



CANADA

Debates of the Senate

1st SESSION

•

38th PARLIAMENT

•

VOLUME 142

•

NUMBER 12

OFFICIAL REPORT
(HANSARD)

Wednesday, November 3, 2004



THE HONOURABLE DAN HAYS
SPEAKER

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(Daily index of proceedings appears at back of this issue).

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

Published by the Senate
Available from PWGSC – Publishing and Depository Services, Ottawa, Ontario K1A 0S5.
Also available on the Internet: <http://www.parl.gc.ca>

THE SENATE

Wednesday, November 3, 2004

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

Prayers.

SENATORS' STATEMENTS

CULINARY YOUTH TEAM CANADA

WORLD CULINARY OLYMPICS—CONGRATULATIONS ON WINNING GOLD AND SILVER MEDALS

Hon. Elizabeth Hubley: Honourable senators, fine cooking is a great art and, for many years now, Prince Edward Island has been the home of the Culinary Institute of Canada, one of this country's most prestigious schools of fine cooking. Graduates of the Culinary Institute, part of Holland College, are to be found in many of the world's leading restaurants, hotels and inns. The Culinary Institute has contributed greatly to the quality of service within the provincial hospitality industry. This is why I was not surprised to learn that all the members of Culinary Youth Team Canada that recently competed at the World Culinary Olympics in Erfurt, Germany, and who came away with gold and silver medals in two categories, are graduates of the Culinary Institute of Canada in Charlottetown.

The proud members of the Culinary Youth Team are Kreg Graham, from Pinawa, Manitoba; Rebecca Hutchings, from Brown's Arm, Newfoundland; Tommy Archibald, from Ingonish Beach, Nova Scotia; Kelly Clark, from Rankin Inlet, Nunavut; Gillian Gilfooy, from Antigonish, Nova Scotia; Mark Sheehy, from Hillsborough, New Brunswick; Gerald Sharpe, from Upper Island Cove, Newfoundland; and Natalie Fortier, from Prescott, Ontario. The team was headed up by Culinary Institute of Canada chefs Hans Anderegg, Richard Braunauer and Craig Youdale.

Honourable senators, before competing first at the national level in Toronto, Culinary Youth Team Canada began training at the institute in Charlottetown a full 18 months earlier, putting in thousands of hours in the practice kitchens and preparing hundreds of practice dinners. All of this hard work certainly paid off with two medals, a fifth place overall standing among 16 competing countries, and the best finish ever by a Canadian national youth team.

I know all honourable senators will join me in congratulating the Culinary Institute of Canada and the members of the Culinary Youth Team Canada for their outstanding achievement.

Hon. Senators: Hear, hear!

REMEMBRANCE DAY 2004

Hon. Gerry St. Germain: Honourable senators, it is with great humbleness and respect that I speak to you today in preparation of our country's yearly remembrance of the great sacrifices many Canadians have made in places of conflict and times of war.

These sacrifices were made both to protect and to provide the freedom and democracy that we enjoy to this day — that freedom being the right to live life with relative autonomy and dignity in a country unrestricted by tyranny.

Honourable senators, this year we would do well to remember a number of different aspects of this sacrifice. We would do well to remember the mothers and fathers who willingly said goodbye to their sons and daughters, many for the last time. We would do well to remember the wives who lost husbands and the children who grew up without fathers. We would do well to remember those in our communities who, on November 11, will mourn the loss of family and friends killed in the line of duty. Most of all, we would do well to remember those who made the ultimate sacrifice: giving up their lives for the cause of liberty and free democracies.

Honourable senators, as members of a democratic government concerned with fostering freedom in the world, it is our duty to preserve the memory of what our freedom has cost. Furthermore, we must also pay adequate respect to these sacrifices by taking the necessary steps to ensure that what these soldiers fought and died for was not in vain. This means, among other things, protecting the values of a free democracy, raising children who are willing and able to contribute to the protection of freedom, and promoting a military strong and decisive in action.

I am reminded of the famous war poem by John McCrae in which he begs us not just to "hold the torch" but to "hold it high."

Honourable senators, freedom must be held as a beacon for all the world to see. I hope you will join with others on November 11 in reflection and remembrance, vowing once again to remain faithful to those who perished for our liberty.

VIOLENCE AGAINST WOMEN

Hon. Mobina S. B. Jaffer: Honourable senators, did you ever have to run for your life? Were you or a loved one a victim of sexual violence while your family watched? Did you ever have to protect your young children from rape? In some countries the demands on women are limitless; but in war, the most insane fantasies have found their expression. When seven soldiers rape a woman or little girl, for them the woman is no longer a human being, she is an object.

Marguerite is 40 years old and a widow. She indicated that in October 2002, two insurgents forced their way into her house at night and raped her. She said:

They took me in front of my children and began to rape me. Frédéric, my eight-year-old son, was very frightened and began to cry and shout. The soldiers turned around, as they were raping me, and shot him dead... Before leaving, they set fire to the house.

This is the reality of many women around the world. Marguerite's story, among many others, was captured in a report by Amnesty International that illustrates the horror of mass rape in countries such as the Democratic Republic of Congo.

Honourable senators, last Sunday marked the fourth anniversary of United Nations Security Council resolution 1325 that addresses issues surrounding women, peace and security, including protection of women and girls from gender-based violence, which was the theme of this year's Security Council open debate of the resolution. When I addressed the Security Council on behalf of the Human Security Network, a group of 13 countries which identify concrete areas for collective action for human security, I said:

We know that hundreds of thousands of women and girls have been raped in situations of armed conflict, and that sexual exploitation continues to be used as a tool of war in many countries.

Honourable senators, as we sit in this remarkable chamber, we must not forget that these atrocities are happening every second of every day and that they can be lessened with the implementation of resolution 1325. As Canadians, we must be vigilant in addressing the issues of gender-based violence and the calls for action in resolution 1325. We owe it to women like Marguerite.

• (1340)

THE LATE SHEIKH ZAYED BIN SULTAN AL-NAHAYAN OF UNITED ARAB EMIRATES

Hon. Marcel Prud'homme: Honourable senators, today the world mourns the passing of Sheikh Zayed bin Sultan al-Nahayan, President and founder of the United Arab Emirates.

Sheikh Zayed was genuinely loved and respected by citizens as well as by world leaders. He was known for his compassion, his generosity and his foresight. He was admired because he led by example through consultation and consensus when dealing with the region's leaders.

Under Sheikh Zayed's rule, the country was transformed into an oasis of freedom and development in the Middle East. He instilled the values of religious tolerance and equality, especially for women.

