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(HANSARD)

**Thursday, December 9, 1999**

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THE HONOURABLE GILDAS L. MOLGAT  
SPEAKER

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## THE SENATE

Thursday, December 9, 1999

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

[English]

Prayers.

• (1410)

[Translation]

### FISHERIES AND OCEANS

### SENATORS' STATEMENTS

#### ONTARIO

REGIONAL RESTRUCTURING LEGISLATION—  
PROPOSAL TO DECLARE OTTAWA OFFICIALLY BILINGUAL—  
REFUSAL BY PREMIER

**Hon. Jean-Robert Gauthier:** Honourable senators, I am not surprised at the decision by the Ontario government of Mr. Harris to reject the recommendation of his advisor on municipal and regional restructuring. This is standard behaviour for Mr. Harris and company when francophone rights are involved.

For over 40 years, I have been dealing with this issue in education, health, social services and now municipal affairs. I have always been involved and I intend to continue to do my work. Let me tell you, the issue is far from resolved.

Yesterday, Mr. Harris said, according to the media, that he had done a lot for French Canadians in Ontario. What he is not saying is that, each time, every gain in the areas of education, health, and municipal affairs has been imposed on him either by the courts or by public opinion. He has come repeatedly to the federal government hat in hand for funds to pay for these changes.

Honourable senators, we will use whatever measures are necessary and at our disposal to get the Ontario government of Mr. Harris to change its opinion and position and make Ottawa, the country's capital, bilingual. Let us be positive, honourable senators, and let the new city administration decide how it will be bilingual.

Honourable senators, we will use incentives. We will recommend that he correct his affront to equity and justice and honour the equality of the two official languages in the country's capital city.

Mr. Harris is playing a dangerous game when he insults French Canadians, thereby handing certain people winning conditions.

Enough foolishness! Mr. Harris, we are not impressed!

VIABILITY OF WEST COAST SALMON FISHERY—NEED FOR  
EMERGENCY HELP—HUNGER STRIKE BY DAN EDWARDS

**Hon. Pat Carney:** Honourable senators, this week, a man who is putting his life on the line to help the people of British Columbia's coastal communities was in my office asking for assistance from the federal government and the Senate. Dan Edwards, a fisherman from the west coast of Vancouver Island, is on day 45 of a hunger strike to draw attention to our coastal communities that were economically and socially devastated by the collapse this year of the Fraser River sockeye runs.

Mr. Edwards met with Senator Ray Perrault, Senator Gerry Comeau and myself to describe his frustration. All Dan asks to get off the hunger strike is for the federal government to sit down at the negotiating table with the provincial government and the stakeholders and resolve a way to get assistance into the hands of the people in the communities who desperately need it. So far, federal funds are aimed at getting people to leave the fishery, not at helping fishermen struggling to stay afloat.

Honourable senators, there will be no viable West Coast fishery if all fishermen with the necessary expertise and experience are forced out of the fishery because of the buyback program. We need fishermen to have a viable fishery.

The Auditor General supports Dan's point. In his most recent report, he made consistent references to the need to support a viable fishery. He said:

The management challenge for the Department of Fisheries and Oceans is to conserve existing stocks and rebuild those that are at low levels, while maintaining the viability of the fisheries. It will have to adapt its management regime to the new realities and gain the acceptance and support of stakeholders if it is to be successful.

He also highlighted the need for:

...resolving consultation problems to improve stakeholder relations and move toward forming partnerships to share management responsibilities and offset costs.

That is what Dan Edwards is asking for.

So far, the federal government's consistent response to requests from the communities for help has been that the \$400-million program announced last year to cope with the coho crisis will address this year's sockeye problem as well. Yet, coast watchers consistently report that this money has yet to hit the ground and actually help anyone in need.

In the meantime, many coastal communities are in critical condition. Many aboriginal communities, for whom the salmon plays a profound role as food as well as a cultural and spiritual symbol, have no salmon for the winter. Since the EI system does not assist fishermen who have not been able to fish, native and non-native fishermen alike have no other recourse than welfare. This is a reality in communities where this year fishermen have invested, in some instances, tens of thousands of dollars in fishing gear and start-up costs for a fishery that never happened.

Dan represents a coalition called the Fraser River Sockeye Crisis Committee. This involves the coastal communities that are starving for lack of assistance. Dan has lost 50 pounds since the beginning of the hunger strike. He is physically weak but spiritually resolute. Senator Ray Perrault and I have urged Dan not to risk his life, but he is adamant that, until someone pays attention, he will not eat.

Surely, the federal government can sit down with the province and the stakeholders and work out a plan that will deliver emergency help to the people of B.C.'s communities.

The collapse of the Fraser River sockeye runs is a natural disaster. There are methods for dealing with natural disasters that effectively deliver assistance to those who are so profoundly affected by them. These were implemented in Ontario and Quebec after the ice storm. They were also put in place in New Brunswick in the fish farm virus outbreak of 1998.

My fear is that, if anything happens to Dan Edwards, the situation in the communities, which is already desperate, will become volatile. We need a show of political will that will solve this problem for native and non-native communities before there is a human tragedy on the coast.

[Translation]

### MÉDECINS DU MONDE

**Hon. Marisa Ferretti Barth:** Honourable senators, I draw your attention to an initiative by the Médecins du Monde organization to provide medical care to young street people in Montreal.

According to those who work with young street people, there are between 2,000 and 5,000 homeless young people in Montreal. These young people are not organized. Often, they do not have health cards. From experience, they know they will not be well received when they show up at the emergency department. So they are in poor health.

[ Senator Carney ]

In January, Médecins du Monde set up a mobile team of doctors that will go to the young people where they are, that is, in the street.

I will close with a comment made by Dr. Réjean Thomas, the man behind this magnificent project, who told a journalist that what the organization wanted to do was to go after the problems faced by the poorest in rich countries.

This initiative should ease things for these young people, who live on the street and in misery. I invite all of you, honourable senators, to become aware of the problems of young street people in our society.

In Montreal, at our seniors' community centre near Radio-Canada on René-Lévesque Boulevard, we will begin on December 26 the first of a series of days providing shelter and food, without regard to age, to all street people in the city of Montreal. This initiative will work well, and we will be able to provide meals all weekend. People will be there to help these people on Saturday and Sunday, because there is nothing for these folks who are left on their own. We thought that, starting December 26, we would help them each weekend for as long as possible.

[English]

### INTERNATIONAL DAY OF HUMAN RIGHTS

**Hon. A. Raynell Andreychuk:** Honourable senators, I rise today to note that December 10 is designated as International Day of Human Rights. As we close out the millennium, we can look back with some pride, both in Canada and in a world context, that the United Nations and others have been able to develop human rights instruments, covenants and other mechanisms, and, further, to raise public awareness that all human beings are born free and equal in dignity and rights. However, it is regrettable that atrocities continue and that the most vulnerable in our society continue to be disproportionately in the category of those who lose their lives, dignity, safety, and security.

The Universal Declaration of Human Rights is yet to be adhered to in a way that would give us cause for celebration. It is important for all Canadians to reflect on what we have personally done to contribute to the furtherance of the cause of human rights and to rededicate ourselves to putting human rights at the top of our personal and public agendas.

Parliamentarians have a high responsibility to ensure that Canada's words and actions, both at home and abroad, adhere to the declarations, covenants and other instruments that Canada has signed. We must not lapse into ad hoc scrutiny and we must not let political or economic factors override our adherence to fundamental human rights values that we hold so dear in this society.

As Parliamentarians, we must ensure that we do not fall into selective or random adherence of human rights and that we do not raise the issue of human rights only when prodded by interest groups or media attention. It should be nothing less than a constant and fundamental issue in all aspects of our work. Therefore, we must dedicate ourselves to practices and procedures that will support a constant, continuous and even-handed application of human rights.

• (1420)

I appeal again to the leadership in the Senate to immediately set up a human rights committee, as I placed by motion in this chamber at the last session. Such a committee would go a long way to discharging our duties to the countless millions who have lost their lives or those who have lost other fundamental freedoms.

While I know that no one committee or one group of Canadians can single-handedly change the fate of our fellow human beings, we in the Senate can make a difference, and the time to start is now.

## FISHERIES AND OCEANS

### CLOSURE OF FRASER RIVER SOCKEYE FISHERY— PROGRAM TO REFUND SALMON LICENCE FEES— HUNGER STRIKE BY DAN EDWARDS

**Hon. Raymond J. Perrault:** Honourable senators, I have been in contact with the Minister of Fisheries today, and I have also spoken with Mr. Dan Edwards, who is on a hunger strike. I have some information to bring to the Senate.

This afternoon, the Honourable Herb Dhaliwal, Minister of Fisheries and Oceans Canada, provided details about a special one-time program to refund salmon licence fees for all commercial salmon licence holders significantly affected by closures in the Fraser River sockeye salmon fishery in 1999. A draft press release states:

“Based on unusual circumstances in the 1999 salmon fishing season, Fisheries and Oceans Canada will refund licence fees for those commercial fishermen who faced significant financial impact by the Fraser River sockeye closures this summer,” Minister Dhaliwal said. “I have asked my officials to do everything possible to have these cheques to the licence holders before Christmas.”

“About two million dollars will be paid directly to approximately 1,600 licence holders or vessel owners of record,” said Mr. Dhaliwal.

Honourable senators, there is further information, but it would take too long to provide it to the Senate at this time. The government is acting to meet this particular challenge. Mr. Edwards is heartened by the fact that the minister may well be in direct contact with him this afternoon.

[Translation]

## ONTARIO

### REGIONAL RESTRUCTURING LEGISLATION— REFUSAL TO DECLARE OTTAWA OFFICIALLY BILINGUAL— POSITION OF THE FÉDÉRATION DES COMMUNAUTÉS FRANCOPHONES ET ACADIENNE

**Hon. Gerald J. Comeau:** Honourable senators, I wish to share with you a letter addressed to the Honourable Tony Clement, Ontario's Minister of Municipal Affairs and Housing. It reads as follows:

Dear Sir,

I have learned through the media that your government decided not to give bilingual status to the new City of Ottawa, which will amalgamate 11 existing municipalities.

The Fédération des communautés francophones et acadienne du Canada wrote you a letter on December 7 summing up the arguments as to why Ottawa should be bilingual. There is no need for us to repeat ourselves. I share the principles and sentiments expressed by the federation.

As a francophone parliamentarian, it is very important for me to work in a city that respects and values my mother tongue. It is also essential that I be able to feel at home in my nation's capital.

I hope that the notion that Ottawa would become a unilingual English city is simply a misunderstanding on the part of journalists.

I ask for clarification.

Honourable senators, I urge you to support the principle expressed by the Fédération des communautés francophones et acadienne du Canada and the concept of respecting Canada's two official languages in the City of Ottawa.

[English]

### REGIONAL RESTRUCTURING LEGISLATION— REFUSAL TO DECLARE OTTAWA OFFICIALLY BILINGUAL

**Hon. Colin Kenny:** Honourable senators, I rise today to comment on the language status of the Ottawa region. As a resident of Ottawa, as a senator from Ontario, and as an anglophone, I am compelled to comment on the language issue of the amalgamated City of Ottawa, which will be born on January 1, 2001.

As it stands right now, Ottawa is officially bilingual. Our nation has two official languages and it is only natural that our country's capital should be bilingual, not only because there are francophones living in the region but because the region should reflect the character of the country as a whole.

**Hon. Senators:** Hear, hear!

**Senator Kenny:** Bilingualism is nothing new to the region of Ottawa. It is part of the history of this region and it should be guaranteed in the future of the region. Coincidentally, the amalgamated city, along with the City of Hull, will co-host the World Francophone Games in 2001. Indeed, with Ottawa-Hull functioning as a gateway between the provinces, it is only natural that Ottawa's bilingual status should be recognized at the provincial level.

Mr. Glen Shortliffe's report calls the region of Ottawa a unique tapestry and recommends that the new City of Ottawa be "legislatively designated a bilingual city with services to be provided in both official languages where warranted." While the province has implemented most of Mr. Shortliffe's advice, they have chosen to ignore this proposal. The people of Ottawa and the people of Canada want assurances and should be given assurances that Ottawa will be officially bilingual once the merger goes through.

Having the provincial government ignore this sensitive issue does not send a positive message to Franco-Ontarians or Canadians. This is not a municipal issue. As the first minister, Mr. Harris must recognize the importance of having Ottawa as a bilingual city. He must show leadership on this issue, make Ottawa bilingual and clear up any of the uncertainty.

