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(HANSARD)

**Thursday, September 29, 2005**



THE HONOURABLE DANIEL HAYS  
SPEAKER

## CONTENTS

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

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## THE SENATE

Thursday, September 29, 2005

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

Prayers.

[Translation]

### SENATORS' STATEMENTS

THE HONOURABLE DENNIS DAWSON  
THE HONOURABLE FRANCIS FOX

CONGRATULATIONS ON APPOINTMENT  
TO THE SENATE

**Hon. Lucie Pépin:** Honourable senators, it gives me great pleasure to speak today in light of the fact that, yesterday, we welcomed eight new colleagues. I hail these appointments. I think I can say with confidence that this is a very good crop for the Senate this fall. I want, however, to say more about two of our new Quebec colleagues whom I know well: Senator Francis Fox and Senator Dawson. Both are long-time friends whom I am now happy to welcome to this chamber.

As the saying goes, there is no such thing as random chance.

[English]

Yesterday, the very day they were sworn in as senators, was also the fifth anniversary of the death of former Prime Minister Pierre Elliott Trudeau. The statesman who left such a strong mark on our country had a special bond with these two new senators and with other colleagues.

[Translation]

Francis Fox began his career as a special assistant in the Prime Minister's Office under Pierre Elliott Trudeau before being elected to the House of Commons in 1972. He served in the Trudeau cabinet as Solicitor General of Canada, Secretary of State and Minister of Communications.

In 1977, Dennis Dawson was elected as one of the youngest members of Parliament in Canadian history. Now he is one of the youngest senators. He served as the Parliamentary Secretary to the Minister of Labour as well as Minister of Employment and Immigration.

[English]

I know that Pierre Elliott would be proud to see his two young "poulains québécois" are now senators. He held them both in high regard for their abilities and their opinions, and we know that they have only gotten better with age.

You are part of his living legacy to our country. I am certain that at this moment, although he has an entire planet to gaze over, Pierre Elliott, sitting high above us on a cloud, has his eyes fixed

on the Senate. He looks over our chamber and recognizes so many familiar faces. His former colleagues and advisers are now the cornerstone of the Senate. He must still feel right at home on Parliament Hill.

[Translation]

Honourable senators, I have no doubt whatsoever that Pierre Elliott is watching over us. And he must be getting a real kick out of this.

[English]

### RACIAL DISCRIMINATION

STRAINED RACE RELATIONS IN AFTERMATH  
OF HURRICANE KATRINA

**Hon. Donald H. Oliver:** Honourable senators, the recent flooding and devastation left in New Orleans by Hurricane Katrina presents an unprecedented challenge to the United States, the effect of which will be felt for decades to come. It has real significance for Canada as well. The greatest challenge may be repairing race relations in America's South that have grown strained from the suffering and loss felt by Louisiana's Black population.

The United States is 18.5 per cent Black. New Orleans is 66.7 per cent Black. Blacks in New Orleans earn, on average, \$11,332 annually. Whites in New Orleans earn, on average, \$31,971 annually.

Whites and Blacks also had sharply differing reactions to the U.S. government's response to Hurricane Katrina. According to *The New York Times*, over two thirds of African Americans said President Bush's response to the crisis would have been faster if most of the victims had been White.

Honourable senators, there are political commentators who say that several questions remain unanswered. Why did it take President Bush four days to visit New Orleans? Why did the President, during his first visit to New Orleans, comment on the plight of White senator Trent Lott's Mississippi mansion by stating: "Out of the rubble of Trent Lott's house ... there's going to be a fantastic house. And I'm looking forward to sitting on the porch."

What about the 200,000 forgotten Black people who will not be able to return to New Orleans and rebuild their homes, even if they wanted to?

The Mayor of New Orleans, Ray Nagin, who is Black, has stated that he expects the city's population after reconstruction to be about 250,000 people. Honourable senators, I wonder what percentage of the 200,000 forgotten Black people will be able to return to New Orleans after reconstruction. I wonder if Blacks will continue to comprise 66.7 per cent of that city.

Jill Mahoney and Alan Freeman of *The Globe and Mail* said it best in their feature story of September 17 in reference to when the new New Orleans emerges over the next decade. The headline read, "Rebuilt city likely to be a lot smaller — and whiter."

Ken Wiwa put it this way in his September 10 column in *The Globe and Mail*: "It is a sobering lesson, though, that the so-called richest nation in the world seems apparently indifferent to the welfare of a large proportion of its citizens."

Honourable senators, I wish to conclude by asking this question: If a similar tragedy occurred in a major Canadian city — Toronto, Montreal, Vancouver or Halifax — would the results be the same? It is my intention to talk more about this matter when I address the inquiry under my name later today.

### USHER OF THE BLACK ROD

#### CONGRATULATIONS ON EFFORTS OF SUPPORT FOR EVENTS TO FUND CANCER RESEARCH

**Hon. Jim Munson:** Honourable senators, I think that Pierre Trudeau would be smiling if he knew that Francis Fox, Dennis Dawson and Jim Munson were sitting in the same place on a day like today. It is a wonderful thing.

• (1340)

I would like to take this opportunity to acknowledge the wonderful work of someone who is a constant companion to all of us. We do not often take the time to publicly praise those with whom we work, but today I would like to recognize this inspired individual, the Usher of the Black Rod.

Honourable senators, two weeks ago I had the opportunity to witness Mr. Terrance Christopher hosting 5,000 runners here on Parliament Hill. The 5,000 children were here as part of the twenty-fifth anniversary celebrations of Terry Fox's courageous run. As Senator Prud'homme and I watched Mr. Christopher and the way in which he addressed the crowd, his enthusiasm, his passion and caring for the cause of fighting cancer, what was clear to me was that these emotions had not waned in the 25 years since we first watched Terry Fox.

What I also learned is how instrumental Mr. Christopher was in promoting Terry Fox's original Marathon of Hope — something that honourable senators may not know. As then-campaign chairman of the Canadian Cancer Society in Eastern Ontario, Mr. Christopher watched Terry Fox dip his artificial leg into the ocean off the coast of Newfoundland. He then went on to persuade the Canadian Cancer Society to sponsor the marathon, and worked tirelessly to promote the marathon once it reached Eastern Ontario, even going so far as to arrange a meeting between Terry Fox and Pierre Trudeau here in Ottawa.

Since 1980, as most of you know, the annual Terry Fox run has generated over \$340 million. Honourable senators, it is safe to say that without the Usher's tireless efforts at promoting the original Marathon of Hope, that figure would be much lower. An article in last weekend's *Globe and Mail* highlighted the importance of such fundraising efforts: Every seven minutes, two Canadians are

diagnosed with cancer, and one dies almost as often. In 20 years, as the population grows and ages, two will be diagnosed every five minutes, and one will die. The efforts of Mr. Christopher and his colleagues to fund cancer research are increasingly important as the creation of a new, national cancer strategy is still a long way off.

Honourable senators, please join with me today in congratulating our devoted colleague Terrance Christopher.

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

### WORLD MENTAL HEALTH DAY

**Hon. Ethel Cochrane:** Honourable senators, on October 10, Canadians will join people around the world in observing World Mental Health Day. For the last 13 years, the World Federation for Mental Health and the World Health Organization have promoted this special day in their efforts to encourage global mental health education, awareness and advocacy.

The World Health Organization estimates that over 450 million people worldwide are affected by mental, neurological or behavioural problems at any given time. Clearly, this is a very serious global issue. However, it is also one of fundamental importance here at home.

Throughout its study on mental health, mental illness and addiction in Canada, the Standing Senate Committee on Social Affairs, Science and Technology has heard compelling, heart-wrenching testimony from many Canadians who have had experience with mental illness. These personal stories appear all the more poignant when taken together with the existing data. The issue of suicide is one such example. While it must be noted that suicidal behaviour is not a mental illness in itself, it is well documented that over 90 per cent of suicide victims suffer mental illness or substance use disorder.

Honourable senators, mental illness carries not only steep social costs but also an array of economic ones. According to the Canadian Mental Health Association, disability represents anywhere from 4 to 12 per cent of payroll costs in Canada. In fact, mental health claims, especially for depression, now rank as the fastest growing category of disability costs in our country. Each year, our country loses billions of dollars in productivity due to depression, anxiety and substance abuse. A 1993 estimate places the direct cost of lost productivity at more than \$11 billion. In 1998, Health Canada conservatively estimated the economic burden produced by mental health problems in this country at \$14.4 billion annually.

Honourable senators, just as monsters live and grow in the dark in children's stories, so, too, do social misconceptions and stigmas such as those that surround mental health. In recognition of this special day, I encourage honourable senators to do their part in raising public awareness and understanding of mental health. We must shed light on this powerful issue and inspire Canadians to do the same. Only then will we begin breaking down the many obstacles imposed by stigma.

### THE LATE HONOURABLE JAMES JEROME

**Hon. Marie-P. Poulin:** Honourable senators, from time to time we in this chamber rise to pay homage to individuals who, in the course of their lives, rise above normal expectations and enter into a class of their own. One such person was the Honourable James Jerome, former Speaker of the House of Commons, whose passing in August at the age of 72 saddened all who had been fortunate to know him.

Although born in Kingston, he set up practice as a lawyer in Sudbury, where he distinguished himself through his commitment to Northern Ontario. He got his political feet wet on city council in the 1960s before making the leap to Ottawa in the 1968 federal election. Upon his retirement as a parliamentarian, he accepted an appointment to the Federal Court.

Honourable senators, in listening to and reading the obituary tributes, it was evident to me that this man, whom I came to know as a friend, was keenly respected and remembered for his fundamental decency, his warmth, his jocularity, his down-to-earth manner and his innate fairness. Evidence of this can be found in his being the first Speaker of the House of Commons, and a Liberal, to serve while being a member of the opposition.

Though tagged as being unpretentious, Jim was far from dull — a fact attested to by those who shimmied and crooned at his piano-playing parties, sometimes alongside the late Hagood Hardy, got walloped at bridge or were dazzled by his legendary memory.

Honourable senators, I would like to extend the condolences of all of us to his wife, Barry, and to their children, Mary Lou, Paul, Jim Jr. and Megan.

### FINANCE

#### VERACITY OF BUDGETS

**Hon. Gerald J. Comeau:** Honourable senators, as parliamentarians, we have little choice other than to accept the numbers provided to us by the Minister of Finance upon tabling a budget or fiscal update. If the government withholds information or misrepresents planned accounting, then we are being misled, albeit when the government uses what it calls “the consensus of outside economists.” We rely upon the Minister of Finance’s numbers as we debate whether the new initiatives in the budget are affordable, as we debate legislation, as we debate whether adequate attention is being paid to paying down the debt and as we present our own case for specific measures in the forthcoming budget.

However, we cannot have an informed debate about whether the government should spend more or less, or whether tax relief is affordable, if the numbers are a fabrication. In this regard, we should all be concerned by what we have come to call the “junk accounting” that followed last February’s budget. We were told that the surplus would come in at \$3 billion. When the figures for the 12-month period ending March were presented, the government had a surplus of just under \$10 billion, which we were told would be whittled down by various year-end accounting adjustments. Those year-end adjustments were quite steep, bringing the final surplus down to a razor-thin \$1.6 billion.

There are three differences between the fiscal plan as set out in the budget and the final numbers that stand out in particular. First, there is \$1 billion in assistance for farmers. We fully accept that this was needed, but this need did not arise during the five-week period between February 23 and the announcement of March 29. Why was it not in the budget?

• (1350)

Second, there is a \$2.3-billion accounting charge against Atomic Energy of Canada Limited for potential environmental liabilities, up \$800 million from what we are now told was a \$1.5 billion figure built into the fiscal plan. However, nowhere in the budget is this item to be found, even as a potential \$1.5-billion liability. Why was the government unwilling to disclose in its budget documents a planned accounting hit that it was fully aware it had to take?

Finally, there is a major difference in planned accounting of the offshore accord. The fiscal plan tabled with the budget showed this being booked over several years. Only \$165 million was to be charged to last year, but now we are told that the charge was the full \$2.8 billion, the result of consultations with the Auditor General.

Knowing the correct accounting would not have affected our support for this initiative, but it would have provided a different framework from which to assess the rest of the budget. We are left to wonder why the Auditor General was not consulted about the planned accounting before the fiscal plan was presented to Parliament.

More seriously, we are left to wonder whether those who prepared the fiscal plan even understand the government’s accounting rules or whether they were simply playing games with the numbers presented to Parliament.

Concern about the accuracy of the department’s numbers has led the Finance Committee in the other place to engage outside experts to advise on the state of the government’s finances. Indeed, distrust for the forecast presented to Parliament has prompted some to call for an independent accounting office at arm’s-length to the executive, similar to the Congressional Budget Office in the United States.

I will finish my remarks at a future time, honourable senators.

## ROUTINE PROCEEDINGS

### PUBLIC ACCOUNTS OF CANADA 2005

TABLED

**Hon. Bill Rompkey (Deputy Leader of the Government):** Honourable senators, I have the honour to table, in both official languages, a document entitled *Public Accounts of Canada 2005, Volumes 1, 2 and 3*.

**COMMISSIONER OF THE ENVIRONMENT  
AND SUSTAINABLE DEVELOPMENT**

2005 ANNUAL REPORT TABLED

**Hon. Bill Rompkey (Deputy Leader of the Government):** Honourable senators, I have the honour to table, in both official languages, a copy of a document from the Office of the Auditor General entitled *2005 Report of the Commissioner of the Environment and Sustainable Development*.

**INTERNAL ECONOMY, BUDGETS  
AND ADMINISTRATION**

TWELFTH REPORT OF COMMITTEE PRESENTED

**Hon. George J. Furey**, Chair of the Standing Committee on Internal Economy, Budgets and Administration, presented the following report:

Thursday, September 29, 2005

The Standing Committee on Internal Economy, Budgets and Administration has the honour to present its

**TWELFTH REPORT**

Your Committee has approved Supplementary Estimates (A) for the fiscal year 2005-2006 and recommends their adoption. (Appendix A)

Your Committee notes that the proposed Supplementary Estimates total \$1,449,600.

Respectfully submitted,

**GEORGE J. FUREY**  
*Chair*

(*For text of budget, see today's Journals of the Senate, Appendix A, p. 1168.*)

**The Hon. the Speaker:** Honourable senators, when shall this report be taken into consideration?

On motion of Senator Furey, with leave of the Senate and notwithstanding rule 58(1)(g), report placed on the Orders of the Day for consideration later this day.

