



CANADA

# Debates of the Senate

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2nd SESSION

•

37th PARLIAMENT

•

VOLUME 140

•

NUMBER 17

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OFFICIAL REPORT  
(HANSARD)

**Thursday, November 7, 2002**



THE HONOURABLE DAN HAYS  
SPEAKER

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

Published by the Senate  
Available from Communication Canada – Canadian Government Publishing, Ottawa, Ontario K1A 0S9.  
**Also available on the Internet: <http://www.parl.gc.ca>**

## THE SENATE

Thursday, November 7, 2002

The Senate met at 1:30 p.m., the Speaker in the Chair.

Prayers.

### THE HONOURABLE NICHOLAS W. TAYLOR

#### TRIBUTES ON RETIREMENT

**Hon. Sharon Carstairs (Leader of the Government):** Honourable senators, I rise, today, to participate in tributes for a colleague who has been, for me, a friend for many years.

I first met Nick Taylor in my classroom at St. Mary's Girls High School in Calgary. He came to a parent-teacher interview — I being the teacher, he being the parent of one Patrice Taylor. He did not want to know how Patrice was doing. That was clear because Patrice was an "A" student. He wanted to know who this teacher was who actually admitted to being a Liberal.

From that point on, Nick and I participated actively in the Liberal Party in Alberta. I became the vice-president of the party at exactly the same convention at which Nick Taylor became the leader of the party. The following year, I became the president of the party and, therefore, I was his president. In between, he convinced me to run as a candidate.

Running as a Liberal candidate in Alberta in the mid-1970s was no easy feat in the sense of the generous amount of money that was required, the number of campaign workers one needed and whose efforts one could instill, and the support that one would get on election day. However, as his vice-president, living in the constituency in which he actually lived but where he was not running, I knew that at least I had the votes of Nick, Peg and all of his adult children at that particular time. I would not end up with zero votes. That was in the constituency of Calgary—Elbow, now held by Premier Ralph Klein in the province of Alberta.

I ran for election. Senator Taylor ran in the constituency of Calgary—Glenmore, which had been held by a Liberal who had crossed the floor and then resigned. The campaign was interesting. I did not win. Nick did not win. However, we continued our close friendship.

Eventually, in 1977, I moved to the province of Manitoba. Nick Taylor continued to run for election in the province of Alberta — and continued to run for election in the province of Alberta! I must say, most of them were not very successful.

I am sure Nick does not remember, but he gave John and me a wedding present. Peggy may not remember either. It was a statue of a monk. I never quite knew why I was getting a statue of a monk for a wedding present, but I still have it. We have a little plaque underneath it indicating that it was given to us by Nick and Peg Taylor. It sits in our home to this day.

I have known Nick, his wife and family for a long time. Rather than simply share personal reminiscences about Nick, it is

important to talk about his contributions. Some of us in this chamber are not aware of the fullness and richness of Senator Taylor's participation, not just in public life, of which honourable senators might be more familiar, but in his private life.

Senator Taylor is a leading figure in the Alberta business community, in real estate, shipping and finance, and he has been president of several energy firms. This expertise was much appreciated in Parliament given that he was Chair of the Standing Senate Committee on Energy, the Environment and Natural Resources. It might have been presumed, since this is the flavour of the day, that because Senator Taylor has been closely associated with the Alberta energy industry he would be anti-Kyoto, anti-environment, and anti those things that many of us believe are important for the future of this nation. To the contrary. Senator Taylor has always been a forward thinker, a proud defender of Kyoto, a proud defender of the protection of the environment, and a proud defender of what must occur not only for his children but, I suspect, for his 15 grandchildren.

Senator Taylor is a geologist and a geophysicist by training, but politics has been a very important part of his life, first as a school trustee for the Calgary Separate School Board and then, later, as a provincial MLA and a leader of the opposition.

Senator Taylor was first elected to the Alberta legislature in 1986, shortly after I was elected to the Manitoba legislature in the province that I now represent, so we continued our companionship. Nothing gave me greater pride than when the Prime Minister asked him to come to this institution, where I was already sitting, so that we could continue our years of friendship together.

As we all know, Senator Taylor is a master of repartee, quick off the mark. Sometimes, those on the other side would appreciate him not being quite so quick on the uptake on certain subjects, but that has not prevented him from expressing, at all times, his very strong opinions on issues for which he has strong opinions. Frankly, I do not know an issue about which Nick does not have strong opinions.

• (1340)

I should like to congratulate Senator Taylor and offer best wishes to his wife, Peg, and to his nine children — Patrice, Jen, Terry, Cayt, Ian, Sheila, Alison, Susan and Sarah — on a long and very happy retirement.

**Hon. John Buchanan:** Honourable senators, that is a very difficult act to follow, but I shall. Senator Carstairs is a Nova Scotian, as am I. I only wish that Nick Taylor were a Nova Scotian. If so, there might have been a few changes on certain committees.

Prime Minister Chrétien has done some good things and some things that were not so good. However, one of the excellent things he did was to appoint Nick Taylor to the Senate. There is no question about that.

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

**Senator Buchanan:** Nick Taylor: engineer, geologist, politician, leader of the opposition, husband and father. It was a very smart move to appoint him to the Senate. It was a very smart move on the part of the leadership of the government and the Liberal Party here in the Senate to appoint him as deputy chairman of the Standing Senate Committee on Energy, the Environment and Natural Resources and then to appoint him as chairman. Those were excellent decisions that I applaud.

Senator Taylor was one of the best committee chairmen we have had on the Energy Committee. If Senator Carney were here, she would agree with that. There is no doubt that Senator Taylor's background put him in an excellent position to be chairman of that committee. His background absolutely ensured that the committee, of which I have been a member for many years, would move in the right direction.

There are some similarities between Senator Taylor and myself.

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

**Senator Stratton:** Long winded.

**Senator Buchanan:** I heard that. Senator Stratton had better remember that he helped me win my first election.

First, Senator Taylor was Leader of the Liberal Party of Alberta for 14 years; I was Leader of the Conservative Party of Nova Scotia for 19 years. Senator Taylor was a member of the Legislative Assembly of Alberta; I was a member of the Legislative Assembly of Nova Scotia. Senator Taylor was Leader of the Opposition in Alberta; I was Leader of the Opposition in Nova Scotia. Unfortunately for Senator Taylor, that is where that similarity ended. I was premier for 13 years, but he did not make it. I cannot say much about that because, in Alberta, it would have been very difficult for Senator Taylor to be premier.

In addition, Senator Taylor has nine children; I have five children. Senator Taylor has 15 grandchildren; I have 9 grandchildren. However, I am younger than Senator Taylor and I still have a ways to go.

Over the years that I have known Nick, he has been a very dear friend of Nova Scotia and of Newfoundland and Labrador. He understands the situation in our provinces with regard to energy. He understood why we fought to keep our coal industry in Cape Breton. It is gone now, but as I said to Nick many times, it will rise again. There is no doubt in my mind about that. It will rise again because people like Nick understand the geology of the coal industry in Nova Scotia, in particular in Cape Breton.

Senator Taylor has also been very helpful over the years in the discussions that we have had in our committee and that I, personally, have had with him about oil and gas exploration, production and development of the offshore resources of Newfoundland and Nova Scotia, as well as about the transmission of our natural gas by pipeline.

I will miss the articles that Nick used to send me from newspapers and other publications on issues affecting oil and gas production and development. He recently sent me one about sulphur in the gas industry, in the United States.

I will certainly miss Senator Taylor's guidance on the Energy Committee. However, now we have a new chairman who is a westerner and an Albertan, and he has probably learned a lot. I hope he is listening.

**Senator Banks:** I am taking notes.

**Senator Buchanan:** Senator Banks has probably learned a lot from Senator Taylor as Chairman of the Standing Senate Committee on Energy, the Environment and Natural Resources.

Nick, in addition to being our colleague in the Senate and on the Energy and Environment Committee, more than anything, you have been and will continue to be our dear personal friend, which may be more important than all the other things I mentioned.

May the road rise up to meet you; may the wind be always at your back; may the gentle rains fall upon your fields; may the sun shine upon your countenance; and may the good Lord hold you and your family in the palm of his hand, forever. Congratulations and best wishes. God bless you!

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

**Hon. Joyce Fairbairn:** Honourable senators, saying farewell to Senator Nick Taylor represents a true loss for this chamber in terms of friendship, wisdom, experience and a deep commitment to Canada and the democratic institutions that govern this nation. For me, it is a profound personal loss as well. Nick and I both hail from the deep south of Alberta, which is a bonding experience in itself. He is from the little town of Bow Island, not so far from Lethbridge.

One of the core attractions of the good senator is his human side. He is forever young and he has the gift of making others feel that they, too, are forever young. At this point in my life, that is just the kind of message I want to hear. I will miss that profoundly, as well.

Senator Taylor is also an individual fuelled by eternal optimism and hope. After listening to the Leader of the Government, honourable senators will understand that these are qualities that have guided his lively path through politics and life in the province of Alberta.

As an engineer and a geologist, Senator Taylor is steeped in the very history of the industry of energy and national resources in his province, in his country and, indeed, around the world. In addition to his love of public life, the experience that has guided his contribution to the Senate has not focused only on energy. Going back to his roots, he has also focused on the environment, on agriculture, on rural development, on forestry and on banking.

Always his voice has been loud, his social activism strong and his sense of humour legendary. Happily, Senator Taylor brought all of that with him when he came to the Senate and into our party in Ottawa, along with all the skill, stubbornness and fierce determination to fight for Alberta's causes, as well as for

Canada's well-being, for fairness, opportunity and peace for people around the world who do not share our good fortune. This has sometimes meant going head to head with quite a number of people; he has done it in the Senate and, when necessary, he has done it in his Liberal caucuses. He leaves us with his conscience and principles intact, and his friendships absolutely solid.

• (1350)

Senator Taylor has had great fun and satisfaction with politics along the way. Senator Taylor would frown at the suggestion that he is virtually indispensable, but I do not believe that the Liberal Party of Alberta would have survived as a credible force without Senator Taylor as its leader through thick and thin, mainly thin.

The legislature certainly got a blast of fresh air when Nick Taylor finally strolled through its doors in 1986, as did the Senate when he strolled through these doors a decade later. Senator Taylor arrived when I was the Leader of the Government in the Senate. We were long-time friends.

While he pledged commitment, loyalty and support, in the past six years, Senator Taylor has never backed away from criticism when he believed a policy threatened the rights and the well-being of individual citizens, whatever their province, whatever their region. I would be surprised — indeed, I would be most alarmed — if he did not continue to speak out about the environment, agriculture and rural issues, Aboriginal rights, national unity and world peace. We need to hear that voice.

With Senator Taylor's departure, we are losing a powerful combination of character, wisdom and common sense, outrageous at times, but forever unforgettable.

I thank you, Nick, for all the hours, the work, the kindness and the laughter. You could not have stayed the course without your beloved Peg and the wonderful family that the two of you built together. May you both continue to enjoy the years ahead, frolicking with happiness and good spirits. We will miss you. I will truly miss you.

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

**Hon. Ethel Cochrane:** Honourable senators, over the course of the last six years, I have had the unique privilege to work alongside Senator Taylor in this chamber and in the work of the Standing Senate Committee on Energy, the Environment and Natural Resources. I say "unique" because it is very rare to find a parliamentarian who is so willing to openly speak his mind and stay true to his personal beliefs, even when faced with opposition.

Senator Taylor has been a man of conviction; there can be no question about that. He has never wavered in making difficult decisions or in expressing himself. In an age of political correctness, Senator Taylor has served Canadians by being a straight talker, a go-getter and an adventurer. He has proven, time and time again, to be a conscientious independent thinker who has brought far more than his scientific expertise to this chamber.

I am very pleased to have Senator Taylor's daughter, son-in-law and grandchildren now living in my province of Newfoundland and Labrador. They came from the great province of Alberta with a major oil company, and Newfoundland is very pleased to have them. I understand that they are very happy to be there as well.

I join all honourable senators in thanking Senator Taylor for his forthrightness and his passion. He has inspired his colleagues and has served Canadians very well. To Senator Taylor and his wife Peg, I wish continued success and exuberance in the many years to come.

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

**Hon. Isobel Finnerty:** Honourable senators, it is a great honour to pay tribute to the Honourable Nick Taylor, my seatmate here since I came to the Senate. Many years ago, I was in Alberta and I witnessed, first-hand, Senator Taylor in action. At that time, I never believed it would be possible that we would be seatmates in the Senate together.

I have learned an unbelievable amount from Senator Taylor in the last few years. All honourable senators in this corner of the chamber know what a heckler Senator Taylor is. Unfortunately for many, his verbal gems have never made it into Hansard. The truth is that Senator Taylor has done most of the heckling for both of us over here. Not everyone is gifted with the natural talent of being able to develop such heckling into a fine art. Senator Taylor is indeed exceptional in this category. I can firmly state that Senator Taylor has never embarrassed me in all his time of heckling.

Some senators may not be aware that Senator Taylor has a particular interest in fine literary writing and extraordinary investigative journalism, appearing in a little-known Canadian periodical that goes by the name of *Frank* magazine. As for me, I have been grateful that I have never had to buy an issue of *Frank*. I do not believe that my colleagues Senators Milne or Chalifoux have either. We have received a copy, thanks to the generosity of Nick Taylor. The four of us have had many chuckles over the incredible half-truths that regularly seem to appear in that rag.

Honourable senators, we will all miss Senator Taylor in the Senate. I do not believe, however, that his retirement from the Senate will mean that we will never hear about him again.