Sheikh Zayed is credited with having distributed the nation's oil wealth fairly throughout the country, ensuring a stable social and political system. He also shared the nation's wealth with developing countries in the region.

He was known for his love of the desert and its environment. The much-loved ruler shared many of Canada's ideals, including peace in the Middle East.

Both men and women, he believed, should play their part, and, through his support for the General Women's Union, led by his

wife, Her Highness Sheikha Fatima bint Mubarak, he ensured that the women of the United Arab Emirates were provided with everything that was necessary to enable them to play a full part in the life of the country, in accordance with Islamic tradition.

Sheikh Zayed imbibed the principles of Islam in his childhood and held firmly to them throughout his life. In particular, he felt that Islam was best characterized by its principles of tolerance, mercy and forgiveness, and I want to emphasize this here. In his latter years, he was a confirmed and dedicated opponent of those who pervert Islam in an attempt to justify intolerance and violence. Such people, he felt, were apostates who had abandoned the basic precepts of Islam.

His presence will be missed.

I am sure we all offer — as they will do in the House of Commons — our deepest sympathy to His Excellency Mr. Hassan M. O. Al-Suwaidi, Ambassador of the United Arab Emirates here in Ottawa, asking him to transmit this message to the family of Sheikh Zayed bin Sultan al-Nahayan and to all the people of the United Arab Emirates.

EXODUS OF PROFESSIONALS FROM AFRICA

Hon. Donald H. Oliver: Honourable senators, I rise today to call your attention to a crisis that the United Nations has called "the most serious threat to the economic development of sub-Saharan Africa." I am referring to the exodus of talented African professionals, lawyers, doctors, engineers and professors who leave the continent on a regular basis. To put it simply, I am referring to Africa's brain drain.

United Nations officials have recently stated that Africa's brain drain should be treated on a similar level to famine, civil war and even the AIDS epidemic. In an article that appeared in the *Ottawa Citizen* on October 4, the Kenyan Medical Association warned that the brain drain is threatening the very existence of Kenya's health services.

According to the International Organization for Migration, an agency affiliated with the United Nations, Africa has already lost one third of its intellectual capital. Since 2000, it is estimated that Ethiopia has lost 75 per cent of its talented professionals. This has done irreparable damage to Africa's development efforts.

The Association for Higher Education and Development — called AHEAD — an Ottawa-based organization dedicated to the development of higher education in Africa, estimates that African nations spend US \$4 billion per year to replace departing African professionals. Ethiopia spends more than \$5 million alone. Honourable senators will agree that these are dollars that African nations can ill afford.

On September 18, I was pleased to attend AHEAD's fifth anniversary celebration here in Ottawa. The main objective of AHEAD is to contribute toward the improvement of education in Ethiopia by soliciting, acquiring and delivering educational materials that help advance education in Ethiopian universities and colleges.

I saw the contributions AHEAD has made to African development by awarding scholarships to medical students and by giving medical books donated by the Honourable Senator Keon to university libraries in Ethiopia.

Organizations like AHEAD have a critical role to play in stemming the exodus of talent in African nations. By forming partnerships with African professionals residing in Canada, organizations like AHEAD create mentors who can nurture the career development of talented African-Canadians and encourage them to give back to their homeland.

In conclusion, honourable senators, Africa's current brain drain has stagnated its economic and technological growth, weakened its institutions and destroyed its ability to fight poverty, hunger and illiteracy. Only with strong leadership and cooperation can we combat Africa's brain drain and pave the way for unprecedented results.

ROUTINE PROCEEDINGS

COMMONWEALTH PARLIAMENTARY ASSOCIATION

EXECUTIVE COMMITTEE MEETING,
APRIL 18-24, 2004—REPORT TABLED

Hon. Dan Hays: Honourable senators, I request leave to table the report of the Commonwealth Parliamentary Association executive committee meeting held in Kampala, Uganda, from April 18 to 24, 2004.

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

Hon. Senators: Agreed.

[Translation]

EXPORT DEVELOPMENT CANADA

2002-03 ANNUAL REPORT TABLED

Hon. Bill Rompkey (Deputy Leader of the Government): Honourable senators, I have the honour to table, in both official languages, Export Development Canada's 2002-03 annual report.

EXPORT OF MILITARY GOODS FROM CANADA

2002 ANNUAL REPORT TABLED

Hon. Bill Rompkey (Deputy Leader of the Government): Honourable senators, I have the honour to table, in both official languages, the Department of International Trade's 2002 annual report on the export of military goods from Canada.

[English]

OFFICIAL LANGUAGES HUMAN RIGHTS NATIONAL SECURITY AND DEFENCE

NOTICES OF MOTION TO AUTHORIZE COMMITTEES TO MEET DURING ADJOURNMENT OF SENATE

Hon. Bill Rompkey (Deputy Leader of the Government): Honourable senators, notwithstanding rule 58(1)(i), I give notice that, at the next sitting of the Senate, I will move:

That the Standing Senate Committees on Official Languages, Human Rights and National Security and Defence be empowered, in accordance with rule 95(3), to sit on Monday, November 15, 2004, even though the Senate may then be adjourned for a period exceeding a week.

CANADA-EUROPE PARLIAMENTARY ASSOCIATION

SIXTH CONFERENCE OF ARCTIC REGION
PARLIAMENTARIANS, SEPTEMBER 3-5, 2004—
REPORT TABLED

Hon. Lorna Milne: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian delegation of the Canada-Europe Parliamentary Association respecting its participation in the Sixth Conference of Parliamentarians of the Arctic Region held in Nuuk, Greenland, from September 3 to 5, 2004.

FOURTH PART, 2004 ORDINARY SESSION
OF PARLIAMENTARY ASSEMBLY OF THE COUNCIL OF
EUROPE, OCTOBER 4-8, 2004—REPORT TABLED

Hon. Lorna Milne: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian delegation of the Canada-Europe Parliamentary Association respecting its participation to the Fourth Part of the 2004 Ordinary Session of the Parliamentary Assembly of the Council of Europe held in Strasbourg, France, from October 4 to 8, 2004.

• (1350)

ACCESS TO CENSUS INFORMATION

PRESENTATION OF PETITION

Hon. Lorna Milne: Honourable senators, I have the honour to present 1,432 signatures from Canadians in the provinces of British Columbia, Alberta, Saskatchewan, Manitoba, Ontario, New Brunswick and Nova Scotia who are researching their ancestry, as well as signatures from 317 people from 13 states of the United States and one from South Africa who are researching their Canadian roots. A total of 1,750 people are petitioning the following:

Your Petitioners call upon Parliament to take whatever steps necessary to retroactively amend the Confidentiality-Privacy clauses of Statistics Acts since 1906, to allow release to the public after a reasonable period of time, of post-1901 Census reports starting with the 1906 Census.

