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THE HONOURABLE DAN HAYS
SPEAKER

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THE SENATE

Tuesday, October 26, 2004

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

Prayers.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw to your attention the presence in our gallery of the Honourable Matlapeng Ray Molomo, Speaker of the National Assembly of Botswana. He is accompanied by Ms. Keabe S. Tshukudu, Principal Clerk Assistant. They are here on an official visit.

Welcome to the Senate of Canada.

Hon. Senators: Hear, hear!

The Hon. the Speaker: Honourable senators, I would also draw to your attention the presence in our gallery of the participants in the Fall 2004 Parliamentary Officers' Study Program.

Please rise.

Welcome to the Senate of Canada.

Hon. Senators: Hear, hear!

HIS EXCELLENCY VICENTE FOX QUESADA PRESIDENT OF THE UNITED STATES OF MEXICO

ADDRESS TO MEMBERS OF THE SENATE
AND THE HOUSE OF COMMONS—
MOTION TO PRINT AS APPENDIX ADOPTED

The Hon. the Speaker: Honourable senators, before proceeding to Senators' Statements, the house leaders wish to ask for the floor in connection with the joint address of President Vicente Fox Quesada.

Hon. Bill Rompkey (Deputy Leader of the Government): Honourable senators, pursuant to rule 59(18), I move, seconded by the Honourable Senator Stratton:

That the address of His Excellency Vicente Fox Quesada, President of the United States of Mexico, to Members of both Houses of Parliament, delivered on Monday, October 25, 2004, together with the introductory speech by the Right Honourable the Prime Minister of Canada and the speeches delivered by the Speaker of the Senate and the Speaker of the House of Commons, be printed as an appendix of the *Debates of the Senate* of this day.

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

Motion agreed to.

(For text of speeches, see Appendix, p. 137.)

SENATORS' STATEMENTS

JOHN BRAGG

CONGRATULATIONS ON APPOINTMENT AS CHANCELLOR OF MOUNT ALLISON UNIVERSITY

Hon Catherine S. Callbeck: Honourable senators, I am pleased to rise today to congratulate a distinguished Canadian and friend, John Bragg, on his appointment as the new Chancellor of Mount Allison University in Sackville, New Brunswick.

A well-respected Atlantic businessman, Chancellor Bragg is a graduate of Mount Allison University and has been an excellent ambassador for the university. Not only has he been a successful entrepreneur and an inductee into the Canadian Business Hall of Fame, he has also been devoted to his community and received many awards for his generosity.

He is married to a former Islander, Judy MacLean, and they have four children.

I would be remiss if I did not take this opportunity to recognize the contribution made by the former chancellor, James Keith, and to wish him and his family all the best.

• (1410)

John Bragg's appointment is a fitting tribute to his significant achievements, his commitment to the university and his concern for his fellow citizens. I know that he will excel in his new role as chancellor and that his talents and commitment will help to enrich the life of the university in coming years.

I invite all honourable senators to join with me in extending congratulations to Chancellor John Bragg.

SMALL BUSINESS WEEK

TWENTY-FIFTH ANNIVERSARY

Hon. Donald H. Oliver: Honourable senators, last week I was unable to speak about this issue, so I rise today to call your attention to the importance of promoting the interests of small business owners in Canada. This year marked the twenty-fifth anniversary of Small Business Week. From October 17 to 23, Canadians acknowledged the vital role small business owners play in fostering a strong Canadian economy.

This year, the theme of Small Business Week was: "YOU'RE THE POWER behind the Canadian economy, let's share the energy!"

Indeed, Canada's small business owners are the power behind the Canadian economy. Small- and medium-sized businesses make up about half of Canada's GDP. They employ six out of ten Canadians. It is estimated that this sector was responsible for over 250,000 new jobs in the year 2003.

Because of the dedication and commitment of our small business owners, financial experts predict that small business activity will outpace economic growth in the next two years.

One of the other key messages behind this year's theme is the need to address the rising costs associated with managing a small business in Canada. A recently released report by CIBC, entitled *Canadian Small Business: A Growing Force*, stated that "the biggest challenge faced by Canada's small business owners is rising energy costs, high insurance rates, and a heavy tax burden."

Honourable senators, we need to acknowledge the concerns of our entrepreneurs and put forth an aggressive strategy that will continue to promote the growth of our small businesses.

Since 2002, this country has gained more than 200,000 new entrepreneurs, and in the next two years it is predicted that another 150,000 to 200,000 people will do the same. It is believed that by the end of the decade, one in five Canadians will be working for themselves in some capacity.

GLOBAL WARMING

IMPACT ON THE ARCTIC

Hon. Lorna Milne: Honourable senators, I rise this afternoon to highlight a recent report commissioned by the Arctic Council, a report entitled *The Arctic Climate Impact Assessment*. The Arctic Council is a group of national governments and Aboriginal organizations working together to study issues that have an impact on the world's Arctic region. The study focused on the impact of global warming on the Arctic region, and I can tell honourable senators that the news is not good. Some of us already live with the problem.

The key finding in this report is confirmation that global warming is hitting the Arctic earlier and harder than most of the rest of the world. The models show that temperature will increase in our Arctic at double the rate that it will in the rest of the world. The specific results of this increase in temperature will be significant, and I urge all honourable senators to reflect on how some of these changes will affect their communities and, indeed, the planet's biodiversity.

Vegetation zones are moving northward as a result of the warming. Left unchecked, this will likely lead to frequent forest fires and increased insect outbreaks. We have already seen this very dramatically in the province of British Columbia.

The range in distribution of animal species will also shift. The result will be a decrease in the habitat area for many northern plant and animal species and could bring new natural predators to the region. Consequently, there is the potential to push some species toward extinction, including polar bears, caribou and some seabirds.

Coastal communities also face significant damage from unchecked global warming. Changes in the heights of tides and ocean currents will have an impact on both erosion and flooding. This has the potential to threaten many Canadian communities in the North, most of them Aboriginal.

Finally, although the ozone layer issue has been in some part addressed, the depleted ozone layer is still a serious problem in the Arctic. Global warming is exacerbating the historic damage to the ozone layer, and scientists predict that it will take decades before the layer over the Arctic is fully healed. Young Canadians in the North now receive ultraviolet radiation doses at least 30 per cent higher than any previous generation. This will probably have a significant impact on cancer rates in the North as the years go on.

Honourable senators, these are just a few of the problems that face Canada's Arctic if global warming is left unchecked. I do not have to tell honourable senators of the dire consequences of an increase in carbon dioxide in the atmosphere when the permafrost increases its rate of thawing.

I hope that the Senate will continue the work that has been started by Senator Banks and the Standing Senate Committee on Energy, the Environment and Natural Resources in the last Parliament to find ways to stop or at least slow down global warming. I strongly urge the federal government to implement a comprehensive program to protect Canada's Arctic.

THE HONOURABLE ANNE C. COOLS

CBC GREATEST CANADIAN SERIES— CONGRATULATIONS ON NOMINATION

Hon. Gerry St. Germain: Honourable senators, I rise to inform the Senate of the recent results of two informal polls that have taken place across Canada over the last several weeks and months.

It all started with a question: Who is the greatest Canadian? Last spring, the CBC initiated *The Greatest Canadian* series, and since then they have received over 140,000 greatest Canadian nominations from across the country. I am not talking about myself, honourable senators, for sure.

The series asks Canadians to vote and determine which Canadian comes out on top. Last week, the top 100 candidates for the greatest were revealed, and I am proud to say that one of our own was nominated. In fact, Conservative Senator Anne Cools is the only sitting parliamentarian to be selected by Canadians from all walks of life and from all parts of the country to make the top 100 names on the list.

Here is what can be found on the website printed beside her name:

After founding Women in Transition, one of the first battered women's shelters in Canada, she became the first Black person ever appointed to the Canadian Senate in 1984. She remains an outspoken defender of family values and rights, advocating for fathers' rights and fair treatment for men and women in the aftermath of divorce.

That is not all, honourable senators. In today's *Toronto Sun*, the headline says: "She's so Cools Senator Anne runs away with the Sun's 10 top women poll." Isn't that great?

Voters from across Canada, mostly men, cast ballots for our greatest Canadian and she won the *Toronto Sun's* 10 top women poll with almost 50 per cent of the votes.

Honourable senators will know that Senator Cools has battled for divorce guidelines to give men equal access to their children after a split with their spouse.

So "Hear, hear" to one of the greatest Canadian nominees, the top woman nominee, and one of Parliament's great public servants. Senator Anne, keep on questioning the government, hold their feet to the fire, and always stick to your guns and to your principles.

NEED FOR NATIONAL AUTISM PROGRAM

Hon. Jim Munson: Honourable senators, two weeks ago, in my reply to the Speech from the Throne, I emphasized a need for a national program to treat autism, not the patchwork of programs we see in some parts of the country.

Since I spoke, I have received dozens of emails from coast to coast, messages that are both heartwarming and heartbreaking. This is a country where it is alleged we have a universal medicare program. One of the notes from a parent of an autistic child reads as follows:

I am one of those parents who, for years, paid for my son's early intervention program out of my own pocket....I sold my house to pay for the program, my elderly parents gave up their retirement nest egg and I sacrificed the university education fund of my other son to pay for the program.

Eventually, the bank refused to loan me any more for my son's medically necessary treatment and today I am still heavily in debt as a result. However, my son made significant progress in this therapy program and it was well worth every penny.

Senators, I hope that when we echo the words of Canadians in this chamber that they are not empty words and someone is listening. My government, all provincial governments must do more. This is a crisis and if you read the statistics, it is only going to get worse.

Listen to another mother.

I am the mother of an autistic 3 year old child...

If my daughter had cancer she would be in hospital immediately and they would have doctors and specialists provided for her immediately. For us, we would have to wait at least 10 months to get her seen by a doctor and with this disability 10 months is too long.

Senators, we are talking about Canada's children, children who without professional and financial help will never have a chance to participate in their communities.

...There must be a national will to help tens of thousands of Canadians.

In closing, one parent said, "I just pray that things will change for the better soon." For things to get better soon, provincial governments, working with the federal government, must fund more, not less, treatment for autistic children.

• (1420)

The recommended treatment is intensive behavioural intervention. Provincial health care plans should be amended to include this medically necessary treatment for children with autism. Funding for this treatment should be available to all individuals with a diagnosis of autism, regardless of age and severity of affliction.

It has been said that these treatments are costly. Well, there should be no price tag on the caring of a child in this blessed and generous country called Canada.