## CIVIL INTERNATIONAL SPACE STATION AGREEMENT IMPLEMENTATION BILL

### REASONS FOR ABSTENTION DURING CLAUSE-BY-CLAUSE STUDY

**Hon. Jeremiah S. Grafstein:** Honourable senators, later this day the Foreign Affairs Committee will present a report on Bill C-4, a bill to implement an international agreement for cooperation on the international space station. I abstained from voting on that report at clause-by-clause consideration in committee. I owe the Senate an explanation for my abstention from voting on the report. My reasons are set out in the evidence of the committee on December 7, at page 10.

**Some Hon. Senators:** Oh, oh!

**Senator Grafstein:** Please let me finish, and then honourable senators can object.

[ Senator Kenny ]

**Hon. John Lynch-Staunton (Leader of the Opposition):** Honourable senators, this is a time for statements, not explanations on reports.

**Senator Grafstein:** Honourable senators, since I will not be afforded an opportunity to speak at report stage, I thought I would use Senators' Statements to indicate my reason for abstention.

## VISITORS IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I call your attention to some distinguished visitors in the gallery. We have with us the previous high commissioner for Kenya and now the peace envoy for Sudan, accompanied by Mr. Ernie Regehr. They are hosted by the Honourable Senator Wilson. Welcome to the Senate of Canada.

As well, we have with us a delegation of 10 Russian specialists, who represent the federal and selected regional governments of Russia and are practitioners in various components of the mortgage financing business. They have just completed a three-week training period here in our Canadian system of mortgage financing. Welcome to the Senate of Canada.

## ROUTINE PROCEEDINGS

### BUSINESS OF THE SENATE

#### A SENATOR'S GUIDE TO DISABILITY TABLED

**Hon. Brenda M. Robertson:** Honourable senators, I wish to table the small booklet, "A Senator's Guide to Disability," and ask that the clerk distribute it to the desks of senators.

• (1430)

[Translation]

## QUEBEC

### LINGUISTIC SCHOOL BOARDS— AMENDMENT TO SECTION 93 OF THE CONSTITUTION— FIRST REPORT OF SPECIAL JOINT COMMITTEE TABLED

**Hon. Lucie Pépin:** Honourable senators, pursuant to rule 104, I have the honour to table the report of the Special Joint Committee to amend Section 93 of the 1867 Constitution Act concerning the Quebec school system on 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.)

**AIR CANADA**

Thursday, December 9, 1999

ORDER IN COUNCIL ISSUED PURSUANT TO THE CANADA  
TRANSPORTATION ACT TO ALLOW DISCUSSIONS  
ON PRIVATE SECTOR PROPOSAL TO PURCHASE AIRLINE—  
REPORT OF TRANSPORT AND COMMUNICATIONS COMMITTEE  
ON STUDY PRESENTED

**Hon. Lise Bacon**, Chairman of the Standing Senate Committee on Transport and Communications, presented the following report:

Thursday, December 9, 1999

The Standing Senate Committee on Transport and Communications has the honour to present its

**SECOND REPORT**

Your Committee, which was authorized on October 14, 1999, to examine and report pursuant to subsection 47(5) of the Canada Transportation Act, the order laid before this Chamber on September 14, 1999, authorizing certain major air carriers and persons to negotiate and enter into any conditional agreement, now presents its final report which is appended to this report.

Respectfully submitted,

LISE BACON  
*Chairman*

(For text of report see appendix to today's Journals of the Senate, p. 244.)

**The Hon. the Speaker:** Honourable senators, when shall this report be taken into consideration?

On motion of Senator Bacon, report placed on the Orders of the Day for consideration at the next sitting of the Senate.

[English]

**CIVIL INTERNATIONAL SPACE STATION  
AGREEMENT IMPLEMENTATION BILL**

REPORT OF COMMITTEE

**Hon. Peter A. Stollery**, Chairman of the Standing Senate Committee on Foreign Affairs, presented the following report:

The Standing Senate Committee on Foreign Affairs has the honour to present its

**FIFTH REPORT**

Your Committee, to which was referred Bill C-4, An Act to implement the Agreement among the Government of Canada, Governments of Member States of the European Space Agency, the Government of Japan, the Government of the Russian Federation, and the Government of the United States of America concerning Cooperation on the Civil International Space Station and to make related amendments to other Acts, has examined the said Bill in obedience to its Order of Reference dated, Wednesday, December 1, 1999, and now reports the same without amendment.

Respectfully submitted,

PETER STOLLERY  
*Chairman*

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

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

**INCOME TAX CONVENTIONS  
IMPLEMENTATION BILL, 1999**

REPORT OF FOREIGN AFFAIRS COMMITTEE

**Hon. Peter A. Stollery**, Chairman of the Standing Senate Committee on Foreign Affairs, presented the following report:

Thursday, December 9, 1999

The Standing Senate Committee on Foreign Affairs has the honour to present its

**SIXTH REPORT**

Your Committee, to which was referred Bill 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, has examined the said Bill in obedience to its Order of Reference dated, Wednesday, November 24, 1999, and now reports the same without amendment.

Respectfully submitted,

PETER STOLLERY  
*Chairman*

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

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

## INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

### SECOND REPORT OF COMMITTEE PRESENTED

**Hon. Bill Rompkey**, Chairman of the Standing Committee on Internal, Economy, Budgets and Administration, presented the following report:

Thursday, December 9, 1999

The Standing Committee on Internal Economy, Budgets and Administration has the honour to present its

### SECOND REPORT

Your Committee is presently undertaking a review of the budgetary situation pertaining to Senate Committees.

Your Committee therefore recommends that, notwithstanding the Procedural Guidelines for the Financial Operation of Senate Committees, for any committee budget for the financial year 1999-2000 submitted to and approved by the Internal Economy Committee, your Committee be authorized to release no more than 6/12 of those approved funds until February 10, 2000.

The two exceptions to this recommendation are: i) the budget submitted by the Transport and Communications Committee concerning its review of the order under section 47(5) of the Canada Transportation Act, for the amount of \$19,900; and ii) the budget submitted by the Aboriginal Peoples Committee concerning its study on Aboriginal Self Governance, for the amount of \$14,750.

Respectfully submitted,

WILLIAM ROMPKEY  
*Chairman*

**The Hon. the Speaker:** Honourable senators, when shall this report be taken into consideration?

On motion of Senator Rompkey, report placed on the Orders of the Day for consideration at the next sitting of the Senate.

## SCRUTINY OF REGULATIONS

### FIRST REPORT OF JOINT COMMITTEE PRESENTED

**Hon. Céline Hervieux-Payette:** Honourable senators, I have the honour to table the first report of the Standing Joint Committee for the Scrutiny of Regulations concerning its permanent reference and 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.)*

**The Hon. the Speaker:** Honourable senators, when shall this report be taken into consideration?

On motion of Senator Hervieux-Payette, report placed on the Orders of the Day for consideration at the next sitting of the Senate.

[English]

## CHILD CUSTODY AND ACCESS

### FIRST REPORT OF SPECIAL JOINT COMMITTEE TABLED

**Hon. Landon Pearson:** Honourable senators, pursuant to rule 104, I have the honour to table the first report of the Special Joint Committee on Child Custody and Access, 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.)*

## FOREIGN AFFAIRS

### NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO EXTEND DATE OF FINAL REPORT ON STUDY OF CHANGING MANDATE OF THE NORTH ATLANTIC TREATY ORGANIZATION

**Hon. Peter A. Stollery:** Honourable senators, I give notice that, on Monday, December 13, 1999, I will move:

That notwithstanding the Orders of the Senate adopted on Thursday October 14, 1999 and on Wednesday November 17, 1999 the Standing Senate Committee on Foreign Affairs which was authorized to examine and report upon the ramifications to Canada: 1. of the changed mandate of the North Atlantic Treaty Organization (NATO) and Canada's role in NATO since the demise of the Warsaw Pact, the end of the Cold War and the recent addition to membership in NATO of Hungary, Poland and the Czech Republic; and 2. of peacekeeping, with particular reference to Canada's ability to participate in it under the auspices of any international body of which Canada is a member, be empowered to present its final report no later than March 10, 2000; and



That the Committee retain all powers necessary to publicize the findings of the Committee contained in the final report until March 31, 2000; and

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

[Translation]

## ONTARIO

### REGIONAL RESTRUCTURING LEGISLATION— REFUSAL TO ADOPT RECOMMENDATION TO DECLARE OTTAWA OFFICIALLY BILINGUAL—NOTICE OF INQUIRY

**Hon. Marie-P. Poulin:** Honourable senators, I give notice that, on Monday next, December 13, 1999, I will call the attention of the Senate to the decision of the Government of Ontario not to adopt a recommendation to declare the proposed restructured City of Ottawa a bilingual region.

[English]

• (1440)

## THE SENATE

### NOTICE OF MOTION TO UPHOLD ROYAL ASSENT PROCEEDINGS

Leave having been given to revert to Notices of Motions:

**Hon. Anne C. Cools:** Honourable senators, pursuant to rules 56(1) and 58(1)(i), I hereby give notice that, one day hence, I shall move:

That the Senate of Canada affirm its Royal Assent procedure in the Senate described by parliamentary authorities Norman Wilding and Philip Laundry “The Canadian ceremony seems to be that which most closely resembles the original.”;

That the Senate uphold the sovereign right of Her Majesty, as enacted in the *Constitution Act 1867*, in the Royal Prerogative of the Royal Assent in respect of parliamentary proceedings and bills considered, voted or passed in both Houses of Parliament;

That the Senate as the House of Her Majesty’s Royal Assent affirm its ancient constitutional right as the House of the Parliament, the House for the proceedings of the three estates of Parliament acting together as the One Parliament of Canada;

That the Senate affirm the Law of Parliament, the “lex parliamenti”, that ancient law which holds that the

Royal Consent is required for Parliament’s consideration of any bill or any parliamentary proceeding altering Her Majesty’s Royal Prerogative;

That the Senate affirm that the parliamentary procedure for a private member of Parliament to obtain the Royal Consent is a motion for an address to Her Majesty requesting the same, as distinct from the other forms for obtaining Royal Consent which may be available to the Prime Minister or ministers acting under political ministerial responsibility; and

That the Senate affirm the necessity of the Royal Consent as given by Her Majesty to the consideration of bills affecting the Royal Prerogative, as that Royal Consent which was given by Queen Elizabeth II to the 1967 Royal Assent Bill, which Consent was delivered in the United Kingdom House of Lords by the Lord Chancellor Lord Gardiner at the bill’s second reading on March 2, 1967, stating:

“My Lords, I have it in command from Her Majesty the Queen to acquaint the House that Her Majesty, having been informed of the purport of the Royal Assent Bill, has consented to place Her Prerogative and interest, so far as they are affected by the Bill, at the disposal of Parliament for the purposes of the Bill.”

and weeks later, on April 17, 1967, in the United Kingdom House of Commons, delivered by the Attorney General Sir Elwyn Jones, stating:

“I have it in Command from the Queen to acquaint the House that Her Majesty, having been informed of the purport of the Bill, has consented to place Her prerogative and interest, so far as they are affected by the Bill, at the disposal of Parliament for the purposes of the Bill.

I beg to move, that the Bill be now read a Second time.”

## QUESTION PERIOD

### TRANSPORT

#### DIVESTITURE OF PUBLIC WHARVES—ASSIGNMENT OF WHARF ON THETIS ISLAND TO INDIAN BAND ON KUPER ISLAND

**Hon. Pat Carney:** Honourable senators, my question is addressed to the Leader of the Government in the Senate, to whom I have given notice. On October 18, I wrote to the Minister of Transport objecting to his department’s decision to allocate a public wharf on Thetis Island on the B.C. coast to the nearby native community of Kuper Island, which has its own

wharf. This move has caused Thetis Islanders great anxiety, since the wharf is their only access by water. The policy of the Department of Transport is to divest the public wharves to the local communities in which they are located. I have confirmed that this is still the policy.

Could the Leader of the Government in the Senate assist me in finding out whether it is the intent of the federal government to allocate public docks on one island to a native band on another island before any native land claims have been settled in this area?

**Hon. J. Bernard Boudreau (Leader of the Government):** Honourable senators, I thank the honourable senator for giving notice of this question earlier today. I was hoping also that she would help me with the pronunciation of the Indian band name.

