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(HANSARD)

**Thursday, September 18, 2003**



THE HONOURABLE DAN HAYS  
SPEAKER

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## THE SENATE

Thursday, September 18, 2003

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

Prayers.

### SENATORS' STATEMENTS

#### ONTARIO

##### TORONTO—SEVERE ACUTE RESPIRATORY SYNDROME CONCERT

**Hon. Consiglio Di Nino:** Honourable senators, on Wednesday, July 30 of this year, the City of Toronto hosted one of the largest events in recent memory. The SARS concert brought together half a million people. It was truly an enormous undertaking and, contrary to the naysayers, it was an enormous success. The event went a long way toward revitalizing the spirits of Toronto during a very difficult summer.

Honourable senators, I rise today to congratulate one of our colleagues, Senator Grafstein, as well the Member of Parliament for Toronto—Danforth, Dennis Mills, for their tireless effort toward making this event such a great success. They worked against many odds. They paid no attention to the naysayers. They helped create this wonderful, historic event for the City of Toronto. On behalf of all Torontonians and, indeed, Canadians in general, I want to express our gratitude.

Honourable senators, I also believe it is important to applaud the Toronto Police Service for its professional and effective handling of this event. All around, it was a job well done. To them, I say, congratulations and thank you.

[*Translation*]

#### HERITAGE

##### VALIANTS MONUMENT PROJECT— APPROVAL OF FUNDING

**Hon. Michael A. Meighen:** Honourable senators, during the summer adjournment, the Minister of Canadian Heritage, Sheila Copps, announced funding for the Valiants Monument. I congratulate the minister for her prompt and positive reaction to the report by the Subcommittee on Veterans Affairs in connection with this project.

[*English*]

Senators may recall that our subcommittee took up the cause, led by Mr. Hamilton Southam, which was promoting the Valiants project at a moment when their proposal seemed to be derailed by the Ottawa bureaucracy. We held hearings allowing the Valiants Group to come forward to explain their funding needs and how they could be met with some government support.

We issued a short report endorsing the project to commemorate our history, as we struggled as Canadians for our freedom and independence over the last four centuries. We believed that the erection of statues here in Ottawa to remember our nation builders was important in assisting Canadians to remember and celebrate their history. We tabled our report in the Senate in December 2002, and it has been spoken to by many honourable senators.

I am pleased now to acknowledge that on August 13, the government consented to provide funding for the Valiants monument project, which will consist of interpretive panels featuring 14 valiant figures who have made a significant contribution to Canada's military history. The unveiling date is scheduled for August 2005.

I want to thank in particular Deputy Chair Senator Day and all the members of our subcommittee for their diligent and timely work on this project.

I must say, honourable senators, that we are doing rather well in this little committee. As many senators will know, our investigation into the medical problems faced by Major Henwood and detailed in our report entitled "Fixing the Canadian Forces' Method of Dealing with Death or Dismemberment" has resulted in an unprecedented legislative change addressing most of the problems we raised.

Honourable senators, the Senate really does have an influence. The Senate really does matter and can effect change when it brings light to bear on inequities that inevitably rear their ugly heads.

#### LIBERALISM

**Hon. Gerry St. Germain:** Honourable senators, I want to express my gratitude to the Prime Minister for recently defining very clearly the objectives of liberalism in the advice he gave to his successor. Liberalism is about taxing Canadians and spending their tax dollars to shape a social agenda dictated by government. Liberalism, in whatever form one chooses to support it, under whichever leader, the current Prime Minister or his successor, is about social engineering. It is about controlling the lives of Canadians to shape their attitudes, their values and their actions. It is about redistributing wealth on a grand scale and not about creating new wealth.

The outgoing Prime Minister, in *The Globe and Mail* of September 17, 2003, advocates what he calls "an agenda of large public investment, none of which will be cheap." Government need not worry, though, as the Prime Minister pointed out that there will be no tax cuts in the future. Canadians will finance this spending. They will pay, and pay dearly.

• (1340)

The liberal agenda, bankrupt of morals, focused on social engineering and central government control, will be financed by the Liberals unilaterally, robbing wage-earning Canadians of their freedoms. The ultimate freedom lost to this philosophy is the freedom to decide how, when and where to spend taxpayers' hard-earned wages. A Liberal government will make those decisions for Canadians. They will create artificial budgetary surpluses by overtaxing ordinary Canadians, and they will recklessly and without accountability spend those hard-earned dollars on a cynical social agenda. Their spending will be aimed at two objectives: perpetuating their political dynasty and creating their notion of a liberal Canada.

Honourable senators, I appreciate the Prime Minister's candour. He has laid out clearly the devastating liberal agenda. During the next election when Mr. Martin, his successor, tries to hide behind an aura of new-found commitment to responsible government, fabricating a contrast with the past, Canadians will see differently. The choice will be clear: arrogant liberalism of the tax-and-spend variety with a further erosion of freedoms, or a respectful government that admits they have no money of their own to spend, only your money, the taxpayers' dollars, which they will manage wisely. Canadians will make the right choice.

[Translation]

## ROUTINE PROCEEDINGS

### PRIVACY COMMISSIONER

2002-03 REPORT TABLED

**The Hon. the Speaker:** Honourable senators, I have the honour to table the report of the Privacy Commissioner for the fiscal year ending March 31, 2003, pursuant to the Privacy Act.

[English]

### PUBLIC SERVICE MODERNIZATION BILL

REPORT OF COMMITTEE

**Hon. Lowell Murray,** Chair of the Standing Senate Committee on National Finance, presented the following report:

Thursday, September 18, 2003

The Standing Senate Committee on National Finance has the honour to present its

#### EIGHTH REPORT

Your Committee, to which was referred Bill C-25, An Act to modernize employment and labour relations in the public service and to amend the Financial Administration

[ Senator St. Germain ]

Act and the Canadian Centre for Management Development Act and to make consequential amendments to other Acts, has, in obedience to the Order of Reference of Friday, June 13, 2003, examined the said Bill and now reports the same without amendment.

Respectfully submitted,

LOWELL MURRAY  
*Chair*

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

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

### PERSONAL WATERCRAFT BILL

REPORT OF COMMITTEE

**Hon. Tommy Banks,** Chair of the Standing Senate Committee on Energy, the Environment and Natural Resources, presented the following report:

Thursday, September 18, 2003

The Standing Senate Committee on Energy, the Environment and Natural Resources has the honour to present its

#### NINTH REPORT

Your Committee, to which was referred Bill S-10, An Act concerning personal watercraft in navigable waters, has, in obedience to the Order of Reference of Tuesday, February 25, 2003, examined the said Bill and now reports the same without amendment.

Respectfully submitted,

TOMMY BANKS  
*Chair*

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

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

### ANTARCTIC ENVIRONMENTAL PROTECTION BILL

REPORT OF COMMITTEE

**Hon. Tommy Banks,** Chair of the Standing Senate Committee on Energy, the Environment and Natural Resources, presented the following report:

Thursday, September 18, 2003

The Standing Senate Committee on Energy, the Environment and Natural Resources has the honour to present its

#### TENTH REPORT

Your Committee, to which was referred Bill C-42, An Act respecting the protection of the Antarctic Environment, has, in obedience to the Order of Reference of Wednesday, September 17, 2003, examined the said Bill and now reports the same without amendment.