**FOREIGN AFFAIRS**

**BUDGET AND AUTHORITY TO ENGAGE  
SERVICES—REPORT OF COMMITTEE ON STUDY OF  
INTERNATIONAL POLICY STATEMENT PRESENTED**

**Hon. Peter A. Stollery**, Chair of the Standing Senate Committee on Foreign Affairs, presented the following report:

Thursday, September 29, 2005

The Standing Senate Committee on Foreign Affairs has the honour to present its

**SEVENTH REPORT**

Your Committee, which was authorized by the Senate on Wednesday June 8, 2005, to examine the *International Policy Statement*, respectfully requests that it be empowered to engage the services of such counsel and technical, clerical and other personnel as may be necessary for the purpose of its study.

Pursuant to section 2(1)(c) of Chapter 3:06 of the *Senate Administrative Rules*, the budget submitted to the Standing Committee on Internal Economy, Budgets and Administration and the report thereon of that Committee are appended to this report.

Respectfully submitted,

**CONSIGLIO DI NINO**  
*Deputy Chair*

(*For text of budget, see today's Journals of the Senate, Appendix B, p. 1171.*)

**The Hon. the Speaker:** Honourable senators, when shall this report be taken into consideration?

On motion of Senator Stollery, report placed on the Orders of the Day for consideration at the next sitting of the Senate.

**BUDGET—REPORT OF COMMITTEE ON STUDY  
OF MATTERS RELATING TO AFRICA PRESENTED**

**Hon. Peter A. Stollery**, Chair of the Standing Senate Committee on Foreign Affairs, presented the following report:

Thursday, September 29, 2005

The Standing Senate Committee on Foreign Affairs has the honour to present its

**EIGHTH REPORT**

Your Committee, which was authorized by the Senate on Wednesday December 8, 2004, to examine and report on the development and security challenges facing Africa; the response of the international community to enhance that continent's development and political stability; Canadian foreign policy as it relates to Africa and other matters, respectfully requests the approval of supplementary funds for the fiscal year 2005-2006.

Pursuant to section 2(1)(c) of Chapter 3:06 of the *Senate Administrative Rules*, the budget submitted to the Standing Committee on Internal Economy, Budgets and Administration and the report thereon of that Committee are appended to this report.

Respectfully submitted,

**PETER A. STOLLERY**  
*Chair*

(*For text of budget, see today's Journals of the Senate, Appendix C, p. 1176.*)

**The Hon. the Speaker:** Honourable senators, when shall this report be taken into consideration?

**Senator Stollery:** Honourable senators, with leave of the Senate and notwithstanding rule 58(1)(g), I move that the report be adopted now.

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

**Hon. Terry Stratton (Deputy Leader of the Opposition):** I would like to see the report first. I will not pass judgment on a report that I have not read.

**Senator Stollery:** The report could be considered later this day.

**The Hon. the Speaker:** Honourable senators, is leave granted to put the motion of Senator Stollery that the report be taken into consideration later this day?

**Hon. Senators:** Agreed.

On motion of Senator Stollery, with leave of the Senate and notwithstanding rule 58(1)(g), report placed on the Orders of the Day for consideration later this day.

### ANTI-TERRORISM ACT

#### BUDGET— REPORT OF SPECIAL COMMITTEE PRESENTED

**Hon. Joan Fraser,** for Senator Fairbairn, Chair of the Special Senate Committee on the Anti-terrorism Act, presented the following report:

Thursday, September 29, 2005

The Special Senate Committee on the Anti-terrorism Act has the honour to present its

#### THIRD REPORT

Your Committee, which was authorized by the Senate on Monday, December 13, 2004 to undertake a comprehensive review of the provisions and operation of the *Anti-terrorism Act*, (S.C. 2001, c.41), respectfully requests the approval of supplementary funds for fiscal year 2005-2006.

Pursuant to Chapter 3:06, section 2(1)(c) of the *Senate Administrative Rules*, the budget submitted to the Standing Committee on Internal Economy, Budgets and Administration and the report thereon of that Committee are appended to this report.

Respectfully submitted,

JOYCE FAIRBAIRN  
*Chair*

(For text of budget, see today's Journals of the Senate, Appendix D, p. 1181.)

**The Hon. the Speaker:** Honourable senators, when shall this report be taken into consideration?

On motion of Senator Fraser, with leave of the Senate and notwithstanding rule 57(1)(e), report placed on the Orders of the Day for consideration later this day.

• (1400)

### HAZARDOUS MATERIALS INFORMATION REVIEW ACT

#### BILL TO AMEND—REPORT OF COMMITTEE

**Hon. Wilbert J. Keon,** Deputy Chair of the Standing Senate Committee on Social Affairs, Science and Technology, presented the following report:

Thursday, September 29, 2005

The Standing Senate Committee on Social Affairs, Science and Technology has the honour to present its

#### FOURTEENTH REPORT

Your Committee, to which was referred Bill S-40, An Act to amend the Hazardous Materials Information Review Act has, in obedience to the Order of Reference of Thursday, June 30, 2005, examined the said Bill and now reports the same without amendment.

Respectfully submitted,

WILBERT J. KEON  
*Deputy Chair*

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

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

[Translation]

### LEGAL AND CONSTITUTIONAL AFFAIRS

#### NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO STUDY 2004-05 ANNUAL REPORT OF CHIEF ELECTORAL OFFICER

**Hon. Lise Bacon:** Honourable senators, I hereby give notice that, at the next sitting of the Senate, I shall move:

That the document entitled *Annual Report of the Chief Electoral Officer of Canada 2004-2005*, tabled in the Senate on September 28, 2005, be referred to the Standing Senate Committee on Legal and Constitutional Affairs pursuant to section 75(1) of the Privacy Act.

[English]

## TREATMENT AND THERAPY FOR AUTISM

### PRESENTATION OF PETITION

**Hon. Marjory LeBreton:** Honourable senators, on behalf of a very special and focused young individual, Joshua Bortolotti, who lives in Osgoode, outside of Ottawa, and who has a beautiful young sister who is autistic, I present the following petition. He is a remarkable young man, and a new-found friend.

We, the undersigned citizens of Canada, draw to the attention of the Senate the following:

Whereas people suffering from an Autism Spectrum Disorder (ASD) are among the weakest and most vulnerable sector of Canadian society;

and whereas, in Canada the rate of children being diagnosed with ASD is high and increasing at an alarming rate (currently approximately 1 in 195);

and whereas, until the cause and cure for autism are found, people suffering from autism can benefit from the provision of Intensive Behavioural Intervention (IBI) therapy treatment based on the principles of Applied Behavioural Analysis (ABA);

and whereas, for a variety of reasons including lack of assigned resources, unconscionable waiting lists, and delegation to Ministries with little or no expertise, the provision of IBI/ABA therapy treatment to people with autism is woefully inadequate;

Therefore, your petitioners call upon Parliament

(1) to amend the Canada Health Act and corresponding Regulations to include IBI/ABA therapy for people with autism as a medically necessary treatment and require that all Provinces provide or fund this essential treatment for autism; and

(2) contribute to the creation of academic chairs at a university in each province to teach IBI/ABA treatment at the undergraduate and doctoral level so that Canadian professionals will no longer be forced to leave the country to receive academic training in this field and so that Canada will be able to develop the capacity to provide every Canadian with autism with the best IBI/ABA treatment available.

I present these two petitions on behalf of Joshua.

## ORDERS OF THE DAY

### DEPARTMENT OF FOREIGN AFFAIRS AND INTERNATIONAL TRADE ACT

#### BILL TO AMEND—SECOND READING— DEBATE ADJOURNED

**Hon. Noël A. Kinsella (Leader of the Opposition)** moved second reading of Bill S-41, to amend the Department of Foreign Affairs and International Trade Act (human rights reports).

He said: Honourable senators, I rise to speak at second reading of Bill S-41, to amend the Department of Foreign Affairs and International Trade Act, dealing with human rights reports, which requires the Minister of Foreign Affairs to lay before each House in Parliament a copy of any reports submitted by the Government of Canada to the United Nations on the progress made by Canada in implementing United Nations human rights instruments to which Canada is a signatory, as well as any responses to those reports that the Government of Canada receives from the United Nations.

Honourable senators, obviously we were pleased to hear from the Leader of the Government in the Senate when he advised the house that the government looks with favour upon this legislative initiative of Senator Losier-Cool and myself.

I will provide some background on the principle of the bill. First, the bill arises from a concern about these reports, on which our Standing Senate Committee on Human Rights has been acquiring a great deal of expertise since we established a human rights committee here in the Senate. Not only the committee members but honourable senators in general are reading those reports and the responses of the various committees and agencies at the United Nations that examine them. We are finding, however, that these reports and the United Nations responses to them are failing to capture broad attention across the country. There is little or no public awareness of the ongoing work being done in the area of implementing and complying with the terms of these human rights instruments.

• (1410)

This area of Canada's compliance with international human rights instruments is one of the best kept secrets in terms of how the federation works so well, because there is close collaboration at the officials' levels between the provinces, the territories and the federal departments that have responsibilities in this field. It is one of those good stories of how the federation works well, this international human rights compliance area.

Unfortunately, far too often the work of the United Nations, which includes the many legal instruments to which Canada is party, the various reports filed and the myriad of responses received, remain the exclusive domain of either the officials who are working in human rights, a few human rights advocates and academics. Compliance with these instruments has real ramifications for millions of Canadians. Our access to, and relationship with, these instruments, organizational bodies and complaint processes should be as open, well known and accessible as we possibly can make them.



[*Translation*]

Honourable senators, not making public the salient facts about Canada's performance or acknowledging its weaknesses is a disservice to the public. We are broadening the gap of cynicism between voters and us, as parliamentarians. Canadians know intuitively that the number of children living in poverty is increasing. They are made aware daily of the overrepresentation of Aboriginal people in our prisons. There are more and more media reports criticizing the government for detaining people on the basis of security certificates. Although there is an abundance of lengthy, complex and hard-to-obtain international reports, do they capture Canadians' attention? Honourable senators, it is our duty as parliamentarians to ensure that Canadians are aware of the remedial steps available to them and their potential role in a sustained and lively debate in a world forum. It ought to be our goal to disseminate information, and to insist that the government make that information available in a totally honest, objective and transparent manner.

The tabling of documents in Parliament is an act that is both symbolic and practical. It is symbolic of the government's belief that their content is important, worthy of attention and in the public interest. This helps create an atmosphere of openness and responsibility. Public disclosure bolsters public confidence in government institutions.

Failure to table these assessments of government policies leaves us open to charges that Parliament prefers to control and contain information. In 2004, the Association for Canadian Studies carried out a survey from which it concluded that 74 per cent of Canadians feel it is important to keep an eye on government.

Honourable senators, what could be better than a neutral third party like the United Nations to keep an eye on government? There can be no justification for not publishing these documents. Tabling reports can have nothing but favourable results, and no one opposes transparency. Refusing to table documents that are in the public interest merely contributes to the decline of a democratic tradition based on disclosure and leads to the erosion of transparency.

[*English*]

Honourable senators, the tabling of documents in Parliament also has real, practical effects. Through the process of tabling, documents recognized for their importance are highlighted and distributed to parliamentarians. Many parliamentarians may have little exposure and experience in human rights matters and, therefore, may not naturally undertake the great task of sifting and reviewing the mounds of paper produced on the topics of various governmental departments and international organizations. It is not evident on the face of reports and responses that many topics covered are of real and everyday concern to Canadians. Topics such as prisons, Aboriginal issues, military training, refugees, restructuring of the economy, violence against women, privatization of health care, social assistance programs, citizenship applications, youth, suicide, and child care have all been the subject of recommendations by the United Nations in direct response to the reports Canada has submitted.

We find no better example of the impact of the United Nations human rights system than in our newly appointed Senator Lovelace Nicholas. Alongside Senator Lovelace Nicholas, we fought a long, protracted battle to retain the rights that Aboriginal women had been deprived of in their own country. Only the United Nations was able to help remedy this situation. This example should remind us that the United Nations is not merely a depository for the esoteric, nor does it act only as a specialized body discussing the problems of Third World nations. The United Nations is an institution that has the ability to fundamentally affect the lives of Canadians at the grassroots level as well.

[*Translation*]

Honourable senators, many of these fundamental issues are seldom linked to human rights and make up instead the core of topics that government deals with on an everyday basis in its business and policies. They are the issues that concern Canadians the most and that parliamentarians have to address in their regions and ridings. Given the lack of opportunity to objectively evaluate government policy separately from partisan politics and information provided by lobbies, and the fact that the United Nations commands authority and respect, these reports and responses may be a source of clear and concise information on many topics for parliamentarians.

The tabling of these reports also has a practical impact on the type of information relayed to Canadians by the media. At present, the image Canadians have of their government's actions with respect to the rights of women and children, the elimination of racism and the increase in poverty is greatly influenced both by the government's official press releases praising its own achievements and by partisan attacks. Should the media really be expected to scrutinize every single press release to determine whether it contains information that might capture the attention of Canadians and then conduct an investigation to find out if a valid opposing position exists? Being concise, these UN reports and responses represent a third party evaluation that can be interpreted faithfully by the media, and then assimilated by the reading public. The tabling of such documents provides direct access to communications media, ensuring that the information made available to Canadians is of greater quantity and quality.

Honourable senators, I want to reiterate that the content of these responses often provides useful criticism of Canada's policies and practices coming from a credible, authoritative organization. We also learn of our successes in these responses. Oft-ignored complaints by lobbyists and political parties can gain credibility and substance when they are confirmed by the United Nations. Moreover, having our success recognized can mean that a policy is working as planned.

• (1420)

Honourable senators, I will take a few moments, if I may, to share with my colleagues certain recommendations formulated by the UN in response to Canadian reports. In 1997, for instance, the United Nations Committee on the Elimination of Discrimination Against Women criticized Canada for neglecting to present reports for analysis or evaluation. The committee insisted that, in

future, any discussion about legislative or judicial texts relating to women must be accompanied by adequate explanations of their repercussions on that group.

The UN's response also indicated its concern for the apparently disproportionate effects of the economic recovery on women, since there was no sign of improvement as far as violence toward women was concerned, teen pregnancy was on the rise, and poverty among women was worsening.