**Senator Carney:** I can do that, honourable senators. It sounds like Penelope. It is Penelakut.

**Senator Boudreau:** I again thank the honourable senator.

The information I have gleaned suggests that in May of this year the band indicated an interest in the particular facility of which she speaks and that discussions began between the band and the Department of Transport. Subsequent to that, residents indicated some objection to the process, at least to the extent that they wanted to be involved. I understand that, as a result of those interventions, a meeting is now planned between the band and residents of the island, and as a result no negotiations with the Penelakut band have been completed. Hopefully these discussions between the residents and the band will lead to a satisfactory solution for all.

**Senator Carney:** Honourable senators, could the Leader of the Government in the Senate assist me in obtaining a reply to this letter of October 18 to the minister? If the Department of Transport has changed the policy — a change they have never announced — it will isolate small communities and paralyze economic activity because every island has only one wharf. If the department gives an island's wharf to the control of another island, the economic activity of that original island is paralyzed. It would be helpful to me if the Leader of the Government could get the Minister of Transport to answer my letter of October 18.

**Senator Boudreau:** Honourable senators, I have no difficulty approaching the minister to request that the honourable senator's letter be answered.

## NATIONAL DEFENCE

### PROBLEMS WITH ENGINES OF PATROL FRIGATES

**Hon. J. Michael Forrestall:** Honourable senators, I have a question for the Leader of the Government in the Senate. Four CPFs, Canadian patrol frigates, have been hit by generator blow-outs. About four or five years ago, we had a plague of similar problems, and we spent a large amount of money trying to track down the cause and to correct the problem. What is the

government planning with respect to the four frigates that are out of service now?

While I am on my feet, are there any indications that this problem may occur in other frigates, and, if so, on the East Coast, the West Coast or on both?

**Hon. J. Bernard Boudreau (Leader of the Government):** Honourable senators, I only have information on the four patrol frigates to which the honourable senator referred.

The problems experienced by the Canadian patrol frigates are quite limited in nature, affecting the electrical generators and not the propulsion engine. However, a thorough technical investigation is ongoing. Both temporary and longer-term measures are being implemented. One would hope that this type of failure would not recur since the equipment and the frigates generally perform well.

**Senator Forrestall:** Honourable senators, it is questionable whether they have performed well or not. We have been the subject of much criticism from our allies in other parts of the world about the ability of frigates that cannot be sailed at top speed because of this very problem. We also know they perform very well minus 40 per cent of their capability: a safe, reliable, shipborne helicopter. Given these two major problems, it is a little difficult to say, without tongue in cheek, that our frigates are performing well.

### REPLACEMENT OF SEA KING HELICOPTER FLEET— TIMING OF ANNOUNCEMENT

**Hon. J. Michael Forrestall:** Honourable senators, can the minister give us some indication as to whether, before we return in February, there will be an announcement with respect to the procurement program for the shipborne helicopter?

**Hon. J. Bernard Boudreau (Leader of the Government):** Honourable senators, I am not in a position to make any statement today with respect to the timing of any procurement announcements. It is a matter of top priority with the Minister of National Defence as well as for many in the Senate and in the other place. We all hope that such an announcement can be made in the near future.

**Senator Forrestall:** The "near future" is now 1,792 days old and counting.

• (1450)

**The Hon. the Speaker:** Honourable senators, if the Honourable Senator Forrestall wishes to stand up, we will listen to him.

**Senator Forrestall:** Honourable senators, I wish to remind the distinguished Leader of the Government in the Senate that the term "immediate action" was used by a predecessor of his some four years ago — that is, about 52 months ago, which is 52 times 30; you figure it out — regarding the shipborne helicopters.

My questions to the minister are: How long is “immediate”? How long is “soon”? How long does “top priority” take? In other words, when we will get new helicopters?

**Senator Boudreau:** Honourable senators, my immediate predecessor categorically denies using the word “immediate” on any occasion in the past!

**Senator Graham:** Hear, hear!

**Senator Boudreau:** With respect to the question, the Armed Forces have initiated a number of major new programs over the period which he describes. As we wait for the procurement of the new on-board helicopters, we have made progress with other programs, including the procurement programs for the search and rescue helicopters, for submarines and for enhancing the living allowances and the circumstances of the forces themselves.

I understand the honourable senator’s impatience with the on-board helicopter program, but I am hopeful that his diligent efforts will be rewarded in the very near future.

## SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

### PERSONAL INFORMATION PROTECTION AND ELECTRONIC DOCUMENTS BILL—OPPOSITION FROM GOVERNMENT OF ALBERTA

**Hon. Douglas Roche:** Honourable senators, this question is directed to the chairman of the Standing Senate Committee on Social Affairs, Science and Technology. As a result of yesterday’s exchange here in the Senate on Alberta’s letter to the chairman of December 7, the Government of Alberta informed me today that it did not receive an invitation to appear before the committee on Bill C-6. To be fair to the chairman, I do not believe Alberta requested an invitation, but simply sent a letter. What we may be facing here is a failure of adequate communication, and not ill will. Nonetheless, Alberta’s concerns with interference in areas of provincial jurisdiction remain. Will the chairman undertake to address Alberta’s concerns, as expressed in the letter, when he speaks in the Senate today on the bill?

**Hon. Michael Kirby:** Honourable senators, in reply to the question of Senator Roche, I will make two observations.

First, as I indicated yesterday, I thought that the Government of Alberta had been invited to appear, although I was very careful to say — and I just read Hansard — that I would confirm that with the clerk of the committee. In fact, the Government of Alberta, in contrast to the Government of Ontario, did not ask to appear before the committee. They did submit a brief to us — and another one was received two days ago — but they did not ask to appear. It may have been an oversight on the part of the committee not to invite them, but they certainly would have been welcomed as witnesses had they asked to appear. Indeed, any committee I have ever chaired has always welcomed representations from provincial governments.

The second issue is the constitutional issue. I will not deal with that in my comments today. I will stand by the comment I made yesterday, which is simply that the committee had expert testimony which satisfied all members of the committee that the proposed bill is constitutional. Therefore, that issue was not dealt with in our report because we believe the bill is constitutional and the evidence before the committee strongly supports that conclusion.

## ENVIRONMENT

### ALBERTA—ANNOUNCEMENT TO PROCESS IMPORTED HAZARDOUS WASTE AT SWAN HILLS TREATMENT CENTRE—GOVERNMENT POLICY

**Hon. Mira Spivak:** Honourable senators, the Government of Alberta has announced a change in policy affecting the Swan Hills Treatment Centre. The change in policy allows the Swan Hills Treatment Centre to import and treat raw waste, including PCBs and other contaminants, without environmental assessment. Honourable senators, the company which manages the treatment centre does not have an unblemished record. It has a record of leaks, explosions and pollution convictions. It failed to report a major release of dioxins and furans several years ago — a release which caused health problems for people downstream and contaminated fish and wildlife. It was fined \$625,000 for so doing.

The United States has a ban on the importation of foreign-generated wastes. Of course, this change in policy of the Government of Alberta does not just affect Alberta since these particular wastes may come in through other provinces, other ports and be trucked to Alberta, thus raising safety and health issues for Canadians along those routes.

In light of this announcement, does the Government of Canada see any need to change its stance on the importation of wastes generally? Will the Leader of the Government inquire as to whether the Minister of the Environment is requesting a federal environmental assessment? They have the right to demand that assessment because this involves more than just the Province of Alberta. Of course, the province itself is not planning such an assessment.

**Hon. J. Bernard Boudreau (Leader of the Government):** Honourable senators, the decision to treat hazardous wastes in the Swan Hills facility is a decision presently within the jurisdiction of the Government of Alberta. While the decision to import or export hazardous materials must meet the federal standards of the hazardous waste regulations, it is still within the jurisdiction of the Province of Alberta. In fact, other provinces and other jurisdictions presently import foreign-produced wastes.

I do not know specifically the position of the Minister of the Environment with respect to the environmental assessment as raised by the Honourable Senator Spivak. However, I will direct an inquiry to the minister and respond next week.

**Senator Spivak:** Honourable senators, is the Leader of the Government in the Senate stating that it is within the jurisdiction of the provinces to import this waste and that the issue of trucking and conveying hazardous wastes through other provinces is also under provincial jurisdiction? I am not sure I understood the leader's response.

**Senator Boudreau:** Honourable senators, regulations for the export and import of hazardous waste are within federal jurisdiction and federal responsibility. Those regulations will be enforced in this situation, should they go forward with the importation. The amendment of the operating licence of the facility to accommodate wastes from a foreign country is within the jurisdiction of the province, as I understand it.

**Senator Spivak:** Honourable senators, boundaries between provinces are under the export and import regulations. It is the trucking of waste across boundaries that interests me. Is the leader saying that is not a provincial responsibility but comes under federal jurisdiction?

**Senator Boudreau:** Honourable senators, to import or export any such wastes, facilities must meet the Government of Canada's requirements under the hazardous wastes regulations. These regulations provide health and safety standards for the treatment of that waste.

• (1500)

The treatment in the facility itself is authorized through the operating licence granted by the province to the facility. A number of provinces operate facilities which import hazardous wastes into their jurisdictions.

**Senator Spivak:** Honourable senators, is the Government of Canada not concerned that we might become the repository of hazardous wastes from around the world? These are serious chemicals which contain dioxins and furans. Under the recently passed legislation, we are trying to have these chemicals banned, not import them.

**Senator Boudreau:** Honourable senators, no doubt the Government of Canada would be concerned with a scenario where we became the repository of the world's hazardous wastes. The opinion of the minister at this point is that the existing regulations will enable us to deal appropriately with this particular situation.

## AGRICULTURE AND AGRI-FOOD

### PLIGHT OF WESTERN GRAIN FARMERS— RESPONSE BY GOVERNMENT

**Hon. Leonard J. Gustafson:** Honourable senators, my question is for the Leader of the Government in the Senate and deals with the critical situation and the crisis faced by farmers.

The World Trade Organization meetings in Seattle did not turn out positively. The Minister of Agriculture, Lyle Vancilief, held out little hope that Canadian grain farmers will soon see relief from international subsidies. I came to the same conclusion after talking to people from Europe, the United States and other countries.

The standing committee in the House of Commons has been meeting out West. I attended the meetings in Estevan and Regina. In fact, I was asked by the Saskatchewan Minister of Agriculture to help with their presentation to the committee.

The farmers, who are hurting severely, are asking, in a very emotional way, if anyone is listening. I know the House of Commons committee is out there listening, and they listened very well. I was proud of them as Members of Parliament because they heard, and it seemed that they understood.

Does the leader believe, as a member of the cabinet, that the cabinet is listening to the voices of farmers and to their cries as they face this crisis? It has been publicized all over Canada that Mr. Milne, one of the members of the House of Commons, will be holding a benefit for the farmers in Toronto. It cannot be that people do not understand the crisis that these farmers are facing. Is cabinet listening? Is the minister willing to carry the message from this corner? Speeches on this issue from his side of the house have been just as strong as those from this side. Is anyone listening?

**Senator Ghitler:** No, they are not listening.

**Hon. J. Bernard Boudreau (Leader of the Government):** Honourable senators, the level of concern expressed in the debate initiated by Honourable Senator Gustafson has already been conveyed to the Minister of Agriculture. The work of the House of Commons committee will be taken into serious account. As the honourable senator said, they have been very diligent about their duties, and any resulting report will obviously be taken very seriously by the minister and his cabinet colleagues. Hopefully, this report will be forthcoming in a reasonably short period of time.

**Senator Gustafson:** Honourable senators, I have before me a news release indicating that the farm crisis program is an absolute failure and that Ontario and Saskatchewan are pulling out. We are only a few days away from moving into the next millennium, the next generation, and the next century. We have been hearing about and discussing this situation for one-and-one-half years. Nothing has come forward yet that has been workable.

I cannot emphasize enough the seriousness of the situation. It is important that the Prime Minister, the Minister of Agriculture and cabinet listen. I can say positively that the Senate has listened. I believe that the Standing Senate Committee on Agriculture and Forestry certainly responded positively. The question is whether the government will respond. This is most important.

**Senator Boudreau:** Honourable senators, the honourable senator refers to two provinces which have indicated their unhappiness with the existing safety net programs, but the reasons for their unhappiness differed quite significantly. The Province of Ontario believes that not enough of the safety net was provided to their particular area, and, by extension, one would conclude that they believe that too much of the safety net has been extended elsewhere.

