to you — this is not the first time and I hope I will not have to do it too often before I retire — about poverty in Canada, which is a major social issue that stirs everyone's compassion.

Poverty can take many forms. We all have, in our heads and in our hearts, mental images of poor people. It can be a depressed person queuing up at the employment insurance office, a shivering child who is poorly dressed, teenagers begging on the street, or that man who took refuge in front of an air vent, very close to the provincial legislature, and who was found dead one morning last week, and about whom Senator Cohen spoke with a great deal of emotion.

Just what is poverty? How do we measure it? Statistics Canada tells us there is no recognized definition of poverty in Canada. The fact that we do not even have an accepted common definition of poverty says a great deal about how little the federal government cares about this issue. From a statistical point of view, it is difficult to determine the number of poor people. Most of the measures used are based on one's income and thus take only one aspect into consideration. The most common measure, which is Statistics Canada's low-income cut-off figures, tells us about relative poverty. Low-income families are the worst off in Canada. I have a few figures from Statistics Canada and the National Council of Welfare.

[English]

In Canada, poverty is widespread. Some 17.9 per cent of Canadians are poor. That represents almost 5.3 million people, or one in six Canadians. For children, it is worse. One in every five children lives in poverty in our country.

Among industrialized countries, Canada has the world's second-highest rate of child poverty, the highest one being the United States. I ask, honourable senators, how can we tolerate such a phenomenon? It is not acceptable.

In 1989, the government made a commitment to eradicate child poverty by 2000. Since then, the number of poor children has actually increased by 58 per cent. The problem is most alarming.

In 1991, the Standing Senate Committee on Social Affairs, Science and Technology produced a report entitled, "Children in Poverty." We heard from many witnesses who confirmed the fact that child poverty cannot be viewed in isolation. Poor children are the sons and daughters of poor adults.

Witnesses spoke of the increased difficulty of low- and middle-income families in making ends meet, and that poverty is in part attributable to the declining economic conditions which families with children are facing. Contrary to prevailing beliefs, the majority of poor children live with both parents who are among the working poor, the unemployed, the underemployed, the sick and the disabled.

[*Translation*]

Let us take a few moments to look at the real income of a poor family. In 1996, a couple on welfare raising two children in Quebec had a total income of \$16,000, which included social assistance and additional benefits such as the national child benefit and the GST credit. Sixteen thousand dollars in all for four people, over 12 months, or \$44.12 a day. In Quebec, a family of four on social assistance must get by on \$44 a day. It is difficult to imagine people surviving on so little.

Many poor families manage to provide for their children, despite their poverty, but poor families run special risks. The mothers of poor families are twice as likely as other mothers to deliver premature and low-birth-weight infants who will die before the age of 30. Children of poor families have a shorter life expectancy than other children and are twice as likely to have chronic health problems. At school, children of low-income families are three times as likely as other children to repeat their year. Furthermore, the statistics on housing show that the number of poor families living in housing beyond their means increased by 68 per cent between 1990 and 1995. These figures show that some children are at a great disadvantage compared to others.

The Senate committee which addressed the issue of child poverty in the hope of finding solutions formulated 16 recommendations, but virtually none were followed up on. The committee recommended preventive measures that combined income support programs and services. It is both interesting and saddening to note that when the report was released, one child in six was living in poverty, and the figure now is one in five. We are losing ground, not gaining it. If it is true that a society's health and vigour are measured by the importance that society places on the well-being of its children, the fact that there are, at the present time, nearly 1.5 million poor children in Canada is not a good sign.

[*English*]

I have spoken about child poverty and low-income families. We also know that women are more at risk of being poor. Some 46.6 per cent of women who are unattached live in poverty compared with 33.9 per cent of men. Some 92 per cent of single mothers under the age of 25 live below the low-income cut-off line.

Seniors are also at risk. One in five Canadians over the age of 65 lives below the poverty line.

The incidence of poverty among aboriginal people is also a matter of great concern. We read about this during the Christmas holidays. It was alarming to read those statistics. In 1990, almost one-half of aboriginal people had less than \$10,000 in income — nearly double the rate for all Canadians.

People with disabilities also have incomes lower than those of the general population. Most Canadians who are disabled are also poor. Although the federal tax system provides some assistance in meeting extra costs incurred by disabilities, such as services or items required for daily living, people with disabilities continue to be over represented in the poverty category.

Permit me to raise the question, honourable senators: What is our role in ensuring a society that is fair and just to all its citizens, including its children, its seniors, its native people, its women and its people with disabilities? How much do we want to help people living in poor conditions?

[*Translation*]

According to the GDP, or Gross Domestic Product, per capita, Canada is richer than all of the countries of Europe. Yet we spend a lower proportion of that GDP than the European countries on social security and other income support measures, employment insurance included.

France, Germany, the Netherlands and Sweden refuse to tolerate high poverty levels for families, and provide more employment and income support measures to help families raising children.

Everywhere in the world Canada is considered a safe and prosperous country. As Senator Kinsella will show, however, Canada's lack of effort to eliminate poverty is beginning to tarnish our international reputation.

Honourable senators, we live in a rich country with a high standard of living, yet we continue to tolerate the fact that millions of our fellow citizens live in poverty.

We spend hundreds of thousands of dollars on studies and reports on poverty that keep telling us who is at a financial disadvantage in our country and what the government could do to remedy the structural inequalities that perpetuate the cycle of poverty. And then we turn around and introduce policies that hurt low- and middle-income Canadians, ignoring everything the studies told us.

For instance, the number of social housing units is at its lowest since the turn of the century, while the number of homeless continues to climb. Food banks are no longer able to keep up with the demand from people unable to feed themselves or their children, and social assistance benefits are going down, not up.

Yesterday, on Parliament Hill, we were given a sad insight into the problems faced by the homeless and those with very low incomes.

Personally, I think that, too often, we turn our backs on the poor, we close our eyes to them and spend money — taxpayers' money — on projects that will never benefit those most in need of assistance.

I will refrain from giving examples of spending in the House of Commons or the Senate, which should be examined very closely. It must be kept in mind that every dollar spent that is not totally essential probably contributes to making the poor even poorer. This is why I think the Senate Standing Committee on Internal Economy, Budgets and Administration should be extremely strict and not permit spending that is not absolutely necessary.

The employment insurance fund has a surplus of \$20 million. Would it not make sense to spend some of this money on Canadians by offering affordable and stable housing, accessible child care, career training, relevant placement services and sufficient financial help? Would it not make sense to help those with the greatest needs?

[English]

The matter of social cohesion in Canada, which is presently under study by the Standing Senate Committee on Social Affairs, Science and Technology, Chaired by Senator Murray, often touches on the values of trust and reciprocity. I ask honourable senators to consider what government is doing to instill a feeling of trust in our country. We must set an example as leaders by embracing policies which are fair to all Canadians and by listening to the needs of our citizens.

On Tuesday last, the Social Affairs Committee heard from a group, The Society We Want, which surveyed 3,000 Canadians on societal values, values which permeated through the public discussion they organized, and primary among them was a strong sense of compassion. Canadians, we are told, value compassion, and we as leaders must hold true to that value since we ultimately represent our people and what they value.

Honourable senators, as I said when I first rose to speak today, poverty stirs compassion in each of us. Let us act with our conscience. Low-income people are suffering disproportionately in Canada, and they are depending on us, the federal government, to take measures to eliminate poverty in our country and ensure that the basic needs of all Canadians are being met.

In closing, I suggest that the Senate strike a committee on a non-partisan basis. There is no room for partisanship on issues that are this important. I look to the other side, and I see Senator Pearson, Senator Milne, Senator Cools, and I could name many others.

**Senator Taylor:** You are leaving us men out of this!

**Senator Lavoie-Roux:** And Senator Taylor and Senator Mahovlich. I am sure they share the same concerns. We could strike such a committee on a non-partisan basis.

I do not wish to get up again in this chamber and talk about poverty. I am tired of repeating statistic after statistic proving that people are poor. We must find ways to really attack the roots of the problem of poverty. I hope I can count on every one in this chamber to help set up this committee so that we can make progress on the road to elimination of poverty in our country.