Including the 20,987 signatures I presented to the Thirty-seventh Parliament and over 6,000 signatures I presented to the Thirty-sixth Parliament, I have presented petitions with over 28,737 signatures all calling for immediate action on this very important matter of Canadian history.

QUESTION PERIOD

CANADA-UNITED STATES RELATIONS

RESOLUTION OF TRADE ISSUES— POLICY FOR CABINET MEMBERS IN REPRESENTING GOVERNMENT

Hon. W. David Angus: Honourable senators, now that we know the outcome of the election south of the border, that George W. Bush has been re-elected President of the United States, the Prime Minister and his government surely have their work cut out to fulfill their earlier promise of a more mature and positive relationship with our good neighbours in the United States.

During recent weeks, it appears that, once again, they have painted themselves and our country into a very tight corner. Members of the government, including the Honourable Stéphane Dion and the Honourable Joseph Volpe, when asked who should win the election, referred to the non-victorious Democratic party. I wonder how they will deal with the victorious party of Mr. Bush and his administration given their past record of sensitivity to these kinds of disparaging comments from their neighbours to the north.

My question is for the Leader of the Government. At the moment, many issues in Canada concerning its relationship with the U.S. require urgent attention and positive action, such as softwood lumber and BSE. What does this government plan to do in these circumstances other than resign from office and go to the people to fix Canada-U.S. relations so that those issues can be positively dealt with and amends made with our friends to the south?

Hon. Jack Austin (Leader of the Government): I thank Honourable Senator Angus for his question. The relationship between the Government of Canada and the Government of the United States is on extremely good terms. Ambassador Cellucci has repeated often that the United States believes Canada to be a significant partner and that the relationship between the United States and Canada is excellent. There is no substance to the suggestion that there is anything out of the ordinary in respect of the relationships of this government.

The disputes to which the honourable senator refers are serious. I spoke yesterday in the Senate about the softwood lumber issue, and the BSE issue is equally significant. However, those issues are in the process of legal determination under treaties between

Canada and the United States, including NAFTA, which was negotiated by the government of Brian Mulroney. Those rules apply to the process and that is the Canadian position. I thank the honourable senator for his concern, but I do not believe it to be well based.

Senator Angus: I refer honourable senators to the comments of the Prime Minister in recent months that remarks made by some members of his caucus were inappropriate in their disparaging nature vis-à-vis the United States. Subsequent to the Prime Minister's comments, one of those same people, Ms. Parrish, was quoted in the *Montreal Gazette* on August 30, 2004, as saying: "I feel very badly for the American people and I hope sincerely that they change presidents in November." I hope that honourable senators will agree when I say that I consider those words to be "quasiment pejoratif."

In *The Globe and Mail* of October 21, Mr. Denis Coderre is quoted as saying, "I am for Kerry." He maintained that the Democrats are a better fit for the Liberals.

[Translation]

Honourable senators, is that any way to negotiate with our friends to the south in the United States?

[English]

What steps has this Prime Minister taken to stop and to muzzle his caucus colleagues from making these remarks that are so clearly derogatory to the administration to the south?

Senator Robichaud: Let us have muzzles now.

Senator Austin: Honourable senators, it is fascinating. Senator Angus is representing his definition of political democracy to us. He has quoted the views of two non-cabinet ministers. Certainly, in the Liberal Party, while we may not appreciate certain views, we do not stop or muzzle our members from expressing their views. They have an electorate to whom they are responsible and, of course, they are responsible to the party. However, tolerance and freedom of opinion is very much a Liberal philosophy.

Senator Angus: Honourable senators, I may have quoted two non-cabinet ministers because I wanted to give the leader an opportunity. It would seem to me to be more reasonable in Liberal tradition to muzzle backbenchers. Allow me to quote two cabinet ministers. The Honourable Minister of the Environment, Stéphane Dion, when asked his preference in the U.S. election, said —

[Translation]

— he would prefer Mr. Kerry.

[English]

Minister of Human Resources and Skills Development, Joseph Volpe, said in *The Globe and Mail* of October 21: "Intellectually, I'm attracted to Kerry." He described at some length, going back to the days of John F. Kennedy, how Canadians have entered into

a marriage of thought with the Democratic Party of the U.S. Will this continue? Is this the way in which this government intends to establish a more mature and productive rapport with our friends, the United States?

Senator Austin: As I said repeatedly, and it is absolutely true, our relationship with the United States is on excellent terms. There is no evidence that Senator Angus, or anyone opposite, will produce anything to the contrary.

With respect to Ministers Dion and Volpe, they likely would have been better advised to keep their personal opinions to themselves. They do not speak for the government on matters of foreign policy. To that end, we have a foreign minister, an international trade minister and a development minister. However, they are Canadians and they are, perhaps, people who are used to the Liberal tradition of voicing their thoughts.

• (1400)

I want to defend, again, the tradition of my political party, which encourages dialogue, which does not have a party doctrine, and which does not suppress its members in the interests of a so-called constituency interest. This is a party of free debate, a party that debates its policies.

I challenge senators opposite: Next March, when their party holds a policy convention, we will look with great interest on the openness, the freedom and the willingness to challenge that which is expressed by their party.

Senator Angus: We will be in cabinet by then.

Hon. Noël A. Kinsella (Leader of the Opposition): Honourable senators, my supplementary question speaks to the issue of the doctrine of cabinet solidarity. I should like to know when, in the mind of the Leader of the Government in the Senate, ministers speak for the government and when ministers do not speak for the government.

Senator Austin: Ministers certainly do speak for government when they are speaking within the terms of their ministerial mandate.

Senator Kinsella: Does the doctrine of cabinet solidarity not apply in my honourable friend's government?

Senator Austin: There is a doctrine of cabinet solidarity and when a government adopts a policy, the members of the government are bound to support that policy. This is true of legislation; this is true of white papers; and this is true of statements by the Prime Minister on behalf of the government.

Senator Kinsella: Is the leader advising the house that he does not share the view of his two cabinet colleagues who were referred to by Senator Angus?

Senator Austin: Honourable senators, I admire that question, but I have no answer to it.

Hon. Terry Stratton (Deputy Leader of the Opposition): Honourable senators, I have a supplementary question, and I know Senator Gustafson will ask the same question. How will this resolve the BSE crisis? How will this solve the softwood lumber crisis, when we have Liberal members telling the world, and particularly the United States and its president, that they do not want to have anything to do with them? What does he think the impact is on that administration when ministers of the Crown speak as they do? Does he think that goes in any way, shape or form to solving the problems that exist?