The federal and provincial agricultural ministers have just concluded a meeting in Toronto. That issue was on the table, and I believe that is where some of those statements arose. The ministers agreed that the process should be ongoing and not end with the termination of the conference.

I believe that the Commons agriculture committee report will indeed have something positive and substantial to contribute to the ongoing discussion between the federal government and the provinces.

## DELAYED ANSWERS TO ORAL QUESTIONS

**Hon. Dan Hays (Deputy Leader of the Government):** Honourable senators, I have a response to questions raised in the Senate on November 24, 1999 by Senator Tkachuk and Senator Stratton regarding the cost of the gun registration program, and a response to a question raised in the Senate on November 25, 1999 by Senator Forrestall regarding the replacement of the Sea King helicopter fleet and his request for a copy of the statement of requirements.

## JUSTICE

### COST OF GUN REGISTRATION PROGRAM— RESPONSIBILITY OF MINISTER

*(Response to questions raised by Hon. David Tkachuk and Hon. Terry Stratton on November 24, 1999)*

The figure of \$85 million is not the only figure Minister Rock estimated. It is a partial extraction of information presented by Minister Rock in April of 1995 to a House of Commons Committee. That documentation estimated the cost of firearms control for 5 years to be \$184 million. The \$85 million would be required to set up the system. The balance of the estimate included running the former system (C-17) and operating the new system.

As the legislation passed through Parliament in 1994, new features were added including spousal notification and more astringent background checks for license applicant.

Subsequent to the legislation passing the House but prior to completing the building and implementation of the system, the provinces of Alberta, Saskatchewan and Manitoba together with the Northwest Territories and the Yukon announced that they would not administer the program in their jurisdictions. All of these events added to the cost of setting up and implementing the system. The Minister of Justice has been saying since 1998 that the original \$85 million for building and implementing the system had increased to \$120 million.

It is important to recall that the overall costing of this program is comprised of three elements: Running the old system; building and implementing the new system; operating the new system.

With the implementation of the new system December 1, 1998, our obligations to run the old system were largely terminated, as were the initial construction and implementation costs. The cost of running the former system was about \$12 million per year and those costs ended December 1, 1998. The cost of building and implementing the new system was \$120.4 million. The cost of running the new system depends upon three independent factors: the timing citizens choose to enter the system in compliance with the legislation; the costs of overcoming start-up problems; the final costs of our agreements with provinces for their administration of this program.

In the end, we expect the average costs of administration of the *Firearms Act* to be comparable to other national administrative system such as Passport Office and the Intellectual Property Registry. We are in the final stages of negotiation with provinces respecting the Service Delivery Model that will govern federal payments to jurisdictions for their administrative costs.

That we have had problems with respect to our implementation is a matter of public record. We commissioned a study by a major consulting firm to assist us to identify the reasons for our processing difficulties and potential solutions. They reported in June of this year indicating that there were problems concerning high rates of error on applications sent for processing by the new system, system capacity, and productivity errors arising from our business practices. The report noted that the type of problems we are experiencing are normal for an undertaking of this size at this stage of implementation. We have developed an action plan for dealing with these difficulties.

The money approved to run this program is provided within the context of the Effective Project Approval (EPA) decision rendered by Treasury Board, consistent with their Major Crown Project policy. For every fiscal year between

1995/1996 and 1998/1999, this program has operated within the budget envelope described in the EPA. Dealing with the start-up problems noted above will add a significant challenge to administration of the program for the fiscal year 1999/2000. The Minister of Justice and the Canadian Firearms Centre are committed to operating this program successfully within the limit approved by Treasury Board. No distribution of monies to the program can be made without Board concurrence. All parties are committed to delivering an effective program within those constraints.

A variety of reports are available for reporting the financial situation of this program. These include the Departmental Performance Report and the report on Plans and Priorities.

### NATIONAL DEFENCE

#### REPLACEMENT OF SEA KING HELICOPTER FLEET— REQUEST FOR COPY OF STATEMENT OF REQUIREMENTS

*(Response to question raised by Hon. J. Michael Forrestall on November 25, 1999)*

As the Minister has said on numerous occasions, the Sea King helicopters need to be replaced. In fact, the Minister confirmed that the Maritime Helicopter Project is his number one equipment priority and that a procurement strategy is being developed.

The Statement of Requirements will not be tabled in this Chamber at this time. As the Minister has previously indicated, in addition to the Statement of Requirements, a number of issues regarding the procurement strategy of the MHP must also be carefully examined, and other Government Departments have to be consulted. The Government will make an announcement when these issues have been addressed.

### VISITOR IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, before I call the Orders of the Day, I draw your attention to a distinguished visitor in the gallery. It is Mr. Blair Morin, who is a leader and councillor of the Enoch Cree Nation.

On behalf of all honourable senators, I wish you welcome to the Senate.

## ORDERS OF THE DAY

### PERSONAL INFORMATION PROTECTION AND ELECTRONIC DOCUMENTS BILL

#### THIRD READING

On the Order:

Resuming debate on the motion of the Honourable Senator Kirby, seconded by the Honourable Senator Bryden, for the third 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, as amended,

And on the motion in amendment of the Honourable Senator Murray, P.C., seconded by the Honourable Senator Doody, that the Bill be not now read a third time but that it be amended in clause 7, on page 7:

(a) by deleting lines 16 to 22; and

(b) by renumbering paragraphs (h.1) and (h.2) as paragraphs (h) and (h.1), and any cross-references thereto accordingly.

**Hon. Michael Kirby:** Honourable senators, I rise to speak to the amendment to the bill which was moved yesterday by Senator Murray in his most entertaining address. There is no question that his Cape Breton background certainly comes to the fore when he launches a speech in this house. I would not attempt by any means to match his performance but rather will deal with the substance of what he said. That is clearly easier.

Let me make it clear that I am not in complete disagreement with what the honourable senator said yesterday. Senator Murray has raised a point for which there are legitimate and valid concerns. He asked why our privacy rights should be extinguished 20 years after we are in the grave. As Senator Murray pointed out yesterday, for a number of people, particularly people in public life like him, this is a matter of some concern. Having known Senator Murray for some time, I understand why he might be uneasy about that.

• (1510)

When this matter was raised in committee, the government members of the committee felt strongly that it would be a mistake for the committee to adopt this amendment. We felt it would be a mistake to adopt the amendment in light of the fact that we had heard relatively little evidence on it. This is in contrast to the amendment in relation to the health care sector that was adopted at report stage on Tuesday. On that amendment,

we heard from a significant number of witnesses. We had many hours of testimony from a wide cross-section of witnesses. As I indicated yesterday, on the health care issue, the committee was of unanimous agreement that the amendment ought to be passed. We are delighted that this chamber adopted the amendment yesterday.

The issue Senator Murray raised yesterday is that a certain provision in Bill C-6 has the effect of removing the privacy protection contained in that bill 20 years after an individual dies.

In the limited evidence we heard on that subject, we heard that the so-called 20-year rule exists in other legislation, notably the Privacy Act and the National Archives of Canada Act.

We also heard that it is not as if, under this bill, any request for information will automatically be honoured some 20 years after a person's death. As Industry Canada officials pointed out in their testimony before the committee, this bill does not completely extinguish privacy rights of the deceased 20 years after their death. It allows disclosure only for purposes for which the data was originally collected and only for purposes for which the individual would have had to give consent for its collection in the first place.

We also heard from a privacy expert, Mr. Ian Lawson, who argued — it was a unique argument that neither Senator Murray nor I had heard before — that there is a legal principle that one's rights should not be enforceable after one has died. In effect, Mr. Lawson's argument was interesting. He based it on the logic that one cannot give consent after one has passed away. That seemed to be a practical issue, except, as Senator Murray and I both pointed out to him, that this is where heirs and family members clearly become an issue. Neither Senator Murray nor I gave much weight to Mr. Lawson's testimony.

Another expert witness on privacy, Valerie Steeves, made an interesting observation. Although she had testified on this bill before the House of Commons, was testifying before us and had been involved with this bill for a long time, until Senator Murray raised his question with her last week, that issue had never crossed her mind. She had never been asked a question about it. It had never been raised by any of the people with whom she consults.

Therefore, honourable senators, this is not an issue on which any of the witnesses before the committee had any knowledge or had thought about. It is a provision that is in other acts, including the Privacy Act. As honourable senators know, the Privacy Commissioner, Mr. Phillips, now administers the Privacy Act.

Honourable senators, it seemed to me and to the majority members of the committee that, in conjunction with the work that I spoke about yesterday concerning the need for the government to undertake a substantial revision of the Privacy Act to bring government into line with the provisions Bill C-6 imposes on the private sector, part of that study should clearly include a study of the so-called 20-year rule and that it should be done in depth and quickly. It was our view that simply changing Bill C-6 and ignoring various other federal acts would create a double standard of protection between the private sector and government, one that has been created already, in part, by the differences between Bill C-6 and the Privacy Act. Those of us on the majority side of the committee preferred to deal with that issue at one time. In other words, changes to the Privacy Act and the National Archives of Canada Act should be done at the same time.

Honourable senators, that is the main comment I have to make to Senator Murray. I agree with him in terms of the issue he raised and in terms of its substance. It is my view and the view of the majority members of the committee that this is a timing issue. It should be dealt with when we deal with the changes to the Privacy Act that will be coming down the road.

Therefore, honourable senators, my view is that this is not the appropriate time to proceed with this amendment, even though the spirit and intent of it are not things with which I have difficulty. My great difficulty is with its timing. I hope we look at this issue again, when presumably the Privacy Act, under pressure from this committee, comes back before the committee within the next few months.

**The Hon. the Speaker:** Honourable senators, if no other honourable senator wishes to speak, the question is on the motion in amendment of the Honourable Senator Murray.

Will those honourable senators in favour of the motion in amendment please say "yea"?

**Some Hon. Senators:** Yea.

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

**Some Hon. Senators:** Nay.

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

*And two honourable senators having risen:*

**The Hon. the Speaker:** I have been informed by the whips that there is agreement on a 30-minute bell. Is there leave from honourable senators for a 30-minute bell?

**Hon. Senators:** Agreed.

**The Hon. the Speaker:** The vote will take place at 3:45 p.m. Call in the senators.

• (1540)

Motion in amendment negated on the following division:

### YEAS

#### THE HONOURABLE SENATORS

Andreychuk	Keon
Angus	Kinsella
Atkins	LeBreton
Beaudoin	Lynch-Staunton
Berntson	Meighen
Carney	Murray
Cochrane	Nolin
Comeau	Rivest
DeWare	Roberge
Doody	Roche
Forrestall	Rossiter
Ghitter	Simard
Grimard	St. Germain
Gustafson	Tkachuk—29
Johnson	

### NAYS

#### THE HONOURABLE SENATORS

Adams	Joyal
Bacon	Kenny
Boudreau	Kirby
Callbeck	Kroft
Carstairs	Losier-Cool
Chalifoux	Maheu
Christensen	Mercier
Cook	Milne
Cools	Pearson
Corbin	Pépin
Fairbairn	Perrault
Ferretti Barth	Perry Poirier
Finestone	Poulin
Finnerty	Poy
Fitzpatrick	Robichaud
Fraser	( <i>L'Acadie-Acadia</i> )
Furey	Robichaud
Gauthier	( <i>Saint-Louis-de-Kent</i> )
Gill	Ruck
Grafstein	Stollery
Graham	Taylor
Hays	Watt—43.
Hervieux-Payette	

### ABSTENTIONS

#### THE HONOURABLE SENATORS

Prud'homme—1.

**The Hon. the Speaker:** Honourable senators, the question is now on the motion by the Honourable Senator Kirby, seconded by the Honourable Senator Bryden, that Bill C-6 be now read the third time.

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

**Hon. Senators:** Agreed.

Motion agreed to and bill read third time and passed.

• (1550)

### SPEECH FROM THE THRONE

#### MOTION FOR ADDRESS IN REPLY—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Kroft, seconded by the Honourable Senator Furey, for an Address to Her Excellency the Governor General in reply to her Speech from the Throne at the Opening of the Second Session of the Thirty-sixth Parliament.—(*7th day of resuming debate*)

**Hon. Leonard J. Gustafson:** Honourable senators, I rise to speak on the Speech from the Throne. This is an opportunity to express how I feel about what was in the Throne Speech and what was not in the Throne Speech.