Respectfully submitted,

TOMMY BANKS  
*Chair*

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

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

#### CRIMINAL CODE

##### BILL TO AMEND—FIRST READING

**The Hon. the Speaker** informed the Senate that a message had been received from the House of Commons with Bill C-250, to amend the Criminal Code (hate propaganda).

Bill read first time.

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

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

#### CANADIAN NATO PARLIAMENTARY ASSOCIATION

##### SPRING SESSION OF NATO PARLIAMENTARY ASSEMBLY, MAY 24-28, 2003—REPORT TABLED

**Hon. Jane Cordy:** Honourable senators, I have the honour to table, in both official languages, the report of the Canadian NATO Parliamentary Association, which represented Canada at the Spring Session of the NATO Parliamentary Assembly held in Prague, Czech Republic, from May 24 to 28, 2003.

#### QUESTION PERIOD

##### NATIONAL DEFENCE

##### HMCS *VILLE DE QUÉBEC*—REQUEST FOR HELICOPTER

**Hon. Noël A. Kinsella (Deputy Leader of the Opposition):** Honourable senators, notwithstanding that our distinguished colleague Senator Forrestall is not here, we would not want the

Leader of the Government to think that this side remains unconcerned about helicopters.

Honourable senators, after the spring break, I had the honour to participate in the Department of National Defence parliamentary program and had a deployment with the Royal Canadian Navy. I went to sea for a couple of weeks aboard the HMCS *Ville de Québec*, which was escorting the submarine HMCS *Victoria* from Halifax to Panama. It was being transferred to the Canadian Forces base in Esquimalt.

• (1350)

The good news is that *Victoria* made it to Panama, but only after it had to make a call at the American submarine base at Canaveral for repairs. However, HMCS *Victoria*, its officers and crew, suggested that I find out from the government — given the fact that it has been four years since that frigate has had a Sea King on its flight deck — when the government might be able to make available a Sea King helicopter, or its replacement, so that the flight deck of the HMCS *Ville de Québec* could, once again, accommodate a helicopter?

**Hon. Sharon Carstairs (Leader of the Government):** As always, I welcome questions about the helicopter project and, in particular, I appreciate the honourable senator sharing his experiences as a seaman aboard one of Her Majesty's vessels at sea.

The technical pre-qualification phase of the Maritime Helicopter Procurement Project is underway, and it is now anticipated that we will meet our target of selecting the winning bid in 2004. I know that all honourable senators are extremely excited about that.

As far as the Sea Kings are concerned, as the honourable senator knows, there has been a reduction in the active service of the Sea Kings. I do not think that HMCS *Victoria* should expect one in the near future.

**Senator Kinsella:** I am sure the *Victoria* does not expect one since it is a submarine, but with this government maybe our submarines will not be required to submerge and they could serve as flight platforms.

#### FOREIGN AFFAIRS

##### UNITED STATES—COMMENTS BY PRIME MINISTER ABOUT PRESIDENT

**Hon. Noël A. Kinsella (Deputy Leader of the Opposition):** Honourable senators, as a result of a request from the Department of Foreign Affairs, the frigate HMCS *Ville de Québec* made a courtesy call at the Port of Savannah in Georgia. As we sailed up the Savannah River to come alongside, a message was received from the Americans on shore, which I would be happy to table. It stated that Canadian sailors would be welcome in Savannah, provided they did not repeat the comments of their Prime Minister concerning their President.

Has the Government of Canada adopted a special program to ameliorate the relations between Canada and the United States and, in particular, between the President of the United States and the Prime Minister of Canada; or is that the exercise that is underway this weekend?

**Hon. Sharon Carstairs (Leader of the Government):** With the greatest respect, I do not believe any comment was made by the Prime Minister of Canada that was anything but respectful to the President of the United States.

#### RECENT CASES OF INCARCERATION AND MALTREATMENT OF CANADIAN CITIZENS

**Hon. Consiglio Di Nino:** My question is addressed to the Leader of the Government. There have been a number of incidents recently creating a pattern of disrespect for Canadian citizenship and Canadian passports by a variety of countries, such as the case of William Sampson in Saudi Arabia, the tragic death of Zahra Kazemi in Iran, the recent detainment of Maher Arar in Syria, and numerous abuses in China against Canadians who practise Falun Gong.

Could the minister give this chamber an update on our government's progress in these cases, particularly on the death of Ms. Kazemi? Have the perpetrators of the atrocities committed against her been identified and dealt with appropriately by the Iranian authorities?

**Hon. Sharon Carstairs (Leader of the Government):** Honourable senators, before I address the specific question that the honourable senator has put, it is appropriate that I put some background before this chamber.

It is important to understand that, at the present time, there are nearly 3,000 Canadians incarcerated in 120 countries around the world. That is why we must have consular and ambassadorial services in as many communities as possible, and they must respond to requests for services by Canadian citizens.

To be fair, of those 3,000 Canadians, almost three-quarters are in jail in the United States, and many of those for drug-related offences. They, too, need to know that they have consular protection, which is why I am particularly pleased this week that we announced seven new consuls to be located in the United States.

To answer the very serious question that the honourable senator has put with respect to Madam Kazemi, as he knows, the Iranian government has been less than forthright in making information available, which is the reason for the request of our ambassador to return to Canada. We have and will continue to call for a full investigation, and we are working with other countries to support us in that endeavour.

We have also and will continue to ask that her body be exhumed and returned to Canada, where her closest-living relative, her son, wishes her to be buried.

**Senator Di Nino:** Honourable senators, it is indeed a very serious situation, and I thank the minister for her response. I believe the weight of this chamber should be presented to the cabinet table when the leader represents us there on this issue.

I am also aware that many Canadians are being held in prisons around the world. These cases, however, have a specific difference. No criminal charges were laid. These individuals did not commit crimes. These individuals were detained, persecuted in one case and, of course, brutally murdered in another.

Could the minister tell us if there are other known cases of this type around the world, cases of Canadians who are being held, other than those who are being held because of the commission of criminal offences?

**Senator Carstairs:** Honourable senators, because there are such cases, we must have an active consular service. As the honourable senator knows, recently we had such a case in Lebanon. Fortunately the military tribunal there decided that the individual should be expelled from the country and he immediately returned to Canada without particularly positive reports about his experience in that country.

The honourable senator is quite right to distinguish, of course, between those who are incarcerated for offences under the criminal codes of a variety of countries, and those who, for example, Madam Kazemi, are arrested in a country for no apparent violation of any criminal law.

• (1400)

To add to the complexity — and as was the case with Ms. Kazemi — we must examine what happens when a Canadian returns to their country of origin and is not only a citizen of this country, but also remains a citizen of the country to which they return. That was the situation with respect to Ms. Kazemi.

