



Debates of the Senate

2nd SESSION

•

36th PARLIAMENT

•

VOLUME 138

•

NUMBER 9

OFFICIAL REPORT
(HANSARD)

Thursday, November 18, 1999

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THE HONOURABLE GILDAS L. MOLGAT
SPEAKER

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

Debates: Chambers Building, Room 943, Tel. 996-0193

Published by the Senate
Available from Canada Communication Group — Publishing, Public Works and
Government Services Canada, Ottawa K1A 0S9,
Also available on the Internet: <http://www.parl.gc.ca>

THE SENATE

Thursday, November 18, 1999

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

Prayers.

BUSINESS OF THE SENATE

The Hon. the Speaker: Honourable senators, before I call for tributes to the Honourable Senator John Stewart, I inform the Senate that, to my regret, I must leave the Chair at 2:30. I must make it clear that my departure is not in disrespect to my colleague and friend Honourable Senator Stewart nor, obviously, to whatever is being said by any senator at that particular time.

I will be replaced in the Chair by the new Speaker *pro tempore*, Senator Losier-Cool, whom I congratulate on her appointment to the post.

THE HONOURABLE JOHN B. STEWART

TRIBUTES ON RETIREMENT

Hon. B. Alasdair Graham: Honourable senators, when I first met Senator John B. Stewart many years ago, he was already widely respected in the academic community for work that included undergraduate studies at Acadia University and graduate studies at New York's Columbia University, as well as being variously professor and chairman of political science at Barnard College in New York. John was associated with the Rockefeller Foundation until his return in 1959 to Nova Scotia, at which time he joined the Department of Political Science at St. Francis Xavier University.

Approximately three years later, Professor Stewart was elected as the Liberal Member of Parliament for his home constituency of Antigonish-Guysborough. He was re-elected in 1963 and 1965. This was a series of events about which I have some of my fondest political memories.

After the Diefenbaker sweep of 1958, the Liberal Riding Association of Antigonish-Guysborough determined that we should conduct an exhaustive search for the most credible candidate possible. Every time there was a discussion, someone would ask, what about that new professor, John Stewart at — as they say sometimes — St. FX? Who would have enough influence and credibility — indeed, the courage — to make the call?

Now John was not a big sports fan, so Joe DiMaggio and Frank Mahovlich were ruled out, but some genius came up with a brilliant idea. It was arranged that Professor Stewart would be

in his office in the old wing on the campus on a stormy Saturday night. The phone rang:

Hello? Dr. Stewart? This is Lester Pearson.

And the rest, as they say, is history.

As a footnote to that story, honourable senators will recall that Mr. Pearson was a great sports fan and a regular viewer of *Hockey Night in Canada* on Saturday night. The call to Dr. Stewart was made from Stornoway between the first and second periods of a game between the Montreal Canadiens and the Toronto Maple Leafs.

• (1410)

Senator Mahovlich: Who was winning?

Senator Graham: As I recall, Frank was the third star that night. The first star went to Mr. Pearson, and the second to John Stewart.

In his six years in the House of Commons, John proved to be one of the most assiduous students of the parliamentary system I have ever known, distinguishing himself, as he has all his life, by serious hard work and achievement, always with the greater good of his province and country as his overwhelming objective.

When his riding disappeared through redistribution in 1968, he returned to St. FX. He continued, as a teacher, to have such a deep impact on his students that his courses were widely sought after, with waiting lists of applicants in every term. Every class was a sellout.

It was once said that a teacher affects eternity. He or she can never tell where that influence stops. In the case of Professor Stewart, with a legendary reputation for producing Rhodes Scholars in his classes, that influence has been most formidable indeed.

I have often wondered how the course of Canadian history might have been changed had Professor John Stewart gone to St. FX a year or two earlier and been able to use his extraordinary influence and persuasive talents on students like former prime minister Brian Mulroney and the former leader of the government in the Senate, the Honourable Lowell Murray.

Senator Lynch-Staunton: They might have turned out!

Senator Graham: Fortunately, Professor Stewart got there in time to catch, to tutor and to guide former New Brunswick premier Frank McKenna.

Dr. Stewart also turned his attentions to reflections upon his parliamentary experience, producing two authoritative and widely read titles on the parliamentary process. In one of his earlier works, the *Political and Moral Thought of David Hume*, Dr. Stewart showed his abiding concern for the moral basis of democratic politics. John quoted from the brilliant work of the Scottish philosopher, who is considered to be one of the earliest pioneers of political science, as follows:

Of all men that distinguish themselves by memorable achievements, the first place of honour seems due to legislators who transmit a system of laws and institutions to secure the peace, happiness and liberty of future generations.

Hume counselled generations of parliamentarians yet to come — all of those wise and fair-minded representatives of the people who understood that the *raison d'être* of good government was the crafting of laws and institutions based on justice.

Indeed, Senator John Stewart would become, over his lengthy parliamentary career, the epitome of the wise and conscientious legislator imagined by David Hume centuries before — a legislator indefatigable in the pursuit of the right; a legislator who understood the importance of vigilance in securing and protecting our free society; a legislator committed to the public good; a legislator who left nothing to chance; a man who brought a razor-sharp mind and tremendous, tireless energy to the service of his community, to his students, to his province and to his country; a thoughtful patriot who always understood, as the old saying goes, that those who expect to reap the blessings of freedom must undergo the fatigue of supporting it.

John Stewart's profound sense of service led him to put incredible amounts of energy into committees, whether Fisheries or Banking, or whether it was throughout his important and very distinguished tenure as chairman of the Foreign Affairs Committee, in which he skilfully, and with the greatest diligence, shepherded the whole complex series of issues that come from Canada's respected position as a global player on the world stage.

Canada's brilliant Edward Blake spoke simply of the meaning of Parliament in the House of Commons a little over a century ago. He said:

The privileges of Parliament are the privileges of the people. The rights of Parliament are the rights of the people.

These words, honourable senators, have been the hallmark of Senator John Stewart's wonderful life and times. The rights of Parliament and the privileges of Parliament are rooted in the rights of our people — in the privileges, in the wisdom, in the humanity of our people.

As one who has had the great privilege of having had John Stewart as a mentor, of being both a colleague and a close friend for many years, I am proud to say that the first place of honour, very deservedly, belongs to this wise and honest legislator, to this wise and committed servant of the people, to this gifted teacher who has left ever-expanding and indelible

marks on eternity. Yes, the first place of honour belongs to Senator John Stewart, whom many of us in the public service of this wonderful country will so deeply miss in the days and the years ahead.

Hon. Lowell Murray: Honourable senators, I have not done a scientific survey of colleagues, but I think it is likely that Senator Graham and I have known Senator Stewart longer than anyone else in this place. At any rate, it is more than 40 years since we first met. I think that gives me some licence to pretend to speak authoritatively on the subject at hand.

In 1959, a few years after my graduation from St. FX University, I was running their alumni office in Antigonish. That fall, Dr. John B. Stewart returned to his native province and his native county from the teaching post that Senator Graham mentioned at Columbia University and a consultancy at the Rockefeller Foundation to take up duties as professor of political science at St. FX.

Every teaching day thereafter, Dr. Stewart and I had lunch together at the same table in the priests' dining room at St. FX. In that *sanctum sanctorum* in those days, John Stewart and I were both outsiders — he a Protestant, I a Progressive Conservative. Happily for John Stewart, those were also the days when the ecumenical movement was getting underway under the leadership of Pope John XXIII. The priests were extending the hand of fellowship, friendship and fraternity to what they called "our separated brethren," of whom John Stewart was one. Unfortunately, it took the reverend fathers a while longer to warm to Progressive Conservatives.

However that may be — and I have alluded to this at times in the Senate over the past few years, sometimes at rather tense moments in our debates — I do not think I can remember any professor at St. FX or anywhere else who enjoyed quite the level of respect and admiration from his students that John Stewart received.

• (1420)

It is true, as Senator Graham said, that I was not Dr. Stewart's student in a formal sense, although I, like many others, have been his student here in this place. On occasion in debate, he has purported to evaluate my performance. I have never received anything better than a gentleman's C in those evaluations.

In any case, I cannot speak from direct experience as to why he enjoyed such considerable esteem from his students. I think we can be sure that he did not court popularity by pandering to adolescent culture as some professors do. I think it is more likely that he gained their respect because he showed them respect for their intelligence and judgment, and because he set high standards — not unattainably high standards, but high standards nevertheless — and got the best out of his students. You will find people many years later — men and women — who will say that the high point of their student days was their exposure to Dr. Stewart. A number of these people, I am told, showed up a couple of weeks ago at St. FX University for a special seminar and tribute to their former professor. I am sure he must have been very touched indeed by their presence and by the testimony of their respect and esteem.

[Senator Graham]

This is a scholar who found his way into politics. Let me say a word about the 1962 election. It was not an easy election for the Diefenbaker government. Antigonish-Guysborough, as some of you know, was a traditional Liberal riding. Nevertheless, it was a considerable victory for Dr. Stewart. He brought the party way back, considering the low state in which it had been left by the previous candidate, Al Graham.

Senator Graham: I avoided that.

Senator Murray: Senator Stewart is a scholar in politics, but he has never been guilty of scholarly detachment from the hurly-burly. For one thing, nothing that happened in or around or to his constituency ever escaped his notice.

A few years after we had been having our daily lunch together in Antigonish, I was up here as ministerial assistant in the Diefenbaker government, and he was the newly minted Member of Parliament for Antigonish-Guysborough. I recall receiving a series of irate telegrams about some small parcel of land that the government had bought, or had failed to buy, in the town of Antigonish for a new federal building there. No grievance was unimportant, especially when the Tories were in power.

He is a procedural and constitutional expert, who has been chairman of our Foreign Affairs Committee, but what I recall from my days on the receiving end of questions here is Senator Stewart's preoccupation with the fishery in Nova Scotia, with federal highways policy as it affects Nova Scotia, with the fixed link to P.E.I. as it affected Nova Scotia, and with the GST as it affected everybody.

Is this scholar a partisan? Let me put it this way. In the unlikely hypothesis that he was ever in any doubt about an issue, he never, ever failed to give the benefit of the doubt to the position of the Liberal Party — but who am I to point a finger? As he has always told us, this is a team sport, and it is certainly one at which he excelled.

Senator Graham has mentioned the two books that Dr. Stewart wrote about the Scottish philosopher David Hume. *The Moral and Political Philosophy of David Hume* was the first, and the second was *Opinion and Reform in Hume's Political Philosophy*. Honourable senators, I have not read these books. In 1761, the Catholic Church placed all of Hume's work on its index of forbidden books, and I must assume that, by extension, John Stewart's books about him have fallen under the same index. One cannot be too prudent in matters of this kind. I have always found that not reading books about or by David Hume is one of the less onerous disciplines imposed by the Catholic Church.

In any case, I have read his book, *The Canadian House of Commons*, published in 1977. Far from being on anyone's index of forbidden books, it should be required reading for every parliamentarian — especially for parliamentarians in the other place. We all know that our colleagues in the other place are not great readers of books and that they have the attention span of the proverbial hummingbird, but I would recommend to them chapter 1. There they will find as neat a description of the role of the House of Commons — and, indeed, of Parliament, although Dr. Stewart does not deal specifically with the Senate — as they

will ever find anywhere. They need, as I suggested in another context the other day, to be reminded of their prerogatives, and they could do no better in that connection than to read John Stewart.

With Senator Stewart's departure, we are losing our best parliamentarian, and Nova Scotia is losing an extraordinarily attentive and able representative. If the government wants to offer him a sinecure and an office somewhere on the premises, that is all right with me.

Some Hon. Senators: Hear, hear!

Senator Murray: After all, if Senator Grafstein could refer, as he did, to former senator MacEachen as a "national treasure," surely we can agree that Senator Stewart is a significant non-renewable resource.

Therefore, Your Honour, at the appropriate time, I would be prepared to move, seconded by Senator Lynch-Staunton, whose suggestion this is, that the office space formerly occupied by former senator MacEachen be provided in perpetuity to former senator Stewart.

Some Hon. Senators: Hear, hear!

The Hon. the Speaker: Do I understand you, Honourable Senator Murray, to be making a motion?

Senator Murray: With leave.

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

Hon. Senators: Agreed.

Hon. Dan Hays (Deputy Leader of the Government): Honourable senators, I find myself in a seat here which gives me the privilege of being recognized by you next. That is truly an honour. It is a great pleasure to rise to pay tribute to my colleague the Honourable Senator Stewart.