Honourable senators, I listened carefully to the Speech from the Throne. I am a third generation farmer, whose grandchildren are fifth generation farmers. My grandfather came from Sweden to farm in Canada in 1905, and he became a very proud Canadian. I listened with attentive ears to the Speech from the Throne to hear whether there was any mention of agriculture. There was none.

In speaking about this situation, I must say that we farmers are proud people. However, during the last few days I have seen men weep, I have seen them break down, and I have heard them say that it is demoralizing to need to get up and complain and talk about this situation. The women, on the other hand, are much better at being very blunt about the situation that they and their families are facing because of hardship.

I know that honourable senators on the other side have heard, as I have in committee, about their problems and their serious situations. I see the Honourable Senator Joyce Fairbairn, who is the deputy chair of the Agriculture Committee, nodding her head. We heard again this morning from the soft wheat growers in Alberta and the problems they are having. I take no joy in delivering these words today. I do so because of what we have heard and the importance that this government should place, and I hope will place, on doing something about the agricultural situation.



Honourable senators, I make this statement: This government, the Senate and the House of Commons, the Prime Minister of Canada and the people of Canada, cannot ignore the serious crisis facing the agricultural community because it is a very serious national problem for the whole country. It not only affects Saskatchewan, Manitoba and Alberta, but the country as a whole.

Are all farmers doing badly? No. I wish to be very clear and honest about that. Dairy and chicken producers, and some other areas, are doing quite well and we do not wish to take their success from them. We, as grain farmers, need their support. One of the senators on the other side has cattle, and we have the highest prices in cattle that we have seen for many years. Therefore, they are doing quite well in the cattle industry.

The grain producers are hurting quite severely because of low commodity prices. I have never seen them so low. I recently delivered a B-train of wheat to the Weyburn terminal from my farm. It was not a good grade of wheat. It had frozen due to the fact that we seeded late because of the wet conditions. The total return for that load of grain was \$3,600 gross. The cheque for that B-train of wheat was \$1,400.

Yesterday I talked to a man in Regina who delivered some feed wheat. He received 75 cents a bushel. I told him that he would get a bill. We hear stories of this kind of thing happening. The price of grain has been very low. Flax dropped approximately 40 cents again yesterday. The price is now around \$4. It was near the \$9 mark a year ago. Canola prices were \$8.50 a year ago and today are \$5.41. The average income for a farmer in Manitoba is the lowest it has been in this century. Saskatchewan is not quite as bad, where the average income is the lowest it has been since 1933. Those are the numbers we are getting from the agricultural departments.

We are facing a serious problem. Because of the actions of government we not only have low commodity prices, but we face some other very serious problems, especially in freight rates. Again and again, farmers have stated that one-third of their income from delivering grain goes to freight the grain out of the country because we are landlocked. We heard this morning from the soft wheat growers in Alberta, who laid out important issues regarding the cost of freighting their grain.

Of course, that raises other subjects. It raises the subjects of roads and infrastructure which are changing. I suppose some of those changes needed to come. The grain elevator at Macoun was bulldozed. I was down to Seattle and during that time I ran into my grandson. He asked how I could have let that happen. That becomes an emotional thing, because in the Prairies people are used to seeing an elevator every nine miles, and they are part of the landscape.

With some of these issues, change was needed. I realize that. However, those changes could have come quite differently. I do not wish to politicize this matter, but I must raise some of the programs that were there as safety nets for farmers when there was a Conservative government. There was the GRIP program,

which was a positive program for us. I believe it was Senator Hays who said to me time and again in the committee that we should be getting on with the work of fixing up these safety net programs. It was not a perfect program, but we need some long-term programs to go ahead.

Perhaps we are all to blame to some extent. We had some pretty good years when we did not pay that much attention and, of course, the most important thing then was that the deficit situation be brought under control. I think we all agree that the deficit was getting out of hand. On the other hand, there are certain things we failed to do in agriculture which, if they had been done, would have kept us from the serious situation in which we now find ourselves.

• (1600)

Honourable senators, that brings me to the AIDA program. The government has put money into this program, but it is not working. We have heard time and again that it is not working. I can name farmers who have received some money, but they are the wrong people. For instance, the program worked for a farmer who did not diversify because he had oil wells and other big income but stayed with wheat. That is because if you average wheat prices over the last three years, you will see that they were fairly high, after which the prices dropped. I know one farmer who received \$40,000. I know another who received \$38,000. I know one farmer who was supposed to have received \$75,000. All these farmers are in the oil business. They said, "We have other income. Why should we change our operation and diversify?" They did not diversify and the program worked for them. The farmer who diversified and expanded and grew canola, for example, did not receive anything, yet he had additional expenses. The program needs a serious overhauling. I think it is agreed that that must be done.

In my opinion, what would have worked — and this opinion was expressed by farmers in Regina and Estevan during the meetings I attended — is a direct injection of capital. It could have taken the form of an acreage payment. I do not care what it is called. It should have been across the board and injected into agriculture to take care of some of the serious needs.

How serious are those needs? There are crisis situations, which often lead to social problems. Some of the stories are too drastic to tell. They have been told at meetings where people have broken down and wept over their situations. Some say there have been up to 15 suicides directly related to this situation. There is a lot of pride in being a farmer. As one gentleman in Estevan said the other day, "My grandparents came from Russia. I never heard my grandparents say one thing about this country that was not good, not one thing." His grandparents, along with a milk cow, made their way through Russia. The grandmother milked cows until she was 82 years of age. She never let them forget that that first milk cow saved her two boys and helped them get to Canada. He said that his grandparents were proud Canadians. He said, "I hope I can be as proud a Canadian to my children and leave them the farm and the heritage my grandparents left me."

The government has to make some serious decisions, and I believe that it will do the right thing. I give them that much credit, after having heard all that has been said and after considering all that is being done to make the media and the government aware of the situation. The standing committee of the other place was most receptive when it heard testimony on this matter. I was asked by the Minister of Agriculture of Saskatchewan to help him make their presentation to the standing committee. They listened well. They will bring back a report that will say many of the things that I am saying here today. I hope that the response will be a positive one for our farmers.

Social issues relate not only to the family and to the farm, but to the community.

**The Hon. the Speaker *pro tempore*:** The Honourable Senator Gustafson's speaking time has elapsed. Is the honourable senator asking for leave to continue?

**Senator Gustafson:** Yes, I am.

**The Hon. the Speaker *pro tempore*:** Honourable senators, is it agreed?

**Hon. Senators:** Agreed.

**Senator Gustafson:** I wish to say a few words about the impact of this situation on communities and the impact of any positive measures taken by the government. Every tractor dealership is a little factory. There are mechanics working in them. If they do not have work, they will have to collect employment insurance. One way or the other this will have social costs. It will cost the communities and the country. These people create jobs. They recondition tractors, trucks and machinery. The whole community benefits as a result of their work. If \$1 is spent on agriculture, it multiplies seven times, which is a whole other subject. I do not have time to get into the importance of that subject.

Agriculture is the third largest economy builder in Canada. There are great returns to the treasuries of Canada from agriculture. We cannot afford to let the industry down. Every member of the Senate has a responsibility, not only at the national level but in the areas they represent, to ensure that our government takes positive steps to help our farmers in agriculture in both the short term and the long term.

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

• (1610)

## 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

[ Senator Gustafson ]

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. Ione Christensen:** Honourable senators, I rise to give support to Bill S-2, to facilitate the making of legitimate medical decisions regarding life-sustaining treatments and the controlling of pain.

For the last 15 years, I was privileged to be the principal caregiver for, first, my parents and then a very old friend and teacher who had no family and required daily care. As each of these three persons reached the stage where palliative care and pain control was needed, I was the person trusted to ensure that their wishes were carried out. In all three cases, we first had extensive discussions of what their wishes were regarding life-sustaining treatment and pain control, and we then discussed that matter with their doctors and ensured that their wishes were noted on their charts.

With all these persons in their last days, pain control and the starting of artificial hydration and nutrition treatments became an issue, and I was called upon to reaffirm their wishes as they were no longer able to do so themselves. In two cases, I did have enduring power of attorney, but, with all three, I knew what they wanted and was able to follow through on their wishes.

What would have happened if I had not been there? I found that the doctors and the professional caregivers hesitated to withhold treatment that would sustain life. They were in a grey area, and it is just that grey area which this bill addresses.

National guidelines, the promotion of public awareness and, most of all, professional training in palliative care are very badly needed. As we move into the new millennium, a large proportion of our population will require such care, and we must be prepared to meet that need.

I thank Senator Carstairs and other senators who have been instrumental in promoting this issue.

**The Hon. the Speaker *pro tempore*:** Honourable senators, this item will again stand in the name of Senator Lavoie-Roux.

[*Translation*]

## LIBRARY OF PARLIAMENT

### FIRST REPORT OF JOINT COMMITTEE ADOPTED

The Senate proceeded to consideration of the first report of the Standing Joint Committee on the Library of Parliament (mandate of committee), presented in the Senate on December 8, 1999.—(*Honourable Senator Robichaud, P.C. (L'Acadie-Acadia)*).

**Hon. Louis J. Robichaud:** Honourable senators, I move the adoption of this report.

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

**Hon. Senators:** Agreed.

Motion agreed to and report adopted.

## OFFICIAL LANGUAGES

### FIRST REPORT OF JOINT COMMITTEE ADOPTED

The Senate proceeded to consideration of the first report of the Standing Joint Committee on Official Languages (quorum), presented in the Senate on December 8, 1999.—(*Honourable Senator Losier-Cool*).

**Hon. Rose-Marie Losier-Cool:** Honourable senators, I move the adoption of the report.

**Hon. Serge Joyal (The Hon. the Acting Speaker):** Is it your pleasure, honourable senators, to adopt the motion?

**Hon. Senators:** Agreed.

Motion agreed to and report adopted.

[*English*]

## REVIEW OF ANTI-DRUG POLICY

### MOTION TO FORM SPECIAL SENATE COMMITTEE— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Nolin, seconded by the Honourable Senator Cohen:

That a Special Committee of the Senate be appointed to reassess Canada's anti-drug legislation and policies, to carry out a broad consultation of the Canadian public to determine the specific needs of various regions of the country, where social problems associated with the trafficking and use of illegal drugs are more in evidence, to develop proposals to disseminate information about Canada's anti-drug policy and, finally, to make recommendations for an anti-drug strategy developed by and for Canadians under which all levels of government to work closely together to reduce the harm associated with the use of illegal drugs;

That, without being limited in its mandate by the following, the Committee be authorized to:

- review the federal government's policy on illegal drugs in Canada, its effectiveness, and the extent to which it is fairly enforced;

- develop a national harm reduction policy in order to lessen the negative impact of illegal drugs in Canada, and make recommendations regarding the enforcement of this policy, specifically the possibility of focusing on use and abuse of drugs as a social and health problem;

- study harm reduction models adopted by other countries and determine if there is a need to implement them wholly or partially in Canada;

- examine Canada's international role and obligations under United Nations conventions on narcotics and the Universal Declaration of Human Rights and other related treaties in order to determine whether these treaties authorize it to take action other than laying criminal charges and imposing sentences at the international level;

- explore the effects of cannabis on health and examine whether alternative policy on cannabis would lead to increased harm in the short and long term;

- examine the possibility of the government using its regulatory power under the *Contraventions Act* as an additional means of implementing a harm reduction policy, as is done in other jurisdictions;

- examine any other issue respecting Canada's anti-drug policy that the Committee considers appropriate to the completion of its mandate.

That the Special Committee be composed of five Senators and that three members constitute a quorum;

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

That the briefs received and testimony heard during consideration of Bill C-8, *An Act respecting the control of certain drugs, their precursors and other substances*, by the Standing Senate Committee on Legal and Constitutional Affairs during the Second Session of the Thirty-fifth Parliament be referred to the Committee;

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

That the Committee be granted leave to sit when the Senate has been adjourned pursuant to subsection 95 (2) of the *Rules of the Senate*; and

That the Committee submit its final report not later than three years from the date of its being constituted.—(*Honourable Senator Kenny*)

**Hon. Colin Kenny:** Honourable senators, I rise today pursuant to the Honourable Senator Nolin's motion to form a special committee of the Senate to reassess Canada's anti-drug legislation and policies. The time has come to re-examine our current strategies to address the problems of drug use.

Honourable senators, it is apparent to all of us that there has been a change in the attitudes of Canadians toward drug-control policies and their results. There is greater recognition among Canadians that current policies are not producing the desired results. Significant sums of money are being invested in policing drug use while related health and social problems continue and expand.