Senator Austin: The phrase that Senator Stratton uses, "...they do not want anything to do with them," is absolutely ridiculous. The message is one that has no impact on our relationships with the United States. I have said repeatedly that our relationship with the Government of the United States is a most sophisticated and mature one and it works in the interests of both countries.

Senator Kinsella: How will our American friends know, when a minister of this government visits Washington and speaks to the Americans, whether that minister is speaking for the government or not speaking for the government under the new doctrine that has just been enunciated?

Senator Austin: I have announced no new doctrine with respect to cabinet solidarity. The relationship with the United States is one in which we have sophisticated dialogue about many sophisticated issues, and senior officials of the United States would be astonished to hear the questions posed by opposition members here today.

Hon. Leonard J. Gustafson: Honourable senators, as a supplementary question to Senator Angus's question, the United States is Canada's greatest trading partner in that 85 per cent of all our trade is with the United States. The economy of Canada is dependent on that trade.

What is the reaction of the Leader of the Government in the Senate when the American people are brought to task or misrepresented? Frankly, I am most concerned about the anti-Americanism that is growing in Canada. We hear it on the news every night, it is very general. We trade 85 per cent of our product with the Americans. What can be done to deal with this situation?

Senator Austin: Honourable senators, our relationship with the United States has not been impaired. Nothing need be done respecting our overall relationship with the United States. That relationship, as I have said repeatedly, is excellent. The American ambassador, Ambassador Cellucci, also believes our relationship is excellent.

Now that the election period in the United States is over, Canadians must make a first-class, united effort to represent our economic interests. BSE, softwood lumber and many other issues must be put on the agenda of the United States administration and Congress in the near future so that they may be resolved.

Senator Gustafson: Before BSE became an issue, we had a buoyant cattle industry in Canada because we had an open border with the United States. One of the successes of agriculture was as a result of cattle being allowed to move freely into the United States. We know the price we have paid since that has been stopped.

It seems to me that there should be a great deal of caution exercised by the government in handling these situations, and that is especially important for ministers to bear in mind. Will the leader admit that the government has been a little careless in this area?

Senator Austin: Honourable senators, not at all. I think that the government's record in dealing with BSE, softwood lumber and some other trade issues has been exemplary. The Government of Canada did not create these problems and we have not aggravated them.

We have dealt with each of these issues effectively. For example, with respect to BSE, we have the representations of the Canadian Cattlemen's Association supporting and, indeed, praising the government's measures. With respect to softwood lumber, the Canadian Lumber Producers have said that the Canadian government has taken every step that they required in order to represent their interests and Canada's interests.

The Government of Canada has a huge responsibility to achieve success in all these measures. I am fascinated by the attempt of the opposition senators today to bring a tone of discredit to a government that deserves none.

Hon. David Tkachuk: Since the election at the end of June, how many meetings has Prime Minister Martin had with the Ambassador to the United States on BSE and softwood lumber?

Senator Austin: I will take notice of that question.

FOREIGN AFFAIRS

FINANCIAL COMMITMENT TO GLOBAL FUND FOR HIV-AIDS—INVOLVEMENT OF LEAD SINGER OF ROCK GROUP U2

Hon. Jack Austin (Leader of the Government): While I am on my feet, I would note that Senator Tkachuk was unhappy with my answer yesterday to his question about U2 lead singer Bono. He asked me a series of questions on October 7 last as follows:

How much did Mr. Hewson, or Bono, get paid to participate in the press conference on Wednesday, May 22, 2004?

Honourable senators, the answer is: nothing.

Senator Tkachuk further asked:

For what expenses — receipted and not receipted in this day and age — was he reimbursed?

Honourable senators, no expenses were reimbursed.

• (1410)

He also asked:

Did the government pay Mr. Hewson or did it not?

Honourable senators, no, the government did not pay Mr. Hewson. It is my understanding that Bono informed reporters at the press conference at which he was present that he had covered all his expenses.

Senator Tkachuk further asked:

What advertising agency was paid by the Liberal government under the Prime Minister's direction to engage Mr. Hewson, or Bono, and how much money did that agency receive, including any commission or handling fee?

The answer, honourable senators, is that no ad agency was paid.

LABOUR AND HOUSING

NEED FOR SKILLED LABOUR— COMMENTS BY MINISTER

Hon. Donald H. Oliver: Honourable senators, my question is for the Leader of the Government in the Senate, and it relates to comments made last week by his colleague, the Minister of Labour and Housing, Joe Fontana. The minister stated that, in order to meet Canada's need for skilled labour, the country's immigration levels will have to be raised to half a million people a year, which is roughly double the target for next year. The minister also said that he believes that even that number may not be high enough to fill the gaps in our workforce.

Would the Leader of the Government in the Senate tell us whether the labour minister's call to double the immigration levels is supported by the Department of Citizenship and Immigration?

Hon. Jack Austin (Leader of the Government): I cannot give honourable senators a specific ministerial response from the Department of Citizenship and Immigration at this time, but I would assure all honourable senators that this government seeks to elevate the level of immigration to Canada.

NEED FOR SKILLED LABOUR—DELAY IN ACCEPTING CREDENTIALS OF IMMIGRANTS

Hon. Donald H. Oliver: Honourable senators, perhaps the gaps we are seeing in areas of skilled labour would be lessened if all of the highly educated and skilled immigrants already in Canada were able to work in their areas of expertise. The barriers to foreign credential recognition faced by far too many immigrants in our country means that many of them are forced to take low-paying jobs such as taxi drivers and do not utilize their skills.

Last month, the Minister of Health said that the federal government is working on a comprehensive strategy to deal with this problem. Could the Leader of the Government in the Senate tell us when the federal government will bring forward this plan, and also, will it contain a target date by which it expects to see results in this area?

Hon. Jack Austin (Leader of the Government): Honourable senators, I do not have target dates or time frames to offer Senator Oliver, but I will say that I concur with the preliminary part of his supplementary question. We are working with the provinces, which, as Senator Oliver knows, have jurisdiction with respect to certifications and other requirements that permit people to use their skills.

Our parliamentary secretary, the Honourable Hedy Fry, has been specifically assigned to work on these issues. Like Senator Oliver, I hope they are resolved sooner rather than later.