**Hon. Norman K. Atkins:** Honourable senators, I wish to add my comments to those already made by my colleague Senator Lavoie-Roux. I fully support her suggestion of forming a joint Senate committee on poverty. I propose today to discuss two of the many issues that confront the poor in Canada. First, I will address some of the major obstacles which we as governments throw in the path of the poor, dealing specifically with the almost impossible transition from welfare to work. Second, I will speak

about the relationship between the financial industry in Canada, in particular the banks, and those who live at or below the poverty line.

Some may ask what we would know about poverty since we have jobs, security of tenure, and a pension plan. How could we advise public policy approaches to this subject? Frankly, I think we are well qualified to debate these issues. Those of you familiar with this subject or aware of the history of this place will remember the late Senator David Croll's work in this area. In 1968, the Special Senate Committee on Poverty was appointed to investigate and report upon all aspects of poverty in Canada, whether urban, rural, regional, or otherwise; to define and elucidate the problem of poverty in Canada; and to recommend appropriate action to ensure the establishment of a more effective structure of remedial measures. This committee, with Senator Croll as chair, spent over two years listening to Canadians and learning about poverty. Its report, "Poverty in Canada," tabled in 1971, revealed that many Canadians were living without what we would consider to be the necessities of life.

In 1991, the Standing Senate Committee on Social Affairs, Science and Technology did a study of child poverty. June, 1994, saw Senator Heath McQuarrie deliver a paper at the learned societies conference entitled "Poverty in Canada: A Vital Challenge."

More recently, Senator Erminie Cohen, my colleague from New Brunswick, has taken on this subject through the publication "Sounding the Alarm: Poverty in Canada." She also introduced a private member's bill, Bill S-11, which was passed by this house on June 9, 1998. This bill would add social condition — in other words, poverty — to the Canadian Human Rights Act as a prohibited ground of discrimination.

I spoke on this subject in the Senate in April of 1997 and believe it is appropriate to revisit it as we enter the third year of what has been declared by the United Nations as the International Decade for the Eradication of Poverty. In 1989, members in the other place voted unanimously to eliminate child poverty by the year 2000. Unfortunately, child poverty rates have risen to record highs in the intervening years. Because there are no poor children without poor parents, poverty at all levels has reached record proportions.

•(1610)

Who are the poor in Canada? They are people sometimes single, sometimes in families with single parents, and sometimes in families with both parents, and the aged in our society for whom mere existence is a struggle. They are numerous. They total 5.2 million Canadians. According to Statistics Canada, one person in six, lives in poverty. This is a growing segment of our population. Poverty has become increasingly significant among children and their families, particularly one-parent families, usually led by women. One in five Canadian children now lives in poverty. That is almost 2 million children who live a life concerned about where they are going to live — will they have clothes to wear, shoes on their feet, or food to eat? These matters should not be a concern for children growing up in Canada.

Since the late 1980s, the poverty rate for children has risen from 60 per cent across Canada, and in Ontario it has risen by 116 per cent. A study by Statistics Canada on income distribution in Canada indicates that those at the lower end of the income scale are slipping further back every year.

Honourable senators, the issue is complex. Obviously children are poor because their parents are poor. Lack of full-time employment, reductions in social benefits, cutbacks in unemployment insurance, and a continued rise in the cost of food, shelter and clothing continues the poverty cycle.

While the unemployment rate published by Statistics Canada has come down to 8.7 per cent in the last few months, a number still too high, we know that this is more a product of people giving up the search for work or exhausting their employment insurance benefits than the creation of full-time, meaningful jobs.

Part-time jobs in the service industries or contract jobs seem to have become the most popular method by which people are employed today. Unfortunately, these jobs are only part-time and, for the most part, on minimum wage. The inadequate minimum wage directly affects the groups in society which have come to be known as "the working poor." These low wages for part-time work also inhibit those on welfare from making the transition from welfare to work. Others living below the poverty line bounce back and forth between work, unemployment insurance and social assistance.

The most vulnerable of these groups are the single mothers who provide for themselves and their children through welfare. In the middle of this decade, 73 per cent of poor, single mothers received welfare income. We have created a whole class of women who are discriminated against through the way our economy has developed.

Honourable senators, as federal legislators what can we do to address these issues?

First, we must take a careful look at our income tax system. The minimum taxable income must be increased to help the working poor. It is ridiculous that people earning \$8,000 per year should be paying income tax.

We must revisit the way our social programs are both structured and administered. In order to do this, an attitudinal change on the part of the legislators and bureaucrats will have to take place. The poor in our society are not evil. They are not to be punished through the continuous reduction in benefits. For the large majority, it is not their fault they are poor. In fact, they would welcome the opportunity to have a meaningful job. They must be given hope — hope that if they venture into a retraining program and complete it successfully, there will be a job available in which they can use the skills they have been taught. They need assurance that, if they take part-time work, it will not result in a radical decline in the social assistance they receive. The efforts of the poor to get off welfare must be rewarded, not punished.

Honourable senators, it is impossible for people to learn new skills or export job opportunities when they are worried about where the next meal will come from or about an impending eviction notice. Basic needs must be met first. Basic needs encompass food, housing, heat, light, clothing, clean water, protection from violence and physical abuse.

Health care systems should recognize that those who are poor in our society need help with early childhood development, building self-esteem, furnishing emotional support, counselling for mental health as well as drug and alcohol abuse. In order to take advantage of training programs, the poor must have access to child care and be given income supplements to offset work-related costs such as transportation.

Most of us in this chamber know that one of the main keys to economic prosperity is a good education. We must work together as governments to ensure that the opportunity to upgrade skills and academic qualifications is given to the poor. As well, they must be given the tools to access educational opportunities. While I do not have time to go into it in detail today, I hope other senators will.

We must find the funds needed to allow the poor in our society to access post-secondary education. Governments, through income-tested grants, not loans, should make funds available to allow those at the lowest end of our economic scale, but who have the academic qualifications, to continue their education through community colleges or universities.

We are now entering an era of budgetary surplus. Surely the obsession with balancing the budget, especially on the backs of those who can least afford it, can now give way to addressing the needs of the poor in our society. If these issues are to be properly addressed, it will require a substantial commitment in resources by all levels of government.

In 1988, the Ontario government commissioned a review of its social assistance programs. The result was a report entitled "Transitions," which, in its 624 pages, addresses in detail the movement from welfare to work. The recommendations of this report have never been implemented on the grounds that they are too costly. I believe the time has come for all governments to come together in common cause with poverty advocacy groups to work out solutions to the poverty cycle. They could do worse than use this study by Judge George Thomson as a basis.

Honourable senators, I wish to shift gears for a moment now and deal particularly with the subject of access to financial institutions by the poor in our society. This is a matter which the MacKay Task Force reviewing Canadian financial institutions addressed at some length. As well, our Senate Banking Committee, in its review of the recommendations of the task force, heard from the leading poverty groups and from the Canadian Bankers Association on this subject.

The MacKay Task Force took the position that it is essential for all Canadians to have access to basic banking services and products. The task force reported that the federal government has been working with the banks on the matter, but the major barriers

preventing further progress in achieving access to basic banking services are attitudinal and cultural. In other words, while the management of our major banks is sympathetic to the plight of the poor to access services, this sympathy has not trickled down to the bank branches themselves.

I believe if and when Senator Cohen's bill, Bill S-11, is enacted into law, placing social condition within the Human Rights Act, we will have moved considerably forward in resolving this problem for the poor in Canada.

I agree with the recommendations of the MacKay Task Force report that governments should make it easier for government cheques to be cashed without a hold being put on the funds. As well, the recommendation regarding training of bank personnel should be implemented so that the poor in our society will be welcomed in our financial institutions rather than scorned.

Honourable senators, alleviating poverty in Canada will require the concerted effort of all governments, industry and interested groups. It will not happen overnight, but it is time to set new goals, goals that are attainable in the short term, goals that will give hope to those who feel helpless in the social condition in which they find themselves.

Honourable senators, I look forward to hearing other interventions on the subject and the kind of positive recommendations that I know can be made in the hope that we can find a solution that will address this terrible plight of our society.

•(1620)

**Hon. John B. Stewart:** Honourable senators, would Senator Atkins deal with two questions?

**Senator Atkins:** Certainly.

**Senator Stewart:** I will ask them together because I know his memory is good.

We hear much these days about the terms of the social union in Canada, and we have seen how difficult it is to deal with the existing social programs. If, for example, the Parliament of Canada were to enact legislation relative to the poverty questions which he has raised, would we be again accused of intervening surreptitiously in provincial jurisdiction? Alternatively, would the provincial governments say, "Send money and we will spend it as we wish"? That real, practical problem exists. Can Senator Atkins proposed a solution?

