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(HANSARD)

**Tuesday, April 25, 2006**



THE HONOURABLE NOËL A. KINSELLA  
SPEAKER

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## THE SENATE

Tuesday, April 25, 2006

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

[English]

Prayers.

### SENATORS' STATEMENTS

#### VICTIMS OF HOLOCAUST

##### SILENT TRIBUTE

**The Hon. the Speaker:** I would ask honourable senators to rise and observe one minute of silence in memory of the victims of the Holocaust.

*Honourable senators then stood in silent tribute.*

[Translation]

#### TRIBUTES

##### THE LATE HONOURABLE IAN SINCLAIR, O.C., Q.C.

**The Hon. the Speaker:** Honourable senators, pursuant to rule 22(10) of the *Rules of the Senate*, the Leader of the Opposition has asked that the time provided for consideration of Senators' Statements be extended today for the purpose of paying tribute to the Honourable Ian Sinclair, who passed away on April 7, 2006.

I remind senators that, pursuant to the Rules, the time provided for Senators' Statements can be extended by up to 15 minutes and that each senator will be allowed only three minutes and may speak only once.

**Hon. Daniel Hays (Leader of the Opposition):** Honourable senators, it is with sadness and fond remembrance that I pay tribute today to one of our illustrious colleagues, former Senator Ian Sinclair.

[English]

Although Senator Sinclair's term in the Senate spanned only five years, from 1983-88, he served this institution with unfailing skill and dedication throughout that time. Appointed by former Prime Minister Trudeau, Senator Sinclair brought to our chamber a wealth of experience as a lawyer, businessman and, most notably, as the former Chairman and Chief Executive Officer of Canadian Pacific Limited.

[Translation]

Born in Winnipeg and a lawyer by trade, Senator Sinclair joined the Canadian Pacific Railway in 1942. Swiftly climbing the corporate ladder thanks to his talent and energy, he advanced to Vice-President and General Counsel in 1960 and became President and Chief Executive Officer in 1969.

In the 12 years he spent at the company's helm, he used his great vision, determination and leadership to transform it from the railway it had always been into one of Canada's largest and most diversified corporations. As Chief Executive Officer, he was determined that the CPR's image, performance and size would take a back seat to no one; to that end, during his tenure, the company's assets increased from \$2 billion to over \$16 billion. Often referred to as the last of the railway titans, he was always placed on an equal footing with the giants among his predecessors, men like George Stephen, William Van Horne and Buck Crump.

• (1410)

In the Senate, he served with enthusiasm, skill and elegance, earning a reputation as a spirited debater and as an outstanding chairman of the Standing Senate Committee on Banking, Trade and Commerce.

Honourable senators, Ian Sinclair was a good friend of mine and of my family, and so it is a great honour to have this opportunity to pay my respects to him today. I can say that it was a privilege to know him and to serve with him in this institution. His departure closes a very important chapter in the history of our country. On behalf of all colleagues on this side of the chamber, and all of us, I extend our most sincere condolences to his family.

[Translation]

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** Honourable senators, unfortunately Senator Cools, who intended to offer her condolences on behalf of the honourable senators on this side of the chamber, is not here today. However, we will ask her to be here tomorrow or the day after so that she can convey our most sincere condolences.

[English]

### CANADIAN CANCER SOCIETY

#### DAFFODIL MONTH

**Hon. Michael A. Meighen:** Honourable senators, as we are all aware, April is the Canadian Cancer Society's Daffodil Month. Thousands of volunteers from coast to coast to coast have been busy selling daffodils, collecting donations and organizing events to help raise money for cancer research.

The reason behind Daffodil Month is to bring attention to a disease that has touched the lives of many Canadians. Cancer is the leading cause of premature death and will soon be the number one cause of all deaths in this country. While much has been done to fight and control the disease, cancer still affects the lives of 38 per cent of women and 44 per cent of men in Canada.

[Translation]

According to the Canadian Cancer Society, considerable progress has been made in the fight against this stubborn disease. Lower mortality rates have been noted in men who have lung cancer, colorectal cancer and prostate cancer. Overall cancer incidence in women, including breast cancer, has stabilized, and the resulting mortality rate is falling.