I am not convinced — and I will urge the Minister of Foreign Affairs to make this a broader basis of understanding — that individuals who hold dual passports are aware that their rights can in many cases be diminished when they return to their country of origin. They are not perceived to be Canadian, as in the case of Ms. Kazemi. She was perceived to be Iranian because of her Iranian passport.

Those who hold dual citizenship do so proudly. It is their wish to hold both citizenships. However, I am not convinced that they are aware that sometimes there may be a danger.

#### IRAN—INCARCERATION AND DEATH OF CANADIAN CITIZEN—FILING OF COMPLAINT WITH UNITED NATIONS

**Hon. Noël A. Kinsella (Deputy Leader of the Opposition):** In the case just raised by my colleague Senator Di Nino, Iran is party to the International Covenant on Civil and Political Rights, as is Canada. Pursuant to that covenant, under international human rights law, Canada is a state party and has the opportunity to file a complaint before the United Nations Human Rights Committee for a violation of human rights in Iran, whether perpetrated upon a Canadian citizen, a person with dual citizenship or an Iranian national.

My question to the Government of Canada is: Will Canada exercise its right to file a complaint before the United Nations Human Rights Committee against Iran for this gross violation of human rights?

**Hon. Sharon Carstairs (Leader of the Government):** I thank the honourable senator for his question. I must tell him that I do not know if we have yet filed that complaint or whether a decision has been made one way or the other. I will return to him with an answer.

## CITIZENSHIP AND IMMIGRATION

### COMPLICATIONS OF DUAL CITIZENSHIP

**Hon. C. William Doody:** Honourable senators, my question has been somewhat anticipated by the Leader of the Government, as it relates to the common denominator in the cases that Senator Di Nino cited. All these people had dual citizenship. They had passports from Canada and some other country. Would the minister explain to me what advantage it is to Canada or to the Canadian public to have people who are citizens of two countries carrying a Canadian passport?

I am probably being too simplistic, but it seems that if you are a Canadian, you are a Canadian. If you are a citizen of some other country, you are a citizen of some other country. Having two passports leads to endless complications and does not seem to benefit anyone, either the bearer of the passports or Canadians generally. Could the minister explain where I am adrift in this assessment?

**Hon. Sharon Carstairs (Leader of the Government):** The desire to have two passports primarily comes from individuals who wish to maintain their contact with the country from which they originated. Sometimes it is for family reasons. I know of a number of people who maintained their Canadian citizenship when they moved to the United States because of their affiliations. I know of a number of people who have come from the United States and have kept their American citizenship. In this country, we have made it possible for them to maintain dual citizenship.

In some cases, with young children, for example, they maintain dual citizenship until they are 21. When they become of age, they may choose to exercise one citizenship or the other. In other cases, they have dual citizenship for a lifetime.

As the honourable senator will know, such a decision is a personal matter. I spent time living in the United States. My mother was born and raised in the United States, but I chose to be Canadian only.

## FOREIGN AFFAIRS

### UNITED STATES—CANADIAN CITIZEN DEPORTED TO SYRIA

**Hon. Marcel Prud'homme:** Honourable senators, Senator Doody has touched on a point that has been of great concern to me for 40 years. My first committee in the House of Commons was the Immigration Committee, and we discussed the question of dual citizenship. Eventually, I think this subject must be reassessed and re-evaluated, even if we come to the same conclusion.

While the Leader of the Government in the Senate is studying the questions raised by Senators Kinsella and Di Nino, could the minister inform us why there is not an interest in the Senate for a Canadian citizen who happened to land in the United States of America and was shipped directly to Syria, where he is in jail at the moment? He was not treated as a Canadian citizen.

While I am not speaking to the subject matter at hand, I do find it strange that no one sees fit to raise the question of Mr. Maher Arar, a Canadian citizen of Syrian origin. He was coming back to Canada, landed in the United States and disappeared.

There are all kinds of rumours. I will reject the rumours for the time being that CSIS or the RCMP were in cahoots with the United States security services. I do not want to attack my own institutions.

The fact remains that Mr. Arar arrived in the United States on his way to Canada and was shipped to another country, without any consultation with Canadian authorities, and he ended up under a regime where people are not too fancy in their treatment of prisoners, if they think that they can extract information from them.

In order to have a full picture for a good debate, I would appreciate it if the Leader of the Government would add my request to the rest.

**Hon. Sharon Carstairs (Leader of the Government):** I thank the honourable senator for his question, but I think it is only appropriate to note that Senator Di Nino did indeed raise the case of Maher Arar in his opening comments. I responded in particular to the Kazemi case, but certainly he did put that question before us.

**Senator Prud'homme:** Good.

**Senator Carstairs:** Events have taken place with respect to the Arar case. The most recent information I have, as a result of September 9, is that Mr. Arar may appear before a Syrian civil court imminently. He was in meetings with the Canadian consul on August 14. He was pleased to have the visit and apparently thanked all concerned, including the Syrian authorities, for arranging it.

Mr. Arar apparently indicated that despite the fact that he was carrying a Canadian passport, he was deported by the United States to Syria. I think our questions must be directed to the United States. If he was carrying a Canadian passport, then why was he not deported to Canada?

The senator's second question relates to Senator Kinsella's earlier query as to what interest we have in this particular case. Syrian authorities have acknowledged that while we are interested in the case, they are fully consistent with international law in treating Mr. Arar, first and foremost, as a Syrian citizen because he has never forsaken his Syrian citizenship. That is why I raised this issue and my growing concerns about the problems of certain individuals.

I cannot make recommendations for committees to study specific issues, but I think the members of the Standing Senate Committee on Foreign Affairs might wish to look into this matter.

This issue is becoming a frequent concern for many Canadians who travel the world with two passports, sometimes using the one that they think will give them preferred advantage in one country and using another when they think it will give them a preferred advantage in another country. My concern is that they do not seem to know or understand — and perhaps they do, but I do not think so — the risks that they may encounter by using both passports. In some cases they are carrying both. In the case of Mr. Arar, however, my understanding is that he was carrying only a Canadian passport.

#### COMPLICATIONS OF DUAL CITIZENSHIP— USE OF PASSPORTS

**Hon. A. Raynell Andreychuk:** Honourable senators, I wish to follow up on that point. I believe it is something the Foreign Affairs Committee should study. Perhaps that suggestion could be conveyed to the committee chair.

I am more concerned about the fact that it is our obligation to tell our citizens what it means for them to go overseas. I believe we are doing a much better job of informing them about our arrangements and understandings with various countries. However, I wonder to what extent those protocols are up to date. Some people carry more than two passports.

There is a question of which passport should take effect.

• (1410)

Canada often uses the consular services of third parties such as Australia and Britain. In light of today's issues, with particular reference to terrorism, have we assured ourselves that those protocols are in line with our attitudes toward the balance between security and safety, and independence, freedom and human rights?

**Hon. Sharon Carstairs (Leader of the Government):** I thank the honourable senator for that question. It is a continuation of the other discussions we have been having. I can assure the honourable senator that I will raise her concern, as well as these others, with the Minister of Foreign Affairs.