The second question refers to the problem of taxation, to which Senator Atkins referred. It is a long time ago but, as an undergraduate, I was taught that it was desirable not to exclude classes of persons or, as they would say in the old times, the "people below" from taxation, because participating in taxation meant that there was an involvement in national finance. I realize that there are arguments on the other side, but assuming that is a good argument, how do we get around it? Will we divide the population officially, in a sense, into the haves and the have-nots? Surely that is not desirable.

Then there is the question of the taxation of the "people above." Presumably their taxes will need to be increased unless, as Senator Lavoie-Roux proposed, we can cut the budget of the House of Commons and other such organizations.

Two years ago I asked the Minister of Finance how much discretion he had with regard to taxation and he said that, in so far as personal income tax is concerned, the bottom line must be virtually the same as that in the United States but that you may reach it in a different way, and cited as an example the costs for Medicare. He said that it must be virtually the same, otherwise the prevailing perception that taxes in the United States are lower than those in Canada is likely to increase the brain flow away from Canada into the United States.

My first question relates to the question of jurisdiction and my second question concerns the problem of excluding people from the ordinary population from the obligations of the ordinary citizen to pay taxes. Connected with that is the problem that, under the free trade agreement we do not have the kind of independence we formerly had in so far as either personal or corporate taxation is concerned.

**Senator Atkins:** I am not an expert on taxes and taxation, however, I do not know how you avoid, in this day and age, separating the poor from those who are not poor. It seems to me that the time has come when we must recognize that there are people, who are in the kind of circumstances that I describe, who must be relieved from their tax requirement. I still think that an income of \$8,000 is just too low.

In response to the honourable senator's first question, it is a matter of negotiating and prioritizing the responsibilities that we have within governments; not just the federal government but the provincial government and possibly even in the municipalities. If you put the burden on the provinces, where they have the jurisdiction to address this problem, they will ask for more money. That is a natural course.

However, this is now a broader issue. The federal government and the provincial governments must sit down and discuss the reallocation of the responsibilities between the different governments. Poverty must be one of the major issues on the agenda.

**Senator Stewart:** I thank Senator Atkins for that answer. He disappointed me by failing to remember one of my questions.

I am asking these questions because I believe the problem raised by Senators Lavoie-Roux and Atkins is a real problem, and I am attempting to see if we can remove some of the obstacles to the achievement of the end which we all accept, that is, the problem of taxation in certain categories in Canada being too high compared to those of our neighbour. Senator Atkins said there would need to be more money and my question is: Where will it come from?

If Minister Martin is right that, on the bottom line, personal income taxation in Canada and in the U.S. must be virtually the same, at least for certain categories of people who are highly

mobile, that option appears not to be available. For certain industries — perhaps not a gold mine or an oil well — which can decide to build its new plant in Ohio, again, the corporation tax is bracketed by U.S. taxes. As well, we have the climate problem which tends to run up costs here in Canada.

Has the honourable senator wrestled with this problem of where the “more money” to which he referred will come from? If he says no, I will not be disappointed because the whole matter is very complicated and it will take a fair amount of ratiocination by many senators to come even close to an answer.

**Senator Atkins:** The answer is no, although I believe that there is an opportunity, in addressing the whole question of social priorities, for poverty to be part of that negotiation and discussion. It may be a question of resetting our spending priorities.

[Translation]

**Hon. Noël A. Kinsella (Acting Deputy Leader of the Opposition):** Honourable senators, I would like to thank Senator Lavoie-Roux, who has called the attention of the Senate to poverty in Canada, and in particular child poverty, and to the international human rights pacts signed by Canada.

[English]

I will digress from my notes because I am intrigued by the debate Senator Stewart has opened up, and I will focus for a moment on the question of poverty and money in the system.

Honourable senators, poverty is a scourge upon the nation. Poverty is a scourge upon any society. I believe we all agree with that.

In dealing with poverty, we must touch on a large number of social areas, whether it be housing, health, social security, or even education.

I should like to speak to the subject of education for a moment. Many feel that we are in a situation of crisis in Canada in terms of accessibility, with the tremendous increase in the cost, particularly of post-secondary education. What troubles me is that, as a country, we have put a huge amount of money into post-secondary education and, yet, we have students incurring debt of gigantic proportion.

Canadians put in a tremendous amount of money into social security, as we do into health. Yet, we seem to be faced with a crisis in the social services and health field. It seems to me that there is something radically wrong with the way we are spending the significant resources that we are applying to those social areas.

If we compare our percentage of gross national product with that of other countries, it seems to me that we should not have the degree of problems that we do.

I was reading with some interest the debate on Bill S-11 in the other place. Some Reform members argued that what we need are more jobs. Their solution is to lower the unemployment rate.

Honourable senators, examine those countries that have a high employment participation rate; in other words, those countries which have a low unemployment rate. Take our friends to the south. Have we not seen poverty with our own eyes as we visit Detroit, Chicago or New York? Have we not seen homelessness, the street people and so on?

It seems to me that that is *prima facie* evidence that the response to the issue of poverty is complex. Simply saying that we need more jobs, while we all wish to lower the unemployment rate, may not resolve the crisis of poverty.

Honourable senators, we have zero tolerance for many things. Why do we not have zero tolerance for poverty? That is the objective; that is the goal. How do we measure the progress that we are making towards achieving zero tolerance?

Senator Lavoie-Roux and Senator Atkins drew our attention to some facts that apply to the area of child poverty. In the late 1980s, Prime Minister Mulroney assisted in the ratification of the children's convention. Prime Minister Mulroney chaired the World Conference on Children. The issue of poverty was of such shocking vividness at that time that we came up with some objectives to ensure that we reduce child poverty by the year 2000. The statistics show we have gone in the other direction.

For eight or nine years have we been monitoring the steps that we have been taking federally and provincially towards reducing child poverty and homelessness? I do not know of any mechanism of the state that does this. There are many non-governmental organizations with particular areas of interest and particular interest groups that focus on aspects of social development. However, we do not have a social audit mechanism. We have the Auditor General, who tells us how well or how poorly public funds are being spent. We do not have a social audit mechanism that addresses how well we have been doing with these tremendous resources that I submit we are applying to areas of poverty, and yet we are not attaining the desired results.

That we are not attaining the results is not simply my statement, honourable senators, that was the conclusion of the social audit that was done by the international committee of the United Nations that oversees compliance with the International Covenant on Economic, Social and Cultural Rights.

Honourable senators will remember that the committee which reported just prior to Christmas received information about a number of cases in which claims were brought by people living in poverty in Canada, usually women and children, both alluded to by my colleagues who spoke before me, against our federal and provincial governments.

The obligation in the covenant applies to the provincial, territorial and federal governments. Canada ratified the international covenant in 1976. That ratification took place with the written agreement and encouragement of every government in Canada. It was unanimous. In the archives of the Privy Council office you will find the letters from the premiers of all the provinces and the government leaders of the day responsible for the territories.

The standard in the covenant was agreed to by all jurisdictions in Canada. The social audit mechanism was agreed to by all the jurisdictions. Indeed, all the jurisdictions collaborated, pursuant to the work that is managed by the continuing committee of officials responsible for human rights legislation in Canada, chaired by the Heritage Canada minister, for the domestic preparation of the Canadian report. The Minister of Foreign Affairs delivers this report to the Secretary-General of the United Nations.

To build on Senator Stewart's point, we must address the jurisdictional issue. There is a foundation, and it seems to me that we should be building on it.

My time will not permit me to go through all of the criticisms that were made by the United Nations committee, however, they are part of the record and establish clearly that we do not have our priorities straight. That is our challenge.

A few years ago, the report of Senator Croll and others led to the Senate poverty line being established. That was normative and helpful. The international treaty that I referred to is normative, as well. From an operational standpoint, we have this particular mechanism.

We must put our minds to achieving the objective of zero tolerance for poverty in Canada and to putting the appropriate mechanisms in place to achieve that end.