As I listened carefully to the comments that were made, one of the things running through my mind was that Senator Stewart does have a whimsical and humorous side, which he shared with us at the dinner we held for him when, for example, he spoke of the day he came into this chamber and called Senator Murray a tyrant and His Honour a usurper — in error, as I heard him.

• (1430)

My fondest recollection of Senator Stewart is not from here but, rather, from my only visit to Antigonish, where I attended the MacEachen conference. Senator Stewart was kind enough to explain to me the significance of the university at which he taught, St. Francis Xavier, and what to me was the mystery of all of these people running around with rings with Xs on them, people who were partners in my law firm and who seemed to be everywhere around my community of Calgary. I now know where they came from. I have come to admire their background and the good luck which seems to follow them as former students of St. Francis Xavier. With professors such as Senator Stewart as members of the faculty, they have had a good grounding.

Senator Stewart has played a remarkable role here. I, too, should like to make reference to one of his books. I have not read Hume and, like Senator Murray, do not intend to, but not for the same rigid reason for which Senator Murray is averse to reading Hume. Senator Stewart's book, *The Canadian House of Commons* has a quote, which I am sure Senator Kinsella will appreciate. It states:

The unsung heroes of the House are the party house leaders. Each must have a dual loyalty: to his party and to the House. The root of many of their troubles is that their Colleagues are either insouciant to the House or far too interested in it. At times they ignore the House. At other times it is all-important, so that every facilitating concession to the other side is seen as a disastrous surrender.

Listen well, Senator Boudreau. He continues:

Regardless of the conflict of ambition and opinions, the house leaders must make the system function.

I have become acutely aware of that, in a way that I was not until I arrived here. To his great credit, Senator Stewart, as someone who practised as an academician and politician, has offered us all that lesson. If only we were all prepared to hear him. I hear you now, Senator Stewart.

Senator Stewart, throughout his time here, has been a great leader. In particular, he served on the Foreign Affairs Committee with distinction. I have had a limited experience in that area myself and have some appreciation of the difficulty of that task.

Senator Stewart has a following on Parliament Hill amongst his students, and, I hasten to add, amongst honourable senators, for we are all students of John Stewart. We respect him as a teacher, for many times we have learned from him and followed his guidance in our deliberations.

Senator Stewart, I believe the highest form of tribute this house can offer a senator is its profound respect. We will miss your contribution, though you have left us with a great deal and, in particular, some very important principles by which to live. May your retirement be filled with new experiences, wonderful books to read and write, and minds to shape.

Hon. Senators: Hear, hear!

Hon. Roch Bolduc: Honourable senators, I met John Stewart for the first time in the fall of 1988, when I was appointed to the Senate. For five years we sat together on the National Finance Committee and, for the last 11 years, we served together on the Foreign Affairs Committee.

We also have some other things in common: post-graduate studies in the United States, university teaching, a particular taste for political philosophy, and what I would call a certain vocation for the public service — John Stewart as a member of the House of Commons and the Senate and I as a civil servant and a senator.

[Senator Hays]

Other things, however, make us different. He is an anglophone of Scottish descent, Protestant, cold towards the United States but a Harvard Liberal nonetheless, and a distinguished writer. I am a francophone, French Canadian, Catholic, Chicago conservative, a friend of the United States, and an ex-manager.

I must say, however, that we have shared many undertakings over the years; namely, program analysis of governmental expenditures, inquiries of various aspects of Canadian foreign policy and more particularly of the trade policy, because of the heavy emphasis in the last decade on international commerce.

Of course, John was against the Free Trade Agreement, as Senator Murray mentioned. I believe it was because he was on the opposition side of the chamber and that he wished to argue that side of the case, knowing that we would defend the other side and that eventually the people of Canada would decide. It might also be because he thought that the deal was not as good as the Auto Pact, recently sanctioned by the World Trade Organization. At any rate, it was a hot debate here in the Senate, as was the one on the GST, though the former was more civilized than the latter, I should point out.

In the National Finance Committee, we covered a great deal, in particular, the diverse aspects of governmental administrative policy. I still have a vivid memory of our inquiry on the Royal Recommendation. Our learned colleague John Stewart, a specialist of parliamentary procedure, about which he produced a book in 1997, took tremendous pleasure in putting numerous witnesses into a corner with his legal distinctions. These reminded me of the metaphysical disputes of the Jesuits and the Thomists of the 16th century, notably by Suarez among others.

Speaking of philosophy, I should like to point out, honourable senators, that our colleague has a Doctorate of Public Law and Government, and is a master of political philosophy. In particular, he is an international authority on David Hume. He has published two books on Hume's writings. I can tell you that after reading Hume's biography, I came to realize that John has many things in common with that great Scottish writer: a friend of books, frugality, the solitary aspects of his personality, his sceptic but healthy mind. Sometimes I think of him as a neo-Scottish Montesquieu. However, his hero was a good friend of Adam Smith, although I believe that John does not think as highly of him as I do.

Let us come back to David Hume. You may know, honourable senators, that there is an international association called the Hume Society, which has published for 25 years now a university journal of high calibre entitled "Hume Studies." The review is a biannual publication, highly rated in philosophical academic circles. In this august international group of university luminaries, I must tell you that our colleague is a high priest. In November 1995 there was a critical analysis of his second book on Hume. John brilliantly defended his thesis that Hume was indeed a precursor of the British Liberal tradition and not of the Conservative one. One of his critics, Douglas Long, has written:

John B. Stewart has shown himself once again to be a serious, penetrating and appreciative Hume scholar.

I bow before such versatility, or “polyvalence”, which allows our senator to jump from political theory to political practice. After all, he has been elected three times; therefore, he is not only a good theoretical mind but a competent historian of the last centuries of British political life.

As chairman of our Foreign Affairs Committee, he has shrewdly led our studies of important issues which have produced many pertinent propositions, we believe, for guiding the international course of this country. Our last report on the European Union’s impact on Canada, which was a follow-up to the one we produced a few years back, is a valid example of that. The next report, which he directed as chairman, on NATO and Canada should also make all senators proud of the work of this committee.

During his whole political career, John has fought for the legitimate interests of Maritimers. I hope he will leave for a happy retirement, but I am sure that he has not yet written his last book. I wish him a prosperous life with his royalties, much like his famous British predecessor.

Hon. Marie-P. Poulin: Honourable senators, during the 132 years since Confederation, many distinguished Canadians have inhabited the confines of these chamber walls. Their knowledge, wisdom, perspicacity and lucidity have contributed in no small measure to the affairs of the nation. They brought qualities to this chamber that we can admire and should strive to emulate — role models for ourselves and our times.

We know that we have among us a truly respected Canadian in Senator John B. Stewart, who can legitimately join the pantheon of such senatorial giants as the Honourables Eugene Forsey, Raoul Dandurand, Muriel McQueen Fergusson, Cairine Wilson, Chubby Power, Duff Roblin and Arthur Meighen. They have all contributed in particularly outstanding ways, as any historian or observer of this chamber will testify.

[*Translation*]

Senator Stewart’s contribution to the Senate over the 15 years since his appointment has been his penetrating wit and his broad knowledge, both of which have earned him an enviable reputation among his colleagues.

• (1440)

That reputation has gone beyond the limits of this chamber, to the seats of decision-making in this country, where his views on foreign affairs, banking, commerce and fisheries bear considerable weight.

As anyone who has engaged in a debate with him is well aware, his great eloquence makes him an opponent to be feared. Senator Stewart never leans toward exaggeration or grandiloquence. This is an erudite man, a dignified and refined man, a “*mensch*”, as they say. His views are always balanced, a

character trait greatly appreciated by those expressing opinions to him, something I have often had the privilege of witnessing.

This politician, professor and author has brought honour to this institution. It is a loss for us and for the country that the time has come for him to leave the Senate. We will miss his ideas and his action, as well as his good advice.

I wish our friend nothing but the best in this new stage in his life.

[*English*]

Hon. Norman K. Atkins: Honourable senators, for many of us in the Senate, this is a time of mixed emotions. Today we are paying tribute, upon his retirement, to Senator John Stewart from Atlantic Canada. Next week, we will be paying tribute to Senator Derek Lewis, also from Atlantic Canada. While this is a time to celebrate their accomplishments, both here and elsewhere, senators are saddened by the fact that both of them will be retiring from the Senate within the next few days. This is truly a loss, both for us who remain and for the Senate as a parliamentary institution.

Both senators, through their participation in committees and through their contributions to this chamber, have invariably been able to raise the tenor of debate, bringing insight and wisdom from their different backgrounds to the issues before us.

Senator Lewis, a well-respected lawyer from St. John’s, Newfoundland, a bencher of the law society and a chair of the Law Foundation of Newfoundland, brought to our work here his wit, his intelligence, and his ability to get to the heart of an issue in a way that I have admired since I came here as a rookie senator in 1986. We wish him well in his retirement.

Senator John Stewart, a former member of the House of Commons from Nova Scotia for Antigonish-Guysborough, is the only person I have ever met from Nova Scotia who knows where Cook’s Cove is, which is where my grandfather was born. It is a suburb of Guysborough.

Senator Stewart is an academic, an author, and a student of Parliament. Before coming to this place, I knew Senator Stewart only by reputation through his work in the House of Commons and from those who admired his academic endeavours. However, on my first committee assignment to the Senate Foreign Affairs Committee, I sat in awe of his knowledge and his ability in chairing the committee. At that time, we were dealing with the issue of free trade, which was very high on the agenda of each party. Our meetings became, for me, a graduate seminar on how standing committees are meant to operate and how major issues can be thoroughly examined and addressed.

As has been mentioned, Senator Stewart is a graduate of Acadia University, as am I. We have forgiven him for leaving us to teach at St. FX, but question his judgment that Antigonish could be more pleasing than the Annapolis Valley.

Those who think less of our government institutions would do well to study Senator Stewart's work both here and in the other place. He has always demonstrated his great regard for the role of Parliament in Canadian society, for its processes, and for the important role reasoned opposition could play, as well as his appreciation of good debate. This was the case no matter who offered the points, as long as they were valid in his eyes. That said, he always remained loyal to caucus discipline, which qualifies him as a good Liberal. As well, he has had an almost perfect attendance record since the time he was appointed. Senator Stewart took his responsibilities very seriously.

I will sincerely miss sitting opposite him and watching his expressions, as points both good and bad made in debate registered on his face.

John, you never failed to give credit to those who raised the level of debate in the Senate, and now it is our turn to give credit to you for all of the positive contributions you have made to Parliament and the study of it throughout your career. We wish you well as you take your leave from this place. As well, we wish you a happy birthday.

Hon. Joyce Fairbairn: Honourable senators, today we say farewell to one of the finest and most dedicated parliamentarians it has been my privilege to know over the last 37 years. As has been agreed today, the Senate will lose a most valued member when Senator John Stewart retires tomorrow. For us on this side of the chamber, he is very close to being irreplaceable.

Senator Stewart has built his life around learning, teaching, and public service in his province of Nova Scotia, and particularly at St. Francis Xavier University in his beautiful hometown of Antigonish. He has been an activist and a conscience of the Liberal Party of Nova Scotia and the Liberal Party of Canada. He turned to the federal political scene in 1962 as the Liberal Member of Parliament for Antigonish-Guysborough, which position he held for three terms. It was during that period of time that I, as a young journalist in the Parliamentary Press Gallery, came to know him.

During that time, John Stewart became grounded not only in the politics of Parliament, but in mastering the intricacies of rules and procedures of both chambers of this national institution. As colleagues on both sides of this house know, this is an intricate area of expertise which few have the skill, the will, or the patience to conquer, but it is absolutely vital to the proper functioning of the Senate and the other place. Senator Stewart provided that expertise with wisdom and judgment. I know that my colleagues on this side of the house will sorely miss his guidance.

This may turn out to be a banner day for Senator Stewart. Senator Murray has offered him an office in perpetuity. However, I would ask him to consider that carefully, because he could probably make a fortune consulting on parliamentary procedure.

[Senator Atkins]

Since his appointment to this house by Prime Minister Trudeau almost 16 years ago, Senator Stewart has divided his interests and his abilities between issues affecting his own area, such as those discussed in the Fisheries Committee; tough national concerns that are discussed in the National Finance Committee and the Banking, Trade and Commerce Committee; and, finally, on issues which cross international borders, as the chair of our Foreign Affairs Committee since 1986. That is a long time to be a chairman. The leadership he has shown in the Foreign Affairs Committee has been, as the younger generation would say, "cool" and truly "awesome".

