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THE HONOURABLE DAN HAYS
SPEAKER

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THE SENATE

Wednesday, October 2, 2002

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

[English]

Prayers.

THE LATE HONOURABLE RON J. DUHAMEL, P.C.

TRIBUTES

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, it was with great sadness that I learned, on Monday evening, of the death of the Honourable Ron J. Duhamel, P.C. I had spoken with his wife, Carolyn, on Friday, and they were then making arrangements with St. Boniface Hospital for him to return to his home for the weekend. It was where he wanted to be and it was where he died, surrounded by those he loved most.

Ron was an educator by profession. I first met him in 1984, when he was the Deputy Minister of Education for the Province of Manitoba. We had an instant connection in our desire to ensure quality education for the young people of our province. Indeed, one of the services that Ron provided throughout his years as an MP and as a senator, and even in September of this year, was to collect school supplies and to distribute them, each fall, to disadvantaged children in his community.

[Translation]

Ron asked my advice before the 1988 federal election and I encouraged him to run in order to continue the tradition of excellent representation by Franco-Manitobans. In three years, we have lost three great Franco-Manitobans who served their community: Neil Gaudry of the Manitoba Legislative Assembly, Gildas Molgat of the Senate, and now Ron.

[English]

Ron was elected in 1988 and re-elected in 1993, 1997 and 2000. In 1997, he became the Secretary of State for Western Economic Diversification and Science, Research and Development. In 1999, he became responsible for the Francophonie. On October 17, 2000, Ron became the Minister of Veterans Affairs and achieved well-deserved, enhanced benefits for those who have served this country so very well.

Honourable senators, Ron took all of his responsibilities seriously, but none more so than his desire to represent the official language minority, not only in Manitoba but throughout our country.

[Translation]

Regretfully, we were not able to enjoy Ron's company for long in this chamber, where he showed such great promise of playing an active role. Some of you did not have a chance to get to know him very well. Those of you who did will always remember him for his friendliness, dedication and great professionalism.

To his wife, Carolyn, I send my love and deepest sympathy. To his children, Kathy, Natalie and Karine, I hope that the wonderful memories of their father and his remarkable accomplishments will help to ease their pain.

Hon. Terry Stratton: Honourable senators, I rise today on behalf of our leadership, on behalf of our side and, in particular, on behalf of our Manitoba senators, Mira Spivak and Janis Johnson, to convey our deepest regrets to the family of Senator Ron J. Duhamel, P.C.

• (1410)

While Ron was in our house for only a short time, he came to us with a reputation of fairness and integrity, always open to talking, listening attentively and assisting where he could.

When Senator Duhamel last appeared here on June 4, 2002, it was the only time he made a statement in this chamber. I will quote part of that statement.

Honourable senators, when I was appointed to the Senate in September, I was overwhelmed — and that is not an exaggeration — by the kindness of all senators: their warmth, their knowledge of issues, and I could go on. Allow me to add one more point: how much work and the quality of work being done in the Senate is not always known or appreciated. I had some idea, but having been here for only a short time, I assure honourable senators that I can now speak about the Senate with even more passion than I did before.

The work that is done by senators, and a great amount of that has been done by certain individuals, has been quality work on important issues and questions. I thank honourable senators for that.

That, in itself, tells us a lot about Senator Duhamel.

I talked to Ron earlier about the possibility of getting together for lunch over the summer. He accepted eagerly and asked me to give him a call. I did call Ron in early July. Sure enough, his wonderful wife, Carolyn, got back to me because Ron was unable to at the time. She left a message that he would call. In early August, he did call. Unfortunately, I was out of the city at the time, as usual, and we did not connect.

If I had a message regarding what happens when someone becomes ill, especially over a protracted period of time — and many senators know this — it is that there is a certain loneliness to being housebound. Friends do not call and they do not come to visit. Ron expressed that as a concern. I think he received that love and care from the people in this chamber and, in particular, from his family. I urge honourable senators to continue to do that for anyone who becomes ill, housebound and isolated.

I can only say that I miss Ron and shall continue to miss him, for he represented what I believe are the highest standards of an individual in public life.

To his wife, Carolyn, and daughters, Kathy, Natalie and Karine, our deepest-felt sympathy. Our thoughts are with them at this time. God bless them all.

Hon. Richard H. Kroft: Honourable senators, I wish to pay tribute today to Ron Duhamel, a friend, a fellow senator and a fellow Manitoban with whom I have shared, for many years, the joys and challenges of political life.

Over the time that I have known and worked with Ron, we have each played several roles and worn different hats. Whatever hat he wore over that time — candidate, member of Parliament, cabinet minister or senator — Ron brought to it the same qualities that marked his entire life. Ron possessed enormous energy and the ability to focus it on the task at hand. He had a directness and forthrightness that made it possible to always know where he stood. His candour was disarming, and it served to encourage truth and honesty in any situation.

Whatever Ron's success, he never got caught in pretense or delusion. He had unstinting loyalty to the people he worked with, the leaders he served and the principles he lived by. He had pride in himself in the best sense of the word, in his wife, Carolyn, and in his children, Kathy, Natalie and Karine, in his community, his province, his country and his heritage.

Ron was, in many ways, a classic Canadian, bringing the richness of our Canadian languages and cultures together with superb skill and sensitivity. I know few people who have personified the history and meaning of the Manitoban culture in the way that Ron did. He was, indeed, a great Manitoban and a great Canadian.

Honourable senators, in a short time, we have lost two important people in the life of our province. Like his great friend Gil Molgat, Ron represented the best in Manitoban life. He was an example for us all. We will miss him but not forget him.

[Translation]

Hon. Jean-Robert Gauthier: Honourable senators, I met Senator Duhamel years ago, when I was in education and he was the Ottawa Regional Director for the Ontario Ministry of Education. Our shared objective was to establish French schools in Ontario at the elementary and secondary levels. Ron Duhamel worked to attain that objective. It was attained successfully, and today Ontario has a good French-language school system. Ron Duhamel had a great deal to do with that success.

In 1988, when Ron Duhamel was elected MP for Winnipeg and Saint-Boniface, I was the Liberal Party Whip. One of my duties was to welcome the new MPs. When Ron Duhamel arrived, it was a renewal of an old friendship. I had a social and professional relationship for some years with the doctor, as we called him, because of his doctorate in administration. This was not just anybody; this was a great Canadian.

Honourable senators, even though Ron Duhamel did not sit in the Senate for very long, he was active on the Canadian political scene for many years. We will miss him dearly. I offer my sympathies to his wife.

Hon. Rose-Marie Losier-Cool: Honourable senators, it is when he was the minister responsible for the Francophonie that I got to know our late colleague, the Honourable Ron Duhamel.

As the minister for the Francophonie, Ron Duhamel was looking forward to welcoming the heads of state and government of the 52 countries of the Francophonie, at the Moncton summit, in September 1999. Unfortunately, the first treatments for his disease did not allow him to discharge this honourable duty.

Ron Duhamel was tenacious and full of energy. As a Franco-Manitoban, he was very proud of his language and culture. He cared about the promotion of French in Canada, in America and throughout the world.

A few months later, in November 1999, when he was still fighting his disease, he co-chaired the Conférence ministérielle de la Francophonie, in Paris, with the Secretary General of the Francophonie, Boutros Boutros-Ghali. During that conference, Ron Duhamel worked hard and managed to get real initiatives for young people, whom he cared so much about, adopted. These initiatives included a program called "Mobilité jeunesse." A few months later, in February 2000, he attended the first conference of the Femmes de la Francophonie, in Luxembourg, where he gave his support to the creation of the Réseau des femmes parlementaires de la Francophonie.

The Francophonie, education and economic development were his priorities. Among the numerous awards bestowed upon him was the Phi Delta Kappa Young Leadership of America Award - International Educational Fraternity, which he received in 1980.

In 1993, he was made a Chevalier de la Pléiade, which is the order of the Francophonie and of the dialogue of cultures, and, in 2000, he was made an Officier de la Pléiade.

During his professional career in education, administration and politics, Ron Duhamel liked to praise the virtues of being different. As Antoine de Saint-Exupéry said: "If I am different from you (through my language and culture), that does not diminish you, it makes you greater."

• (1420)

In my opinion, Ron Duhamel died too young. Today, the Senate is mourning a great human being. I offer my most sincere condolences to Franco-Manitobans, to the residents of Saint-Boniface, to all his colleagues and friends on Parliament Hill and, above all, to his family.

[English]

Hon. Lorna Milne: Honourable senators, I hesitate to stand today to pay tribute to Ron Duhamel, but I should like to share with you one simple anecdote that tells us a bit about the innate, kind and generous nature of this man.

In 1996, shortly after I was appointed to the Senate, there was a Liberal function at Harrington Lake, and I took my mother with me. She was 86 years old at the time and recovering from knee replacement surgery. Ron was on the bus. He literally lifted her

off the bus when we got there, put her in her wheelchair and pushed her over that rough and uneven ground to make sure that she met with the Prime Minister.

I will never forget his kindness to my mother. She still talks about it quite often. I will never forget him.

Hon. Edward M. Lawson: Honourable senators, my first involvement with Ron Duhamel was when he was the Minister Responsible for Western and Economic Diversification. We had a little problem in B.C. We had a company with 150 jobs, a \$25-million export business, and it looked like we would lose it all. I went to Minister Duhamel and told him that we needed some help. The company could be saved with a small transfusion of about \$2.5 million. He said, "I have a problem because our budget has been cut for Western and Economic Diversification in the past three years, and we do not have any money." I said, "We have to find a way to save this company because you already have an investment of \$4 million there, and there are the jobs as well." He said, "I think it would help if you talked to the big guy." I looked skyward, and he said, "No, no, the Prime Minister." I said, "I would certainly be happy to talk to him to impress on him the need to save these jobs."

To make a long story short, as result of Ron's dedication to his ministry and his hard work, we were able to save those 150 jobs. Those people are working in British Columbia now, earning a good wage and paying taxes. To a large degree the credit goes to Minister Duhamel. He was a fine man to work with, and we will certainly miss him.