INDIAN AFFAIRS AND NORTHERN DEVELOPMENT

WATER QUALITY PROBLEMS ON RESERVES

Hon. Wilbert J. Keon: Honourable senators, I have a question for the Leader of the Government on water supply in native communities. Both throne speeches this year touched on the problem of unsafe water supplies in many of the country's native reserves. The Liberal Party's election platform promised that all Aboriginal communities would have clean water by 2008.

The previous Liberal government announced \$600 million over five years to repair or upgrade some of the First Nation water systems. The current Liberal government has not supplemented that modest commitment. Would the Leader of the Government in the Senate tell us how this government is proceeding to realistically meet its promise to provide clean water by 2008?

Hon. Jack Austin (Leader of the Government): Honourable senators, I will respond in the form of a delayed answer.

Senator Keon: Honourable senators, Lansdowne House, a native community in northern Ontario, recently had its water supply cut off for almost a month. The Department of Indian Affairs provided each person in the community with five litres of water per day to meet all of their drinking, cooking and cleaning needs. The town's chief found this amount to be insufficient, especially as about half of the houses in the communities have black mould problems, which require washing with water and bleach. Could the Leader of the Government in the Senate tell us how the Department of Indian Affairs determines how much water it will provide to a native community whose supply has been cut off?

Senator Austin: Honourable senators, I too saw that report and I thank Senator Keon for raising this matter. I will do my best to supply an answer.

JUSTICE

NATIONAL SECURITY— LISTING OF AL-TAWHID WAL JIHAD AS TERRORIST GROUP

Hon. J. Michael Forrestall: Honourable senators, my question for the Leader of the Government follows on his thoughtful phrasing while articulating a response to an earlier question. It will be interesting to see how long this new scheme of responding to questions by way of indication that he will reply in the form of a delayed answer lasts.

In any event, yesterday, in answer to my question on whether the government was considering banning certain groups, the minister replied:

On October 18, 2004, pursuant to United Nations resolution 1333, Canada listed Jama'at Al-Tawhid Wal Jihad, which I will refer to, with your permission, as JTJ, under United Nations Suppression of Terrorism Regulations, and the appropriate freezing orders to all financial institutions were made on that day. This action can be found on the Web site of the Office of the Superintendent of Financial Institutions.

Can the government leader not admit to us that all this resolution does is to enable us to freeze certain accounts, if we decide to go ahead and do so? Does that not more accurately reflect the reality of the situation today?

Hon. Jack Austin (Leader of the Government): Honourable senators, my understanding of the answer that was given to Senator Forrestall yesterday is that we acted immediately after the United Nations acted.

Senator Forrestall: That is an option that we had. We are empowered to do that, but we have to decide to do it. Thus far, we have not made that decision. The government has to decide to enforce the authority it has before it becomes active.

In the written response to the earlier part of the question, we were told that listing under the Criminal Code has serious implications and is exercised with strict controls based on clear and appropriate information gathered by security and law enforcement agencies.

What criteria does Al-Tawhid Wal Jihad have to meet? What criteria do they not meet to be considered under Part II.1 of the Criminal Code of Canada as a terrorist organization?

Senator Austin: Honourable senators, these questions require specific answers, and I will endeavour to obtain those answers.

With respect to the honourable senator's first comment about responses to questions being given in the form of a delayed answer, I am not sure whether the honourable senator is praising me or criticizing me for the detailed answer that was provided. He might some day enlighten me.

THE SENATE

QUESTION PERIOD—BRITISH SYSTEM

Hon. Jack Austin (Leader of the Government): I could make a suggestion to honourable senators opposite if they are interested. We could adopt in this chamber the British practice of giving notice of a question two days in advance so that I could prepare detailed answers. The British practice allows one oral supplementary. If that would be more efficient to honourable senators opposite, I would be pleased to consider it.

Hon. J. Michael Forrestall: Honourable senators, I wish I had an hour to respond to that interesting suggestion. Of course, the latter part of it is not acceptable. To delay questioning government on actions that are taking place today or that took place last night or during the last 48 hours would be dereliction of one of the duties of the official opposition.

I have no objection to putting detailed questions on the Order Paper, but I will not be a messenger or an aid to select staff who prepare the leader for Question Period. I would suggest that they be told to keep their heads up, look alert and read the newspapers before 10 o'clock in the morning so that they will be ready to deal with questions.

• (1420)

Senator Austin: Honourable senators, Senator Forrestall has made that observation before and I have responded to it. It will fall on deaf ears opposite when I say that it is a very interesting practice that we have one minister in this chamber who answers for the entire range of the questions that can be asked of the total ministry. As a minister, the Leader of the Government in the Senate can prepare for questions, but the opposition senators are quite good at picking questions that are not as obvious from the day-to-day media stories as I would like them to be. If my honourable friend wishes to go to the British system so that he can obtain detailed and specific answers to detailed and specific questions, I would be very interested in discussing that option.

Senator Forrestall: If the government were to give the necessary assurances to the opposition — whichever way it comes and goes — then matters of national importance can be dealt with at the time.

Senator Austin: In my view, there would be no bar on any question to be asked. However, we have the system of Delayed Answers to Oral Questions because the Question Period is supposed to seek information that does not require detailed answers. We have a procedure for questions where delayed answers that require expert knowledge must be provided by other ministers.

In this very interesting exchange, I would not say that any rule should bar an oral question at any time.

SOCIAL DEVELOPMENT

NATIONAL CHILD CARE PROGRAM

Hon. Lowell Murray: Honourable senators, does the Leader of the Government happen to know whether his cabinet colleague Mr. Dryden, Minister of Social Development, is making a prepared statement to the House of Commons today, or anywhere else, concerning the negotiations with the provinces on a national child care program? Second, what will the government do about Quebec's refusal so far to sign that agreement? Third, is that agreement being negotiated in the context of the Social Union Framework Agreement signed by Prime Minister Chrétien and nine of the provinces in 1999? I am sure that Senator Austin, as a former Minister of State for Social Development, has the answers to those questions at his fingertips.

Hon. Jack Austin (Leader of the Government): Honourable senators, I thank Senator Murray for his assistance.

I am not aware whether Minister Dryden will be making a statement in the House of Commons today. A news release was issued advising the public as to the outcome of the November 2 meeting of federal-provincial-territorial ministers responsible for social services. They said that there was agreement on shared principles to guide the development of a new national initiative and that they would meet again in the coming weeks on the more specific elements of a new agreement.

Quebec was present and made comments with respect to its existing daycare system. How Quebec will want to deal with the ongoing negotiations remains to be seen.

DELAYED ANSWER TO ORAL QUESTION

Hon. Bill Rompkey (Deputy Leader of the Government): Honourable senators, I have the honour to present a delayed response to an oral question raised in the Senate on October 20, 2004, by the Honourable Senator Tkachuk, regarding the security certificate process and the case of Mr. Ernst Zundel.