The Canadian Cancer Society recognizes, however, that scientists still face many challenges. For example, lung cancer continues to be the most deadly cancer in Canada, followed by colorectal cancer. Other types of cancer affecting men are on the rise, particularly melanoma, non-Hodgkin's lymphoma, and testicular cancer. In women, we are seeing an increase in the number of cases of lung cancer and melanoma.

[English]

As another Daffodil Month passes, let us recognize the important work done by volunteers and cancer researchers across this country. Progress has been made. Advances in cancer treatment and research are a direct result of the dedication of these volunteers and researchers. Although we have much to celebrate in the battle against this dreadful disease, as you can see, much more needs to be done.

The other place, on June 7, 2005, passed a motion moved by Mr. Steven Fletcher to the effect that a national strategy is needed to reduce the growing human and economic costs of cancer. The Prime Minister himself has committed this government to work with the provinces to develop a comprehensive plan for the prevention and treatment of cancer.

Honourable senators. I am pleased that this issue is receiving the attention it deserves. A national cancer strategy is necessary if we are to continue the battle against this disease that has affected and will continue to affect the lives of so many Canadians.

## ARMENIAN GENOCIDE

### NINETY-FIRST ANNIVERSARY

**Hon. A. Raynell Andreychuk:** Honourable senators, I want to stand today and acknowledge that 91 years ago the Armenian people experienced terrible suffering and loss of life. While those on the other side of the conflict also suffered, the magnitude of the tragedy for the Armenian people can be truly noted as a genocide. As Prime Minister Stephen Harper has noted, the Armenian people experienced the first genocide of the 20th century, and this fact was noted by the Senate of Canada and the House of Commons.

While we should learn from the lessons of history, we in fact have not. Genocides have continued to happen and are occurring in present-day environments. It is only by remembering the past and adhering to the new International Criminal Court that we can hope to have a more peaceful and secure world. We must remember that the new International Criminal Court seeks to ensure that no one, at any level, should look the other way or commit acts that could lead to genocide or crimes against humanity.

As we remember the Armenian genocide of 1915, we must renew our efforts for peace, democracy and the adherence of human rights to be enjoyed by all Canadians and all peoples, wherever they reside in this world.

## THE LATE LIEUTENANT BILL TURNER

**Hon. Grant Mitchell:** Honourable senators, on Saturday four Canadian soldiers were killed in a tragic roadside bomb attack in Afghanistan. They were Corporals Randy Payne, Matthew Dinning, Bombardier Myles Mansell and Lieutenant Bill Turner. I knew Lieutenant Turner. We were triathlon training partners and friends. For me, his death puts a very personal face on this war.

Bill Turner and I met in an Edmonton triathlon training club, and over the year and a half leading up to his deployment to Afghanistan, we swam, ran and rode our bicycles together many times. He was an intense, dedicated and very fit athlete. He was an eminently likeable person, enthusiastic about his life and, in particular, about the military, always supportive of his teammates, always talkative and fun to be with. If you were ever tired on a long ride, you could count on Bill to stay with you until you got back. We rode Sunday for the first time with the knowledge that he will never join our pace line again.

I have known many soldiers in my life, and I believe that Lieutenant Turner would qualify as the quintessential Canadian soldier. He was a reservist who had the courage to leave the safety of his life here and to volunteer to serve in Afghanistan. He did so without fanfare and without drawing attention to himself. He was very proud to be a Canadian, very proud to be a Canadian soldier and very proud of what he was doing in Afghanistan.

Lieutenant Turner had that unique blend of characteristics that I believe is common to the Canadian soldier. On the one hand, one had the sense that he could be a warrior if called upon to fight, and that he would do so with great courage and with little reward for himself. On the other hand, one also knew that he was a decent man with a deep kindness at his core that motivated him to face the dangers of Afghanistan expressly so that he could help make the lives of people there better.

He volunteered to be a civilian-military cooperation officer and was known to introduce himself to the many Afghans he met by saying, "Hi, my name is Bill and I am here to help." His job was to talk with villagers to find out what it was that they needed that Canada, Canadians and the Canadian military might be able to provide. He had recently ordered kites and soccer balls for the children that he encountered.

I am proud to have known Bill Turner, and I am proud that he and so many other women and men of great character have represented and continue to represent Canada in our Armed Forces in many dangerous and important places to make the world better and safer. He will be sorely missed for many Sunday rides to come.