Creating a special committee with the proposed broad mandate would be an ideal forum to consult with members of the public. This process would help determine the specific needs of various regions. Legal and medical experts would recommend an anti-drug strategy that takes into account legal matters, health problems and financial questions.

Honourable senators, this is a pressing issue. Already, more than a year has passed since Dr. Diane Riley put forth her report in November of 1998 on drugs and drug policy in Canada, prepared for Senator Nolin. The time has now come for us to evaluate the views and values of Canadians, and to take into account the costs and benefits of current policies. Information on alternative drug approaches and models adopted by other countries would help determine what policies to develop in Canada. Legal issues, health problems and financial concerns relating to drug use are increasing and becoming more complex daily. Because the issue is a sensitive one, governments too frequently step aside on the issue. It is not in Canada's or Canadians' interests to do this any longer.

The first recommendation of Dr. Riley's report was that there be an inquiry into drug policy in Canada and its relationship to domestic and international law, including human rights standards. She also said that this inquiry should examine drug policies and programs in other countries. Since that report was tabled, no such inquiry has taken place.

Senator Nolin has done us all a service by reminding us that there are important issues surrounding drug use that need to be addressed. There is a need for dependable information on drug use in Canada. Because a special committee of the Senate would have the power to examine witnesses, send for papers and records, and hear briefs and evidence, the final report would be a reliable source of objective information. A special committee would provide the necessary perspective, analysis and reflection required to develop potential solutions to the problems surrounding drug-use and drug-control policies in Canada.

• (1620)

Needless to say, there is great interest on the government's part in the outcome of such a study, and it is a great opportunity for the Senate to show leadership on a very important issue.

Honourable senators, I am urging you to support Senator Nolin's motion to create a special committee for the purpose of studying illegal drug use in Canada.

On motion of Senator Hays, debate adjourned.

## PERSONAL INFORMATION PROTECTION AND ELECTRONIC DOCUMENTS BILL

MOTION TO INSTRUCT SOCIAL AFFAIRS, SCIENCE  
AND TECHNOLOGY COMMITTEE TO DIVIDE BILL  
INTO TWO BILLS—ORDER WITHDRAWN

On the Order:

Resuming debate on the motion of the Honourable Senator Murray, P.C., seconded by the Honourable Senator Beaudoin:

That it be an instruction to the Standing Senate Committee to which Bill C-6 will be referred: That they have the power to divide 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, into two Bills; the first consisting of Part 1 and Schedule 1 with Titles and a coming into force clause and the second consisting of the remainder of the Bill and Schedules 2 and 3 with Titles; that any proceedings on the second Bill may stand postponed until after the consideration of the first Bill; that either Bill may be reported to the Senate as soon as it has been considered; and that, notwithstanding the usual practice, the Senate give this instruction at any time while the Bill is before the Senate, even after committee consideration of the Bill has commenced.—(*Honourable Senator Kirby*).

**Hon. Noël A. Kinsella (Deputy Leader of the Opposition):** Honourable senators, I cannot see how Order No. 22 can continue to stand. The bill has been disposed of and a message has been sent to the other place. We are not seized of Bill C-6. It must be struck from the Order Paper.

**Hon. Dan Hays (Deputy Leader of the Government):** Agreed.

**The Hon. the Speaker pro tempore:** Is it agreed, honourable senators, to withdraw this motion from the Order Paper?

**Hon. Senators:** Agreed.

Order withdrawn.

## RELIGIOUS FREEDOM IN CHINA IN RELATION TO UNITED NATIONS INTERNATIONAL COVENANTS

### INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Wilson calling the attention of the Senate to religious freedom in China, in relation to the UN international covenants.—(*Honourable Senator Di Nino*).

**Hon. Consiglio Di Nino:** Honourable senators, in honour of Human Rights Day tomorrow, I should like to participate in this inquiry. I am pleased to rise to participate in the inquiry, initiated by our colleague Senator Wilson, on religious freedom in China. As well, I should like to take this opportunity to comment on some remarks made by Senator Austin, both on this subject and on the contiguous issue of human rights in China.

I found the general tone of the Honourable Senator Wilson's speech to be positive and forward looking — perhaps, if truth be told, a touch too positive here and there. Her Chinese hosts must have been very inspirational. I was somewhat mystified, however, by her remarks concerning the spiritual group Falun Gong, of which I will have more to say in a moment. Senator Wilson said her "religious partners" — by that I gather she means the established churches — view the Falun Gong as a destabilizing and harmful, foreign-influence organization. I am not sure on what facts, if any, they based this rather bold assertion. I have certainly seen nothing that would lead me to a similar conclusion.

As Senator Wilson is no doubt aware, the Chinese constitution guarantees freedom of belief. Why, then, do her religious partners and, by extension, I presume the honourable senator herself as well, single out the Falun Gong? Is it because it is not one of China's five official religions? If so, I am disappointed. I would have thought that a person of Senator Wilson's stature in the religious community and her obvious experience would hold more tolerant opinions. Surely, she agrees that choosing a spiritual path is a personal choice. It is not something that can be dedicated or dictated by government.

In passing, I read this morning that there are a reported 30 million Chinese Christians who are subject to arrest, beatings and jail by Chinese authorities. Apparently, they do not attend officially sanctioned places of worship. I would be interested to know if Senator Wilson or her partners raised this issue with their hosts during their visit to China.

Honourable senators, before we rose for the summer break, Senator Austin took me to task over some remarks I made concerning human rights in China. The gist of his remarks was

that I am too confrontational, that we should be more accommodating to the Chinese. In other words, we should overlook some of the abuses occurring there. I, obviously, cannot and do not agree. Senator Austin and his colleagues in government would have us believe that our relationship with China has benefited Canada and Canadians enormously. According to them, everyone is a winner. It is a nice picture, but it is not totally true.

Honourable senators, our relationship with China is based on three major components. The first is immigration. I was first introduced to China and the Chinese in the late 1950s, when I was a young banker in Chinatown in Toronto. Over the years, I have kept in touch with various members of the Chinese community, and I can say without reservation that their presence has been a boon to our country. Chinese Canadians have made an immense contribution to Canada. They have worked hard and they have been honest and loyal citizens. They have broadened and enriched our culture. Canada has clearly been the big winner as far as Chinese immigration is concerned. However, the same, in my opinion, cannot be said of the second component in our relationship with China, which is business and trade.

In the years leading up to 1993, this relationship was relatively stable. The trade numbers were about equal. I think they were somewhere in the range of \$2.5 billion each way annually. All this changed when this present government came to office. Since 1993, Canadian taxpayers have been forced to subsidize, for unknown millions of dollars, attempts by Mr. Chrétien and his colleagues to increase Canada's opportunities and presence in China. The results have been dismal, to say the least. In fact, since that time, Canada's exports to China have steadily declined in dollar value while imports have more than doubled. As a matter of fact, I think it is closer to being triple.

The third component of our relationship with China deals with the role Canada has traditionally played as a proponent of human rights. Once upon a time, honourable senators, Canadian governments promoted values and ideals that were the envy of the world. Unfortunately, as we all know, when it comes to China this is not the case. Today, we are just another set of businessmen seeking contracts. We have abandoned any pretence that there should be a link between human rights and trade. Prime Minister Chrétien says that we are too small to influence China. Honourable senators, we are not too small to criticize Russia over its action in Chechnya. We make sombre statements about atrocities in Rwanda and Burma. We rattle our sabre over Cuba. However, in the case of China we are too small.

Mr. Chrétien tells us that he is great pals with the Chinese leadership. Why does he not act on this friendship? Our best friends in the world are the citizens of the United States of America. We are not too small to criticize them. We do it all the time. When they do things we do not agree with, we tell them — and forcefully so. That is the way it should be. It is not considered confrontational or provocative. Why can we not do the same with China? Why this special treatment of the Chinese government?

Senator Austin assures us that China has made enormous progress over the past two decades in the area of human rights. He claims that Chinese people are better off now than they have been "at any time in the last several centuries." If this is in fact so, why are so many Chinese people trying to leave no matter how dangerous the journey, how leaky the vessel, or uncertain the outcome? Why is the Chinese government so committed to forcefully keeping Chinese citizens within the country's borders?

Honourable senators, this past summer, few short weeks after Senator Austin assured this chamber that China had changed for the better, the Chinese government arrested more than 30,000 of its citizens. Since then, it has continued to arrest more. I repeat: The Government of China has arrested 30,000 people. Their crime? According to the Chinese government — and, I presume, Senator Wilson's religious partners as well — it was belonging to the Falun Gong spiritual movement I mentioned a minute ago. In addition to arresting all these people, the government ordered more than 1.5 million cassettes, pamphlets, and so on, related to the movement confiscated or destroyed. There were even public book burnings.

Honourable senators, somehow it is hard to imagine book burnings at the dawn of the third millennium. The inquisition burned books; so did the Nazis. Now, it seems, the Communist Chinese have added their name to this short yet infamous list — and Senator Austin calls this progress.

• (1630)

Honourable senators, my aim in talking about the issue of human rights is not to demonize the Chinese. I truly believe that the Chinese people, those who know, are also appalled by what is happening in their country. My criticism is directed at the Chinese government, not the people of China.

I submit to you that, if we continue to do nothing of substance, the situation will never change. In fact, it will get worse. The Prime Minister says Canada cannot make a difference. Why, then, is his government telling the world it thinks human rights are important?

In a meeting of the Foreign Affairs Committee the other day, we were given a briefing note prepared by the Library of Parliament. In it, members could read that the projection of Canadian values and culture is one of the pillars of Canadian foreign policy. It is one of the fundamental objectives. Are not human rights part of Canada's values? Obviously the answer is "yes".

The note also referred to a document entitled "Canada in the World." According to this document, Canada can make an important contribution to international security by promoting Canadian values, including respect for human rights, democracy, and the rule of law. Why are we not doing this with China? Why are we not promoting our values in our relations with them? All we seem to hear about are high-level, behind-closed-door meetings, plurilateral symposia, cooperative initiatives, and

dialogue projects. Where have these different bureaucratic meetings taken us since 1993? I would suggest not very far.

If the government believes religious freedom and human rights are fundamental pillars of its foreign policy, it should say so to the world, without exception. It should show by its actions that it has the courage of its convictions. Why is the Prime Minister not standing up on the world stage and criticizing the foreign occupation of Tibet or the religious persecution the Falun Gong in China? Is the lure of trade that strong, or are the supposed bonds of his friendship with the Chinese leadership that weak?

Senator Wilson tells us her religious partners in China believe the Falun Gong are a threat to stability in China. It is funny how that works. The Buddhists are not, the Catholic and Protestants are not, and neither apparently are the believers in the Prophet or those who follow the teachings of Taoism. It is just the members of the unofficial Falun Gong.

Honourable senators, on Monday of this week, the American president, Mr. Clinton, unlike his counterpart here, addressed this issue publicly. He called the mass imprisonment of Falun Gong members:

...a troubling example of a government acting against those who test the limits of freedom.

He went on to say:

The Chinese government's targets are not political dissidents, and their practices and beliefs are unfamiliar to us. But the principle must surely still be the same: freedom of conscience and freedom of association.

I would add that Mr. Clinton's remarks followed a similar expression of opinion last month by both Houses of the American Congress. In a concurrent resolution, both the House of Representatives and the Senate urged China to stop its persecution of the Falun Gong. The resolution pointed out, and rightly so, that the banning of the Falun Gong violates China's own constitution. It is also contrary to the International Covenant on Civil and Political Rights and the Universal Declaration of Human Rights.

Honourable senators, as Canadians finish celebrating Hanukkah and begin preparing for Christmas, we should all reflect on the fundamental values that these traditions represent. The Festival of Lights, the birth of Christ, and other similar celebrations remind us that there are transcendent values that all humans share and cherish. They remind us as well that there are places in the world where these values are denied and where the people who espouse them are persecuted. It is an appropriate time, I believe, for those of us who enjoy the fruits of liberty and democracy to pray for those of our fellow human beings who are denied them. In our prayers, honourable senators, we should ask that this government come to its senses and reclaim Canada's position as a leader in human rights everywhere in the world.

On motion of Senator Poy, debate adjourned.