PILOT OFFICER ANDREW CHARLES MYNARSKI

WORLD WAR II VICTORIA CROSS RECIPIENT—
ERECTION OF STATUE

Hon. Terry Stratton (Deputy Leader of the Opposition): Honourable senators, how does one recognize the utmost in courage and bravery in the face of the enemy, selflessness — a most conspicuous act of heroism that called for valour of the highest order?

Since 1856, the British Commonwealth has recognized valour with the award of the Victoria Cross. Some 94 Canadians held the British Commonwealth's highest award for exceptional bravery until Canada changed its honour system. Many historians and many Manitobans feel that the Royal Canadian Air Force's greatest hero, an example of bravery in the skies over Europe during the Second World War, was young Pilot Officer A.C. Mynarski, who was born in Winnipeg and joined the RCAF in 1941. During a raid on the Cambrai railway yards in France on June 12, 1944, Andrew Mynarski made a heroic effort to pry his rear gunner from the turret of his burning Lancaster, even though his own parachute and clothing were on fire. Ironically, Mynarski, who was able to bail out, died in the action while the trapped gunner survived to tell the tale. For his heroism, Mynarski was awarded the Victoria Cross.

The citation read:

Pilot Officer Mynarski was the mid-upper gunner of a Lancaster aircraft, detailed to attack a target at Cambrai, France, on the night of 12th June 1944. The aircraft was attacked from below and astern by an enemy fighter and ultimately came down in flames.

As an immediate result of the attack, both port engines failed. Fire broke out between the mid-upper turret and the rear turret, as well as in the port wing. The flames soon became fierce and the captain ordered the crew to abandon the aircraft.

Pilot Officer Mynarski left his turret and went towards the escape hatch. He then saw that the rear gunner, Flying Officer Pat Brophy, was still in his turret and apparently unable to leave it. The turret was, in fact, immovable since the hydraulic gear had been put out of action when the port engines failed, and the manual gear had been broken by the gunner in his attempts to escape. Without hesitation, Pilot Officer Mynarski made his way through the flames in an effort to reach the rear turret and release the gunner. Whilst so doing, his parachute and clothing, up to the waist, were set on fire. All his efforts to move the turret and free the gunner were in vain. Eventually the rear gunner clearly indicated to him that there was nothing more he could do and that he should try to save his own life. Pilot Officer Mynarski reluctantly went back through the flames to the escape hatch.

There, as a last gesture to the trapped gunner, he turned towards him, stood at attention in his flaming clothing and saluted, before he jumped out of the aircraft. Pilot Officer Mynarski's descent was seen by French people on the ground. Both his parachute and clothing were on fire. He was found eventually by the French, but he was so severely burned that he died from his injuries.

Pat Brophy had a miraculous escape when the aircraft crashed. He subsequently testified that had Pilot Officer Mynarski not attempted to save his comrade's life, he could have left the aircraft in safety and would, doubtless, have escaped death. Pilot Officer Mynarski must have been fully aware that, in trying to free the rear gunner, he was almost certain to lose his own life. Despite this, with outstanding courage and complete disregard for his own safety, he went to the rescue. Willingly accepting the danger, Pilot Officer Mynarski lost his life by a most conspicuous act of heroism which called for valour of the highest order.

Years after the fact, the man Mynarski tried to rescue said Mynarski's last words, as he stood covered in flames near the door during that final salute, were "goodnight, sir."

When a country forgets its heritage and the people who sacrificed all they had to build it, a nation loses its way. Courage like that exhibited by Andrew Mynarski must be recognized, so I ask all senators to join me, his hometown and family in Winnipeg, our 1st Canadian Air Division and the people of Britain led by none other than Prime Minister Tony Blair, in helping to keep his memory alive through a statue that is being erected in Britain in Mynarski's memory. The goal is to raise almost \$96,000 Canadian for the "Forgotten Hero Campaign." I am happy to provide assistance to anyone needing further information in making a generous donation to a very worthy memorial to a great Canadian hero.

VISITOR IN THE GALLERY

The Hon. the Speaker: I wish to draw the attention of honourable senators to the presence in the gallery of Mr. Milton K. Wong, Chancellor of Simon Fraser University, who is the guest of the Honourable Senator Jaffer.

On behalf of all honourable senators, welcome to the Senate of Canada.

ROUTINE PROCEEDINGS

COMMISSIONER OF THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT

2004 ANNUAL REPORT TABLED

Hon. Bill Rompkey (Deputy Leader of the Government): Honourable senators, I have the honour to table, in both official languages, the 2004 Report of the Commissioner of the Environment and Sustainable Development to the House of Commons.

GENOME CANADA

2003-04 ANNUAL REPORT TABLED

Hon. Bill Rompkey (Deputy Leader of the Government): Honourable senators, I have the honour to table, in both official languages, the annual report of Genome Canada for 2003-04.

RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

FIRST REPORT OF COMMITTEE TABLED

Hon. David P. Smith: Honourable senators, I have the honour to table the first report of the Standing Committee on Rules, Procedures and the Rights of Parliament, being a reprint of the *Rules of the Senate*, dated October 2004.

REPORT PURSUANT TO RULE 104 TABLED

Hon. David P. Smith: Honourable senators, pursuant to rule 104 of the *Rules of the Senate*, I have the honour to table the second report of the Standing Committee on Rules, Procedures and the Rights of Parliament, which deals with the expenses incurred by the committee during the Third Session of the Thirty-seventh Parliament.

(For text of report, see today's Journals of the Senate, p. 91.)

FOREIGN AFFAIRS

NOTICE OF MOTION TO AUTHORIZE COMMITTEE
TO HOLD JOINT SESSION WITH HOUSE OF COMMONS
STANDING COMMITTEE ON FOREIGN AFFAIRS
AND INTERNATIONAL TRADE TO MEET
WITH GERMAN PARLIAMENTARIANS

Hon. Peter A. Stollery: Honourable senators, I give notice that, at the next sitting of the Senate, I shall move:

That the Standing Senate Committee on Foreign Affairs be authorized to join the Standing Committee on Foreign Affairs and International Trade of the House of Commons for a joint meeting in order to meet with a delegation of German parliamentarians; and

That the Committee be authorized to meet at 4:00 p.m. on Wednesday November 3, 2004, even though the Senate may then be sitting, and that rule 95(4) be suspended in relation thereto.

• (1430)

SCRUTINY OF REGULATIONS

NOTICE OF MOTION TO AUTHORIZE JOINT COMMITTEE TO PERMIT ELECTRONIC COVERAGE

Hon. John G. Bryden: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Joint Committee of the Senate and the House of Commons for the Scrutiny of Regulations be authorized to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearing.

RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO ENGAGE SERVICES

Hon. David P. Smith: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

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

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO PERMIT ELECTRONIC COVERAGE

Hon. David P. Smith: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Committee on Rules, Procedures and the Rights of Parliament be empowered to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings.

HUMAN RIGHTS

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO ENGAGE SERVICES

Hon. A. Raynell Andreychuk: Honourable senators, I give notice that, at the next sitting of the Senate, I shall move:

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

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO PERMIT ELECTRONIC COVERAGE

Hon. A. Raynell Andreychuk: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Human Rights be authorized to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings.

QUESTION PERIOD

HEALTH

PHARMACEUTICAL INDUSTRY— GOVERNMENT POLICY ON SALE OF PRESCRIPTION DRUGS TO AMERICAN CITIZENS

Hon. Noël A. Kinsella (Leader of the Opposition): Honourable senators, my question is for the Leader of the Government in the Senate and it relates to what Canadians have been observing these last several months of the purchasing of prescription drugs by Americans in Canada, either through the Internet or through visits by American citizens to Canada for the purposes of securing drugs in this country. Could the minister advise this house whether the Government of Canada has any policy on this matter and, if so, could we have a brief description of that as well as an outline of Canadian public interest issues?

Hon. Jack Austin (Leader of the Government): Honourable senators, I am happy to respond briefly to Senator Kinsella's question. The Government of Canada monitors the adequacy of pharmaceutical supplies for Canadians, and it does so in cooperation with the provinces whose jurisdiction is very much affected by the particular activity that the senator has described.

Senator Kinsella knows that the provinces supply pharmaceuticals to the residents of their provinces and are responsible for the management of that supply. There is no evidence at this time that there is any indicated shortage of any major pharmaceutical product for Canadian consumption. I might add that the government has noticed that the research promised by the pharmaceutical industry in Canada has dropped below the level which was assured in the agreement of that industry with the Mulroney government. Discussions are being held with respect to the constraints that may be appearing in the pharmaceutical industry carrying out its undertakings.

Senator Kinsella: The honourable minister is no doubt aware that, as recently as last evening, representatives of the pharmaceutical industry in Canada were visiting Parliament Hill. The minister's colleague, the Minister of Health, recently characterized the cross-border sale of Canadian prescription drugs to Americans as "a domestic U.S. issue." While it is true that this matter does primarily affect Americans at present, there is a potential for drug shortages in this country; and besides the shortage question, there is the economic question. There is the

potential for an increase in the cost of drugs from the present level. It is important to take note, honourable senators, that both candidates for the office of President of the United States have said that they are looking for ways to facilitate the purchase of prescription drugs from Canada.

Could the Leader of the Government in the Senate share with us whether he believes that the federal government has a position on this matter that addresses the issue of potential cost increase as well as the supply question?

Senator Austin: Honourable senators, those issues are under scrutiny at this time. As Senator Kinsella says, a number of American states and cities have been encouraging their residents to acquire drugs from Canada. The debate of the presidential candidates has also referred to this question, but the situation at this stage is to be characterized as requiring “watchfulness.”

The government is also aware of the debates of the pharmaceutical manufacturers with respect to comparative pricing in Canada and the United States. It need hardly be said that Canadians have enjoyed the benefit of the legislation which provided for price review of pharmaceuticals in Canada in exchange for certain extensions of patent protection.

PHARMACEUTICAL INDUSTRY—INABILITY OF COMPANIES TO ACHIEVE RESEARCH TARGETS

Hon. Lowell Murray: On a related question, what will the government do about the reports that the pharmaceutical companies are not achieving the research targets they agreed to in this country?

Hon. Jack Austin (Leader of the Government): As I said in reply to Senator Kinsella’s first question, the government has noticed that those targets have not been met. The discussion is underway with respect to constraints that have taken place in the pharmaceutical industry to determine whether there are adequate explanations that relate to the overall system, or whether there has simply been a lack of investment because of the attractiveness to those industries of other centres of research and manufacturing.

I am not in a position to give a report at this time.