[Translation]

SENATORS' STATEMENTS

THE HONOURABLE JEAN-ROBERT GAUTHIER

CONGRATULATIONS ON RECEIVING THE ORDER OF THE LEGION OF HONOUR

Hon. John Lynch-Staunton (Leader of the Opposition): Honourable senators, I wish to point out that one of our colleagues has been honoured by the French government. A few days from now, Senator Jean-Robert Gauthier will be decorated with the Order of the Legion of Honour. Congratulations.

[English]

THE HONOURABLE DAVID SMITH, P.C.

WELCOME TO THE SENATE

Hon. Jeremiah S. Grafstein: Honourable senators, I rise to welcome our newest senator, David Paul Smith — such a simple name for a political master. Brother Smith comes to the Senate at the height of his political, business and legal powers. He bears the well-warranted, deserved reputation as the best political organizer of his generation. A political activist from his youth, he was enlisted by his mentor, Keith Davey, then chief Liberal organizer in Ottawa, after he left the presidency of the Young Liberals in the sixties.

[Senator Milne]

Once ensconced in Ottawa, Senator Smith became an instant protégé of Mr. Pearson, who designated both himself and David as double "PKs" — kids whose fathers and grandfathers were pastors, men of the manse. Pastors' kids have always deeply influenced Canadian public policy. It was Mackenzie King who created the first external affairs organism in the East Block in the 1920s, composed of pastors' kids — sons of missionaries who inculcated the social gospel as the first organizing idea of our foreign policy, which reverberates to this day.

David comes from a renowned family of evangelical preachers; hence, his first two names. You will hear the echoes of that eloquent tradition in his speeches and his knowledge of the Scriptures, Old and New. You will also hear the rhythms of great gospel music, of which he is a fervent follower.

David worked for Walter Gordon, then joined me as an assistant to John Turner in the mid-sixties when we assembled the book of John's speeches, entitled *The Politics of Purpose*, which still stands the test of time today.

Together with Lloyd Axworthy, we worked assiduously to make John Turner Prime Minister. Loyalties die hard amongst Liberals and so do misconceptions. It was John Turner who inspired the youth vote in 1968. It was David's idea to establish the 195 Club, composed of mostly Young Liberals who stayed with Turner through the last ballot and continued to support him thereafter. It was Turner who captured the Young Liberal vote in 1968.

Honourable senators, David and I shared common digs in Ottawa in the sixties. Together with Lloyd Axworthy, we managed successfully the floor fight at the Liberal convention to introduce medicare. Memories fade, but we still recall the proponents and opponents of what was to become a cornerstone of Liberal policy.

David then went to Osgoode Hall Law School and then on to Queen's University, where he uncovered Tom Axworthy and where he met and later married Heather Smith — now a pre-eminent justice of the Court of Appeal of Ontario — raised a talented family, and commenced the practice of law. He then ran for municipal office in Toronto, rising to deputy mayor.

Honourable senators, perhaps I will conclude on another day.

FISHERIES AND OCEANS

COAST GUARD—WITHDRAWAL OF SEARCH AND RESCUE SERVICES ON WEST COAST

Hon. Pat Carney: Honourable senators, the erosion of search and rescue services on British Columbia's coast is raising fears that the Canadian Coast Guard is abandoning its core mandate of "Safety First and Service Always." Over the past few years, the withdrawal of search and rescue services has placed lives at risk on our coast and in coastal waters.

Examples of erosion to our search and rescue services are numerous. First, on August 13, the fishing vessel *Cap Rouge II* overturned in the Strait of Georgia, killing five residents of the Gulf Islands and lower coast. Without a working hovercraft to transport the personnel, the Coast Guard lost valuable time getting to the overturned vessel. Further valuable time was lost as the Coast Guard divers, adhering to DFO policy, were not

allowed to enter the capsized vessel and rescue was delayed until the military divers arrived 90 minutes later. In the aftermath of the disaster, the minister released a procedure for the Coast Guard to follow that contradicted his divers and does little to clarify the role of a Coast Guard diver with respect to entering a capsized vessel.

Second, the town of Gibsons, located on B.C.'s Sunshine Coast, has one of the busiest Coast Guard auxiliary units on the West Coast. Steve Sawyer, the auxiliary captain, says:

With all the federal cutbacks squeezing scant resources, the auxiliary is taking over virtually all of the search and rescue.

Each auxiliary unit is responsible for raising money for equipment. Gibsons' small population base makes it difficult to raise funds. Therefore, the auxiliary unit is leasing its Zodiac from the Pacific Coast Guard Auxiliary, as the cost to purchase a new Zodiac is \$150,000. A few months ago, they were told that they must purchase the leased Zodiac by the end of the summer at a cost of \$25,000 or lose it. If the auxiliary units in these smaller communities are expected to take on search and rescue duties and this type of expensive equipment is required, then the federal government should assist.

Third, the Coast Guard plans to remove the foghorns from many mid-coast and north coast light stations. The decision has not been well-publicized, although the November 28 deadline for public input is rapidly approaching. The removal of foghorns on a coast often shrouded in dense fog is a dangerous decision that will put many lives at risk. According to one 30-year-old veteran B.C. tugboat operator:

When you navigate, you use every means to navigate...removing foghorns will put the lives of mariners in danger.

Fourth, the Minister of Fisheries and Oceans confirmed, in a letter to me dated September 24, that his department is once again considering de-staffing light stations. This is despite the promise by former Fisheries Minister David Anderson that light keepers would remain at the 27 stations in B.C. At the time, the minister stated:

British Columbians, particularly in the Coastal Communities, have asked us to keep the lightkeepers at their stations and that's why we are doing it."

I should like to inform the current minister that nothing has changed in this regard. British Columbians still want lightkeepers on the lights.

Honourable senators, budget constraints have reduced the ability of the Coast Guard to fulfil its mandate of saving lives and carrying out search and rescue operations. Surely, the Liberals' "spending agenda" should include the provision of life-saving services to coastal communities. Coastal Canadians expect no less from their national government and the Department of Fisheries and Oceans, and an inquiry into the Canadian Coast Guard's withdrawal of these search and rescue services is warranted.

• (1430)

BAR MITZVAH SPEECH OF ZACHARY LOGUE

Hon. Laurier L. LaPierre: Honourable senators, I should like to share with my colleagues in the Senate today an excerpt from the speech of 13-year-old Zachary Logue on the occasion of his Bar Mitzvah. He took his inspiration from the story of Balaam and Balak in what my culture calls the Old Testament.

And just as Balaam learned about tolerance and peace from his encounter with G-d, I believe that my Jewish heritage and upbringing has taught me how to take my place in the Jewish community as well as the community at large.

In terms of tolerance, I believe it is very important to keep an open mind and to be willing to listen to and learn from those around you.

In turn, tolerance leads to increased understanding and respect for those of different backgrounds, whether the differences relate to race or religion or other aspects of a person's background. For me, religion and religious freedom are particularly important since I came from parents of different religious backgrounds — my mother is Jewish and my father is Catholic. In my view, religious beliefs should be a source of comfort, not a source of comparison or basis for judgment.

I believe that the message of any religious group should be one of inclusion, that is, creating a sense of community and belonging, rather than one of exclusion that isolates people and creates suspicion and mistrust of those with different religious beliefs.

And that in turn leads to peaceful coexistence of people of different backgrounds in our larger community. So today, I proudly take my place in the Jewish community and look forward to participating as a Jew in the larger community where I can apply the message of the tale of Balak and Balaam, that is, to be willing to be open to others' points of view, to learn from each other and to live in peace.

I hope, honourable Senators, that this instills your faith in the young people of Canada.

[Translation]

ILLEGAL DRUGS

CONGRATULATIONS TO THE HONOURABLE
PIERRE CLAUDE NOLIN ON CHAIRMANSHIP OF
SPECIAL SENATE COMMITTEE

Hon. Marcel Prud'homme: Honourable senators, I rise today to congratulate the members of the Special Senate Committee on Illegal Drugs and in particular its chair, Senator Nolin, for the very high quality of the report published on September 4 of this year.

Rarely in the history of our institution have we seen recommendations produced by a Senate committee receive such broad media coverage, not just in Canada, but also in the United States, Europe and Asia.

In order to achieve such success, Senator Nolin demonstrated unwavering determination and leadership as he strove to reach two of the principal objectives he set on undertaking this ambitious project in April 2000. First, the committee conducted a rigorous, objective and exhaustive analysis of the problems associated with the use and sale of marijuana in Canada, thus eliminating prejudices and moral judgments which, for close to a century, have too often crept into the discussions about the adoption or reform of laws in this regard.

I wish to point out, honourable senators, that the committee conducted its study with limited financial resources and a small research team, whose talents nonetheless made possible the production of a report of over 700 pages within a tight time frame. The conclusions and recommendations contained in the report are based on an analysis of a series of scientific studies done in Canada, the United States and Europe, and on the input from 234 witnesses. The odds are that it will rapidly become an essential reference for any individual or policy maker interested in the origins and the reform of public policies on cannabis.

Honourable senators, I am not alone in this view. In a September 12 letter to the Prime Minister, the John Howard Society of Canada had this to say about the committee's report:

[English]

The recommended policies are grounded solid, the analysis is rigidly tested against the best scientific evidence, and the conclusions and recommendations are rational and deliberate without giving ground to political anxiety. The proposal brings new, refreshing and hopeful light to this area of public policy.

[Translation]

That brings me to the second objective that the committee attained, that of provoking a real debate among Canadians, so that they might give some serious thought to the variety of options available to them to put an end to the devastating effects of drug prohibition.

Let us not forget that the socio-economic costs of this policy far outweigh its benefits, as the committee report demonstrates. Considerable financial and human resources have been diverted from the fight against poverty, from improving our health care system and from improving the competitiveness of the Canadian economy.

Given this context, should we decriminalize or simply regulate the use of cannabis?

[English]

The Hon. the Speaker: Senator Prud'homme, your three minutes have expired. Is leave granted, honourable senators, to continue?

Some Hon. Senators: No.

The Hon. the Speaker: Senator Prud'homme, you may continue tomorrow.