[English]

Honourable senators, a few years ago there was another example. The Committee on the Elimination of Racial Discrimination expressed concern about matters such as the incompatibility of the Indian Act with the Convention on the Elimination of Racial Discrimination, violence against Aboriginals and those of African and Asian descent, the denial of education to migrant children, and the inaccessibility of the human rights complaint process. Despite the three years that have intervened since this response, on June 6 of this year the Minister of Immigration, Joe Volpe, testified before our Standing Senate Committee on Human Rights that his department could not guarantee that migrant children were being included in the education system. His explanation was that some school boards decide unilaterally that migrant children are not their responsibility. The minister was only able to say that he "thinks" the department is making great strides and that it is not an easy process. I suggest, honourable senators, the fact that this was a problem identified more than three years ago and that it should have been tabled in Parliament. Had it been, perhaps sufficient public pressure would have been placed on the Department of Immigration to address the problem fully and finally in the last three years.

Further, honourable senators, the Office of the High Commissioner for Human Rights — the commissioner being a former member of the Supreme Court of Canada, Madam Justice Arbour — responded to Canada's report to the Committee Against Torture in 2000, where it articulated anxiety over the use of pepper spray at the APEC demonstrations, the harsh treatment of female detainees, use of undue force and involuntary sedation in asylum seekers, overrepresentation of Aboriginals in prisons, training of military personnel, and the repeated use of security certificates to attempt to deport individuals to countries where they face torture.

This last item is of particular concern. Many Senate committees, including the special Senate committee examining the anti-terrorism law, have heard government ministers defend the security certificate process by relying on the Supreme Court's decision in *Suresh* and the fact that no court in Canada has found the process unconstitutional. I remind honourable senators that in *Suresh* the Supreme Court held there may be an occasion where Canada could deport an individual to a country where he or she may face torture. Such an action would be in direct contravention of our international obligations under the Convention Against Torture and would deviate grossly from accepted international law principles that define the right to be free from torture as a "non-derogable" human right that is never subject to an

exception. This issue has been the topic of significant media coverage recently, given the increase in the use of the security certificate process since September 11, 2001. It is quite significant that the United Nations expressed apprehension over the practice more than four years ago.

Honourable senators, the UN possesses the exceptional position of being able to compare different countries and develop opinions about what are the acceptable practices a nation may employ when executing its international obligations. Such a unique position or vantage point provides credible and authoritative information that ought to be tabled before Parliament in the interests of maintaining faith in government.

Civil society cannot help but be strengthened when Canadians embrace the democratic principles of open disclosure, transparency, accountability and responsibility. The great Ghandi embodied the often quoted idiom that knowledge is power when he stated, "In a true democracy every man and woman is taught to think for him or herself."

I invite all honourable senators to enable Canadians to actively engage in their democracy by giving them access to the tools they need most in order to think for themselves, namely, information. I encourage all colleagues to support this measure as a means to that end.

On motion of Senator Losier-Cool, debate adjourned.

## INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

### TWELFTH REPORT OF COMMITTEE ADOPTED

The Senate proceeded to consideration of the twelfth report of the Standing Committee on Internal Economy, Budgets and Administration (Senate Supplementary Estimates (A), 2005-2006), presented in the Senate earlier this day.

**Hon. George J. Furey** moved the adoption of the report.

He said: Honourable senators, your committee has prepared a supplementary estimates submission of \$1,449,600. Approximately 65 per cent of this funding is directly related to the work of committees and is needed to accommodate the heavy workloads being undertaken this year. This includes funding for special studies that were not foreseen at the time the Main Estimates were prepared. This also includes additional funding for parliamentary association activities, and funding for adjustments to Senate leadership and caucus research budgets.

I requested leave to consider this report today in order for us to meet the Treasury Board timelines for finalizing the government's supplementary estimates. In order to allow us to pursue our valuable work, I ask that honourable senators support the adoption of this report.

**The Hon. the Speaker:** I see no senator rising to speak or to adjourn the debate. Are honourable senators ready for the question?

[ Senator Kinsella ]

**Hon. Senators:** Question!

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

Motion agreed to and report adopted.

## FOREIGN AFFAIRS

### BUDGET—REPORT OF COMMITTEE ON STUDY OF MATTERS RELATING TO AFRICA ADOPTED

The Senate proceeded to consideration of the eighth report of the Standing Senate Committee on Foreign Affairs (budget—release of additional funds (study on the development and security challenges facing Africa)), presented in the Senate earlier this day.

**Hon. Percy Downe** moved the adoption of the report.

**Hon. Marcel Prud'homme:** It may be interesting to see the report on which we are to vote.

**The Hon. the Speaker:** I am determining whether the report has been circulated.

**Senator Prud'homme:** It is okay. My colleagues were courteous in giving me their copies.

• (1430)

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

**Hon. Senators:** Question!

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

Motion agreed to and report adopted.

## ANTI-TERRORISM ACT

### BUDGET—REPORT OF SPECIAL COMMITTEE ADOPTED

The Senate proceeded to consideration of the third report of the Special Senate Committee on the Anti-terrorism Act (budget—release of additional funds (study on the review and the operations of the Anti-terrorism Act)), presented in the Senate earlier this day.

**Hon. Joan Fraser** moved the adoption of the report.

**The Hon. the Speaker:** Senator Fraser, if you do not wish to speak to your motion, I will see Senator Stratton.

**Senator Fraser:** I may be able to answer some of Senator Stratton's questions. This report is for a budget of \$101,840 for the Special Senate Committee on the Anti-terrorism Act to travel to London where there is vast experience in this area and where the British government is now engaged in a similar exercise to our own, revisiting its anti-terrorism legislation.

We are asking that the report be adopted today to enable us to make the necessary arrangements to travel early in November.

As honourable senators know, these things do take time to organize and, therefore, we would like to get a head start on that work.

**Hon. Terry Stratton (Deputy Leader of the Opposition):** Honourable senators, I do not question that this trip should be undertaken. However, I have a couple of questions with respect to the tour.

As honourable senators may be aware, the Standing Senate Committee on National Finance will be in London at virtually the same time. Perhaps we could save some money by having some members of the National Finance Committee serve on the Anti-terrorism Committee, thus saving a few airfares.

You have budgeted for buses for three days at \$950 a day. Will you be doing extensive travel throughout England, or will you be meeting at Westminster?

**Senator Fraser:** Much depends on whom we are able to arrange to see. We are not planning to travel outside of London, but it is cheaper to get around London by bus than by cab. The honourable senator will be familiar with prices in London these days.

In answer to the earlier point with regard to the travel of the National Finance Committee, we are hoping to persuade a hotel to give favourable rates in light of the fact that two committees will be staying there. I believe that at least one member of our committee is also a member of the National Finance Committee, so there will be some overlap.

**Senator Stratton:** Having been to London a few times, I know that if one stays in a particular hotel, one can walk to Westminster and save on buses, for which the committee is requesting \$2,850.

**Senator Fraser:** We are grateful for the knowledgeable comments of the Honourable Senator Stratton. We seek all possible ways to save money.

**The Hon. the Speaker:** No other senator rising, are honourable senators ready for the question?

**Hon. Marcel Prud'homme:** Again, I would not object.

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

**Senator Prud'homme:** It is not your job to give me a report. We have new senators here. I know about this because I read about it in another committee, but it was not in an official capacity.

In order to discuss and ask questions intelligently, one has to have a copy of the report. I have a strong reservation, but I can feel the mood of the Senate, so I will not object. I would, however, like to get a copy.

**Some Hon. Senators:** Question!

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

Motion agreed to and report adopted.

### INFORMATION COMMISSIONER

#### MOTION IN SUPPORT OF HOUSE OF COMMONS MOTION TO EXTEND TERM BY ONE YEAR— ORDER STANDS

On the Order:

Resuming debate on the motion of the Honourable Senator Andreychuk, seconded by the Honourable Senator LeBreton:

That the Senate of Canada join with the House of Commons in recommending that the term of John Reid, the Information Commissioner of Canada, be extended by an additional year effective from July 1, 2005.—(*Honourable Senator Rompkey, P.C.*)

**Hon. Terry Stratton (Deputy Leader of the Opposition):** I was wondering when the Honourable Senator Rompkey was planning to speak to this issue. It has been standing in his name for some time.

**Hon. Noël A. Kinsella (Leader of the Opposition):** He has had all summer to do the research.

**Hon. Bill Rompkey (Deputy Leader of the Government):** We are not very far along in this process. We on this side do intend to debate this motion. I would ask for consideration for more time to prepare.

**Senator Stratton:** Could the honourable senator be a little more definitive?

**Senator Rompkey:** I think I can give the assurance that when we resume, we will enter into the debate.

Order stands.

[*Translation*]

### INFLUENCE OF CULTURE

#### INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Léger calling the attention of the Senate to the importance of artistic creation to a nation's vitality and the priority the federal government should give to culture, as defined by UNESCO, in its departments and other agencies under its authority.—(*Honourable Senator Losier-Cool*)

**Hon. Rose-Marie Losier-Cool:** Honourable senators, I rise today to speak to you about the priority culture is given in our society and the importance I think it should have in Canada and in this august chamber. First, allow me to digress by reading something quite beautiful and very touching from today's edition of *Le Droit*.

I am quoting from a letter, signed by Pascal Barrette, of Ottawa, that truly illustrates the importance of appreciating and defending culture. The article is entitled "Yes, Your Excellency" — I am referring to our new Governor General, the Right Honourable Michaëlle Jean:

A woman who is moved to tears by the Plamondon-Dufresne song *Ne tuons pas la beauté du monde*; a woman who is not comfortable sitting in the centre of her chair and who invites children, including her daughter, to her installation; a woman who wraps the stiffness of protocol in the softness and beauty of singers, musicians, poets and acrobats; a woman who has O Canada played by a string quartet; a woman who feels humbled by so many honours; a woman who wants to eliminate the two solitudes and promote solidarity; a woman who is greeted by Gilles Vigneault's *C'est à ton tour* as she leaves Parliament Hill in her landau; a woman who wants to offer the world an extra dose of soul; in short, a woman who does things as they have never been done before; I bow deeply to this woman named Michaëlle Jean and say, "Yes, Your Excellency."

• (1440)

Since the Honourable Viola Léger — whose retirement has left a gap — made her speech on May 19, I have thought a great deal about all the things that constitute a culture, the importance of the arts to that culture and the enhancement of the arts and culture in our schools, families and society.

Nor can we forget the poignant remarks of the Honourable Joan Fraser on June 15 about the roles of government and the Senate in defending and promoting culture. We must not forget the passion of our former colleague, the Honorable Laurier LaPierre, for culture and the arts.

I want to review a few generally accepted observations.

[*English*]

A society is defined by its economic, political and human characteristics and evolves from its geography and history. This history comes from events initiated or shared by the society and from its customs, values and creations. These customs, values and creations make up the society's culture in the broader sense. Also contributing to this culture are the artistic creations and practices of the society.

[*Translation*]

When I say the arts, I am referring to the performing arts, including drama, dance, opera and music, as well as the plastic arts, such as painting, sculpture, architecture, engraving and so on. I want to remind the Senate of what Senator Léger said on May 19:

— the arts help balance us, awaken our souls, and allow us to breathe, to live.

Paul Émile Cormier, an Acadian compatriot, a former colleague in education and a passionate defender of literacy, told Radio-Canada Atlantique that the arts allow us to express ourselves. As for me, I am convinced that the arts are the most visible and tangible outward manifestation of a society's culture or a window into that culture, if you will. That is why we have to defend and promote the arts in Canada, so that other nations and future generations can see and understand who we are and why we are the way we are.

In Canada, promoting the arts and culture is a constant battle. Like the United States, Canada is primarily concerned with its economy and, to a lesser degree, politics. Our society often neglects the human component.

[English]

Perhaps, no thanks to some media that advocate consuming at all costs, economic success remains overrated in Canada. Too many people still believe that they will be considered to have succeeded in life only when they own lots, and preferably of the expensive kind. This resulting never-ending quest for economic success does not leave much room for the political component of our society, as witnessed by the ever-decreasing participation in the electoral and political process. It usually leaves little room, if any, for the human component of society, its culture and the arts.

[Translation]

The only way we can reverse this trend is by attaching as much importance to culture and the arts, within our society, as we do to economic success. Artistic creation and consumption have to be as natural and essential and make as much sense to us as economic success. We have to be as anxious to live in our culture as we are to live in a nice house. And for this to happen, culture and the arts have to take their proper place at each level of our social structure, starting at the grassroots. It is important that our young people feel like consuming and creating culture and art. And I am not talking about sitting in front of a television set, although that medium may play quite a useful role at times.

Our children, starting in kindergarten and all the way through elementary and secondary school, have to learn, taste and experience culture and art. It is important that our children learn how to paint, sculpt and play music and that they learn to love, want and need to paint, sculpt and play music.

[English]

We will only achieve this if schools give culture and the arts as much room on the curriculum as they do for compulsory topics and sports. My many years as a teacher have taught me that these three areas are like the legs of a stool called education. Remove or weaken any of these three legs and the stool will fall. It is, therefore, imperative that teachers, principals and school boards open up to, and fully embrace, culture and the arts.

[Translation]

I take this opportunity to draw attention to a pilot project run by the school district back home in the Acadian peninsula, which just hired cultural activities organizers to promote culture and the arts, and at the same time free up teachers to teach the core subjects. This is a project I am following with interest, as you can well imagine.

But schools must not be the only ones responsible for cultural and artistic education. Families have a part to play: parents must support the cultural and artistic activities their children start at school and practise at home, but this support must be more than mere supervision. Parents should also make their own contribution by getting actively involved in their children's cultural or artistic activities and expanding on them.

[English]

Then again, schools and families alone are not enough to ensure the promotion and healthy survival of culture and the arts. Remember what I said earlier: The interest in, and the need for, culture and the arts must be instilled at every level in our society.

Let me now turn, therefore, to the rest of the infrastructure, where families and schools reside: their communities.

[Translation]

During a recent conversation, René Cormier, Director of the Théâtre populaire d'Acadie and President of the Fédération culturelle canadienne-française, said he felt that the municipalities had an essential role to play in defending and promoting culture and the arts. According to him, municipalities must play the same role for families and society that I feel schools must play for children.

[English]

That is all about creating everywhere an environment where humans can comfortably indulge in artistic pursuits. It is all about nurturing the availability of culture and the arts — about fostering the non-economic, non-political facets of our lives.