JUSTICE

NATIONAL SECURITY—LACK OF GOVERNMENT ACTION TO LIST AL-TAWHID WAL JIHAD AS TERRORIST GROUP

Hon. J. Michael Forrestall: Honourable senators, my question is for the Leader of the Government in the Senate. This is the third time that I have raised the question of the government’s intentions or attitude toward what is now clearly an al-Qaeda group, and that is the Al-Tawhid Wal Jihad group operating in Iraq. They have been together for virtually two years now and, as I indicated in the past, over 1,000 deaths have resulted from the actions of that group, a large number of them somewhat barbaric. Can the Leader of the Government advise us if there is a reason that the government has not taken action to date to ban this group?

[Senator Kinsella]

Hon. Jack Austin (Leader of the Government): Honourable senators, I have been pressing the appropriate departmental officials to respond to Senator Forrestall’s first and second questions, and I will press them again to respond to his third similar question.

• (1440)

Senator Forrestall: Honourable senators, I concede that it is entirely possible that this question has not come before government, but I doubt it very much.

I want to re-emphasize the importance of this matter. The government, after all, is either for or against terrorism. Clearly, in the public evidence, this is a group of terrorists. They style themselves in that way and they act in that way — somewhat like a duck. In other words, if it quacks like a duck, it is very probably a duck.

Can the minister tell us whether this is a duck, whether the government is giving consideration to move under the Criminal Code of Canada to exorcise this group from the legitimate groups in our society that not only aim to do good and profess to do good but in fact do good and not evil?

Senator Austin: Honourable senators, with respect to the main part of Senator Forrestall’s question, of course we have to await an evaluation from CSIS, amongst other agencies. I hope that evaluation is so plain on the face of it that I can satisfy Senator Forrestall at an early time. However, I do not have a response to give him today.

PUBLIC SAFETY AND EMERGENCY PREPAREDNESS

FIREARMS REGISTRATION PROGRAM— COST DISCREPANCY IN FIGURES ANNOUNCED BY MINISTER

Hon. Gerry St. Germain: Honourable senators, my question is to the Leader of the Government in the Senate as well.

On May 20, just before the election call, Anne McLellan, Minister of Public Safety and Emergency Preparedness, announced that the government would eliminate the fees for registering guns and would cap the gun registry annual cost to taxpayers at \$25 million. The minister, in her news release, made further cost reductions sound easy when she said that “the annual cost of the Firearms Registry itself is already down to \$33 million...”

Honourable senators, on October 8, we received the Report on Plans and Priorities for the Canada Firearms Centre for the 2004-05 fiscal year. We do not know when the minister inked her name to it, but on page 5 we see that William V. Baker, Commissioner of Firearms, and John Brunet, Chief Financial Officer, signed off on the Report on Plans and Priorities on May 19, two days prior to the minister’s announcement. On page 61 of the Report on Plans and Priorities, we see that the net cost of the program is expected to be \$101 million this year. If one were to ignore revenues, costs were expected to be \$120 million. Why do the cost figures in the Report on Plans and Priorities not jibe with the minister’s \$33 million figure?

Hon. Jack Austin (Leader of the Government): Honourable senators, I will have a response to this question as early as possible.

Senator St. Germain: I wish the leader good luck in finding that answer.

A member in the other place filed an access to information request to find out where the \$25 million figure came from, and he received 11 blank pages. The Report on Plans and Priorities usually gives an overview looking forward two years as to what the program will cost. We see a statement that those costs cannot be given because the program is under review.

Can we assume that the government does not have a clue as to how it will bring down the cost of the gun registry from \$120 million to \$25 million?

Senator Austin: I would like to give Senator St. Germain a careful and detailed answer. I will do so as quickly as possible.

REQUIREMENT OF TWO MINISTERIAL SIGNATURES ON NATIONAL SECURITY CERTIFICATES

Hon. Jack Austin (Leader of the Government): While on my feet, on Wednesday last, Senator Tkachuk asked me a question about security certificates. With his permission, I will give him a quick answer.

Since 1991, 27 security certificates have been issued, and all 27 security certificates were signed off by two ministers. No security certificates were issued during the year when only one minister had signing authority.

CANADA-UNITED STATES BORDER—HEIGHTENED TERRORIST THREAT LEADING UP TO AMERICAN ELECTIONS—INCREASED SECURITY MEASURES

Hon. Gerald J. Comeau: Honourable senators, my question to the Leader of the Government in the Senate also pertains to Security Minister Anne McLellan, who indicated on the weekend that Canada would beef up its border security in the run-up to the U.S. presidential election. During his meeting here in Ottawa with Anne McLellan, U.S. Attorney General John Ashcroft hinted that the terrorist community may be planning an attack during the prime time of the election.

Did Attorney General Ashcroft share with Canadian officials any evidence of heightened terrorist threats during the lead-up to the election?

Hon. Jack Austin (Leader of the Government): Honourable senators, there was an extensive discussion of border security issues between the Deputy Prime Minister and Secretary Ridge at their meetings on October 14. Senator Comeau will be aware that U.S. security officials are on heightened alert, believing that there is a possibility of an event inside the United States up to the date of the election, November 2.

The issue that concerns Canada and the United States together is ensuring that appropriate procedures are in place to secure each of our countries from either harbouring terrorists or providing a

base for their actions against the other country. We are dedicated, as is the United States, to working towards an effective regime at our borders to provide security to both countries.

Senator Comeau: Honourable senators, on a supplementary, can the Leader of the Government in the Senate share with Canadians what measures Canada is in fact taking to beef up security at the border? Should Canadians be concerned about the possibility of heightened terrorist attacks? Is there any way that Canadians can help with what may be a heightened security alert coming either from Canada towards the United States or from the United States towards Canada?

Senator Austin: Honourable senators, in response to the questions, I will give Senator Comeau a general reply. Specific programs are being developed to ensure that low-risk passengers between our two countries can move quickly and expeditiously. The same is also true with respect to cargo. Senator Comeau will be aware that various types of cargo are now designated for rapid clearance based on pre-clearance notification, so that checks can be made quickly to conform with the advance notice.

We are also targeting a common security program with respect to the millions of containers that come from outside North America carrying goods that are important to our respective economies.

Surveillance systems are also being put in place and have been put in place so that we can further the work of the Smart Border Action Plan entered into by Canada and the United States.

AIRPORT PRE-CLEARANCE PROTOCOL— BODY SEARCH OF PARLIAMENTARY VISITORS FROM POLAND

Hon. Terry Stratton (Deputy Leader of the Opposition): Honourable senators, my question deals with security of a different kind. The Leader of the Government in the Senate alluded to the fact that there would be quick passage of low-risk passengers and quick passage of goods with notice. Unfortunately, that did not take place in the Calgary airport. As the government leader may recall, the Marshall of the Senate of the Republic of Poland, His Excellency Longin Pastusiak, was in Canada last week and was entertained at dinner and other events by our Speaker in this place.

• (1450)

On their journey west, when the entourage of the Marshall and fellow senators were going through airport security, the Marshall of the Senate of the Republic of Poland and Senator Sienkiewicz were body searched. At the check-in last Friday evening, Senator Sienkiewicz had to take her shoes off and had her purse precisely searched. She had also been scanned by the metal detector. Mr. Pastusiak protested to the management of the airport. Ms. Sienkiewicz said that they were treated as terrorists and that these were not civilized procedures.

Surely to goodness, if low-risk passengers are allowed to pass through security quickly in other locations, we can offer that same courtesy at our airports. If goods can be given quick passage through security with due notice, then, surely, with due notice, people such as travelling senators can be given speedy security clearance.

Was nothing done? What is the procedure or protocol when dealing with dignitaries in a situation such as that? The Polish senators considered the trip highly successful until they had to go through security at the airport in Calgary.

Since representatives of our Department of Foreign Affairs were travelling with them, one would have thought that they would have sought to have pre-clearance of these passengers.

Is there a protocol? Do members of the Department of Foreign Affairs generally travel with such dignitaries to assist them in situations such as this?

All the good that was done is now down the proverbial drain because of what took place in Calgary.

Hon. Jack Austin (Leader of the Government): Honourable senators, I know nothing of the event. This is the first time that it has been described to me. I take it that this occurred while going through Canadian security.

Senator Stratton: Yes. What other security would you go through?

Senator Austin: They might be going to the United States and be going through pre-clearance security.

Senator Stratton: It was security at one of our airports.

Senator Austin: I will look into the matter, and I hope to respond in such a way as to explain what took place.

Senator Stratton: I would thank the honourable senator. It would be appreciated by all in this chamber to know whether a protocol has been established with respect to due notice and pre-clearance, so that we can at least send a message to the Department of Foreign Affairs that pre-clearance of visiting dignitaries is requested.

What is the protocol?

Senator Austin: I will look into the protocol. I am aware that the officials have the final word on whether they believe a situation exists which requires additional searches and security but, obviously, this event, which I take it took place, would make all of us uncomfortable.

REQUEST FOR GOVERNMENT APOLOGY

Hon. Leonard J. Gustafson: As a supplementary question, my secretary's son teaches English in Poland. She received a phone call as we were driving in from the airport and was informed that the Polish newspapers are dealing with this situation. Someone has made a statement that he or she will never visit Canada again.

Is an apology being considered by the government?

Hon. Jack Austin (Leader of the Government): Honourable senators, again, I had not heard of this event. Is the honourable senator referring to the same event described by Senator Stratton?

Senator Gustafson: Yes.

Senator Austin: I will add that to my inquiry.

[*Translation*]

ORDERS OF THE DAY

FEDERAL LAW-CIVIL LAW HARMONIZATION BILL, NO. 2

SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Joyal, P.C., seconded by the Honourable Senator Carstairs, P.C., for the second reading of Bill S-10, A second Act to harmonize federal law with the civil law of the Province of Quebec and to amend certain Acts in order to ensure that each language version takes into account the common law and the civil law.

Hon. Pierre Claude Nolin: Honourable senators, as Senator Joyal told us last week, this is the second phase of an important and historic process of harmonizing federal legislation with the new Civil Code of Quebec. That process began some three years ago when we enacted Bill S-4. There will be a series of bills aimed at harmonizing all federal legislation with the civil law of Quebec. I do not intend to repeat everything that Senator Joyal said. His eloquent presentation of the historical origins of Quebec civil law and the main provisions of Bill S-10 is much appreciated.

I will start off by saying — and this may surprise or amuse some people, particularly the present and past ministers of justice — that I support this initiative. It is an eloquent demonstration of the undeniable advantages to our country of asymmetrical federalism. In my opinion, an opinion shared by a number of us, moreover, Bill S-10 fully respects the spirit of the 1867 Constitution. For this reason, the official opposition in the Senate is anxious to see this legislative proposal by the government passed quickly.