Senator Stewart has had a tremendous effect on many of us in this chamber. One magic moment for me was following the election of 1988 when Senator Stewart asked me if I would like to join the Foreign Affairs Committee. I thought I had truly made it. It then became clear that I was to serve only during the Christmas break to help fulfill our commitment that, if an election were called by our friends opposite, we would pass the Free Trade Agreement by January 1 of 1989.

• (1450)

Nonetheless, it was great fun during that period of time. I enjoyed it immensely. When it was over, I went back to my usual work in the Senate. I have yet to enter again those hallowed halls of the Foreign Affairs Committee as a member. However, there is still hope.

I wish to reflect for a moment on what Senator Stewart has accomplished in that committee. In this turbulent decade of shifting international trade groupings, of financial and commodity disruptions in areas of the world that have a profound effect on Canadian opportunities, and an all-too-steady progression of vicious military conflicts, Senator Stewart has led our committee through thoughtful and in-depth studies of significance to policy-makers and political leaders in Canada and well beyond, if they have the common sense and the industry to read those reports. There is no question that John Stewart has brought a powerful personal commitment to defining a realistic approach to our unending preoccupation with war and peace in the modern context, which, as he said in one of his early speeches in this house, sometimes tends to tire us out and foster a lack of will to persist in advancing that cause.

As he spoke in support of the establishment of the Canadian Institute for International Peace and Security back in June of 1984, he urged us to "fight back against the fog of weariness, the fog of cynicism." He decried all of those who talk only about the "problems of peace." In saying farewell to him today, I should like to read a short passage from that speech, which gives Canadian citizens a ringing encouragement to press on, each in their own way, to keep the optimism for world peace continuously alive.

I quote from John Stewart's speech of June 28, 1984, in this house, wherein he said:

The old adage says that liberty is maintained by eternal vigilance. Well, peace is maintained by eternal striving. We make peace and remake it, day after day, year after year. We must go back and track over the same ground, do many of the same things again, to educate ourselves and to educate the new generations as they come along. The mere fact that there is need for so much repetition should not cause us to think that nothing is being accomplished. Every day that peace is maintained, an accomplishment has been made; and, as circumstances change, new approaches must be adopted.

Honourable senators, those kind of words are the legacy of John Stewart and his work in this house, his work in Parliament, his work for Canada and, indeed, his work for the world. Personally, I am enormously sad to see him leave. He has been a good friend for a long time. His quiet and steady support for me when I served as leader of the government in the Senate was generous and wise. I could not have done the job without it. I wish him vigorous good health and happiness as he goes back to his beloved province and Antigonish.

John, keep on speaking and keep on writing. We need to hear your voice. I shall miss you. My husband, Mike, shall miss you, and so shall Bessie.

Hon. A. Raynell Andreychuk: Honourable senators, it is a privilege, indeed, to add a few words on the retirement of Senator Stewart.

Many things have been said about Senator Stewart from those who have known him for much longer than I have known him. However, there are a few thoughts that I should like to put on the record. The first is that Senator Stewart has taught us the art of parliamentary debate. When I came to this chamber six years ago, I heard some of the best and eloquent speeches ever given anywhere. However, it was Senator Stewart who taught us that Parliament is more than eloquence and speeches; that it is the ability to speak one to the other, to question one another, to come to consensus and to find common ground. I thank him for teaching me that it is more than just my ability to speak; it is the ability to listen to others that is most important. We must try to find some common ground on behalf of the national interest.

I have had the privilege of being the deputy chair and a member of the Foreign Affairs Committee since my arrival in the Senate. I wish to paraphrase, perhaps badly, something Senator Stewart has said in our committee: Most members come to the committee with their own particular perspectives. As he said, we all sit on our own hill, bringing our own temperament, our own ideas, our own philosophies and our own issues to the table. Somehow, it is the responsibility of the chairman to bring all these together in some landscape. I believe that Senator Stewart has fulfilled his own challenge of what a chairman should be in the Foreign Affairs Committee.

We were not an easy bunch to deal with. We all came with our vested opinions. Senator Stewart certainly gave each one of us the opportunity to speak and to put across our points of view. He exemplified what is best in a chairman, that is, fairness —

fairness toward each member, fairness toward the issue and fairness toward the responsibilities of the Senate. He brought to the committee that which I cherish most, namely, an academic bent.

About six months into my stay here, when I was waxing eloquent on some point or another, one senator said, “Do not worry about her; she is an academic.” The comment was said in less than complimentary terms. However, I felt that every time I spoke on an issue, Senator Stewart encouraged us to reach for a greater sophisticated level, a greater thought-provoking level on the issues with which we were dealing. He had the capacity of going to a senator at the end of a meeting and saying, “That was a good point.” What he was really saying was, “Perhaps you should take your point in this direction and it will find better ground.” He had a way of bringing us into line from time to time. More often than not, he had a way of challenging us to do a little better and to work a little harder in the committee.

As Senator Bolduc has said, our reports speak for themselves. They have been reviewed by those in areas of importance, sometimes by those in government, sometimes by those in the capitals of other countries, and always by those who study foreign policy issues.

Senator Stewart’s work was done with charm, wit and with the sincere desire to further the work of the Senate. More often than not, when others were losing their heads, Senator Stewart had the ability to keep his and to be a gentleman throughout the process. The greatest gifts are to be able to keep one’s calm, to keep one’s civility and to keep the process moving forward.

Senator Stewart, I thank you for the years you served as chairman of the Foreign Affairs Committee. I thank you for the things that you have taught us. Other senators have covered your professorial bent sufficiently, so I will not go into that. However, I certainly share their point of view. The academic excellence and the political necessities of our reports speak for themselves, something which I attribute to you, Senator Stewart.

I trust that Senator Stewart will continue to watch our work. I hope that he will continue to enjoy the academic and political environment and, most of all, that he will continue to prod Canadians to reach the level of inquiry and excellence that he has attained in this chamber.

Hon. Peter A. Stollery: Honourable senators, this is one of the days that I have dreaded — the retirement of Senator John Stewart. I did not know Senator Stewart before 1984 when he came to the Senate. When I first met him in 1984, I said to some friends, “My God, not only is there MacEachen, whom we have known all of these years, but there are two of them.”

Someone referred to Senator Stewart’s regard for house leaders. I understand that. We have forgotten that since 1984 there have been majority Parliaments. Senator Stewart was elected by a small majority in three minority Parliaments. I also was elected in two minority Parliaments. In that atmosphere, one appreciates the responsibility of the house leader.

I have always been a great admirer of Senator MacEachen, and when I met Senator Stewart in 1984, I become a great admirer of Senator Stewart. He has contributed in an enormous way to the Foreign Affairs Committee, of which I have been a member since we started our hearings on the Free Trade Agreement in 1986. We became a committee that met a great deal, and Senator Stewart became the chairman. It is simply impossible to describe Senator Stewart's impact on our committee.

Honourable senators, Senator Stewart is a great teacher. People who knew him before I did have told us that. However, I, who came upon Senator Stewart here in the Senate, have learned that he is, for me anyway, the greatest teacher that I ever met. He has taught us how public business should be treated. He has high standards and values.

Increasingly, perhaps as we all grow older, we wonder about values and standards. When one comes across someone like Senator Stewart, it is such a refreshing experience. He may be a political scientist, but he is also a philosopher. It is not by accident that one of his great loves is the work of David Hume. He shares values himself with David Hume.

He has added immeasurably to our Foreign Affairs Committee, which has produced some excellent reports under his chairmanship. Our challenge now is to maintain that standard.

There is not much else that I can say other than that I am delighted to have heard the motion of Senator Murray because, one way or another, Senator Stewart will continue to help the Foreign Affairs Committee and to make a contribution to the life of the Senate, thus extending the great contribution he has made to Canadian public life.

Hon. Gerald J. Comeau: Honourable senators, Senator Graham mentioned earlier that in 1968 Senator Stewart vacated the redistributed seat of Antigonish to go back to university, but I think he forgot to note that Senator Stewart had, before going to St. FX, come to the Yarmouth region of southwestern Nova Scotia to run in the 1968 election against a young fellow by the name of Louis Comeau. That was the first time I had voted in a federal election. I should not say for which side I voted, but I think Senator Stewart forgives me for having voted for Louis Comeau, who ran for the Progressive Conservatives at that time. In fact, I think Senator Stewart has forgiven me on a number of occasions for that.

My point is not to reminisce about an election held 31 years ago, but to note that I wish we had had time to reorganize the Standing Senate Committee on Fisheries so that we could have made the proper speeches to Senator Stewart at that committee. He has been one of the great members and contributors to it. On behalf of the members of the Fisheries Committee, I thank him for the way he has contributed to the various complex issues that faced us over the years. He earned the respect of committee members, witnesses and industry with his formidable research abilities, deep knowledge and expertise. On subject matters we sometimes found complex, Senator Stewart was able to simplify

them. He was always willing to share his wise counsel with all of us.

On behalf of myself and my colleagues, Senator Stewart, we shall miss you. You have been a great teacher.

Hon. Anne C. Cools: Honourable senators, for all those things that are honourable, just and true, I should like to associate myself with the very kind words being expressed to and for Senator John Stewart today. My seatmate, Senator Watts, and I were sworn in on the very same day in January 1984. It was that day when I met Senator John Stewart. You can say the bunch of us came together.

Senator Stewart, I have read some of your books. The one that I read most recently was your most recent book on David Hume. However, I must tell honourable senators that Senator Stewart gave me a copy of that book as a gift in return for a three-year loan of another book that I had loaned to him. When he offered me his book as a present, he cautioned me that he was doing that in lieu of me charging rent for storage.

Senator Stewart and I served on a few committees together. One that was especially important to me was his substituting for a period of time on the special committee studying Bill C-21 on unemployment insurance when it travelled to Nova Scotia, in particular to Canso. It is fair to say to Senator Murray and to the Tory senators across the way that in 1989, on that particular issue, on that particular trip and in that particular part of the world, we won the public relations and the media battle on that bill.

Honourable senators, Nova Scotia-born John Stewart, of Scottish heritage, and Senator Allan J. MacEachen, also Nova Scotia-born and of Scottish heritage, were a multitude. During the 1990 goods and services tax filibuster here in this chamber, Leader of the Government Senator Murray, another Nova Scotia person of Scottish heritage, felt the full weight of their multitude.

• (1510)

Honourable senators, it has been said by many that Edward Blake had been the greatest lawyer to serve in the Parliament of Canada, and also that Allan J. MacEachen had been the greatest parliamentarian to serve. I should like to say that John Stewart was certainly the greatest scholar and the greatest philosopher to have served here. His keen and exceptional intelligence, his clarity of mind, his knowledge of Parliament and his knowledge of principles and moral philosophy sustained our Liberal Party through very difficult and sometimes dark years of opposition from 1984 to 1993.

I should like to thank Senator Stewart and express my own special affection and respect for this man, and I should like to do so in a poetic way. Since you are a Nova Scotian, I say to you, Senator Stewart, fare thee well, and that is from the "fair maiden of Canso," as Senator MacEachen dubbed me during that particular time.

Some of us here, honourable senators, attended the MacEachen conference at St. Francis Xavier University in Antigonish some years ago and had an opportunity, at close quarters, to have a serious look at a particular institution where some of the finest in the country were trained. I should like to leave honourable senators with the Biblical quotation from which the motto of that school was taken. It is from the Epistle to the Philippians, chapter 4, verse 8:

Finally, brethren, whatsoever things are true, whatsoever things are honest, whatsoever things are just, whatsoever things are pure, whatsoever things are lovely, whatsoever things are of good report; if there be any virtue, and if there be any praise, think on these things.

Senator Stewart, I wish you well in your retirement. I am anticipating your next book on David Hume. You leave this place with great respect, great love and great affection.

Hon. J. Bernard Boudreau (Leader of the Government): Honourable senators, as Leader of the Government in the Senate, I should like to associate myself with the words of praise that have been heaped on Senator Stewart by those much more able to do so than I. I should also like to acknowledge the huge contribution that Senator Stewart has made to the Liberal Party and to the Public Service of Canada, both in this institution and in the other place.

On a personal note, I must tell you that I feel a bit cheated. As a matter of fact, I feel doubly cheated, and I will explain why.