[Translation]

Municipalities must allow families to live their culture and contribute to it, to benefit from the arts and bring their own vision to it. How? By providing such basic infrastructure as a concert hall in conjunction with an exhibition space; by starting up or subsidizing, in part or in full, unique shows there to share with other municipalities, such as a festival, an artists' tour, a play, a concert and so on; by creating an economic climate conducive to making culture flourish, through tax credits to promoters, for example.

The best example that springs to my mind is the baroque music festival in Lamèque, New Brunswick, which celebrated its thirtieth anniversary this year. The festival got its start through the local organist and local business people. Its fame now shines in Eastern Canada and even in parts of Europe. This festival represents a great cultural, artistic, economic and human success for the Acadian peninsula. I encourage you to take it in next July.

If schools played their role and if families, municipalities and communities played their roles, we would have four types of cultured people. At the very least, we would have people who are aware of culture and the arts, which would already be a major improvement over what we have today.

• (1450)

I give you as an example a great German baritone, Fischer-Diskau, now retired, who believes it is imperative that we destroy this veneer of exclusivity, snobbery and elitism that, for too many people, surrounds culture and the arts and often makes them undesirable.

The other huge advantage in having a population that is generally aware of culture and the arts would be having teachers and parents who are better able to promote and instill that culture and those arts. René Cormier shares that view, as he feels it is essential that the people involved in cultural and artistic promotion and education be as proficient as possible.

At the second stage, we will have consumers of culture and the arts, which in the short term will help ensure the survival of culture and the arts and contribute to the economic and perhaps even the political well-being of our society.

[*English*]

At the third stage, we shall have practitioners of culture and the arts: dancers, actors, musicians, painters, architects and so forth. This would ensure the mid-term survival of culture and the arts, thereby further contributing to the well-being of our society.

[*Translation*]

On the outside, the level that means so much to people like Viola Léger, René Cormier and Tommy Banks, we will get creators of culture and art, composers, playwrights, choreographers, and the like. All these people will contribute to the long-term survival of our culture, our arts and therefore our society.

Beyond schools, beyond families and beyond communities, what role do governments have to play and what role could this chamber play? The answer as far as the government is concerned is very simple: the government can do the same for municipalities, provinces and territories as municipalities do for their communities.

[*English*]

As a guiding principle, I firmly believe that the federal government should establish and fund fiscal and operational incentives that would encourage provinces and territories to develop, maintain and promote cultural and artistic endeavours. Similarly, provincial and territorial governments should operate in such a way as to fully allow municipalities to nurture culture and the arts in their midst, as I outlined earlier.

[*Translation*]

Our honourable colleague Joan Fraser said on June 15 last:

[ Senator Losier-Cool ]

The arts do not do well when governments meddle.

That is true some of the time, but I prefer to qualify that opinion and not advocate, as it were, non-interventionism. It all depends on how governments get involved. We are also politicians, and the Senate also has a role to play.

Unlike some of you, I am not an expert in political administration or public administration. But like many of you, I am learning through others.

This chamber has all the necessary expertise and a great deal of time. We regularly examine issues related to culture and the arts. However, in my view, that is not enough. I do not think we give culture and the arts the attention they deserve in our debates and other work.

[*English*]

It is said that the example must come from the top. Does this mean that the Senate should heed the call of our former colleague Viola Léger and create a committee dedicated to culture and the arts? René Cormier believes we should. According to him, and I agree with him in principle, the purpose of this new committee should be to maintain a top-level dialogue with Canada's cultural and artistic representatives, to keep cultural and artistic concerns to the fore in the political agenda, and to ensure that these concerns are adequately met in government programs.

Our honourable colleague Senator Fraser has expressed her concerns about overlaps and shortcomings in the mandate of our existing committees, and I share some of these concerns. For these reasons, I believe it may be premature to launch yet another committee that would further test our limited resources and create more overlaps with other committees.

**The Hon. the Speaker:** Senator Losier-Cool, I regret to advise that your time has expired.

**Senator Losier-Cool:** I just have one more page.

**The Hon. the Speaker:** Is leave granted?

**Hon. Senators:** Agreed.

[*Translation*]

**Senator Losier-Cool:** I still believe, however, that we have to do more to defend culture and the arts; culture and the arts must not be made to wait and suffer while we reorganize our committees. I therefore propose, as an interim measure, that arts and culture be handled exclusively by a new subcommittee of the Standing Senate Committee on Social Affairs, Science and Technology.

If this new subcommittee succeeds in taking from committees all matters related to culture and the arts, and if this new subcommittee is busy enough to justify its existence — and that is my most heartfelt hope — it will then be time to move on to the next stage.

We will then be able to consider whether it is appropriate to amend our rules to include a standing committee on culture and the arts. That would fulfil the wishes of our former colleague, the Honourable Senator Viola Léger. Honourable senators I await your reaction to these suggestions.

On motion of Senator LeBreton, for Senator Champagne, debate adjourned.

[English]

### ASSASSINATION OF LORD MOYNE AND HIS CONTRIBUTIONS TO BRITISH WEST INDIES

#### INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Cools calling the attention of the Senate to:

- (a) November 6, 2004, the sixtieth anniversary of the assassination of Walter Edward Guinness, Lord Moyne, British Minister Resident in the Middle East, whose responsibilities included Palestine, and to his accomplished and outstanding life, ended at age 64 by Jewish terrorist action in Cairo, Egypt; and
- (b) to Lord Moyne's assassins Eliahu Bet-Tsouri, age 22, and Eliahu Hakim, age 17, of the Jewish extremist Stern Gang LEHI, the Lohamei Herut Israel, translated, the Fighters for the Freedom of Israel, who on November 6, 1944 shot him point blank, inflicting mortal wounds which caused his death hours later as King Farouk's personal physicians tried to save his life; and
- (c) to the 1945 trial, conviction and death sentences of Eliahu Bet-Tsouri and Eliahu Hakim, and their execution by hanging at Cairo's Bab-al-Khalk prison on March 23, 1945; and
- (d) to the 1975 exchange of prisoners between Israel and Egypt, being the exchange of 20 Egyptians for the remains of the young assassins Bet-Tsouri and Hakim, and to their state funeral with full military honours and their reburial on Jerusalem's Mount Herzl, the Israeli cemetery reserved for heroes and eminent persons, which state funeral featured Israel's Prime Minister Rabin and Knesset Member Yitzhak Shamir, who gave the eulogy; and
- (e) to Yitzhak Shamir, born Yitzhak Yezernitsky in Russian Poland in 1915, and in 1935 emigrated to Palestine, later becoming Israel's Foreign Minister, 1980-1986, and Prime Minister 1983-1984 and 1986-1992, who as the operations chief for the Stern Gang LEHI, had ordered and planned Lord Moyne's assassination; and
- (f) to Britain's diplomatic objections to the high recognition accorded by Israel to Lord Moyne's assassins, which objection, conveyed by British Ambassador to Israel, Sir Bernard Ledwidge, stated that Britain "very much regretted that an act of terrorism should be honoured in this way," and Israel's rejection of Britain's representations, and

Israel's characterization of the terrorist assassins as "heroic freedom fighters"; and

- (g) to my recollections, as a child in Barbados, of Lord Moyne's great contribution to the British West Indies, particularly as Chair of the West India Royal Commission, 1938-39, known as the Moyne Commission and its celebrated 1945 Moyne Report, which pointed the way towards universal suffrage, representative and responsible government in the British West Indies, and also to the deep esteem accorded to Lord Moyne in the British Caribbean. —(Honourable Senator Comeau)

**Hon. Marcel Prud'homme:** With your permission, I would like to say that I have a speech prepared called "La trilogie du terrorisme au Moyen-Orient." However, in view of the hour, I would like to adjourn this motion. I know Senator Comeau will be more than happy to transfer to my name. That is what I gathered from speaking with him. I move the adjournment under my name.

On motion of Senator Prud'homme, debate adjourned.

• (1500)

### CONFERENCE BOARD OF CANADA

#### REPORT ON MAXIMIZING TALENTS OF VISIBLE MINORITIES—INQUIRY—DEBATE ADJOURNED

**Hon. Donald H. Oliver** rose pursuant to notice of June 9, 2005:

That he will call the attention of the Senate to a new report: *Business Critical: Maximizing the Talents of Visible Minorities, An Employers Guide*, and how this study by the Conference Board of Canada can lead to fundamental changes in the hiring and promotion of visible minorities in both the public and private sectors including the Senate of Canada.

He said: Honourable senators, I am pleased today to speak to the joint notice of inquiry introduced by Senator Di Nino and I on June 15, pursuant to rule 57(2) of the Senate.

At the outset, honourable senators, I wish to thank my colleague Senator Di Nino for joining me in tabling this notice of inquiry. I know it is an issue that he cares about deeply and I am delighted to speak to this inquiry with him today.

Honourable senators, the reason Senator Di Nino and I tabled this notice of inquiry is simple. Visible minorities are not fairly represented in the upper echelons of Canadian society. They are not appropriately represented in our public service. They are not fairly represented in our private sector. They are not fairly represented in our public institutions and they are not fairly represented here in the Senate of Canada.

We also wish to call the attention of the Senate to a new report recently released by the Conference Board of Canada that we believe can address the unfair representation of visible minorities in our workplace.

First, I will share briefly with honourable senators some of the facts that demonstrate what many refer to as “the changing face of Canada.” According to Statistics Canada’s *2001 Census of Population*, visible minorities comprise 13.4 per cent of Canada’s population in the year 2001. That number is five years old. At present, it is believed to be 18 per cent. By 2016, the number will rise to substantially over 20 per cent.

Already, visible minorities comprise 53 per cent or over one half of Toronto’s population. Ontario is home to 54 per cent of visible minorities in Canada. Nearly 45 per cent of the people in Vancouver are visible minorities. By the time Canada celebrates its 150 birthday in 2017, Statistics Canada predicts that British Columbia will have the largest proportion of visible minorities of any province in the country at nearly 55 per cent.

However, in Canada’s workforce, visible minorities continue to languish and remain unrepresented, particularly in positions of power and influence. According to the Public Service of Canada’s most recent employment equity report, visible minorities comprise only 7.8 per cent of our federal public service. This figure represents a 0.4 per cent increase in the last year.

Less than 5 per cent of visible minorities in the public service have been promoted to executive or middle management positions in the last year. In fact, honourable senators, the percentage of promotions for visible minorities actually declined in the years 2003-2004.

In the private sector, only 3 per cent of Canadian organizations reported having a chief executive officer who was a visible minority. The Conference Board of Canada reports that just 1.7 per cent — not even 2 per cent — of almost 900 senior executives who sit on boards and executive committees in Canada are visible minorities. In the United States, this number is estimated at 13 per cent.

When I walk down Bay Street in Toronto, or visit Purdy’s Wharf Business Centre in Halifax, I do not see a Canada that reflects our country’s cultural mosaic. What I see is a reflection of our old, white, greying establishment.

It is especially glaring in the public service here in Ottawa, and the under-representation of visible minorities is also obvious in the Senate of Canada. It is glaring in the Senate committees directorate; it is glaring in the Senate’s finance directorate; it is glaring in the parliamentary precinct services directorate; and it is also glaring in the membership of this particular upper chamber itself.

The Senate human resources directorate released its own employment equity report in September 2004. That report showed visible minorities currently comprise only 6.8 per cent of the Senate’s 425 employees. The report also showed a paltry 0.9 per cent increase in visible minority representation between the years 2000 and 2004.

However, it is in the senior and middle management positions where the Senate’s record is especially shameful. Honourable senators, according to its own employment equity report, the

number of visible minorities employed in senior and middle management positions in the Senate in the year 2000 was zero; in 2001, zero; in 2002, zero; in 2003, zero; and in 2004, the number again, honourable senators, was zero.

In the last five years, there has not been a single visible-minority candidate promoted to a senior or middle management position in the Senate, according to its own 2000-2004 employment equity report. Honourable senators, consider that. In the last five years, there has not been one visible minority, not a single Canadian of colour, in a position of power in the Senate of Canada’s administration.

So far in 2005, the Prime Minister has summoned 17 Canadians to the Senate; not one, not even one, was a visible minority. Only four of 105 Senate seats are held by members of the visible minority communities. This amounts to just 3.8 per cent of the Senate’s membership, less than one quarter of Canada’s visible minority population. By comparison, visible minorities occupy 20 of 308 seats in the other place, or 6.5 per cent.

Honourable senators, the Senate’s lack of diversity is so glaring and so problematic to the future of our institution that it heightens the desire of many Canadians to have our upper chamber abolished because it is irrelevant and unrepresentative of Canada’s cultural mosaic.

Clearly, the Senate, and indeed Canada’s entire workforce, is failing to attract, recruit and retain visible minorities effectively. Why is that? In a word, honourable senators, it is racism — systemic, well-entrenched, institutionalized racism that is leading to Canadians of colour routinely being paid less, treated worse and denied the same opportunities for advancement as other Canadians. Our government needs to make racial diversity a central policy imperative because it clearly is not now.

That is not right. It is not fair and it is not just. Equally important, it is not in the best interests of Canadians. We must turn to immigrants for our country’s future growth.

Who are visible minorities. How can they, and how do they, contribute to our country and our country’s economy? Statistics Canada’s 2001 Census of Population defines visible minorities as “persons, other than Aboriginal peoples” — I repeat, “other than Aboriginal peoples” — “who are non-Caucasian in race or non-white in colour.” They represent over 75 per cent of all new immigrants to Canada.

As a group, visible minority immigrants have a higher, not lower, level of education than Canada’s population. According to the report of the Conference Board of Canada, 69 per cent of immigrants aged 25 to 44 who arrived in our country between 2000 and 2001 reported having a university degree; only 22 per cent of the Canadian-born population of the same age group can report that. Yet, according to the conference board’s new research, only 4 in 10 immigrants were working in the same occupational field they had left.

The conference board also found that roughly 546,000 Canadians, nearly half of whom are visible minorities, earn between \$8,000 and \$12,000 less a year than their potential



because of Canada's failure to acknowledge foreign credentials and work experience. The study shows that the estimated cost to the Canadian economy of not recognizing the credentials or work experience of visible minority newcomers is almost \$3 billion. Almost \$3 billion a year is what we lose.

This is more than just an equality issue; it is an economic imperative. The prosperity of our economy will depend on our ability to attract and retain new immigrants in Canada.

Picture it this way. If the world were a village of 100 people, there would be 61 Asians, 13 Africans, 12 Europeans, 9 South Americans and just 5 North Americans. Simply put, on a global scale, visible minorities are in fact the visible majority.