[Senator Prud'homme]

NEWFOUNDLAND AND LABRADOR

GANDER—CEREMONY IN REMEMBRANCE OF EVENTS OF SEPTEMBER 11, 2001

Hon. Ethel Cochrane: Honourable senators, on September 11 of this year, I was honoured to attend a ceremony in Gander, in remembrance of the events of September 11, with the Prime Minister, United States Ambassador Paul Cellucci, as well as leaders and dignitaries of all political stripes. As anyone who was there can tell you, it was a touching ceremony. Like others around the world, we gathered in solemn remembrance of all those whose lives were taken in those events.

However, honourable senators, the ceremony in Gander offered much more than that. It was not a day for anger and loss, it was not a reflection on evil, but one of gratitude and reflection on the power of kindness. In this town of 10,000, representative of others across the province, region and our country, people came together on September 11, 2001, opening up their hearts, homes, churches and schools to complete strangers from around the world. In hindsight, in spite of the best efforts of the terrorists, a new community was born, serving as a symbol of all the good that exists in this world.

Honourable senators, much has been written about Newfoundland and Labrador's hospitality during last year's crisis. I should like to share with you some insights from some of those visitors, insights that illustrate the positives that happened that day. One stranded passenger wrote: "But out of all the destruction and sadness comes something wonderful, a realization that the world is filled with kind, compassionate and caring people everywhere."

Another said: "For most people around the world, the events of 9-11-2001 have left deep marks of pessimism and negative feelings. I for one cherish the warm humanity you offered me during my (forced) stay in the lovely town of Gander."

Another wrote: "Looking back over the last year I find your flame of understanding, hospitality, warmth, and openness [growing in my heart]."

Honourable senators, I should like to suggest that the warmth of human kindness is the Canadian legacy of September 11. When evil acts caused many people to close themselves off and retreat from the world, Newfoundlanders and Labradorians opened their hearts and homes to strangers in need. They offered warmth, understanding and friendship. Indeed, one year later, that is proving to be Canada's lasting legacy.

Hon. Senators: Hear, hear!

[Translation]

ROUTINE PROCEEDINGS

BUSINESS OF THE SENATE

COMMENCEMENT OF SITTINGS ON WEDNESDAYS AND THURSDAYS—NOTICE OF MOTION

Hon. Fernand Robichaud (Deputy Leader of the Government): Honourable senators, I give notice that tomorrow, Thursday, October 3, 2002, I will move:

That, for the duration of the current session, when the Senate sits on a Wednesday or Thursday, it do sit at 1:30 p.m., and that rule 5(1)(a) be suspended in relation thereto.

TAX CONVENTIONS IMPLEMENTATION BILL, 2002

FIRST READING

Hon. Fernand Robichaud (Deputy Leader of the Government) presented Bill S-2, to implement an agreement, conventions and protocols concluded between Canada and Kuwait, Mongolia, the United Arab Emirates, Moldova, Norway, Belgium and Italy for the avoidance of double taxation and the prevention of fiscal evasion and to amend the enacted text of three tax treaties.

Bill read first time.

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

On motion of Senator Robichaud, bill placed on the Orders of the Day for second reading two days hence.

• (1440)

[English]

NATIONAL ANTHEM ACT

BILL TO AMEND—FIRST READING

Hon. Vivienne Poy presented Bill S-3, to amend the National Anthem Act to include all Canadians.

Bill read first time.

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

On motion of Senator Poy, bill placed on the Orders of the Day for second reading two days hence.

FEDERAL NOMINATIONS BILL

FIRST READING

Hon. Terry Stratton presented Bill S-4, to provide for increased transparency and objectivity in the selection of suitable individuals to be named to certain high public positions.

Bill read first time.

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

On motion of Senator Stratton, bill placed on the Orders of the Day for second reading two days hence.

[Translation]

NATIONAL ACADIAN DAY BILL

FIRST READING

Hon. Gerald J. Comeau presented Bill S-5, respecting a National Acadian Day.

Bill read first time.

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

On motion of Senator Comeau, second reading of the bill placed on the Orders of the Day for consideration two days hence.

L'ASSEMBLÉE PARLEMENTAIRE DE LA FRANCOPHONIE

TWENTY-EIGHTH ANNUAL SESSION, JULY 4-10, 2002— REPORT TABLED

Hon. Pierre De Bané: Honourable senators, pursuant to rule 23(6), I have the honour to table, in both official languages, the report of the Canadian branch of the Assemblée parlementaire de la Francophonie, as well as the financial report relating thereto. The report deals with the twenty-eighth annual session of the APF, which was held in Berne, Switzerland, from July 4 to 10, 2002.

CANADIAN NATO PARLIAMENTARY ASSOCIATION

SPRING SESSION OF NORTH ATLANTIC ASSEMBLY, MAY 24-28, 2002—REPORT TABLED

Hon. Shirley Maheu: Honourable senators, I have the honour to table, in both official languages, the fifteenth report of the Canadian delegation of the Canadian NATO Parliamentary Association on the spring 2002 session of the NATO Parliamentary Assembly, held in Sofia, Bulgaria, from May 24 to 28, 2002.

[English]

CANADA-UNITED STATES INTER-PARLIAMENTARY GROUP

FORTY-THIRD ANNUAL MEETING, MAY 16-20, 2002— REPORT TABLED

Hon. Jeremiah S. Grafstein: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian delegation to the forty-third annual meeting of the Canada-United States Inter-Parliamentary Group held in Newport, Rhode Island, from May 16 to 20, 2002.

THE SENATE

OFFICIAL LANGUAGES COMMITTEE— CHANGE TO RULE 86—NOTICE OF MOTION

Hon. Jean-Robert Gauthier: Honourable senators, I give notice that, pursuant to rule 57(1)(a), on Tuesday next, October 8, 2002, I will move:

That rule 86 of the *Rules of the Senate* be amended by replacing paragraph 1(e) with the following:

[Translation]

“Official Languages

(e) The Standing Committee on Official Languages, composed of nine members, four of whom shall constitute a quorum, to which may be referred, as the Senate may decide, bills, messages, petitions, inquiries, papers and other matters relating to official languages generally.”; and

That a Message be sent to the House of Commons to acquaint that House that the Senate will no longer participate in the Standing Joint Committee on Official Languages.

PARLIAMENT HILL

ACCESS TO PRECINCT—NOTICE OF MOTION

Hon. Eymard G. Corbin: Honourable senators, I give notice that on Thursday, October 10, 2002, I will move:

That the Commissioner of the Royal Canadian Mounted Police and the Chief of the Ottawa Police Service do take care that during this Session of Parliament streets and roads leading to the Senate precincts be kept free and open and that no obstruction be permitted to hinder the passage of Senators to and from the precincts of this House; and

That the Clerk of the Senate do communicate this order to the Commissioner of the Royal Canadian Mounted Police and the Chief of the Ottawa Police Service.

[English]

SANCTIONING OF MILITARY ACTION AGAINST IRAQ UNDER INTERNATIONAL LAW

NOTICE OF MOTION

Hon. Douglas Roche: Honourable senators, I give notice that two days hence I will move:

That the Senate notes the crisis between the United States and Iraq, and affirms the urgent need for Canada to uphold international law under which, absent an attack or imminent threat of attack, only the United Nations Security Council has the authority to determine compliance with its resolutions and sanction military action.

AMERICA DAY IN CANADA

NOTICE OF MOTION

Hon. Jeremiah S. Grafstein: Honourable senators, I give notice that on Tuesday, October 8, I will move:

That the Senate urge the Government of Canada to establish September 11 of this and every year hereafter as a commemorative day throughout Canada, to be known as “America Day in Canada.”

NATIONAL SECURITY AND DEFENCE

REPORT ENTITLED “CANADIAN SECURITY AND MILITARY PREPAREDNESS”—GOVERNMENT RESPONSE—NOTICE OF MOTION

Hon. Colin Kenny: Honourable senators, I give notice that at the next sitting of the Senate, I shall move:

That within three sitting days of the adoption of this motion the Leader of the Government shall provide the Senate with a comprehensive government response to the report of the Standing Senate Committee on National Security and Defence entitled *Canadian Security and Military Preparedness*, tabled on February 28, 2002.

[Translation]

THE SENATE

ALLOTMENT OF TIME FOR TRIBUTES—NOTICE OF MOTION

Hon. Jean Lapointe: Honourable senators, I give notice that two days hence I will move:

That rule 22 of the *Rules of the Senate* be amended by adding, after subsection (9), the following:

“Tributes

(10) At the request of the Government Leader in the Senate or the Leader of the Opposition, the time provided for the consideration of “Senators’ Statements” shall be extended by no more than fifteen minutes on any one day for the purpose of paying tribute to a Senator or to a former Senator, and by such further time as may be taken for the response under subsection (13).

Time limits

(11) The Speaker shall advise the Senate of the amount of time to be allowed for each intervention by Senators paying tribute, which shall not exceed three minutes; a Senator may speak only once.

No leave

(12) Where a Senator seeks leave to speak after the fifteen minutes allocated for Tributes has expired, the Speaker shall not put the question.

Response

(13) After all tributes have been completed, the Senator to whom tribute is being paid may respond.

Senate Publications

(14) The tributes and response given under subsections (10) to (13) shall appear under the separate heading “Tributes” in the *Journals of the Senate* and the *Debates of the Senate*.

No bar

(15) Nothing in this rule prevents a Senator from paying tribute to another Senator or to a former Senator at any other time allowed under these rules.

Other tributes

(16) Nothing in this rule prevents an allocation of time for tributes to persons who are not Senators or former Senators."

[English]

UNVEILING OF PORTRAITS OF SIR JOHN ABBOTT AND SIR MACKENZIE BOWELL AND RESULTING INSIGHTS ON CURRENT EVENTS

NOTICE OF INQUIRY

Hon. Lowell Murray: Honourable senators, I wish to revive a notice of inquiry that expired with prorogation. I give notice that on Thursday next, I will call the attention of the Senate to:

(a) the unveiling of the portraits of former Prime Ministers Sir John Abbott and Sir Mackenzie Bowell, on Monday, June 3, 2002; and

(b) insights to current events to be gleaned therefrom, including the challenge to Prime Minister Bowell by Sir George Foster, his Finance Minister.