• (1420)

### FAMILY VIOLENCE

**Hon. Sharon Carstairs:** Honourable senators, on Sunday, April 2, Francine Mailly dropped her three children off for a visit with their father, from whom she was estranged, around 1 p.m. When she returned to pick up her children later that evening, Francois Mailly shot and killed her and their three children — Jessica, age 12, Brandon, age 9, and Kevin, age 6. Mr. Mailly then set fire to their farmhouse, shed and garage, and killed himself in the ensuing flames.

In the past 15 years, we have made substantial headway in our criminal courts. In four jurisdictions in Canada, we now have courts specializing in family violence: Manitoba, Alberta, Ontario and the Yukon. We have also made substantial progress in the growth and development of services to victims and their children. Shelters, counselling programs, victims services, civil legislation, specialized courts, better child protection and better research and education have expanded across the country; yet, tragedies such as the one which befell Francine Mailly and her three children serve as stark reminders that, despite all our accomplishments, we have many challenges to face as we work to eradicate family violence.

One of these challenges is trying to increase our understanding of the dynamics of family and spousal abuse through additional research. We do not have enough recent research, but in 1999, a study indicated that one third of children who were killed were killed following parental separation. In three quarters of the post-separation homicides involving children, the only victims were the children. The perpetrators had not necessarily abused their children previously, but we still have more questions than answers.

Last Tuesday, Francine Mailly was laid to rest. It is with sadness that I rise today to pay tribute to Francine, her children Jessica, Brandon and Kevin, and all other unnamed victims of violence and abuse. On April 2, four lives were cut short well before their time. Their deaths are a tragedy and serve to remind us that there is still much about family violence that we do not understand. For the sake of these four lives, we must continue this work.

### THE RIGHT HONOURABLE BRIAN MULRONEY

#### CORPORATE KNIGHTS DINNER HONOURING GREENEST PRIME MINISTER

**Hon. Mira Spivak:** Honourable senators, those of us who had the privilege of attending Wednesday morning caucus meetings during the halcyon days of the Mulroney administration knew how smart and funny the gentleman was.

Those talents were on full display last Thursday at the Corporate Knights dinner honouring Brian Mulroney as the greenest Prime Minister. It was vintage Mulroney — the hilarious asides, the witty quips, and the very astute analysis of the environmental challenges facing Canada and the world.

It is surprising for those of us who were supporters of his government during those years to view the record of that

government some years later: the acid rain treaty; the ozone layer accord; the Montreal protocol; the establishment of all of those parks, especially including South Moresby; the beginning of a cleanup on the Great Lakes; the signing of the biodiversity treaty at the Rio conference, which the Americans supported then. All of these measures had real teeth and practical implications. As well — and I do not want to use an unparliamentary word — Brian Mulroney had the guts to force the pulp mills to regulate their emissions so as to save the fish. It cost them billions of dollars, but the fish were saved and the pulp mills are still profitable.

The convening of the first international scientific conference on climate change in 1988, which I attended as a junior senator along with Senator Joyce Fairbairn, changed my view of the world forever. I also — because Finlay MacDonald did not want to go — attended Al Gore's global conference on the environment, and, without any authority, signed everything in sight.

The speech given by the former Prime Minister last Thursday was important for many reasons, but two stand out. First, he stated clearly that the "most compelling environmental challenge facing the world today is global warming." Second, he acknowledged the urgency of addressing solutions to the problem, citing strong political leadership and political will as key ingredients. He recognized the monumental impact on the world climate of the melting of the Arctic and Antarctic ice caps and the need for development to proceed with caution in that fragile environment.

Honourable senators, the Mulroney record is truly astonishing. Hopefully, it will inspire this administration. How wise Brian Mulroney was and is, and how fitting it is that, among the many honours he has received, he should be recognized for this particular achievement. He always said that history would judge him more kindly once there was a perspective on his time in power, and, as usual, he was absolutely right.