•(1640)

I do not think that we should be turned away at all by money considerations. We have sufficient money to make major progress in combating poverty in Canada in its various manifestations. Obviously, increases in the social development basket would make the work much easier. I suggest we ought not be deterred from seizing this item simply due to money considerations.

**Senator Atkins:** Would Senator Kinsella take one question?

**Senator Kinsella:** Yes.

**Senator Atkins:** Would Senator Kinsella agree that, were it not for the underground economy, the statistics would reflect a much worse situation?

**Senator Kinsella:** My impression, based upon my experience in the Province of New Brunswick, is that many people are showing great creativity in attempting to keep the family together and responding to family needs. I have no doubt that they are all law-abiding and are quite assiduous in participating in the taxation system. I think the reality is, based on Revenue Canada's own studies, that there is a significant underground economy. However, I would leave it to the efforts of Revenue Canada to ascertain that.

If part of the point of the underground economy is that there is a society apart from Canadian society, then that is very dangerous. It speaks to issues of lack of social cohesion which the Honourable Senator Murray and his committee are addressing. It is a society unto itself, and there is a breakdown in the covenant between the people and the government. That is

what it speaks to and that is what I think is most serious about the underground economy.

**Hon. Lowell Murray:** Honourable senators, I should like to make one or two points by way of providing, I hope, food for thought for Senator Stewart and others who are interested in the subject.

First, as Senator Lavoie-Roux and others have pointed out, the Standing Senate Committee on Social Affairs, Science and Technology has been embarked for some months on a study of social cohesion in Canada under the pressures of globalization and technology. A witness before our committee some weeks ago was the Honourable Ed Broadbent, who is well known to all of us here. Mr. Broadbent described the different economic and social policy models, if I may put it that way, that have been followed in Western Europe, on the one hand, and in Britain, the United States and, to some extent, Canada, on the other.

I need not describe those models for honourable senators. I think they know what we are talking about in terms of fiscal and monetary restraints in the English-speaking countries; deregulation, open markets and all the rest of it, whereas in Western Europe there is an insistence on maintaining very high quality and, indeed, expensive social programs.

Mr. Broadbent, after discussing these, stated — and I think I am quoting him almost word for word: I would rather be an unemployed person in Western Europe than one of the working poor in the United States. He makes that statement, of course, because of the much stronger social safety net in Western Europe than exists in the United States. He went on to speak of the 40 million, I believe it was, employed Americans who are without medical coverage.

It was a very interesting point, but I am not sure that everyone would answer the question in the same way. I think a case can be made that a job is a job is a job, and that a job, however humble it may be, is, to some extent, your platform out of a life of poverty and unemployment. That, of course, is both the theory and the faith of Americans in their own society.

On another day, there was a debate, which has not been satisfactorily concluded, between Senator Grafstein and a couple of academics who spoke to us about the income gaps in various countries, including the United States. Senator Grafstein stated, although he did not have the numbers in front of him, that a great deal more progress has been made in recent years than we give the Americans credit for in terms of closing the gap between the lowest and the highest income groups in that country. There was argument back and forth. Senator Grafstein stuck to his guns. Although he did not have the documentation with him, he insisted that what he said was true. I hope we are able to conclude that debate at some point before our labours are finished and we report.

There is one other point about Canada that I think is worth making, and that is that there is an increasing polarization of jobs and incomes in this country. I am speaking now about people who have jobs. There are fortunate people in this country; people who work in the public sector to a large extent, people who have unionized jobs in the private sector, and others who have

reasonably secure, reasonably well-paying jobs with pretty decent benefits. There is an ever-growing number of people in the country who are part-time, casual, temporary employees earning low pay, with no security and very few benefits indeed.

This polarization is, itself, the cause, I think, of present and serious potential strains on social cohesion in the country. Why should taxpayers, at the level of income about which Senator Atkins is talking, tolerate for very long a situation in which their taxes are going to pay for reasonably good salaries, benefits, security and working conditions for people in the public sector while they, at the other end of the scale, are doing so very badly, although they are employed?

Although I have been told this is a hypothesis rather than a fact, I believe that some of these conditions are the result of the pressures of globalization and technology on our society, which is why our committee is working so diligently to at least get a better understanding of the problem.

I may say en passant that I noticed the other day that the British government had brought in a bill precisely for the purpose of guaranteeing some benefits and standards for people in part-time, temporary and casual work; guarantees which they did not hitherto have. I have not had an opportunity to examine the legislation, but I think it is well worth doing.

•(1650)

On the question of jurisdiction, I commend to honourable senators a closer study of the Canada Child Benefit. This was built on something that we started to do in a previous government. A couple of years ago, the present government refined this and enriched it. They provided some room for provincial governments to help get people off the welfare roles and into employment. In other words, they removed what appeared to be some disincentives to people on welfare to go to work. No one on welfare is any worse off as a result of this measure that was introduced by the federal government and the provinces. Their welfare income remains the same. However, the extra room enables the provinces to do things such as provide child care and other benefits that remove disincentives for people on welfare to move into the labour market. My impression is — and it would be worthwhile asking for a review of it from the appropriate department — that it is working very well. Certainly, at close range, it looks to me like not just good federal-provincial relations but good social policy. It may, indeed, provide a model for other things that the provincial and federal governments can do collaboratively to help alleviate the problem to which Senators Lavoie-Roux, Atkins, Kinsella and Stewart have referred.

**The Hon. the Speaker:** Honourable senators, if no other honourable senator wishes to speak, this debate shall be considered concluded.

## HER MAJESTY QUEEN ELIZABETH II

### CONGRATULATIONS ON FORTY-SEVENTH ANNIVERSARY OF ACCESSION TO THRONE

**Hon. Anne C. Cools** rose pursuant to notice of Tuesday, February 9, 1999:

That she will call the attention of the Senate to the 47th anniversary of Her Majesty, Queen Elizabeth II's accession to the throne on February 6, 1952, and also to the commemoration Service of Her Accession held on February 7, 1999 at the Anglican Cathedral Church of St. James in Toronto, hosted by its Dean, the Very Reverend Douglas Stoute.

She said: Honourable Senators, I rise to honour the 47th Anniversary of Her Majesty Queen Elizabeth II's accession to the throne. My theme for this speech will be "The Leader as Servant, Public Service, the Queen and Christ the King."

Honourable senators, the concept of public service, as we know it, was developed in the ideas of Christian service, civic responsibility, and British and Canadian constitutionalism. I shall speak to the values and the principles which founded, created, and sustained our Dominion of Canada, as per the words of Psalm 72, verse 8, King James Version:

He shall have dominion also from sea to sea.

We must press for the renewal and the affirmation of these concepts of public service in Canada, in God and Queen, particularly as the political condition of Canada today is troubling, and compelling care and attention. But first some history. The term "Dominion" replaced "Kingdom" during the drafting of the British North America Act, 1867. The fourth draft of the British North America Act, published in Sir Joseph Pope's book, *Confederation*, at page 177 stated:

The word 'Parliament' shall mean the Legislature or Parliament of the Kingdom of Canada.

The word 'Kingdom' shall mean and comprehend the United Provinces of Ontario, Quebec, Nova Scotia, and New Brunswick.

The words 'Privy Council' shall mean such persons as may from time to time be appointed, by the Governor General, and sworn to aid and advise in the Government of the Kingdom.

About the change from "Kingdom" to "Dominion," Sir John A. Macdonald, in a letter to Lord Knutsford, published in another of Sir Joseph's work *Correspondence of Sir John Macdonald*, at page 450, tells us:

A great opportunity was lost in 1867 when the Dominion was formed out of the several provinces.



The declaration of all the B.N.A. provinces that they desired as one dominion to remain a portion of the Empire, showed what wise government and generous treatment would do, and should have been marked as an epoch in the history of England. This would probably have been the case had Lord Carnarvon, who, as colonial minister, had sat at the cradle of the new Dominion, remained in office. His ill-omened resignation was followed by the appointment of the late Duke of Buckingham, who had as his adviser the then Governor General, Lord Monck — both good men, certainly, but quite unable, from the constitution of their minds, to rise to the occasion. Had a different course been pursued, for instance, had united Canada been declared to be an auxiliary kingdom, as it was in the Canadian draft of the bill, I feel sure almost that the Australian colonies would, ere this, have been applying to be placed in the same rank as *The Kingdom of Canada*.