[Translation]

ILLEGAL DRUGS

REPORT OF SPECIAL COMMITTEE— NOTICE OF INQUIRY

Hon. Pierre Claude Nolin: Honourable senators, I give notice that on Tuesday next, October 8, 2002:

I will call the attention of the Senate to the findings contained in the report of the Senate Special Committee on Illegal Drugs entitled "Cannabis: Our Position for a Canadian Public Policy," tabled with the Clerk of the Senate in the First Session of the Thirty-Seventh Parliament, on September 3, 2002.

[English]

QUESTION PERIOD

NATIONAL DEFENCE

SPEECH FROM THE THRONE—REPLACEMENT OF SEA KING HELICOPTERS—EFFECT OF REVIEW ON DEFENCE AND FOREIGN POLICY

Hon. J. Michael Forrestall: Honourable senators, I wish to start out by asking whether the minister is prepared to answer questions raised by Janice Cochrane, Deputy Minister of Public

Works, with respect to the purchase of certain pieces of equipment.

Honourable senators, my question is for the Leader of the Government in the Senate. I welcome her back. She is looking charming and her hair is a nice shade of grey. I do not know whether that is from worry or from a good and pleasant summer.

We learned in the Speech from the Throne that the long-awaited defence and foreign policy review will come on the heels of the airing of the current defence review and update, underway now. I should like to ask about these two matters and the reasons for the stalling and the unconscionable delay in getting on with the replacement for the Sea Kings.

Does the Leader of the Government in the Senate have any knowledge that might lead her to believe that the defence review will scrap a large number of naval ships, including support ships and destroyers? Will the government need to decrease the number of maritime helicopters to fit the new size of the recommended naval force?

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, I welcome back the honourable senator, and I am delighted to be back here to answer his questions on defence policy for the Government of Canada.

All of us, at least on this side, were extremely pleased with the news announced in the Speech from the Throne with respect to the programs and initiatives of the government for the next period of time, probably up until the next election. In that announcement, of course, was the news that both a defence and a foreign affairs review would be taken together. It is important — and I think we have all admitted in this chamber that it is important — that we know what our foreign policy will be so that our defence policy can be in lockstep.

However, to prejudge such a review, as the honourable senator indicates today that he wishes to do, is not in our best interests. Such a review must take place with a fully open approach to the issues of both defence and foreign affairs.

Senator Forrestall: Honourable senators, does the leader consider one sentence turned into a paragraph — one sentence — adequate coverage, exposure and transparency of the government's positions, views and wishes for the Canadian Armed Forces?

Senator Carstairs: Honourable senators, it is very clear that the government has a number of agenda items it wishes to address. I am, for example, extremely excited about the broadening of the coverage for palliative care for those suffering from grave illness and that the government will use programs presently in place to provide benefits for those who will be caring for such individuals. That topic, honourable senators, received only one sentence as well.

REPLACEMENT OF SEA KING HELICOPTERS—RATIONALE FOR PURCHASE OF NEW CHALLENGERS FOR GOVERNMENT FLEET

Hon. J. Michael Forrestall: Honourable senators, if this is what we can expect with respect to questions concerning Canada's Armed Forces, then I am very disappointed and I am sure the people of Canada will be very disappointed. There is an interest out there, and it is legitimate.

I will pose Deputy Minister Cochrane's questions and express her concerns to see if the Leader of the Government in the Senate cares to respond. Ms. Cochrane asked:

Why could we buy Challengers for ministers in two weeks but still have not bought helicopters to replace the Sea Kings?

How is this consistent with our commitment to competitive procurement?

Ms. Cochrane also feared the jet purchase would be linked to health care spending and said:

If the federal government cannot afford more funding for health care, how can it afford new planes while the old ones are still operational?

The questions go on.

My question is this: What was the rationale for this purchase? Can we expect something more forthcoming in terms of the leader's responses to questions about matters that involve the lives of young men and women in the Canadian Armed Forces?

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, the honourable senator indicates he does not get responses. I had some statistical work done this summer. In the years 2001-2002, since I have been the Leader of the Government in the Senate, I have taken 1,374 questions and have given immediate responses to 1,179 of them. I took 195 on delay, and at the end of session, and we did not think it would be the end of session, only seven were outstanding.

I think it is very clear to the honourable senator that I take his questions seriously. I also take the questions of Ms. Cochrane extremely seriously, if they are the questions that have been expressed by her.

However, the issue that the honourable senator has addressed in terms of planes for government ministers as opposed to Sea Kings is an apples and oranges debate, as are health care spending and defence spending. Clearly, government must set priorities and government will set those priorities. The government has indicated, above and beyond all else, that it will not go into a deficit position.

HUMAN RESOURCES DEVELOPMENT

RETROACTIVE PAYMENTS TO LATE APPLICANTS FOR GUARANTEED INCOME SUPPLEMENT

Hon. David Tkachuk: Honourable senators, this July it was revealed that HRDC issued a \$20,000 cheque for five years' worth of back payments to an elderly woman on the basis that she was not made sufficiently aware of her eligibility for guaranteed income supplement payments. If a person does not apply for the GIS before they turn 65, the retroactive payments he or she can receive at a later date go back only 11 months. However, in this case, Human Resources Minister Jane Stewart used her discretion to issue the cheque.

• (1500)

Using the same reasoning, I would imagine, it is estimated that 300,000 people are also eligible for similar payments, meaning that the government would have to pay out as much as \$2.5 billion. Will other seniors across the country be offered similar back pay?

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, there is a means by which an appeal can be made to the honourable minister in such a case. If undue hardship can be shown, then obviously the honourable minister has an ability to use her discretion.

However, what is far more important in the honourable senator's question is that a great many Canadians were not aware of the process by which they could apply for the income supplement. The government has put into place a program that would make them more aware of this. I would suggest to the honourable senator that, as a result, there have been more applications made and accepted.

Senator Tkachuk: That is a concern of mine. I am still not sure what that means for the rest of the estimated 300,000 people eligible for similar payments. Is the leader saying that if they make application, they will be able to get full retroactivity rather than 11 months as presently stated?

Senator Carstairs: No, I did not say that. What I said was that there was the ability. My honourable friend saw an example where the honourable minister did use her discretion. In some cases that discretion can be used.

Senator Tkachuk: Is the government, because of this back payment, considering changing the time limit so that there are no time limits for retrieving unpaid income tax? I use the phrase "income tax" because, in the case of the income tax department, they do not have that 11-month time period, whereas it seems they do for seniors.

Is the government considering changing the old age security program to allow for the retroactive payments to be extended past the 11 months, whether it becomes automatic or whether they can show a need, or is this just a matter of a ministerial discretion that she can use politically?

Senator Carstairs: There is ministerial discretion. I would suggest to the honourable senator that it is not based on politics; it is based on need.

To answer the honourable senator's first question, the answer is short — no.

Senator Tkachuk: One case out of 300,000. Is the honourable leader saying that if those people can show need, they should make application and that there is a good chance that the 11-month period will be extended?

Senator Carstairs: No, Honourable Senator Tkachuk. I did not say that.

Senator Tkachuk: What are you saying then?

Senator Carstairs: First, I do not know if there are 300,000 cases. That is an estimate, and it is your estimate. I agree that others have estimated the number, but it is certainly not a government figure.

In terms of the ability to recognize specific hardship cases, that is a ministerial discretion, but it is extremely limited in its ability to be applied.

ILLEGAL DRUGS

REPORT OF SPECIAL COMMITTEE— DECRIMINALIZATION OF MARIJUANA— COMMENTS BY UNITED STATES DRUG CZAR

Hon. Edward M. Lawson: Honourable senators, my question is for the Leader of the Government in the Senate. When Senator Nolin, on behalf of the Senate committee dealing with drugs, issued the report recommending the decriminalization of marijuana, U.S. drug czar John Walters said in a statement that he was sure Canadians would not be so naive and would be too intelligent to do such a thing, which is kind of a subtle position.

Senator Nolin and I were at a drug conference last week in British Columbia. The Governor of New Mexico was there. He told us that the U.S. Congress adopted a resolution in 1988 to make the United States drug-free by 1995. How are they doing? Their jails are filled to overflowing. Last year they spent \$40 billion on their war against drugs. He said the drug czar was one of the few people in America who had not realized that they have lost the war against drugs.

In view of the Speech from the Throne and the reference that the government may consider decriminalizing marijuana, Mr. Walters sent a statement to *The Globe and Mail*. In it, he said:

I hope the Canadian government does not head down the risky path of decriminalization or legalization.

The Globe and Mail article went on to say:

While Mr. Walters said that he respects Canada's right to set its own policy...he believes decriminalization would prompt U.S. lawmakers to tighten border controls, disrupting Canada-U.S. trade.

That is not subtle; that is a threat.

Will the appropriate minister, who I believe is the Prime Minister, tell U.S. drug czar John Walters, if he respects our rights, to "butt out?"

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, I thank the Honourable Senator Lawson for that question.

I would make one correction, however, to his opening remarks, and that is that the Senate committee, led so ably by Senator Nolin, did not recommend decriminalization; it recommended legalization.

What has been said in the Speech from the Throne is that the government will look at the issue of decriminalization. I know from my discussions with Minister Cauchon that the government will examine the Senate committee's report in some detail, as well as the committee report that we are expecting from members of the House of Commons, which should be tabled sometime this fall. As to his specific question, changes to the Criminal Code are made in Canada for Canadians; they are not made in Canada for Americans or any representative of the American government.

Senator Lawson: I want someone to send a message to Mr. Walters. We understand the pressure that the Americans are bringing on the Canadian government or people in Canada. They want their policy imposed here. I would like to nip this in the bud and tell them "no more threats." We can do without those. We thank him for his interest, but no more threats.

Senator Carstairs: I thank the honourable senator for that comment. I will make it clear to Minister Cauchon and to the Prime Minister that I believe the general spirit and feeling of this chamber is that we do not like threats at all.