#### VETERANS AFFAIRS

##### VETERANS INDEPENDENCE PROGRAM— ENTITLEMENT TO WIDOWS

**Hon. Michael A. Meighen:** Honourable senators, on Monday, the Minister of Veterans Affairs admitted that the department did not have the money to extend the federal government benefit to all veterans' widows. The media reported that approximately 23,000 widows of veterans will be denied benefits under the Veterans Independence Program. It was just this past May when these benefits, after a lengthy campaign by veterans'

organizations, were supposedly extended to become a lifetime entitlement for widows. Before then, as honourable senators are aware, widows were entitled to VIP benefits for only one year following the death of a spouse.

Now this government, in a fundamentally flawed and, some would say — and have said — heartless, cost-cutting exercise, has decided once and for all, that some widows will get the benefit and others will be excluded. The government hopes to save \$13 million, which will be taken right out of the hands of the widows of our veterans.

This government seems to have decided that our veterans will have to go to their graves knowing that the widows of their comrades-in-arms will not be looked after properly — yet another example of the disrespect with which issues relating to our military and our veterans are being handled.

My question to the Leader of the Government is simple. What kind of defence can she offer for such a callous and obviously discriminatory practice based simply on an arbitrary cut-off date?

**Hon. Sharon Carstairs (Leader of the Government):** As the honourable senator has indicated, an announcement was made that benefits that were being actively received would not be terminated at the one-year cut-off date, but would be continued. What will not be available, as I understand it, is benefits some people may require in the future for which they are not now covered. In that situation, the Department of Veterans Affairs will do all it can to help those people access services specifically provided within the community.

**Senator Meighen:** Honourable senators, there was a lengthy dispute over interest payments held in trust by the government for families of veterans, which was finally resolved after a great deal of negotiations. More recently, again after lengthy negotiations, the Minister of Defence, as a result of the publicity surrounding the Major Henwood case, decided that retroactivity could be dealt with on a case-by-case basis.

As I understand it, the reason these benefits are not extended to all widows is simply that it would be a retroactive step. I suggest that the Leader of the Government ask the Minister of National Defence for assistance in persuading her cabinet colleagues to reverse this ill-considered decision.

**Senator Carstairs:** Honourable senators, I think everyone in this chamber would agree that, in general, the principle of retroactivity is not a good one. The situation that was determined, which we dealt with with dispatch in this chamber this past June, dealt with a veteran who was receiving reduced benefits for no other good reason, it seemed to me, than his rank. This is a somewhat different situation. Services are available in the community and particular services are available to veterans through the Department of Veterans Affairs. It is not that these people will not be entitled to services. Many provinces in this country, including mine, which has been a leader in this field, as Senator Stratton knows well, provide the same kind of home care services to individuals within the community as those provided by Veterans Affairs, and veterans' spouses would be entitled to those services.

[ Senator Carstairs ]



## AGRICULTURE AND AGRI-FOOD

### BOVINE SPONGIFORM ENCEPHALOPATHY— INFLUENCE OF JAPAN ON UNITED STATES TRADE RESTRICTIONS

**Hon. Donald H. Oliver:** Honourable senators, my question is for the Leader of the Government in the Senate and it deals with BSE. Now that the U.S. ban on Canadian beef has been reduced to a partial ban, we would like to have some assurance that the government is continuing to be vigilant on this issue. Could the Leader of the Government in the Senate please advise us, before the weekend, exactly what representations the government has made to Japan and other countries that are continuing full bans on the importation of Canadian beef?

**Hon. Sharon Carstairs (Leader of the Government):** Honourable senators, I can indicate to the honourable senator that Japanese authorities have been here and we have gone step by step through all of the studies, all of the testing and all of the protocols that we have in place. We have also sent Canadian officials to Japan to go through all of those protocols.

Japan understands fully that Canada has an excellent system of monitoring BSE and that we will continue to have such an excellent system. They do not take Canadian beef, by the way. However, they have made a determination that they will not take American beef unless these live cattle restrictions remain between Canada and the United States.

Our problem lies in breaking down the barrier with the United States. If we can come to some agreement with them, which hopefully will come sooner rather than later, and some progress has, as he has indicated, already been made, we may well be able to solve this problem.

### BOVINE SPONGIFORM ENCEPHALOPATHY— CRITICISMS BY NATIONAL CENTRE FOR FOREIGN ANIMAL DISEASE

**Hon. Donald H. Oliver:** There may be another problem as well, because certain revelations have surfaced that Canada has been slow to change its regulations for controlling BSE in spite of urgings of an international expert panel. According to Dr. Paul Kitching, Director of the National Centre for Foreign Animal Disease, the world is still waiting for Canada to show signs of increased surveillance. That is what he was reported to have said in the *Manitoba Cooperator* of September 18, 2003.

Could the Leader of the Government in the Senate give us her government's response to the criticism made by Dr. Kitching?

**Hon. Sharon Carstairs (Leader of the Government):** Honourable senators, we have been making significant progress. These things do not happen overnight. We accepted all the recommendations and we are moving forward on all of them.

## HEALTH

### CREATION OF NATIONAL PUBLIC HEALTH OFFICE

**Hon. Terry Stratton:** I have not had the opportunity to welcome the minister back. I hope that she had a good break and that she

spent some time in Manitoba. That remark is not intended to be a "smack," since I recognize that she is a minister and must have spent some of the summer recess in Ottawa.

My question goes back to the creation of a Canadian centre for disease control, about which I have asked before.

At a recent meeting of the provincial health ministers and their federal counterpart, Anne McLellan agreed to create a national infectious disease control centre. The agency, modelled after the U.S. Centers for Disease Control, will coordinate national responses to public health crises such as the severe acute respiratory syndrome outbreak last spring or the West Nile virus. The Canadian Medical Association has also called for the creation of a national public health officer to head up this new agency. The officer would have the power to invoke emergency measures without political and bureaucratic influence.

Could the Leader of the Government in the Senate give us an update on whether there have been talks with the provinces about appointing a national public health officer? If so, what is the status of those discussions?

**Hon. Sharon Carstairs (Leader of the Government):** I thank the honourable senator for his question as well as for his warm welcome back. Yes, I did spend a considerable amount of this summer in Manitoba, for which I was extremely grateful. It might be the fact that things are not as busy around here that allowed me to spend more time at home, and it was truly enjoyed.

• (1420)

The honourable senator may well know that the idea of a disease control laboratory was discussed at a meeting of health ministers last week. There seems to be a desire on the part of all parties to go forward with further discussions. The honourable senator and I clearly have great pride in our level 4 laboratory in Winnipeg and think this is the logical place for a further control laboratory to be located. However, I am sure there are other communities across the country that will want to bid on this very exciting new venture.

As to the honourable senator's question with respect to a national public health officer, my understanding is that the two proposals are linked together and that one will not happen without the other. The discussions are ongoing on that matter as well.

[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 an oral question to a question raised in the Senate on September 16, 2003 by Senator Gauthier, regarding the Federal Court decision in *Forum of Mayors of the Acadian Peninsula v. Canadian Food Inspection Agency*.