I came here a few short weeks ago badly in need of a mentor of the quality of Senator Stewart. He was kind enough to agree to sponsor me into this institution, and it will always be a matter of deep personal regret for me that he leaves now with my education barely begun.

I must tell you that this is not the first time this has happened to me. In 1962, I arrived in Antigonish, at St. FX University, eager to study philosophy and political science, hoping against hope that I could become a student at the feet of John Stewart, the professor, much the same as I did literally weeks ago. Unfortunately for me, within a short time after my arrival on campus, he left to take up the challenge of political life and went on to an absolutely brilliant career. At that time I was again cheated of the opportunity to learn at the feet of the master.

Honourable senators, I say that for one reason. Senator Stewart would know that in Scottish culture and tradition, there is a belief in the forerunner. The forerunner is a person or a thing which signals events to come in the future. My arrival at St. FX in 1962 signalled for Senator Stewart the beginning of a new and important and brilliant career, unfortunately for me. I remain confident that my arrival here in the Senate short weeks ago will once again be the forerunner of a new, exciting, important and brilliant career for him.

Hon. Catherine S. Callbeck: Honourable senators, I, too, should like to join other senators this afternoon in paying tribute

to the Honourable Senator John Stewart. I very much want to associate myself with the sentiments that have been so eloquently expressed by many colleagues today. I have only a few words to add.

Senator John Stewart has very strong connections to Prince Edward Island. His father was born in my province, and many of his relatives still live there. Although Senator Stewart was not born in Prince Edward Island, he lived there for five years, so I consider him to be an Islander. In fact, the Stewart house, which is in Keppoch Road, near Charlottetown, is now owned and occupied by Dr. Colin McMillan, who is a brother to the Honourable Tom McMillan, who was in the cabinet of Brian Mulroney.

As an Atlantic Canadian, I must say that I am extremely sad to see Senator Stewart leave this place. His expertise, his knowledge in so many areas, as well as his strong commitment to Atlantic Canada, will be greatly missed.

Since coming to the Senate two years ago, I have often sought out Senator Stewart for his advice and his support. Today I wish to thank him publicly for the assistance and the support that he has given me.

As has been indicated here this afternoon, Senator Stewart has had a distinguished career in this place, and his presence and input will be greatly missed. However, I am sure that he will continue to work for the benefit of all Canadians.

Senator Stewart, I extend my best wishes to you on your retirement from this place.

[*Translation*]

Hon. Léonce Mercier: Honourable senators, the best speakers are kept for the last. I feel a bit uncomfortable paying tribute to my colleague. At the reception the other evening, in the foyer of the Senate, fabulous and very valuable prizes were awarded. My three colleagues, Senators Bacon, Ferretti Barth and Maheu, were seated at my table. They looked over at Senator Stewart from time to time. I asked them why they were looking at him. They said: "Mr. Mercier, Senator Stewart looks younger than you." I am therefore unable to speak on the subject.

I believe, honourable senators, that the way things are done when someone leaves the Senate should be changed somewhat. You have yet to say the best things about this man. What you are saying makes no sense. I have a list of things to tell you, truth, not fiction. I have known him for three years. To complete the well-deserved tributes being paid today, the individual leaving us could propose adjournment so that everyone leaves at once. It will be difficult to get down to business again, later. We are being nostalgic. We do not have the time to say to ourselves that so and so has spoken well. The fine speeches come to an end, and we move on with Question Period. Have you considered the fact that with Senator Stewart's departure I lose a vote? We should try to change the way we do things to mark someone's departure significantly.

When I was in elementary school and the inspector came for a visit, we got the day off. We could do the same thing in the Senate. What is on the Order Paper could wait until tomorrow or Monday. We have nothing vital to hear today, apart from my remarks. Do not forget, Senator Stewart, to move adjournment.

I was going to forget the extraordinary things that fascinate me. You forgot, honourable senators, to say that this man has demonstrated the qualities necessary to be a senator, that he was intelligent in his discussions and wise in his committee chairmanship. He has met many challenges with distinction and has demonstrated a great sense of responsibility. As a senator, he has helped establish the Senate's impeccable reputation. He has marked the Senate, as others will do in the future. For the three years I have been fortunate enough to spend working with him, I have appreciated his honesty, sincerity and respect for others. In his private and his professional lives, he has earned the respect and the admiration of his colleagues and his acquaintances.

[English]

• (1520)

He is an excellent politician; listened to because he has shown, time and time again, his capabilities in dealing competently with all situations. Senator Stewart lives by the saying, "Do unto others as you would have them do unto you." That is a wonderful motto to live by.

As well, on a personal note, one to which I am sure others can attest, I should like to compliment the senator on his wonderful fashion sense, and would like to have the name of his tailor before he leaves.

I know that I speak for all of us when I say that the Senate and Canada loses an excellent representative today. His insight and wisdom will be missed. I wish you all the best.

Hon. John B. Stewart: Honourable senators, as Senator Graham has said, in 1962 I was asked to consider seeking the Liberal nomination in the federal constituency of Antigonish-Guysborough. I did not know how to respond. The incumbent Progressive Conservative member, Clement O'Leary, later a member of this honourable house, was highly regarded. Moreover, the Stanfield political machine was making the "Big Blue Machine" in Ontario look somewhat obsolete. My chances of winning were very small. Finally, I yielded to temptation. I rationalized my decision by telling myself that, as a professor of political science, it was my duty to undertake the campaign as a piece of academic research.

As it turned out, I was elected with a majority of 113. I attribute a great deal of my success — far more than 113 votes — to the work of Alasdair Graham. Then I managed to get re-elected in 1963 and 1965. The redistribution before the 1968 election merged most of Antigonish-Guysborough with Allan MacEachen's constituency. Consequently, I went carpetbagging down to Southwest Nova.

[Senator Mercier]

Alas, unlike most of the rest of Canada, during that election Nova Scotians were not possessed by Trudeaumania. Once again, we Liberals were running against Mr. Stanfield, then the new federal Progressive Conservative leader. Allan MacEachen was the only Liberal elected in our province. Having lost in Southwest Nova, I returned to St. Francis Xavier University.

Since for me this was an academic undertaking, I should say a word or two about the results of my research. What did I learn in the House of Commons? First, I learned a great deal about the good people of Antigonish and Guysborough counties; especially about their wharves, their breakwaters, and especially about the urgent need of dredging before the beginning of the lobster season in the early spring. Second, I learned something about the economic problems of Western Canada. Third, working with George McLraith, the government house leader, I acquired a new respect for parliamentary procedure. I learned that good rules are essential if a legislative house is to work well.

In January 1984, I was summoned to the Senate. Again, my motive was strictly academic research, or so I told myself. What did I learn here? First, I gained a new respect for this house. It is not the "old folks club" that some professors and some journalists say it is. Second, I learned that the Senate can do important legislative work. Understandably, many members of the other place have little time for non-controversial and technical bills. Consequently, the Senate can complement the work of the House of Commons. Third, I learned the value of our committee work.

Even to mention committee work makes me think of the Standing Senate Committee on Foreign Affairs. Recently, we had two references: one, on the consequences for Canada of the increasing integration of the European countries; and two, Canada's role in peacekeeping. Yesterday I presented the committee's report on the first of these references.

Senators boast about the importance of our committee reports; however, I believe we pay insufficient attention to some of those reports here in this very chamber. Our report, for example, on Canada in Asia-Pacific attracted attention in the Antipodes and yet very little in the Senate itself. I trust that our European report will bring on a debate here.

The second report, the one on Canada and peacekeeping, should be ready within a few weeks. In that case, I am fully confident that you will have a robust debate on the committee's findings and recommendations. In fact, I hope that the committee will make them sufficiently provocative to guarantee such a debate.

I wish to thank the Banking Committee, especially Senator Kirby, for all that I learned while I was on that committee. The same is true for the Fisheries Committee, as chaired by Senator Comeau.

Senator Comeau, do not regret that you did not vote for me in 1968. Even if you had, I still would have lost by over 2,000 votes.

There are many others to thank. I mention Irene Duy, who was my secretary throughout almost all of my Senate years. No task was ever beyond her zeal or ability. I am glad to see her and her husband in the gallery this afternoon.

David Murphy has been my researcher. His knowledge and diligence have been indispensable to me, especially in relation to the work of the Foreign Affairs Committee.

David Raynor, who is a professor at Ottawa University and a relative of our former colleague Heath Macquarrie, kept reminding me of how much modern politicians owe to David Hume and Adam Smith. I should tell you that in the 1980s I started to write a book on Adam Smith, but what turned out was a second book on David Hume. The relationship between these two writers is direct and close. Smith built directly upon the foundation laid down by his slightly older predecessor.

• (1530)

As stated without exaggeration in the foreword to the report I presented yesterday, the committee came to rely greatly on the competence of Peter Berg, our researcher. On the peacekeeping report, Wolfgang Koerner has been hard at work, striving with admirable success to keep abreast of all the breaking news about Kosovo, the European security and defence identity, NATO, and the United Nations. That reference, proposed by Senator Lynch-Staunton, has proven timely, indeed, all too timely. David Goetz has helped us with splendid research on two questions: one relating to NATO's intervention in Yugoslavia without a UN mandate, and the second on the role Parliament should play when Canada takes part in these peacekeeping missions.

Three clerks have served the committee in recent years. I refer to Serge Pelletier, Line Gravel, and Till Heyde. Both here and abroad, they were our faithful and skillful pilots.

All the people who work around the Senate have been most helpful; the Speaker, the officers at the Table, the general staff and, of course, our security constables.

Reference was made by Senator Fairbairn to Bessie. Bessie is a wonderful dog, and I commission Senator Fairbairn to carry my greetings to her.

I want to thank all who have spoken here today, and also those who have spoken to me privately. You have exaggerated and, thereby, you have set for me a high standard for the future. Both retrospectively and prospectively, I thank you for all your kind words.

Hon. Senators: Hear, hear!

[Translation]

The Hon. the Speaker *pro tempore*: Honourable senators, before moving on to Routine Proceedings, I want to take this opportunity to thank you for your show of confidence in appointing me to this position. I am deeply honoured and touched. I also know that with your cooperation we will work in the best interests of the Senate.

[English]

I am confident that we will all work together for the Senate of Canada with respect and dignity.

To Senator Stewart I say, "Bonne chance."

SENATORS' STATEMENTS

NATIONAL CHILD DAY

Hon. Catherine S. Callbeck: Honourable senators, I rise today because Saturday, November 20 is National Child Day. This year's National Child Day is receiving increased attention as it is the tenth anniversary of the adoption of the Convention of the Rights of the Child.

In the recent Speech from the Throne, numerous commitments were made by the government to Canada's children. Seven specific initiatives were highlighted as priorities over the next five years. As important as all seven initiatives are, I find myself drawn to one specific commitment, that being the one which focuses on support for early childhood development.

A leading expert in the field of early childhood development is Dr. Fraser Mustard. His research has shown that early intervention is fundamental for child development as it sets the stage for learning, behaviour, and health throughout the life cycle. His work has generated various programs in early childhood development throughout Canada.

I should like to highlight one of these programs for you today, and that is the Child Alliance Initiative in Prince Edward Island. Child Alliance is a community initiative which was established in June of 1998 by a group of concerned citizens. It brings together governments and non-governmental groups and organizations working with young children and their families. The goal is to create a vehicle to explore options and address the root causes of compounding social issues on young children.

Prince Edward Island, through the Child Alliance Initiative, is undertaking a real leadership role in this area. A specific program, made possible by support from the Child Alliance Initiative, is entitled, "Best Start." This is an intensive screening assessment and in-home visiting program that targets support to children from birth to three years of age.

Following the birth of their children, all parents in the region will be offered voluntary participation in a screening and assessment process that will be performed by public health nurses. Families who would benefit from the in-home support will then be referred to a Best Start worker. The program is designed, among other things, to enhance family functioning and to promote positive parent-child interaction and healthy childhood growth. The program will be assessed and evaluated in June, 2000.

Honourable senators, children are our future, and on this year's National Child Day it should be the goal of every community to make the early years the best years. If we want young Canadians to reach out and achieve for themselves, for each other, and for the future, we must ensure that programs such as those put forth by Child Alliance Initiative become a national priority.

MR. IRWIN COTLER

CONGRATULATIONS ON ELECTION AS
MEMBER OF PARLIAMENT FOR MOUNT ROYAL

Hon. Sheila Finestone: Honourable senators, I rise today to congratulate my friend and newly elected colleague, Professor Irwin Cotler, a proven leader whose actions and words fit the traditions, history and heritage promoted by past leaders from the riding of Mount Royal such as Pierre Elliott Trudeau and John Humphrey.