Normally, when one raises the fact that visible minorities are grossly under-represented in Canada's workforce, I receive several standard answers. The first is simply denial — "Well, that cannot be the case. What you say cannot be true."

The second is that there are simply not enough competent visible minorities to fill the management positions that drive Canada's economy. This was evident when I appeared on the Dave Rutherford radio show earlier this month, when callers repeatedly asked me: "Isn't it true there just aren't any visible minorities out there who are smart enough to fill these jobs?"

The third reaction is to dispute the statistics I have just mentioned and to ask for proof. I realized, after many speeches, radio interviews and roundtables I participated in across Canada about the need to obliterate racism from our society, that many of my efforts were falling on deaf ears. I determined that in order to promote change, Canadian organizations required a business-oriented analysis that put down a compelling case for leveraging the growing diversity of our country's workforce.

• (1510)

With that gauntlet dropped, I decided that I needed objective, scientific proof that racism, discrimination and race hatred are everyday realities for visible minorities in both the public and private sectors, and even in our parliamentary institutions. I also wanted concrete proof that this discrimination is doing irreparable damage to Canada's economy.

I did that in 2003 by engaging the Conference Board of Canada in the largest and most comprehensive research project ever conducted in the history of Canada on the barriers to visible minority advancement in Canada. That report cost me more than \$500,000. I was able to raise the money in just six months. The project was completed last spring in the form of a book entitled *Business Critical: Maximizing the Talents of Visible Minorities, an Employers Guide*.

Basically, the study provides human resource managers and business professionals with the case study evidence necessary to drive diversity to the core of their organizations. *Business Critical* contains more than 100 pages of original case study research from over 20 public and private sector organizations. Seven focus groups were organized with leading visible minority professionals;

10 interviews were conducted with NGOs and executive search firms; and 69 medium- and large-sized Canadian companies participated in the study, including companies such as Ernst and Young LLP, IBM Canada Ltd., American Express and many others.

At minimum, the organizations had to have a stated commitment to diversity; be organized in the community by assessors or peers; employ diversity-sensitive recruitment; have structured managerial accountability; and have specific accommodations for cultural differences.

How are we treating our visible minority population today? According to the Conference Board report, not very well at all. Their research found as a fact that visible minorities are four times more likely to experience discrimination on the job than individuals who do not belong to a visible minority group. Visible minorities earned 11 per cent less than the Canadian average in 1991. Instead of decreasing, this gap increased to 14.5 per cent in the year 2000. If you are Black, you make even less.

Honourable senators, think of the potential; of the untapped resources that visible minorities could add to Canada's economy. Consider this statistic: in 2001, the disposable income of employed, working-age visible minorities in Canada was estimated at C\$78 billion, based on calculations of Statistics Canada in the 2001 census and Canada's average income tax rates. Visible minorities represented approximately 39 per cent of the consumer market in Vancouver, 48 per cent in Toronto and 20 per cent in Montreal. Think of the possibilities for our economy with that \$78 billion in disposable spending power!

Unquestionably, visible minorities can be hugely significant contributors to our nation's workforce, but we must break down the racist barriers that block their advancement and potential. That is why I have delivered more than 40 speeches in the past 12 months in the Senate, across Canada, in the United States and around the world about the barriers that visible minorities face in the workforce, in both the private and public sectors.

In April, for instance I travelled to Brasilia, Brazil, to speak at a landmark international conference on diversity entitled "Advancing Racial Equity: A Dialogue on Policies." I was asked by Brazilian officials to speak on how Canada's multicultural framework has functioned as an institutional model for integrating racial and ethnic minorities. My speech focussed on how Canada is a country of immigrants whose economic success is predicated on our ability to attract ethnic minorities from around the world. In Canada, racial integration is an economic necessity.

In March, an article that I authored on corporate diversity entitled *Achieving Results Through Diversity: a Strategy for Success* was published in the *Ivey Business Journal*. My article outlined how a diversity of cultures and opinions at all levels in the workplace can provide more creative solutions and improve managerial decision-making. I also underscored the urgency for companies, and CEOs especially, to take action. In June, I was invited by government officials to speak at a federal government-sponsored conference in Moncton, New Brunswick, entitled "Diversity by Design."

Honourable senators, everywhere I travel, I meet Canadians of colour who tell me the same thing: Canada's workforce does not resemble the current face of Canada and we, as parliamentarians and public policy makers, need to take the necessary steps to make it happen. Indeed, there are several public policy makers, senior bureaucrats and corporate executives who have taken action and are implementing reforms to better reflect the changing face of Canada. In my closing minutes, I wish to acknowledge three of them.

First, Ms. Maria Barrados, President, Public Service Commission of Canada, has spearheaded a new departmental initiative whereby the Public Service Commission will hold deputy heads accountable for the promotion of executive staff positions, EX-01, within the public service.

Next, Ms. Maryantonett Flumian, Deputy Minister, Service Canada, who was formerly the Associate Deputy Minister, Human Resources and Skills Development Canada. During that time, Ms. Flumian conducted a departmental employment equity staffing initiative to hire at least 10 new EX-01 candidates who were members of an Employment Equity designated group. Her department received more than 400 applications from across the public service. Under her leadership, the department was able to promote 13 Employment Equity group members to EX-01 positions. Eight of those new executives were members of a visible minority group.

Finally, honourable senators, the Clerk of the Privy Council, Alex Himelfarb, should be commended for his work to promote the advancement of visible minorities in Canada's public service. In June, Mr. Himelfarb launched a new development program at the Privy Council Office aimed at three Employment Equity designated groups. The program is aimed at candidates who have the potential to become senior executives in the public service. Deputy ministers will be directly responsible for supporting and encouraging the development of those involved in the new programs. In short, they must become mentors. The Clerk of the Privy Council also appointed Errol Mendes, currently Professor of Law, University of Ottawa, as a senior advisor to the Privy Council Office.

In conclusion, an inclusive workforce free of racism and discrimination will not simply happen; we must make it happen. Diversity will not suddenly appear; we must put it there. As Martin Luther King Jr. said:

There is nothing more dangerous than to build a society with a large segment of people in that society who feel that they have no stake in it; ...

Honourable senators, as public policy makers, we are in a unique position. The face of Canada is clearly changing; so, too, must our public and private institutions. It is our duty as parliamentarians to facilitate that change.

**Hon. Jerahmiel S. Grafstein:** Would the honourable senator take a question?

[ Senator Oliver ]

**The Hon. the Speaker:** Senator Grafstein is rising on a question, and I must remind Senator Oliver that his time has expired.

**Senator Oliver:** Honourable senators, may I have time to take a question from the honourable senator?

**The Hon. the Speaker:** Is it agreed, honourable senators?

**Hon. Senators:** Agreed.

**Senator Grafstein:** The honourable senator makes an overwhelming case for systemic discrimination within the confines of the Senate as an institution. I am not sure that we can allow those statements to go unchallenged. It is important that the Chairman of the Standing Committee on Internal Economy, Budgets and Administration, the leadership on both sides, the Speaker and the Clerk of the Senate respond to that statement with an action plan.

I am unsure to whom else the comments of the honourable senator were directed. If the facts that he laid out for the house are correct, and I have no reason to believe that they are otherwise, then that is a condemning accusation against every person in this chamber, and it must be responded to with immediate remediation. I would hope that, rather than applaud the honourable senator, the house would take action and respond within a given period of time before the end of the calendar period with an action plan to implement specific strategies and employment practices that would dissolve his words, with which I agree, "systemic racism and discrimination." I would hope that responsible senators in this chamber would respond, and I will take the adjournment to allow them an opportunity to do so.

**Senator Oliver:** Honourable senators, I thank Senator Grafstein for his question, to which I would like to respond briefly. Before presenting my remarks today, I sent an advance copy to the Chairman of the Standing Committee on Internal Economy, Budgets and Administration and to the Clerk of the Senate. I have spoken with the Speaker of the Senate on several occasions about my concerns. I spoke this morning with the Clerk of the Senate, Mr. Bélisle, who does in fact have an action plan. I said to the clerk that as soon as his action plan is in effect in the next few months it is my intention to stand up in this chamber and report to honourable senators on the success that he has had.

• (1520)

**Hon. Serge Joyal:** I thank the honourable senator for his remarks this afternoon. I would like to bring to his attention the decision of the Supreme Court of Canada last May in the *Vaid* case. Senators will remember that the driver of the former Speaker of the House of Commons alleged discrimination on the basis of race. Justice Binnie, speaking on behalf of the unanimous court, pointed out that privileges would not stand in the case of systemic discrimination. I do not have the case in front of me as I did not know that we would be debating this issue. However, I want to bring to the attention of the honourable senator the decision of the court on that very section. Maybe in a further discussion we could come back to it.

Senator Andreychuk, under Motion No. 120 on today's Order Paper, calls upon the Senate to review the issue of developing a systematic process for the application of the Charter of Rights and Freedoms as it applies to the Senate.

The issue the honourable senator raises is important in relation to Senator Andreychuk's interest. I think it is a concern shared by all senators. If we are of the opinion that something must be done to put the employees of our chamber at par with the high standards of respect for human rights that are enshrined in the Charter, we have to do that soon.

**Senator Grafstein:** I will take the adjournment, but in the interim I will consult with all the other officials that I mentioned, including the chairman of the committee, and ask that they respond publicly to the senator's inquiry.

On motion of Senator Grafstein, debate adjourned.

### SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

#### MOTION TO AUTHORIZE COMMITTEE TO STUDY PARKS CANADA HISTORIC SITES— DEBATE ADJOURNED

**Hon. Serge Joyal,** pursuant to notice of June 29, 2005, moved:

That the Standing Senate Committee on Social Affairs, Science and Technology study the following and report to the Senate within three months after the adoption of this motion:

1. The designation by the Historic Sites and Monuments Board of Canada of the Montreal residence of Louis-Hippolyte La Fontaine, Prime Minister of United Canada from 1841-42 and 1848-51, located on Overdale Street as a National Historic Monument to be purchased and managed by Parks Canada;
2. The creation of an Interpretation Centre at this La Fontaine residence for the purpose of promoting knowledge about the development of Responsible Government in Canada including the part played by Robert Baldwin, co-Prime Minister and Attorney General of Upper Canada, Joseph Howe from Nova Scotia, Charles Fisher from New Brunswick, and Lord Elgin, then Governor General of United Canada;
3. The role of Parks Canada in establishing a network of historic sites across the country to promote an understanding of our parliamentary democracy and the contributions made to this end by various Prime Ministers throughout our history.

He said: Honourable senators, I rise this afternoon on an issue that might appear strange for some senators. I rise to draw your attention to the fact that in Montreal there still exists the former residence of Louis-Hippolyte La Fontaine. The time that he was Prime Minister of Canada, from 1849 to 1851, was a crucial time in Canadian history.

Honourable senators, I am happy to speak to this motion today. Many in this chamber will realize from my presentation that they also have a concern for its subject matter.

I draw the attention of honourable senators to the fact that on the Hill beside Parliament there is a monument called the monument to La Fontaine and Baldwin. Those two co-Prime Ministers of Canada, from 1849 to 1851, played a determining role in our country. They presided over the changing of the fundamental system of government in Canada from a colonial government to what we call responsible government.

What is the responsible government concept? It is essentially the concept that the party that forms the government has the majority in the House, and that the Governor General calls upon the leader of the majority party to form the government and cannot pick or choose whomever he or she would want to have as Prime Minister of Canada.

What seems to us today to be a simple concept was the result of a long fight in Canada. In 1836-37, with William Lyon Mackenzie in Upper Canada and Louis-Joseph Papineau in Lower Canada, there were rebellions. One of the main objectives of the rebellions was to draw the power from the hands of the Governor General and to give it to the leader of the party with the majority in the house of assembly. Why? It is because the people who occupied the seats in the house of assembly had been elected. They had not been chosen from among the friends of the Governor General. That was the way that Canada was governed. The Governor General could pick and choose from his own friends and, of course, could dismiss any recommendation made by the assembly on the basis that he had an internal veto.

We changed the colonial form of government to a democratic form of government in 1849. How did that happen? It happened because of a French Canadian and an English Canadian, one from Lower Canada and the other from Upper Canada, who decided to put the assembly to a test. What did they do? One proposed that the new Speaker speak in both English and French; in other words, that he be bilingual. There was a vote and the proposal passed. When it was sent to the Governor General, he vetoed it. He refused it. He dismissed the government on that basis. It was on the selection of a bilingual Speaker that the principle of responsible government, of democratic government, was established in Canada. That happened in 1849.

The new government of La Fontaine and Baldwin adopted two specific measures that triggered a revolution among the local population. They presented in the house of assembly legislation to indemnify those who had suffered loss in the previous rebellion of 1836-37. Of course, that bill was adopted. They were a majority government, but there were many among the population who were opposed to indemnifying the victims of the rebellion. They assembled in front of Parliament, which was in Montreal at that time, and they burned down the Parliament building. Not only did they burn it down, but the mob went to La Fontaine's house and set the fire to it. They wanted to kill the Prime Minister. They

were so incensed at the idea that a majority comprising a large number of French Canadians would form the Government of Canada that they rebelled. Mr. La Fontaine escaped by the back door. He saved himself and his wife, and the mob dispersed.

Three months later, when the Prime Minister came back to his house, the same mob reappeared in front, but the police had been informed. One man was shot down and 15 were seriously wounded.

Honourable senators, this fight for responsible government, for democratic government in Canada, is a very long one that not only happened in Upper and Lower Canada but happened at the same time in Nova Scotia. In fact, most Nova Scotians know — and I see Senator Cowan here today — that Joseph Howe, a former Premier of Nova Scotia, achieved responsible government two months before La Fontaine and Baldwin achieved it.

I see senators here today from Prince Edward Island. In Prince Edward Island, it was Premier George Coles who achieved responsible government two years later, in 1851. In New Brunswick, it was Premier Charles Fisher, who achieved it in 1854. In Newfoundland, “Prime Minister” Philip Francis Little achieved responsible government in 1855. In other words, in Atlantic Canada and Central Canada at that time, the movement to have a democratic government was the key political issue of the day. The key objective of achieving democracy was that the government be formed through the representatives of the majority who succeed at being elected to the house of assembly.