PUBLIC SAFETY AND EMERGENCY PREPAREDNESS CITIZENSHIP AND IMMIGRATION

REQUIREMENT OF TWO MINISTERIAL SIGNATURES ON NATIONAL SECURITY CERTIFICATES—EFFECT ON EXTRADITION CASE OF ERNST ZUNDEL

(Response to question raised by Hon. David Tkachuk on October 20, 2004)

Following the December 12, 2003, Order in Council decision to amend the system to place the responsibility under only one minister, that being the Minister of Public Safety and Emergency Preparedness, there were expressions of concern raised by a number of stakeholders.

In particular, the main concern expressed was that having two ministers sign the certificate offered more of a safeguard than placing this responsibility under only one minister. After listening and taking into account these views and upon further consideration and review, the government responded by returning to a procedure whereby there is once again a shared responsibility under two ministers with respect to the authorities under the certificate process, in accordance with the provisions of the *Immigration and Refugee Protection Act*.

Further to the Honourable Senator's second question, it would be inappropriate to comment, as Mr. Zundel's case is before the courts.

ORDERS OF THE DAY

STUDY ON ISSUES AFFECTING URBAN ABORIGINAL YOUTH

REPORT OF ABORIGINAL PEOPLES COMMITTEE— MOTION REQUESTING GOVERNMENT RESPONSE ADOPTED

Hon. Nick G. Sibbeston, pursuant to notice of October 28, 2004, moved:

That, pursuant to rule 131(2), the Senate request a complete and detailed response from the Government to the sixth report of the Standing Senate Committee on Aboriginal Peoples, entitled *Urban Aboriginal Youth: An Action Plan for Change*, tabled in the Senate on October 30, 2003, during the Second Session of the Thirty-seventh Parliament and adopted by the Senate on April 1, 2004 during the Third Session of the Thirty-seventh Parliament, with the Minister of Indian Affairs and Northern Development and Federal Interlocutor for Metis and Non-Status Indians, the Minister of Justice, the Minister of Human Resources and Skills Development, the Minister of Social Development, the Minister of Canadian Heritage, the Minister of Public Safety and Emergency Preparedness, the Minister of Health, and the Minister of Industry being identified as ministers responsible for responding.

Motion agreed to.

OFFICIAL LANGUAGES

COMMITTEE AUTHORIZED TO CONTINUE STUDY ON OPERATION OF OFFICIAL LANGUAGES ACT AND RELEVANT REGULATIONS, DIRECTIVES AND REPORTS

Hon. Eymard G. Corbin, pursuant to notice of November 2, 2004, moved:

That the Standing Senate Committee on Official Languages be authorized to study and to report from time to time on the application of the *Official Languages Act* and of the regulations and directives made under it, within those institutions subject to the act;

That the Committee be authorized to study the reports and papers produced by the Minister Responsible for Official Languages, the President of the Treasury Board, the Minister of Canadian Heritage and the Commissioner of Official Languages as well as any other material concerning official languages generally;

That papers and evidence received and taken during the second and third sessions of the Thirty-seventh Parliament be referred to the Committee;

That the Committee report to the Senate no later than June 15, 2005.

Hon. Terry Stratton (Deputy Leader of the Opposition): Is this motion a pro forma statement, a normal outline of work to be done by the committee? Will new funding be required? Could the committee chair give us an explanation as to what is transpiring?

Senator Corbin: I would be delighted to respond to Senator Stratton's question. The only new element in this motion is that we have added, in paragraph 2, the phrase "reports and papers produced by the Minister Responsible for Official Languages." With the exception of paragraph 3, where we ask "that papers and evidence received and taken during the second and third sessions...be referred to the Committee," the rest of the motion remains the same. It is the usual request. It deals with reports coming out of the various departments concerning official languages matters, which is the committee's *raison d'être*.

Senator Stratton: In other words, there are no extraordinary amounts, dollar-wise, with respect to this motion.

Does this committee coordinate its work with the joint committee on official languages to ensure that there are no conflicts or that work is not duplicated?

Senator Corbin: I am grateful to the honourable senator for raising this matter. I like to represent the view of the full committee. Speaking for myself and the committee, I did say that we would not repeat work unless there were special reasons requiring a sober second look from the Senate.

• (1430)

I would not undertake to do the same work, parallel work, to the work of the committee of the House of Commons; that is redundant. Not only that, but if the Senate sets its own course, then more work can be done, with the House of Commons on one side and the Senate on the other.

The Senate has the specific mandate, as is often said, of speaking for the regions. It is in that spirit that we want to look at the broader context, and not necessarily the day-to-day events, which I believe the elected members of the Commons are best suited to deal with, since they have to directly respond to their constituents.

Senator Stratton: I thank the honourable senator for that reassuring response.

The committee has decided to study the reports and papers produced by the Minister responsible for Official Languages, who would be the President of the Treasury Board, I believe, Minister Alcock; the Minister of Canadian Heritage; and the Commissioner of Official Languages. Was there a particular reason to focus on those individual ministries? Also, perhaps the honourable senator could attach a name to those ministers whose name I cannot recall.

Senator Corbin: Mauril Bélanger is the Minister responsible for Official Languages, the Deputy Leader of the Government in the House of Commons and the Associate Minister of National Defence and Democratic Reform. At present, the committee does not have any reports coming from him, but we hope that he will be the committee's guest when we return on Monday, November 15. Actually, the committee will want to find out what his specific mandate is in relation to the other departments that have responsibilities under the Official Languages Act.

The honourable senator mentioned the President of the Treasury Board, Mr. Alcock. The Minister of Canadian Heritage, the Honourable Liza Frulla, is responsible for administering and dealing with the Part VII provisions of the Official Languages Act. She deals directly with official language minorities across Canada.

The Commissioner of Official Languages, Dyane Adam, is a creature of Parliament; she is answerable to both Houses of Parliament. Her annual report has already been referred to our committee. We met with the commissioner Monday evening. Here, I refer specifically to special reports that she produces — similar to the Auditor General — from time to time during the year. It is our hope that those reports would be automatically referred to our committee under this specific motion.

In regard to the honourable senator's earlier comment, there are no specific budgetary implications at this stage, except for the usual tea and coffee and maybe a cookie or two. From now to the end of this fiscal year, the committee has no travel plans. However, I received a letter from the chair of the Internal Economy subcommittee yesterday, asking us to put forward our requirements for the coming fiscal year, and we will attack that matter. In due course, we will all see that in the chamber.