I wish Senator Taylor every happiness and best wishes as he faces new challenges. I know there will be new challenges. To Peg and the family, you will have him back and we will miss him.

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

**Hon. Leonard J. Gustafson:** Honourable senators, Senator Taylor was a part of the Standing Senate Committee on Agriculture and Forestry. When he came into the room, he always brightened it up. Even if you did not agree with him, you had to like the guy.

Senator Taylor is probably the best example I know of the friendship that exists in the Senate. He has been a wonderful guy to know. I will not carry on too long here because it has all been said.

Senator Taylor will never retire; he will be off in Africa, or somewhere, drilling for oil until he cannot do that any more.

I know all senators wish you and your family the very best, Nick. God bless you.

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

**The Hon. the Speaker:** Honourable senators, I should like to join with colleagues in wishing Senator Taylor a happy retirement, particularly because of the many years that we have worked together for, sometimes, lost causes in our home province. I look forward to continuing to work for many of those causes in our province, including some of our political initiatives.

Senator Taylor, as has been observed, is well-known for his willingness to speak on any subject. Senator Taylor speaks with the same passion when he is wrong as when he is right. The trick is to determine what percentage of the time he is wrong and what percentage of the time he is right. As time has passed, he has increasingly become right on more and more occasions. I wish him well in his retirement.

I remember being a neighbour of the Taylors and becoming very aware of Nick's passion for bagpipes. I hope his skill has improved. If it has not improved, then this will be his chance to practise his bagpipes. I wish him well with that endeavour.

Senator Taylor, you are leaving all too soon. This is a reminder to all honourable senators that these are the good old days right now. All honourable senators should enjoy them, just as we have enjoyed knowing you. I look forward to continuing to work with you in Alberta on Alberta causes. My best to Peg and the family.

• (1400)

**Hon. Tommy Banks:** Honourable senators, relatively speaking, I am the new kid on the block here; however, I have had the privilege of knowing Senator Taylor for more than 30 years. Honourable senators may believe that he will turn 75 next week, but I happen to know that he will turn 142. I have arrived at that conclusion by adding up all the things he has done and all the time he has spent on them, and it comes to 142 years. It is analogous to determining a lawyer's age by adding up his or her billing hours.

I used to have the privilege of hosting a television show. In the late 1960s or early 1970s, there was a political issue — the exact details of which I forget at this time — and I remember asking the producer who we should invite to be a guest on the show to speak to the issue from the obverse side. The producer said that he knew of this holy terror in politics that he thought we should get in. From that moment, I began to learn from Nick Taylor. In fact, I learned something from him just 45 minutes ago in a meeting we both attended. I hope that I will continue to learn from Nick.

The most wonderful thing that I have had the privilege of watching Nick do, and he has perfected it to an art both in Alberta and here, is skewer someone while simultaneously making them smile through the whole process. They smile all the more broadly as the knife begins to turn. It is something that I hope we will all learn to do some day.

[ Senator Gustafson ]

Nick, the Senate will be the poorer for your leaving us, but Canada will not be because I know that whatever you do the day after you leave here, it will be of value to the country, and that that will continue. I also wish to thank you for being my sponsor in this place. Senator Taylor was the first person I phoned to give me that honour, which he did. For all the things I have learned from you over those 30 some odd years, I thank you. Best wishes to you in your retirement and best wishes to your family, who are with us today.

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

**Hon. Serge Joyal:** Senator Taylor, if you allow me, I will address you in the other official language.

In the few years that you have been here, we have had the opportunity to experience something very particular with you.

[*Translation*]

In the debates we participated in together, you demonstrated a very deep understanding of the primary ethic of a senator. The primary ethic of a senator is not to be in conflict of interest as far as contracts, favours and benefits are concerned, and to apply judgment reflecting one's own knowledge and experience in the exercise of this most noble of callings, which is to enact legislation for the benefit of all Canadians.

You fulfilled your duties, while respecting one of the fundamental principles of this chamber: independence. When bills were submitted to you, you examined them with care, and expressed your opinions on them with a typically Albertan flavour. Your position was based on your inner thoughts, on your conscience. Sometimes — most of the time — you supported the government. Sometimes you dissented instead.

We have always held you in the greatest respect for your integrity and honesty in the fulfilment of your duty as a legislator. We will always remember you for that great virtue.

[*English*]

**Hon. Jeremiah S. Grafstein:** Honourable senators, I have had the distinct pleasure of Nick's company for over three decades. His infectious smile, wit and spirit never flagged from the first moment I met him. I am sure, when he leaves the Senate, it will never leave him.

I asked myself, as I listened to these magnificent tributes to Nick, how I could describe him in one word. That word, I believe, is "maverick." For most of his private and public life, Nick was a loner, a contrarian, a man unafraid to stand against conventional wisdom. As you all know, Nick was a Liberal in Alberta. For me, liberalism and Taylorism became synonymous with Alberta. In the Senate, as Senator Joyal pointed out, he never succumbed to the instincts of the herd, nor to the convention of loyalty above loyalty to his principles or to the independence of the Senate itself. In a way, the Senate was

established as a maverick institution, and Nick has always been loyal to that tradition. Nick's principles and practices have rode well because they always rode together. He always followed his maverick instincts and always stood tall in the saddle on his stirrups of principle. Nick, you have left your brand in the Senate and you will not be easily forgotten.

On a personal note, when I introduced my clean water bill, it was Nick who encouraged me when he agreed to take the bill to his committee to thoroughly study it and unanimously endorse it. I thank you for that encouragement and I wish you and your family all the best in the future.

**Hon. Lorna Milne:** Honourable senators, everything has been said, but I must add that I will miss the fun of sitting near Nick in the Senate. I sat beside him for the first short while. I learned quickly not to grab his coattails to get him to sit down because it never worked.

However, I want to reassure honourable senators of the contrary, in case they think he is actually retiring. No, Peggy, he will not be home with you too often. Nick is already plotting and planning his next career. It will be in the energy field, perhaps or perhaps not in Alberta, and it will help Canada meet its Kyoto objectives.

**Hon. Ione Christensen:** Honourable senators, I cannot let my great seatmate go without saying a fond thank you and goodbye to him. Having been married to a geologist for over 45 years, I appreciate the candour and the common sense that comes forth from that particular profession.

The first day I was introduced in the Senate, Nick came to me as we were leaving and said: "Kid, just follow me every evening. I know where all the best receptions are. You will never have to cook dinner all the time you are here." That was a very good and practical advice.

Thank you very much, Nick, for your guidance in the last three years. To your wife, Peg, I appreciated meeting with you in the Yukon. I wish you all the happiness in the years to come.

**Hon. Colin Kenny:** Honourable senators, one of the disadvantages of being last up is that everything has been said.

Nick, I have enjoyed you on the Energy Committee, for all of your time in the Senate, for the leadership you provided there and the integrity that you showed. People point to you as a model for how senators should be. You also have the advantage of looking like one, which gives you an edge over many of the rest of us.

I knew I would like Nick right away, when he decided that the Energy Committee would meet at 9:30. He said that he was an Albertan and that 9:30 here was 7:30 his time, but it took him a while to get going.

For some reason, we fell into a habit of referring to Nick as the Lone Ranger. I do not know why it fits, but it does. It is consistent with the other elements of his character that people have referred to. I can tell the chamber that his friends call him Kimosabe. If he likes you a lot, he might call you Tonto. He has done that once in a while.

Nick, I want to say to you, adios. We will miss you here. However, I do get to Alberta and plan to see you and Peg there. Lots of luck, and I will see you soon.

• (1410)

**Hon. Nicholas W. Taylor:** Honourable senators, thank you very much for your kind remarks. If I had known that I would be getting all these compliments, I would have quit a year earlier.

Senator Carstairs, who led off, brought back many fond memories. I remember the 1970s in Alberta. If there were any more than 10 people at anything having to do with the Liberals, you thought it was a lynch mob. Senator Carstairs, I and a number of others planted the seeds. As a matter of fact, I think Alberta is the only province in the West with a Liberal-led opposition.

Senator Buchanan forgot to mention the fact that one of the similarities we have is that we were both thrown out of Kim Campbell's house for singing at three o'clock in the morning. Our different renditions of cowboy ballads did not go over that well. I had thought that she might have forgotten that, but the other day I sat beside her at dinner and she remembered it very well.

I thank Senators Fairbairn, Cochrane and Finnerty for their kind remarks. I particularly appreciated Senator Gustafson's comments. He is another dryland farmer from Saskatchewan who has encouraged me to get back into farming. I can assure Senator Gustafson that, of all the things I might do when I get back home, farming will not be one of them. I just do not have enough money to get back into it.

I was interested in my seatmate's accusation about my having purchased issues of *Frank* magazine. It is true — I have had copies of *Frank* magazine. My assistant used to send them to me. Over the last year and a half, I do not know how many issues of the magazine I have received. It must have been about 14. I have never had a chance to read any of them. One of the advantages of retiring is that I will now have time to read *Frank*.

I have served at all three levels of government, including the municipal level. I have participated in 10 elections at all three levels of government. I have won five and I have lost five. That is no hell for a politician. However, it is a good average if you are a baseball player or a Liberal in Alberta.

I also want to say how much I will miss this place. I will not miss the nine to ten hours I spend on the plane and in the airports to get here each week. However, I will miss the contact with honourable senators. I have made a lot of friends in the Senate. I think the political lines are less drawn now than they have been in the past, although, occasionally, I have had strong words with some people opposite, not to mention some people in my own caucus. Nevertheless, it seems that the people who are here do a lot of thinking on the subject at hand. I suppose that is because they are not as concerned about getting a headline in the paper the next day in order to advance their careers. That is one of the advantages of an appointed house. We say that this is the chamber of sober second thought. However, I do not know if the people here are any more sober than those in the legislatures.

In politics, none of us can go anywhere without the support of our families. I would ask Peg to stand up and take a bow.

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

**Senator Taylor:** I did not attempt to bring all nine children in today because Jack Aubry is watching the budget. That would have frightened him to death.

My son Ian and his wife are also in the gallery. You can wave your hand, Ian.

One of my favourite political stories is about Peg. She was door knocking with me, one evening, on separate floors in an apartment house. Near the end, at about nine o'clock at night, she knocked on a door and heard the chain rattle. The door opened a little bit and there was a sweet old grandmother with her bonnet on and her teeth out. Peg said, "I'm calling for Nick Taylor." The little old lady rustled the chain, opened the door and said to Peg, "Well, dear, you can come on in and look around, but he's not here."

It will be interesting to see how often I get back to Ottawa. Honourable senators will see me occasionally up in the gallery.

It is not that bad reaching 75.

**Senator Bryden:** It sure beats the alternative!

**Senator Taylor:** I have not noticed that much difference. The other day, I was talking to a friend of mine about turning 75. He asked me if I noticed anything different. I said, "Well, sometimes I forget to pull my fly up." He said, "Don't worry, Nick, it's when you forget to pull it down that you're in trouble."

Honourable senators, thank you again for having me here. I have enjoyed it very much. Without a doubt, this is the most exclusive club in Canada. I think it has a right to be since it is populated by such exclusive people.

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

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## SENATORS' STATEMENTS

### VETERANS' WEEK 2002 AND REMEMBRANCE DAY

**Hon. Sharon Carstairs (Leader of the Government):** Honourable senators, this year, the theme of Veterans' Week is "Remembering our past, preserving our future."

This morning, many of us attended a ceremony of remembrance here in the Senate chamber. In attendance were decorated veterans, military personnel, young cadets and a wonderful school choir. These are the Canadians who represent the past, the present and the future of service to our country. We were very privileged to have these guests of honour with us in our very special chamber.

[ Senator Taylor ]

Whenever we attend a Remembrance Day ceremony or whenever we have the occasion to be with veterans, it brings back many memories. Like many, I have lost family. In my case, I lost a member of our family whom I never knew, except through memory. My Uncle Dick was lost in an explosion on the HMCS *Ottawa* in 1941. However, Dick was really my father's eldest son and not his brother. That is because Dick's father, my grandfather, was killed as a result of the Halifax explosion in 1917. Dick was six months old at the time of the Halifax explosion. Of course, my father, therefore, became his surrogate father as the oldest member of the 10 children. When my grandmother — Dick and dad's mom — died just three years later, my father became both father and mother to young Dick.

Dick died before I was born. However, what I remember as an integral part of our home was a picture of Dick in his seaman's uniform surrounded by his medals. That was Uncle Dick, dad's brother, who had given his life for our country.

Every year, honourable senators, we wear poppies to remember the lives lost and the hopes unfulfilled in defence of our country's ideals. Despite the immeasurable sacrifices that military service demands, we still ask our men, women and children to make these personal sacrifices, because we all know there is a toll to be paid, not just by those who serve, but by the members of their family. Yet, we continue to ask them to join our Canadian Forces because we firmly believe that their service will benefit countless other families and countless other lives throughout the world.

While we may frequently appreciate how fortunate we are to be citizens of this country, today is an opportunity to reflect on the exceptional type of person it takes to defend and serve our country. Although we cannot offer our military personnel past, present and future, sufficient recompense, we can offer them our eternal gratitude and respect.

I was happy, particularly today, to see so many young people on the floor of the Senate. For that, I thank His Honour because I know that he was such an integral part of this morning's ceremony.

• (1420)

We must continue to remember and to foster, within our young people, the need that they must remember. By inspiring them with memories, they will be inspired to serve their country and the principles for which it stands.

**Hon. Norman K. Atkins:** Honourable senators, I should like to congratulate the Speaker for the very special ceremony this morning. I think we were all very taken by what a wonderful occasion it was, and I think His Honour deserves much credit for that.