[Translation]

### THE ESTIMATES, 1999-2000

MOTION TO AUTHORIZE NATIONAL FINANCE COMMITTEE TO  
STUDY ESTIMATES—MOTION IN AMENDMENT—ORDER STANDS

On the Order:

Resuming debate on the motion of the Honourable Senator Murray, P.C., seconded by the Honourable Senator Beaudoin:

That the Standing Senate Committee on National Finance be empowered to examine and report upon the expenditures set out in the Estimates for the fiscal year ending March 31, 2000; and

That the Committee present its report no later than March 31, 2000;

And on the motion in amendment of the Honourable Senator Robichaud, P.C. (*Saint-Louis-de-Kent*), seconded by the Honourable Senator Hervieux-Payette, P.C., that the motion be amended by adding, after the words “Estimates for the fiscal year ending March 31, 2000”, the following:

“with the exception of Fisheries and Oceans Votes 1, 5 and 10;

That the Standing Senate Committee on Fisheries be authorized to examine the expenditures set out in the Estimates for Fisheries and Oceans for the fiscal year ending March 31, 2000; and

That the Committee report no later than March 31, 2000.”—(*Honourable Senator Corbin*).

**Hon. Eymard G. Corbin:** Honourable senators, this motion stands in my name. I asked that debate on this motion be adjourned to protect the interests of the Committee on Foreign Affairs. In other words, I adjourned debate on behalf of Senator Stollery, who is not here at this time. I ask that this order now stand in the name of Senator Stollery.

Order stands.

[English]

### LA FRANCOPHONIE SUMMIT

INQUIRY—DEBATED ADJOURNED—ORDER STANDS

On Inquiry No. 1, by the Honourable Senator Gauthier:

That he will call the attention of the Senate to the recent Francophonie Summit, which was held in Moncton September last.

**Hon. Dan Hays (Deputy Leader of the Government):** Honourable senators, with leave of the Senate and

notwithstanding rule 27(3), I request that this inquiry stand until the Christmas adjournment.

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

**Hon. Senators:** Agreed.

**Senator Hays:** I will provide an explanation, if senators wish.

Honourable senators, this inquiry will drop from the Order Paper at the next sitting, in that it has been on the Order Paper for 14 days. I can advise honourable senators that it is my intention to move that we adjourn until Monday at four o'clock. Senator Gauthier would like to speak to this inquiry on Tuesday. In order for it not to be dropped from the Order Paper before that opportunity to speak arises, I am asking for leave to extend the time, so that it remains on the Order Paper until the Christmas adjournment.

**Hon. Noël A. Kinsella (Deputy Leader of the Opposition):** Honourable senators, Senator Hays has now spoken to this inquiry. This side would not object to it now being seen to continue to stand in the name of Senator Gauthier, and that it be day one. This side is in complete agreement and concurs that Senator Gauthier would speak at a time certain on Tuesday next or any other day.

**The Hon. the Speaker *pro tempore*:** Is it agreed, honourable senators, that Inquiry No. 1, standing in the name of Senator Gauthier, stay on the Order Paper?

**Senator Hays:** Honourable senators, it is fair and correct for Senator Kinsella to interpret my comments as speaking to the inquiry. In that case, as Senator Kinsella explained, the matter now is back to day one for the next sitting. That will achieve the purpose in a more elegant way, perhaps, than I had proposed. I think that is satisfactory.

**Hon. Eymard G. Corbin:** Honourable senators, I dispute the affirmation that Senator Hays or indeed Senator Kinsella has spoken to the inquiry.

• (1640)

It is the privilege of the member who gives notice of the inquiry to have a first go at it. Senator Gauthier has not yet spoken to this matter. To deduce that allowing anyone else to speak to an inquiry about which we know nothing has the effect of saving a day or bringing the item back to square one is a dangerous precedent to set.

Putting that aside, if we agree unanimously to bring the matter back to square one, regardless of the fact that Senator Gauthier has not yet spoken to it, that is another matter and I can agree to that.

**Senator Kinsella:** I agree completely with Senator Corbin's interpretation and advice. I think he is absolutely correct and I agree with him. My analysis was incorrect.

**Hon. Sharon Carstairs:** Honourable senators, I think we would address the concerns of all if we said that Inquiry No. 1 should appear on the Order Paper at the next sitting under day one.

**Hon. John Lynch-Staunton (Leader of the Opposition):** Honourable senators, I may have an inquiry or a motion to which I may not be ready to speak next week. Am I to use this as a precedent to ask to go back to day one without debate? We must be careful how we use this.

Senator Gauthier has indicated that he will speak to the inquiry on Tuesday. Let us just agree that he can speak to it on Tuesday, rather than invoke a blanket precedent — which would be tempting for others to invoke. Let us judge each case on its own merits.

**Senator Hays:** Honourable senators, I suggest that Tuesday is very close to the Christmas break and that, rather than interfere with what I think we have all agreed to, at least on one occasion here today, we allow Her Honour to put the request that I originally made. That would add only an extra possibly two or three days. If that is in order, I would ask honourable senators to agree to that.

**The Hon. the Speaker *pro tempore*:** Is it your pleasure, honourable senators, to continue the motion under the name of Senator Gauthier until Tuesday next?

**Hon. Senators:** Agreed.

Order stands.

## HUMAN RIGHTS AND MULTI-ETHNIC CONFLICTS

### INQUIRY—DEBATE ADJOURNED

**Hon. Noël A. Kinsella (Deputy Leader of the Opposition)** rose pursuant to notice of December 6, 1999:

That he will call the attention of the Senate to human rights and multi-ethnic conflicts.

He said: Honourable senators, I should like to speak to this inquiry. Mindful of the hour, I shall present an abridged version of my remarks.

I wish to speak on the inquiry today because, as Senator Andreychuk indicated in her statement at the beginning of today's proceedings, tomorrow, December 10, is International Human Rights Day. Senator Di Nino also drew this fact to our attention a few moments ago when he addressed this chamber.

December 10, International Human Rights Day, is an important day in the world community. Given that Canadians place such a high value on human rights, I think it is appropriate that, as the upper house of Parliament, we do give special focus to the Universal Declaration of Human Rights. It is also important for us to recall that it was a distinguished Canadian who had a direct hand in the drafting of the Universal Declaration of Human Rights, which was proclaimed on December 10, 1948, by the General Assembly.

This fall, at the United Nations, the current Secretary-General, Kofi Annan, in a report to the Security Council, of which Canada

is presently one of the rotating members, spoke about the protection of civilians in armed conflicts. The Secretary-General stated that, despite the adoption of the various conventions on international, humanitarian and human rights law over the past 50 years, hardly a day goes by where we are not presented with evidence of intimidation, brutalization, torture, and killing of helpless civilians in situations of armed conflict.

Whether we speak of mutilations in Sierra Leone, genocide in Rwanda, ethnic cleansing in the Balkans, or disappearances in Latin America, the parties to conflicts have acted with deliberate indifference to those conventions on human rights.

Honourable senators, the end of the Cold War saw the world liberated perhaps from the threat of all-out nuclear war. At the same time, however, since the fall of the Berlin Wall, over 4 million people have been killed in violent conflicts and there remain millions of refugees and internally displaced persons around the world.

Events in the Balkans and elsewhere in this decade alone have shown the critical need to come to grips with the complexities of modern, multi-ethnic conflict. At the same time, we are horrified by terrible events such as those in Rwanda in 1994.

We recognize that these issues are tremendously complex. As the Secretary-General also noted, we recognize that the maintenance of international peace and security requires action at all stages of a conflict or potential conflict, whether to prevent it, minimize its effects and end it once it has begun, or pursue peacekeeping and peace-building, including reconciliation and the administration of justice after it has ended.

Canada participates vigorously in these international interventions, and we are proud that Canada and Canadians are able to make these types of contributions. All these actions are important. Yet, addressing multi-ethnic conflict demands that there be creative ideas and policies, and a first step is a proper understanding of the importance and power of human rights in the modern world.

Old ideas need to be questioned, including the notion of the primacy of state sovereignty and territorial integrity. As Secretary-General Annan argued in September:

Strictly traditional notions of sovereignty can no longer do justice to the aspirations of peoples everywhere to attain their fundamental freedoms.... Massive and systematic violations of human rights — wherever they may take place — should not be allowed to stand.

Honourable senators, the international community must recognize that, with the end of the Cold War, the security of individuals, which includes their human rights, is becoming more important than the security of states. Today, it is no longer assumed that international law gives greater priority to state sovereignty and territorial integrity than to human rights or self-determination.



I submit, honourable senators, that following the protection of human rights as the first principle of international relations would go far toward preventing multi-ethnic conflict and encouraging greater democracy and peace.

We need to get beyond the sovereignty of states principle, which has dominated international relations up until now. We need to refocus on the principles of the Universal Declaration of Human Rights and the subsequently developed international treaties and conventions on human rights based on the universal declaration.

• (1650)

Honourable senators, unfortunately, we must acknowledge that states have, over the decades, often broken the undertakings contained in these human rights instruments. The United Nations High Commissioner for Human Rights, Mary Robinson, the former president of Ireland, admitted in a lecture on the eve of the fiftieth anniversary last year:

Count up the results of 50 years of human rights mechanisms, 30 years of multi-billion dollar development programs and endless high level rhetoric, the global impact is quite underwhelming.... This is a failure of implementation on a scale which shames us all.

Honourable senators, a first step in reclaiming the human rights pillar of international law must be the implementation of existing human rights standards; but the international community has not so far lacked legally binding human rights standards, only the political will to implement them. As the Human Rights High Commissioner Mrs. Robinson added:

The normative work is largely done. The international human rights standards are in place. The task for us all...is to implement them.

On motion of Senator Beaudoin, debate adjourned.

## LIBRARY OF PARLIAMENT

MOTION TO AUTHORIZE JOINT COMMITTEE  
TO MEET DURING SITTINGS OF THE SENATE WITHDRAWN

On Motion No. 32:

That the Standing Joint Committee on the Library of Parliament 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.

**Hon. Dan Hays (Deputy Leader of the Government):** Honourable senators, I ask that this motion be withdrawn from the Order Paper. The matter has been addressed by the adoption of the first item under the heading "Reports of Committees"

regarding the Standing Joint Committee on the Library of Parliament.

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

**Hon. Senators:** Agreed.

Motion withdrawn.

## SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

MOTION TO AUTHORIZE COMMITTEE TO STUDY STATE  
OF HEALTH CARE SYSTEM—DEBATE ADJOURNED

**Hon. Michael Kirby,** pursuant to notice of December 6, 1999, moved:

That the Standing Senate Committee on Social Affairs, Science and Technology be authorized to examine and report upon the state of the health care system in Canada. In particular, the Committee shall be authorized to examine:

- (a) The fundamental principles on which Canada's publicly funded health care system is based;
- (b) The historical development of Canada's health care system;
- (c) Publicly funded health care systems in foreign jurisdictions;
- (d) The pressures on and constraints of Canada's health care system; and
- (e) The role of the federal government in Canada's health care system;

That the Committee submit its final report no later than December 14, 2001; and

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

He said: Honourable senators, you have before you the terms of reference of a study the Standing Senate Committee on Social Affairs, Science and Technology wishes to undertake. These terms of reference have been unanimously approved by the committee members.

The fundamental purpose of the study is to recognize the significant changes about to occur in the health care system due to several factors, including changing demographics, innovations in both pharmaceuticals and technology, and the changing expectations of individual Canadians for their health care entitlement.

The members of the Standing Senate Committee on Social Affairs, Science and Technology are of the view that this is probably the most important and, equally, the most controversial social policy issue facing the country. The impact of costs on the health care system means that the current system is almost certainly not economically sustainable for the foreseeable future. The committee intends to undertake a series of studies that would all be linked by subject matter and by their logical progression upon predecessor studies. We want to provide a forum for debate on future health care policy in Canada in general and the role of the federal government in particular. We also hope to develop, over time, a series of policy recommendations for the federal government with respect to its role in the health care system.

If the Senate approves this reference, the steering committee will proceed in the month of January to develop a detailed work plan that will be reviewed by committee members and then by the Internal Economy Committee.

**Hon. Consiglio Di Nino:** Honourable senators, may I ask some questions? Has the chairman had any consultation with the Minister of Health on this subject? If so, could he tell us the results of those discussions?

**Senator Kirby:** Honourable senators, I have not discussed this with the Minister of Health and, frankly, I deliberately have not done so. Committee members were strongly of the view that this study should be undertaken. If I had consulted with the Minister of Health and been told that he thought it unwise to do this study, then I would be in a difficult situation. If this motion is approved and a work plan is developed, I will be happy to talk to officials. I have not talked to the minister nor indeed, in detail, to any officials within the department.