### FARMING FINANCIAL CRISIS

**Hon. Catherine S. Callbeck:** Honourable senators, this month, thousands of farmers from across Canada came to Parliament Hill to demonstrate their concern for the crisis facing the agricultural industry in this country. They are justifiably concerned, not just about their future, but about the future of an industry and a way of life that makes a vital contribution to the health and well-being of all Canadians. Because of them, we all enjoy a safe, high quality and affordable supply of food.

The protests have continued in and around Ottawa this week, as Canadian farmers make every effort to show parliamentarians that action is needed now.

Farmers across this country have experienced major financial problems in recent years. This coming year, farm cash receipts are forecast to decline by another 16 per cent. Many in the industry have said that farm finances are in the worst shape they have been in since the days of the Great Depression, and many are wondering how, or if, they will be able to plant a crop this spring.

Farmers have pointed to a number of reasons for the current crisis in the industry. There is increased consolidation in the processing and retail sectors. Costs for inputs such as fuel and

fertilizer are rising. The value of the Canadian dollar is reducing the competitiveness of our exports. One of the major challenges facing all farmers is the high level of support provided farmers in the United States and the European Union, which does not provide our farmers with a level playing field in domestic and international markets.

Canadian farmers are among the most productive and efficient in the world, but they are facing financial difficulties beyond their control. Under the previous government, record-high support payments were provided to offset the serious declines in their incomes.

Honourable senators, the farm income crisis is not new and will not be solved quickly, but the most pressing issue right now for our Canadian producers is a shortage of cash for spring planting. They need to know now what the federal government will do. Our agriculture industry is facing desperate times, and I call on the Government of Canada to quickly make agriculture one of its priorities and indicate to Canadian producers its plan for the industry in this country.

#### AGA KHAN BUILDING AND PLANNING SERVICES, PAKISTAN

**Hon. Mobina S. B. Jaffer:** Honourable senators, it is my pleasure to announce that on March 2, 2006, an agency of the Aga Khan Development Network, the Aga Khan Planning and Building Services, Pakistan, or AKBPS, received the U.S. \$1-million Alcan Prize for Sustainability for its efforts to improve housing conditions, as well as water and sanitation facilities in Pakistan. A gala ceremony to honour the recipients was held March 2 in Vancouver.

Established in 1980, the Aga Khan Planning and Building Services, Pakistan, plans and implements infrastructure and technology-related development initiatives to improve the built environment and enhance living conditions for the most vulnerable and disadvantaged populations. The importance of its work was underscored by the devastating earthquake that hit northern Pakistan in October 2005.

Strong Canadian support has been integral to the success of this agency's work. Since 1995, CIDA and the Aga Khan Foundation Canada have assisted core programs through direct support and capacity-building assistance.

In her acceptance of the Alcan prize on behalf of AKBPS, Pakistan, Princess Zahra Aga Khan, head of the social welfare department at the secretariat of His Highness the Aga Khan, further announced that the Alcan prize will be matched by a U.S. \$1-million contribution from the Aga Khan Foundation in recognition of Canada's long-standing support for the work of AKBPS, Pakistan, and of Alcan's Canadian roots.

Princess Zahra noted the unique nature of the Alcan prize, saying that:

In contrast to many high profile awards, the Alcan Prize is explicitly not for the "Best Project of the Year" or even for "Lifetime Achievement." It is about clarity of conception,

effectiveness of implementation, and the quality of results in the present, over a period of time, and — with its focus on sustainability — into the future. It is about developing and using world class knowledge and working with local communities to choose and implement what reflects their needs and ability to sustain. The key dimensions are that interventions must be grounded in communities, must integrate social, economic and environmental elements and be undertaken with a long term perspective. All of them are explicitly part of this prize.

• (1430)

In addition, His Highness the Aga Khan will make available a further U.S. \$1 million to match additional contributions to the fund.

In closing, I would like to particularly acknowledge Alcan. By establishing a prize of this nature, Alcan demonstrates the integral, innovative contributions that the private sector can make to equitable social and economic development and poverty reduction across the globe.

[Translation]

## ROUTINE PROCEEDINGS

### THE ESTIMATES, 2006-07

#### DOCUMENTS TABLED

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** Honourable senators, pursuant to rule 28(3), I have the honour to table, in both official languages, two copies of the 2006-07 Estimates, Parts I and II, the Government Expense Plan and Main Estimates.