## OFFICIAL LANGUAGES

FEDERAL COURT DECISION ON CASE BROUGHT BY  
FORUM OF MAYORS OF ACADIAN PENINSULA

(Response to question raised by Hon. Jean-Robert Gauthier on September 16, 2003)

Justice Department counsels have obtained a copy of the judgment and are studying the reasons and gauging potential repercussions.

The Government still believes, however, that Part VII of the *Official Languages Act* is a solemn policy commitment by the Government of Canada to “enhanc[e] the vitality of the English and French linguistic minority communities in Canada and supporting and assisting their development; and fostering the full recognition and use of both English and French in Canadian society.”

Accordingly, the Action Plan for Official Languages announced on March 12, 2003, proposes an accountability and coordination framework to ensure that the official languages remain an everyday priority in designing and implementing public policy and government programs.

Article 17 of the *Official Languages Act* provides some key elements that will help federal institutions meet the objectives set by the government in the Action Plan.

Article 17: “Every federal institution, as part of its strategic planning, implementing its mandate and policy and program development process, will need to:

- raise employees’ awareness of the needs of minority official-language communities and the Government’s commitments under Part VII;
- determine whether its policies and programs have impacts on the promotion of linguistic duality and the development of minority communities, from the initial elaboration of policies through to their implementation, including devolution of services;
- consult affected publics as required, especially representatives of official language minority communities, in connection with the development or implementation of policies or programs;
- be able to describe its actions and demonstrate that it has considered the needs of minority communities;
- when it has been decided that impacts do exist, the institution will have to plan activities accordingly for the following year and in the longer term; present the expected outcomes, taking into account funding provisions, to the greatest extent possible; and provide for results assessment mechanisms.”

## ORDERS OF THE DAY

## BUSINESS OF THE SENATE

**Hon. Fernand Robichaud (Deputy Leader of the Government):** Honourable senators, under Orders of the Day, I would like us to begin, under Government Business, with Item No. 2 under “Bills.” We can then resume the business of the Senate as set out in the Order Paper.

[English]

## NATIONAL DEFENCE ACT

## BILL TO AMEND—SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Bryden, seconded by the Honourable Senator Pearson, for the second reading of Bill C-35, to amend the National Defence Act (remuneration of military judges).

**Hon. Norman K. Atkins:** Honourable senators, I am pleased to rise and speak to Bill C-35, to amend the National Defence Act. These amendments will enable the government to approve retroactive pay raises for military judges as recommended by the independent Military Judges Compensation Commission.

Last June, Senator Bryden outlined how the remuneration of military judges is determined. He noted that the Military Judges Compensation Committee reviews remuneration of military judges every four years and makes recommendations to the Minister of National Defence as to the appropriate rates of pay. However, even if the government accepted the recommendations of the MJCC, they could not be implemented if retroactivity was involved. This bill will correct that anomaly by stating clearly the regulations that govern the conditions and rates of pay of military judges that allow them that retroactivity.

The second part of the bill clarifies the procedural and legal requirements regarding the taking of bodily samples — DNA samples. When the bill moves to committee, I would expect to hear from witnesses as to why this change is required.

The final amendments in the bill provide consistency between the English and French version of the National Defence Act. It is ironic that we are making corrections to the National Defence Act through an amendment, yet only last June, corrections to the English and French versions of Bill C-24 could be made by parchment. There seems to be very little consistency about the process.

As my honourable colleagues will know, the Constitution Act, 1867, stipulates that the salaries, allowances and pensions of Superior Court judges be set by Parliament. This ensures that judges are not dependent on the government for their financial security.

In 1998, the Court Martial Appeal Court in *Lauzon v. Rex* decided that the existing system of establishing the rates of pay of military judges was unconstitutional as it did not have an independent objective and a mechanism to give consideration to changes to military judges' rate of pay. In 1999, the Military Judges Compensation Commission was established by regulations to correct this deficiency and provide a process similar to that used to establish pay rates for other judges under the Judges Act.

Canada has three military judges, including the Chief Military Judge. Unlike all other units of the Canadian military, the Office of the Chief Military Judge is not part of the chain of command, enabling military judges a high degree of independence in relation to other members of the Canadian Forces.

Military judges preside over courts martial and perform other judicial duties under the National Defence Act and the Queen's Regulations and Order for the Canadian Forces. When will this government take the time to deal fairly with other members of the Canadian Forces?

Just last week, I read a media report, I believe in *The Hill Times*, that our Defence Minister said, "I don't think now is the time to make an additional big pitch for additional long-term base funding." Is there ever a good time to make that kind of pitch?

Last February, the budget allocated \$800 million in funding to national defence and asked the defence department to come up with \$200 million in savings. It is astounding that they would be asked to come up with \$200 million in savings at a time when they desperately need to upgrade equipment and increase personnel.

According to the Leader of the Government in the Senate, a portion of the \$800-million allocation in the February budget will be designated for the troops deployed in Afghanistan. All of this further takes away from the amount of money available for increasing the number of service personnel and the upgrading of equipment. For this government, the defence department is the one that just keeps on giving.

Honourable senators, it is time that our military be funded adequately. I am shocked that the minister responsible for representing Canada's Armed Forces in cabinet is not willing to go to the table to argue for more long-term based funding.

Our own Standing Senate Committee on National Security and Defence called for defence budgets to increase to approximately \$24 billion by 2010. We are at a limit in our peacekeeping efforts. We need to increase our personnel and renew our equipment. We need new helicopters. We need to improve our fleet of Hercules aircraft so more planes can be operational. We need more money to fix our submarines. We need to be able to hire more technicians and mechanics and ensure that they have the spare parts they need.

Our military judges are an integral part of the administration of justice in the Canadian Forces, and it is important that they are paid as fairly and objectively, as are other members of the judiciary in Canada. I hope that all honourable senators will support these changes.

Furthermore, honourable senators, we need to start making up for the decade of neglect of our Armed Forces. I would hope that all members of the chamber would push for adequate funding of our proud military.

**The Hon. the Speaker:** As no honourable senator is rising to speak, I would ask honourable senators if they are ready for the question in this matter.

**Senator Robichaud:** Question!

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

Motion agreed to and bill read the second time.

REFERRED TO COMMITTEE

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

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

• (1430)

## COPYRIGHT ACT

BILL TO AMEND—POINT OF ORDER—  
SPEAKER'S RULING—SECOND READING—  
DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Day, seconded by the Honourable Senator Gill, for the second reading of Bill S-20, to amend the Copyright Act.—(*Speaker's Ruling*).

**The Hon. the Speaker:** Honourable senators, before proceeding with the next item, I should like to deal with a question of order.

[*Translation*]

Honourable senators, on Wednesday, September 17, Senator Kinsella raised a point of order during second reading debate on Bill S-20 seeking to amend the Copyright Act. He asked Senator Day, the sponsor of the bill, whether the bill required a Royal Recommendation. By way of reply, Senator Day stated that he had not considered the matter. He did suggest, however, that the issue could be assessed during committee study of Bill S-20.

[*English*]

A short time later, Senator Corbin intervened and explained that, following his reading of the bill, there was nothing entailing an appropriation that would trigger the need for a Royal Recommendation. He also asked whether the need for a Royal Recommendation was to become an automatic question that would be put to the Speaker any time a Senate bill was introduced.