I will do as Senator Joyal did and provide a bit of historical background. Let us ask ourselves: How far back does the idea of having a civil code in Quebec inspired by the French, and more specifically the custom in Paris, date? It predates the British North America Act considerably. In 1774, the British, in their highly pragmatic and realistic way, agreed to relieve the francophone population of the new English colony of certain obligations. Those obligations were shared elsewhere in other British colonies of the day. The decision was made to respect the Catholic faith shared by the majority of these new French-speaking British citizens and to allow them their own civil law, which was different from the private law in effect elsewhere in the Empire. With the Quebec Act of 1774, the British authorities acknowledged the right of the francophone population, mostly living in what is today the province of Quebec, to its own civil law, governed by its own legislation, which is clearly French in inspiration. That historical reality is clearly what influenced the Fathers of Confederation. I will make reference in passing, if I may, to the remarkable work done by one Quebecer of the day, Sir George-Étienne Cartier, who was not hesitant about

recognizing this particularity of Quebecers in the British North America Act of 1867. It was his wish to ensure that Quebecers could enjoy this regime specific to themselves, while being part of a federated country and while remaining Canadian citizens.

• (1500)

Because of their determination and their leadership, the Fathers of Confederation were at the heart of the “great compromise” which gave birth to the ideal that has always inspired Canadian federalism, which by the way — if I may be partisan for a moment — has always been very well defended by the party that sits as the official opposition in the Senate.

I have given this brief background because Bill S-10 gives us an opportunity to explain some historically-based realities to Canadians. Unfortunately, most Canadians have a tendency to take our situation for granted. I think that Canadians ought to understand why the government has decided to undertake this harmonization process.

We Canadians are envied by many people of diverse origins. Our particular legal system, which we call bijuralism, is part of this Canadian reality that allows Canadians to export this method of legal thought.

When it was studying the first harmonization bill, the Standing Senate Committee on Legal and Constitutional Affairs heard from a number of Canadian jurists who have developed this art of interpreting and harmonizing two systems of law. Experts came to explain to us how they are called upon to solve similar problems in Europe. The Europeans are now having to amalgamate various legal realities similar to those facing Canadians, and particularly Quebecers. Canadian federal criminal law applies everywhere, even in the province of Quebec, where the civil law is very different from the legal system in other provinces. Hurrah for Canada’s asymmetry!

It has nothing to do with the Meech Lake Accord. Honourable senators, do not let yourselves be confused by intemperate remarks that have nothing to do with what I am saying.

I would like to quote a historic declaration. In 1865, George-Étienne Cartier said:

No other system but federalism —

— he was referring to Confederation —

— is possible. Some have claimed that it was impossible to make Confederation work because of differences of race and religion. Those who share this opinion are wrong. On the contrary, it is precisely because of this diversity of races and local interests that the federal system must be established and that it will work well.

Honourable senators, this quote will help you grasp the importance of the bill, which many of you will perceive as a technical bill, somewhat tedious to examine, but highly important to Canada’s bijural reality. George-Étienne Cartier’s statement, 140 years later, is highly significant.

The bill that Senator Joyal is calling on us to consider, on behalf of the government, is part of this federative reality. We must follow his lead and accept this call. For those not interested in the consideration of this bill, I am sure that, like me, Senator Joyal

would like to invite you to help us at the Standing Senate Committee on Legal and Constitutional Affairs — and I see the Chair of the committee, Senator Bacon, nodding her head. It would be our very great pleasure to share with you this discovery of Canadian bijuralism. That is why, honourable senators, the official opposition in the Senate will support this bill.

The Hon. the Speaker *pro tempore*: Are honourable senators ready for the question?

Some Hon. Senators: Question!

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

Motion agreed to and bill read second time.

REFERRED TO COMMITTEE

The Hon. the Speaker *pro tempore*: When shall this bill be read the third time?

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

[*English*]

SPEECH FROM THE THRONE

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

On the Order:

Resuming debate on the motion of the Honourable Senator Munson, seconded by the Honourable Senator Chaput, for an Address to Her Excellency the Governor General in reply to her Speech from the Throne at the Opening of the First Session of the Thirty-eighth Parliament,

And on the motion in amendment of the Honourable Senator Kinsella, seconded by the Honourable Senator Stratton, that the following be added to the Address:

“and we urge Your Excellency’s advisors, when implementing the details of their proposals, to review the Employment Insurance program to ensure that it remains well-suited to the needs of Canada’s workforce, to reduce and improve the fairness of taxes, to be unwavering in the application of fiscal discipline, to examine the need and options for reform of our democratic institutions, including electoral reform, and to rise above partisanship to address the public interest;

That Your Excellency’s advisors consider the advisability of the following:

1. an Order of Reference to the appropriate committee of each House of Parliament instructing the committee to recommend measures that would ensure that all future uses of the employment insurance program would only be for the benefit of workers and not for any other purpose;

2. opportunities to further reduce the tax burden on low and modest income families consistent with the government's overall commitment to balanced budgets and sound fiscal management;

3. an Order of Reference to the appropriate committee of each House of Parliament instructing the committee to make recommendations relating to the provisions of independent fiscal forecasting advice for parliamentarians including the consideration of the recommendations of the external expert;

4. an Order of Reference to the appropriate committee of each House of Parliament instructing the committee to recommend a process that engages citizens and parliamentarians in an examination of our electoral system with a review of all options;

5. with respect to an agreement on ballistic missile defence, the assurance that Parliament will have an opportunity to consider all public information pertaining to the agreement and to vote prior to a government decision;

And we ask Your Excellency's advisors to ensure that all measures brought forward to implement the Speech from the Throne, including those referred to above, fully respect the provinces' areas of jurisdiction and that the financial pressures some call the fiscal imbalance be alleviated."—(5th day of resuming debate)

Hon. J. Michael Forrestall: Honourable senators, on October 5, just three weeks ago, Her Excellency the Governor General delivered yet another Speech from the Throne setting out the Martin Liberals' legislative agenda, while on that same fateful day in the North Atlantic, off Ireland, HMCS *Chicoutimi* suffered a fire, lost power and had to wait for international rescue.

As has become so often the norm with first the Chrétien and now the Martin Liberal government throne speeches, there was little mention of national defence or the larger issue of national security. Instead, both were afterthoughts tucked into the final closing paragraphs of the speech. This is not surprising given that ministers in the Martin cabinet have been more interested in whose riding gets the National Defence Headquarters and the alleged spin-off jobs such a move would create — because it is a movement from one locale to another — than about the nuts and bolts issues of national defence, like having well-equipped, combat-ready forces. It is in fact a harsh commentary on a government that not only apparently dislikes national security issues but also does not seem to understand them or just what is at stake.

• (1510)

The Speech from the Throne promised the long-awaited international review in the form of a comprehensive international policy statement. We were told that this policy would reflect the integration of defence and foreign policies with international trade. The international policy statement was written over the summer in the dark halls of the Pearson Building on Sussex Drive and was rumoured to be the genesis of the Liberal government's election promise of a new 5,000-person peacekeeping brigade — for a form of peacekeeping, the blue berets, that really no longer exists — to come out of the existing force structure. The international policy statement would also serve as a communications strategy to tell the world that Canada is independent of the Liberal-loathed Bush administration just to the south.

The throne speech also set out what was to be one of the gravest weaknesses of the government's so-called policy of effective international engagement. While most states develop an overarching national security policy and then produce component policies for foreign affairs, defence, international trade, immigration and others, the Martin Liberals did it backwards by developing a national security policy that is a subordinate component of its foreign policy, before the international policy statement was even written.

Sadly, the national security policy did not come with a comprehensive threat assessment or clearly defined objectives to allow for its orderly implementation. While the Speech from the Throne announced that the government has already started to implement its so-called first-ever comprehensive national security policy, its bureaucrats were in the process of preparing for a massive national strike that would have robbed us of some of our most important national security assets, in terms of our eyes and ears, in the Canada Border Services Agency, and intelligence officers and analysts who are not considered essential services.

While I am somewhat cheered, and grateful, for example, for yesterday's luncheon with the Deputy Prime Minister, with respect to the initiative to form a joint parliamentary committee to monitor national security and intelligence, I am concerned that its members will be out on strike when the committee is needed most against al-Qaeda and others who might act out to an alarming degree in the upcoming U.S. presidential election.

Finally, just when we thought the government would provide some aid and comfort to our military community, and particularly the 57 Canadians then stranded in the North Atlantic on a much-maligned Victoria-class submarine, the Liberals announced in the throne speech that:

...enhancing Canada's security means that we have to invest more in our military as part of defending ourselves at home, in North America and in the world.... But ours will never be the biggest military force, so it must be smart, strategic and focused.

What an excellent way of saying “no more money.” What the government promised instead was an increase in our regular forces by some 5,000 troops and in our reserves by 3,000, so that “they may be better prepared and equipped to meet these challenges.”

In connection with the reserves, the difficulties we have in recruiting and keeping those recruits, once we have trained them, is not a minor item at all. One aspect of the difficulties that has been on a critically important agenda for a long time now is the question of pensions for those members of the reserves who serve either full time, or largely full time, within the Canadian Forces structure.

What the government did not say is that these new lightly armed, purely Pearsonian peacekeeping troops will likely come at the expense of the navy and air force through base closures and equipment, and thus personnel, reductions. The promised new troops are at least, on initial investment, a \$2.5-billion promise, and another \$500 million per year thereafter. This help will come to the overtaxed army at the same time the operations and maintenance deficit of the military is well over \$1.5 billion, by all estimates, and rapidly closing on the \$2-billion shortfall mark for this year alone.

It is no wonder that first our previous minister and now the Associate Minister of National Defence are more interested in what Liberal riding they want to put National Defence Headquarters in. As a single issue, this surely and apparently outweighs the fact that our 20 or so upgraded CF-18 fighters cannot travel independently to a battle zone. This is because we do not have a strategic tanker to airlift fuel for these fighters. This is a measure that the government said they would take a very serious look at and correct back in the 1994 white paper.

Moving National Defence Headquarters must be more attractive than admitting that we do not have a flying replacement for the Sea Kings. Few in this chamber will be unaware of how long it is that I have been concerned about the absence of that replacement. This government does not want to admit that we are now 10 years past the promised replacement for our direct-fire support capability in the army or that the government talked about getting four Upholder-class submarines operational or new operational support ships that might help keep the concept of the Canadian naval task group alive in theory, as well as our navy alive in reality.