Hon. Marcel Prud'homme: Honourable senators, I have a supplementary question. It will allow me to sneak into the debate the end of my Senator's Statement earlier today. I will buy another old clock; it seems mine does not work because I thought I had taken only three minutes for my statement.

In reference to what Senator Lawson has said, the report that was prepared, published and is at our disposal is an invitation for reflection. I kindly ask the minister to remind the cabinet members who may have seen this report that it is extraordinarily good food for reflection, as was the Senate's report on euthanasia.

Now the world is asking us for this new report. My hope is that Senator Lawson and I can send the 800-page report on illegal drugs to Mr. Walters so that he can at least read it and be well-informed. The suggestion would be that either the honourable leader send him the report to defend the integrity of Canadians or that she encourage Senator Lawson and me to send him a copy of the report. That is what I wanted to say at the end of my earlier statement.

Senator Carstairs: Honourable senators, I would be surprised if Mr. Walters has not already received a copy of the report, given his statements on the issue. However, the honourable senator's suggestion is entirely appropriate. It would be most appropriate if Senator Nolin sent that report to Mr. Walters, as he chaired the committee. I think he has now become, along with the members of that committee, including Senators Kenny, Rossiter and Banks, quite authoritative on this issue. I would encourage them to send the American drug czar the report they have recently tabled.

I also hope, quite frankly, in light of the announcement that the Honourable Senator Nolin made today, that he will begin an inquiry on his report and that honourable senators will participate in that inquiry. The more evidence and the more points of view that the government has before it will make it easier for the government to come to a decision.

TRANSPORT

AIRLINE INDUSTRY—PROPOSALS TO INCREASE
FOREIGN COMPETITION

Hon. Donald H. Oliver: Honourable senators, my question is for the Leader of the Government in the Senate. It deals with the report reviewing Canada's air transport policy, focusing on open skies. In that report, written by Debra Ward for the Department of Transport — that is, the third section of her report — it is recommended that Ottawa open the skies to foreign air carriers to boost allowable foreign ownership levels of domestic airlines to 49 per cent.

• (1510)

Is it the plan of this government to act on these suggestions and, if not, what are the government's proposals to increase competition in the skies?

Hon. Sharon Carstairs (Leader of the Government): I would thank the honourable senator for that question. As he knows, Ms. Ward's report was received only recently by departmental officials and, more particularly, by the Minister of Transport, the Honourable David Collenette. It is currently under study.

Mr. Collenette recently indicated that he feels confident that there is growing competitiveness in Canadian air transportation, a competitiveness that did not exist even a few short months ago. The whole issue is being studied carefully.

Senator Oliver: Honourable senators, would the minister determine whether there is active consideration ongoing about the foreign ownership limit and whether there is any possibility of increasing that limit to 49 per cent?

My supplementary question deals with the imposition of the \$24 security surcharge to pay for security improvements at airports in the wake of the terrorist attacks of last year.

The Ward report, which was two years in the making, indicates that the \$24 security surcharge has imposed "an undue and unfair burden on air travellers." That, of course, is exactly what we on this side have said on many occasions in this chamber.

Would the Leader of the Government in the Senate please provide us with her government's response to this latest criticism of the \$24 security charge?

Senator Carstairs: Honourable senators, I can confirm that there is currently no discussion regarding a specific foreign ownership percentage. Presently, the whole broad issue of the Ward report is engaging the minister.

As far as the surcharge is concerned, the government made a commitment to a fall review, and that review will commence.

CITIZENSHIP AND IMMIGRATION

APPLICANTS FOR CITIZENSHIP BY IMMIGRANTS
FROM UNITED STATES AND UNITED KINGDOM

Hon. Norman K. Atkins: Honourable senators, my question is directed to the Leader of the Government in the Senate. I am aware that she will not be able to give us a direct reply today.

Over its history, Canada has enjoyed the immigration of people from the United States and the United Kingdom. In fact, I emigrated from the United States. Could the leader tell us how many immigrants from the United States and the United Kingdom have applied for citizenship over the last five years?

As a supplementary to that question, could the minister at some time tell us how, as a percentage, that number compares to the number of immigrants from other countries?

Hon. Sharon Carstairs (Leader of the Government): I thank the honourable senator for that question. I think it would be important to broaden the question to include landed immigrants rather than restrict it to only those who applied for citizenship. I would be pleased to get those figures for the honourable senator.

I can indicate to the honourable senator, from my modest knowledge of immigration figures, that the percentage has certainly decreased, although I cannot say whether the actual numbers have decreased. However, I will provide a full answer to that question as soon as possible.

HEALTH

SPEECH FROM THE THRONE—POSSIBLE INCREASE IN
TAXES TO PAY FOR SERVICES

Hon. Terry Stratton: Honourable senators, there was widespread speculation on Tuesday in the other place that, in the Speech from the Throne, the Prime Minister was setting the stage for future tax increases to pay for increased health care spending. Can the Leader of the Government in the Senate assure the Senate that this is not the case and that headlines such as the one in the *National Post* that reads, "PM hints tax hike in offing" are off the mark?

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, as the honourable senator knows, the Prime Minister made no reference specifically to any form of tax hike. He made it very clear that Canadians had to live within their means. However, he also reflected on the fact that, if we want the kinds of services that we have in Canada, and if we want enhanced services in a number of areas, there is a price to pay for those services. However, Minister Manley has asked all ministers to look within their own budgets to see if there are program expenditures that could be shifted in order to meet new needs.

Senator Stratton: Honourable senators, the comment was made earlier — and was later denied, of course — that there was a likelihood of a GST increase from 7 per cent to 10 per cent. That comment was made on September 11 or September 12 and then denied a week later. However, it is a hint of a potential tax increase.

Health Minister Anne McLellan is quoted in the *Vancouver Province* of September 15 as saying that if Canadians want a high quality, publicly financed system “they are going to have to pay for it.” When asked if this might mean higher taxes, she said “maybe.”

If “higher taxes” does not mean a 10 per cent GST, then what does it mean — higher income taxes, a new health care premium, a hike in gas taxes? These hints keep coming out. Little flags are run up the pole to test the wind. You can see this escalating, and that is my concern. These little flags keep going up and down the pole. I want to know whether it is real.

Senator Carstairs: Honourable senators, let us deal first with the so-called story on the GST. It did not take the government a week to respond, as Senator Stratton indicated. The Prime Minister responded that very afternoon that that was a fantasy that would not become a reality. I think we have a pretty firm commitment on that issue.

This fall, we are expecting two extremely serious reports on our health care system: one from our own Senate committee chaired by Senator Kirby, and the other from the Honourable Roy Romanow, the commissioner the government appointed to develop a health care policy.

Although the members of the Senate committee know what is in their report, I do not. We do not officially know what will be in that report and what additional expenditures it will recommend. We have no idea what will be in the Romanow report and what additional expenditures he may recommend. We do know that there is to be a first ministers’ conference, probably in January, with respect to the future of health care in this country. We would be premature to speculate about the costs before we see the recommendations of both the Senate and Mr. Romanow.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I should like to draw your attention to the presence in our gallery of distinguished visitors. These are participants in the Interparliamentary Cooperation seminar of the CPA. The legislatures represented include Senegal, Mauritania and Romania.

On behalf of the Senate, welcome.

Hon. Senators: Hear, hear!

SPEECH FROM THE THRONE

POINTS OF ORDER

Hon. Lowell Murray: Honourable senators, I wish to raise a point of order arising from several incidents that occurred during the official opening of the new session of Parliament on Monday last. I trust my point of order will be received in the spirit in which it is intended.

The official opening of a new session of Parliament is a solemn occasion, and properly so. It is invested with certain symbolism representing some of our most cherished traditions. It brings together the three estates of Parliament — Crown, Senate and Commons — to hear the reasons for which we have been convened.

• (1520)

We can all take some pride and satisfaction in the fact that, over the years, the authorities — whether they be at Rideau Hall, in the Senate, or elsewhere in the government — responsible for this ceremony have taken great care to ensure that the dignity and solemnity of the occasion are respected.

However, two incidents occurred Monday last that should not go unremarked and that the proper authorities should resolve will not recur. First, while Her Excellency was reading the Speech from the Throne, our ears were assaulted by the simultaneous translation in the other language booming into the chamber, whether over the public address system or otherwise, I do not know, but it was, frankly, quite disruptive and detracted, in my view, from the solemnity of the occasion. This audio disruption was an imposition on the Governor General and on the rest of us. I have not inquired as to its cause, but I seem to recall that this has happened on a previous occasion, which is why I am bringing this matter forward. There was a suggestion that this situation arose because of the presence of the broadcast booths in the chamber; another suggestion raised the question of defective wiring in this chamber. Whatever the reason, care should be taken to make absolutely certain that this does not occur again. If that means sending the broadcast people elsewhere or rewiring this place, then those steps must be taken. We cannot have a recurrence of that disruption.

The second matter I wish to raise — and I trust I will not be hurting anyone’s feelings — is that some honourable senators seemed unable to contain their enthusiasm for the agenda and policies contained in the Speech from the Throne and proceeded to interrupt the reading of the speech with applause and also to greet the end of the speech with applause. I was going to say that this behaviour was unprecedented, but a colleague informs me that this happened on one previous occasion, perhaps at the last Speech from the Throne. Let me express the view that it is something that, in my experience, has never happened during a Speech from the Throne or after a Speech from the Throne. We are required to hear the Queen’s representative in silence and only after she or he is safely out of the building, to commence the debate. The reason for which we must hear the Speech from the Throne in silence must be obvious to all honourable senators: If it is open to some honourable senators to express their enthusiasm by applauding, then it is surely open to other honourable senators to express their displeasure here or there by groaning, heckling or responding in our traditional fashion. This would be an affront and offensive to the dignity of the occasion and to the Crown.

Honourable senators, I place those two matters before you in the hope and expectation that, in due course, we might have a considered commentary from Your Honour on the matter.

Some Hon. Senators: Hear, hear!