[English]

**Hon. Anne C. Cools:** Honourable senators, I was under the impression that I would be called to pay tribute to Senator Sinclair.

[Translation]

### GOVERNOR GENERAL SPECIAL WARRANTS, 2006-07

#### TABLED

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** Honourable senators, pursuant to rule 28(3), I have the honour to table, in both official languages, two copies of the report on the use of Governor General special warrants for the fiscal years ending March 31, 2006 and March 31, 2007.

[English]

## VISITOR IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I would like to draw your attention to the presence in the gallery of Dr. Hanan Ashrawi, member of the Palestine Legislative Council (Third Way Party).

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

**The Hon. the Speaker:** On behalf of all honourable senators, I welcome you to the Senate of Canada.

## ABORIGINAL PEOPLES

## REPORT PURSUANT TO RULE 104 TABLED

**Hon. Gerry St. Germain:** Honourable senators, pursuant to rule 104 of the *Rules of the Senate*, I have the honour to table the first report of the Standing Senate Committee on Aboriginal Peoples. This report outlines the expenses incurred by the committee during the First Session of the Thirty-eighth Parliament.

(For text of report, see today's Journals of the Senate, p. 39.)

## SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

## REPORT PURSUANT TO RULE 104 TABLED

**Hon. Michael Kirby:** Honourable senators, pursuant to rule 104 of the *Rules of the Senate*, I have the honour to table the first report of the Standing Senate Committee on Social Affairs, Science and Technology. This report outlines the expenses incurred by the committee during the First Session of the Thirty-eighth Parliament.

(For text of report, see today's Journals of the Senate, p. 40.)

[Translation]

## NATIONAL FINANCE

## REPORT PURSUANT TO RULE 104 TABLED

**Hon. Joseph A. Day:** Honourable senators, pursuant to rule 104 of the *Rules of the Senate*, I have the honour to table the first report of the Standing Senate Committee on National Finance, which outlines the expenses incurred by the committee during the First Session of the Thirty-eighth Parliament.

(For text of report, see today's Journals of the Senate, p. 41.)

[English]

RULES, PROCEDURES AND  
THE RIGHTS OF PARLIAMENT

## REPORT PURSUANT TO RULE 104 TABLED

**Hon. Consiglio Di Nino:** Honourable senators, pursuant to rule 104 of the *Rules of the Senate*, I have the honour to table the first report of the Standing Committee on Rules, Procedures and the Rights of Parliament. This report outlines the expenses incurred by the committee during the First Session of the Thirty-eighth Parliament.

(For text of report, see today's Journals of the Senate, p. 41.)

## HUMAN RIGHTS

## REPORT PURSUANT TO RULE 104 TABLED

**Hon. A. Raynell Andreychuk:** Honourable senators, pursuant to rule 104 of the *Rules of the Senate*, I have the honour to table the first report of the Standing Senate Committee on Human Rights. This report outlines the expenses incurred by the committee during the First Session of the Thirty-eighth Parliament.

(For text of report, see today's Journals of the Senate, p. 42.)

[Translation]

## OFFICIAL LANGUAGES

## REPORT PURSUANT TO RULE 104 TABLED

**Hon. Maria Chaput:** Honourable senators, pursuant to rule 104 of the *Rules of the Senate*, I have the honour to table the first report of the Standing Senate Committee on Official Languages, which outlines the expenses incurred by the committee during the First Session of the Thirty-eighth Parliament.

(For text of report, see today's Journals of the Senate, p. 43.)

## THE SENATE

NOTICE OF MOTION TO STRIKE SPECIAL  
COMMITTEE ON ANTI-TERRORISM ACT

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That a Special Committee of the Senate be appointed to undertake a comprehensive review of the provisions and operation of the *Anti-terrorism Act*, (S.C. 2001, c.41) pursuant to Section 145 of the said Act;

That, notwithstanding rule 85(1)(b), the special committee comprise nine members namely the Honourable Senators Kinsella, Andreychuk, Nolin, Day, Fairbairn, Fraser, Jaffer, Smith and Joyal and that four members constitute a quorum;



That the committee have power to send for persons, papers and records, to examine witnesses, to report from time to time and to print such papers and evidence from day to day as may be ordered by the committee;

That, notwithstanding rule 92(1), the committee be empowered to hold occasional meetings in camera for the purpose of hearing witnesses and gathering specialized or sensitive information;

That the committee be authorized to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings;

That the committee submit its final report no later than June 23, 2006, and that the committee retain all powers necessary to publicize its findings until September 29, 2006; and

That the committee be permitted, notwithstanding usual practices, to deposit its report with the Clerk of the Senate, if the Senate is not then sitting, and that any report so deposited be deemed to have been tabled in the Chamber.