In conclusion, honourable senators, either through concerted plan or benign neglect, this government and its predecessor have continued to erode our national security. The most recent Speech from the Throne merely continues what must now be described as a very alarming trend.

Hon. Tommy Banks: Honourable senators, my contribution to the debate will relate mainly to my views on the amendments that have been proposed.

I am used to people who propose amendments to government legislation, because the great province of Alberta is where I was born, raised and live. Alberta is home to many unique and wonderful things. It is home to Ralph Klein, for a start; it is home

to the first international jazz festival in Canada; the largest mall in the world; the Calgary Stampede, the greatest outdoor show on earth; and the Edmonton Grads, the winningest sports team in recorded history in any organized sport.

Alberta is the true West, the last best West, and it has the magnificent Rocky Mountains and the spectacular prairies. Alberta is also home to distinguished historical traditions: The first female magistrate in the British Empire was appointed in Alberta; the Famous Five, who made sure that women were “persons” lived in Alberta; the demonstrable volunteer championships of the world are in Alberta; and Alberta is the repository of independent political thought in Canada.

Senator Corbin: What about dinosaurs?

Senator Banks: Yes, political and otherwise. Among those dinosaurs have been political parties: The Confederation of Regions Party, the Alberta First Party, the Progressive Party, the Social Credit movement, and the founding conventions of the CCF, the Social Credit Party and the Reform Party.

• (1520)

Senator Mercer: Not that gang!

Senator Banks: Yes, even them. It is the home, too, of the greatest of all Alberta traditions, “fed-bashing,” which is the leading participation sport in Alberta.

Senator Joyal: In Quebec, too.

Senator Banks: It is bred in the bone in Alberta — and in Quebec — and Alberta fed-bashing is indiscriminate in that it applies to whichever party happens to be in power in this city at any time. The political stripe of the government in Ottawa makes no difference.

The Reform Party, for example, was born at the height of a long run of Progressive Conservative governments in Ottawa, which was loaded with Alberta-based powerhouses, such as Joe Clark. I remember when the Right Honourable Don Mazankowski was the minister of everything. That government included among its accomplishments — and this was an accomplishment — the introduction of free trade, which has turned out to be a very good thing for Canada.

However, that did not matter, because, at that time, when every single elected member of the House of Commons from Alberta was a Progressive Conservative, the Reform Party sprang up. It is the nature of Alberta. In most parts of Alberta, if you want to be invited to join the right club, to play golf at the right course and go to the right parties, it is de rigeur to do a certain amount of fed-bashing. Young Albertans learn at their parents’ knee that their mission in life is to protect Alberta, whether it is well off, as Alberta is now, or whether it is poor, as it was until 1963, from what Alan Kellogg, writing with his tongue in cheek in the *Edmonton Journal*, referred to as “the ravenous, rapacious rabble to the east” — the east being Manitoba and any place east of there.

In Alberta, the conversation at home sounds like this: “What are you going to do when you grow up, sonny?” “I don’t know, Daddy, but I’m sure going to bash those feds.” “Good boy!”

However, in the past few months, particularly since this Speech from the Throne, a perusal of newspaper and magazine articles, of editorials, talk shows, radio and general coffee table conversation has shown a certain mellowing of the bashing. That is because, simply and irrefutably, the country is clearly on a better course now than it was 10 years ago. In the debate the week before last, the Honourable Leader of the Opposition mentioned that parts of the throne speech sounded familiar. That is correct. There are welcome new initiatives outlined by the government in the Speech from the Throne — a new sense of federalism, the commitment to better working with territorial and provincial governments and with Aboriginal peoples, a comprehensive strategy for the North, literacy initiatives, changes to equalization, new inclusive strategies for cities, revitalization of older communities, partnerships to deal with homelessness, a new emphasis on the economy, and child care initiatives. All of these items constituted the campaign run by this government during the most recent election. This government is setting out to do exactly what it said it would do — not in a Belgium plan but in a Canadian one.

In addition to all those new initiatives, there is a clear commitment to continue the good, prudent and beneficial course set for Canada from 1993, a course the consistency and continuity of which has made our country once again the envy of the world.

In respect of fiscal and financial prudence, we have heard complaints of late, and one of them is contained in one part of the amendment that is before us, that Canada now has a larger budget surplus than was predicted in the last budget, and that there is something wrong with that.

Is it only Liberals who think that finding that you have a larger surplus than you thought you would have is a good idea or is good news? Is it only Liberals who understand that it is better to underestimate surpluses than to underestimate deficits, which was always the case before 1993? Is it only Liberals who think that having a larger rather than a smaller surplus in the end is a good thing and that paying down the long-term debt by tens of billions of dollars is a good thing? Is it only Liberals who know you must create wealth before you can spend it? Is it only Liberals who think that conservative forecasts as to revenues are prudent and the best way to operate?

I spent my life in a business in which it is axiomatic that you do not plan your expenditures based on the assumption of a full house. To do so would be folly, and you would end up in dire straits, as our country was 10 years ago.

It is Liberals who practise prudence. In respect of the amendment that proposes an independent financial forecaster involved in the business of government, I admit that parliamentary government is a very inconvenient thing. Sometimes it is very inefficient. However, it is Parliament that is supposed to govern. If we do otherwise, we might as well farm out the management of the country to PricewaterhouseCoopers and a batch of MBAs, and we can all go home.

[Senator Banks]

If there is anyone who knew, when the last budget predictions were made, that an 80-cent dollar was going to happen, and that it would not have, at least so far, a seriously negative effect upon our exports, and that there would be oil at \$55 a barrel and what the results of that would be, I hope they will hold up their hands and step forward, because we should honour them as we once honoured the oracle at Delphi.

Nobody knew it. It was not possible to predict with any accuracy what the true extent of the surplus would be.

Prudence — simple conservative, fiscal prudence — is why this government has been the only government ever to pay down the national debt by so much as a dime, and this government has paid it down by tens of millions of dollars. It is that same prudence, good sense and creativity that is represented in the Speech from the Throne before us and which will, under this government, ensure that Canada will continue to be the envy of the world.

I have great misgivings, at the very least, about those aspects of the amendments we are now considering in the response to the Speech from the Throne.

On motion of Senator Stratton, debate adjourned.

DISTINGUISHED VISITOR IN THE GALLERY

The Hon. the Speaker *pro tempore*: Honourable senators, I draw your attention to the presence in our gallery of our former colleague, the Honourable Sheila Finestone.

Welcome back!

Hon. Senators: Hear, hear!

[*Translation*]

OFFICIAL LANGUAGES

BILL TO AMEND—THIRD READING

On the Order:

Resuming debate on the motion of the Honourable Senator Gauthier, seconded by the Honourable Senator Fraser, for the third reading of Bill S-3, to amend the Official Languages Act (promotion of English and French).—(*Honourable Senator Comeau*)

Hon. Gerald J. Comeau: Honourable senators, allow me to congratulate our former colleague who is now retired, Senator Jean-Robert Gauthier, on his tenacity with this bill.

This bill is before us in the Senate for the fourth time. It was reviewed extensively in committee twice, in 2001 and again in 2003, and died on the Order Paper three times.

The bill has three purposes. First, it specifies the duties of federal institutions under Part VII of the Official Languages Act and the possibility of making regulations concerning the manner in which the duties set out in section 41 of the act are to be carried out.

Second, it imposes on the government the requirement to take appropriate measures to implement the commitments under Part VII of the Official Languages Act and provides for applying to the court for a remedy if Part VII of the Official Languages Act is contravened.

For the benefit of those who may not remember the scope of section 41, it states as follows:

The Government of Canada is committed to

(a) enhancing the vitality of the English and French linguistic minority communities in Canada and supporting and assisting their development; and

(b) fostering the full recognition and use of both English and French in Canadian society.

• (1530)

The government is showing us that section 41 is supported by a political commitment. In the end, this is a statement of good intentions.

In other words, the government is saying: “You can trust us; there is no need to compel us to meet the intent of section 41, because we will meet it.”

First, the bill creates, through regulations, the positive measures that are necessary to fulfil the commitment made in section 41 of the Official Languages Act. Second, the bill seeks to make the Minister of Canadian Heritage more accountable as regards the fulfilment of the commitment given. The key word here is “accountable.” This is a term that has often been used by the government in recent years. Third, the bill provides for an application for remedy under the rights provided in Part VII.

[English]

I would now like to refer to the 2003-04 annual report of the Office of the Commissioner of Official Languages and a number of comments made in the report under the heading “Clarification of Part VII of the *Act* needed.” It states:

In the last Annual Report, the Commissioner again recommended that the government define the legal scope of the commitment set out in section 41 of the *Act* and take the necessary steps to effectively discharge its responsibilities under the *Act*...

The Commissioner is disappointed that the government ... preferred to use the courts to clarify the scope of Part VII.

We in this house, like the commissioner, should also be disappointed with this approach. It should be Parliament and not the courts that defines what we place in legislation, and then we should leave it up to the courts to interpret what we have proposed. We should not leave it to the courts to determine what should be the promotion of the two official languages in Canada.

I will refer again to the commission, quoting directly from the report. It states that the government:

...explained its position in Parliament as follows: “Part VII of the *Official Languages Act* is declaratory, in that it does not expressively include any substantive legal right or obligation.... As a result, Part VII is not justiciable, in that it does not provide for a legal remedy in cases of alleged breaches.”

Continuing from the report:

...the government states that this does not in the least weaken its resolve to foster the vitality of minority communities.

...the Commissioner has noted major ambivalence within the Government of Canada concerning the implementation of Part VII of the *Act* ... communities expect even more from a government that constantly reaffirms that it is really committed to enhancing linguistic vitality.

According to the commissioner, the time has come to act.

It seems more reasonable to legislate than to go to court. In this context, it should be pointed out that the Senate, the traditional champion of minorities, had already passed Bill S-4 to clarify the government’s obligations in this matter.

[Translation]

These statements by the commissioner should spur us to take action. This is why I am proposing that the bill be passed quickly, so that we can meet the obligations as set out in the bill and as intended by those who drafted the bill at the time.

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

Motion agreed to and bill read third time and passed.

[English]

CRIMINAL CODE

BILL TO AMEND—SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Lapointe, seconded by the Honourable Senator De Bané, P.C., for the second reading of Bill S-11, to amend the Criminal Code (lottery schemes).—(*Honourable Senator Stratton*)

Hon. Terry Stratton (Deputy Leader of the Opposition): Honourable senators, I canvassed our caucus and no one wishes to speak to this item. I note, however, that lottery schemes are generally a provincial matter. We tread on unsure or unsafe ground by going into their part of the world. I think that there should be consultation in committee with the provincial governments, should provincial governments want to make representations. It is important that that be done.