Human rights, the Canadian Charter of Freedoms and Rights, international human rights conventions, and the rule of law are key to a quality of lifestyle in a democratic country. Those key issues, and many others, make daily life worth living and are the hallmarks of Irwin Cotler's activities. His is a household name among those in this country who care deeply about the preservation of democratic society and fundamental human rights. It is clear that an innate sense of fairness underlies his commitment to the preservation of these values. He understands the fine principles and ideals of respect for diversity and of the right of peoples to their own spiritual and cultural ties, that guarantees of preservation of and respect for customs is tantamount to the right to live and be free, and that coexistence and tolerance in Canada should be the standard of our society.

[*Translation*]

As Harvard professor Alan Dershowitz told *La Presse* regarding our new member of Parliament:

He is a great champion of human rights. He is also the least selfish person I know. He is not interested in himself.

Until very recently, he has travelled around the world, at his own expense, to defend men who were in jail because of their opinions. These people owe a part of their freedom to him. Nelson Mandela in South Africa, Anatoly Scharansky in Israel, Andrei Sakharov in Russia, Nobel literature prize recipient Wole Soyinka in Nigeria, Jacobo Timmerman in Latin America, and Mughtar Pakpahan in Asia. He defended these men without any thought of money or publicity.

According to Irwin Colter, his first law professor and philosopher was his father, who always told him that the pursuit of justice was the most important thing. Honourable senators, I think he has mastered that philosophy quite well.

[Senator Callbeck]

[*English*]

• (1540)

A constitutional and comparative law scholar, he has litigated every section of the Canadian Charter of Rights and Freedoms, including landmark cases before the Supreme Court in the areas of free speech, freedom of religion, women's rights, minority rights, war crimes justice, prisoners' rights and peace law. He is unique and he will bring Mount Royal, Quebec and Canadian flair and fundamentals to the House of Commons.

The Hon. the Speaker pro tempore: I regret to interrupt the Honourable Senator Finestone, but her time has expired. Is there leave, honourable senators, for the honourable senator to continue her speech?

Hon. Senators: Agreed.

Senator Finestone: I thank honourable senators.

Professor Irwin Cotler has made a profound mark in the world of human rights. It is now time for him to bring to Parliament his sense of fairness, his compassion and his caring for the citizens of Mount Royal, for Canada and for the world.

With these remarks, honourable senators, I welcome Mr. Cotler to the other place. I know he will bring us all great food for thought and diversity of opinion.

ROUTINE PROCEEDINGS

BANKING, TRADE AND COMMERCE

FIRST REPORT OF COMMITTEE TABLED

Hon. Leo E. Kolber: Honourable senators, pursuant to rule 104 of the *Rules of the Senate*, I have the honour to table the first report of the Standing Senate Committee on Banking, Trade and Commerce, which deals with the expenses incurred by the committee during the First Session of the Thirty-sixth Parliament.

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

POST-SECONDARY EDUCATION

FIRST REPORT OF SPECIAL COMMITTEE TABLED

Hon. Mabel M. DeWare: Honourable senators, pursuant to rule 104 of the *Rules of the Senate*, I have the honour to table the first report of the Special Senate Committee on Post-Secondary Education, which deals with the expenses incurred by the committee during the First Session of the Thirty-sixth Parliament.

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

ADJOURNMENT

[English]

Hon. Dan Hays (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, November 23, 1999, at 2 p.m.

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

Hon. Senators: Agreed.

Motion agreed to.

DIVORCE ACT

BILL TO AMEND—FIRST READING

Hon. Anne C. Cools presented Bill S-12, to amend the Divorce Act (child of the marriage).

Bill read first time.

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

On motion of Senator Cools, bill placed on Orders of the Day for second reading on Tuesday, November 30, 1999.

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO PERMIT ELECTRONIC COVERAGE

Hon. Sharon Carstairs: Honourable senators, on behalf of Senator Kirby, I give notice that on Tuesday next, November 23, 1999, he will move:

That the Standing Senate Committee on Social Affairs, Science and Technology be empowered to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings.

[Translation]

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO ENGAGE SERVICES

Hon. Sharon Carstairs: Honourable senators, I give notice on behalf of the Honourable Michael Kirby that, on Tuesday next, November 23, 1999, he will move:

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

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO STUDY DEVELOPMENTS RESPECTING EUTHANASIA AND ASSISTED SUICIDE

Hon. Sharon Carstairs: Honourable senators, I give notice that on Tuesday, November 23, 1999, I will move:

That the Standing Senate Committee on Social Affairs, Science and Technology be authorized to examine and report upon developments since the tabling in June 1995 of the final report of the Special Senate Committee on Euthanasia and Assisted Suicide, entitled *Of Life and Death*. In particular, the Committee shall be authorized to examine:

1. The progress on the implementation of the unanimous recommendations made in the report;
2. Developments in Canada respecting the issues dealt with in the report;
3. Developments in foreign jurisdictions respecting the issues dealt with in the report; and

That the Committee submit its final report no later than June 6, 2000.

BANKING, TRADE AND COMMERCE

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO STUDY STATE OF DOMESTIC AND INTERNATIONAL FINANCIAL SYSTEM

Hon. Leo E. Kolber: Honourable senators, I give notice that on Tuesday next, November 23, 1999, I will move:

That, the Standing Senate Committee on Banking, Trade and Commerce be authorized to examine and report upon the present state of the domestic and international financial system;

That the papers and evidence received and taken on the subject during the First Session of the Thirty-sixth Parliament and any other relevant Parliamentary papers and evidence on the said subject be referred to the Committee;

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

That notwithstanding usual practices, the Committee be permitted to deposit an interim report on the said subject with the Clerk of the Senate, if the Senate is not sitting, and that the said report shall thereupon be deemed to have been tabled in the Chamber; and

That the Committee submit its final report no later than December 31, 2000.

[Translation]

PRIVILEGES, STANDING RULES AND ORDERS

COMMITTEE AUTHORIZED TO
MEET DURING SITTINGS OF THE SENATE

Hon. Lucie Pépin: Honourable senators, on behalf of the Honourable Senator Austin, with leave of the Senate and notwithstanding rule 58(1)(a) I move:

That the Standing Senate Committee on Privileges, Standing Rules and Orders have power to sit at 4:30 p.m. on Tuesdays, even though the Senate may then be sitting, from now until the end of December 1999, in order for the Committee to deal expeditiously with the questions of privilege raised by the Honourable Senator Andreychuk and the Honourable Senator Kinsella, which have been referred to the Committee, and that rule 95(4) be suspended in relation thereto.

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

Hon. Senators: Agreed.

Motion agreed to.

[English]

• (1550)

OFFICIAL LANGUAGES

STANDING JOINT COMMITTEE AUTHORIZED
TO MEET DURING SITTINGS OF THE SENATE

Hon. Dan Hays (Deputy Leader of the Government): Honourable senators, I rise to make a request of senators in the context of the work of the Standing Joint Committee on Official Languages. The Honourable the Speaker *pro tempore* is a member of that committee. Therefore, I wish to move the following motion in her place.

Honourable senators, on behalf of Senator Losier-Cool, with leave of the Senate and notwithstanding rule 58(1)(f), I move:

That the Standing Joint Committee on Official Languages have power to sit during sittings and adjournments of the Senate; and

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

This committee has traditionally sat even though the Senate is sitting and this motion is consistent with past practice of the Senate. In fact, it intends to sit next Tuesday, before we meet here. Thus, there is the request that this motion be dealt with now.

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

Hon. Senators: Agreed.

Motion agreed to.

QUESTION PERIOD

FOREIGN AFFAIRS

SUDAN—INVOLVEMENT OF TALISMAN ENERGY INC.—
RESPONSE TO CRITICISMS FROM INTERNATIONAL COMMUNITY

Hon. Donald H. Oliver: Honourable senators, my question is for the Leader of the Government in the Senate. I am sure that we are all aware of the saying that “people who live in glass houses should not throw stones.” Canada has been a champion for protecting the well-being and safety of individuals around the world. The Minister of Foreign Affairs, Mr. Axworthy, has been quick to criticize other countries when they fail to uphold human rights.

Yesterday, however, the U.S. State Department reversed this role and severely criticized Canada for the continuing commercial operations in Sudan by Calgary-based oil firm Talisman Energy Inc. They also accused the Liberal government of abandoning its “‘high road’ approach to foreign policy by ‘turning a blind eye’ to the Khartoum regime’s atrocities.” The State Department claims that Talisman’s exploitation of Sudan’s oil fields was facilitated by the Khartoum government’s use of “bombers, helicopters gun-ships and artillery against unarmed civilians.” They fear that Talisman’s investment in Sudan’s oil sector will support the fundamentalist regime’s efforts to continue its civil war in the south of Sudan.

To date, the Canadian government has yet to order Talisman out of the country and has steered away from sanctions against Sudan, despite pressure on the Minister of Foreign Affairs from Canadian and international NGOs, as well as the Inter-Church Coalition on Africa for over a year. In fact, Mr. Axworthy has only recently committed to a fact-finding mission in Sudan.

I ask the Leader of the Government in the Senate: In the face of this international criticism, national headlines, and Prime Minister Chrétien’s vow to increase foreign aid to developing countries, how does the government justify its delay in responding to the Sudan/Talisman situation?

Hon. J. Bernard Boudreau (Leader of the Government): Honourable senators, this matter has come to the attention of the Canadian government and the minister responsible. It is being taken very seriously. The reports linking the Canadian private sector interest that the honourable senator mentioned to alleged violations of human rights and international law are matters of grave concern.

As the honourable senator pointed out, the Minister of Foreign Affairs has commissioned an independent Canadian mission to Sudan to immediately examine the reported link between human rights violations and this company. He will expect a report and will act on its contents.

SUDAN—INVOLVEMENT OF TALISMAN ENERGY INC.—
GOVERNMENT POLICY ON HUMAN SECURITY AGENDA
VERSUS INTERESTS OF INVESTORS

Hon. Donald H. Oliver: Honourable senators, if it is revealed that oil pumped by Talisman is being refined for use in fuel used by the Khartoum military campaign, how does the government intend to maintain the policies of its human security agenda, while protecting the interests of Canada's largest mutual and pension funds, who are the main investors in Talisman?

Hon. J. Bernard Boudreau (Leader of the Government): Honourable senators, the issue here is whether or not this Canadian private sector company is in violation of human rights and international law. If that is the case, then the Government of Canada may consider economic and trade sanctions with respect to this activity. By his recent actions, clearly the minister is very concerned and will act promptly once he receives the independent commission's report.

INTERNATIONAL TRADE

NORTH AMERICA FREE TRADE AGREEMENT—
SUIT BY CALIFORNIA COMPANY OVER LOSS OF CONTRACT
FOR BULK WATER—GOVERNMENT POSITION

Hon. Mira Spivak: Honourable senators, I have a question for the Leader of the Government in the Senate. I understand that a small California company called Sunbelt is suing the federal government for about \$10.5 billion in compensation for avoidance of a contract with the B.C. government for the purchase of bulk water. Sunbelt is suing under the NAFTA investor rights and national treatment provisions — that is, the super investor rights — in which compensation is asked not only for lost profits but also for all future profits. Of course, this case is to be heard not in open court but, rather, by a dispute settlement panel.

In view of the recent decision of a NAFTA panel in the case of an American company against the Mexican government, also involving super investor rights, is the Canadian government prepared to fight this Sunbelt case to the finish?

I ask this question because, in the unfortunate instance of MMT, the government capitulated to Ethyl Corporation and settled for about \$20 million. The case was never heard and the government conceded that the Ethyl Corporation had a right to that compensation. Could the leader give us some indication of whether the government is preparing to fight this case to the end in view of that precedent?

Hon. J. Bernard Boudreau (Leader of the Government): Honourable senators, obviously the matter has become a question of some contest in the dispute-settling mechanism. I shall raise

that issue with the minister to determine the current state of affairs. Bearing in mind that, if the matter is in litigation or in the middle of a dispute-settlement mechanism, the response may be very brief.

Senator Spivak: Honourable senators, this matter is before an international trade dispute-settlement panel. This is not an open court and it is not a transparent procedure. People in Canada know nothing about it. This is a matter of great public interest. That is why I raise the question here. The previous trade minister, Sergio Marchi, certainly made every effort to open up the process under the dispute-settlement mechanism.