He added as a postscript:

P.S. On reading the above over I see that it will convey the impression that the change of title from *Kingdom* to *Dominion* was caused by the Duke of Buckingham. This is not so. It was made at the instance of Lord Derby, then foreign minister, who feared the first name would wound the sensibilities of the Yankees. I mentioned this incident in our history to Lord Beaconsfield at Hughenden in 1879, who said, 'I was not aware of the circumstance, but it is so like Derby, a very good fellow, but who lives in a region of perpetual funk.'

Honourable senators, about leadership, service and trial, I shall cite the Book of Sirach, also known as Ecclesiasticus, Chapter 2, verses 1 to 5:

My son, when you come to serve the Lord, prepare yourself for trials.  
Be sincere of heart and steadfast, undisturbed in time of adversity.  
Cling to him, forsake him not; thus will your future be great.  
Accept whatever befalls you, in crushing misfortune be patient;  
For in fire gold is tested, and worthy men in the crucible of humiliation.

Honourable senators, in 1984, having been summoned to the Senate by Her Majesty's representative, His Excellency the Governor General of Canada, I entered this red Senate Chamber, our Upper House, for the first time. I placed my right hand on the Bible and swore the Oath of Allegiance. I swore:

I, Anne Clare Cools, do swear that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth II....

I took that oath most seriously. An oath is a promise, a solemn declaration invoking one's deity, an appeal to God.

Honourable senators, last Sunday, St. James Cathedral, full of people assembled by the Monarchist League of Canada and other loyal societies, celebrated the 47th Anniversary of Queen Elizabeth II's accession to the throne on February 6, 1952. I recall most vividly her Coronation in 1953. Her Majesty, too, then took an oath, the Coronation Oath, swearing her commitment to her subjects, to mercy, to justice, and to God. I was then a child of nine in Barbados, British West Indies, in the first form of my school, Queen's College, the oldest girl's school in the British Empire, situated on many acres of land, with games fields, hockey fields and three tennis courts. In honour of Queen Elizabeth II's Coronation, my school, Queen's College, staged a pageant, an outdoor play, in which one student, an upper form girl, dramatically mounted side-saddle on a horse, played Queen Elizabeth I delivering her inspiring address to her troops poised for battle at Tilbury in 1588, awaiting the approach of the Spanish Armada. Queen Elizabeth I said:

I know I have the body of a weak and feeble woman,  
but I have the heart and stomach of a king and of a  
king of England too;  
and think foul scorn that Parma and Spain,  
or any prince of Europe,  
should dare too invade the borders of my realm.

Queen Elizabeth I told them that leadership is about heart and stomach, lion-heartedness, in duty and service to God, Queen and Country. The Sovereign, the chief warrior, commanded the troops who fought and died, as was required of them in their soldiers' duty. As a woman, Queen Elizabeth I was exempted from warrior duty but, as Queen and Commander, she personally met and faced her troops, her own warriors. Canada sent many soldiers, young people, to fight and to die in two world wars. They fought and died to defend their God, their King and their country. We owe much to them.

•(1700)

Honourable senators, public service and civic responsibility were emphatic themes of my childhood in Barbados which was filled with the classics by Charles Dickens, Charles Kingsley, and others. I loved Kingsley's *The Water Babies* about Tom, the child chimney sweep. Imagine — little children inside dirty, dangerous chimneys. I heard accounts of the 19th century's great British social reformers, parliamentarians Lord Shaftesbury and William Wilberforce, whose names still resonated with magic. Both were devout Christians, actually Anglican Evangelicals. Lord Shaftesbury's work for the mentally infirmed, the destitute, the factory workers, and for the child labourers, is still spoken of. Equally legend was William Wilberforce's lifelong, tireless, daunting effort for the abolition of the slave trade and slavery. Wilberforce was successful. He saw the abolition of the slave trade in 1807 but did not live to see the abolition of slavery itself because, sadly, he died days before the abolition of slavery and the passage of the Emancipation Bill in 1833. His 40-year parliamentary action on the amelioration of slavery was his life's work, his life's journey, his pilgrimage.

Reverend John Wesley, the Anglican minister, founder of the Methodist Church, a few days before he died in March 1791, wrote a letter to William Wilberforce, published in Samuel Wilberforce's *The Life of Wilberforce*. Wesley wrote:

I see not how you can go through your glorious enterprise, in opposing that execrable villainy which is the scandal of religion, of England, and of human nature. Unless God has raised you up for this very thing, you will be worn out by the opposition of men and devils; but if God be for you who can be against you... Go on in the name of God, and in the power of His might, till even American slavery, the vilest that ever saw the sun, shall vanish away before it. That He who has guided you from your youth up may continue to strengthen you in this and all things, is the prayer of your affectionate servant, JOHN WESLEY.

Reverend John Wesley admonished Wilberforce on the perils of trusting in one's own righteousness and trusting in one's own worthiness. He cautioned of the need of God's grace in fighting evil and facing human inadequacy. John Wesley was a powerful influence in my native Barbados, also the birth place of Reverend Douglas Stoute, Dean of St. James Cathedral, and host of this celebration.

My mother was a Methodist, and a strong Methodist, too. I share this because I understand so well that, even with the whole force of truth, with righteousness and judiciousness on one's side, and even with every rational argument and the powers of moving eloquence on one's side, victory and justice are uncertain, and are often elusive, even fleeting, for reasons that we all know. The human psyche and human nature are artful dodgers. Human frailty, weakness, cowardice, vanity, and inadequacy permit multitudes of wrongs.

Honourable senators, I move now to the political condition of Canada. Often, I hear calls for the abolition of the Senate. I also hear calls, sometimes from the same quarters, for the abolition of the monarchy and for a condition of Queen-lessness in Canada. The finest achievement of constitutional governance is our system of responsible government called "The Queen in Parliament." That is, government, the cabinet, chosen from elected members of Parliament, sitting in Parliament, and politically responsible to Parliament on sufferance of Parliament's confidence.

I view these calls as acts of mischief, as constitutional vandalism, and as vandalism of Canadian history and culture. These proponents, even when they are members of our House of Commons, like Roger Gallaway, are troubling; when members of our cabinet like ministers Lloyd Axworthy, Stéphane Dion, and John Manley, they are vexing.

The principle was that cabinet speaks with one voice, and that cabinet ministers, like senators, are sworn to the Queen. They propose to dispossess Canadians of their inheritance and their institutions, to impoverish them, and to sever them from their history. It is vandalism. Canada has one Parliament. The

Constitution Act, 1867, formerly the British North America Act, 1867, in section 17, states:

There shall be One Parliament for Canada, consisting of the Queen, an Upper House styled the Senate, and the House of Commons.

The one Parliament for Canada is indivisible. These members and ministers offer no explanation about the true meaning and true consequences of their propositions, which are for an entirely different social order. I do not support either of these two propositions.

Parliament without the Queen, or without the Senate, is not a Parliament. The problem is that these proponents will not tell us what Parliament without a Senate or a monarch would be. I assert that there can be no Parliament without a monarch, or without a Senate. I assert that the Parliament of Canada is indivisible, as is Canada indivisible. The deconstruction of Parliament is synonymous with the deconstruction of Canada.

The deconstruction of Canada is most evident to me in developments in the institutions of civil society, particularly the family, and also in the judiciary with its judicial activism in family law. I have been pained that Parliament and the courts have been reluctant to vindicate the need of children of divorce for both their parents. On this question, I have adopted a position that the children of divorce have an entitlement to the love and support of both parents, both their mother and their father. Fathers and grandparents simply must not be shut out of a child's life. The Divorce Act or Parliament never intended the dispossession of children of their parents, or the dispossession of parents of their children. I have maintained that Parliament and the courts must vindicate the needs of children of divorce for both parents. I have also asserted that both men and women are equally capable of being good parents, just as they are equally capable of being bad parents. I have repudiated any concept of moral superiority of gender, any concept that women are morally superior to men, or that men are morally inferior to women, or that somehow men are morally defective. As a Christian, we hold that sin is an affliction of the human condition, not an affliction of gender. My upholding of the children of divorce is founded upon the concept of Her Majesty the Queen's Royal Prerogative as the *parens patriae*, the supreme parent of the nation, of the vulnerable and those in need of her protection, the children. The protection of children was developed in the jurisprudence of the courts headed by the Queen's chief representative, the Lord Chancellor, in the Courts of Chancery and Equity, both in the United Kingdom and in Canada. That jurisprudence in the late 19<sup>th</sup> century gave us the terms, "the welfare of the child" and "the best interests of the child." I have merely reasserted that the Queen's *parens patriae* and the best interests of the child have always ever included the child's interests in both parents' meaningful involvement in the child's life, both fathers and mothers.