The Hon. the Speaker *pro tempore*: Are senators ready for the question?

Hon. Senators: Question!

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

Motion agreed to and bill read second time.

REFERRED TO COMMITTEE

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

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

STATUTES REPEAL BILL

SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Banks, seconded by the Honourable Senator Corbin, for the second reading of Bill S-5, to repeal legislation that has not come into force within ten years of receiving royal assent.—(*Honourable Senator Stratton*)

Hon. Terry Stratton (Deputy Leader of the Opposition): Honourable senators, I canvassed our caucus with respect to this bill as well. No one objects to it or wishes to speak to it.

Should we pass this bill, how are we to be assured that it will come into effect? Other bills have passed and nothing happens.

Hon. Tommy Banks: I suspect that if we were to hear a report from a committee that had positively considered the present bill, and if it had come before this house for consideration, that it is unlikely we would agree to a coming-into-force clause permitting anything other than a specific date and time for the coming into force of such a bill.

The Hon. the Speaker *pro tempore*: Are senators ready for the question?

Hon. Senators: Question!

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

Motion agreed to and bill read second time.

REFERRED TO COMMITTEE

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

On motion of Senator Banks, bill referred to Standing Senate Committee on Transport and Communications.

• (1540)

PERSONAL WATERCRAFT BILL

SECOND READING—DEBATE ADJOURNED

Hon. Mira Spivak moved the second reading of Bill S-12, concerning personal watercraft in navigable waters.

She said: Honourable senators, I have introduced a bill related to personal watercraft four times in this chamber since May 2001. Committees of the Senate have reviewed these bills during three parliamentary sessions; twice a personal watercraft bill has received third reading and been sent to the other place. In its last appearance as Bill S-8, it received the start of a lively debate on second reading in the House of Commons. The election was then called and it died again on the Order Paper — not my fault.

To refresh everyone's memory, this simple and popular measure seeks to correct an oversight in our current boating restriction regulations. Bill S-12 would not ban personal watercraft, also known as jet skis, everywhere; it would not automatically ban these thrill craft anywhere. Rather, the bill would give municipalities and cottage associations a way to exercise a measure of choice and a measure of local authority in determining where the watercraft can be used safely and where they pose too great a threat to safety and to the environment.

The bill lays out a process of local consultations that would lead to a resolution to restrict personal watercraft, PWC, use in some fashion, publication of that proposal in the *Canada Gazette*, a comment period to give others beyond the local community a chance to express their views, and ministerial discretion to deny a local request under certain conditions. This process parallels the process already in place for dealing with other recreational boats or for dealing with waterskiing. It is similar to a regulation that the Coast Guard proposed in 1994 — until it was waylaid by personal watercraft manufacturers.

The bill presents a reasonable, balanced and transparent approach to addressing the problem that these high-powered thrill craft have created on our lakes and rivers for more than a decade. Canadians are just as eager to see it become law as they were three and one half years ago. Over the summer, my office received calls and emails from many people who wanted to know what had become of Bills S-8 or S-10 or S-26. They wanted to know when the bill would be before Parliament again, and most of all they wanted to know when they could use it to protect their local lakes.

In all, some 80 organizations are behind this bill. Hundreds of individuals have written to their members of Parliament asking that it become law. There are 3,400 signatures on petitions urging the Senate to approve the bill. Nothing on that front has changed; the support for it continues to grow. By the same token, the case for the bill on safety and on environmental protection keeps growing.

Last spring, we were able to report the assessment of experts from the Lifesaving Society that personal watercraft are more deadly than other boats. Sadly, this fall we can add to that. Over the past summer, newspapers reported the death of a 32-year-old St. Catharines man found unconscious near his personal watercraft; of a four-year-old girl who was riding with her grandmother and aunt in a paddle boat on Green Lake in Quebec when it was struck by a PWC; and of an Alberta couple who disappeared from their air mattress when it was flipped by the wake of a PWC — their five-year-old daughter was rescued but orphaned. How many more tragic deaths must occur before people can use this bill to apply local knowledge of local waters and to designate where it is safe to use these zippy and sometimes dangerous little vessels?

On the environmental front, we also have hopeful reports. Five years ago, on Lake Tahoe, Nevada, a regional planning authority was so concerned about the emissions of personal watercraft that it banned everything powered by a carbureted two-stroke engine. This fall, the regional authority reported an 80 per cent reduction in the level of burned and unburned gasoline products in its water. In areas where drinking water pollution is the prime concern, Bill S-12 would allow communities to take a similar step. Perhaps Evinrude, a division of the former Bombardier Recreational Products Inc., could assist them in the same way that it is assisting Lake Tahoe to improve its water quality.

On the manufacturing front, there is also news. The main American manufacturer, Polaris, has stopped manufacturing personal watercraft, citing a shrinking market that has little prospect for recovery. A U.S. private equity specialist, Bain Capital, the Bombardier family and Quebec's Caisse de dépôt et placement now owns the former Bombardier division. Last month, it was reported that the buyers received \$22 million in fees to arrange financing for the \$807-million purchase to manufacture snowmobiles, ATVs and PWCs.

Perhaps worst of all, from a cottager's perspective, is the news that an extreme personal watercraft product will be launched on the market later this month and will be in full production early next year: a surfboard powered by a jet-propelled engine.

Fifteen years ago, officials from many government departments acknowledged that Canada's system of regulating boating had not kept pace with the then-new personal watercraft. They realized that without regulation we were allowing the owners of some 50,000 PWCs to trump safety, the environment and the enjoyment of millions of Canadians who are swimmers, canoeists, sport fisherman, tourists and cottagers.

For more than five years, through this bill, I have attempted to balance the equation — to give PWC users the safest places to enjoy their sport, wherever they are allowed to do so, and to give peace to millions of others. I am hopeful that honourable senators will see fit to give this bill prompt consideration and passage so that this time it may come to a vote in the other place.

On motion of Senator Rompkey, for Senator Hervieux-Payette, debate adjourned.

• (1550)

SCRUTINY OF REGULATIONS

FIRST REPORT OF JOINT COMMITTEE ADOPTED

The Senate proceeded to consideration of the first report of the Standing Joint Committee for the Scrutiny of Regulations (permanent order of reference and expenses re: rule 104), presented in the Senate on October 21, 2004.—(*Honourable Senator Bryden*)

Hon. John G. Bryden moved the adoption of the report.

Motion agreed to and report adopted.

STUDY ON QUOTA ALLOCATIONS AND BENEFITS TO NUNAVUT AND NUNAVIK FISHERMEN

REPORT OF FISHERIES AND OCEANS COMMITTEE—MOTION TO REQUEST GOVERNMENT RESPONSE ADOPTED

Hon. Gerald J. Comeau, pursuant to notice of October 20, 2004, moved:

That, pursuant to rule 131(2), the Senate request a complete and detailed response from the Government to the fourth report of the Standing Senate Committee on Fisheries and Oceans, entitled *Nunavut Fisheries: Quota Allocations and Benefits*, tabled in the Senate on April 1, 2004 and adopted on May 13, 2004, during the Third Session of the Thirty-seventh Parliament, with the Minister of Fisheries and Oceans being identified as Minister responsible for responding to the Report.

He said: I am quite sure the motion as it stands is self-explanatory. Having tabled this report, we would ask for a response from the government.

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

Motion agreed to.

[*Translation*]

LEGAL AND CONSTITUTIONAL AFFAIRS

COMMITTEE AUTHORIZED TO PERMIT ELECTRONIC COVERAGE

Hon. Lise Bacon, pursuant to notice of October 21, 2004, moved:

That the Standing Senate Committee on Legal and Constitutional Affairs be authorized to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings.

Motion agreed to.

COMMITTEE AUTHORIZED TO ENGAGE SERVICES

Hon. Lise Bacon, pursuant to notice of October 21, 2004, moved:

That the Standing Senate Committee on Legal and Constitutional Affairs have power to engage services of such counsel and technical, clerical, and other personnel as may

be necessary for the purpose of its examination and consideration of such bills, subject matters of bills and estimates that are referred to it.

Motion agreed to.

The Senate adjourned until tomorrow at 2 p.m.

APPENDIX

Address

of

His Excellency Vicente Fox Quesada

President of the United Mexican States

to

both Houses of Parliament

in the

House of Commons Chamber, Ottawa

on

Monday, October 25, 2004

APPENDIX

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His Excellency and Madam Vicente Fox Quesada were welcomed by the Right Honourable Paul Martin, Prime Minister of Canada, by the Honourable Daniel Hays, Speaker of the Senate and by the Honourable Peter Milliken, Speaker of the House of Commons.

[English]

Hon. Peter Milliken (Speaker of the House of Commons): President Fox, Señora Sahagún de Fox, Prime Minister, Mrs. Martin, Mr. Speaker, Ms. Hays, Ladies and Gentlemen, Mesdames et Messieurs, Señoras y Señoras, it gives me great pleasure to welcome you all to the Chamber of the House of Commons, though I know some of you are rather familiar with this place.

However, without further adieu I would ask the Right Hon. Paul Martin, Prime Minister of Canada, to say a few words.

Mr. Prime Minister.

Right Hon. Paul Martin (Prime Minister, Lib.): Mr. Speaker of the Senate, Mr. Speaker of the House, Ladies and Gentlemen. It is a great privilege for me to welcome to Parliament the President of Mexico, Mr. Vicente Fox and Madam Marta de Fox.

At the very outset I wish to commend the government of President Fox for carrying forward its commitment to democracy, prosperity and to building the strong relations that exist throughout North America.

Under President Fox's stewardship, Mexico is making great progress in the fundamental process of promoting political and economic reform, of ensuring open, accountable and transparent government, and of instilling greater confidence among the people of Mexico in their institutions.

Mexico is ever more a model for peaceful, democratic development.

[Translation]

The most significant legacy of President Fox will perhaps include such achievements as solid democratic foundations, free and fair elections, macro-economic growth, stability, and greater confidence in government and public institutions.

My colleagues, we are welcoming President Fox and his delegation of ministers, parliamentarians and business leaders at a propitious moment in our bilateral relationship. This year we celebrate together a number of significant milestones.

The first of these is sixty years of diplomatic relations between our two countries. In January 1944, Prime Minister Mackenzie King and President Manuel Avila Camacho established official ties, and ambassadors were exchanged.