[*Translation*]

After some additional comments, I agreed to consider the point of order and bring back a ruling as soon as possible after giving myself time to read the bill.

[*English*]

In responding to the point of order, I as Speaker was obliged to review the text of the bill in order to identify, if possible, any clause authorizing a new appropriation of money from the Consolidated Revenue Fund. The question is important because bills that have a Royal Recommendation are introduced in the House of Commons, not the Senate. In any event, the task of reviewing the bill was not particularly arduous since the bill is just six short clauses. Bill S-20 deals with copyright and the application of certain provisions dealing with the term of a copyright in certain circumstances.

While it is true that two government departments are involved, this, in itself, does not mean that a Royal Recommendation is needed. Based on my assessment of Bill S-20, I have determined that no Royal Recommendation is required.

As to the suggestion posed by Senator Corbin, whether it will be an automatic procedure to ask the Speaker to review the content of legislation to determine the need for a Royal Recommendation, I am in the Senate's hands. At the moment, no such procedure exists. I am unclear about its utility. However, if the Senate were to institute a practice on this, as Speaker I would be bound to follow it.

[*Translation*]

As it is, there is no point of order and debate on second reading can proceed.

[*English*]

Senator Beaudoin has asked for the floor.

**Hon. Gérald-A. Beaudoin:** Honourable senators, I intend to speak on this next week. I apologize that I am not prepared to speak this week.

On motion of Senator Beaudoin, debate adjourned.

### ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES

COMMITTEE AUTHORIZED TO MEET DURING  
ADJOURNMENT OF THE SENATE—  
ORDER WITHDRAWN

On the Order:

Resuming debate on the motion of the Honourable Senator Banks, seconded by the Honourable Senator Moore:

That the Standing Senate Committee on Energy, the Environment and Natural Resources be empowered, in accordance with rule 95(3)(a), to sit during the traditional

summer adjournment of 2003, even though the Senate may then be adjourned for a period exceeding one week, until such time as the Senate is ordered to return.—(*Honourable Senator Bacon*).

**Hon. Tommy Banks:** Honourable senators, since events have overtaken this motion, I seek permission of honourable senators present to withdraw it and to remove it from the Order Paper.

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

**Hon. Senators:** Agreed.

Order withdrawn.

### UNIVERSITY RESEARCH FUNDING FROM FEDERAL SOURCES

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Moore calling the attention of the Senate to the matter of research funding in Canadian universities from federal sources.—(*Honourable Senator Morin*).

**Hon. Yves Morin:** Honourable senators, at the outset I would congratulate my Honourable Senator Wilfred Moore for the excellent speech he gave before our summer recess. In his very thoughtful and well-researched remarks, he addressed, in depth, the various issues pertaining to the role of the federal government in university research, especially in Atlantic Canada.

There is no doubt that support for academic research has been and continues to be one of the chief priorities of the present government. It has added more than \$1 billion to the annual budget of academic research in this country over the past five years.

This support is producing results. In 2002, institutions of higher education were responsible for fully one-third of Canadian R&D, 33.5 per cent up, from 26.5 per cent in 1997. This is a higher proportion than found in any other OECD country. This striking ratio will certainly grow as a result of the 2003 budget, which increased funding for Canada's university research by another \$450 million.

This budget, like each one that has preceded it since 1997, demonstrates the extent to which Canada has embraced the new knowledge-based economy. We recognize that knowledge is the source of future wealth creation that is necessary to sustain and enhance our standard of living and quality of life. We recognize that our knowledge-based economy is rooted in the discovery and the development of new ideas and their successful commercialization.

No government has done so much for university-based research in such a short time. This agenda of academic innovation will remain one of the outstanding legacies of this government.

[ The Hon. the Speaker ]

However, Senator Moore has raised important points concerning the role the federal government plays in university research in Atlantic Canada and the disparity that exists between Atlantic Canada and other areas of the country when it comes to research funding. It cannot be denied that, while Atlantic Canada has 7.6 per cent of the Canadian population, it does not currently attract 7.6 per cent of federal research funding.

• (1440)

Part of the reason lies in the fact that an increasing and significant portion of federal research funding has been devoted to the health sciences. This type of funding tends to concentrate in the large teaching hospitals and major health research centres in Canada's bigger cities such as Toronto, Montreal, Vancouver and, to a lesser degree, in smaller schools such as the University of Saskatoon, Laval University in Quebec City or Memorial University in St. John's.

There are solutions to these disparities, but they do not lie in changing the way we allocate our research funding so that excellence is no longer the prime criterion or so that we no longer abide by international standards of peer review. I would be surprised to find a researcher in Atlantic Canada or anywhere in Canada who would disagree with this fundamental point.

Nonetheless, there are opportunities for the Atlantic provinces. Smaller universities tend to fare better in areas such as the social sciences and humanities. Given that 60 per cent of the scholarships in the new Graduate Scholarships Program announced in the 2003 budget will be awarded to the social sciences and humanities, we can expect that they will have a disproportionate impact on the smaller Atlantic universities.

Other new programs, programs that are independent of the granting councils, are also redressing historic imbalances. For instance, the National Research Council has invested in excellent research centres located on Atlantic campuses, such as the Institute for Marine Dynamics, the Institute for Information Technology and the Biodiagnostic Institute.

The Atlantic Innovation Fund is another new initiative of the federal government that will address some of Senator Moore's concerns, while accelerating the development of knowledge-based organizations such as universities and research centres in Atlantic Canada. This \$300 million, five-year program will strengthen the region's innovation capacity by supporting research, development and commercialization partnerships among the region's research institutions.

Programs such as these are evidence of the federal government's commitment to redressing the funding disparity against which the Atlantic universities have to struggle and to providing Atlantic researchers with the support they need to excel.

This discussion also raises another point to which Senator Moore referred, and that is: Should all our Canadian universities be equally active in academic research?

We have limited funds to support research in this country. The average research grant in Canada is one-third the size of its American counterpart. When we spread research money around to all our institutions, what happens to our world-renowned

research centres? Canada, and especially Atlantic Canada, is fortunate in having several good universities that have made teaching a priority. Acadia, Mount Allison and St. Francis Xavier have long gained recognition for their emphasis on undergraduate teaching.

In fact, Nova Scotia is in a unique position. With its 11 universities and 13 community college campuses, it has more post-secondary institutions per capita than anywhere else in Canada and probably elsewhere in the world. As this province is responsible for a significant proportion of Canada's post-secondary training, there is little doubt in my mind that federal transfer in post-secondary education should follow the students and not be given strictly on a per capita basis. On this point, I fully agree with my honourable friend Senator Moore.

We might in this respect follow the example of Finland, a sparsely populated country that has increased its number of university students by 40 per cent in the last decade. This has resulted in remarkable economic growth.

This exceptional success is the consequence of the Higher Education Development Act passed by the Finnish Parliament some 20 years ago. The act guaranteed the steady growth of resources for post-secondary education, increased the number of inexpensive university seats and ensured the international competitiveness of the system.