The Queen is the chief parent of all the children of the land. We parliamentarians are their stewards. Psalm 127, verse 3, The Good News Bible, tells us:

Children are a gift from the Lord; they are a real blessing.

Human nature is imperfect. Consequently, the leaders of society are imperfect. Therefore, it is imperative that leaders must aspire to ideals and principles that are higher than their own human nature. Leadership must bear allegiance and loyalty to a centre that is higher than that which they can control. Failure to do so will result in leadership based in self-interest, personal fancy, vanity and personal power drives, what St. Augustine called the *libido dominandi*, the lust for domination, for personal power.

We must understand the dark and the light sides of human beings. Human capacity for evil and human capacity for good live side by side. That is why, in the exercise of power and leadership, Lord Acton wrote:

Power tends to corrupt and absolute power corrupts absolutely.

It is an ill-fated leader or politician who ignores those words. Leadership must be guided by principles and concepts that are clear and known to all, and which are grounded in a sense of public duty, public service, and love. For us, these have been Christian principles as born of Judaic, Christian, and Islamic tradition. We can look to Abraham, Isaac, Jacob, Jesus and Ishmael, the bond child of Abraham with Hagar, for guidance. For me, these principles are non-negotiable.

Further, they are written in the Constitution Act, 1982, the preamble of the Charter of Rights and Freedoms which states:

Whereas Canada is founded upon principles that recognize the supremacy of God and the rule of law:

I suppose all I can say is *credo*, I believe, with the Apostles Creed, God the Father, the Son, and the Holy Ghost.

Queen Elizabeth II has lived, to the best of her ability, the high concepts of public service in Christ the King. She is a great woman, a great Queen and a great servant. God Bless the Queen!

Romans, Chapter 12, verse 5, King James version tells us:

So we, being many, are one body in Christ, and every one members one of another.

Honourable senators, we are all connected.

I would like to thank honourable senators. I attended that service last Sunday. It was magnificent. In point of fact, I was an honoured guest. I gave the homily.

The music was spectacular under the Director of Music, Dr. Giles Bryant, and the organist, Christopher Dawes. The choir was outstanding. I invite all of us to celebrate the great things in Canada and in our lives more often, in praise and in song and in prayer.

•(1710)

**Hon. Shirley Maheu (The Hon. The Acting Speaker):** If no other honourable senator wishes to speak, this order is considered debated.

## CAPE BRETON DEVELOPMENT CORPORATION

### MOTION FOR PRODUCTION OF DOCUMENTS RELEVANT TO PROPOSED PRIVATIZATION—DEBATE ADJOURNED

**Hon. Lowell Murray**, pursuant to notice of February 3, 1998, moved:

That there be laid before this House all documents and records concerning the possible privatization of Devco, including:

- (a) studies, analyses, reports and other policy initiatives prepared by or for the government;
- (b) documents and records that disclose all consultants who have worked on the subject and the terms of reference of the contract for each, its value and whether or not it was tendered;
- (c) briefing materials for Ministers, their officials, advisors, consultants and others;
- (d) minutes of departmental, inter-departmental and other meetings; and
- (e) exchanges between the Department of Natural Resources, the Department of Finance, the Treasury Board, the Privy Council Office and the Office of the Leader of the Government in the Senate.

He said: Honourable senators, shortly before Christmas I filed, under the Access to Information law, two requests for documentation pertaining to Devco.

The first was for information concerning the famous poll done by the Government of Nova Scotia, parts of which were strategically leaked by the Department of Natural Resources to the Nova Scotia media. I sought a copy of the questionnaire; of the sample that had been drawn from with reference to the various regions of Nova Scotia — the answers to all the questions were broken down in that way — and, of course, of the narrative report that the polling company had delivered to the government. Just about all of that information was provided to me by the Department of Natural Resources, I am happy to say, and in the time frame that I had specified, namely, that it be available to me prior to the resumption of the Senate sittings earlier in February.

The second request that I put forward asked for all reports, documents, et cetera concerning the possible privatization of Devco. This request went to several departments of government, including the departments of Natural Resources, Finance, and Treasury Board. The response to this request has been trickling in rather more slowly, hence the motion that is before us today. Several of the departments to which I directed the request have invoked the need for another 30 to 45 days to collect this documentation.

One department, the Department of Natural Resources, sent me some documentation which was quite heavily edited. In doing so, the department invoked one or other of the various exemptions that are available to the government under the Access to Information law. As honourable senators know, these exemptions include confidences of the Queen's Privy Council, solicitor-client privilege, third party information, commercial information, advice to ministers, and so on and so forth. What I have received so far from the Department of Natural Resources is a lot of press clippings, verbatim transcripts of Senate committees, all of which are available to me in any event, and a whole pile of sheets of paper that are otherwise blank but for a notation of the particular section in the Access to Information law that is being invoked by the government.

I do have the right, as any citizen does, to appeal to the Commissioner of Information and demand that some of these exemptions be overridden. I will consider doing that after I have a full response from all of the departments concerned, and I would do so with some confidence because the Commissioner of Information, as colleagues know, is a distinguished former parliamentarian, the Honourable John Reid, who I think understands the need that parliamentarians have for full information in order to debate intelligently the decisions and policies of the government, especially important decisions such as this one affecting, as it does, so many of our fellow citizens in Cape Breton and eastern Nova Scotia.

I have placed this motion on the Order Paper, and I have given you that background because there is one point I want to make about it. Perhaps, if there is any question about what I am saying, some more experienced parliamentarian will correct me. My

contention is that a motion for the production of papers, such as I have put on the Order Paper and that is now before you, is a rather more powerful weapon than a simple request under the Access to Information Act. We parliamentarians, members of the Senate or House of Commons, are not at all restricted, I believe, by the exemptions that are available to the government under the Access to Information Act. I am aware that there are various conventions that apply to what governments may table in Parliament, but they are not nearly as broad as the exemptions that are available to the government under Access to Information.

I have put this motion down seeking all documentation, exchanges of correspondence, messages and so forth relating to this subject, in the belief that I am on solid ground in doing so and that it will produce much more voluminous documentation than has been vouchsafed me so far under the Access to Information Act. We shall see.

I understood from my friend the Deputy Leader of the Government the other day that the government had no objection to this motion going forward. We will see what it produces. Meanwhile, I will await the full returns under my Access to Information request and consider whether I need invoke my right of appeal. If this motion has the desired effect, I will probably not need to do so.

On motion of Senator Carstairs, for Senator Graham, debate adjourned.

The Senate adjourned until Tuesday, February 16, 1999, at 2 p.m.

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**THE SENATE OF CANADA**  
**PROGRESS OF LEGISLATION**  
**(1st Session, 36th Parliament)**  
**Thursday, February 11, 1999**