I am free, today, to stand in my place to speak because of the sacrifices that Canadian women and men have made in foreign wars; World War I, World War II, the Korean conflict, and in peacekeeping and peacemaking missions carried out throughout the world.

The sacrifices of human lives made so others may live in peace and freedom should never be forgotten, never be taken for granted by us who live on.



I, like many in this place, have had the experience of visiting battlefields in Europe and Asia and laying wreaths at the foot of a cenotaph commemorating Canadian war dead. There are few prouder moments one can have as a representative of Canada than to see and hear from those who were liberated by Canadians or the relatives of those now dead who fought in Europe along side our Canadian soldiers.

The past deeds of our Armed Forces in battle or in peacekeeping must live on with us as enduring symbols of what we, as Canadians, can do when freedom is threatened. That is why we should congratulate the Chrétien government, and especially the Ministry of Veterans Affairs, for recognizing the need for a Canadian war museum through the symbolic gesture of a sod-turning ceremony earlier this week at LeBreton Flats, in Ottawa.

It is unfortunate that the former Minister of Veterans Affairs, the late Senator Ron Duhamel, did not live to see this event occur.

At this time, when we reflect on past victories and freedoms won, we cannot ignore the world situation in which we now find ourselves. There are parts of this world of ours where there is conflict, racism, hatred, and terrorism. There are parts where the protection of human rights is unknown. There are parts where freedom and democracy are unknown.

We, who enjoy the freedom gained for us by our predecessors, cannot ignore our responsibilities to our fellow human beings throughout the world. We must be ready when called upon to protect the values we have fought for.

My father, George Spicer Atkins, understood this when he was part of the 46th Queen's Battery, Canadian Expeditionary Force, that fought at Vimy Ridge on April 9, 1917. He was a commander of Post 120 of the Royal Canadian Legion in New York. He was also an active member of the Canadian Maple Leaf Fund during World War II. Also, my brother, George, Junior, was in the RCAF during World War II.

At this time of reflection and remembrance, let us not lose sight of the fact we must remain ever vigilant to protect against tyranny and terrorism whenever and wherever it may occur. We are the ones to whom the torch has been given by those who died to protect our rights. Let us never fail those who have sacrificed so much so that we may enjoy all that it means to be a Canadian.

**Hon. Ethel Cochrane:** Honourable senators, I, too, would like to congratulate the Speaker on the organization of the reception we had here this morning. I can assure you that the participants that were here and spoke to me after were very grateful, and they will take back quite a few memories. I am sure they will relay all those events to people they meet with.

I now rise in recognition of Remembrance Day. At this time each year, we honour all those Canadians who have served in our military efforts at stations all around the world in the name of peace and freedom.

For many of us, a reflection on Canada's many military contributions means remembering the hard-fought battles that shaped 20th Century history. Almost 2 million Canadians

served in the war and peacekeeping missions around the world in the last century alone. One hundred seventeen thousand of those great men and women gave their lives in pursuit of these goals.

Today, however, the triumph and the losses of the Canadian military continue. To date, Operation Apollo has seen 2000 Canadians deployed to the Arabian Sea and other international locations in the battle against global terrorism.

Sadly, we remain painfully aware of the great price that is paid for peace. This year, we have a new generation of military heroes to hold in our hearts on November 11: Richard Green, Nathan Smith, Mark Léger, and Ainsworth Dyer. We remain grateful to these men, as well as the eight others who were wounded in the so-called friendly-fire incident.

At this time, honourable senators, we are also called to remember Canada's distinguished reputation in worldwide peacekeeping organizations.

Indeed, Canada's presence on the international stage has been strengthened by the strong reputation of our esteemed peacekeepers. Their contribution has been phenomenal. Over the last four decades, more than 100,000 members of the Canadian Forces have served in UN missions. Even in times of great risk, they selflessly serve communities by disposing of land mines, delivering humanitarian aid and protecting refugees.

Honourable senators, these are among the thoughts that I will take with me on November 11 when I lay a wreath at the Stephenville cenotaph. Please join with me in honouring all those who have served us so well in the past and in sending our heartfelt thanks and prayers to all those who continue this legacy of service today.

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

#### NATIONAL SENIORS' SAFETY WEEK

**Hon. Yves Morin:** Honourable senators, this week has been declared National Seniors' Safety Week.

This certainly does not apply to Senator Taylor, after what I have heard.

Each year, one of three Canadian seniors suffers a fall. Most occur at home. Accidents on stairs account for 5,000 deaths each year.

[*Translation*]

The Institute of Aging, part of the Canadian Institutes of Health Research, is responsible for research on the prevention of falls by the elderly. This institute is under the able direction of Dr. Réjean Hébert, an internationally renowned geriatrician and professor at the Université de Sherbrooke's Faculty of Medicine.

[*English*]

This institute supports the research of Dr. Geoffrey Fernie and Dr. Brian Maki, from the Sunnybrook Health Sciences Centre, who have designed a safer stair railing. The LifeRail, as it is called, has an underarm design that does not require the grip or arm strength of an ordinary rail.

This institute also supports the work of Dr. Stephen Rabinovitch and his team at Simon Fraser University. These researchers are studying how the movements people make to protect themselves during a fall change as they get older, to help them develop exercise-based therapies to prevent hip fractures. This is important research, as there are more than 25,000 hip fractures in Canada every year.

• (1430)

Honourable senators, on National Seniors Safety Week, we should not fall down on the job of commending dedicated researchers who are working to keep our seniors upright and injury free.

### UNITED NATIONS SECURITY COUNCIL

#### SECOND ANNIVERSARY OF RESOLUTION ON WOMEN, PEACE AND SECURITY

**Hon. Mobina S. B. Jaffer:** Honourable senators, this is the second anniversary of resolution 1325. Today, on this Remembrance Day, the Canadian Committee on Women, Peace and Security celebrated the second anniversary of resolution 1325 on Parliament Hill. A week ago, the second anniversary of the unanimous adoption of Security Council Resolution 1325 on women, peace and security was celebrated. This is the first Security Council resolution to deal exclusively with women in situations of armed conflict. It establishes a comprehensive agenda on women, peace and security by addressing issues such as the need for full and equal participation of women in peace processes and peace-building activities.

Canada has taken a leadership role in the implementation of resolution 1325. With support from the Human Security Program at DFAIT, parliamentarians, government officials and a broad cross-section of civil society has come together to establish the Canadian Committee on Women, Peace and Security.

Honourable senators, I should like to take a moment to recognize the contribution of the Honourable Lois Wilson. She had the foresight to create the framework for the Canadian Committee on Women, Peace and Security. Under her guardianship, the committee was able to address a number of issues that are important to women affected by armed conflict.

Three subcommittees were created to expedite the work. The Capacity Building Subcommittee was co-chaired by Carolyn Bennett, MP, and Christine Vincent. The subcommittee generated a discussion paper on impediments to the participation of women in peace support operations and is currently developing a roster of senior level women with expertise to serve in such operations.

The Gender Training Subcommittee was co-chaired by Sue Barnes, MP, and Beth Woroniuk. In early March, the subcommittee successfully piloted a Canadian version of the Canada-United Kingdom developed gender and peace-building course for a mixed military, NGO and government audience.

Finally, the Advocacy Subcommittee was co-chaired by Kathy Vandergrift and myself. Over the past six months, the subcommittee held seven round tables across the country with Afghan-Canadian women. A report entitled "A Stone in the Water" has been produced and was presented last week to Minister Graham.

Honourable senators, the Canadian Committee on Women, Peace and Security will continue to work in the upcoming year to contribute to the critical task of building sustainable peace for all.

## ROUTINE PROCEEDINGS

### SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

#### NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO MEET DURING SITTING OF THE SENATE

**Hon. Marjory LeBreton:** Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Social Affairs, Science and Technology have power to sit Wednesday, November 20, 2002 at 3:30 p.m., even though the Senate may then be sitting, and that rule 95(4) be suspended in relation thereto.

### ABORIGINAL PEOPLES

#### COMMITTEE AUTHORIZED TO MEET DURING ADJOURNMENT OF THE SENATE

**Hon. Terry Stratton:** Honourable senators, I move, with leave of the Senate and notwithstanding rule 58(1)(a):

That the Standing Senate Committee on Aboriginal Peoples be empowered, in accordance with rule 95(3), to sit at 9 a.m. on Tuesday, November 19, 2002, even though the Senate may then be adjourned for a period exceeding one week.

**The Hon. the Speaker:** Honourable senators, is leave granted to put this motion?

**Hon. Senators:** Agreed.

Motion agreed to.

### DISCRIMINATORY AND NEGATIVE PERCEPTIONS SURROUNDING RESIGNATION OF FORMER SOLICITOR GENERAL LAWRENCE MACAULAY

#### NOTICE OF INQUIRY

**Hon. Elizabeth Hubley:** Honourable senators, pursuant to rule 57(2), I give notice that, on Wednesday, November 20, 2002:

I will call the attention of the Senate to the discriminatory and negative perceptions and views of certain Opposition Members of Parliament and national media towards Atlantic Canada, and Prince Edward Island specifically, in relation to the circumstances surrounding the resignation of the former Solicitor General of Canada, Mr. Lawrence MacAulay.

## QUESTION PERIOD

### FOREIGN AFFAIRS

#### RECOGNITION OF HEZBOLLAH AS TERRORIST ORGANIZATION

**Hon. David Tkachuk:** Honourable senators, yesterday in the *Ottawa Citizen*, the Minister of Foreign Affairs, Bill Graham, reportedly hinted that the military wing of the Shiite Muslim organization Hezbollah is about to be added to Canada's list of terrorist organizations under legislation that makes memberships in such groups punishable by 14 years in prison.

I was somewhat confused by that statement. Can the Leader of the Government in the Senate please clarify for us how Canadian current policy is similar or dissimilar to that of the United Kingdom with respect to the Hezbollah?

**Hon. Sharon Carstairs (Leader of the Government):** The honourable senator asks for a comparison between the two countries. I will try to do the best that I can.

The essence of the question is that there are two listings. The first listing addresses the problem of terrorist financing pursuant to United Nations regulations, and the External Security Organization, which is the military wing of Hezbollah, is listed under this regulation. That regulation has been respected in Canada as well as in the United Kingdom. That is the listing in which both have done exactly the same thing. They have both listed the ESO as the military wing of Hezbollah.

For the information of the honourable senator, that list that the United Nations has created now includes 106 entities and 228 individuals, of which the External Security Organization of Hezbollah is one. That is the exact formulation used by both Canada and the United Kingdom.

**Senator Tkachuk:** Honourable senators, in a previous debate on October 23, 2002, the leader said:

Honourable senators, with the greatest of respect, the United Kingdom knows about it —

— she was referring to another matter —

— which is why the United Kingdom and Canada have followed the same policy with respect to Hezbollah. Both countries have listed the external security organization of Hezbollah as a terrorist group.

The leader does say “the same policy.”

At present, can a Canadian citizen, or an immigrant living in Canada, but not yet a citizen, be a member of the external military group in this country?

**Senator Carstairs:** Honourable senators, that is a very specific question that I cannot answer at this time. I will have to provide an answer because of the specific nature of the honourable senator's question.

• (1440)

**Senator Tkachuk:** Can the military arm of Hezbollah actually solicit, and not necessarily keep, money and recruit membership in their organization in this country?

**Senator Carstairs:** Honourable senators, as I indicated in response to an earlier question, the list that has been proposed and developed by a United Nations resolution does cover the issue of terrorist funding. The list includes the External Security Organization, ESO, of Hezbollah, which is also included in the Canadian list because we respect the United Nations resolutions.

In response to the specific nature of the honourable senator's question, it is my understanding that they could not do that in Canada. However, I will have to inquire further because I do not want to give the honourable senator any misinformation. My understanding is that this regulation prohibits those exact activities — solicit money and recruit members. Canada is a signatory to the UN resolution. If additional information is available, I will obtain it for the honourable senator as soon as possible.

**Senator Tkachuk:** Honourable senators, I have one further question. On October 23, the Leader of the Government in the Senate said that we have the same policy as has Great Britain. However, she is not sure whether one can be a member of the ESO in Canada, although one cannot be a member of it in the United States or in Great Britain. Could the honourable leader clarify this for the house?

I believe that one is able to recruit members to the ESO, which is the military wing of Hezbollah, in this country, and that one is able to solicit funds. I am not certain of that, however, because the information surrounding the issue has been nebulous. In Great Britain, one cannot do any of those things. They are forbidden. The honourable leader did say that Canada's policy is the same as that of the United Kingdom, so I do not think I am wrong in my comments. The Web site of Foreign Affairs is confusing, and it is difficult to understand just what Canada's policy is on this issue.

**Senator Carstairs:** Honourable senators, I believe I have that clarification for the honourable senator. Canada listed the Hezbollah External Security Organization that we have referred to a number of times, which is the military terrorist wing, on November 7, 2001, under Canada's UN Suppression of Terrorism Regulations. Those regulations prohibit the provision of funds to or the collection of funds for a listed organization and require the freezing of the property of the listed organization.

**Senator Tkachuk:** However, it is not illegal to solicit money or be a member of the ESO.

**Senator Carstairs:** As the honourable senator is aware, I took that question under advisement, and I will provide a response at another time.