In particular, by increasing the number of universities to more than 20, and ensuring they are in all regions of Finland, including, for example, the region of Lapland, this act has been instrumental in correcting the problem of regional disparity in access to post-secondary education.

Today, having supported our universities through the provision of research funding, our federal government, in partnership with the provinces, should turn its attention to supporting post-secondary education along the lines of the program carried out so successfully by Finland. Such a move would complement its successes to date, while building new successes in all parts of Canada. It would underscore the true responsibility of universities to conduct research and to teach, and it would recognize the relative strengths that lie in different parts of the country.

[*Translation*]

I would like to speak next about something I hold dear — the Université de Moncton. This university occupies a unique niche in Canada. It is not simply the only large French-language institution outside Quebec, but it has been the primary instrument of the Acadians in meeting the overall challenge of development.

For these two reasons, the Université de Moncton deserves special assistance from the federal government. It serves the vast francophone diaspora throughout the country, and is thus becoming the outstanding symbol of the linguistic and cultural vitality of francophones living outside Quebec.

On this 40th anniversary of the founding of the Université de Moncton, and at this crucial time in the history of the Acadian people, it is essential that the Canadian government provide special support to this institution as it embarks on a period of accelerating growth in order to continue to play its essential role, not only for its target clientele, the Acadian community, but also for all of Canada.

Honourable senators, last year in this chamber, I spoke out for the creation of a faculty of medicine at the Université de Moncton. The need is even greater today, in order to respond to the health needs of not only the Acadian community, but also all francophones outside Quebec.

The same holds true for other sectors of the university, as far as the transmission and the advancement of knowledge are concerned. It is essential that the Government of Canada support this unique institution during this critical phase of its growth.

There you have, honourable senators, the essence of my remarks on the important issue raised by Senator Moore. I thank him for having initiated a debate of such importance to our country, and I thank you for your kind attention.

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

#### TRANSPORT AND COMMUNICATIONS

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

On the Order:

Resuming debate on the motion, as modified, of the Honourable Senator Fraser, seconded by the Honourable Senator Morin:

That the Standing Senate Committee on Transport and Communications be empowered, in accordance with rule 95(3)(a), to sit as of September 2, 2003, even though the Senate may then be adjourned for a period exceeding one week, until such time as the Senate is ordered to return.—(*Honourable Senator Kinsella*).

**Hon. Joan Fraser:** Honourable senators, since it is obvious that this motion serves no further purpose, I move that it be withdrawn from the Order Paper.

Order withdrawn.

• (1450)

[English]

#### NEW CONSTITUTION FOR IRAQ

##### INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Beaudoin calling the attention of the Senate to a possible new constitution for Iraq.—(*Honourable Senator Stratton*).

[ Senator Morin ]

**Hon. Terry Stratton:** Honourable senators, I have deliberately not spoken to this issue because I have tried to wrestle with whether I would speak to it, but I feel that it is a situation that should be dealt with, and my experiences in Iraq over the last three years have shown I ought to speak to it if for no other reason than to explain what I think some of the people over there believe. I should like, though, to take this portion of time out of my 15 minutes and rewind the clock if I may.

On motion of Senator Stratton, debate adjourned.

[Translation]

#### NATIONAL SECURITY AND DEFENCE

##### COMMITTEE AUTHORIZED TO STUDY VETERANS' SERVICES AND BENEFITS COMMEMORATIVE ACTIVITIES AND CHARTER

On the Order:

Resuming debate on the motion of the Honourable Senator Meighen, seconded by the Honourable Senator Robertson:

That the Senate Committee on National Security and Defence be authorized to undertake a study on:

(a) the services and benefits provided to veterans of war and peacekeeping missions in recognition of their services to Canada, in particular examining:

- access to priority beds for veterans in community hospitals;
- availability of alternative housing and enhanced home care;
- standardization of services throughout Canada;
- monitoring and accreditation of long term care facilities;

(b) the commemorative activities undertaken by the Department of Veterans Affairs to keep alive for all Canadians the memory of the veterans achievements and sacrifices; and

(c) the need for an updated Veterans Charter to outline the right to preventative care, family support, treatment and re-establishment benefits;

That the Committee report no later than June 30, 2004.—(*Honourable Senator Robichaud, P.C.*).

**Hon. Fernand Robichaud (Deputy Leader of the Government):** Honourable senators, when this motion was introduced yesterday, I asked for debate to be adjourned to the next sitting of the Senate in order to verify certain information, and to ask the house certain questions as follows. What will be the scope of this study? Will the committee travel? Could the study incur special and significant expenditures?

The honourable senators will need this information in order to make an informed decision.

In the absence of the Honourable Senator Meighen, could the Honourable Senator Day, who is also a member of the subcommittee, provide us with this information?

[*English*]

**Hon. Joseph A. Day:** Honourable senators, this mandate that is being sought for the Standing Senate Committee on National Security and Defence is, in effect, the mandate for the subcommittee of that standing committee, the Subcommittee on Veterans Affairs.

Earlier today, Senator Meighen spoke of the successes of that subcommittee with respect to Major Bruce Henwood related to compensation and with respect to the Valiant memorials. The final mandate of that subcommittee expired in June, as we filed our report on post-traumatic stress disorder, which will become an important literary document.

The committee is now seeking a new mandate to deal with issues related to veterans. Item No. 142 on our order paper is the mandate that the subcommittee is seeking.

Under its previous mandate, it was the intention of the subcommittee to visit the veterans' hospital in Toronto, but the funds were not available. I expect that the subcommittee will undertake that visit if this mandate is approved. Our chairman, Senator Meighen, has informed committee members that no significant or long-term travel is anticipated for the committee. Although the steering committee has not come up with a precise budget to take to the Standing Committee on Internal Economy, Budgets and Administration, the estimate is somewhere around \$25,000 to \$35,000 to carry out this mandate.

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

**Hon. Senators:** Agreed.

Motion agreed to.

[*Translation*]

#### ADJOURNMENT

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

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

That when the Senate adjourns today, it do stand adjourned until Tuesday, September 23, 2003, at two o'clock in the afternoon.

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

**Hon. Senators:** Agreed.

Motion agreed to.

The Senate adjourned until Tuesday, September 23, 2003, at 2 p.m.