• (1530)

Honourable senators, returning to the motion, 20 years ago or so, a developer bought the site of the La Fontaine residence. No one had the slightest idea that it was the residence of the first prime minister of a democratic Canada. They wanted to pull it down. A group of citizens, under Heritage Montreal, which is a pressure group that tries to save good buildings in Montreal, succeeded in convincing the City of Montreal to recognize the site as an historical site. However, since 1988, the house has been vacant. It is boarded up now, as senators can see in those photographs that I should not be holding up. I do not think the rules allow us to do that. The house was boarded up and vacated. Since then, nothing has happened. The house is still there. Occasionally squatters move in, and then the police must come and remove them.

This motion, honourable senators, is to ask the Historic Sites and Monuments Board of Canada to recognize that house as a national historic site, much as Sir George-Etienne Cartier’s house in Montreal is recognized. It has been restored and is used as an interpretive centre commemorating the first years of Confederation and the late 1860s when the Fathers of Confederation met in Charlottetown and negotiated and then met at the Quebec conference in 1864 to define the conditions of Confederation.

[*Translation*]

Honourable senators, this house is very important because it illustrates the partnership between an English Canadian and a French Canadian who for the first time expressed the idea of what

was to become the foundation of Canada. Canada is essentially founded on this partnership between two linguistic communities that originally decided to define the terms of their coexistence within a democratic government structure.

I believe that this house, which is still standing, should become one of the historical monuments in Canada that tell Canadians and future generations how our democratic government was formed, not only for Upper and Lower Canada but also for Nova Scotia, Prince Edward Island, New Brunswick and Newfoundland and Labrador, because, at that time, all of the provinces were engaged in the struggle to make the government of this country a democratic government.

The objective in protecting and preserving this house is not to decorate it or refurnish it to make it look like it might have looked when Louis-Hippolyte La Fontaine lived there, as all of Louis-Hippolyte La Fontaine’s furniture and other personal effects are gone. What is important is to use this site in the middle of Montreal, between Mackay and Bishop streets, directly across from Concordia University.

[*English*]

It is very much downtown. It is not remote. In other words, if it is transformed into an interpretive centre, it will be in the area where university students are located. It is so close to the downtown area that it will be easy to integrate it into the tourist network. It will not be a ghost monument. It will be a living monument because of its integration into the historical circuit that exists in downtown Montreal.

Honourable senators, this is a very important initiative, and I would like this motion to be referred to the Standing Senate Committee on Social Affairs, Science and Technology, perhaps to the subcommittee that Senator Losier-Cool proposed to us today to specifically deal with cultural issues.

It is important, honourable senators, that we remind Canadians that Canada is not a country that was built instantaneously. It is the result of a long evolution. Democracy does not happen by the stroke of a pen. Democracy is the result of a long process of maturation. It is a long process of fight and public debate. Every day, we are the living proof that democracy is at work. Democracy started at a point in time in our colonial history. There was a critical moment in our history where we stopped being ruled as a colony and became a democratic government. When Confederation was achieved, there was already a democratic form of government in place.

Honourable senators, I commend your interest for this proposal. In downtown Montreal, Quebecers and tourists should know that a partnership between an Upper Canadian leader, Robert Baldwin, and a French Canadian leader, Louis-Hippolyte La Fontaine, achieved a democratic government. In fact, when the two major linguistic communities of Canada at that time united, forgot about their differences and defined a common and joint objective, they were able to achieve a higher good for the community.

[ Senator Joyal ]

I sincerely ask for the support of honourable senators so that this motion will be sent to committee. My hope is that the committee will report to us that Parks Canada, which is responsible for the Historic Sites and Monuments Board, should consider the recognition of that house as a national historic monument.

**Hon. Anne C. Cools:** Honourable senators, I have been listening to Senator Joyal with some interest. He knows that I have a profound interest in the movement toward the Act of Union of 1840, which is, in essence, the substance of his proposition.

It is curious, however, that, as the honourable senator has scripted and drafted his motion, he seems to have left out a most salient individual, being Lord Durham. It is a fact that the Baldwins, both Robert Baldwin and his father, William Warren Baldwin, were able to prevail and have an influence on Lord Durham.

The honourable senator also does not bring out in his motion the successes that were gained — and they were significant and important — nor the subsequent failure of this union of Upper and Lower Canada, which failure then reopened the entire debate, and caused the impetus toward Confederation. I would have thought that the Lord Durham report was so significant — I did a paper on that many years ago — that it should have been mentioned in the text of the motion.

The thrust for responsible government came from Ontario, Upper Canada. This is something that is rarely understood. This group of individuals called themselves the Reformers, including William Lyon Mackenzie, William Warren Baldwin and Robert Baldwin.

The Family Compact was fierce with them. Much of the problem was the abuse and the excess of power by this tiny minority of people who, in the earlier days of the existence of Upper Canada, had been extremely able and extremely competent, but at the later stage, when it was time to move on and to share power, they certainly refused. I can tell my honourable friend that they were ruthless. They used their political power judicially in the courts by their friends the judges. In the courts, their friends, the judges used their judicial power politically.

• (1540)

I wonder if you intend to —

**The Hon. the Speaker:** I am sorry to interrupt, but your time has expired.

**Senator Cools:** I beg your pardon, Your Honour. This is not Question Period. I can have a debate in the form of a question because I am reciting what I think Senator Joyal is asking the Senate to do —

**The Hon. the Speaker:** Order, please.

**Senator Stratton:** You have to sit.

**Senator Cools:** — is asking the Senate —

**The Hon. the Speaker:** Senator Joyal.

**Senator Cools:** This is foolish. He has no business standing.

**The Hon. the Speaker:** I regret that the honourable senator's speaking time has expired. I am sorry, Senator Joyal.

**Senator Joyal:** May I seek the concurrence of the house so that I may have five minutes more?

**Senator Cools:** Agreed.

**Hon. Bill Rompkey (Deputy Leader of the Government):** I think we could agree on five minutes more. We do have to place some limitation on the debate, however.

**The Hon. the Speaker:** Is it agreed?

**Hon. Senators:** Agreed.

**Senator Cools:** I was asking the Honourable Senator Joyal if he had given it thought. I raised this point because, in recent times in Quebec, there has been much slight on the role of Lord Durham. That has caused me grave concern. Also, William Lyon Mackenzie was such a formidable man until he was broken by whatever forces drive people to extremes. I was wondering if there is any way that the honourable senator can amend his motion to include another clause to specifically mention these particular areas of concern.

Another issue — and I will speak to this at some point in time — was the major quarrel that the Reformers had with the Family Compact on the lack of judicial independence. As the honourable senator will know, the Baldwins were successfully able to persuade Lord Durham that judicial independence was important.

Is there any possibility of ensuring —

**Senator Rompkey:** Five minutes is going quickly.

**Senator Cools:** Well, Your Honour, I move the adjournment of the debate. The five minutes is up.

**The Hon. the Speaker:** There is some time for the honourable senator to respond.

**Senator Joyal:** I would certainly allow another question within the five minutes.

**Senator Cools:** Sure. It would suggest, and it would seem to me, honourable senators, that Senator Joyal is asking for support on this matter. It would seem to me that a bit of debate would be in order. I would love to hear the honourable senator's answer because he knows exactly what I am talking about. I think that history must reveal the proper role of these individuals.

**Hon. Joan Fraser:** Your Honour, I actually wished to speak briefly to this motion, after which, if Senator Cools wishes to take the adjournment, I would be delighted.

**The Hon. the Speaker:** I assumed the honourable senator was rising to put a question.

Senator Joyal, do you wish to comment?

**Senator Joyal:** Yes; I will then leave the floor to Senator Fraser. I still have a minute remaining.

The Honourable Senator Cools is absolutely right. It is on the basis of the Durham report that the Union Act of 1840 was adopted by Westminster. The sense of the report was to unite Lower Canada and Upper Canada into one province. That became very difficult to govern because the House of Assembly was divided, 24 MPs for Upper Canada and 24 MPs for Lower Canada. If you have a 50-50 split, and they are always in disagreement — French Canadians coming from Lower Canada and English Canadians coming from Upper Canada — that is not a government that can succeed in ruling. The ministry of that time, as the honourable senator knows, lasted two months, three months. There was a succession of ministries. It proved to be an ungovernable system. Why?

**Senator Prud'homme:** And unfair, too!

**Senator Joyal:** Because the Governor General, as the honourable senator has mentioned, was picking his legislative counsellor from the Family Compact. That drove some political leaders to say that there must be a sense of democracy. They used the British constitution to claim for themselves the same measures of democracy in Canada that existed in London at that time. They used the British system to rescue democracy in Canada at the very moment that Lord Durham was even proposing a responsible form of government. The secretary to the colony at that time hesitated to give that to Canada because there was resentment among a minority in the population.

The honourable senator is totally right. There is the context within which responsible government happened and it should be part of the interpretive centre. There is not a single Canadian historian who would want to start democracy in 1848 and not take into account the overall context.

I thank the honourable senator for her knowledge and initiative in bringing that matter back to our attention this afternoon. It will be certainly considered by the committee when we study the motion in greater depth.

**Senator Cools:** The other question I had for the honourable senator is this: Why is he choosing to ask the Senate to refer this matter to the Standing Senate Committee on Social Affairs, Science and Technology? It seems to me that the Standing Senate Committee on Legal and Constitutional Affairs would be the committee better equipped to look at the complexity of issues involved in this subject. I am curious.

**Senator Joyal:** Essentially, honourable senators, because the issues related to Parks Canada are normally sent to the Standing Senate Committee on Social Affairs, Science and Technology. As Senator Losier-Cool has mentioned this afternoon, it has a cultural impact, too. The issues related to Parks Canada and cultural affairs are normally directed to that committee. That is essentially the reason, not because there is no constitutional compact. Of course, it is the history of the constitutional evolution of Canada.

[*Translation*]

**Senator Fraser:** Honourable senators, I should like to begin by thanking you for your indulgence. I know it is late, but I wanted to speak to you briefly, as Senate business is going to keep me away for a while after today.

I would simply like to say that I enthusiastically support Senator Joyal's motion. The subject strikes me as a perfect example of issues that the Senate is able to address when no one or almost no one else wants to.

This house is an important part of the history of our country. Important though it may be, it is often easy to lose sight of the facts in some contexts.

There is no shortage of historic sites in Montreal. Unfortunately, there is never enough money to preserve everything that is worth preserving.

The events described by Senator Joyal, which surrounded the history of the residence, may not be very pleasant for some of us. For Montreal anglophones, for example, this was one of the darkest moments in our history. It was anglophones who rioted and burned La Fontaine's residence. We do not really like to be reminded of those events, and I am entitled to say that because I represent that community.

For some Quebecers who would like to leave Canada, it is not good to think that there is a monument to Canadian democracy that can be preserved. Their plan does not include creating a museum in the very heart of Montreal to recall the inspiring story of the development of democracy in Canada.

We in the Senate have a role, mandate and responsibility to study these matters and ensure that what needs to be done is done.

I therefore enthusiastically support this motion. I hope that the matter will be referred quickly to the Standing Senate Committee on Social Affairs, Science and Technology, that the report will be favourable and that the government will then be pressured to act on what I hope will be the outcome of the committee's study.

**Hon. Marcel Prud'homme:** I will take an active part in this debate in due course. However, there is still one question that I have been wondering about for 50 years. I would like to take advantage of this unique opportunity today to put the question to a great expert.

• (1550)

[*English*]

Would she be kind enough to define for me what the difference is between English and anglophone? I know who I am. I am not a francophone.

[*Translation*]

I am first and foremost a French Canadian and a francophone. I do not think there is any need to be afraid of calling things by their proper name. I often get the impression that, in some debates, — and I know that Senator Fraser, having been a most eminent editor with the Montreal *Gazette*, could perhaps help me in my public reflection. What distinction does she make? She spoke of the English and, all of a sudden, referred to anglophones. Personally, I would like to know if there is a subtle difference, because I know there is one.

[*English*]

There is no doubt you see that in speech, but can I ask kindly if she could enlighten me?

**Senator Fraser:** Briefly, senators, and because of the late hour this will be the only question I take.

I know who I am, too. My ancestors were not English, they were Scottish. They were not well treated by the English of the day, to put it mildly. If you would care to read about the Highland Clearances you will learn all about it.

**Senator Prud'homme:** Scotland used to be a French ally.

**Senator Fraser:** English-speaking Montreal, or what is sometimes called English Montreal, is a wonderfully diverse population. It includes people whose ancestors came here from England, Scotland, Ireland, Wales and dozens of other countries. They came to Montreal. They joined our community. In the case of the ones I am talking about, the official language of Canada that they chose to learn and identify with was English, but they can be Ukrainian Canadians and they can be many, many kinds of Canadians. They are not necessarily of English ancestry. Thus, we have come to refer to them as anglophones because they use the English language.

I have, somewhere in my background, about one eighth of English ancestry. All the rest were Scots, and they would not thank me for forgetting them, Senator Prud'homme.

On motion of Senator Cools, debate adjourned.

## BANKING, TRADE AND COMMERCE

### MOTION TO AUTHORIZE COMMITTEE TO MEET DURING SITTING OF THE SENATE— DEBATE ADJOURNED

**Hon. Jeremiah S. Grafstein**, pursuant to notice of September 28, 2005, moved:

That the Standing Senate Committee on Banking, Trade and Commerce be authorized to sit at 3 p.m., on Wednesday, October 19, 2005, even though the Senate may then be sitting, and that rule 95(4) be suspended in relation thereto.

He said: Honourable senators, today is a perfect example of the problems we are facing in the Banking Committee. We have a tremendous amount of information of a timely nature to present to the Canadian public and to the government. The number of sitting days is limited and our sitting time is curtailed. Therefore, I would hope that the Senate would see fit to allow us to proceed to our next study on demographics.

The Prime Minister, several weeks ago, mentioned demographics as one of the key components of a macroeconomic approach to re-engineering the future of Canada. We think it is a serious problem. We hope to cram this topic into two days of hearings. Therefore, I hope that the Senate would see fit to allow us to meet earlier on the days in order to take all the evidence in hand and put it forward in a balanced manner.

**Hon. Terry Stratton (Deputy Leader of the Opposition):** Honourable senators, when the Senate is sitting, there is an unwritten rule that we agree to allow committees to meet while the Senate is sitting, should there be a minister in attendance at the meeting; otherwise no. I have not heard anything from the honourable senator that allows that. Unless he tells us that there is a minister at three o'clock, I do not think we can do that on this side.