**Hon. Jeremiah S. Grafstein:** Honourable senators, I have examined today's issue of Quorum. On page 10, there is a reference to an article in *The Kingston Whig-Standard* that refers to a former military attaché in Canada who now lives in Kingston. The headline of today's article states that Bill Graham is making a huge mistake. I wish to quote from the Quorum article so that the Leader of the Government in the Senate may respond, after she has had an opportunity to confer with Minister Graham. The article reads, in part, as follows:

A former military attache who was once kidnapped in the Middle East by members of the militant Hezbollah organization calls the Canadian government's refusal to outlaw the entire group irresponsible and naive. Retired Lt.-Col. Bob Chamberlain says Hezbollah is a terrorist organization and Canada's decision to separate the group's military side from its social and religious arm makes no sense.

The article continues with a quote from the former military attaché. He is reported as having said:

The sooner we put them on the terrorist list the better. Hezbollah is a terrorist group. In my opinion, Hezbollah is the same as the Taliban in Afghanistan. And do we separate the different arms of the Taliban? No.

The article continues:

The Canadian Security Intelligence Service has said that Hezbollah is collecting money in Canada to finance activities in the Middle East.

Honourable senators, allow me to provide the adjunct that they do not make a differentiation between the two. The article continues:

He says Graham is wrong if he thinks that money raised for one arm of Hezbollah doesn't benefit the other.

Could the Leader of the Government in the Senate bring that to the minister's attention? Perhaps this additional information will finally put to bed the whole question of separating the various arms of Hezbollah, and outlaw them.

**Senator Carstairs:** I thank the honourable senator for his question. At this time, the Government of Canada and the Government of the United Kingdom have clearly separated Hezbollah into its External Security Organization, which everyone recognizes as a military terrorist organization, and other organizations that use the Hezbollah name that do not fit into that description, including the 11 duly-elected members of Parliament in the country of Lebanon, who use the term "Hezbollah."

#### NATIONAL DEFENCE

##### PRINCE EDWARD ISLAND RESERVE REGIMENT— CONDITION OF VEHICLES

**Hon. J. Michael Forrestall:** Honourable senators, I have a question for the Leader of the Government in the Senate. I must preface it by saying that, knowing the leader's family for as many years as I have, I appreciated the sensitivity of her observations this morning. Honourable senators, it is with great pleasure that I

tell you that the Leader of the Government in the Senate does indeed work very hard to answer questions.

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

**Senator Forrestall:** She already has a ministerial inquiry underway into the state of Prince Edward Island regiment's 22 or so elitist jeeps. I ask her if she would be kind enough to request the vehicle maintenance logs for the Prince Edward Island regiment's jeeps to be tabled in the house. I also request any messages from the commanding officer of the regiment sent to brigade headquarters. I am referring to messages about the condition of the jeeps over the last six months and their impact on training. In that way, she and I will not be under any illusions as to the condition of these jeeps and the state of their capacity to assist in training programs.

**Hon. Sharon Carstairs (Leader of the Government):** I thank the Honourable Senator Forrestall for his question. I would inform him that the inquiry has been made on behalf of the honourable senator and that it is nearing completion. I am hopeful that I will have the report when he returns after the break. I will not hold that answer back. I will then follow up with the acquisition of further information. I am certain the honourable senator was extremely pleased with the announcement yesterday, that new vehicles will be acquired for the military and that a rather substantive contract has been let. I am sure that we are both hopeful that some of those vehicles will make their way to Prince Edward Island.

##### REPLACEMENT OF SEA KING HELICOPTERS— MOCK RECRUITMENT POSTERS DEPICTING AIRCRAFT

**Hon. J. Michael Forrestall:** Honourable senators, more than that, I hope that the wrecks being replaced will be kept off the main highways of Canada.

Just so that our fellow Nova Scotians at Shearwater are not under any illusions, could the honourable leader tell the house if she, too, recognizes the frustration of the Sea King air crews, now under attack by the minister, which they have demonstrated by poking fun at the government's stalled Sea King replacement program, as illustrated in their mock-up recruitment posters?

**Hon. Sharon Carstairs (Leader of the Government):** Honourable senators, I saw some of those posters, and my concern echoes that of our honourable colleague. We must always ensure that our military personnel fly only in equipment that is safe at all times. I know that opinion is shared by the Honourable Senator Forrestall. A total of \$80 million has now been spent upgrading the Sea Kings. They are safe, and those that fly on-board them are safe. That is the major issue here, that and their replacement. I know the Honourable Minister McCallum is working on that issue as quickly as he can.

• (1450)

##### REPLACEMENT OF SEA KING HELICOPTERS—DELAY CAUSED BY AIR CREWS—COMMENTS BY MINISTER

**Hon. J. Michael Forrestall:** Honourable senators, is it the view of the government, again as spoken by the minister yesterday, that the aircrews are to be blamed for the delay of the Sea King replacement, or was the minister on a freelancing lark? A "yes" or a "no" is all that is required.

**Hon. Sharon Carstairs (Leader of the Government):** I did not see any such comment by the Minister of Defence. I do not think it would be appropriate to blame aircrews for a lack of movement on this particular file at the present time.

REPLACEMENT OF SEA KING HELICOPTERS—  
PURCHASE AFTER DEPARTURE OF PRIME MINISTER

**Hon. J. Michael Forrestall:** Would it be the opinion of the Leader of the Government in the Senate that nothing will happen in regard to the replacement of the Sea King helicopters until such time as there is a new Prime Minister in this country?

**Hon. Sharon Carstairs (Leader of the Government):** Honourable senators, since I know the present Prime Minister will be in office until February 2004, I would hope that the honourable senator is wrong and that this procurement policy would proceed before that date.

CITIZENSHIP AND IMMIGRATION

BACKLOG IN PROCESSING FILES

**Hon. Donald H. Oliver:** Honourable senators, my question for the Leader of the Government in the Senate has to do with immigration backlogs. At present, within the Department of Immigration, there is a backlog of 17,000 applications from potential immigrants who are married to Canadian citizens and are seeking permanent residence status. The backlog has extended the waiting time for an approval-in-principle letter from 90 days to at least eight months. The people left waiting for this letter are in a tenuous situation. They are unable to get work permits or health coverage. They are not able to go to school and, in most cases, are not able to leave the country without putting their application in jeopardy.

What steps is the government taking to ensure that the approval process for these immigrants returns to normal and their requests are dealt with in a more expedient manner?

**Hon. Sharon Carstairs (Leader of the Government):** As the honourable senator knows, we have exceeded our target for immigration. There has been a great number of applications, and those applications are being dealt with appropriately. Additional resources have been given to Immigration in order to meet those backlogs. The very fact that we exceeded our target is an indication that great strides are being made in that department.

**Senator Oliver:** Honourable senators, my question was more specific. It dealt with those 17,000 people who are now being placed in jeopardy because they must wait not 90 days but eight months and who, during the waiting period, are unable to do those things that other citizens of Canada can do. What is being done about them?

**Senator Carstairs:** Honourable senators, they are a part of the department's entire file. Their cases proceed in the required order. The government is working as quickly as it can. We want immigrants in this country. That is why we have exceeded our targets. However, there are many individuals who wish to come to this country.

[*Translation*]

DELAYED ANSWER TO ORAL QUESTION

**Hon. Fernand Robichaud (Deputy Leader of the Government):** Honourable senators, I have the honour to table a response to a question raised in the Senate on October 9, 2002, by Senator Kinsella, regarding passports.

FOREIGN AFFAIRS

RELATIONSHIP BETWEEN ISSUED PASSPORTS  
AND NUMBER OF ELIGIBLE APPLICANTS—  
RCMP—CONFIDENCE IN PASSPORT  
AS IDENTIFICATION

(*Response to questions raised by Hon. Noël A. Kinsella on October 9, 2002.*)

There are 8,893,836 valid Canadian passports currently in circulation. The only link between the size of the population and the number of passports is the amount of applications processed that result in the number of passports issued. (note: This total may not represent the absolute number of Canadians currently holding passports because children were previously added to a parent's passport; some were issued duplicate passports and some hold diplomatic and regular passports).

The Government of Canada is committed to maintaining the Canadian passport as one of the most secure travel documents in the world. Canada has recently implemented tougher regulations with respect to the types of passports and their issuance because it was discovered that earlier passports were too easily copied. The new passports have state-of-the-art features against fraud and increased information requirements from applicants. The improvements include: digitally-printed and "embedded" photographs; holograms; high-security, tamper-proof printing and "ghost" photographs which only appear under ultraviolet light security measures.

Complete documentary evidence of citizenship must accompany each application for a Canadian passport. That evidence includes a certificate of Canadian citizenship granted or issued to the person under the Canadian Citizenship Act. A person born in Canada must submit a birth certificate issued by a province or territory or by a person authorized by a province to issue such certificates. In Quebec, baptismal certificates, which were used as evidence of Canadian citizenship in the past are no longer viable for that purpose. All persons born in Quebec must submit a birth certificate issued after January 1, 1994. The Director of Civil Status of the Government of Quebec is now the only authority to register birth and issue birth certificates in the province.

Regarding the matter of the Royal Canadian Mounted Police (RCMP) identity check of a Girl Guide Leader applicant in Oromocto, New Brunswick, the RCMP confirms that it continues to have the highest regard for the security of the Canadian passport. The RCMP says what was done at their Oromocto Detachment is standard practice. The only way to conduct a criminal history check is through the submission of fingerprints. The passport may serve as identification but is not suitable to provide an individual with a criminal record check.

[English]

### PAGES EXCHANGE PROGRAM WITH HOUSE OF COMMONS

**The Hon. the Speaker:** Honourable senators, we have the pleasant duty, today, to welcome visiting House of Commons pages. I should like to introduce the first three pages who are visiting from the other place this week.

[Translation]

Isabelle Dufort is pursuing her studies at the Faculty of Social Sciences at the University of Ottawa. She is majoring in international studies and modern languages. Isabelle is from Orléans, in Ontario.

[English]

Faizel Gulamhusein of Burnaby, British Columbia, is pursuing his studies at the Faculty of Social Sciences at the University of Ottawa. He is majoring in political science and philosophy. Welcome.

[Translation]

Finally, Nicolas Lavoie, from Cornwall, Ontario, is pursuing his studies at the Faculty of Arts at the University of Ottawa and is majoring in history. Welcome, to you all.

[English]

## ORDERS OF THE DAY

### CRIMINAL CODE FIREARMS ACT

BILL TO AMEND—SECOND READING—  
DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Jaffer, seconded by the Honourable Senator Maheu, for the second reading of Bill C-10, to amend the Criminal Code (cruelty to animals and firearms) and the Firearms Act.

**Hon. Noël A. Kinsella (Deputy Leader of the Opposition):** Honourable senators, I listened carefully to the debate over Bill C-10. A number of questions have arisen in my own mind about the bill, based on my understanding of the interventions of honourable senators. As such, there are four points that I should like to reflect upon.

The first area that I should like to reflect upon is the impact of this legislation on the research community, whether the research community at universities or the research community in the private sector. As honourable senators know, animals are used in research. If it were not for the ability of the researchers to conduct

experimentation and testing with the aid of animals, much of the progress that has been made in modern medicine would not have been made. Therefore, honourable senators, it is my hope that, when this issue is examined in detail, special attention will be given to ensure that the research community in Canada is not placed in jeopardy by the proposed amendments to the Criminal Code that the bill is making.

The second area of questioning in my mind is more philosophical. It relates to the language used during the debate. Some have used phrases like “animal rights.” That raises a number of questions as to whether, philosophically, animals have rights in the real sense of rights or, indeed, whether the phrase is being used in an analogous sense or in a metaphorical sense. It seems to me, honourable senators, that the proper subject of real rights is real people. That flows logically from the nature of rights, which is a social concept that requires evaluation, measuring against a norm or a criterion and the expression of an ethical judgment, all of which are the kinds of clear activities of humans.

I can understand human rights and can understand the importance of psychological development in humans and that it is not a good thing for humans to get into behavioural patterns of destroying the things of nature. There is good sociology and good psychology around the proposition that things ought to be allowed to grow and develop according to their appropriate nature. However, the committee might want to examine in depth whether we are speaking of real rights when speaking of animal rights.

• (1500)

My third concern arising from the debate relates to the objective of the legislation. Bill C-10 is comprised of two parts, one of which deals with firearms. However, honourable senators, I wish to focus for the moment on the part of the bill that focuses on cruelty to animals.

Honourable senators, what is the objective of this proposed legislation? When codifying provisions that are already in the Criminal Code dealing with the prescription of conduct regarding cruelty to animals, what is the best way to achieve the objective of not having humans being cruel to animals, or being cruel to any living thing in nature for that matter?

I refer to my colleagues who conduct research at the university level. Based on my observation, these researchers use animals in a controlled and highly ethical manner. It is noteworthy that it is the research community itself that has established, voluntarily, very specific ethical standards relating to research that involves the use of animals.

Honourable senators, would it not be better for this kind of legislation to promote education and standard-setting by the various communities that work with animals, whether it be the hunting community, the veterinarian community, the research community, or other communities that deal with animals? Would it not have been better for this government to set up a regime wherein those people who are working with animals would establish, through education, a high ethical standard, rather than using the sledgehammer of the Criminal Code? The committee might want to examine that question when considering the fundamental principle of the bill.

My fourth point regards the stage at which we find ourselves in the legislative process. Solid arguments have been advanced in this chamber from all corners over the last number of days. The question was raised in yesterday's interventions that perhaps this bill should be split. There are procedural difficulties of doing that at second reading. The intervention of the Honourable Senator Baker on that particular point was correct.