#### SPEECH FROM THE THRONE

##### ADDRESS IN REPLY—TERMINATION OF DEBATE ON EIGHTH SITTING DAY—NOTICE OF MOTION

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** Honourable senators, I give notice that, at the next sitting of the Senate, I will move the following:

That the proceedings on the Order of the Day for resuming the debate on the motion for the Address in reply to Her Excellency the Governor General's Speech from the Throne addressed to both Houses of Parliament be concluded on the eighth sitting day on which the order is debated.

[English]

#### NATIONAL SECURITY AND DEFENCE

##### REPORT PURSUANT TO RULE 104 TABLED

Leave having been given to revert to Reports from Standing or Special Committees:

**Hon. Colin Kenny:** Honourable senators, pursuant to rule 104 of the *Rules of the Senate*, I have the honour to table the first report of the Standing Senate Committee on National Security and Defence. This report outlines the expenses incurred by the committee during the First Session of the Thirty-eighth Parliament.

(For text of report, see today's Journals of the Senate, p. 44.)

[Translation]

#### HAZARDOUS MATERIALS INFORMATION REVIEW ACT

##### BILL TO AMEND—FIRST READING

**Hon. Gerald J. Comeau (Deputy Leader of the Government)** presented Bill S-2, to amend the Hazardous Materials Information Review Act.

Bill read first time.

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

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

#### NATIONAL DEFENCE ACT THE CRIMINAL CODE SEX OFFENDER INFORMATION REGISTRATION ACT CRIMINAL RECORDS ACT

##### BILL TO AMEND—FIRST READING

**Hon. Gerald J. Comeau (Deputy Leader of the Government)** presented Bill S-3, to amend the National Defence Act, the Criminal Code, the Sex Offender Information Registration Act and the Criminal Records Act.

Bill read first time.

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

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

• (1440)

[English]

#### PERSONAL WATERCRAFT BILL

##### FIRST READING

**Hon. Mira Spivak** presented Bill S-209, concerning personal watercraft in navigable waters.

Bill read first time.

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

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

## NATIONAL CAPITAL ACT

### BILL TO AMEND—FIRST READING

**Hon. Mira Spivak** presented Bill S-210, to amend the National Capital Act (establishment and protection of Gatineau Park).

Bill read first time.

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

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

[Translation]

## CRIMINAL CODE

### BILL TO AMEND—FIRST READING

**Hon. Jean Lapointe** presented Bill S-211, to amend the Criminal Code (lottery schemes).

Bill read first time.

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

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

[English]

## CANADA-AFRICA PARLIAMENTARY ASSOCIATION

### SEMINAR ON AFRICA—OCTOBER 12-22, 2005— REPORT TABLED

**Hon. A. Raynell Andreychuk:** Honourable senators, pursuant to rule 23(6), I have the honour to table, in both official languages, the report of the Canadian delegation to the parliamentary seminar on Africa entitled “*Partnership Beyond 2005: The Role of Parliamentarians in Implementing the New Partnership for Africa’s Development (NEPAD) Commitments*”, held in London, United Kingdom, from October 12 to 22, 2005.

## SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

### NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO ENGAGE SERVICES

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

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

### NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO PERMIT ELECTRONIC COVERAGE

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

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

## NATIONAL SECURITY AND DEFENCE

### NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO ENGAGE SERVICES

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

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

### NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO PERMIT ELECTRONIC COVERAGE

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

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

### NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO CONTINUE STUDY ON NATIONAL SECURITY POLICY

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

That the Standing Senate Committee on National Security and Defence be authorized to examine and report on the national security policy of Canada. In particular, the Committee shall be authorized to examine:

- (a) the capability of the Department of National Defence to defend and protect the interests, people and territory of Canada and its ability to respond to and prevent a national emergency or attack, and the capability of the Department of Public Safety and Emergency Preparedness to carry out its mandate;
- (b) the working relationships between the various agencies involved in intelligence gathering, and how they collect, coordinate, analyze and disseminate information and how these functions might be enhanced;

(c) the mechanisms to review the performance and activities of the various agencies involved in intelligence gathering; and

(d) the security of our borders and critical infrastructure.