Hon. Noël A. Kinsella (Leader of the Opposition): Honourable senators, I wish to ask Senator Corbin a question in regard to machinery of government. When was the responsibility for official languages split away from Canadian Heritage? Would the honourable senator remind us when that happened? Perhaps more important, why, in his view, was it necessary to create a separate ministry, when we had the Minister of Canadian Heritage? Was the Minister of Canadian Heritage not doing a good enough job, which many in the official languages communities across Canada believe was the case?

Senator Corbin: I am not sure I fully understand the thrust of the honourable senator's question. However, during my years here, I have witnessed a number of creations and re-creations of ministers responsible for various aspects of official languages. Those mysteries come to us out of the Langevin Building, as the honourable senator would well know.

There are parts and pieces of this puzzle that committee members do not understand. I have not yet been able to ascertain the specific responsibilities of the Hon. Mauril Bélanger, the Minister responsible for Official Languages. He was given that responsibility in the last session of Parliament; he has it today. We want to know how his mandate relates to the various other portfolios. For example, the President of Treasury Board is responsible for the federal civil service and the Official Languages Act as it affects their day-to-day workings. Madam Frulla continues, under Canadian Heritage, to relate to the needs of the communities. She dispenses sums of money for all sorts of activities to both official language groups.

Committee members would like to know who the boss is in terms of the federal government's official languages policy. Do we have a multi-headed Hydra here? Is one person chiefly responsible for official languages policy? That is what members of the Official

Languages Committee aim to find out on November 15. I may be in a better position to respond to the honourable senator's question following that committee meeting. I cannot, off the cuff, provide historical information as to how this all came about.

Senator Kinsella: I wish to thank the Honourable Senator Corbin for that clarification.

In speaking in support of the motion, I do share with him the desire to have those questions answered. It is important for us to understand the machinery of government in a social file as important as official languages.

Senator Corbin and I share a particular interest because of section 16.1 of the Charter of Rights and Freedoms affecting our province of New Brunswick, where we recognize the constitutional equality of the two linguistic communities. It is important that the federal government plays its role in the promotion of our two official linguistic communities. That typically is the responsibility or has been the responsibility of Canadian Heritage.

A review of the Canadian Heritage budget over the years indicates a significant amount of cutting in the official languages promotions sector that department. Those cuts have had a detrimental effect on official languages communities, not only in New Brunswick but also across Canada.

I was surprised to learn that there would be a Minister responsible for Official Languages. All the big shots in Ottawa will not make much of a difference. The focus must be in the neighbourhoods and the schools across Canada.

Therefore, we in the opposition are happy to support this motion.

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

• (1440)

Hon. Senators: Question!

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

Motion agreed to.

LEGAL AND CONSTITUTIONAL AFFAIRS

COMMITTEE AUTHORIZED TO STUDY INCLUDING IN LEGISLATION NON-DEROGATION CLAUSES RELATING TO ABORIGINAL TREATY RIGHTS

Hon. Lise Bacon, pursuant to notice of November 2, 2004, moved:

That the Standing Senate Committee on Legal and Constitutional Affairs be authorized to examine and report on the implications of including, in legislation, non-derogation clauses relating to existing aboriginal and treaty rights of the aboriginal peoples of Canada under s. 35 of the *Constitution Act, 1982*;

That the papers and evidence received and taken on the subject and the work accomplished during the Second Session of the Thirty-seventh Parliament be referred to the Committee; and

That the Committee present its report to the Senate no later than October 31, 2005.

Motion agreed to.

HUMAN RIGHTS

COMMITTEE AUTHORIZED TO STUDY CASES OF ALLEGED DISCRIMINATION IN HIRING AND PROMOTION PRACTICES AND EMPLOYMENT EQUITY FOR MINORITY GROUPS IN FEDERAL PUBLIC SERVICE

Hon. A. Raynell Andreychuk, pursuant to notice of November 2, 2004, moved:

That the Standing Senate Committee on Human Rights be authorized to invite from time to time the President of the Treasury Board, the President of the Public Service Commission, their officials, as well as other witnesses to appear before the Committee for the purpose of examining cases of alleged discrimination in the hiring and promotion practices of the Federal Public Service and to study the extent to which targets to achieve employment equity for minority groups are being met; and

That the Committee continue to monitor developments on the subject and submit a final report to the Senate no later than December 23, 2005.

Hon. Lowell Murray: Honourable senators, I had hoped to see my honourable friend privately to have her state that I am wrong in my apprehension about one of the phrases in this particular motion. However, I will ask her to explain it now for the record.

The honourable senator has four motions on the Order Paper, all of which are not only unobjectionable but commendable.

What drew my attention is the following phrase in the motion before us pertaining to the various people who would be brought as witnesses to appear before the committee. The phrase reads, in part, "...for the purpose of examining cases of alleged discrimination in the hiring and promotion practices of the Federal Public Service..."

Unless I am mistaken, there is a grievance procedure already in the Public Service Employment Act. There is also a Human Rights Commission. Surely, the chairman of the committee is not suggesting that her committee will become a tribunal of first, second or last resort dealing with individual cases of alleged discrimination.

Senator Andreychuk: Honourable senators, I thank the Honourable Senator Murray for his question, which is an easy one to answer.

It is not the intention of the committee to study particular cases and take them, as the honourable senator has said, as either a grievance process or a case study per se. There have been comments made about discrimination within the public service. As honourable senators well know, Senator Oliver has placed much of that information on the record here in the Senate. Members of the Human Rights Committee feel it is our responsibility to look at how the Public Service Commission and the Government of Canada attack and attempt to deal with cases of discrimination.

It was our view that the easiest way to look at this as a legitimate subject of study for the Human Rights Committee would be to ask the people in question how they handle this issue within the Public Service of Canada. We would like to find out what policies and practices they have in place. After hearing that, we would like them to share with us the particular problems they have had to deal with in the field of discrimination and how they attempt to deal with and eliminate discrimination in the public service.

We wish to do this because there is not in place a systematic method by which Parliament can ask the Public Service Commission to account in this particular field of study. When we say "cases," we mean examples, practices and information.

This study arose from a suggestion made by Senator Oliver, who was a member of the committee.

The second part of the study having to do with achieving employment equity arose from the expertise and knowledge of Senator Poy. How do the structures and practices within the Public Service Commission deal with the issue of employment equity? What particular problems have there been? How have these problems been overcome so that the targets for the ultimate goal of employment equity, be it for women, visible minorities or whatever other categories there are, can be achieved?