However, I submit for consideration by honourable senators another possible technique. Given the serious questions on the substance of the bill at this stage and the hesitation in the minds of many honourable senators about the principle of the bill, there is a technique that would allow us to avoid that question of principle while allowing the proposed legislation to progress. In other words, honourable senators, the bill could be referred to the appropriate committee prior to second reading. Honourable senators might wish to reflect further on that suggestion.

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

On motion of Senator Adams, debate adjourned.

[*Translation*]

### SPEECH FROM THE THRONE

#### MOTION FOR ADDRESS IN REPLY ADOPTED

On the Order:

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

**Hon. Gérald-A. Beaudoin:** Honourable senators, I am pleased to rise today in reply to the September 30, 2002, Speech from the Throne.

The foundation of federalism in our country is the sharing of jurisdictions between the federal and provincial governments. There are quite a few federal states in the world, including Canada. Any federation experiences periods of centralization and decentralization. This is unavoidable, and it is true for Canada.

I would like to say a few words on the federal spending power in Canada. The federal spending power in Canada was recognized by the courts in 1937. The federal government can spend money in its own jurisdictions, and also in provincial jurisdictions. However, according to the Privy Council, it cannot legislate in provincial jurisdictions. The spending power can help maintain a financial balance in a federation. That power is there to stay, and this is a good thing.

I am also pleased about the equalization process provided for in section 36 of the Constitution Act, 1982. This is something unique to our country. The spending power plays a great role in our country. It is necessary. Incidentally, so far, no province has

challenged that power in a court of law. However, Quebec has always been vigilant to keep its legislative prerogatives intact. This is necessary to preserve the federation's balance.

I detect a kind of a constant in the Speech from the Throne. In this regard, I can list a few elements: health care, poor families and social assistance, securities, the new urban strategy, and minority-language education so as to double, within 10 years, the number of bilingual high school graduates. These issues are largely a provincial matter.

It goes without saying that the federal spending power will have to be taken into consideration in reaching certain objectives outlined in the Speech from the Throne. The provinces have a lot to say on this issue, and they will have to negotiate. I wish to draw the attention of my colleagues to the negotiations that will soon keep us busy. This is part of our constitutional history.

• (1510)

One of the first issues that will capture our attention will be health care.

There are several items on health care in the Constitution. The provincial legislatures have exclusive jurisdiction when it comes to establishing, maintaining and administering hospitals. The federal Parliament has exclusive authority over quarantine and marine hospitals.

The provincial legislatures therefore have the power to organize a hospital system, establish systems to cover health insurance and hospital insurance.

Administering the medical profession and health sciences falls under provincial jurisdiction pursuant to sections 92(13) and 92(7) of the Constitution Act, 1867. The provinces can, obviously, regulate the nursing and pharmacy professions. The provinces may also legislate generally, on matters of hygiene, medical research, medical schools and institutes. Rest homes, asylums, care for mental health patients and persons with disabilities also come under the provinces' responsibilities. The right to strike in the medical and hospital sectors is also a provincial matter. Other items come into play with section 92(7) on occasion to provide further and partial support to provincial jurisdiction in the area of health: section 92(13), already mentioned, and section 92(16) in particular; also sections 92(6) and 92(2) in addition to sections 93 and 95. In other words, provincial jurisdiction in the area of health is considerable.

The federal power may also legislate in certain areas of health, under its ancillary power. As such, its legislation will be valid if the health provisions are necessarily attached to its particular areas of jurisdiction. An example of this would be inmates, members of the military, immigrants and veterans. One very important federal authority in health is certainly the federal spending power, which I mentioned earlier. Ottawa and the provinces have been negotiating matters of health for a long, long time. This must continue.

The Speech from the Throne touches on other subjects. It deals with securities. This was a provincial responsibility to begin with. The Supreme Court of Canada had the opportunity to reaffirm this in the *Global Securities* judgment in 2000.

In this case, the Supreme Court ruled that the British Columbia Securities Commission could also gather information from securities regulators outside British Columbia. This was based on paragraph 141(1)(b) of the Securities Act, which contains two objectives: guaranteeing cooperation with other jurisdictions and identifying misdemeanours committed in other jurisdictions by brokers registered in British Columbia.

The pith and substance of section 141(1)(b) of the Securities Act is the effective regulation of domestic securities, which falls within provincial authority under section 92(13) of the Constitution Act, 1867. The interprovincial aspects of the Securities Act are purely ancillary and part of the commission's mandate, which is to obtain reciprocal cooperation and uncover securities violations abroad.

Of course, if the federal government wants to interfere with securities, it may fall back on its authority in criminal law to prevent and punish fraud.

The new urban strategy was another subject covered in the Speech from the Throne. It concerns cities, of course, and involves a new ten-year infrastructure program. As we know, cities and municipalities are an exclusive provincial jurisdiction. This principle was once again reaffirmed by the Quebec Court of Appeal in *Westmount v. Attorney General of Quebec*, and permission to appeal this judgment was denied by the Supreme Court of Canada. According to the Speech from the Throne, the federal government's interference in urban affairs will be in partnership with the provinces and municipalities.

Minority-language education, with a goal of doubling within 10 years the number of bilingual high school graduates, is no doubt a lofty and commendable objective. Again, an agreement will have to be entered into with the province, because education is an exclusive provincial jurisdiction.

During the 19th century, confessional schooling rights and double taxation were the main focus of attention. Nowadays, in Quebec, the language of instruction is at the forefront.

These are, honourable senators, a few of the issues addressed in the Speech from the Throne that attracted my attention and are likely to raise questions for anyone who considers respect for the Constitution an important principle.

I have always said that the existing division of powers is basically appropriate. I hope that we can preserve this division and continue to negotiate and act in partnership with the provinces in the areas I discussed in my speech

[English]

**Hon. George Baker:** Will the honourable senator permit a question?

**The Hon. the Speaker pro tempore:** Will you accept a question, Senator Beaudoin?

**Senator Beaudoin:** Yes.

[ Senator Beaudoin ]

**Senator Baker:** Honourable senators, I thoroughly enjoyed the honourable senator's analysis of federal-provincial responsibilities. I think that the three main subjects he covered, namely securities, health, and education, are distinguishable.

As far as securities are concerned, provincial regulation is recognized under the Securities Act of the province. There is also the federal Winding-up and Restructuring Act. An investigation would start under the provincial Securities Act. Each Securities Act provides the mechanism for investigations, either by the regulators, the Superintendents of Insurance, or by the Minister of Justice in the province. These things sometimes happen in consort with the appointment of a receiver under the federal Winding-up and Restructuring Act or a liquidator. It is clear that one is provincial and one is federal. Both duties are distinguishable.

• (1520)

In health and post-secondary education, the responsibilities were distinguishable to a certain degree prior to the mid 1970s. The federal government paid a percentage of the cost of medicare. Under the federal Hospital Insurance and Diagnostic Services Act, the federal government paid 55 per cent of the cost of running hospitals. An amount for post-secondary education was paid in relation to the expenditures in the provinces. All of a sudden, all of the provincial governments met in a federal-provincial conference and said that they wanted block funding. The federal government's response was to give them a lump sum of money and it did away with the agreements that existed in federal legislation.

My question to the honourable senator is as follows: Does he believe from looking at this that perhaps that is where the future lies as far as getting the federal government back into the proper percentage funding of health and post-secondary education?

**The Hon. the Speaker pro tempore:** I am sorry to interrupt, Senator Beaudoin, but I must advise that your time has expired. You will have to ask for leave.

**Senator Beaudoin:** May I have leave to respond?

**Hon. Senators:** Agreed.

**Senator Beaudoin:** My point is this: Because this country is large and not all of the provinces are rich like Alberta, for example, spending is entrenched in our Constitution, and that is a good thing. It is there, and it will stay there.

However, as a jurist, I cannot but say that, in 1937, the judicial committee of the Privy Council said clearly that we should not invade the provincial domains with legislation. No one disagreed with the funding. I think that the federal authority is in a position to be able to adequately use the spending power, and I am in favour of that. It is good for the equilibrium of our federation. However, if the federal government legislates in this area, that would be another story.

The honourable senator referred to securities and winding up. If I am not mistaken, he also referred indirectly to bankruptcy. It is clear that bankruptcy is a federal matter. I referred to fraud in business, and there is no doubt that that is a criminal matter.



If I were to pass on some words of counsel, I would advise the federal government to use the spending power it has adequately and wisely. However, I would emphasize that it must respect the beautiful federation that we have. In my opinion, the division of powers in Canada is the best in the world. I have never seen a Constitution that is so clear in the field of the division of powers. However, I would add the caution that the federal government should not legislate in areas of provincial jurisdiction. It must respect the division of powers.

I am in favour of the spending power, but when dealing with education, health care and other areas that come under provincial jurisdiction, we must negotiate. This is the story of our federation.

Canada probably holds the best record in the world for federal-provincial negotiations. Not all federations meet many times each month, but that is what we do, and I approve of that.

Before we go further, honourable senators, I would suggest that we wait until we see the proposed legislation. The honourable senator is on the Legal Committee and he will know that the purpose of that committee is to ensure that any bill is respectful of the division of powers. We always determine that the bills that are referred to our committee are respectful of the Charter of Rights and Freedoms. If a bill meets those criteria, we will vote for it.

I cannot be more precise because we do not have before us the proposed legislation that the federal authority will produce. The federal authority may invoke the spending power, but it must respect the Constitution.

[*Translation*]

**Hon. Roch Bolduc:** Honourable senators, the Speech from the Throne describes the sad state Canada was in a decade ago, that is under a previous government, and then goes on to tell us that today life is good because of the valiant efforts made by the government in power since 1993. This, of course, needs to be taken with a grain of salt.

As if the Liberal government were responsible for the general prosperity that reigned in North America until the summer of 2000. Everyone knows, or should, that the economic growth of our neighbours to the south during the 1990s, as a result of technological development, is what increased the demand for our products and revived the economy in this country. That, coupled with our taxation system, which penalizes the ordinary taxpayer very much, meant that while we were getting out from under the budget deficit, Canadians' standard of living was not improving. It is only recently that the tax cuts that have been demanded for so long have finally had some slight positive influence on taxpayers' net incomes.

Things may seem to be going better, but surprise, surprise! There are still problems referred to in the government's Throne Speech and it is going to attack them with the same vigour it has for the past 50 years, particularly since these problems have been around since the post-war period and are still not resolved, despite the billions of dollars that have been put into their resolution by the welfare state.

The government lists a litany of good intentions, injecting money into all sectors for Canadians of all ages, from babies and students up to workers in all categories: scientists,

researchers, immigrants, military personnel, sports people, medical personnel, farmers. I could go on and on.

Public funds to Aboriginal people are being increased, as well as to those with housing problems or with drug problems. The government will take an interest in the administrators of overly greedy companies, in smart regulation — that is something new, before it was not! — smart borders — even our border will be smarter! — in cities, in official languages, in ethical guidelines for parliamentarians, and in one more Public Service reform.

The government is not short on good intentions. This reminds me of CIDA. We want to help everyone, but since resources are limited, we have to make choices and target the real priorities if we really want some positive results.

The government has a hard time targeting its multiple actions. It wants everything, everywhere, all the time. This is reflective of a collective action that results in attempts to satisfy various interest groups by yielding to the demands of successive coalitions, which often pursue contradictory objectives. The outcome of this is that changes to the status quo always make winners and losers, and the art of leading consists in hiding the real impact of the decisions made. For example, the government may lower taxes on the one hand, but on the other hand it increases contributions to the pension plan, with the result that taxpayers cannot figure out all the changes on their paycheques.

While I do not doubt the government's good intentions, I have no illusion about the mixed results of its actions. The government — which should be more cautious after all the negative impacts on the performance of its programs — is once again about to improve safety in the country, eradicate poverty, sign the Kyoto protocol, reform the health care system, invest more in research, promote apprenticeship, increase its assistance to Aboriginal people and fund urban infrastructure for 10 years. All this with a balanced budget, even though we still do not know the cost of all these new initiatives.

• (1530)

The government seems to believe in miracles more than I do. Fifty years of observing the political and administrative process have left me scratching my head. Anyway, we shall see. I note however, that, for a number of years now, we have been witnessing broken promises that have resulted in much frustration and cynicism, which explains in part the unwillingness of many to participate and even to vote.

The tax cuts contained in Budget 2000 are not enough to give Canada the impetus it needs in a very competitive world. This means that direct foreign investments will be few and far between, which will have a negative impact on productivity growth, because if we sell these investments, we lose the free technology that came with them. This also means that, logically, our investments abroad will increase. That is the case in Canada.

Contrary to common belief, more businesses are bought abroad by Canadians than are bought here by foreigners. This does not do the Canadian dollar much good. We cannot subject the Canadian economy to a higher cost structure and expect strong growth at the same time, particularly where the rate of productivity is concerned.

Still, there is room for progress on payroll taxes, corporate capital taxes and tax on pensions. The Auditor General went as far as to accuse the government of stealing from contributors to the Employment Insurance fund. How can we restore investor confidence in view of what some business leaders did, leaving with their pockets full of money and emptying those of their employees and retirees?

The government is very good at selling 10-year dreams, as it did with municipal infrastructure, which does not come under its jurisdiction. But where will the promising gestures be in 2003? The Prime Minister engages in activism, and the Minister of Finance puts on the brakes. This discordant duo is headed for more pulling and tugging than anything else. Meanwhile, the provinces are complaining that the federal government is not doing its share in health care, and the Canadian Forces are under-equipped according to the same minister.