**Senator Grafstein:** I am asking for extraordinary consent here for a number of reasons. One of the reasons I have mentioned is that we have 22 witnesses to cram into two days of hearings. Including these witnesses, we have international witnesses coming from the World Economic Forum, from the United Nations Population Division. To get all this information forward in this extraordinary hearing — which we think is being delivered to the Senate on a cost-effective basis — we need an extra hour or two. I hope that the Senate would see fit, having in mind that we have a number of new additions to the Senate, that we would not impede the work of the chamber while we are proceeding with this important work.

**Senator Stratton:** My concern is why the honourable senator cannot extend at the other end, go later? Surely to goodness he can find a committee room that would be available that could allow the extension. Has that avenue been explored?

When is the normal sitting time for the honourable senator's committee?

**Senator Grafstein:** The sitting times for the Banking Committee are Wednesday afternoon and Thursday morning. The problem is that we are caught in a programming issue as well. We want these hearings to be not only on CPAC but to be live on the World Wide Web. The reason for that is that the implications of this hearing does not affect just Canada, it affects Canada in its relationship to its other partners within the Organization for

Economic Co-operation and Development. We think it is important that, when the Senate, on a cost-effective basis, has a hearing and invites international witnesses to attend, we not curtail their evidence, and that we not, in any way, shape or form, impede the work of this chamber.

Senator Stratton, we have tried in our committee to do something that has not been done before. We are taking long-term studies and we are trying to put them in a short time frame so we can respond with timely reports.

Many times — and this is not to be critical of any committee of the Senate — to conduct a study, it takes a prodigious amount of time to get the evidence, it takes a prodigious amount of time to get the report, and sometimes the report is not consistent with the timing of the issue.

The Prime Minister made this subject a priority in a statement two weeks ago.

**Senator LeBreton:** So the Prime Minister is running the Senate now.

**Senator Grafstein:** As far as I am concerned, that should give us a clear direction that this issue is important not only for this chamber but also for the economy as a whole.

**Senator Stratton:** I have a great deal of difficulty because we are making an exception. Once you make an exception, it becomes the rule.

**Senator Prud'homme:** Exactly!

**Senator Stratton:** How can we then deny any committee in this chamber from coming here and requesting to sit at three o'clock on a Wednesday? We cannot do that because they would be able to refer to the exception of the honourable senator and say that we did it for the Banking Committee, why not do it for their committee. That is the problem.

Second, we will at that time have 23 members on our side. We have a great deal of difficulty manning the committees and this chamber at the same time. Therefore I cannot, in good judgment, do this for those two reasons. I cannot agree to it.

The honourable senator needs to explore other alternatives, and he has two weeks to do that. I will not agree to the exception without a minister present. Otherwise, this chamber would be empty. Committees could come in here and ask to meet at any time they wanted. The honourable senator has not given a good and sufficient reason for doing that.

**Hon. Bill Rompkey (Deputy Leader of the Government):** I wonder if we might be able to stand the motion and have some time to negotiate. We will have time when we come back to deal with it, and hopefully we can work out a solution in that time.

• (1600)

**Senator Grafstein:** I appreciate the comments of both Senator Stratton and Senator Rompkey on this matter, and I hope that they will consider it. I hope that they will consult with the Conservative members of the committee, who I think will support this initiative, including the Deputy Chairman, Senator Angus.

[ Senator Grafstein ]

**Hon. Marcel Prud'homme:** Honourable senators, the official opposition does not need my help, but I will give another point of view.

We have had this debate often in the past, and I was not very popular when I said “no,” for the exact reason that Senator Stratton has well expressed.

Senator Rompkey has a motion to adjourn. We will come back that Tuesday. It will be a fait accompli; he will ask us whether we mind sitting at 3 p.m. I have strong reservations, and I maintain them. They have nothing to do with the Standing Senate Committee on Banking, Trade and Commerce. I was put on that committee by accident and I left quickly and went to the Foreign Affairs Committee. Now I wish to return to the Banking Committee. I am sure that one of our distinguished colleagues who arrived yesterday is eager to go to the Banking Committee to replace former Senator Kolber.

Having said that, we made a concession; we had a long debate; we agonized, and yesterday the Speaker rose at 4 p.m. sharp and declared the Senate adjourned.

However, I wish to advise our new colleagues that we had debated this matter for a long time. It is difficult, once you say “yes” to one, to say “no” to someone else. We had a long debate and we determined that at 4 p.m., regardless of what was happening, His Honour the Speaker would rise and say that it being 4 p.m., the Senate is adjourned. All items on the Order Paper stand in their place and we continue on the next day where we left off the previous night.

Therefore, although I know that it would not be agonizing for Senator Stratton to say “no,” without pleasure but because of the principle laid out and the precedent it would create, I will say no.

**Senator Stratton:** If Senator Rompkey would take the adjournment, perhaps we can resolve this issue in another way. I do not want to deny the work of the committee, but I cannot accept the matter as it now stands.

**The Hon. the Speaker:** It is moved by the Honourable Senator Rompkey, seconded by the Honourable Senator Losier-Cool, that further debate be adjourned to the next sitting of the Senate.

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

**Hon. Senators:** Agreed.

Motion agreed to.

## ADJOURNMENT

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

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

That when the Senate adjourns today, it do stand adjourned until Tuesday, October 18, 2005, at 2 p.m.



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

**Hon. Senators:** Agreed.

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

**Hon. Marcel Prud'homme:** Honourable senators, I could speak for hours, but I know the time is limited. I know that some are looking at the clock.

I wish to ask the leadership to impress upon the government of the day that the Senate has a job to do. I regret that we could not have found important work to do. There are many things that the House of Commons does not have time to do. Why should they look into the matter of the price of oil and gas? Why do we not ask the appropriate committee to look into that? Why should we leave it to the House of Commons to look into the conduct of Mr. Dingwall? The House of Commons does not have time to do that. I was there for 30 years and I know that they do not have time.

Perhaps the Deputy Leader of the Government and all those who claim to be the leadership should tell the Prime Minister to bring forward legislation so that we who are paid to do a job do not have to adjourn for two weeks. I hear that we will adjourn for two weeks during November as well. I am becoming more and more uncomfortable, because there are so many concrete studies that could be done in the Senate that they have no time to do in the House of Commons.

I will not object, of course, if you put the question.

**Hon. Anne C. Cools:** A few moments ago, His Honour said that it is moved by Senator Rompkey that the debate be adjourned.

**Senator Rompkey:** I sure did.

**Senator Cools:** Senator Rompkey did not make any such motion. He said earlier that the order should stand.

**Senator Stratton:** It was moved and adopted.

**Senator Cools:** I know, but he never moved it.

**Senator Stratton:** Yes, he did.

**Senator Cools:** No, he said we should stand it. That is what he said.

**The Hon. the Speaker:** I will take that as a point of inquiry.

The motion was moved by Senator Rompkey and seconded by Senator Losier-Cool. As in all other cases, I asked senators if they agreed to the motion. As no senator rose, I said it was agreed.

Are we ready for the question, honourable senators?

**Hon. Senators:** Question!

**The Hon. the Speaker:** No senator rising to speak, I will put the question.

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

**Hon. Senators:** Agreed.

Motion agreed to.

The Senate adjourned until Tuesday, October 18, 2005, at 2 p.m.

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**THE SENATE OF CANADA  
PROGRESS OF LEGISLATION**

*(indicates the status of a bill by showing the date on which each stage has been **completed**)*

**(1st Session, 38th Parliament)**

**Thursday, September 29, 2005**

*(\*Where royal assent is signified by written declaration, the Act is deemed to be assented to on the day on which the two Houses of Parliament have been notified of the declaration.)*

**GOVERNMENT BILLS  
(SENATE)**

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
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	04/10/19	04/10/26	Legal and Constitutional Affairs	04/11/25	0 observations	04/12/02	04/12/15	25/04
S-17	An Act to implement an agreement, conventions and protocols concluded between Canada and Gabon, Ireland, Armenia, Oman and Azerbaijan for the avoidance of double taxation and the prevention of fiscal evasion	04/10/28	04/11/17	Banking, Trade and Commerce	04/11/25	0	04/12/08	05/03/23*	8/05
S-18	An Act to amend the Statistics Act	04/11/02	05/02/02	Social Affairs, Science and Technology	05/03/07	0	05/04/20	05/06/29*	31/05
S-31	An Act to authorize the construction and maintenance of a bridge over the St. Lawrence River and a bridge over the Beauharnois Canal for the purpose of completing Highway 30	05/05/12	05/06/07	Transport and Communications	05/06/16	0	05/06/21		
S-33	An Act to amend the Aeronautics Act and to make consequential amendments to other Acts	05/05/16	Bill withdrawn pursuant to Speaker's Ruling 05/06/14						
S-36	An Act to amend the Export and Import of Rough Diamonds Act	05/05/19	05/06/09	Energy, the Environment and Natural Resources	05/06/16	0	05/06/20		
S-37	An Act to amend the Criminal Code and the Cultural Property Export and Import Act	05/05/19	05/06/15	Foreign Affairs	05/06/29	0	05/07/18		
S-38	An Act respecting the implementation of international trade commitments by Canada regarding spirit drinks of foreign countries	05/05/31	05/06/15	Agriculture and Forestry	05/06/23	3	05/07/18		
S-39	An Act to amend the National Defence Act, the Criminal Code, the Sex Offender Information Registration Act and the Criminal Records Act	05/06/07	05/06/15	Legal and Constitutional Affairs					

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
S-40	An Act to amend the Hazardous Materials Information Review Act	05/06/09	05/06/30	Social Affairs, Science and Technology	05/09/29	0			

**GOVERNMENT BILLS  
(HOUSE OF COMMONS)**

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
C-2	An Act to amend the Criminal Code (protection of children and other vulnerable persons) and the Canada Evidence Act	05/06/14	05/06/20	Legal and Constitutional Affairs	05/07/18	0 observations	05/07/19	05/07/20*	32/05
C-3	An Act to amend the Canada Shipping Act, the Canada Shipping Act, 2001, the Canada National Marine Conservation Areas Act and the Oceans Act	05/03/21	05/04/14	Transport and Communications	05/06/09	0 observations	05/06/22	05/06/23*	29/05
C-4	An Act to implement the Convention on International Interests in Mobile Equipment and the Protocol to the Convention on International Interests in Mobile Equipment on Matters Specific to Aircraft Equipment	04/11/16	04/12/09	Transport and Communications	05/02/15	0	05/02/22	05/02/24*	3/05
C-5	An Act to provide financial assistance for post-secondary education savings	04/12/07	04/12/08	Banking, Trade and Commerce	04/12/09	0 observations	04/12/13	04/12/15	26/04
C-6	An Act to establish the Department of Public Safety and Emergency Preparedness and to amend or repeal certain Acts	04/11/18	04/12/07	National Security and Defence	05/02/22	0	05/03/21	05/03/23*	10/05
C-7	An Act to amend the Department of Canadian Heritage Act and the Parks Canada Agency Act and to make related amendments to other Acts	04/11/30	04/12/09	Energy, the Environment and Natural Resources	05/02/10	0	05/02/16	05/02/24*	2/05
C-8	An Act to amend the Financial Administration Act, the Canada School of Public Service Act and the Official Languages Act	05/03/07	05/03/21	National Finance	05/04/14	0	05/04/19	05/04/21*	15/05
C-9	An Act to establish the Economic Development Agency of Canada for the Regions of Quebec	05/06/02	05/06/08	National Finance	05/06/16	0	05/06/21	05/06/23*	26/05
C-10	An Act to amend the Criminal Code (mental disorder) and to make consequential amendments to other Acts	05/02/08	05/02/22	Legal and Constitutional Affairs	05/05/12	0 observations	05/05/16	05/05/19*	22/05
C-12	An Act to prevent the introduction and spread of communicable diseases	05/02/10	05/03/09	Social Affairs, Science and Technology	05/04/12	2	05/04/14	05/05/13*	20/05
C-13	An Act to amend the Criminal Code, the DNA Identification Act and the National Defence Act	05/05/12	05/05/16	Legal and Constitutional Affairs	05/05/18	0	05/05/19	05/05/19*	25/05
C-14	An Act to give effect to a land claims and self-government agreement among the Tlicho, the Government of the Northwest Territories and the Government of Canada, to make related amendments to the Mackenzie Valley Resource Management Act and to make consequential amendments to other Acts	04/12/07	04/12/13	Aboriginal Peoples	05/02/10	0	05/02/10	05/02/15*	1/05

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
C-15	An Act to amend the Migratory Birds Convention Act, 1994 and the Canadian Environmental Protection Act, 1999	04/12/14	05/02/02	Energy, the Environment and Natural Resources	05/05/17	0 observations	05/05/18	05/05/19*	23/05
C-18	An Act to amend the Telefilm Canada Act and another Act	04/12/13	05/02/23	Transport and Communications	05/03/22	0 observations	05/03/23	05/03/23*	14/05
C-20	An Act to provide for real property taxation powers of first nations, to create a First Nations Tax Commission, First Nations Financial Management Board, First Nations Finance Authority and First Nations Statistical Institute and to make consequential amendments to other Acts	04/12/13	05/02/16	Aboriginal Peoples	05/03/10	0	05/03/21	05/03/23*	9/05
C-22	An Act to establish the Department of Social Development and to amend and repeal certain related Acts	05/06/09	05/06/21	Social Affairs, Science and Technology	05/07/18	0	05/07/20	05/07/20*	35/05
C-23	An Act to establish the Department of Human Resources and Skills Development and to amend and repeal certain related Acts	05/06/02	05/06/14	Social Affairs, Science and Technology	05/07/18	0	05/07/20	05/07/20*	34/05
C-24	An Act to amend the Federal-Provincial Fiscal Arrangements Act and to make consequential amendments to other Acts (fiscal equalization payments to the provinces and funding to the territories)	05/02/16	05/02/22	National Finance	05/03/08	0	05/03/09	05/03/10*	7/05
C-26	An Act to establish the Canada Border Services Agency	05/06/14	05/06/29	National Security and Defence					
C-29	An Act to amend the Patent Act	05/02/15	05/03/07	Banking, Trade and Commerce	05/04/12	2	05/04/14	05/05/05*	18/05
C-30	An Act to amend the Parliament of Canada Act and the Salaries Act and to make consequential amendments to other Acts	05/04/13	05/04/14	National Finance	05/04/21	0	05/04/21	05/04/21*	16/05
C-33	A second Act to implement certain provisions of the budget tabled in Parliament on March 23, 2004	05/03/07	05/04/20	National Finance	05/05/03	0	05/05/10	05/05/13*	19/05
C-34	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2005 ( <i>Appropriation Act No. 2, 2004-2005</i> )	04/12/13	04/12/14	—	—	—	04/12/15	04/12/15	27/04
C-35	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2005 ( <i>Appropriation Act No. 3, 2004-2005</i> )	04/12/13	04/12/14	—	—	—	04/12/15	04/12/15	28/04
C-36	An Act to change the boundaries of the Acadie—Bathurst and Miramichi electoral districts	04/12/13	05/02/01	Legal and Constitutional Affairs	05/02/22	0 observations	05/02/23	05/02/24*	6/05
C-38	An Act respecting certain aspects of legal capacity for marriage for civil purposes	05/06/29	05/07/06	Legal and Constitutional Affairs	05/07/18	0	05/07/19	05/07/20*	33/05