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, I should like to join with the Honourable Senator Murray and indicate that the audio disruption was indeed very distracting from my position. Therefore, it must have been even more distracting for the Governor General, who was trying to read over the echo of that particular sound. Clearly, it is something that we must address. I am not sure that such a disruption has happened when we have had the more formal ceremony, but it has certainly happened previously. I do not know the reason for the audio difficulties, but the reality is that it was extremely distracting and must have been very difficult for the Governor General.

The other issue that the honourable senator raises is also one that is totally unfair to the Governor General. Her Excellency is given a speech to read on behalf of the Government of Canada. It is not her speech. The appropriate time for applause and perhaps nays, as the case may be, is when senators and members of the other place, including the prime minister, address the issue in their respective Houses, in Reply to the Speech from the Throne.

However, there was also a third incident that gave considerable concern to me, an incident that honourable senators may not have noticed, and that is, that a member of the other place decided to cross the bar and to take his seat next to Senator Biron because the seat was empty. It is understandable that members of the other place can become uncomfortable after standing for a period of time; in addition, it tends to be very warm when this place attempts to meet the lighting needs of the television cameras. In this case, when asked to leave by one honourable senator, the member in question did not seem to feel that that was necessary. However, when the whip on our side specifically made the request, the member left the chamber.

Honourable senators, in the future, we will need to send out crib notes about what is expected in terms of decorum when such an event is taking place in this chamber.

Hon. Noël A. Kinsella (Deputy Leader of the Opposition): Honourable senators, in the spirit in which the point of order has been raised and is being addressed, there was a fair degree of disorder on Monday, September 30, 2002. I agree with the Leader of the Government in the Senate and with my colleague Senator Murray on the three points that they have raised. Indeed, we noticed the stranger in the house, a matter about which the *Rules of the Senate* is very clear. Until such time as our Constitution is changed, it is important for us to maintain the integrity of the institution, its rights and privileges. This is the duty of all honourable senators. Our British Westminster bicameral system has worked well for over 135 years. It is incumbent upon us to attend to these particulars.

Part of the problem may be associated with a lack of knowledge of etiquette by members of the other place, as well as by the public at large. It is my hope that Heritage Canada or some other branch of government might attend to this matter at some point. One would have noticed that when the justices of the Supreme Court of Canada arrived in the chamber, all honourable senators rose.

An Hon. Senator: No.

Senator Kinsella: Some honourable senators rose.

Senator Bolduc: Many.

Senator Kinsella: Tradition has it that when a member of the Supreme Court of Canada comes to this place as a deputy of Her Excellency, or indeed Her Excellency herself, it is quite proper that we rise.

A number of matters relate to this point of order. Perhaps His Honour will address these matters as well.

For example, the proclamation that was issued and published in the *Canada Gazette* summoning parliamentarians to meet reads, in part:

To Our Beloved and Faithful Senators of Canada, and the Members of the House of Commons of Canada...

The proclamation provides as follows, *inter alia*:

... do hereby command and enjoin each of you, and all others in this behalf interested, on September 30, 2002 at two o'clock in the afternoon, at Our City of Ottawa, to appear in person for the DESPATCH OF BUSINESS...

• (1530)

Parliament was prorogued by the appropriate Privy Council instrument duly registered on September 16. The proclamation summoned Parliament for 2 p.m. on Monday, September 30.

As all honourable senators know, yesterday, another event took place in this chamber that has occurred previously during my time in the Senate. The Senate met at 10 a.m. yesterday. I have never been sure upon what authority that meeting takes place. I find it out of order that that meeting is recorded in *Hansard* and in the *Journals of the Senate*. We are recording something that occurred while Parliament was prorogued because the proclamation did not summon Parliament until two o'clock in the afternoon. There is a continuing effect of this disorder that affects the Order Paper of today.

Another thing occurred, honourable senators, after Her Excellency read the Speech from the Throne. When Her Excellency left and our Speaker took the Chair, business was conducted. Honourable senators, where was the mace? It could not be placed on the Table because we had no Table. If I recall correctly, the macebearer was standing in the far corner with the mace resting on the floor. As I looked, he was resting it on the floor. Honourable senators will recall that last year, in the other place, a very unseemly occurrence transpired involving the mace. There is a proper place for the mace. It has great symbolism and it speaks to our history and tradition.

That is another element, honourable senators, that I hope His Honour will take into consideration as he examines this point of order.

Hon. Jack Austin: Honourable senators, on the same point of order with regard to decorum in the chamber, I am curious and even concerned about the use of television cameras during the Speech from the Throne ceremony. I do not know what the arrangement is with the television broadcasters, but it should be that no individual senator be selected for broadcast portrayal. As I watched TVA last night, I saw that they singled out senators who yawned, closed their eyes for a moment or leaned on their hands. The overall message was: This is the kind of Senate you have. That is known in colloquial terms as a cheap shot — big time.

I would have imagined that the normal rules for the television broadcasting of proceedings that apply in the House of Commons would have applied here, that is, no individual shots except those of the person speaking and those naturally caught in the frame of the person speaking. I would ask the leadership to look into this breach of decorum.

Hon. Laurier L. LaPierre: Honourable senators, this may be the most informative and defining moment of my stay in the Senate. I am completely overwhelmed by the amount of time that will be spent on this matter today, tomorrow and maybe forever.

I stood up when the Chief Justice entered this room because she was entering the room in which I sit. She is, after all, the head of the third branch of our government as the head of the judiciary of our country. If not the third most important person in our country, she is, nevertheless, an important person in our country, and she was our guest in this chamber. I felt it necessary to stand along with almost everyone else in this room. I believe that some of the people in the galleries stood as well.

I find that there is an obsession with traditions that have existed since time immemorial. Life goes on, and we move on.

I see nothing wrong with applauding a statement that the children of our country will be looked after. That has become a definite statement of the policy of the nation. Further I do not find it objectionable to applaud the statement that by 2010 we will double our aid to countries in poverty, particularly Africa.

At the end of the speech, I followed the lead of some on the other side who applauded. We said goodbye in that way.

Hon. Marcel Prud'homme: As all honourable senators know, and some disagree with me, I am very attached to tradition. I will never apologize for that. I am willing to debate with those in Quebec and elsewhere who disagree with me and to explain what protocol is all about. As a member of the Queen's Privy Council, I am ready to defend this position in Quebec in particular.

Senator Austin very intelligently touched on one of the annoyances that took place. We all have our own opinion about the applause.

When the initial request was made to televise the proceedings of the other chamber, we were extremely reluctant to allow that unless everyone involved knew the rules. Many supported the notion of allowing the camera to focus on persons other than the person who had the floor. Our rules had to be very strict. In the United States the coverage, in my opinion, is horrible. It sometimes seems that there is only one person in the room, while, in fact, 400 people are not caught by the camera. They do that on purpose. That was not the intention of televising the proceedings of the other place.

• (1540)

Some honourable senators may remember that, when television cameras were allowed in this place for the first time, there was one honourable senator who could not stand the bright lights and, as a result, wore sunglasses. He was laughed at all over Quebec, which hurt the reputation of the Senate.

Another colleague of ours who was not well fell asleep. His image was captured by the television cameras. For days and months after, we saw that image which was interpreted by many to be, "Here is the Senate at work."

I hope that whoever is responsible for the rules in the future will come up with strict rules regarding images captured by television cameras. It is not we who are important. The television cameras should be on the guest of the Senate who, in yesterday's case, was the Governor General. The cameras should have remained on her and captured nothing else. There should not have been shots of senators, et cetera.

I wish to address the matter of the honourable member of the House of Commons who, to the annoyance of some, took a seat

in this chamber. I will explain the situation, and not because he is a friend of mine. While the member was standing, a senator said to him, "I will move to another seat, why not sit in my place?" Not knowing any better, the member sat down until, rightly so, the government whip, Senator Rompkey, went to the member and gently reminded him that he was not allowed to sit in the chamber. The member said, "I am sorry." He did not object but removed himself from the seat.

Let us not make a big deal out of small details. However, let us be strict on protocol. If we are to allow television cameras in this place, then we should have strict rules in place before, in the name of modernity, we decide to let the cameras roll in the way cameramen see fit. I hope that those in charge of the rules will ensure that they are clear so that everyone knows where he or she stands.

Hon. Jeremiah S. Grafstein: Honourable senators, I did not intend to participate in this debate. I commend Senator Murray for bringing this matter to our attention.

First, I want to tell the Honourable Senator LaPierre that every statement that has been made by honourable senators in support of the proper decorum on the question of the role of the Crown, the Senate, the Commons, and the proper and due respect to the institution of the Senate and to the Commons, all relate to careful pieces of symbolism that have taken 300 to 400 years to piece together, including those in relation to the mace.

Second, I wish to respond to the honourable senator's comment that it was exuberance that caused some to rise when we should not have done so. I was one who, unconsciously, did rise. However, I immediately sat down because I recognized that I was doing a disservice to the Senate, its sovereign powers and the respect of the Senate as a separate institution. This goes to the question of checks and balances that we have been arguing about in this chamber for many months on a number of issues, including the clarity bill and others.

I again commend Senator Murray and other honourable senators who have exhaustively reviewed these questions. Hopefully, they will educate all honourable senators as to their appropriate role on these occasions.

Hon. Anne C. Cools: Honourable senators, I should like to join the debate, briefly. I believe Senator Murray has raised a valid point of order. I thank him for bringing it forward and should like to add my support to it.

On the occasion of the Speech from the Throne, I was most aware of the several items that were less sufficient than they should have been. For example, I was very aware of the applause not only of senators but even of guests in the galleries. I believe this lack of order is a symptom of a much larger malaise. I think that the malaise has to do with the declining knowledge and comprehension of our system of parliamentary government under a constitutional monarchy. Not only is this a declining knowledge, it is a decline that is being actively supported by powerful ministers and even by government itself in some places. The fact of the matter is that we are in a situation where many cabinet ministers no longer believe in the system. They have lent this decline their positive support, which I think is a terrible shame and one that should be corrected.

I am of the sincere belief that our system of governance represents the highest jewel of constitutionalism anywhere in the world. I am quite prepared to support it.

I should also like to say that one has to be magnanimous. It has turned out that calling justices "lords" has no historical origin in Canada. Apparently, it was only an affectation for over a century.