Our first hope is to bring the people in charge before us to explain the practices and policies and the difficulties they encounter. We wish to question them on information that has come to our attention, either individually or as a group.

Perhaps the committee will have recommendations for improvements; or perhaps we will simply ask that we be updated from time to time on their progress in eliminating discrimination within the civil service and ask them to inform us as to their efforts to obtain full and reasonable employment equity.

Senator Murray: In a word, the focus is on systemic issues rather than individual cases.

Senator Andreychuk: That is correct.

When the Human Rights Committee was first established, we spent some time discussing whether we would receive individual cases and deal with them. At that time, the feeling was that we could not usurp the role of other machinery which is in place, nor would we be able to handle individual cases. To have a specific matter brought before us, it would have to be something unusual and compelling. Rather, we see ourselves as part of the education and information-sharing process. If cases are brought to us, we will refer them on.

When I was chair of the committee, and I am sure it was the same for Senator Maheu, individual cases were brought to us. We would pass them on to the most appropriate body within the government. Since many of the cases fell within provincial jurisdiction, we would supply information as to where individuals should go for either a legal or an employment process.

Hon. Jack Austin (Leader of the Government): Honourable senators, if I understand the Honourable Senator Andreychuk, we have her undertaking that no individual case will be examined on its merits, unless an order of reference is brought before the Senate for its consideration.

Senator Andreychuk: That is the approach that the committee is taking. We will not be studying particular cases on their merit to adjudicate as to either their content or findings. Rather, at this point in time, we are interested in looking at the policies and practices so that we can discuss the broader issues.

I do not want to usurp the mandate or the input of the committee. Once we finish this study, should it lead us in another direction, then we would have to come back to the Senate to seek its authority.

At this point in time, our intention is to work in the area of general policy and not delve into specific cases.

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

Motion agreed to.

• (1450)

COMMITTEE AUTHORIZED TO STUDY
INTERNATIONAL OBLIGATIONS REGARDING
CHILDREN'S RIGHTS AND FREEDOMS

Hon. A. Raynell Andreychuk, pursuant to notice of November 2, 2004, moved:

That the Standing Senate Committee on Human Rights be authorized to examine and report upon Canada's international obligations in regard to the rights and freedoms of children.

In particular, the Committee shall be authorized to examine:

- Our obligations under the United Nations Convention on the Rights of the Child; and
- Whether Canada's legislation as it applies to children meets our obligations under this Convention.

That the Committee present its final report to the Senate no later than March 22, 2005, and that the Committee retain until April 30, 2005 all powers necessary to publicize its findings.

Motion agreed to.

[Senator Andreychuk]

COMMITTEE AUTHORIZED TO STUDY ISSUES
RELATED TO NATIONAL
AND INTERNATIONAL OBLIGATIONS

Hon. A. Raynell Andreychuk, pursuant to notice of November 2, 2004, moved:

That the Standing Senate Committee on Human Rights be authorized to examine and monitor issues relating to human rights and, *inter alia*, to review the machinery of government dealing with Canada's international and national human rights obligations;

That the papers and evidence received and taken on the subject during the First, Second and Third Session of the Thirty-seventh Parliament be referred to the Committee; and

That the Committee submit its final report to the Senate no later than December 23, 2005, and that the Committee retain until January 31, 2006 all powers necessary to publicize its findings.

Hon. Noël A. Kinsella (Leader of the Opposition): Honourable senators, by way of preamble, I want to congratulate Senator Andreychuk and the members of the Standing Senate Committee on Human Rights for three excellent initiatives that they will undertake. We recognize the important work of the committee.

On the issue of the examination of the machinery of the Government of Canada in implementing our international human rights obligations, I would like to place on the record, and hopefully plant the seed, that perhaps members of the committee might look at the Second Optional Protocol to the International Covenant on Civil and Political Rights, which Canada has not ratified. The Second Optional Protocol deals with the obligation that member states, who ratify it, undertake to eliminate capital punishment and to encourage other countries to abolish capital punishment. I believe members of the committee will find that the mechanism for implementation is the same mechanism, the federal-provincial Continuing Committee of Officials on Human Rights, which is the domestic body that participates in the implementation and in the advice to both levels of government on ratification of instruments. In any event, the Second Optional Protocol may come under the rubric of the committee's study to keep an eye on and report back to the Senate.

Senator Andreychuk: I presume that was both a question and a statement of encouragement. The motion just passed will be a specific case study of how Canada achieves implementation of its international obligations within a national setting, which takes in the provincial-federal responsibility on the continuing committee, while the study on the rights and freedoms of children can be a case study for other human rights international instruments and how the government should proceed. Members of the committee will keep an eye on how that study could be a template for the government to fulfill its international obligations.

With respect to this motion before the house, senators will recall that the Human Rights Committee studied the international machinery and that there were five separate sections. The committee did not fully complete the study because it was rather extensive. Under this motion, the committee intends to follow up on the report on the Organization of American States and Canada's adherence to the Inter-American Court. It is the committee's objective to finish that work-in-progress and prepare an update.

The committee had looked at the status of Canada's completion of its international obligations. Canada has signed some conventions and treaties; signed and ratified others; and signed, ratified and somewhat implemented still others. The committee had embarked on a study to determine the status, both as an educational and information tool as well as a compliance issue. The committee had not finished that study, so it intended to bring that one up to date. Within the course of that study, all the outstanding issues, including the Second Optional Protocol, will be enumerated. I think there will be an opportunity to address the honourable senator's concerns within that.

It is not anticipated that this study will be lengthy, although it is in two parts. There will be costs involved in updating the studies to the current date. Out of that may grow a greater study and, at that time, if it is more specific, the dollars and specific protocols may be addressed.

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.

COMMITTEE AUTHORIZED TO CONTINUE STUDY
OF LEGAL ISSUES AFFECTING ON-RESERVE
MATRIMONIAL REAL PROPERTY ON BREAKDOWN
OF MARRIAGE OR COMMON LAW RELATIONSHIP

Hon. A. Raynell Andreychuk, pursuant to notice of November 2, 2004, moved:

That the Standing Senate Committee on Human Rights be authorized to invite the Minister of Indian and Northern Affairs to appear with his officials before the Committee for the purpose of updating the members of the Committee on actions taken concerning the recommendations contained in the Committee's report entitled *A Hard Bed to lie in: Matrimonial Real Property on Reserve*, tabled in the Senate November 4, 2003; and

That the Committee continue to monitor developments on the subject and submit a final report to the Senate no later than March 31, 2005.

Motion agreed to.

The Senate adjourned until Thursday, November 4, 2004, at 1:30 p.m.

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