It is important for the Canadian public to know, in this instance, whether the super investment rights of U.S. investors are higher than the rights of Canadians and whether this process will obligate the government not only to pay damages for lost profits but also for all future profits. This is a huge case.

Senator Boudreau: Honourable senators, the fundamental issue is the government's position respecting the export of bulk water. I assume that the honourable senator is fully in support of that position, namely, that bulk water should not be exported from this country. We have made great progress in that particular area, as I am sure the honourable senator would agree. The case referenced by Senator Spivak may be one of the outcomes of that progress. However, it would be unwise at this stage to discuss in detail what the government's strategy or course of action might be, particularly in this case in which an American company is claiming a huge amount of money.

• (1600)

GOVERNMENT POLICY ON DEFENDING
AGAINST SUITS BY CORPORATIONS

Hon. Mira Spivak: Honourable senators, if that is the case and the leader cannot disclose details, it is important to know whether, in this instance, the government is prepared to go to the dispute-settlement process. Surely, that could be made public. I would hope the government would not settle with the company, as they did in the MMT case.

My question is: Is the Government of Canada, like the Government of Mexico, prepared to fight this issue of corporations suing governments?

Hon. J. Bernard Boudreau (Leader of the Government): Honourable senators, I am sure the Government of Canada will be anxious and ready to protect our interests following advice from people who are working with them. I am unaware of precisely what their course of action will be. It would be unwise to indicate that position at this time.

Clearly, on the matter of principle, the government has taken a strong position against the export of bulk water. The federal government has received cooperation from the provinces in those areas. We have achieved a national policy and we will defend it in any manner that is appropriate. The government remains committed to that defence.

BUSINESS OF THE SENATE

POINT OF ORDER

Hon. Noël A. Kinsella (Deputy Leader of the Opposition): Honourable senators, I rise to ensure certainty in our procedures. Rule 56(3) of the *Rules of the Senate* addresses the matter of the giving of a notice:

Notice under this rule may be given by one Senator for any other Senator...

Senator Hays gave notice of a motion on behalf of the Speaker *pro tempore*. Rule 56(3) says that a senator may act for another senator not then present with the permission of the senator who is absent.

Rule 55(3) provides that where the Speaker wishes to participate in the debate, the Speaker will take his or her place, and another senator will occupy the Chair. The senator who is also the Speaker is then able to fully participate in the debate like any other senator. I should think the same applies for the Speaker *pro tempore*.

The proper way to have handled the matter in question would have been for the Speaker *pro tempore* to have taken her seat, and another senator to have occupied the Chair, thereby complying with both rule 56(3), and the logic of speaking as outlined in rule 55. What we heard from the Speaker in the ruling yesterday is what we must rely on.

I shall not object to the validity of the proceeding that has progressed, but in the future, perhaps it should be done according to the rules.

Hon. Dan Hays (Deputy Leader of the Government): Honourable senators, I appreciate the Deputy Leader of the Opposition raising this matter. I must say that I did not make the request for leave to put the motion in full knowledge of the rules, but, as I listened to him, I concluded that he is correct, had I been moving the motion in the name of the Speaker *pro tempore*.

I tried to build into my comments the reason why I was making the motion, as it related to a request of the Speaker *pro tempore*, which perhaps should not have been mentioned. I would have to examine the record to see exactly what I said. However, what I was trying to do was request leave and then put the motion myself.

I am not a member of the joint committee, and I did refer to the Speaker *pro tempore*, who is a member. I understand they will be holding their first meeting next Tuesday, which is the reason for the initiative.

I understand what Senator Kinsella has said, and in future I shall bear it in mind. I thank him for not objecting or withholding leave, because that motion will, of course, facilitate the work of the committee

ORDERS OF THE DAY

PERSONAL INFORMATION PROTECTION
AND ELECTRONIC DOCUMENTS BILL

SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Kirby, seconded by the Honourable Senator Lewis, for the second reading of Bill C-6, to support and promote electronic commerce by protecting personal information that is collected, used or disclosed in certain circumstances, by providing for the use of electronic means to communicate or record information or transactions and by amending the Canada Evidence Act, the Statutory Instruments Act and the Statute Revision Act.

Hon. Donald H. Oliver: Honourable senators, electronic commerce is a subject upon which I have a profound interest. Therefore, I am pleased to add my voice to the debate on second reading of Bill C-6, to implement the Personal Information Protection and Electronic Documents Act.

This bill is designed to protect the privacy of personal information gathered, used or disclosed in the course of commercial activity by certain Canadian organizations. It also contains initiatives to recognize secure electronic signatures for use in electronic transactions with government and deals with clarification of how courts will assess the reliability of electronic documents entered as evidence in the courts.

This is legislation that Canada desperately needs in order to facilitate our successful participation in the evolving, global, knowledge-based economy, an economy that the experts on this subject are predicting is set to explode with activity in less than a year.

The problem, and I repeat the phrase used by Senator Murray, is that Bill C-6 “does not cut it.” As drafted, this bill is an extremely confusing and fundamentally flawed piece of legislation. It is questionable as to whether it can effectively protect the privacy of Canadians and at the same time help to ease their successful participation in the worldwide arena of electronic commerce. This is an uncertainty that Canada cannot afford to have if we intend to remain a competitive force in the global economy.

Bill C-6 is the product of a government whose past procrastination is now forcing them to hastily develop laws that will protect Canadians in the face of the coming boom in e-commerce. The government has dragged its heels and must now play catch-up with our two major trading partners, the United States and the European Union, which have already developed and implemented legislative policies regarding electronic commerce and protection of personal privacy.

We are all aware of the claims that e-commerce will change the way that Canada does business. Canada is a world leader in information technology. However, statistics reveal that business interests in this country appear reluctant to use the powerful economic engine that e-commerce provides. According to a survey conducted by Angus Reid last spring, Canadian businesses have been slow to capitalize on electronic commerce opportunities, notwithstanding that we have 12.9 million Canadians on line. The survey indicated that while 90 per cent of Canadian on-line shoppers consciously looked for sites, only 38 per cent actually conduct on-line transactions with Canadian countries. This leads one to wonder which companies are profiting from the purchasing power of 62 per cent of Canadian on-line shoppers and in what countries are they located?

• (1610)

Unlike their Canadian counterparts, American businesses have embraced the electronic commerce revolution. Small, specialized companies and industry giants such as Procter & Gamble, for example, are spearheading major commercial initiatives that are set to use e-commerce technology to optimize the services they have available to consumers. In comparison, Canadian companies are lagging behind the Americans in this area.

This imbalance has the potential to give the United States, our largest trading partner and economic competitor, a monopoly on e-commerce when the boom finally hits this country. We are facing the risk of losing huge revenues to American competitors as a result of the slow response from the private sector and from government.

Bill C-6 in its present form will only serve to aggravate the situation, and I will explain why that is so.

This bill unduly restricts the legitimate activities of small- and medium-sized businesses and will establish a new, restrictive, regulatory framework without a cost-impact study. It also raises the spectre of a new round of federal-provincial battles, as both the Governments of Quebec and Ontario oppose it.

Another problem is that Bill C-6 applies to commercial organizations, but it is not clear whether it applies to non-profit organizations or professions such as law and medicine. For example, it is unclear if this legislation could be applied to a physician's records.

These are only a few of the reasons why Bill C-6, if it is passed in its present form, may seriously hinder the e-commerce initiatives of Canadian businesses. If this bill serves to restrict the progress of the Canadian private sector in e-commerce development, there is a potential for foreign companies to gain a significant competitive edge in this country. The very nature of electronic commerce allows foreign companies to remain exempt from our federal and provincial regulations, and yet still have the ability to profit from commercial transactions with Canadian customers. This could have devastating effects on the private sector, our economy, and ultimately our consumers.

I am persuaded by Senator Murray's logic that Bill C-6 is really two bills in one. The controversial Part 1 of this bill, which

protects the personal information collected in the course of any type of commercial activity, represents one principle or purpose. Parts 2 to 5 are concerned with the validation of electronic documents and processes under the Canada Evidence Act, the Statutory Instruments Act and the Statute Revision Act, and are focussed on another principle altogether.

It seems to me that the idea of splitting Bill C-6 would assist honourable senators and the committee in our study of it, thereby allowing us to give a separate and thorough examination to the two themes and principles that currently exist within this one bill.

Parts 2 to 5 were quickly reviewed and practically forgotten in the House of Commons because of the debate generated in response to Part 1. Now the Senate has the opportunity to provide a careful analysis as to the feasibility of these proposed groundbreaking sections that will assist in establishing electronic commerce in this country and give clear legal status to certain electronic documents. It is important that the committee be afforded the opportunity to consider these clauses carefully in their study. This legislation is long overdue and urgently required.

As for Part 1, every aspect of the privacy provisions in this bill must be looked at in depth. The committee should not feel rushed or pressured in their study, no matter how rapidly the government may desire to see this bill pass through the Senate. The protection of privacy is a fundamental right for all Canadians, and we are in definite need of legislation in this area.

In the last session of Parliament, the House of Commons Standing Committee on Industry carried out an extensive study of the predecessor bill, Bill C-54. They heard from many concerned citizens, experts and organizations who gave evidence to the importance of having strong and effective legislation relating to privacy and e-commerce in Canada.

Among these groups was the Canadian Medical Association, who opposed the bill on the basis that, as it was developed to regulate information use and disclosure for commercial purposes, it could have a negative impact on health care and the health system.

Recently, other health associations and individual health practitioners have phoned, e-mailed, written and faxed my office to express their concerns over Bill C-6. The Canadian Dental Association informed me that this bill:

...fails to satisfy basic requirements to protect individual Canadians from misuses of health information by secondary and tertiary users of this information.

They asked that the Senate act to clarify and strengthen the bill as it relates to personal health data.

The Canadian Mental Health Association adds that:

...research using non-identifiable information would be difficult if individual consents had to be obtained for use of each individual's information.

Dr. David Zitner, Director of Medical Informatics at my alma mater, Dalhousie University in Halifax, contacted me to speak specifically on this same point. He said:

...a tradition in Canada has been to use personal information for public good (with appropriate protections for privacy and confidentiality.) CENSUS activities are one example where people might be compelled to provide private information for public benefit.

Dr. Zitner believes that it is essential that pertinent legislation allows health organizations, governments and research institutes to use information collected for care to support research and quality improvement activities, with appropriate protections for security, privacy and confidentiality. This means that research organizations and health institutions would be able to use and report aggregate information.

The Canadian Bar Association also has concerns about Bill C-6. In their presentation to the House of Commons Committee on Industry, they stated that there are three main problems in Part 1 of the bill. First, the structure of Part 1 is unusual in Canadian law and not entirely successful. They were concerned that problems of interpretation may arise because of the nature of the National Standard of Canada entitled *Model Code for the Protection of Personal Information* and the manner of its inclusion in this bill as Schedule 1. The standard is structured and intended as a set of guidelines to be implemented by an organization rather than a legally binding code creating specific rights and obligations.

Second, the bar detected the distinct possibility that certain procedural concerns will arise from the role and responsibility of the Privacy Commissioner. In order to strike the desired balance between individual rights and the development of electronic commerce, the government must ensure that the public authority charged with the enforcement of Part 1 has the resources to do the job effectively. At the same time, the government must ensure that the protection of individual privacy is not achieved by means where they themselves may unduly intrude on the privacy of organizations and the people who work in them, as this would be an abuse of their own procedural rights and make the law seem unjust. The Senate committee must do some substantial repair work to clarify this conundrum.

Third, the bar association stated that the bill raises constitutional issues, both with respect to the division of powers between the federal and provincial governments and with respect to the Canadian Charter of Rights and Freedoms. The legislation is so ambiguous that the Canadian bar could not come to a final conclusion as to whether or not the federal government would be successful in exercising its powers under this bill. Ultimately, the association was unsure if the bill could stand the test of a court challenge.

The final position taken by the bar was that the problems in Part 1 of the bill dealing with structure, procedures and constitutional issues must be addressed before it is enacted, as

they have the potential to lead to difficulties in interpretation that will ultimately undermine the importance of this legislation.

Honourable senators, it is imperative that we in this house of sober, second thought meet this challenge and do what the government did not do — work to address and correct the flaws in Bill C-6. The luxury of time is gone. The price we will pay in adopting a “wait and see” or “fix it later” approach in implementing e-commerce legislation is just too high. The boom is almost upon us, and Canada cannot afford to be caught unprepared.