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**THE SENATE OF CANADA**  
**PROGRESS OF LEGISLATION**  
**(2nd Session, 37th Parliament)**  
**Thursday, September 18, 2003**

**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	02/12/12	24/02
S-13	An Act to amend the Statistics Act	03/02/05	03/02/11	Social Affairs, Science and Technology	03/04/29	0	03/05/27		

**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-2	An Act to establish a process for assessing the environmental and socio-economic effects of certain activities in Yukon	03/03/19	03/04/03	Energy, the Environment and Natural Resources	03/05/01	0	03/05/06	03/05/13	7/03
C-3	An Act to amend the Canada Pension Plan and the Canada Pension Plan Investment Board Act	03/02/26	03/03/25	Banking, Trade and Commerce	03/03/27	0	03/04/01	03/04/03	5/03
C-4	An Act to amend the Nuclear Safety and Control Act	02/12/10	02/12/12	Energy, the Environment and Natural Resources	03/02/06	0	03/02/12	03/02/13	1/03
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	02/12/04	0	02/12/12	02/12/12	29/02
C-6	An Act to establish the Canadian Centre for the Independent Resolution of First Nations Specific Claims to provide for the filing, negotiation and resolution of specific claims and to make related amendments to other Acts	03/03/19	03/04/02	Aboriginal Peoples	03/06/12	5			
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	02/12/10	0	02/12/12	02/12/12	28/02
C-9	An Act to amend the Canadian Environmental Assessment Act	03/05/06	03/05/13	Energy, the Environment and Natural Resources	03/06/04	0	03/06/05	03/06/11	9/03



No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
C-10	An Act to amend the Criminal Code (cruelty to animals and firearms) and the Firearms Act	02/10/10	02/11/20	Legal and Constitutional Affairs	02/11/28	Divided Message from Commons concurring with division 03/05/07			
C-10A	An Act to amend the Criminal Code (firearms) and the Firearms Act	–	–	Legal and Constitutional Affairs	02/11/28	0	02/12/03	03/05/13	8/03
C-10B	An Act to amend the Criminal Code (cruelty to animals)	–	–	Legal and Constitutional Affairs	03/05/15	5	03/05/29 Message from Commons-agree with two amendments, disagree with two, and amend one 03/06/09 Referred to committee 03/06/11 Reported 03/06/12 Report adopted (insist on one, replace one, amend one) 03/06/19		
C-11	An Act to amend the Copyright Act	02/10/10	02/10/30	Social Affairs, Science and Technology	02/12/05	0	02/12/09	02/12/12	26/02
C-12	An Act to promote physical activity and sport	02/10/10	02/10/23	Social Affairs, Science and Technology	02/11/21	0 + 1 at 3 <sup>rd</sup> 02/12/04 2 at 3 <sup>rd</sup> 03/02/04	03/02/04	03/03/19	2/03
C-14	An Act providing for controls on the export, import or transit across Canada of rough diamonds and for a certification scheme for their export in order to meet Canada's obligations under the Kimberley Process	02/11/19	02/11/26	Energy, the Environment and Natural Resources	02/12/04	0	02/12/05	02/12/12	25/02
C-15	An Act to amend the Lobbyists Registration Act	03/03/19	03/04/03	Rules, Procedures and the Rights of Parliament	03/05/14	1	03/05/28 Message from Commons-agree with amendment 03/06/09	03/06/11	10/03

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
C-21	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2003	02/12/05	02/12/10	–	–	–	02/12/11	02/12/12	27/02
C-24	An Act to amend the Canada Elections Act and the Income Tax Act (political financing)	03/06/11	03/06/16	Legal and Constitutional Affairs	03/06/19	0	03/06/19	03/06/19	19/03
C-25	An Act to modernize employment and labour relations in the public service and to amend the Financial Administration Act and the Canadian Centre for Management Development Act and to make consequential amendments to other Acts	03/06/03	03/06/13	National Finance	03/09/18	0			
C-28	An Act to implement certain provisions of the budget tabled in Parliament on February 18, 2003	03/05/27	03/06/04	National Finance	03/06/12	0	03/06/19	03/06/19	15/03
C-29	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2003	03/03/25	03/03/26	–	–	–	03/03/27	03/03/27	3/03
C-30	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2004	03/03/25	03/03/26	–	–	–	03/03/27	03/03/27	4/03
C-31	An Act to amend the Pension Act and the Royal Canadian Mounted Police Superannuation Act	03/06/03	03/06/11	National Security and Defence	03/06/16	0	03/06/17	03/06/19	12/03
C-35	An Act to amend the National Defence Act (remuneration of military judges)	03/06/13	03/09/18	Legal and Constitutional Affairs					
C-39	An Act to amend the Members of Parliament Retiring Allowances Act and the Parliament of Canada Act	03/06/03	03/06/11	Legal and Constitutional Affairs	03/06/19	0	03/06/19	03/06/19	16/03
C-42	An Act respecting the protection of the Antarctic Environment	03/06/13	03/09/17	Energy, the Environment and Natural Resources	03/09/18	0			
C-44	An Act to compensate military members injured during service	03/06/13	03/06/13	National Security and Defence	03/06/16	0	03/06/18	03/06/19	14/03
C-47	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2004	03/06/13	03/06/17	–	–	–	03/06/18	03/06/19	13/03

## COMMONS PUBLIC BILLS

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
C-205	An Act to amend the Statutory Instruments Act (disallowance procedure for regulations)	03/06/16	03/06/19	–	–	–	03/06/19	03/06/19	18/03
C-227	An Act respecting a national day of remembrance of the Battle of Vimy Ridge	03/02/25	03/03/26	National Security and Defence	03/04/02	0	03/04/03	03/04/03	6/03
C-249	An Act to amend the Competition Act	03/05/13	03/09/17	Banking, Trade and Commerce					
C-250	An Act to amend the Criminal Code (hate propaganda)	03/09/18							
C-300	An Act to change the names of certain electoral districts	02/11/19	03/06/03	Legal and Constitutional Affairs					
C-411	An Act to establish Merchant Navy Veterans Day	03/06/12	03/06/17	National Security and Defence	03/06/18	0	03/06/19	03/06/19	17/03

## 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	03/06/10	Social Affairs, Science and Technology					
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	03/06/03	2	03/06/05	03/06/19	11/03
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	03/02/25	Social Affairs, Science and Technology	03/06/19	0			
S-8	An Act to amend the Broadcasting Act (Sen. Kinsella)	02/10/09	02/10/24	Transport and Communications	03/03/20	0	03/04/02		
S-9	An Act to honour Louis Riel and the Metis People (Sen. Chalifoux)	02/10/23	03/05/06	Legal and Constitutional Affairs					
S-10	An Act concerning personal watercraft in navigable waters (Sen. Spivak)	02/10/31	03/02/25	Energy, the Environment and Natural Resources	03/09/18	0			
S-11	An Act to amend the Official Languages Act (promotion of English and French) (Sen. Gauthier)	02/12/10	03/05/07	Official Languages					
S-12	An Act to repeal legislation that has not been brought into force within ten years of receiving royal assent (Sen. Banks)	02/12/11	03/02/27	Legal and Constitutional Affairs					

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
S-14	An Act to amend the National Anthem Act to reflect the linguistic duality of Canada (Sen. Kinsella)	03/02/11	03/06/17	Official Languages					
S-15	An Act to remove certain doubts regarding the meaning of marriage (Sen. Cools)	03/02/13	Dropped from Order Paper pursuant to Rule 27(3) 03/06/05						
S-16	An Act to amend the Constitution Act, 1867 and the Parliament of Canada Act (Speakership of the Senate) (Sen. Oliver)	03/03/18							
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S-21	An Act to amalgamate the Canadian Association of Insurance and Financial Advisors and The Canadian Association of Financial Planners under the name The Financial Advisors Association of Canada (Sen. Kirby)	03/06/03	03/06/09	Banking, Trade and Commerce					

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