[English]

It was a time when both of our countries lived under the cloud of war, when our government and people were focused on the hostilities in Europe. It was also a time when Mexico was experiencing profound change and transition at home. In spite of these circumstances, leaders in both of our countries had the vision and the foresight to see the value in cooperating as neighbours in North America.

[Translation]

Second, we are celebrating the successful completion of 10 years of the North American Free Trade Agreement with our partners in Mexico and the United States. Thanks to NAFTA, the three countries of North America have benefited from new jobs and enhanced prosperity.

Thanks to NAFTA as well, these 10 years have seen the value of our trade relations with Mexico triple to close to \$15 billion annually. Today, Mexico exports as much to Canada as to the European Union and Japan combined. Canada has grown to become Mexico's second largest export market, and Mexico is Canada's sixth.

The third milestone is the 30th anniversary of the Seasonal Agricultural Workers Program (SAWP). This program was created in cooperation with Mexico and offers seasonal employment opportunities in Canada to Mexican workers, while meeting our need of workers.

[English]

Next year we will commemorate yet another important milestone, the 100th anniversary of the presence of the Canadian Trade Commissioner Service in Mexico.

President Fox and his delegation visit us today as true friends, good neighbours and strategic partners for Canada. As the three governments on this continent look to the future, we are identifying issues and solutions that will further enhance and build on North American prosperity and make our region even more competitive and successful in the global economy.

Our government hopes that the success of Canada, Mexico and the United States under NAFTA will also be the basis for a larger hemispheric trade zone, one that will generate greater prosperity and closer contact between all of the peoples of the Americas.

Canada and Mexico are announcing today a new initiative designed to further deepen and broaden our already impressive level of bilateral cooperation. This new Canada-Mexico partnership will not only build upon our government to government links, but more important, will fully engage and commit the business, social policy and academic communities in both of our countries in order to increase our common prosperity.

[*Translation*]

Fellow parliamentarians, the relationship between our countries cannot be judged only by its commercial success. It now includes relations and joint action in totally new areas. Canada has been a leading supporter of the reforms undertaken by President Fox in Mexico. It has worked with Mexico to implement the six points of the Mexican government's reform program.

In areas such as governance, our two countries have shared expertise and best practices for budget planning, improving the public service, access to information, privacy and federalism.

[*English*]

President Fox, I have just noticed that I have talked about how we are exchanging information on the best ways of making financial projections. Let me simply say to you, President Fox, that you and I have great confidence in the way that Minister Goodale does it but I am not sure that everybody else in this House shares that view.

In areas such as electoral cooperation, we have seen a longstanding exchange of information between Elections Canada and Mexico's electoral institute. And today it is most impressive that other countries send electoral observers to Mexico to learn how to carry out transparent, free and efficient elections.

We should all in this House take pride in noting that aspects of Mexico's recent access to information legislation were drawn from past Canadian experience and dialogue with Canada, and that we are about to embark on an exchange of information with Mexico in the area of privacy legislation as well.

I would also note the potential to expand cooperation in areas such as indigenous affairs, a high priority issue for our government and I know for yours and one where both countries have much to share.

[*Translation*]

On the international scene, our government is pleased to see that our two countries have begun to work closely in taking on global challenges, such as the international human rights program and the promotion of good governance, particularly in a multilateral context, the issue of overfishing in a global context, and the creation of a body like the G-20 for heads of state.

We applaud Mexico for its leading role in complex issues such as UN reform. In this respect, Canada has worked with Mexico to explore how the international community can effect change in UN institutions, and thus make them more effective and more representative.

In fact, in many areas, our international perspectives and priorities are becoming more and more alike. Like Canada, Mexico recognizes that certain issues, such as global environmental degradation, poverty and the terrorist threat, must be addressed by the international community as incubators, to a major extent, for the instability, conflicts and hunger the world is facing today.

Through their relations with the United States, both our countries are also striving to increase trilateral border cooperation to enhance the security of our people, while ensuring the free movement of goods, which is so vital to the North American economy.

[*English*]

Fellow parliamentarians, I would be remiss if I did not briefly mention the remarkable expansion of people to people ties between our two countries. Who would have ever imagined, even a few years ago, that one in every twenty visitors to Mexico today would be from Canada. Increasingly, Canadians visit Mexico, not only for the beaches in winter, but also to visit its cities and historical sites, to learn more about its experience, its vibrant history, its culture and its language.

Who would have imagined that nearly 200,000 Mexicans now visit Canada every year to enjoy our natural beauty and our vibrant multicultural cities, that Mexico would grow to become one of the largest sources of foreign students in Canada, and that we would have seen such an impressive expansion of Canadian studies in Mexico, with over 400 bilateral agreements joining our two countries.

Today, President Fox and I witnessed the signing of a number of new such agreements, agreements that will further collaboration and exchange.

[*Translation*]

Who could have imagined, with the movement of people from Mexico and other countries in our hemisphere to Canada, that Spanish would assume an increasingly important place in the linguistic landscape of Canada and, in some provinces, such as Quebec, would be the third language spoken.

We are also very pleased with the growing presence in Canada of Mexican artists — both in the visual arts and the performing arts — and the growing demand for Canadian culture in Mexico.

Last night, many of us had the pleasure of attending the magnificent performance of the Folklorico d'Amalia Hernández ballet. Concurrently, the Marie Chouinard ballet company of Montreal and the Boca del Lupo theatre troupe of Vancouver were representing Canada at the Cervantino Mexican cultural festival, which is world renowned and held in the Mexican State where President Fox was born.

[*English*]

As a parliamentarian, I wish to highlight the importance of our growing parliamentary dialogue and exchange with our colleagues from the Mexican congress, some of whom are with us today as part of President Fox's delegation. Canada would welcome more interparliamentary dialogue.

Between our two countries, in the next few months, I understand that Mexico will host a parliamentary delegation from Canada. We will be seeking to attend the 13th Canada-Mexico interparliamentary meeting. I am pretty sure, President Fox, that the Canadian side will be suggesting a venue in Cancun, perhaps next January.

Fellow parliamentarians, I am honoured to introduce to you the President of Mexico, Mr. Vicente Fox.

H. E. Vicente Fox Quesada (President of the United Mexican States, Lib.): [*President Fox spoke in Spanish, translated as follows:*]

[*Translation*]

Thank you. Your message of welcome is an indication of the intense, powerful friendship and association of this country with Mexico. Thank you very much on behalf of the Mexican people.

Most honourable Right Hon. Paul Martin, Prime Minister of Canada; Chief Justice of the Supreme Court of Canada, Mrs. Beverley McLachlin; Hon. Daniel Hays, Speaker of the Senate; Hon. Peter Milliken, Speaker of the House of Commons; hon. senators and hon. members of Parliament, I am deeply grateful for the honour of being received by this honourable Parliament.

Here in the House of Canada, I would like to emphasize that this visit attests to the excellent relations of cooperation and joint work maintained by the governments of Canada and Mexico as well as the shared desire to further strengthen these relations and, more particularly, the affection and deep friendship that unite our nations.

This friendship has been the basis of more than six decades of harmonious, mature and mutually beneficial diplomatic relations. It explains the exemplary performance, for 30 years, of our program for agricultural workers and also the successful economic association we have maintained since 1994 within the framework of the North American Free Trade Agreement. The indissoluble Mexican-Canadian friendship is the pillar of the alliance we have formed, upon which both nations are building both a present and a future shared prosperity.

I would like to take advantage of this very valuable opportunity being afforded me by all of you to address three topics that appear to me to be of special interest. The first is the radical change taking place in Mexico. The second is how this change has marked Mexican foreign policy. Last is how all of this has further strengthened the friendship and the association between our two countries.

What is the change that characterizes today's Mexico? It is the attainment of full democracy, a regime by means of which the voice of the people is expressed through the ballot box and their vote is respected, a regime of civil liberties and respect for human rights, a regime in which respect for the law is the norm of our coexistence.

We Mexicans have opened the doors to democracy, to citizens' freedoms and respect for the decisions of the majority as well as the rights of minorities, and to the rule of law. These are, in fact, principal characteristics of Mexican democracy.

Today, my administration recognizes, values and respects the wealth of the nation's political plurality, reflected in the composition of our congress and in local governments of

different political persuasions. As never before in our political history, the executive's power is limited to the provisions of our constitution, respecting the powers and duties of the other federal branches of government and thus making it possible for the system of checks and balances to be exercised and to be fully operational.

This is evidenced by the open dialogue with the different political forces represented in congress. This gives rise to intense debate, which is not always easy but is always democratic and productive. Such is democracy. That is how the new Mexican democratic era is lived, intensely, with a great deal of political work, with a lot of dialogue, and with creative passion and enthusiasm.

Parliaments make it possible for the diversity that characterizes them to come to fruition in mutual compromises, for different visions to debate, explore and broaden their shared views, combining in a whole that seeks and favours the common benefit. Far from fearing political debate, my administration has fostered and channelled it by fully respecting the work of the democratic body par excellence: congress.

We are a long way from the period when the presidential will was complied with by express order or out of fear. Democracy has taken us far away from the times in which forming part of the government was associated with impunity. Today, being part of the government means work, commitment and respect for both citizens and the law.

On the basis of my administration's initiatives, our honourable congress has passed new, important laws that strengthen and root the democratic change and the rule of law under which we Mexicans live. The laws on transparency and on the career professional service, for instance, are aimed at ensuring that public servants' conduct always abides by an ethic of honesty, transparency and common good.

These laws, like many of those which were passed in the most recent years, foster and ensure the participation of society as a whole. Active citizen participation in all matters of public interest is also a significant result of Mexican democracy.

Democracy has enabled us to undertake initiatives to ensure not only the modernization of Mexico's political structures but also that of its economic, financial and social institutions. With the same determination as we reformed the political structures, we also undertook financial reforms, sought economic reforms, and furthered sweeping changes and the modernization of important social institutions.

It is a case of genuine reform of the state, which, little by little, we have been building and which, always within a democratic framework, we will consolidate.

As a result of this reform, as well as of great responsibility on the part of the federal government, Mexico has achieved a level of economic stability that had not been seen in decades, with historically low inflation and interest rates and also with growing levels of investment.

[Right Hon. Paul Martin]

Mexico, in nine years, has doubled the size of its economy. In nine years, the Mexican economy has become the largest in Latin America. In these nine years, there has been a doubling of per capita income for citizens. In these nine years, there has been a reduction by more than 30% of the number of families in situations of extreme poverty, and there has been an improvement in the distribution of income.