I was very aware that when senators rose for the justices they should not have risen. However, in a situation like that one is aware that one does not wish to embarrass Her Majesty's representative. In a case like that, one does not want to stand out as being the only one who is aware of proper behaviour.

As to Senator LaPierre's concerns, I beseech him to pay a little bit more attention to some of these important matters. Symbols are important. I think that if Senator LaPierre really wants to test the situation, he should pay a visit to the Supreme Court of Canada to see if all nine judges rise when he walks in.

Senator LaPierre: They certainly will not rise for you, madam.

The Hon. the Speaker: Order, please.

I would draw the attention of honourable senators to the clock. Time is passing. I want to hear senators who raise issues relevant to matters of order in this place, in particular those raised by Senator Murray. Elaborations on that are useful. However, debate elaborating on the point of order is not appropriate.

I would ask senators to continue in this first round of interventions. I know some honourable senators want a second round. My intention is to give every honourable senator who wishes to speak an opportunity to do so.

Hon. Gerald J. Comeau: Honourable senators, I will be brief. If His Honour were to determine that it was not in order to have the swearing in of a new senator while Parliament was prorogued and that it was a "non-activity," would His Honour consider advising Table Officers that the attendance that was taken not be considered as it is on every occasion we sit? I found it somewhat offensive that Parliament was not sitting but that our attendance was being taken for a non-activity.

• (1550)

Senator LaPierre: Honourable senators, I agree with Senator Austin's remarks about the control of television cameras. A photographer took a picture of an honourable senator who was said to be yawning. That picture was shown in newspapers across Canada. I do not think that is proper. Consequently, to carry on the tradition of the Senate, which was so artfully explained by Senator Grafstein and Senator Cools, I think we should remove the dais and the photographers from the chamber.

The Hon. the Speaker: I thank all honourable senators for their interventions on the point of order. I will take the matter under consideration and report back at the earliest possible time.

[Translation]

ORDERS OF THE DAY

SPEECH FROM THE THRONE

MOTION FOR ADDRESS IN REPLY— DEBATE ADJOURNED

The Senate proceeded to consideration of Her Excellency the Governor General's Speech From the Throne at the Opening of the Session.

Hon. Yves Morin, seconded by the Honourable Elizabeth Hubley, moved:

That the following Address be presented to Her Excellency the Governor General of Canada:

To Her Excellency the Right Honourable Adrienne Clarkson, Chancellor and Principal Companion of the Order of Canada, Chancellor and Commander of the Order of Military Merit, Governor General and Commander-in-Chief of Canada.

MAY IT PLEASE YOUR EXCELLENCY:

We, Her Majesty's most loyal and dutiful subjects, the Senate of Canada in Parliament assembled, beg leave to offer our humble thanks to Your Excellency for the gracious Speech which Your Excellency has addressed to both Houses of Parliament.

He said: Honourable senators, I have the honour of moving the motion to adopt the Address in Reply to the Speech from the Throne given in this chamber two days ago by Her Excellency the Governor General. It was a truly remarkable speech, outlining a broad program of action by the government in response to the values and aspirations of Canadians, and setting the stage for a busy legislative agenda which we, as parliamentarians, must address in the months ahead.

[English]

Canada is universally acknowledged to be one of the best countries to live in. Does this statement apply to our Aboriginal communities? Does it apply to our underprivileged children? Does it apply to our needy populations?

[Translation]

We have a duty to ensure that this exceptional quality of life we enjoy is transmitted unchanged to our children, our grandchildren, and in the case of my honourable friend, Senator Setlakwe, to our great-grandchildren, by ensuring that we consolidate urban infrastructures, bolster our innovation and research system, clean up our environment and bolster our health system.

To start with the First Nations, we are aware of the Prime Minister's interest in and concern about their living conditions and socio-economic situation, as well as their very poor health, as illustrated by the tragedy of fetal alcohol syndrome in particular, which unfortunately is far more prevalent in our aboriginal communities. The measures recommended by the Speech from the Throne will, I trust, make it possible to reach solutions to this tragic problem.

[English]

Children are living in poverty in a country where so many people live so well. It is absurd that 60 per cent of the children of single mothers live in poverty, especially in a country that has been at the forefront of scientific studies on the link between early childhood care and later adult health status. Measures recommended in the Speech from the Throne will ensure a good start in life for all.

Concerning urban infrastructure, the Prime Minister recently said that over the last few decades, our cities have prospered and grown to become the places where a majority of Canadians live, work and play and that they have responded well to many of the challenges of rapid growth. He said that strengthened partnerships will be required to ensure that we sustain and enhance the quality of life in our large urban areas.

The Speech from the Throne confirms that there will be significant action within our federal jurisdiction to build urban infrastructure so that our Canadian cities become magnets for talent and investment.

On the subject of science and innovation, Canada, like many other countries, has embraced the knowledge-driven economy as a source of the creation of future wealth that will sustain and enhance our quality of life and our standard of living. This knowledge-driven economy is based on the creation, the discovery and the development of new ideas and their successful commercialization.

In the past, the Canadian government has enthusiastically endorsed such a science and innovation agenda. I am personally proud to have been instrumental, with others, in the creation of the Canadian Institutes of Health Research, an organization that has become world renowned under the able leadership of Dr. Alan Bernstein. Measures recommended in the Speech from the Throne will improve our science and innovation performance and will promote skills and learning development.

With regard to the Kyoto Accord, on September 2, in Johannesburg, South Africa, the Prime Minister courageously announced that he would ask Parliament to ratify the Kyoto Accord during the current session.

Honourable senators, climate warming has been recognized as one of the most serious problems facing the world. We must ensure that we decrease greenhouse emissions, if only for the health of our grandchildren, in a way that will correct climate change.

The Government of Canada is developing a program to ensure that the burden and the various opportunities are shared throughout the regions and various sectors of Canada. The government must be commended for this bold and courageous decision.

[Translation]

As far as health is concerned, this year marks the 40th anniversary of health insurance in Saskatchewan. Over the years, health insurance has developed into an important aspect of our national identity.

• (1600)

However, more recently, this pride has been mixed with a degree of apprehension, because of what is perceived as the erosion and deterioration of our health care system. The Senate reacted swiftly and effectively to this situation by asking its Committee on Social Affairs, Science and Technology to examine the issue.

The Prime Minister also set up a second commission, led by the Honourable Roy Romanow. Once these two reports are released, the Prime Minister will convene a first ministers' meeting and he will take appropriate action, as was mentioned two days ago in the Speech from the Throne, to ensure that Canada's health system is strengthened.

[English]

On the subject of health, I am sure that my friends and colleagues from the Standing Senate Committee on Social Affairs, Science and Technology were as pleased as I was to hear of the new initiatives in the important area of health promotion and health protection. Another plan that our leader, the Honourable Senator Sharon Carstairs, has been promoting for a long time will allow Canadians to take compassionate leave to care for their terminally ill family members. The government must be commended for this initiative.

Taken individually, the remarkable initiatives from the Speech from the Throne are all significant steps that will sustain and enhance our quality of life and will also assure our wealth and prosperity in the brave new world of the 21st century. Taken together, they are nothing less than a remarkable and courageous program of strategic investment in the future of our children, in the future of our environment, in the future of our economy, and in the future of Canada.

Honourable senators, it is for this reason that I am proud to have moved acceptance of the Government of Canada's agenda as set out in the Speech from the Throne less than 48 hours ago.

Hon. Elizabeth Hubley: Honourable senators, it is a great privilege for me to speak in support of the timely motion of our colleague, the Honourable Yves Morin, and to endorse and applaud Her Excellency the Governor General's Speech from the Throne, outlining the direction and actions of government over the coming year.

In a short time, Her Majesty Queen Elizabeth II will honour us with her presence, in this the jubilee year of her coronation. We await her visit with excitement and pride, recognizing as we do that she is a remarkable person and that the British parliamentary system, which she so graciously symbolizes, is with us each day in this venerable institution.

I was appointed to this chamber just a year and a half ago, and it has been a most rewarding time for me personally. The people of Prince Edward Island are good and loyal Canadians, and it has been a great honour to represent them here in the Senate, an institution that I believe is presently undergoing a transformation in the eyes of the public. There is a growing realization that serious and vitally important work is done in this chamber and in the many committees that serve it.

There is also, I believe, an evolving consensus among the media that the Senate is a unique form of debate and that its members contribute significantly to the formulation of legislation and public policy.

I wish to extend my gratitude to the Speaker, the Speaker *pro tempore*, the clerk and the other table officers for their patience and kind assistance over the past year. It is wonderful to be back for another session with them and with all our esteemed colleagues.

Honourable senators, Canadians continue to enjoy relative prosperity, social peace and stability and one of the highest standards of living in the world. We have our problems, challenges and disagreements, but we are truly a blessed nation. The greatest strength we have is our people.

Three distinguished citizens of my province recently were presented with the P.E.I. Medal of Merit by His Honour Lieutenant Governor Leonce Bernard. I should like to extend my congratulations to Ms. Anna Duffy, Mr. Allan Graham and Mr. Elmer Williams for their lifelong commitment to community life in Prince Edward Island.

Canada is unique among all nations of the world. The Prime Minister, in the special House of Commons debate following the horrific events of September 11, summarized our national character this way:

Canada is a free nation, a just nation, a nation of laws. It is also a land of immigrants. A place where people from almost every nation and faith on earth have come to find freedom, respect, harmony, and a brighter future...

We are also respected and listened to on the international stage.

Honourable senators, Canadian men and women have fought bravely, with supreme sacrifice, in two world wars and in other conflicts. When the freedom and security of our own people or that of our neighbours is threatened, we do not flinch from duty or responsibility.

We have honoured our NATO commitments. The tragic, accidental bombing deaths in Afghanistan a few short months ago remind us of the cost of such commitments, of such duty and responsibility.

Canada, however, always has preferred diplomacy and peacemaking to war. Moreover, our foreign policy is firmly rooted in multilateral cooperation, and our record speaks for itself.