A few months ago, a fellow Nova Scotian, Mr. James Cameron, contacted me in response to an article I had written on the brain drain situation. He wanted to share his thoughts on this subject as a citizen of Atlantic Canada and as vice-president of operations for the Information Technology Institute, ITI, one of the most prestigious information technology training centres for university graduates in North America.

• (1620)

Mr. Cameron informed me that the migration to the United States of highly trained, university-educated Canadians is a definite reality and is on an increase in the information technology sector. This situation has become a subject of personal conflict for him. As an educator, Mr. Cameron is pleased to see his students snapped up by high-tech companies offering exciting jobs with excellent salaries. As a Canadian citizen and a taxpayer, he is not so pleased to see that the majority of these recruiters are from companies in the United States. American companies are so eager to hire as many information technology graduates as they can that some have begun to offer ITI students jobs before they have even finished their training.

I took special note of Mr. Cameron's increasing unease over the fact that a growing number of ITI students who have focused their studies on electronic commerce are being actively courted by several American companies. Once these individuals graduate, it is rare that they remain in this country, and he believes we have already lost a significant number of Canadian-trained, e-commerce experts to the United States. America is already way ahead of us in the development and implementation of strategies to ensure profit from the global knowledge-based economy. The lack of response from the Canadian private sector towards e-commerce, teamed with the government's restrictive taxation and student loan repayment policies, is working to the benefit of American companies. We are not on a level playing field with the Americans, and it will be very difficult for us to compete with them in e-commerce areas.

Bill C-6, which is modelled after the directive implemented by the European Union, and which is in opposition to the current U.S. approach, will only make this situation worse. The need for privacy legislation to protect the personal information of Canadians is necessary in order to secure public acceptance of electronic commerce. It is also needed to permit this new economic engine to thrive on national and global levels. Bill C-6 will not assist in achieving these goals.

Honourable senators, we simply cannot afford to pass Bill C-6 as it is currently drafted. The opportunity is here for us to fix this bill so it will protect the privacy of Canadians while, at the same time, allowing our private sector to thrive and remain competitive, not only with our biggest trading partner but with the rest of the world.

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

[Translation]

**NATIONAL DEFENCE ACT
DNA IDENTIFICATION ACT
CRIMINAL CODE**

BILL TO AMEND—SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Fraser, seconded by the Honourable Senator Ruck, for the second reading of Bill S-10, to amend the National Defence Act, the DNA Identification Act and the Criminal Code.

Hon. Pierre Claude Nolin: Honourable senators, before beginning my speech, I wish to thank the Solicitor General of Canada for taking into account the points I raised during consideration of Bill C-25, to amend the National Defence Act, to make consequential amendments to other Acts, and Bill C-3, respecting DNA identification and to make consequential amendments to the Criminal Code and other Acts, prior to the drafting of Bill S-10. These bills were passed during the first session of the Thirty-sixth Parliament. I am pleased to note that the minister also took into consideration the recommendations in the sixteenth report of the Standing Senate Committee on Legal and Constitutional Affairs on Bill C-3 with respect to the legislative amendments needed to improve management of the national DNA data bank and ensure greater respect for Canadians' privacy.

Honourable senators, I am pleased to speak today in favour of Bill S-10, to amend the National Defence Act, the DNA Identification Act and the Criminal Code. Its purpose is to include in the national DNA data bank, created through the adoption of Bill C-3 in December 1998, DNA profiles of offenders sentenced under the military justice system. As you know, the provisions of the legislation now apply only to offenders sentenced in civilian courts.

Since its introduction into Canada in 1988, DNA analysis for medical and legal purposes has made it possible to convict those who commit violent crimes, as well as release individuals wrongfully convicted by the courts. This powerful criminal investigation instrument was introduced in two stages.

First, in 1995, amendments were made to the Criminal Code to allow DNA samples to be taken following the issue of a warrant

in order to facilitate the conduct of certain police investigations and the identification of suspects.

Then, in September 1997, Bill C-3 was introduced in the House of Commons. Its purpose was to lay the initial groundwork for the structure and administration of a national DNA data bank. This new legislation was the second stage of the government's initiative. It would establish a national bank containing the DNA profiles of persons found guilty of serious and violent crimes, and DNA samples found on the sites of unsolved crimes. The data bank should be operational by June 2000 and will be administered by the RCMP, which now runs six forensic laboratories.

Honourable senators, although I supported the reasons leading to the passage of Bill C-3, I, nevertheless, noted following an in-depth study of this new legislation that the departments of the Solicitor General and the Minister of Justice had forgotten to include the DNA profiles of the military personnel sentenced for serious and violent offences, as is the case for individuals found guilty of such crimes in civilian courts.

On October 6, 1998, Arthur Eggleton, the Minister of Defence, testified before the Standing Senate Committee on Legal and Constitutional Affairs to introduce the provisions of Bill C-25. As its aim was to reform the military justice system, I asked the minister whether military personnel charged or found guilty under the new law would be subject to the provisions in Bill C-3. At the time, I also asked the minister which of the RCMP or the military police would be responsible for taking DNA samples and keeping them in the case of offences involving the military.

Honourable senators, these questions were very important because, according to the provisions of Bill C-25, sexual crimes committed by the military were henceforth to be dealt with by the military courts. In addition, the Minister of Justice, Anne McLellan, had already justified the establishment of a DNA data bank to give the police greater efficiency and the ability to arrest repeat killers and sexual offenders more quickly.

Nevertheless, the Minister and the officers of National Defence were unable to answer these questions. Brigadier-General J. Pitzul of the Canadian Army stated that he did not know whether Bill C-3 should apply to Army and National Defence personnel, even though he had met with Department of Justice officials on the reform of the military justice system.

This was a very significant omission in the bill given that Bill C-25 was to make the administration of justice within the Canadian Armed Forces more transparent.

In that sense, it was unacceptable for military personnel to enjoy special status by being excluded from the application of the provisions contained in the new DNA Identification Act. This is particularly true considering that, over the past few years, several scandals involving sexual assault and aggravated assault by Canadian military personnel participating in missions abroad have made the headlines in our country. These incidents have tarnished the reputations of the Canadian Army and of its justice

system in the eyes of the public. The structure of our society, and of our law, requires consistency. All are equal before the law. Everyone has the same rights, but also the same obligations. At the time, committee members did not deem appropriate to amend Bill C-25 to subject military personnel to the provisions on the DNA data bank.

Honourable senators, when we reviewed Bill C-3 in committee, I again raised that issue with the Solicitor General of Canada, who was responsible for the new legislation. First, I wanted to know if his department agreed with what the Minister of National Defence and Canadian Forces officers had stated. Second, I was hoping the minister would tell me that he had taken their evidence into account in amending Bill C-3. The answer to both questions was no.

During the committee proceedings, I also expressed serious reservations about the effectiveness and clarity of certain provisions of the bill which were supposed to ensure, among other things, that DNA samples and profiles would not be used for purposes other than those provided for in the act, namely for criminal investigation purposes, and that the right to privacy of those who had to provide DNA samples would be protected. I also questioned the fact that, under the bill, DNA profiles in the "crime scene index" and in the "convicted offenders index" would no longer be accessible when an investigation was not conclusive, when an individual was no longer considered to be a suspect, or when the court issued a verdict of acquittal or found the accused to be not guilty. In my opinion, these profiles, in spite of what RCMP scientists claimed, should be destroyed to reduce the risk that they might be used for purposes other than those prescribed in the act.

In December 1998, the sixteenth report of the Standing Senate Committee on Legal and Constitutional Affairs recognized the urgent need to establish a national DNA data bank that would allow the country's police forces to fully take advantage of the recent technological advances in this area, so as to enhance public safety.

However, committee members were afraid that, in the medium term, the bill might have unprecedented and unforeseen repercussions on the privacy of Canadians. In addition, they felt that the nature of the information in the data bank required that there be strict monitoring of any process that might result in the disclosure of this information to foreign agencies or governments.

The report therefore recommended that the federal government strengthen the legislative provisions with respect to administration of the DNA data bank and the safety of the information it contained.

In order to address these concerns and thus allow passage of Bill C-3 in order to authorize the immediate establishment of the DNA data bank, the Solicitor General of Canada, Lawrence MacAulay, undertook, during his appearance before the committee on December 7, 1998, to introduce, during the anticipated 18-month interval between Royal Assent and the

coming into force of Bill C-3, a new bill that would make it possible to extend the jurisdiction of the DNA data bank to offenders found guilty under the military justice system; to require the Commissioner of the Royal Canadian Mounted Police to report on the operation of the DNA data bank in his annual report to the minister before it was tabled in Parliament; to include in the new bill a requirement for a parliamentary review every five years in order to reassure committee members with respect to the very sensitive nature of the information that will be in the DNA data bank and the rapid evolution of technology in this field; and to give Senate and House of Commons committees the same right of review every five years as is contained in the new bill.

It is important to mention that all of this can be found in the committee's sixteenth report.

Honourable senators, Bill S-10 was drafted to reflect certain points raised in the committee report. In my opinion, this is the third stage in the federal legislation relating to the use of DNA identification for the purposes of criminal investigations. Yet the Solicitor General asked that the bill be introduced in the Senate before going to the House, so that senators might ensure that all areas of concern be properly dealt with by the Standing Committee on Legal and Constitutional Affairs.

Now, having given the background to this bill, I would like to address the matter of the amendments proposed in Bill S-10.

Under the new bill, as I said at the start of my speech, the genetic profiles of persons subject to the Code of Service Discipline who are found guilty of serious offences involving violence will be included in the DNA data bank. This code applies to military personnel, members of the Reserve and certain civilians accompanying military personnel overseas.

• (1630)

Under the provisions of Bill S-10, military judges are authorized to: first, order offenders subject to the Code of Military Discipline convicted of a designated offence to provide samples of bodily substances for the purpose of the DNA bank, under the schedule to the DNA Identification Act, and, second, to issue DNA warrants in the investigation of designated offences committed by a person who is subject to the Code of Service Discipline, both in Canada and abroad.

At the present time the military police are authorized to obtain a DNA warrant only in the case of offences committed in Canada. The fact that the military police are now authorized to obtain warrants for designated offences committed outside the country is a marked improvement, when we consider that in excess of 4,000 military personnel are serving in 27 missions abroad, and that serious incidents involving Canadian military personnel have occurred in Somalia and Bosnia-Herzegovina.

As is the case with the current provisions of the DNA Identification Act, Bill S-10 provides that the samples and the results of analyses will be transmitted to the RCMP Commissioner for filing in the data bank.

The new act also provides that the provisions to be included in the National Defence Act concerning the authority to approve the taking of DNA samples, the handling and storage of samples, the results of DNA analyses, and the guarantees regarding the protection of privacy will be identical to those found in the DNA Identification Act. However, these provisions have been adapted to the context of the military justice system.

It is to be noted that the DNA Identification Act includes a list of designated offences and provides that an individual found guilty of one of these offences may be required to provide a DNA sample for the purpose of forensic DNA analysis. The list is divided in two types of offences: primary and secondary.

In the case of primary designated offences, samples must be taken when the person is found guilty, except under exceptional circumstances. This type of offence includes those that involve violence or that are of a sexual nature and for which evidence based on DNA profiles can be particularly useful. These offences include incest, sexual exploitation, murder, manslaughter, assault with a weapon or causing bodily harm, causing bodily harm with intent, sexual assault, aggravated sexual assault, kidnapping and forcible confinement.

In the case of secondary designated offences, the taking of samples is not compulsory. However, the Crown must convince the judge that the taking of such samples is in the interest of public safety. These are less serious offences for which DNA analyses cannot always be used to solve a crime or prevent other ones. These offences include using explosives, piratical acts, assault, breaking and entering with intent, arson, causing death by criminal negligence, assaulting a peace officer, robbery and hostage-taking.

Under Bill S-10, this list, which defines the situations where DNA samples can be taken, will now apply to military personnel who are found guilty of such offences. Moreover, serious and violent offences that are found only in the military justice system, such as mutiny with violence, will be included in the list of designated offences appended to the DNA Identification Act.

Honourable senators, the changes introduced by Bill S-10 do not alter the main elements of the DNA Identification Act. Their aim, rather, is to reinforce some of its principles and correct certain major discrepancies identified by members of your committee.

First, the new law would change certain parts of the DNA Identification Act to take into account changes to the National Defence Act.