**Senator Di Nino:** Honourable senators, health issues cross jurisdictional borders between the federal government and the provincial governments. Is the intention of the chairman to cooperate with or coordinate with the provincial jurisdictions in planning the future deliberations of the committee?

**Senator Kirby:** Honourable senators, I am hesitating to answer because the focus of the study would be on the federal role in health matters. To that extent, it would be desirable to hold discussions with, and hear testimony from, provincial government ministers and officials. There is absolutely no intention on the part of the committee to enter into provincial jurisdiction. Our intent is to ask how current federal policy should be changed.

**Senator Di Nino:** Honourable senators, delivery of health care is principally the responsibility of the provinces and the territories. Health consumers are affected directly and mainly by the provinces. I wonder how this kind of study can be undertaken without some serious cooperation from those who deliver health services to the public. We will need to understand clearly how those roles may change in the future structure of health care.

**Senator Kirby:** Honourable senators, I agree completely with Senator Di Nino. I was responding to the phrasing of his first

question when I said the committee would hear witnesses from the provincial governments. Similar to my reasons for not approaching the Minister of Health prior to Senate approval of this study, we are careful not to be seen to be approving or passing a study reference for a Senate committee based on some veto of the provincial governments. On the other hand, the provincial governments and many other organizations are integral participants in these issues and we will want to consult them as the process evolves.

**Senator Di Nino:** Honourable senators, I do not wish to prolong this debate. Would I be creating a problem for the committee if I adjourned this debate until I can get some input from members of the Standing Senate Committee on Social Affairs, Science and Technology?

**Senator Kirby:** Honourable senators, there would only be a problem if the motion is not approved before the Christmas adjournment. If the Senate approves these terms of reference, we intend to work in January on a detailed work plan. I will not devote that effort if we do not have approval.

• (1700)

**Senator Di Nino:** I will not delay this. I wish to make another point, if I may.

We undertake many studies, and much committee work, with little or no debate in this chamber. It is my opinion that it is very healthy and valuable to have this kind of exchange. In so doing, we put on the record why we are doing it and what we expect of it. Hence, when we spend \$100,000 or more, the public is able, if they wish, to read the deliberations that have gone on in the chamber. That is a healthy thing.

Therefore, if you do not mind, we will deal with it next week and I will move adjournment of the debate.

**Hon. Nicholas W. Taylor:** Honourable senators, I thank Senator Kirby for introducing this idea because it is something that the Senate could do and for which it is well qualified. I also thank Senator Di Nino for raising a point that I had thought about; that is, that focusing on the provincial as well as federal is a very worthwhile thought. I also wish to mention that Senator Kirby's theory about not asking the health ministers for permission is a good one — after raising nine children who all used that system — because it might be turned down, effectively. I am quite familiar with how it works and it does seem to work.

Honourable senators, I thought I would throw into Santa's grab bag another goody, after Senator Di Nino's intervention — which was a very worthwhile one; that is, the question of the interface between private and public, where the private and public systems can best work together. In our public system, there is always a certain amount of private concern, such as the doctor's office, if nothing else. If the committee has the time, it might consider looking at that interface. As honourable senators know, that is a subject of strong debate.

**Senator Kirby:** Honourable senators, may I say that, absolutely, that will be an issue that we will look at in some detail. Other than the fact that it is fairly obvious if you look at social policy issues facing the country, whether in fact the current health system is sustainable is really the question. That is really what prompted us to get into this. However, three weeks or a month ago, the Government of Alberta made a policy statement with respect to some private-sector hospitals that would be built in Calgary. My personal reaction on reading the statement from the Government of Alberta is that their proposal is absolutely consistent with the Canada Health Act. I say that in spite of the fact that there were some very emotional remarks against the entire Alberta proposal, remarks made by a number of people, including some in the other place. By the way, many of those who have remarked claim that the Alberta government's proposal is not consistent with the Canada Health Act.

It seems to me that, if we are to have a debate on health care policy, the debate at least ought to be based on facts.

I thank you for raising the private-sector issue. While I was thinking about the private-sector issue as one to put to the committee, what is more important is the emotional reaction that that proposal engendered. Therefore, the private-sector issue is one that we must look at. I would agree completely.

**Hon. John Lynch-Staunton (Leader of the Opposition):** Honourable senators, at the risk of repeating myself ad nauseam, I must express concern over the fact that the Senate is being asked for authority to, in effect, give a blank cheque to a committee. I am not faulting the purpose of any study when I say this, because it applies to all requests by committees for studies that are quite elaborate, detailed, and as open-ended as this one. This study will last a year and a half, perhaps longer if, for valid reasons, an extension is granted. Senator Nolin has asked for a study that will last at least three years, without having a general work plan or a budget. What will this cost the Senate of Canada?

Again, honourable senators, I think we do things upside down. We give the committee authority, and then Internal Economy and others must scramble for the funds, the personnel and whatever else is needed. The correct way to proceed would be for a committee first to determine its budget and its terms of reference, as well as the time frame within which to complete the study. I, for one, would feel more comfortable doing it that way, rather than just saying, "Go ahead and do it," having given no consideration to budget and time frame.

**Hon. Colin Kenny:** Honourable senators, I understand the honourable senator's position; however, I should remind the chamber that it was just a few months ago that Senator Lynch-Staunton put a reference to this chamber for a study of NATO that ended up costing well over \$100,000. Did the honourable senator have a budget at that time and did he put it before the chamber when he made that request?

**Senator Lynch-Staunton:** No, I did not.

**Senator Di Nino:** Honourable senators, I do not believe that that is an appropriate question. I understand Senator Lynch-Staunton to be saying that we should review our current process, with a view to determining whether we can improve on it, by at least presenting some details as to costs before we approve the study. By not doing so, we could be approving a study that will in the end cost \$40 million, which we do not have. I think the honourable senator's comments are valid.

I hope to engage honourable senators, at least on this side of the chamber, who are members of the Standing Senate Committee on Social Affairs, Science and Technology, on that issue as well, and hopefully we can have an open discussion on it next week. I do not wish to stifle debate, but I should be pleased to move the adjournment, unless someone else wishes to speak.

**Hon. Sharon Carstairs:** Honourable senators, I find myself in agreement with both Senator Lynch-Staunton and Senator Kenny, despite the fact they are coming from diametrically opposed positions. Let me tell you why.

The *Rules of the Senate* do not allow a committee to ask for money before they have had the approval of their terms of reference. I happen to agree with Senator Lynch-Staunton that we are doing things backwards, that before we grant permission to a committee to undertake a study we should have some concept of what that study will cost. That is exactly why, when I made my request — I think it was two weeks ago — I gave the Senate a work plan and I told them the approximate cost of that work plan.

Incidentally, that budget went to the Internal Economy Committee this morning, where it was cut in half. Internal Economy were of the view — a view that I happen to support — that they did not have a broad enough idea of which other committees would come forward with additional requests for information; therefore, they decided they would do it in a step-by-step projection of the budgetary amounts.

What we have identified this afternoon, it seems to me, is a problem with our rules and procedures. Senator Kirby has presented, on behalf of the committee, a request for a special study, which every single member of that committee unanimously supported. He was, therefore, in a position where he needed to come before this Senate, according to our current rules, and present that and get permission before he could then prepare a budget to go to the budgetary subcommittee and eventually to the Internal Economy Committee.

I do not disagree with the position that Senator Lynch-Staunton has put forward. In fact, I concur with him — and at another stage in my life it is something about which we had some discussions — because I think that is the way it should be done. Senator Kenny is absolutely correct: That is not the way we have done it in the past, and it is not the way the rules, quite frankly, indicate how it should be done.

**Senator Kenny:** Honourable senators, I do not see great fault in the way the rules are written, frankly. I do not believe that the Internal Economy Committee should be deciding for us what studies or inquiries go ahead. It is their job to decide the level of funding and whether the funding is appropriate. However, it is the job of this body to decide if it is an appropriate study or an appropriate course of inquiry.

• (1710)

I have no difficulty with someone following Senator Carstairs' model where they give a general estimate of what they think the study will cost. Essentially, I see a two-step process. Frankly, if both switches are not turned on, the study will not go forward.

The first step is obtaining approval from the Senate. The next step is to go to the Internal Economy Committee to obtain what one hopes is appropriate funding.

If the chairman does not receive approval here, there is no need to go to Internal Economy. If he receives approval here, goes to Internal Economy and they do not have the funds to properly fund the study, that means the committee is hamstrung and cannot go ahead. I suppose the chairman could always come back here and appeal the report of the Internal Economy Committee, which is within the rights of any senator.

I do not think it is wrong to start here. After all, this is the place where everyone should know what is going on. I do think it is wrong to start with a committee and have them veto the project.

On motion of Senator Di Nino, debate adjourned.

### ADJOURNMENT

Leave having been given to revert to Government Notices of Motions:

**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 Monday next, December 13, 1999, at 4 p.m.

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

**Hon. Senators:** Agreed.

Motion agreed to.

The Senate adjourned until Monday, December 13, 1999, at 4 p.m.

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**THE SENATE OF CANADA**  
**PROGRESS OF LEGISLATION**  
**(2nd Session, 36th Parliament)**  
**Thursday, December 9, 1999**

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

<b>No.</b>	<b>Title</b>	<b>1st</b>	<b>2nd</b>	<b>Committee</b>	<b>Report</b>	<b>Amend.</b>	<b>3rd</b>	<b>R.A.</b>	<b>Chap.</b>
S-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	99/11/24	Banking, Trade and Commerce  Foreign Affairs	99/12/07  99/12/09	none  none			
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)**

<b>No.</b>	<b>Title</b>	<b>1st</b>	<b>2nd</b>	<b>Committee</b>	<b>Report</b>	<b>Amend.</b>	<b>3rd</b>	<b>R.A.</b>	<b>Chap.</b>
C-4	An Act to implement the Agreement among the Government of Canada, Governments of Member States of the European Space Agency, the Government of Japan, the Government of the Russian Federation, and the Government of the United States of America concerning Cooperation on the Civil International Space Station and to make related amendments to other Acts	99/11/23	99/12/01	Foreign Affairs	99/12/09	none			
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	99/12/06	Subject-matter 99/11/24  Social Affairs, Science and Technology	99/12/06  99/12/07	  2	99/12/09		
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	99/11/30	4	99/12/08		

## 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							

## SENATE PUBLIC BILLS

No.	Title	1st	2nd	Committee	Report	Amend.	3rd	R.A.	Chap.
S-2	An Act to facilitate the making of legitimate medical decisions regarding life-sustaining treatments and the controlling of pain (Sen. Carstairs)	99/10/13							
S-4	An Act to provide for judicial preauthorization of requests to be made to a foreign or international authority or organization for a search or seizure outside Canada (Sen. Nolin)	99/11/02							
S-5	An Act to amend the Parliament of Canada Act (Parliamentary Poet Laureate) (Sen. Grafstein)	99/11/02							
S-6	An Act to amend the Criminal Code respecting criminal harassment and other related matters (Sen. Oliver)	99/11/02	99/11/03	Legal and Constitutional Affairs					
S-7	An Act respecting the declaration of royal assent by the Governor General in the Queen's name to bills passed by the Houses of Parliament (Sen. Lynch-Staunton)	99/11/02							
S-8	An Act to amend the Immigration Act (Sen. Ghitter)	99/11/02							
S-9	An Act to amend the Criminal Code (abuse of process) (Sen. Cools)	99/11/03							
S-11	An Act to amend the Criminal Code to prohibit coercion in medical procedures that offend a person's religion or belief that human life is inviolable (Sen. Perrault)	99/11/04							
S-12	An Act to amend the Divorce Act (child of marriage) (Sen. Cools)	99/11/18							
S-13	An Act to assist in the prevention of wrongdoing in the Public Service by establishing a framework for education on ethical practices in the workplace, for dealing with allegations of wrongdoing and for protecting whistleblowers (Sen. Kinsella)	99/12/02							

PRIVATE BILLS

No.	Title	1st	2nd	Committee	Report	Amend.	3rd	R.A.	Chap.
S-14	An Act to amend the Act of Incorporation of the Board of Elders of the Canadian District of the Moravian Church in America (Sen. Taylor)	99/12/02	99/12/07	—	—	—	99/12/08		

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