That the papers and evidence received and taken during the Thirty-seventh and Thirty-eighth Parliaments be referred to the Committee; and

That the Committee report to the Senate no later than March 31, 2007 and that the Committee retain all powers necessary to publicize the findings of the Committee until May 31, 2007.

### HUMAN RIGHTS

#### NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO PERMIT ELECTRONIC COVERAGE

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

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

#### NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO ENGAGE SERVICES

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

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

#### NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO CONTINUE STUDY ON ISSUES RELATED TO NATIONAL AND INTERNATIONAL HUMAN RIGHTS OBLIGATIONS

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

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

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

That the Committee submit its final report to the Senate no later than March 31, 2007, and that the Committee retain until May 31, 2007 all powers necessary to publicize its findings.

• (1450)

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

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

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

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

That the Committee continue to monitor developments on the subject and submit a final report to the Senate no later than March 31, 2007.

#### NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO CONTINUE STUDY ON CASES OF ALLEGED DISCRIMINATION IN HIRING AND PROMOTION PRACTICES AND EMPLOYMENT EQUITY FOR MINORITY GROUPS IN FEDERAL PUBLIC SERVICE

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

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

That the papers and evidence received and taken on the subject during the Thirty-eighth Parliament be referred to the Committee; and

That the Committee continue to monitor developments on the subject and submit a final report to the Senate no later than March 31, 2007.

NOTICE OF MOTION TO AUTHORIZE COMMITTEE  
TO STUDY INTERNATIONAL OBLIGATIONS  
REGARDING CHILDREN'S RIGHTS AND FREEDOMS

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

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

In particular, the Committee shall be authorized to examine:

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

That the papers and evidence received and taken on the subject during the Thirty-eighth Parliament be referred to the Committee; and

That the Committee present its final report to the Senate no later than December 31, 2006 and that the Committee retain until March 31, 2007 all powers necessary to publicize its findings.

[Translation]

**OFFICIAL LANGUAGES**

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

**Hon. Maria Chaput:** Honourable senators, I give notice that, at the next sitting of the Senate, I shall move:

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

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

That papers and evidence received and taken during the Thirty-eighth Parliament be referred to the Committee; and

That the Committee report from time to time to the Senate but no later than June 30, 2007.

NOTICE OF MOTION TO AUTHORIZE  
COMMITTEE TO ENGAGE SERVICES

**Hon. Maria Chaput:** Honourable senators, I give notice that, at the next sitting of the Senate, I shall move:

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

NOTICE OF MOTION TO AUTHORIZE COMMITTEE  
TO PERMIT ELECTRONIC COVERAGE

**Hon. Maria Chaput:** Honourable senators, I give notice that, at the next sitting of the Senate, I shall move:

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

[English]

**ABORIGINAL PEOPLES**

NOTICE OF MOTION TO AUTHORIZE  
COMMITTEE TO ENGAGE SERVICES

**Hon. Gerry St. Germain:** Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

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

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO  
PERMIT ELECTRONIC COVERAGE

**Hon. Gerry St. Germain:** Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

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

**RULES, PROCEDURES AND  
THE RIGHTS OF PARLIAMENT**

NOTICE OF MOTION TO AUTHORIZE  
COMMITTEE TO ENGAGE SERVICES

**Hon. Consiglio Di Nino:** Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Committee on Rules, Procedures and the Rights of Parliament have power to engage the services of such counsel and technical, clerical, and other personnel

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

#### NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO PERMIT ELECTRONIC COVERAGE

**Hon. Consiglio Di Nino:** Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

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

[Translation]

### NATIONAL FINANCE

#### NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO ENGAGE SERVICES

**Hon. Joseph A. Day:** Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

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

#### NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO PERMIT ELECTRONIC COVERAGE

**Hon. Joseph A. Day:** Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

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

[English]

## QUESTION PERIOD

### PARLIAMENT

#### FLYING OF PEACE TOWER FLAG AT HALF MAST IN HONOUR OF SOLDIERS WHO DIE IN WAR

**Hon. Joseph A. Day:** Honourable senators, my question is for the Leader of the Government in the Senate.

As I arrived on Parliament Hill this morning, passing the Eternal Flame, my heart was still heavy with the news of the death of the four Canadian soldiers in Kandahar. In looking up at the Peace Tower, I saw that the Canadian flag was not flying at half mast.