The debate on the Speech from the Throne being a good forum for voicing preconceived ideas on a variety of issues, I would like to say a word on the Senate, which has been the subject of excellent speeches by a number of honourable senators, including the Leader of the Opposition, the Honourable John Lynch-Staunton, and Senator Austin. I know that Senator Joyal is about to offer us his own thoughts to follow up on the introduction he gave us a while back.

In my opinion, the Senate of the 21st century will not acquire the legitimacy it needs unless senators are selected differently. Today's democratic demands will never be satisfied unless they are elected. Since our regime has a systemic tendency toward the centralization of powers in the hands of the executive, and the head of the executive in particular, this election must take place outside the party framework, since the parties have a centralizing effect themselves in a British-style regime. The Senate would be the ideal place in a centralized regime, to avoid abuse of power, if we can set it up outside partisan politics. Since the Senate is supposed to be a "countervailing power" to the House, to all intents and purposes, an election formula similar to the one adopted by France or Germany strikes me as essential.

The way I see it, there would be senators elected by local elites, in an election in which candidates would come from these same regions, that is the equivalent of two or three Quebec ridings. It would be an indirect election, outside party lines, inexpensively run, and requiring but a few meetings. This election would create representation made up of persons from a variety of backgrounds whose careers and reputations, and stature within the region, would get them to Ottawa. They would no longer be elected because of connections with the traditional party machines.

We would have here, in our federal system, true regional representatives, with no ties to the parties in the House of Commons. This does not mean that the senators would not be politicians. Independent opinions could be expressed more freely on the quality of legislation. I am still surprised, and I find it unfortunate, that the government does not approve clear amendments to issues that seem simple to solve. Senator Murray must remember the amendment proposed to the act

creating the Canada Customs and Revenue Agency, to hire staff based on merit, in order to ensure their competence and objectivity. If we had had a different system than the one we have today, my proposed amendment would have passed. Discussions could give rise to an authentic political formula that would lead to compromise. The debate could produce unique initiatives.

The adverse effects of Canadian federalism, which is currently hampered by the federal spending power that results in power struggles between the provinces and a centralized federal power, would be tempered by more diversified regional voices, given the different situations even within the provinces. Finally, this arm of the federal Parliament could play a greater role in Canada's foreign policy.

In democracy in the 21st century, we must not leave the traditional prerogatives of the Crown intact when it comes to international relations, which, nowadays, have numerous and considerable effects on domestic policies. For example, the important treaties that Canada wants to sign should be discussed in more detail in the Senate. Decisions related to our participation in armed conflicts should also be referred to the Senate. When we send soldiers to war, representatives of the people must have their say.

Finally, CIDA, which spends over \$2 billion a year, should have a statutory foundation that is debated in the Senate, which would provide a framework for its international development activities.

These, honourable senators, are some of my thoughts for this debate on reform to our institution, to enhance its role in the necessary balance of political powers.

[*English*]

**Hon. Mobina S. B. Jaffer:** Honourable senators, I am pleased to respond to the Address in Reply to the Speech from the Throne on Canada's continuing commitment to diversity.

As is the case with a number of other senators in this chamber, I first came to this place in the fall of 2001 during the last session of Parliament. It was not a Speech from the Throne that set the tone for my first months here; rather, it was the horrible events that had taken place in New York, Washington and Pennsylvania only days before I was sworn into the Senate.

Canadians were justifiably afraid and called on their government to respond by examining issues of security, safety and counterterrorism. I was able to participate in much of the debate on these issues directly as a member of the Special Senate Committee on Bill C-36, the anti-terrorism bill. As both a refugee from Africa and a Muslim Canadian, I feel I was able to contribute a unique perspective to the debate on Bill C-36, a perspective that many Canadians who are members of minorities share. While I do not believe Canadians will ever be able to look at things entirely the same after September 11, our minds have gradually been able to return to other matters that are important to us.

The Speech from the Throne offers a concrete opportunity to return the focus of the government to all the issues that matter to Canadians; for me, it presents the first opportunity to work with a fresh policy agenda.

The Speech from the Throne contained a number of new initiatives that are worthy of our attention and support, some of which have already been brought to our attention by other senators in the course of this debate.

I should like to focus on some points that I feel are particularly important, specifically the government's commitment to lower the barriers to the recognition of foreign credentials, to implement targeted strategies, to reduce the problems faced by new immigrants to Canada and to make training available in both official languages to the children of immigrant families. These points reflect an ongoing commitment of Canada's government to diversity and multiculturalism in our country.

It has often been said that Canada is a nation of immigrants. I speak from personal experience when I say that Canada and Canadians embrace different people and cultures like no other country. Canada provides not only a place for individuals to live, but also the space to practise their own religion and culture freely while still welcoming them into the Canadian community as equal partners. However, many of those who immigrate to Canada seeking opportunities for themselves and their families continue to face barriers to the recognition of their credentials because they studied or worked in foreign countries. In some cases, these difficulties have been caused by a simple lack of understanding on how education and employment standards in other countries compare to those of Canada.

- (1540)

In the Speech from the Throne, the Canadian government has committed itself to break down the barriers to recognition of foreign credentials and allow skilled foreign workers to join the Canadian workforce more quickly. This will allow individuals and families to realize the opportunities that originally drew them to Canada and to integrate into the Canadian workforce more quickly.

Honourable senators, I am very familiar with the source of problems that these sorts of barriers can pose. I was one of the many Ugandan Asians forced to leave Idi Amin's terror just 30 years ago, and I faced many barriers to the recognition of my credentials when I arrived in Canada as a refugee.

When Idi Amin took away all my possessions, he did not break my spirit. When Idi Amin made me stateless, he did not break my spirit; but when the Law Society of British Columbia told me I could not practise law, my spirit was broken.

I began working at the firm of Dohm, Macdonald Russell and Kawarski as a junior secretary. Thomas Dohm, a partner in the firm and a former Supreme Court justice, asked me why I, a London-trained lawyer, was working as a secretary. After I

explained my situation to him, he fought on my behalf, and I have been practising law in British Columbia since 1978. I have been living my dream.

Since then, I have met thousands of individuals across the country who are not able to live their dreams. They are unable to realize their dreams because of barriers to the recognition of skills and credentials earned in foreign countries. These people do not have Thomas Dohm to fight on their behalf.

By including a commitment in the Speech from the Throne to reduce the barriers to the recognition of foreign credentials, the government has given many Canadians a chance to realize their dreams. However, it is not only those who are coming to Canada who will benefit from the removal of these barriers, but all of Canada.

Our last census has shown that the Canadian population is aging, creating a need for more skilled workers to replace those who are now leaving or will soon be leaving the workforce. This is also why it is necessary to ensure that Canada becomes a destination of choice for foreign students with diverse skills. The increased efforts to bring these young, talented individuals to Canada will ensure that the foundation of Canada's knowledge-based economy remains sound for years to come.

However, it is not only the recognition of credentials that can pose problems for those who come to Canada from abroad. There are also any number of other problems that can interfere with one's ability to live and work in a new country. These could include language barriers, culture shock, or the general uneasy feeling of being an outsider in a new land.

One of the things that makes Canada great is that we pursue the integration of communities rather than the assimilation of individuals. This country is not a melting pot; rather, we have a country rich in diversity in which people can remain a part of their own communities while still participating fully in the larger society of Canada. We believe in integration of communities.

Our Constitution guarantees through our Charter of Rights and Freedoms that all Canadians should be treated equally. All of us here agree with that principle, but it is a much easier promise to make than it is to keep.

Barriers to full participation in Canadian society still exist. That is why I am so happy to hear that the government has committed itself to targeted strategies to reduce the barriers faced by immigrants to Canada. Continued harmony between the diverse groups of Canadian society is essential for our continued growth as a country. The Canada we want is both prosperous and inclusive.

Of course, when we speak of the future, our thoughts naturally turn toward our children. For many of those who come to Canada from other countries, it is at least as important that their children find opportunities as it is that they find them themselves. However, children also face barriers to full integration in Canadian society. Even though it may be easier for them to adapt to a new culture in some cases, other more mundane barriers can exist. These are, most of all, linguistic barriers.

Canada's diversity is highlighted by its bilingualism, and it is important that children of immigrant families be given an opportunity to learn both French and English so that they can both realize the greatest opportunities that our great country has to offer and have the broadest number of careers available and become fully part of Canadian society.

With Canada's aging population, the children of immigrant families need to be given the greatest possible opportunity to become members of the Canadian labour force. That is important for their own sake and for the sake of Canada's continued economic prosperity.

Ultimately, it is the things that have not changed in the Speech from the Throne that mean the most — the Government of Canada's on going commitment to harmony, diversity and multiculturalism. The Government of Canada understands the role that new Canadians have played and will play in the future of Canada and recognizes the benefit of making Canada the destination of choice for foreign-skilled workers.

I applaud the Government of Canada, and especially the Minister of Citizenship and Immigration, the Honourable Denis Coderre, for making it a priority in the Speech from the Throne to remove these barriers.

I look forward to seeing how these policies are implemented.

**The Hon. the Speaker pro tempore:** Is the house ready for the question?

**Hon. Senators:** Question!

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

**Some Hon. Senators:** On division.

Motion agreed to, on division, and Address in Reply to the Speech from the Throne adopted.

On motion of the Honourable Senator Robichaud, ordered that the Address be engrossed and presented to Her Excellency the Governor General by the Honourable the Speaker.

## CODE OF CONDUCT AND ETHICS GUIDELINES

### MOTION TO REFER DOCUMENTS TO STANDING COMMITTEE ON RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT—DEBATE CONTINUED

On the Order:

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

That the documents entitled: "Proposals to amend the Parliament of Canada Act (Ethics Commissioner) and other Acts as a consequence" and "Proposals to amend the Rules of the Senate and the Standing Orders of the House of Commons to implement the 1997 Milliken-Oliver Report," tabled in the Senate on October 23, 2002, be referred to the Standing Committee on Rules, Procedures and the Rights of Parliament.

**The Hon. the Speaker pro tempore:** Is the house ready for the question?

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

• (1550)

## RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

### SECOND REPORT OF COMMITTEE ADOPTED

The Senate proceeded to consideration of the second report of the Standing Committee on Rules, Procedures and the Rights of Parliament (committee meetings during adjournments of the Senate) presented in the Senate on November 6, 2002.—(*Honourable Senator Milne*).

**Hon. Lorna Milne** moved the adoption of this report, honourable senators.

She said: Honourable senators, allow me to provide some explanation, before we proceed further, to ensure that honourable senators have it clearly in their mind what this motion does. Rule 95(3) requires that committees obtain an order of the Senate should they wish to meet during adjournments of the Senate that would exceed a week. Assuming that the Senate will not be sitting next week and that it will follow its usual sitting schedule, a strict interpretation of this rule would mean that any committee wishing to meet between the time of adjournment today until 2 p.m. on Tuesday, November 19, would require an order of the Senate. Your committee does not believe that this interpretation of the rule reflects the current understanding of the Senate committee sitting schedule.

The purpose of this second report is to ensure that, when the Senate adjourns for more than a week, a committee may meet on any working day of a week during which the Senate is sitting. Of course, any committee wishing to meet outside its regular time slot would still require the approval of the whips.

I hope honourable senators will support the adoption of this report in order to allow our committees to function in a reasonable fashion.

**Hon. Lowell Murray:** Honourable senators, I was present at yesterday's meeting of the Standing Committee on Rules, Procedure and the Rights of Parliament, and I am glad to confirm the intent of this report as just explained to us by the chairman, Senator Milne.

There is, however, a problem, as the honourable senator is aware, with the wording of the report. Some of us have been into the dictionary since the report was presented yesterday and find that the use of the word "weekday" in the English version could mean any day except Sunday.

[*Translation*]

In the French version, the report uses the expression "n'importe quel jour de la semaine."

[English]

That could imply any day of the week, including Saturday and Sunday. I believe the honourable senator will accept the following amendment, which reflects what she has just said to us and which I know reflects the discussions in committee.

[Translation]

MOTION IN AMENDMENT

**Hon. Lowell Murray:** Honourable senators, I move that the French version of the report be amended as follows:

Au deuxième paragraphe, ajouter les mots “du lundi au vendredi” après les mots “n’importe quel jour de la semaine.”

[English]

That the English version of the Report be amended as follows: in the second paragraph by adding the words “Monday to Friday” after the words “on any weekday.”

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

**Hon. Senators:** Agreed.

**The Hon. the Speaker:** Is the house ready for the question?

**Hon. Senators:** Question!

**The Hon. the Speaker:** It was moved by the Honourable Senator Milne, seconded by the Honourable Senator Carstairs, that this report, as amended, be adopted now. Is it your pleasure, honourable senators, to adopt the motion?

Motion agreed to, and report as amended adopted.

POINT OF ORDER

**Hon. Peter A. Stollery:** On a point of order, honourable senators, I did not want to have my point of order upset the report by Senator Milne, but I just want to be clear in my own mind.

Honourable senators, as Chairman of the Foreign Affairs Committee, I gave notice, yesterday, that I would move a motion today. As I understand it, and I want to be clear about this, the adoption of this report means that the motion standing in my name does not have to be moved. Is that correct or not? I want to be clear about that, because members of my committee will be naturally wondering.

**Hon. Terry Stratton:** Honourable senators, is this outside the normal meeting time of the committee?

**Senator Stollery:** Honourable senators, for some years now, the Standing Senate Committee on Foreign Affairs has met on Tuesdays and Wednesdays. If there is a problem, the committee will meet on Mondays. There is nothing new about this block of times.

I am having difficulty providing a straightforward answer because for the last two or three years we have been using Mondays as one of our fallback positions.