**GOVERNMENT BILLS**  
**(SENATE)**

<b>No.</b>	<b>Title</b>	<b>1st</b>	<b>2nd</b>	<b>Committee</b>	<b>Report</b>	<b>Amend.</b>	<b>3rd</b>	<b>R.A.</b>	<b>Chap.</b>
S-2	An Act to amend the Canadian Transportation Accident Investigation and Safety Board Act and to make a consequential amendment to another Act (Sen. Graham)	97/09/30	97/10/21	Transport and Communications	98/04/02	four	98/05/27	98/06/18	20/98
S-3	An Act to amend the Pension Benefits Standards Act, 1985 and the Office of the Superintendent of Financial Institutions Act (Sen. Graham)	97/09/30	97/10/21	Banking, Trade and Commerce	97/11/05	seven	97/11/20	98/06/11	12/98
S-4	An Act to amend the Canada Shipping Act (maritime liability) (Sen. Graham)	97/10/08	97/10/22	Transport and Communications	97/12/12	three	97/12/16	98/05/12	06/98
S-5	An Act to amend the Canada Evidence Act and the Criminal Code in respect of persons with disabilities, to amend the Canadian Human Rights Act in respect of persons with disabilities and other matters and to make consequential amendments to other Acts (Sen. Graham)	97/10/09	97/10/29	Legal and Constitutional Affairs	97/12/04	one	97/12/11	98/05/12	09/98
S-9	An Act respecting depository bills and depository notes and to amend the Financial Administration Act (Sen. Graham)	97/12/03	97/12/12	Banking, Trade and Commerce	98/02/24	one	98/03/19	98/06/11	13/98
S-16	An Act to implement an agreement between Canada and the Socialist Republic of Vietnam, an agreement between Canada and the Republic of Croatia and a convention between Canada and the Republic of Chile, for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income	98/05/05	98/05/12	Foreign Affairs	98/05/28	none	98/06/02	98/12/03	33/98
S-21	An Act respecting the corruption of foreign public officials and the implementation of the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions, and to make related amendments to other Acts	98/12/01	98/12/03	Whole	98/12/03	one at 3rd	98/12/03	98/12/10	34/98
S-22	An Act authorizing the United States to preclear travellers and goods in Canada for entry into the United States for the purposes of customs, immigration, public health, food inspection and plant and animal health	98/12/01	99/02/11	Foreign Affairs					

S-23	An Act to amend the Carriage by Air Act to give effect to a Protocol to amend the Convention for the Unification of Certain Rules Relating to International Carriage by Air and to give effect to the Convention, Supplementary to the Warsaw Convention, for the Unification of Certain Rules Relating to International Carriage by Air Performed by a Person Other than the Contracting Carrier	98/12/10	99/02/03	Transport and Communications					
<b>GOVERNMENT BILLS (HOUSE OF COMMONS)</b>									
<b>No.</b>	<b>Title</b>	<b>1st</b>	<b>2nd</b>	<b>Committee</b>	<b>Report</b>	<b>Amend.</b>	<b>3rd</b>	<b>R.A.</b>	<b>Chap.</b>
C-2	An Act to establish the Canada Pension Plan Investment Board and to amend the Canada Pension Plan and the Old Age Security Act and to make consequential amendments to other Acts	97/12/04	97/12/16	Committee of the whole 97/12/17	97/12/17	none	97/12/18	97/12/18	40/97
C-3	An Act respecting DNA identification and to make consequential amendments to the Criminal Code and other Acts	98/09/30	98/10/22	Legal and Constitutional Affairs	98/12/08	none	98/12/09	98/12/10	37/98
C-4	An Act to amend the Canadian Wheat Board Act and to make consequential amendments to other Acts	98/02/18	98/02/26	Agriculture and Forestry	98/05/14	five	98/05/14	98/06/11	17/98
C-5	An Act respecting cooperatives	97/12/09	97/12/16	Banking, Trade and Commerce	98/02/24	none	98/02/25	98/03/31	01/98
C-6	An Act to provide for an integrated system of land and water management in the Mackenzie Valley, to establish certain boards for that purpose and to make consequential amendments to other Acts	98/03/18	98/03/26	Aboriginal Peoples	98/06/09	none	98/06/18	98/06/18	25/98
C-7	An Act to establish the Saguenay-St. Lawrence Marine Park and to make a consequential amendment to another Act	97/11/25	97/12/02	Energy, Environment and Natural Resources	97/12/09	none	97/12/10	97/12/10	37/97
C-8	An Act respecting an accord between the Governments of Canada and the Yukon Territory relating to the administration and control of and legislative jurisdiction in respect of oil and gas	98/03/17	98/03/25	Aboriginal Peoples	98/03/31	none	98/04/01	98/05/12	05/98
C-9	An Act for making the system of Canadian ports competitive, efficient and commercially oriented, providing for the establishing of port authorities and the divesting of certain harbours and ports, for the commercialization of the St. Lawrence Seaway and ferry services and other matters related to maritime trade and transport and amending the Pilotage Act and amending and repealing other Acts as a consequence	97/12/09	98/03/26	Transport and Communications	98/05/13	none	98/05/28	98/06/11	10/98

C-10	An Act to implement a convention between Canada and Sweden, a convention between Canada and the Republic of Lithuania, a convention between Canada and the Republic of Kazakhstan, a convention between Canada and the Republic of Iceland and a convention between Canada and the Kingdom of Denmark for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income and to amend the Canada-Netherlands Income Tax Convention Act, 1986 and the Canada-United States Tax Convention Act, 1984	97/12/02	97/12/08	Banking, Trade and Commerce	97/12/09	none	97/12/10	97/12/10	38/97
C-11	An Act respecting the imposition of duties of customs and other charges, to give effect to the International Convention on the Harmonized Commodity Description and Coding System, to provide relief against the imposition of certain duties of customs or other charges, to provide for other related matters and to amend or repeal certain Acts in consequence thereof.	97/11/19	97/11/27	Banking, Trade and Commerce	97/12/04	none	97/12/08	97/12/08	36/97
C-12	An Act to amend the Royal Canadian Mounted Police Superannuation Act	98/04/28	98/04/30	Social Affairs, Science & Technology	98/06/04	none	98/06/08	98/06/11	11/98
C-13	An Act to amend the Parliament of Canada Act	97/10/30	97/11/05	Legal and Constitutional Affairs	97/11/06	none	97/11/18	97/11/27	32/97
C-15	An Act to amend the Canada Shipping Act and to make consequential amendments to other Acts	98/05/05	98/06/03	Transport and Communications	98/06/10	none	98/06/11	98/06/11	16/98
C-16	An Act to amend the Criminal Code and the Interpretation Act (powers to arrest and enter dwellings)	97/11/18	97/12/11	Legal and Constitutional Affairs	97/12/16	none	97/12/17	97/12/18	39/97
C-17	An Act to amend the Telecommunications Act and the Teleglobe Canada Reorganization and Divestiture Act	97/12/09	98/02/24	Transport and Communications	98/03/25	none	98/04/29	98/05/12	08/98
C-18	An Act to amend the Customs Act and the Criminal Code	98/02/10	98/02/18	Legal and Constitutional Affairs	98/04/02	none	98/04/28	98/05/12	07/98
C-19	An Act to amend the Canada Labour Code (Part I) and the Corporations and Labour Unions Returns Act and to make consequential amendments to other Acts	98/05/26	98/06/08	Social Affairs, Science & Technology	98/06/18	none	98/06/18	98/06/18	26/98
C-20	An Act to amend the Competition Act and to make consequential and related amendments to other Acts	98/09/24	98/11/17	Banking, Trade and Commerce	98/12/03	none + two at 3rd	98/12/10	<i>Commons amendments referred to Committee 99/02/11</i>	
C-21	An Act to amend the Small Business Loans Act	98/03/19	98/03/25	Banking, Trade and Commerce	98/03/26	none	98/03/31	98/03/31	04/98
C-22	An Act to Implement the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction	97/11/25	97/11/26	Foreign Affairs	97/11/27	none	97/11/27	97/11/27	33/97