We helped give birth to the United Nations, of course, and we have faithfully and enthusiastically participated in its work since then. Canadians have answered the call as peacekeepers in many parts of the world, and we have earned a place around the international table as a compassionate and respectful country, committed to democratic freedom and justice, a country that does not seek to dominate or control, but one that is always ready to extend a hand of peace and friendship.

Honourable senators, this is our tradition, our reputation and identity, our very character as a nation in the world. It is in the tradition and character of Lester B. Pearson. It is the tradition and character of Pierre Elliott Trudeau, of Lloyd Axworthy, of General Romeo Dallaire, and of the thousands of men and

women in uniform who have served our country so well in peacekeeping and peacemaking roles.

Honourable senators, our Prime Minister also embodies that national tradition and character. In a recent CBC interview marking the first anniversary of the horrific terrorist attacks in the United States, Prime Minister Chrétien, I believe, spoke for the majority of Canadians when he called upon the richer, more powerful nations to narrow the miserable gulf of economic disparity and poverty that exists in the world. He cautioned the West against exercising power to the point of "humiliation for others," and he suggested that being looked upon as "arrogant, self-satisfying, greedy and with no limits" necessarily must have its consequences.

• (1610)

A few editorialists and pundits, along with the Leader of the Official Opposition, misconstrued completely what the Prime Minister was saying. They thought he was somehow blaming the United States for the September 11 terrorist attacks when, instead, he was courageously reminding us all of an undeniable truth, reminding us of our greater responsibilities as citizens of the international community.

I can tell you that in my own province of Prince Edward Island, honourable senators, the Prime Minister's remarks were greeted as a breath of fresh air, a moment of candour and insight from a political leader who has been committed throughout his entire public life to social and economic justice for the poor and disadvantaged. That commitment was abundantly clear in the Speech from the Throne, which promises increased financial assistance and support to Canadian children and families. This is the same Prime Minister who has spearheaded initiatives at the United Nations and as a G8 leader to help the people of Africa and other poor and undeveloped countries through more generous debt relief, increased foreign investment and international trade, and financial and technical assistance.

Our Prime Minister understands a fundamental and cruel reality, honourable senators: that poverty and oppression spawn hopelessness and that out of hopelessness must surely come alienation and resentment. Some would argue that the war against terrorism has nothing to do with this gulf between the rich and the poor, that al-Qaeda terrorists are religious fanatics whose hatred of the predominantly Christian West can be traced all the way back to the Crusades. Others would even characterize this new war as a clash of civilizations.

There may be some perverse credence to these arguments, but it has also been demonstrated throughout history, as empires rise and fall and as nation-states contend and compete with one another, that poverty and oppression are powerful forces for change and social and political upheaval. Quite often the pressure between the two worlds, the one of wealth and economic opportunity and the one of poverty and despair, simply becomes too great. As with tectonic plates pushed inexorably against each other, an earthquake of some magnitude is almost certain to occur.

Honourable senators, I believe we should reflect deeply on the Prime Minister's warning and do everything in our power to bridge this widening gulf in the world between those who have food, shelter, security and opportunity for the future and those who do not.

Canada has very few enemies in the world. Canada is a good neighbour not only to the great American nation to the south but to all peoples and all nations. This must continue to be our international mission, honourable senators, pursued through a sovereign and independent foreign policy.

In the days ahead, our government will undoubtedly be faced with a most difficult decision regarding Iraq and whether to participate in military action aimed at curtailing the alleged continued development of weapons of mass destruction there. Iraq is in chronic violation of numerous UN resolutions with respect to weapons inspection and disarmament. We are right, I believe, to insist on the unfettered resumption of this process.

The American administration suspects that a link exists between Iraq and the tragic events of September 11. However, the evidence to date is tenuous and unconvincing. Whatever action is taken against Iraq, I believe that it must be taken within the framework of international law. I hope we give diplomacy a chance. I hope we do not act preemptively and outside of world opinion. I hope most of all that we take into account the deplorable conditions in that country and the extent to which the Iraqi people have already suffered as a result of both Saddam Hussein's dictatorship and the economic sanctions applied by the UN following the invasion of Kuwait.

When Assistant Secretary-General of the UN Denis Halliday resigned in 1998 as coordinator of humanitarian relief for Iraq, he was uncompromising in his assessment of these sanctions. He said:

I am resigning because the policy of economic sanctions is totally bankrupt. We are in the process of destroying an entire society. It is as simple and terrifying as that. I have been instructed to implement a policy that satisfies the definition of genocide, a deliberate policy that has effectively killed well over a million people.

Honourable senators, the world can be a dangerous and imperfect place, and there are "evildoers," as President Bush has suggested, who would gladly threaten our freedom and security if they possess the means to do so. We have learned that terrible lesson. However, in our effort to protect ourselves, in our campaign for justice and retribution, in our war against terrorism, let us not forget this nation's values, its commitment to peace and its distinctive history and place within the international community.

On motion of Senator Lynch-Staunton, debate adjourned.

COMMITTEE OF SELECTION

MOTION FOR APPOINTMENT—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Rompkey, P.C.:

That, pursuant to rule 85(1), the Honourable Senators Bacon, De Bané, Fairbairn, Kinsella, Kolber, LeBreton, Rompkey, Stratton and Tkachuk be appointed a Committee of Selection to nominate (a) a Senator to preside as Speaker *pro tempore* and (b) the Senators to serve on the several

select committees during the present Session; and to report with all convenient speed the names of the Senators so nominated.

Hon. Noël A. Kinsella (Deputy Leader of the Opposition): Honourable senators, I should like to raise a point of order related to the fact that I moved the adjournment of the debate on this matter, but I do not see this item standing in my name on the *Order Paper and Notice Paper*. I think it should stand in my name because this is a matter that concerns a committee of the Senate, and committees of the Senate are not matters of government business but, rather, a matter of the whole chamber. We are prepared to deal with it not under "Government Business" but rather under "Other Business." I say that because on the first day following the Speech from the Throne, His Honour was back in the Chair when two proceedings unfolded. The first was His Honour ensuring that we had the right copy of the Speech from the Throne, which we dispensed with having read again; the second proceeding was the *pro forma* railways bill. That is an ancient right, which secures the authority of the house as distinct from the rights of the Crown. After that, a motion is typically made to establish the Committee of Selection. Discussions typically take place and have taken place between the two sides around committee membership, et cetera.

I submit that any senator could have risen and made the motion for the establishment of the Selection Committee. Simply because the Deputy Leader of the Government made the motion does not ipso facto mean it is government business. Senator Robichaud, for example, may move a motion or bring in a private bill of interest to him. That does not become a government motion.

Rule 26(1) is clear as to what constitutes government business:

(a) Orders of the Day for the third reading of government bills;

(b) Orders of the Day for the consideration of reports from committees in relation to government bills;

(c) Orders of the Day for the second reading of government bills...

Typically, this rule relates to government bills, including government bills that have been considered by committees because that is government business. We have no quarrel with that. We just do not think that rule 26(1)(d), "Orders of the Day for the consideration of other government business," is that kind of government motion.

• (1620)

I see some senators on the other side nodding in agreement. It is more a consequence or continuing effect of the lack of explicit clarity in the proceedings that flow from the first day, because on the first day we do not have an Order Paper that lays out what is government business and what is not government business. However, there is a tradition.

Honourable senators, I should like to deal with this matter but not as a matter under "Government Business." Perhaps other honourable senators have a view on this subject.

[Translation]

Hon. Fernand Robichaud (Deputy Leader of the Government): Honourable senators, I thank Senator Kinsella for pointing out that the motion dealing with the appointment of a committee of selection does not necessarily have to be presented under “Government Business.” Even if it is the deputy leader who moves the motion, the appointment of that committee remains the business of the Senate as a whole and not government business, as is the case for a motion or a bill.

I agree that this motion should come under “Other Business,” particularly since we have absolutely nothing else on the Order Paper. We have no objection to including this motion under that heading.

[English]

Senator Kinsella: I thank the Honourable Deputy Leader of the Government for that clarification and for his concurrence. With that understanding, honourable senators, I am prepared to proceed.

In the past, honourable senators, there was a long tradition of discussions being undertaken through the usual channels to reach agreement on the principles that will inform the work of the Committee of Selection. Since those discussions have, as far as I know, yet to be fully concretized, I should like to move the adjournment of the debate and speak to this matter tomorrow.

The Hon. the Speaker: It is moved by the Honourable Senator Kinsella, seconded by the Honourable Senator Stratton, that further debate be adjourned until the next sitting of the Senate.

To ensure that we are all aware of the rules, Senator Kinsella moved a motion to adjourn, which is a non-debatable motion. I do not want to interfere with this exchange between the two deputy leaders, but I think that before I allow Senator Robichaud to speak, I should ask for agreement from honourable senators

that he do so and, in effect, that we go back to the moment before Senator Kinsella moved his motion to adjourn the debate.

I looked to Senator Kinsella because I read his motion and I recognized that he would be the one most likely to object. If he does not and no other honourable senator does, I would then turn to Senator Robichaud. I would remind Senator Kinsella that I will call on him after Senator Robichaud has put his motion.

Senator Kinsella: I would thank His Honour for that. I agree with the suggestion of the Chair and yield the floor to Senator Robichaud.

[Translation]

Senator Robichaud: Honourable senators, an adjournment motion cannot be debated on a motion such as the one the Honourable Senator Kinsella just moved. However, the *Rules of the Senate* provide that within the first five sitting days of each session, the committee that is appointed shall present a report in respect of its nomination of a senator to preside as Speaker *pro tempore*. This is the third day, and Senator Kinsella told us that he will address the issue tomorrow. I simply want to ensure that we will meet the timeframes set out in the *Rules of the Senate*. If this is allowed, perhaps we could get some clarification; otherwise, we will vote on the adjournment motion.

[English]

Senator Kinsella: Honourable senators, this place works when both sides reach the kind of accommodations that traditionally they have reached through discussions. I would hope that the two sides will come to a common understanding, and I would assure my honourable colleague that I will rise in this place tomorrow and speak to the motion.

On motion of Senator Kinsella, debate adjourned.

The Senate adjourned until tomorrow at 2 p.m.

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