**Hon. Lowell Murray:** Honourable senators, I hope the chairman of the committee will agree with my interpretation, since we are joined in the motion that was just passed. Senator Stollery’s notice of motion reads:

That the Standing Senate Committee on Foreign Affairs be empowered...to sit at 6 p.m., on Monday, November 18, 2002, even though the Senate may then be adjourned for a period exceeding one week.

That is precisely the kind of motion we are trying to render unnecessary by the Rules Committee report that has just been rendered. My short answer is “yes,” he can proceed to have his proposed motion stricken from the Order Paper and not proceeded with.

**Senator Stollery:** That is how I understood it. However, I am delighted that Senator Murray has made it clear. I am assuming that we are all of the same view.

**Hon. Noël A. Kinsella (Deputy Leader of the Opposition):** Honourable senators, on the point of order, this clarification of the rule will obviate the real problem that the rules try to obviate, namely, that meetings of committees will not take place when senators are not available, particularly those senators who are members of a given committee.

The schedule that we have for regular meetings and time slots is very carefully put together to avoid conflicts of scheduling for honourable senators.

• (1600)

When meetings take place outside the regular schedule, some means of communication must be maintained so that the senators, who are members of those committees and who know whether they have conflicts or not, are well informed.

**Hon. Lorna Milne:** Honourable senators, it is my understanding that the passing of this report would negate the necessity for quite a few of the motions on the Order Paper. In particular, I would refer to Senator Stollery’s motion, No. 58, Senator Fraser’s motion, No. 59, Senator Losier-Cool’s motion, No. 61, and Senator Murray’s motion, No. 62.

**The Hon. the Speaker:** Does any other senator wish to comment on Senator Stollery’s point of order?

[Translation]

**Hon. Fernand Robichaud (Deputy Leader of the Government):** Honourable senators, to paraphrase Senator Kinsella, some means of communication should be maintained when committees meet at a time outside their regular schedule. The members of each party must consult their whip to ensure that they can meet, that enough senators are available and, of course, that there is a meeting room available.

[English]

**The Hon. the Speaker:** The Honourable Senator Stollery’s question has been answered by Senator Murray. Do you seek an order to have the motions recited by Senator Milne withdrawn?

**Senator Stratton:** Honourable senators, I tabled a motion similar to that today for the Standing Senate Committee on Aboriginal Peoples.

**Senator Murray:** We are proceeding on the assumption that the Senate will be sitting during the week of November 18. Would the Deputy Leader of the Government confirm that by bringing forward his motion now?

[*Translation*]

**Senator Robichaud:** Honourable senators, I would simply ask that my honourable colleague be patient, and the information will be made available to him in due course.

[*English*]

**The Hon. the Speaker:** To answer the question of Senator Stratton, his motion has been withdrawn, with leave.

One of the house leaders should deal with this. Do you wish an order of the house to withdraw the motions recited by Senator Milne?

**Some Hon. Senators:** No.

## NATIONAL SECURITY AND DEFENCE

### MOTION TO AUTHORIZE COMMITTEE TO TRAVEL— REFERRED TO COMMITTEE

On the Order:

Resuming debate on the motion of the Honourable Senator Day, seconded by the Honourable Senator Baker:

That the Standing Senate Committee on National Security and Defence be authorized to adjourn from place to place within and outside Canada for the purpose of pursuing its study.—(*Honourable Senator Robichaud, P.C.*)

**Hon. Sharon Carstairs (Leader of the Government):** Honourable senators, everyone is extremely proud of our Senate committees. They do an excellent job, and I happen to believe that they are at the very heart of our institution. It is in light of this that I decided to intervene on this motion today because I believe we all have a responsibility to preserve the reputation of our committees and their capacity to do good work. I should like to indicate that I have three major concerns with this motion.

My first concern is with the scope of the motion itself. Passing this motion would allow this committee to travel anywhere at any time as many times as it wants for the duration of this session. Honourable senators, the committee chairs have carefully not included travel in their orders of reference. The reason for that is that there is an understanding that travel must be funded by the Internal Economy Committee, and that travel would then be included as part of the funding for the entire reference to that committee. Having a separate and independent travel motion, it seems to me, is inappropriate in that we have no funding for this particular travel motion.

When I read the comments made by honourable senators, it seemed to me that what they were asking for was not unlimited travel, but travel in one particular instance, that is, a trip to Colorado Springs on December 1 or thereabout. That is not what

this motion reads. I must indicate that I have grave concerns with that.

I also have concerns about the cost implications. I heard that there were to be no costs with respect to this particular study. That seems to me to be not entirely the case. It would seem that there would be some costs for meals, incidentals or other expenses that senators would wish to bill to this committee. In conversations with the chair of this committee, he indicated there would be costs associated with this particular trip. The costs may not be high. They may be very low. However, honourable senators, it is the principle that is important here. We are talking about authorizing the use of public funds, which we do through the Internal Economy Committee, and this request is not in the form of a report from the Internal Economy Committee. That causes me concern.

I must say that my greatest concern relates to the independence of Senate committees.

Honourable senators, I think we would all agree that the Senate is not a department of the government. Indeed, the Senate is an independent House of Parliament. As such, it has an important role in holding government departments accountable. That is its function. It would be difficult for anyone to take a Senate committee seriously if it pretended to conduct a dispassionate, independent review of a department of the Government of Canada while, at the same time, accepting offers of free travel from that very same department.

I know that some may not think this is a perfectly reasonable analogy, but I do. Can honourable senators imagine what people would think if the Banking Committee which is presently studying bank mergers accepted free travel across this country on the private plane of the Royal Bank? To me, this would cause a serious erosion of our sense of independence as members of this chamber. It can be argued that the Department of National Defence is a government department, and we are part of the government, so it is not the same thing. I am afraid, honourable senators, I do not share that view. To maintain our integrity, we should pay the cost of our own travel so that it is seen to be above-board and that we are totally independent.

### MOTION IN AMENDMENT

**Hon. Sharon Carstairs (Leader of the Government):** Honourable senators, for that reason, I move that the question before the Senate be referred to the Standing Committee on Rules, Procedures and the Rights of Parliament.

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

**Hon. Tommy Banks:** Honourable senators, in referring to the substance of the leader's motion, I wish to take a moment to clarify something that I said yesterday, to which the leader referred.

• (1610)

In yesterday's debate, speaking of the proposed trip to which the leader has referred and the matter which the committee wishes to study, I said:

That is a clear and present question before us on our deliberations having to do with matters that the Minister of

Defence, among others, has asked us to look at. It is at his invitation, as Senator Day has said, that we wish to make this trip. It may cost us a lunch out of our pockets or something like that. The point I wish to reinforce is that the transportation costs and the accommodation costs of this visit will in no way be a cost of or to the Senate.

Honourable senators, I misspoke yesterday. I spoke out of place because I took too great a liberty when I suggested that members had determined that they would pay those incidental expenses out of their own pockets, in that I had not spoken to all members of the committee. While I do believe that most, if not all, of those incidental expenses would be undertaken gladly by the members of the committee, it was presumptuous of me to say so.

Further, I have determined that there may be some additional small expenses, as the honourable leader has correctly pointed out. If we were to go as individual senators to that place, as opposed to going as a committee, then all of those incidental expenses could be paid properly by senators from their own resources. However, it is the committee's wish that it should travel to Colorado Springs as a committee. Therefore, the clerk would need to accompany us. Otherwise, it would not be the committee that was travelling. The clerk's expenses would be paid from the budget of the committee.

As the leader has correctly said, the expenses, if any, would be nominal because we would be staying in barracks and we would be eating in messes. In the past, there have been circumstances in which those kinds of trips have been at no cost whatever to the people who have made them. I now find that there are, depending on the specific arrangements made and the number of people involved, occasional nominal charges for accommodation, in the order of \$10 to \$20 a day.

I have determined that, in the worst-case scenario, and I am taking greater care than I did yesterday, the aggregate costs to the committee would not exceed the magnitude of \$5,000.

Honourable senators, the honourable leader has raised a question of propriety and potential conflict that she wishes to be determined by the Rules Committee. As I may not be able to appear before that committee, let me provide the benefit of an argument to consider. I would refer to the fact that many times in the past, most specifically with respect to a 1993 trip of that same committee to that same place, the trip was made on military aircraft. Members of the other place fly, not infrequently, to that same place on military aircraft and have not had a conflict of interest in doing so.

I should also like to report to you a discussion that the honourable leader and I have had in regards to her analogy of the Royal Bank flying members of the Standing Senate Committee on Banking, Trade and Commerce around the country on the examination of bank mergers. In my opinion, that would be palpably and clearly inappropriate and wrong, a clear conflict of interest. However, the Royal Bank is not a public institution. The Canadian Forces is a public institution.

Honourable senators, I shall provide another analogy, which I have provided to the honourable leader, an analogy that is at least as appropriate as the Royal Bank comparison. The offices that we occupy are operated and owned, for all intents and purposes, by the Department of Public Works and Government Services. As far as I know, there is no payment of rent by the Senate from its budgets for the offices that we occupy.

**Senator Kinsella:** It is owned by the people of Canada.

**Senator Banks:** I do not think that anyone would suggest to the Honourable Senator Murray that the committee he presently chairs, when considering the business of the Department of Public Works and Government Services and making policy recommendations to that department, is in the pocket of the Department of Public Works and Government Services because we occupy free offices that they own and operate. The Senate has never been seen to be in the pocket of the Department of Public Works and Government Services or of any other department that it has, from time to time, examined.

I must also point out that if it is true that travelling on DND vehicles of any kind and eating DND food of any kind is in fact a conflict of interest that places the findings of the committee at risk as to its propriety, then we have already blown it by a thousand miles. The National Security and Defence Committee rode on DND buses from Ottawa to the special services establishment during the last Parliament. That committee ate in messes 50 times during the course of its deliberations during the last Parliament. I do not think that anyone would suggest that, having eaten DND's food and travelled on their buses both within and without DND establishments, the deliberations and findings of that committee have been tainted.

I would hope that when considering this question the Rules Committee would also consider what I regard as a corollary. If the travel to Colorado Springs is in conflict of interest, we had better build into our budget a substantial rent payment to ensure that when the National Finance Committee meets to consider the business of the Department of Public Works and Government Services we can be seen to be completely objective.

**Hon. Colin Kenny:** Honourable senators, I must say that I find the reasoning by the honourable leader to be curious. The implication that our committee would be in conflict because it might travel on a government aircraft to Colorado Springs can be addressed in any number of ways.

First and foremost, the very fact that the committee was prepared to come and stand in public and describe what it was doing has a serious implication for conflict. Given that the committee is declaring what it would be doing, this allows for people to examine the behaviour of committee members following the trip to determine whether anyone has been bought by the air ride. Judge us by our reports. Do not suggest that we will be bought by an airplane ride.

The leader has publicly described trips she has taken at the expense of the State of Israel, and no one in this chamber would suggest that she was bought or that there was a conflict of interest because she went to Israel at that country's expense. We know she is a honourable person, and we know that she was not bought by the flight.

To suggest that we would have our opinion altered by the flight to Colorado Springs, when we have publicly announced in this chamber that we would be going on that flight, is an impossibility. The best defence against a possible interpretation of conflict is declaring it. We are saying that this is how we will go about conducting the business of the committee. Judge us by what we accomplish.

We are not sneaking off on an airplane owned by the Royal Bank to fix a deal with somebody. We stood up in the chamber in an effort to be forthright. We stood up in the chamber, and we described how we were doing our committee business.

Our reports, by any measure, have not been patsies as far as the Department of National Defence is concerned.

• (1620)

No one can accuse us of being influenced by the department, whether they invite us down to Colorado Springs or whether we go over to the headquarters. There is a long tradition of parliamentarians using DND aircraft. There used to be a regular shuttle to Lahr that was taken by members of both Houses. We have already had reference to the joint special committee on the future of Canada's defence policy of 1993, which was not compromised by being flown on Department of National Defence aircraft or staying in Department of National Defence facilities. I spent a week in Bosnia, sleeping at the expense of the Department of National Defence. The accommodation happened to be a tent. My week was not bought by staying in the tent.

I deeply resent the suggestion that we might have a conflict here. That is not how this committee has been behaving. We have been behaving in an honourable way and to suggest we have been behaving otherwise is totally inappropriate. I expect the Leader of the Government to withdraw that statement. The idea that we should send something off to the Rules Committee when we have been behaving in an honourable fashion just appals me.

**Senator Carstairs:** Would the honourable senator accept a question?

**Senator Kenny:** Absolutely.

**Senator Carstairs:** Honourable senators, I was careful in my choice of words. At no time did I talk about a conflict of interest. Nowhere in my presentation did I speak about a conflict of interest. I spoke clearly about the independence of Senate committees. Does the honourable senator not see a difference between conflict of interest and independence?

**Senator Kenny:** Honourable senators, the independence of the committee is judged by the reports that it produces, and the honourable senator was suggesting that our independence would be influenced by the flight. The flight will not influence anyone's

independence, any more than the independence of the special committee in 1993, or your independence on your flight to Israel, or the independence of anyone else who is using government facilities that are there for general use. The independence of the committee is not at all in danger if we are standing up and declaring it publicly. It is not a question of us sneaking off. Yes, I understand what the leader's question is and my answer is "no."

**Hon. Lowell Murray:** Honourable senators, with great respect, I think the chairman of the committee is overreacting by taking as some kind of personal reflection the comments of the Leader of the Government on this matter. I listened to her very carefully, and I do not think there is any cause to interpret her remarks as a personal reflection on anyone or as a reflection on that committee.