C-23	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 1998	97/11/26	97/12/04	—	—	—	97/12/08	97/12/08	35/97
C-24	An Act to provide for the resumption and continuation of postal services	97/12/02	97/12/03	Committee of the whole	97/12/03	none	97/12/03	97/12/03	34/97
C-25	An Act to amend the National Defence Act and to make consequential amendments to other Acts	98/06/11	98/06/18	Legal and Constitutional Affairs	98/11/24	one	98/12/01	98/12/10	35/98
C-26	An Act to amend the Canada Grain Act and the Agriculture and Agri-Food Administrative Monetary Penalties Act and to repeal the Grain Futures Act	98/06/08	98/06/16	Agriculture and Forestry	98/06/18	none	98/06/18	98/06/18	22/98
C-28	An Act to amend the Income Tax Act, the Income Tax Application Rules, the Bankruptcy and Insolvency Act, the Canada Pension Plan, the Children's Special Allowances Act, the Companies' Creditors Arrangement Act, the Cultural Property Export and Import Act, the Customs Act, the Customs Tariff, the Employment Insurance Act, the Excise Tax Act, the Federal-Provincial Fiscal Arrangements Act, the Income Tax Conventions Interpretation Act, the Old Age Security Act, the Tax Court of Canada Act, the Tax Rebate Discounting Act, the Unemployment Insurance Act, the Western Grain Transition Payments Act and certain Acts related to the Income Tax Act	98/04/28	98/05/12	Banking, Trade and Commerce	98/06/04	none	98/06/16	98/06/18	19/98
C-29	An Act to establish the Parks Canada Agency and to amend other Acts as a consequence	98/06/03	98/06/15	Energy, the Environment and Natural Resources	98/10/20	none	98/11/19	98/12/03	31/98
C-30	An Act respecting the powers of the Mi'kmaq of Nova Scotia in relation to education	98/06/11	98/06/16	Aboriginal Peoples	98/06/18	none	98/06/18	98/06/18	24/98
C-31	An Act respecting Canada Lands Surveyors	98/05/07	98/05/26	Energy, the Environment and Natural Resources	98/06/09	none	98/06/10	98/06/11	14/98
C-33	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 1998	98/03/18	98/03/25	—	—	—	98/03/26	98/03/31	02/98
C-34	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 1999	98/03/18	98/03/26	—	—	—	98/03/31	98/03/31	03/98
C-35	An Act to amend the Special Import Measures Act and the Canadian International Trade Tribunal Act	98/12/07							
C-36	An Act to implement certain provisions of the budget tabled in Parliament on February 24, 1998	98/05/28	98/06/08	National Finance	98/06/15	none	98/06/17	98/06/18	21/98
C-37	An Act to amend the Judges Act and to make consequential amendments to other Acts	98/06/11	98/09/22	Legal and Constitutional Affairs	98/10/22	eight	98/11/04	98/11/18	30/98
C-38	An Act to amend the National Parks Act (creation of Tuk Tuk Nogait National Park)	98/06/15	98/06/17	Energy, the Environment and Natural Resources	98/12/01	none	98/12/10	98/12/10	39/98
C-39	An Act to amend the Nunavut Act and the Constitution Act, 1867	98/06/03	98/06/08	Aboriginal Peoples	98/06/09	none	98/06/10	98/06/11	15/98



C-40	An Act 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	98/12/02	98/12/10	Legal and Constitutional Affairs				
C-41	An Act to amend the Royal Canadian Mint Act and the Currency Act	98/12/02	98/12/09	National Finance				
C-42	An Act to amend the Tobacco Act	98/12/02	98/12/08	Legal and Constitutional Affairs	98/12/10	none	98/12/10	98/12/10 38/98
C-43	An Act to establish the Canada Customs and Revenue Agency and to amend and repeal other Acts as a consequence	98/12/08	99/02/10	National Finance				
C-45	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 1999	98/06/10	98/06/16	—	—	—	98/06/17	98/06/18 28/98
C-46	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 1999	98/06/10	98/06/16	—	—	—	98/06/17	98/06/18 29/98
C-47	An Act to amend the Parliament of Canada Act, the Members of Parliament Retiring Allowances Act and the Salaries Act	98/06/11	98/06/16	Banking, Trade and Commerce	98/06/17	none	98/06/18	98/06/18 23/98
C-51	An Act to amend the Criminal Code, the Controlled Drugs and Substances Act and the Corrections and Conditional Release Act	98/11/18	98/12/03	Legal and Constitutional Affairs				
C-52	An Act to implement the Comprehensive Nuclear Test-Ban Treaty	98/10/20	98/10/28	Foreign Affairs	98/11/18	one	98/11/24	98/12/03 32/98
C-53	An Act to increase the availability of financing for the establishment, expansion, modernization and improvement of small businesses	98/11/25	98/12/02	Banking, Trade and Commerce	98/12/08	none	98/12/09	98/12/10 36/98
C-57	An Act to amend the Nunavut Act with respect to the Nunavut Court of Justice and to amend other Acts in consequence	98/12/07	98/12/10	Legal and Constitutional Affairs				
C-58	An Act to amend the Railway Safety Act and to make a consequential amendment to another Act	99/02/02	99/02/11	Transport and Communications				
C-59	An Act to amend the Insurance Companies Act	98/12/10	99/02/04	Banking, Trade and Commerce				
C-60	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 1999	98/12/02	98/12/08	—	—	—	98/12/09	98/12/10 40/98

## COMMONS PUBLIC BILLS

No.	Title	1st	2nd	Committee	Report	Amend.	3rd	R.A.	Chap.
C-208	An Act to amend the Access to Information Act	98/11/17	99/02/11	Social Affairs, Science & Technology					
C-220	An Act to amend the Criminal Code and the Copyright Act. (profit from authorship respecting a crime) (Sen. Lewis)	97/10/02	97/10/22	Legal and Constitutional Affairs	98/06/10 adopted	recommend Bill not proceed			
C-410	An Act to change the name of certain electoral districts	98/05/28	98/06/04	Legal and Constitutional Affairs	98/06/08	two	98/06/09	98/06/18	27/98
C-411	An Act to amend the Canada Elections Act	98/05/28	98/06/04	Legal and Constitutional Affairs	98/06/08	none	98/06/09	98/06/11	18/98
C-445	An Act to change the name of the electoral district of Stormont-Dundas	98/12/07	98/12/09	Legal and Constitutional Affairs	99/02/04	none	99/02/11		
C-464	An Act to change the name of the electoral district of Sackville-Eastern Shore	98/12/07	98/12/09	Legal and Constitutional Affairs	99/02/04	none	99/02/11		
C-465	An Act to change the name of the electoral district of Argenteuil-Papineau	98/12/07	98/12/09	Legal and Constitutional Affairs	99/02/04	none	99/02/09		

## SENATE PUBLIC BILLS

No.	Title	1st	2nd	Committee	Report	Amend.	3rd	R.A.	Chap.
S-6	An Act to establish a National Historic Park to commemorate the "Persons Case" (Sen. Kenny)	97/11/05	97/11/25	Energy, the Environment and Natural Resources					
S-7	An Act to amend the Criminal Code to prohibit coercion in medical procedures that offend a person's religion or belief that human life is inviolable (Sen. Haidasz, P.C.)	97/11/19	97/12/02	Legal and Constitutional Affairs					
S-8	An Act to amend the Tobacco Act (content regulation) (Sen. Haidasz, P.C.)	97/11/26	97/12/17	Social Affairs, Science & Technology	98/04/30	two	Dropped from Order Paper pursuant to Rule 27(3)	98/10/01	
S-10	An Act to amend the Excise Tax Act (Sen. Di Nino)	97/12/03	98/03/19	Social Affairs, Science & Technology	98/06/03	none	referred back to Committee	98/09/24	
S-11	An Act to amend the Canadian Human Rights Act in order to add social condition as a prohibited ground of discrimination (Sen. Cohen)	97/12/10	98/03/17	Legal and Constitutional Affairs	98/06/04	one	98/06/09		
S-12	An Act to amend the Criminal Code (abuse of process) (Sen. Cools)	98/02/10	98/05/06	Legal and Constitutional Affairs					
S-13	An Act to incorporate and to establish an industry levy to provide for the Canadian Anti-Smoking Youth Foundation (Sen. Kenny)	98/02/26	98/04/02	Social Affairs, Science & Technology	98/05/14	seven + two at 3rd	98/06/10	Bill withdrawn pursuant to Commons Speaker's Ruling	98/12/02
S-14	An Act providing for self-government by the first nations of Canada (Sen. Tkachuk)	98/03/25	98/03/31	Aboriginal Peoples					

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 (Sen. Lynch-Staunton)	98/04/02	98/06/09	Legal and Constitutional Affairs	98/06/18 report withdrawn 98/12/08	four	Bill withdrawn 98/12/08
S-17	An Act to amend the Criminal Code respecting criminal harassment and other related matters (Sen. Oliver)	98/05/12	98/06/02	Legal and Constitutional Affairs			
S-19	An Act to give further recognition to the war-time service of Canadian merchant navy veterans and to provide for their fair and equitable treatment (Sen. Forrestall)	98/06/18					

**PRIVATE BILLS**

S-18	An Act respecting the Alliance of Manufacturers & Exporters Canada (Sen. Kelleher, P.C.)	98/06/17			Dropped from Order Paper pursuant to Rule 27(3) 98/11/17		
S-20	An Act to amend the Act of incorporation of the Roman Catholic Episcopal Corporation of Mackenzie (Sen. Taylor)	98/09/23	98/10/29	Social Affairs, Science & Technology	98/12/03	three	98/12/09

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