In addition, clause 12 of the bill provides that, within the five years following the act's coming into force, a committee of the

Senate or of the House of Commons or a joint committee will review the provisions and the operation of the act. This same clause provides that a report shall be tabled annually on the operations of the data bank by the Commissioner of the Royal Canadian Mounted Police. It shall be tabled before each House of Parliament within the first 15 days of sitting of each house and following its reception. These changes will respond to the concerns of the committee members by giving Parliament the means to better oversee and monitor the administration of the data bank.

Finally, the law is changed by Bill S-10 so it may be made clear that the DNA profiles and bodily substances taken to establish them may be used for nothing but identification purposes in criminal investigations.

Honourable senators, I want to point out that Bill S-10 also includes a number of technical amendments to further clarify certain aspects of the Criminal Code with respect to the application of the DNA Identification Act. These changes were proposed following the creation of a federal-provincial task force to establish the new DNA data bank. Following a number of meetings, provincial officials in the public security and justice sectors stated that the current law was not clear enough as regards the circumstances under which a judge need not order a DNA sample. Bill S-10 responds to these concerns by setting out clearly that a sample need not be ordered if the court is advised that the DNA profile of the person in question is already in the DNA data bank.

Bill S-10 also makes provision for a provincial court judge to authorize the execution of an order to obtain a DNA sample made or issued in another province.

Finally, this bill makes several other technical amendments to the Criminal Code to clarify and strengthen the system for the taking of bodily substances for forensic DNA analysis.

In closing, honourable senators, I am happy once again to note that, thanks to the vigilance of members of the Standing Senate Committee on Legal and Constitutional Affairs, the National Defence Act, the DNA Identification Act and the Criminal Code will, in my view, and I am sure you will agree, be greatly enhanced by Bill S-10 as it relates to the concerns of this house regarding the establishment and management of the new national DNA data bank. As I said at the beginning of my speech, this is an extremely powerful tool with important repercussions for our justice system and our society. The provisions of Bill S-10 will ensure greater respect for the privacy of Canadians by setting clearer guidelines for the police and the courts regarding the use of DNA profiles in criminal investigations. I can assure you that the bill will be seriously considered in committee in order to ensure that it responds to the concerns expressed by members in this house one year ago.

The Hon. the Speaker *pro tempore*: Honourable senators, if no other senator wishes to speak, I will proceed with the motion.

The Honourable Senator Fraser, seconded by the Honourable Senator Ruck, moved the second reading of the bill.

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

Hon. Senators: Agreed.

Motion agreed to and bill read second time.

REFERRED TO COMMITTEE

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

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

[*English*]

MEDICAL DECISIONS FACILITATION BILL

SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Carstairs, seconded by the Honourable Senator Pépin, for the second reading of Bill S-2, to facilitate the making of legitimate medical decisions regarding life-sustaining treatments and the controlling of pain.—(*Honourable Senator Lavoie-Roux*).

Hon. Douglas Roche: Honourable senators, legislation affecting the issues of life and death demand the deepest reflection of parliamentarians. Thus, I have examined with great care Bill S-2, to facilitate the making of legitimate medical decisions regarding life-sustaining treatments and the controlling of pain.

I have consulted leading ethicists, including the Catholic Health Association of Canada and the Care-in-Dying Coalition/Canadian Coalition Against Euthanasia, which comprises 30 organizations across Canada, advocating compassionate, just and respectful care for people who are dying.

Also, I bring my own experience to the consideration of this bill. In my personal life, I have had to make decisions and recommendations concerning the extension of medical treatment for loved ones who were dying. I know personally how agonizing the decision-making process can be for health care providers, as well as for family members.

In addition, it is important in such a legislative debate to state one's own personal convictions — that is, what one brings to the debate. I bring a deep conviction of the inherent dignity and

value of the human person. I believe all human beings are to be respected at every stage of life, from conception to death.

In brief, honourable senators, I oppose euthanasia and assisted suicide as incompatible with human dignity. However, I also recognize the legal rights of patients to refuse treatment and strongly support the need for widespread availability of adequate palliative care to control and relieve suffering.

Sickness, suffering and dying are an inevitable part of human experience. Dying can be a time of deeper self-awareness in which people freely and consciously affirm the meaning of their lives and not merely an inevitable process to which they must passively submit.

At the same time, advances in science and medical technology are dramatically improving our ability to cure illness, ease suffering and prolong life. These advances also raise ethical questions that society has never had to face. This is true of issues encountered in end-of-life care and particularly around life-sustaining treatment.

• (1650)

There are occasions when prolonging life by artificial means places onerous burdens on the dying person and his or her family. It is necessary to maintain a balance between two important obligations: the obligation not to intentionally kill someone and the obligation not to use life-sustaining procedures that would impose burdens out of proportion with the benefits to be gained from the procedure.

In this light, I find both positive and negative aspects in Bill S-2. I support the intent of the bill, which is to clarify the distinctions surrounding end-of-life decisions, especially the withholding and withdrawing of treatment when appropriate and the proper use of medications to alleviate pain.

It is both legal and moral for a health care provider to administer medication to alleviate the physical pain of a person suffering from a life-threatening condition, even if such medication might shorten the life of the person, provided that it is not the intention to cause death. Since the Senate has been informed that some health care providers are reluctant to provide sufficient pain control medication because of a fear they may be held criminally liable, the bill provides a positive step. The inclusion in the bill of a clause recommending that Health Canada establish national guidelines for the withholding and withdrawing of treatment, further promote and train professionals in controlling pain and palliative care, and conduct research that monitors frequency, is a further welcome step.

Having established the need to protect health care providers who sincerely want to alleviate the pain of their patients, we must ensure that this legislation, if passed, does not open the door to direct, legalized euthanasia. That is the concern expressed by the Campaign Life Coalition, which sees this bill as a first step toward creating a demand for assisted suicide.

Honourable senators, here is the dilemma we face as legislators. How can we be sure the medical treatment is intended to alleviate pain, even though it may shorten life? How can we be sure a patient is not coerced into accepting such medical treatment? Will such treatment become common in cases that are not life threatening? Are we, in short, weakening the integrity of life, which, as legislators, we must uphold, through our legitimate desire to ease pain?

These are questions that need a thorough airing by the Senate committee that would examine this bill if it passes second reading. In my view, the bill should go forward. The issue deserves our best effort to write good legislation for the benefit of all Canadians.

Although this bill does not amend the Criminal Code, it is my understanding that the bill is not intended to weaken the Criminal Code's prohibition of euthanasia and assisted suicide. However, the bill as presently drafted does not give us sufficient assurance that this is the case. This issue requires further probing and thought. It should be specified that the person the bill is talking about in clause 2 is a person "for whom death is imminent and unavoidable." It is not good enough to leave a person undefined, as clause 2 presently does. If it is the intention of the bill to ease the pain of a person in a life-threatening condition, let the bill state this clearly. At committee stage, I will propose the appropriate amendment for clause 2, with consequential amendments to follow.

Honourable senators, it should be remembered also that there are life-threatening situations that are not associated with imminent and unavoidable death. Many conditions are chronic and long-term, but not necessarily life threatening. A diabetic who goes into diabetic shock faces a life-threatening condition, but death is neither imminent nor unavoidable. As well, a person who might be termed "terminal", suffering a chronic or deteriorating condition, is not in a life-threatening situation in the way that the bill should make clear.

For now, I want to assert the principle that a person who is suffering from the imminent and unavoidable threat of death is entitled to pain relief, and the doctor or nurse who provides that relief is entitled to be free of prosecution. However, we must not open the door to the direct practice of euthanasia. We must ensure that there can be no misinterpretation of the true intent of the bill. I call on the Senate to be diligent in this matter.

Senator Carstairs, in replying to the question I addressed to her when she opened debate on second reading, quoted from the Catechism of the Catholic Church as follows:

Even if death is thought imminent, the ordinary care owed to a sick person cannot be legitimately interrupted. The use of painkillers to alleviate the sufferings of the dying, even at the risk of shortening their days, can be morally in conformity with human dignity if death is not willed as either an end or a means...

That quotation, honourable senators, is helpful, but let us remember that the quotation is prefaced by the statement that:

Whatever its motives and means, direct euthanasia consists in putting an end to the lives of handicapped, sick, or dying persons. It is morally unacceptable.

I am hopeful that, acting together, the Senate can write legislation that helps maintain both the dignity and rights of a patient whose death is imminent and unavoidable and the professional standards of a health care provider.

Honourable senators, this bill also gives us the opportunity to strengthen support for palliative care programs in Canada. Good palliative care is aimed at relief of suffering and improving the quality of life of persons who are living with or dying from advanced illness. Let us strengthen this growing need in Canada.

On motion of Senator Roche, for Senator Lavoie-Roux, debate adjourned.

LEGAL AND CONSTITUTIONAL AFFAIRS

MOTION REQUESTING AUTHORITY TO APPLY PAPERS AND EVIDENCE GATHERED ON EXAMINATION OF PREVIOUS BILL TO STUDY OF BILL S-6—ORDER STANDS

On the Order:

Resuming debate on the motion of the Honourable Senator Oliver, seconded by the Honourable Senator Di Nino:

That the papers and evidence received and taken by the Standing Senate Committee on Legal and Constitutional Affairs during its study of Bill S-17, to amend the Criminal Code respecting criminal harassment and other related matters, in the First Session of the Thirty-sixth Parliament be referred to the Committee, when and if it is formed, for its present study of Bill S-6.—(*Honourable Senator Cools*).

Hon. Anne C. Cools: Honourable senators, I believe that Senator Oliver is around somewhere, available to speak to this matter. I had indicated that I would yield to Senator Oliver.

Hon. Dan Hays (Deputy Leader of the Government): Honourable senators, in the absence of Senator Oliver and given the hour, I suggest that the matter be stood until he is available.

Senator Cools: Honourable senators, shall we stand this matter in the name of Senator Oliver? I wish to move the adjournment, then, in his name.

An Hon. Senator: No.

Senator Cools: Someone has to do something with this matter or else it will collapse.

An Hon. Senator: Put it in your name, then.

Senator Hays: Honourable senators, the matter cannot be dealt with because Senator Oliver is not here. Senator Cools wishes to stand the matter.

Senator Cools: Honourable senators, I think Senator Oliver's leadership explained to him very carefully my understanding that I was yielding the floor to him.

Order stands.

COMMITTEE AUTHORIZED TO APPLY PAPERS AND EVIDENCE
GATHERED ON EXAMINATION OF PREVIOUS BILL
TO STUDY OF BILL C-7

Hon. Joan Fraser, pursuant to notice of November 17, 1999, moved:

That the papers and evidence received and taken by the Standing Senate Committee on Legal and Constitutional Affairs during its study of Bill C-69, to amend the Criminal Records Act and to amend another Act in consequence, in the First Session of the Thirty-sixth Parliament be referred to the Committee for its present study of Bill C-7.

Motion agreed to.

The Senate adjourned until Tuesday, November 23, 1999, at 2 p.m.

THE SENATE OF CANADA
PROGRESS OF LEGISLATION
(2nd Session, 36th Parliament)
Thursday, November 18, 1999

GOVERNMENT BILLS
(SENATE)

No.	Title	1st	2nd	Committee	Report	Amend.	3rd	R.A.	Chap.
S-3	An Act to implement an agreement, conventions and protocols between Canada and Kyrgyzstan, Lebanon, Algeria, Bulgaria, Portugal, Uzbekistan, Jordan, Japan and Luxembourg for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income	99/11/02							
S-10	An Act to amend the National Defence Act, the DNA Identification Act and the Criminal Code	99/11/04	99/11/18	Legal and Constitutional Affairs					

GOVERNMENT BILLS
(HOUSE OF COMMONS)

No.	Title	1st	2nd	Committee	Report	Amend.	3rd	R.A.	Chap.
C-6	An Act to support and promote electronic commerce by protecting personal information that is collected, used or disclosed in certain circumstances, by providing for the use of electronic means to communicate or record information or transactions and by amending the Canada Evidence Act, the Statutory Instruments Act and the Statute Revision Act	99/11/02							
C-7	An Act to amend the Criminal Records Act and to amend another Act in consequence	99/11/02	99/11/17	Legal and Constitutional Affairs					

COMMONS PUBLIC BILLS

No.	Title	1st	2nd	Committee	Report	Amend.	3rd	R.A.	Chap.
C-247	An Act to amend the Criminal Code and the Corrections and Conditional Release Act (cumulative sentences)	99/11/02							

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