In the social sphere, our democracy has allowed us to wage an all-out struggle against the adverse conditions faced by many of our brothers and sisters, such as the indigenous peoples. Today we have anti-discrimination laws and, in particular, with rules that protect the rights of indigenous peoples and other minority or socially vulnerable groups.

We also have an innovative social strategy which, by means of investments in education, health, infrastructure and housing, seeks to give people — every woman and every man — the opportunity to develop his or her talents and skills.

In an unprecedented effort, we are ensuring through a national scholarship program that no young Mexican child or student will abandon his or her education. We are creating the conditions for Mexican families to exercise their right to decent housing, and we have designed programs with a view to guaranteeing universal access to health care.

Today, democracy enables us to work successfully toward development based on sustained and sustainable economic growth, human development that translates into better living conditions for each and every family, from childhood to adulthood. Our objective is to ensure that each person has all the necessary tools in order to develop and take advantage of their skills and be happy.

That is the democracy that all Mexicans are building: an integral democracy, already full in the political arena, and developing in both the economic and social spheres. Democracy is an ongoing process, a task in progress which begins with the exercise and enjoyment of citizens' political and civil rights and which should also ensure enjoyment of economic and social rights. Achieving this demands constant and determined effort, both internally and externally.

This leads me to the topic of the Mexican democracy's foreign policy. Not only is Mexico one of the world's most open economies, as we have free trade agreements with 42 countries, it is also a nation which, like Canada, makes its voice heard on vital issues on the international agenda, issues such as the defence of human rights, respect for international law, the validity of multilateralism, the promotion of cooperation for development and international peace and security.

We Mexicans believe in dialogue, debate and the building of agreements at the domestic level; likewise, we believe in democratic dialogue and debate among nations to reach agreements that enable us to solve serious international problems.

In the area of human rights, Mexico has established cooperation programs with the UN High Commissioner in charge of this topic, and promoted initiatives to assure respect for human rights in the fight against terrorism, as well as the basic rights of indigenous peoples, migratory workers and people with some disability. We have taken the defense of Mexicans living abroad to the highest international forums. We believe in law and justice, and law and justice have proved us right.

Mexico promotes sustained, sustainable development shared by all peoples, as we showed in the Monterrey Conference on Financing for Development. In a globalized world, self-sufficient development is not possible. It is necessary for each nation's efforts for progress to find a favourable international environment. We must fight to reverse the international trend to reduce Official Aid for Development.

Like Canada, we believe in multilateralism as the best means to make the most of the advantages and face the challenges posed by today's world.

Some of our greatest challenges are overcoming poverty, combating major epidemics, the fight against international terrorism, environmental degradation, and the proliferation of weapons of mass destruction, among others.

Today, all nations are compelled to reflect, in an unprecedented manner, on how to solve, together, the problems affecting us all. We have therefore declared ourselves in favour of a comprehensive reform of the United Nations to enable this organization to fulfill the lofty objectives with which we have entrusted it.

Together with another 14 countries, Mexico has initiated serious reflection on how to achieve this comprehensive reform of the United Nations with the cooperation of all its member states. We thank Canada for its participation in this Group of Friends on the reform of the United Nations. We are certain that our shared views and joint efforts in building a world of peace, security and development will allow us to reach conclusions which will be of great help in revitalizing the United Nations.

Mexico recognizes Canada's unwavering commitment in these and other vital issues on the international agenda, and celebrates our common perceptions and positions. On this basis, we will continue fostering our joint work in the multilateral sphere, in the certainty that our combined efforts will give greater strength and influence to our labours.

Over the course of six decades of harmonious relations, the Mexican and Canadian governments have been able to translate our peoples' friendship not only into a wide range of shared views on multilateral topics, but also, above all, in the bilateral and regional areas. Over the past decade, our links have increased progressively in political, economic and social matters.

Mexico's attainment of democracy has significantly strengthened and intensified this trend. This stems from the fact that we are two democracies whose fundamental concerns, at both domestic and international levels, coincide.

Today, the strengthening of democracy, federalism and good government, protection of human rights, environmental conservation, regional security, the growing furtherance of culture and promotion of educational and technological links are all areas of cooperation and mutual interest.

In the economic sphere, trade exchanges have increased by more than 150% over the past 10 years. Mexico has become this country's main trading partner in Latin America. The opportunities to multiply and develop trade are still vast, and we should take advantage of them.

The growth of mutual investments, the broadening of cooperation, and the strengthening of cultural and social exchanges between our countries in the most recent years encourage us to explore new areas in order to intensify our relations.

We must reinforce the complementarity of our economies and translate it into a greater strength in the region we share, and above all, into greater benefits for our peoples.

Through new cooperation and integration schemes, we must ensure that Canadian-Mexican friendship turns into a powerful engine of the North American economy and that the benefits of this growth reach all sectors of our populations. The only possible development at present is shared development.

We must also strengthen the growing exchanges and links between diverse social sectors of both countries: students and teachers, businesspeople and investors, workers and tourists, among many others.

Mexico's current reality makes Congress an increasingly active player in our country's foreign policy. Therefore, I sincerely hope for the growing interaction of our parliaments.

Today, we have taken a historic step in our bilateral relations with the creation of the Mexico-Canada Alliance. This alliance seeks to establish a bilateral cooperation scheme with the participation of the government and private sectors, with the aim of promoting investment, trade, development, and the prosperity of our nations.

As you know, on my last State Visit I established as a personal commitment the need to analyze the future of North America as a region of cooperation and integration. My administration has been attentive to the evolution of this topic in these last three years.

In particular, we recognize the efforts made by the Foreign Affairs Committees in both the House of Commons and the Senate, which point to the need to include Mexico in the discussions to strengthen inter-regional relations in North America.

Our nations share common objectives. We want to strengthen security in our region, guarantee the free flow of people and goods, and gain access to new, higher levels of development in benefit of our peoples.

[Vicente Fox Quesada]

Ladies and gentlemen of this honourable Parliament, I am convinced that the time has come to reflect on the best way to build a new Community of North America. I am also convinced that Canada and Mexico have much to contribute to the design and operation of this regional cooperation and integration scheme, as well as to the new architecture required by a world of peace and prosperity, and much to contribute to the reorganization of the United Nations.

A great Canadian and a Nobel Peace Prize winner, Mr. Lester B. Pearson, pointed out many years ago, and I quote:

We are now emerging into an age when different civilizations will have to learn to live side by side in peaceful interchange, learning from each other, studying each other's history and ideals, art and culture, mutually enriching each other's lives.

Today, these wise words remain absolutely valid. I am sure that with your invaluable help, ladies and gentlemen Members of Parliament, the peoples of Canada and Mexico will be able to forge a shared future of freedom, peace, prosperity and justice in our region and in the world.

Thank you very much.

[English]

Hon. Daniel Hays (Speaker of the Senate, Lib.): Mr. Speaker, Excelentísimo Señor Presidente, Mr. Prime Minister, hon. colleagues, *distinguidos invitados*, chers amis, on behalf of all parliamentarians and all those assembled, I am deeply honoured, Mr. President, to thank you for addressing this joint session with such passion and eloquence and for reminding us so forcefully that our friendship rests on a solid foundation of shared values, common aspirations and strategic partnerships.

[Mr. Speaker Hays spoke in Spanish, translated as follows:]

[Translation]

The fact that you are present among us is no coincidence because it is along with the continuous celebration of the 60th anniversary of diplomatic relations between our two nations. This adds even more lustre to this occasion and highlights the importance of your words.

[Translation]

As we celebrate the 60th anniversary of our diplomatic relations and the 10th anniversary of the North American Free Trade Agreement, we also have an opportunity to highlight the values that unite us and consider our shared commitments.

Nowhere are these values and commitments better expressed than in the new program of bilateral relations adopted by our countries in 2001, a program that commits us to promoting democracy, strengthening civil society, protecting the environment, defending human rights and fostering peace and prosperity throughout the world.

[English]

Your words here today, Mr. President, the purpose of your mission, and the history of our relations remind us of the words of Octavio Paz, who said: “All our ventures, all our acts and dreams, are bridges designed to overcome the separation [between us] and reunite us with the world and our fellow beings”.

We salute and thank you for your efforts in reaching across borders and over a continent to secure the foundation and build the bridges that will help guarantee a happier, more prosperous and peaceful future for us all.

[Mr. Speaker Hays spoke in Spanish, translated as follows:]

[Translation]

Allow me therefore, Mr. President, to thank you once again for having expressed the depth and the scope of our friendship in such clear terms, and for emphasizing your great confidence in the continued evolution, diversification and success of our bilateral relations in the years to come.

The Speaker: President Fox, Prime Minister, Mr. Speaker, Mesdames et Messieurs, it is my happy duty to convey to you, President Fox, on behalf of all members of Parliament our thanks for addressing us today in the House. In their name I say — and my Spanish is nothing like Speaker Hays’ — *estás en su casa*. I understand that means consider yourself at home, in case my pronunciation was incorrect.

The breadth and pace of your visit to Canada, in my view, Sir, speaks volumes about the relationship between Mexico and this country. In the three days you are with us, you will meet with Canadians from every sphere: ministers, business people, students, community leaders, all of whom share a bond of friendship and cooperation with their Mexican neighbours.

[Translation]

This is an easy friendship to maintain. We have many ties, and they are growing stronger all the time. Our cultural, educational, trade, diplomatic, and even parliamentary exchanges only serve to strengthen our partnership.

I had the pleasure, myself, of leading a delegation of parliamentarians to Mexico in 2001 to discuss the exchanges that link our countries, including the Mexico-Canada Parliamentary Group and the Inter-Parliamentary Forum of the Americas, among others.

It was a brief visit, but it enabled me to appreciate the warmth of our Mexican hosts — and of Mexican cuisine.

[English]

In addition to the many ties that bind us, we both must deal with the consequences of living next to the world’s most powerful nation, the United States of America. Our proximity to this sometimes overwhelming neighbour has engendered a unique bond between us. The late Pierre Trudeau, a former prime minister of Canada, used to say that living next to the United States is in some ways like sleeping with an elephant: No matter how friendly and even-tempered the beast, one is affected by every twitch. I suspect this sentiment resonates with many in Mexico. It is essential therefore, as North America becomes ever more and more interconnected, that we learn from each other how we can best address these challenges.

The next few days will be a challenge of another kind. The Canadian media has described this visit as a “fiesta” of sorts, given the many shared anniversaries our two countries will be celebrating while you are with us. Certainly, the rhythm will be uptempo and the events plentiful. I hope, however, that you will enjoy your short time with us and perhaps return for a more relaxed visit.

Until then, Mr. President, *gracias y que le vaya bien*.

[Applause]

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