In my humble opinion, what we have heard from her is an entirely proper exercise of her authority and her leadership of the Senate. I happen to agree with her fully on the first two points she makes about the motion. First, whether intentionally or not, the motion is open-ended. She has made that point and she is right.

I know the Honourable Senator Kenny's answer to that is we could not invoke the open-endedness of the matter without going to the Internal Economy Committee to get money for other trips. I know what he and other chairmen say when they get to Internal Economy. They say, "The Senate has already approved it, so give us the money because we have to go."

**Senator Kenny:** It is not true.

**Senator Murray:** It is true in a great many cases that once the Senate has approved a motion of that kind, the chairman of the committee in question attempts to confront the Internal Economy Committee with a fait accompli, suggesting to them that they have no choice but to come up with the money for travel or whatever the expense may be.

On the second point she made, I guess I have covered that as well. It is not, as Senator Banks pointed out, a great deal of money. There is, however, a principle to be observed here. Due process is important. I have always asserted and continue to assert that good results cannot come from bad procedure.

On the third point, the appropriateness of the committee accepting free transportation and hospitality from the Armed Forces, that is a matter on which I am sure there will be various opinions. It is only proper they be canvassed in the committee to which the Leader of the Government has suggested we refer this motion. That is appropriate. If the Leader of the Government has erred, she has erred on the side of prudence, caution and the reputation of the Senate, and I say good for her.

**Senator Kenny:** Will the honourable senator accept a question?

**Senator Murray:** If my colleague wishes to ask me about my frequent flyer points on the Challenger aircraft, yes.

**Senator Kenny:** I will lighten up.

[ Senator Kenny ]



The honourable senator's comment about chairs going to the Internal Economy Committee suggesting that they have motions from the chamber is one that I have not experienced. I have been a member of the Internal Economy Committee on and off for more than 16 years. Senator Murray has had similar experience on the Internal Economy Committee, and I would be happy if he would name an instance where a chair has come before it in this sort of scenario. Which chair? Which committee? When did it happen? I have never heard of that happening.

**Senator Murray:** Honourable senators, I wish I could name a chair and a committee, but it has happened so frequently in my experience. Committees have come looking for a budget and have said, "We have a mandate from the Senate. The Senate wants us to do this, now produce the money for our trip." In my interpretation of what has happened and happens in the Internal Economy Committee, it is an almost weekly occurrence there.

**Senator Kenny:** If it has happened so frequently, perhaps the honourable senator would undertake to advise the chamber of when and how. I hear it mooted about, but I have never seen a chair actually come out and say it. I have heard people use it in a theoretical argument here, as the honourable senator is doing now, but not citing chapter and verse on it. It has not happened chapter and verse in my experience, so I am curious whether we are sitting on the same committee.

**Senator Murray:** Honourable senators, not to put too fine a point on it, but we were confronted with this situation on certain security matters relating to this place, not very long ago. When the budget was put before us, we were told that the matter had been before the committee on several occasions, the committee had approved the matter and therefore we should come up with the money.

That is not quite the same thing, I agree. However, if the honourable senator were to examine those meetings of the committee over a period of years in respect of which there may be a public transcript available, he will definitely find such references, perhaps not in so many words, but clearly enough to read between the lines. That is the argument that is frequently made: "We have a mandate. Come and give us the money."

**Senator Kenny:** With respect, honourable senators, it is difficult to read between the lines. Either someone asked for it or they did not.

**Senator Murray:** That is exactly the argument; they are made all the time.

**Hon. Joan Fraser:** Honourable senators, what I am about to say has nothing to do with the integrity of senators. One of the things that has impressed me most profoundly since I came to this place is the extraordinary dedication to the public interest of the members of this chamber on both sides of the house.

• (1630)

Having said that, it has long been my view, publicly expressed on many occasions, that it is inappropriate for members of either House of Parliament to take sponsored trips of any kind. It is not

so much because it will affect their judgment, although it might, as because in some cases it has the effect of affecting the public's appreciation of and trust in the independence of our work.

I was quite sorry that the ethics package did not address this matter in a more authoritative way and did not just simply ban, outright, sponsored travel. Be that as it may, my most serious problem with the motion proposed for the Standing Senate Committee on National Security and Defence is one of the other elements raised by the Leader of the Government; that is, as Senator Murray has noted, the open-ended nature of this motion. I believe I understand the reasons advanced as to why an open-ended motion seemed appropriate. Nonetheless, this is not an appropriate way for us to go about the management of public funds. To say that any committee can choose to travel where and when it chooses for the duration of Parliament is not an appropriate way for us to act as custodians of public money. Therefore, I support the leader's motion.

**Senator Banks:** Would the honourable senator accept a question?

**Senator Fraser:** Certainly.

**Senator Banks:** I absolutely agree with the honourable senator in the normal sense of sponsored travel. However, in this instance, if the Standing Senate Committee on National Security and Defence has determined that, in order to answer certain questions it must visit a military base, then I would point out that the only way the members of the committee could have access to that base would be on a military vehicle. On the occasion of our visit to the special services establishment, no public vehicles were permitted to enter the area. Short of taking in suitcases full of peanut butter sandwiches, how could that sponsored travel be consistent with the view that there ought not, in any circumstances, be any activity which is seen to be in any sense related to sponsored travel? It would be literally impossible. The result would be that the Standing Senate Committee on National Security and Defence could never visit a military base.

**Senator Fraser:** There are usually ways around these things, senator. This is a more complex issue, as is often the case, than it appears at first blush, which is why I think it would be appropriate for the Standing Committee on Rules, Procedures and the Rights of Parliament to look at this issue. I would observe, however, as I sometimes recall here, that I spent many years as a journalist. Journalists are required to cover many stories, and it is in the public interest for them to cover those stories. Those can sometimes only be covered by travelling on military aircraft to military sites or on election campaigns, for example, on the leader's tour. It is very simple: They pay. The defence department provides an estimate of the cost of the trip and the newspaper pays.

**Hon. Noël A. Kinsella (Deputy Leader of the Opposition):** Honourable senators, the situation as I see it is the one wherein the Standing Senate Committee on National Security and Defence has laid before us a clear objective of visiting this particular military installation. The timeline for that, if I have understood it correctly, is that the trip would take place on December 1. I agree with Senator Murray in his analysis of the situation that there may be some technical problems with the motion and its scope.

I am somewhat concerned with the hesitation to use Canadian Forces aircraft. The last funeral of a senator I went to was on a Canadian Forces aircraft. Neither the deceased nor myself felt conflicted. Perhaps there is a solution to this. If the Standing Committee on Rules, Procedures and the Rights of Parliament were to be seized of this matter in order to clear up the issue of the scope, it could report back by November 21, for example, and that would leave sufficient time to make arrangements, should it report back with a narrowing of the scope and with recommendations. It may allow a larger number of our colleagues to participate in the debate and provide more data for the debate.

Consequently, I would move, in amendment, that the following words be added:

And, that the Committee report back to the Senate on this matter no later than November 21, 2002.

**The Hon. the Speaker:** Honourable senators, it is moved by the Honourable Senator Kinsella, seconded by the Honourable Senator Stratton:

That the motion in amendment of the Honourable Senator Carstairs be amended by adding the words:

That the Committee report back to the Senate on this matter no later than November 21, 2002.

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

**Hon. Senators:** Agreed.

Motion in amendment agreed to.

#### REFERRED TO COMMITTEE

**The Hon. the Speaker:** Honourable senators, is the house ready for the question on the motion as amended?

It was moved by the Honourable Senator Carstairs, seconded by the Honourable Senator Robichaud:

That the question be referred to the Standing Committee on Rules, Procedures and the Rights of Parliament; and

That the committee report to the Senate no later than November 21.

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

Motion as amended, agreed to.

#### TRANSPORT AND COMMUNICATIONS

##### MOTION TO AUTHORIZE COMMITTEE TO MEET DURING ADJOURNMENT OF THE SENATE WITHDRAWN

On Motion No. 59:

That the Standing Senate Committee on Transport and Communications be empowered, in accordance with rule 95(3), to sit at 9:30 a.m. on Tuesday, November 19,

2002, even though the Senate may then be adjourned for a period exceeding one week.

**Hon. Joan Fraser:** Honourable senators, in light of the adoption of the Standing Committee on Rules, Procedure and the Rights of Parliament second report, I seek leave to have this motion dropped from the Order Paper.

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

**Hon. Senators:** Agreed.

Motion withdrawn.

• (1640)

#### ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES

##### COMMITTEE AUTHORIZED TO STUDY MATTERS RELATED TO MANDATE

**Hon. Tommy Banks,** pursuant to notice of November 6, 2002, moved:

That the Standing Committee on Energy, the Environment and Natural Resources be authorized to examine and report on emerging issues related to its mandate:

- (a) The current state and future direction of production, distribution, consumption, trade, security and sustainability of Canada's energy resources;
- (b) Environmental challenges facing Canada including responses to global climate change, air pollution, biodiversity and ecological integrity;
- (c) Sustainable development and management of renewable and non-renewable natural resources including water, minerals, soils, flora and fauna;
- (d) Canada's international treaty obligations affecting energy, the environment and natural resources and their influence on Canada's economic and social development; and,

That the Committee report to the Senate from time to time, no later than February 28, 2005, and that the Committee retain until March 31, 2005, all powers necessary to publicize its findings.

Motion agreed to.

[*Translation*]

#### OFFICIAL LANGUAGES

##### MOTION TO AUTHORIZE COMMITTEE TO MEET DURING ADJOURNMENT OF THE SENATE WITHDRAWN

On Motion No. 61:

That, pursuant to rule 95(3), the Standing Senate Committee on Official Languages have permission to meet at 4 p.m. on Monday, November 18, 2002, for the purpose of discussing its future business, even though the Senate may then be adjourned for a period exceeding one week.

**Hon. Rose-Marie Losier-Cool:** Honourable senators, with leave of the Senate, I ask that this motion be withdrawn.

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

**Hon. Senators:** Agreed.

Motion withdrawn.

[*English*]

#### NATIONAL FINANCE

##### MOTION TO AUTHORIZE COMMITTEE TO MEET DURING ADJOURNMENT OF THE SENATE WITHDRAWN

On Motion No. 62:

That the Standing Senate Committee on National Finance be empowered, in accordance with rule 95(3), to sit at 9:30 a.m. on Tuesday, November 19, 2002, even though the Senate may then be adjourned for a period exceeding one week.

**Hon. Lowell Murray:** Honourable senators, on the assumption that the Senate will be sitting during the week of November 18, I ask leave to withdraw this motion.

**The Hon. the Speaker:** I am not sure we can accede to conditional requests for leave.

**Senator Murray:** I ask for leave to withdraw the motion, in full confidence that the Deputy Leader of the Government will move the adjournment and that the rest of the Senate will agree to his motion.

**The Hon. the Speaker:** I do not think that is a condition.

Is leave granted, honourable senators?

**Hon. Senators:** Agreed.

Motion withdrawn.

[*Translation*]

#### ADJOURNMENT

Leave having been given to revert to Notices of Motions:

**Hon. Fernand Robichaud (Deputy Leader of the Government):** with leave of the Senate and notwithstanding rule 58(1)(h), I move:

That when the Senate adjourns today, it do stand adjourned until Tuesday, November 19, 2002 at 2 p.m.

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

**Hon. Senators:** Agreed.

Motion agreed to.

The Senate adjourned until Tuesday, November 19, 2002, at 2 p.m.

**THE SENATE OF CANADA**  
**PROGRESS OF LEGISLATION**  
**(2nd Session, 37th Parliament)**  
**Thursday, November 7, 2002**

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

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
S-2	An Act 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.	02/10/02	02/10/23	Banking, Trade and Commerce	02/10/24	0	02/10/30		

**GOVERNMENT BILLS**  
**(HOUSE OF COMMONS)**

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
C-5	An Act respecting the protection of wildlife species at risk in Canada	02/10/10	02/10/22	Energy, the Environment and Natural Resources					
C-8	An Act to protect human health and safety and the environment by regulating products used for the control of pests	02/10/10	02/10/23	Social Affairs, Science and Technology					
C-10	An Act to amend the Criminal Code (cruelty to animals and firearms) and the Firearms Act	02/10/10							
C-11	An Act to amend the Copyright Act	02/10/10	02/10/30	Social Affairs, Science and Technology					
C-12	An Act to promote physical activity and sport	02/10/10	02/10/23	Social Affairs, Science and Technology					

**COMMONS PUBLIC BILLS**

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.

## SENATE PUBLIC BILLS

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
S-3	An Act to amend the National Anthem Act to include all Canadians (Sen. Poy)	02/10/02							
S-4	An Act to provide for increased transparency and objectivity in the selection of suitable individuals to be named to certain high public positions (Sen. Stratton)	02/10/02							
S-5	An Act respecting a National Acadian Day (Sen. Comeau)	02/10/02	02/10/08	Legal and Constitutional Affairs					
S-6	An Act to assist in the prevention of wrongdoing in the Public Service by establishing a framework for education on ethical practices in the workplace, for dealing with allegations of wrongdoing and for protecting whistleblowers (Sen. Kinsella)	02/10/03							
S-7	An Act to protect heritage lighthouses (Sen. Forrestall)	02/10/08							
S-8	An Act to amend the Broadcasting Act (Sen. Kinsella)	02/10/09	02/10/24	Transport and Communications					
S-9	An Act to honour Louis Riel and the Metis People (Sen. Chalifoux)	02/10/23							
S-10	An Act concerning personal watercraft in navigable waters (Sen. Spivak)	02/10/31							

## PRIVATE BILLS

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.

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