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
C-39	An Act to amend the Federal-Provincial Fiscal Arrangements Act and to enact An Act respecting the provision of funding for diagnostic and medical equipment	05/02/22	05/03/08	Social Affairs, Science and Technology	05/03/10	0	05/03/22	05/03/23*	11/05
C-40	An Act to amend the Canada Grain Act and the Canada Transportation Act	05/05/12	05/05/16	Agriculture and Forestry	05/05/18	0	05/05/19	05/05/19*	24/05
C-41	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2005 ( <i>Appropriation Act No. 4, 2004-2005</i> )	05/03/22	05/03/23	–	–	–	05/03/23	05/03/23*	12/05
C-42	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2006 ( <i>Appropriation Act No. 1, 2005-2006</i> )	05/03/22	05/03/23	–	–	–	05/03/23	05/03/23*	13/05
C-43	An Act to implement certain provisions of the budget tabled in Parliament on February 23, 2005	05/06/16	05/06/21	National Finance	05/06/28	0	05/06/28	05/06/29*	30/05
C-45	An Act to provide services, assistance and compensation to or in respect of Canadian Forces members and veterans and to make amendments to certain Acts	05/05/10	05/05/10	National Finance	05/05/12	0	05/05/12	05/05/13*	21/05
C-48	An Act to authorize the Minister of Finance to make certain payments	05/06/28	05/07/06	National Finance	05/07/18	0 observations	05/07/20	05/07/20*	36/05
C-56	An Act to give effect to the Labrador Inuit Land Claims Agreement and the Labrador Inuit Tax Treatment Agreement	05/06/16	05/06/20	Aboriginal Peoples	05/06/21	0	05/06/22	05/06/23*	27/05
C-58	An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2006 ( <i>Appropriation Act No. 2, 2005-2006</i> )	05/06/15	05/06/21	–	–	–	05/06/22	05/06/23*	28/05

## COMMONS PUBLIC BILLS

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
C-259	An Act to amend the Excise Tax Act (elimination of excise tax on jewellery)	05/06/16							
C-302	An Act to change the name of the electoral district of Kitchener—Wilmot—Wellesley—Woolwich	04/12/02	04/12/07	Legal and Constitutional Affairs	05/02/17	0 observations	05/02/22	05/02/24*	4/05
C-304	An Act to change the name of the electoral district of Battle River	04/12/02	04/12/07	Legal and Constitutional Affairs	05/02/17	0 observations	05/02/22	05/02/24*	5/05

**SENATE PUBLIC BILLS**

<b>No.</b>	<b>Title</b>	<b>1<sup>st</sup></b>	<b>2<sup>nd</sup></b>	<b>Committee</b>	<b>Report</b>	<b>Amend</b>	<b>3<sup>rd</sup></b>	<b>R.A.</b>	<b>Chap.</b>
S-2	An Act to amend the Citizenship Act (Sen. Kinsella)	04/10/06	04/10/20	Social Affairs, Science and Technology	04/10/28	0	04/11/02	05/05/05*	17/05
S-3	An Act to amend the Official Languages Act (promotion of English and French) (Sen. Gauthier)	04/10/06	04/10/07	Official Languages	04/10/21	0	04/10/26		
S-4	An Act to amend the Marriage (Prohibited Degrees) Act and the Interpretation Act in order to affirm the meaning of marriage (Sen. Cools)	04/10/06	Dropped from Order Paper pursuant to Rule 27(3) 05/02/22						
S-5	An Act to repeal legislation that has not come into force within ten years of receiving royal assent (Sen. Banks)	04/10/07	04/10/26	Transport and Communications (withdrawn) 04/10/28 Legal and Constitutional Affairs					
S-6	An Act to amend the Canada Transportation Act (running rights for carriage of grain) (Sen. Banks)	04/10/07							
S-7	An Act to amend the Supreme Court Act (references by Governor in Council) (Sen. Cools)	04/10/07	Dropped from Order Paper pursuant to Rule 27(3) 05/02/22						
S-8	An Act to amend the Judges Act (Sen. Cools)	04/10/07	Dropped from Order Paper pursuant to Rule 27(3) 05/06/16						
S-9	An Act to amend the Copyright Act (Sen. Day)	04/10/07	04/10/20	Social Affairs, Science and Technology					
S-11	An Act to amend the Criminal Code (lottery schemes) (Sen. Lapointe)	04/10/19	04/10/26	Legal and Constitutional Affairs	05/04/12	2 observations	05/05/17		
S-12	An Act concerning personal watercraft in navigable waters (Sen. Spivak)	04/10/19	05/06/01	Energy, the Environment and Natural Resources	05/06/29	0			
S-13	An Act to amend the Constitution Act, 1867 and the Parliament of Canada Act (Speakership of the Senate) (Sen. Oliver)	04/10/19	04/11/17	Legal and Constitutional Affairs					
S-14	An Act to protect heritage lighthouses (Sen. Forrestall)	04/10/20	04/11/02	Social Affairs, Science and Technology	05/03/21	0	05/03/23		
S-15	An Act to prevent unsolicited messages on the Internet (Sen. Oliver)	04/10/20		Subject matter 05/02/10 Transport and Communications					

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
S-16	An Act providing for the Crown's recognition of self-governing First Nations of Canada (Sen. St. Germain, P.C.)	04/10/27		Subject matter 05/02/22 Aboriginal Peoples					
S-19	An Act to amend the Criminal Code (criminal interest rate) (Sen. Plamondon)	04/11/04	04/12/07	Banking, Trade and Commerce	05/06/23	1	05/06/28		
S-20	An Act to provide for increased transparency and objectivity in the selection of suitable individuals to be named to certain high public positions (Sen. Stratton)	04/11/30		Subject matter 05/02/02 Legal and Constitutional Affairs					
S-21	An Act to amend the criminal Code (protection of children) (Sen. Hervieux-Payette, P.C.)	04/12/02	05/03/10	Legal and Constitutional Affairs					
S-22	An Act to amend the Canada Elections Act (mandatory voting) (Sen. Harb)	04/12/09							
S-23	An Act to amend the Royal Canadian Mounted Police Act (modernization of employment and labour relations) (Sen. Nolin)	05/02/01		Subject matter 05/07/18 Legal and Constitutional Affairs					
S-24	An Act to amend the Criminal Code (cruelty to animals) (Sen. Bryden)	05/02/03	05/03/10	Legal and Constitutional Affairs					
S-26	An Act to provide for a national cancer strategy (Sen. Forrestall)	05/02/16	05/06/01	Social Affairs, Science and Technology					
S-28	An Act to amend the Bankruptcy and Insolvency Act (student loan) (Sen. Moore)	05/03/23	05/06/01	Banking, Trade and Commerce					
S-29	An Act respecting a National Blood Donor Week (Sen. Mercer)	05/05/05	05/06/01	Social Affairs, Science and Technology					
S-30	An Act to amend the Bankruptcy and Insolvency Act (RRSP and RESP) (Sen. Biron)	05/05/10							
S-32	An Act to amend the Marriage (Prohibited Degrees) Act and the Interpretation Act in order to affirm the meaning of marriage (Sen. Cools)	05/05/12							
S-34	An Act to amend the Department of Justice Act and the Supreme Court Act to remove certain doubts with respect to the constitutional role of the Attorney General of Canada and to clarify the constitutional relationship between the Attorney General of Canada and Parliament (Sen. Cools)	05/05/16							
S-35	An Act to amend the State Immunity Act and the Criminal Code (terrorist activity) (Sen. Tkachuk)	05/05/18							
S-41	An Act to amend the Department of Foreign Affairs and International Trade Act (human rights reports) (Sen. Kinsella)	05/06/21							
S-42	An Act to amend the Food and Drugs Act (clean drinking water) (Sen. Grafstein)	05/07/20							

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
S-43	An Act to amend the Criminal Code (suicide bombings) (Sen. Grafstein)	05/09/28							
S-44	An Act to amend the Public Service Employment Act (Sen. Ringuette)	05/09/28							

**PRIVATE BILLS**

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
S-25	An Act to amend the Act of incorporation of The General Synod of the Anglican Church of Canada (Sen. Rompkey, P.C.)	05/02/10	05/03/23	Banking, Trade and Commerce	05/05/05	0 observations	05/05/10	05/05/19*	
S-27	An Act respecting Scouts Canada (Sen. Di Nino)	05/02/17	05/04/19	Legal and Constitutional Affairs					



## CONTENTS

Thursday, September 29, 2005

	PAGE		PAGE
<b>SENATORS' STATEMENTS</b>		<b>ORDERS OF THE DAY</b>	
<b>The Honourable Dennis Dawson</b>		<b>Department of Foreign Affairs and International Trade Act (Bill S-41)</b>	
<b>The Honourable Francis Fox</b>		Bill to Amend—Second Reading—Debate Adjourned.	
Congratulations on Appointment to the Senate.		Hon. Noël A. Kinsella . . . . . 1894	
Hon. Lucie Pépin . . . . . 1889		<b>Internal Economy, Budgets and Administration</b>	
<b>Racial Discrimination</b>		Twelfth Report of Committee Adopted.	
Strained Race Relations in Aftermath of Hurricane Katrina.		Hon. George J. Furey . . . . . 1896	
Hon. Donald H. Oliver . . . . . 1889		<b>Foreign Affairs</b>	
<b>Usher of the Black Rod</b>		Budget—Report of Committee on Study of Matters Relating to Africa Adopted.	
Congratulations on Efforts of Support for Events to Fund Cancer Research.		Hon. Percy Downe . . . . . 1897	
Hon. Jim Munson . . . . . 1890		Hon. Marcel Prud'homme . . . . . 1897	
<b>World Mental Health Day</b>		<b>Anti-terrorism Act</b>	
Hon. Ethel Cochrane . . . . . 1890		Budget—Report of Special Committee Adopted.	
<b>The Late Honourable James Jerome</b>		Hon. Joan Fraser . . . . . 1897	
Hon. Marie-P. Poulin . . . . . 1891		Hon. Terry Stratton . . . . . 1897	
<b>Finance</b>		Hon. Marcel Prud'homme . . . . . 1897	
Veracity of Budgets.		<b>Information Commissioner</b>	
Hon. Gerald J. Comeau . . . . . 1891		Motion in Support of House of Commons Motion to Extend Term by One Year—Order Stands.	
<hr/>		Hon. Terry Stratton . . . . . 1898	
<b>ROUTINE PROCEEDINGS</b>		Hon. Noël A. Kinsella . . . . . 1898	
<b>Public Accounts of Canada 2005</b>		Hon. Bill Rompkey . . . . . 1898	
Tabled.		<b>Influence of Culture</b>	
Hon. Bill Rompkey . . . . . 1891		Inquiry—Debate Continued.	
<b>Commissioner of the Environment and Sustainable Development</b>		Hon. Rose-Marie Losier-Cool . . . . . 1898	
2005 Annual Report Tabled.		<b>Assassination of Lord Moyne and His Contributions to British West Indies</b>	
Hon. Bill Rompkey . . . . . 1892		Inquiry—Debate Continued.	
<b>Internal Economy, Budgets and Administration</b>		Hon. Marcel Prud'homme . . . . . 1901	
Twelfth Report of Committee Presented.		<b>Conference Board of Canada</b>	
Hon. George J. Furey . . . . . 1892		Report on Maximizing Talents of Visible Minorities—Inquiry—Debate Adjourned.	
<b>Foreign Affairs</b>		Hon. Donald H. Oliver . . . . . 1901	
Budget and Authority to Engage Services—Report of Committee on Study of International Policy Statement Presented.		Hon. Jerahmiel S. Grafstein . . . . . 1904	
Hon. Peter A. Stollery . . . . . 1892		Hon. Serge Joyal . . . . . 1904	
Budget—Report of Committee on Study of Matters Relating to Africa Presented.		<b>Social Affairs, Science and Technology</b>	
Hon. Peter A. Stollery . . . . . 1892		Motion to Authorize Committee to Study Parks Canada Historic Sites—Debate Adjourned.	
Hon. Terry Stratton . . . . . 1893		Hon. Serge Joyal . . . . . 1905	
<b>Anti-terrorism Act</b>		Hon. Anne C. Cools . . . . . 1907	
Budget—Report of Special Committee Presented.		Hon. Bill Rompkey . . . . . 1907	
Hon. Joan Fraser . . . . . 1893		Hon. Joan Fraser . . . . . 1908	
<b>Hazardous Materials Information Review Act (Bill S-40)</b>		Hon. Marcel Prud'homme . . . . . 1908	
Bill to Amend—Report of Committee.		<b>Banking, Trade and Commerce</b>	
Hon. Wilbert J. Keon . . . . . 1893		Motion to Authorize Committee to Meet During Sitting of the Senate—Debate Adjourned.	
<b>Legal and Constitutional Affairs</b>		Hon. Jerahmiel S. Grafstein . . . . . 1909	
Notice of Motion to Authorize Committee to Study 2004-05 Annual Report of Chief Electoral Officer.		Hon. Terry Stratton . . . . . 1909	
Hon. Lise Bacon . . . . . 1893		Hon. Bill Rompkey . . . . . 1910	
<b>Treatment and Therapy for Autism</b>		Hon. Marcel Prud'homme . . . . . 1910	
Presentation of Petition.		Hon. Anne C. Cools . . . . . 1911	
Hon. Marjory LeBreton . . . . . 1894		<b>Adjournment</b>	
<hr/>		Hon. Bill Rompkey . . . . . 1910	
		Hon. Marcel Prud'homme . . . . . 1911	
		Hon. Anne C. Cools . . . . . 1911	
		<b>Progress of Legislation</b> . . . . . i	







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