Can the Leader of the Government in the Senate tell us why this Parliament and the Government of Canada is not showing respect for the families of those fallen soldiers by flying the flag on the Peace Tower at half mast?

**Hon. Marjory LeBreton (Leader of the Government):** I thank the honourable senator for his question.

I do not think there is a person in this place, in the other place or, indeed, in the country that was not horrifically shocked at the terrible news of the death of four young Canadian soldiers in Afghanistan last week.

As a matter of fact, I personally know the mother of one of the soldiers who was killed, Matthew Dinning. His mother is the chair of the Mothers Against Drunk Driving Huron/Bruce Chapter. I saw her a couple of weeks ago at a MADD meeting, and she very proudly told me about her son serving in Afghanistan.

The Canadian flag is held high in the esteem of everyone, including the soldiers in Afghanistan. The decision to honour all of our war dead follows protocol and tradition, which is a long tradition in this country, to remember them all on Remembrance Day, November 11.

As a matter of fact, the policy that the minister and the Department of National Defence are following is one that was brought in last November by the former Minister of National Defence, the Honourable Bill Graham.

• (1500)

**Senator Day:** Honourable senators, I understand the honourable leader is talking about the older protocol. That is the same protocol that would provide for the flag to fly at half staff over the Peace Tower when I die. However, it cannot and it does not recognize such a serious situation as has just occurred in Kandahar, Afghanistan. I understand as well that the last two Prime Ministers changed the custom and created a new custom to provide recognition for such terrible losses, by flying the flag at half staff on the Peace Tower.

I should like the Leader of the Government in the Senate to inform us who made the decision to change the custom of the last two Prime Ministers and why it was decided to revert to the older protocol.

**Senator LeBreton:** Honourable senators, I answered that question in my last answer. Last November, a young soldier died in Afghanistan and the flag was not moved to half staff. That decision was made by the previous government and by the previous Minister of National Defence, the Honourable Bill Graham.

## AGRICULTURE AND AGRI-FOOD

### FARM INCOME CRISIS AND DISASTER RELIEF— CANADIAN AGRICULTURAL INCOME STABILIZATION PROGRAM

**Hon. Daniel Hays (Leader of the Opposition):** Honourable senators, when we were here on April 6, the farmers of this area were demonstrating in force on the front lawn of the Parliament buildings, drawing the attention of the government and in fact everyone to the precarious state of the agricultural sector.

When we returned yesterday to Ottawa, some of us saw, once again, agricultural producers with their machinery — their iron, as we would say — near the Hill, making the same point that they did on the first sitting week of this Parliament and drawing attention, by way of protest and according to their signs and their words, to the lack of action by the government in addressing their concerns.

My question to the Leader of the Government concerns the disappointment and confusion concerning the statements the government has made regarding the agricultural sector. As I mentioned when I rose on April 6, when the Prime Minister was campaigning in December of last year in Chatham, he stated that a new Conservative government would scrap the Canadian Agricultural Income Stabilization Plan, CAIS, and introduce a simpler and more responsive program.

When I asked the leader about this, she confirmed that CAIS would be replaced. However, at a meeting of federal, provincial and territorial agricultural ministers in British Columbia, there was an apparent agreement to transform the CAIS rather than replace it. That was the view of the provincial and territorial representatives who met Minister Strahl. When the federal Minister of Agriculture returned to the language of abolishing the CAIS program after that meeting, the provincial and territorial ministers were critical, to say the least. The Saskatchewan Minister of Agriculture, Mark Wartman, said that he needs to be able to count on the fact that when he leaves a meeting and has an agreement, that the agreement is real. Leona Dombrowsky, the Ontario Minister of Agriculture, said, "I think the minister's comments are irresponsible. It sounds like a flip-flop to me." On April 6, Minister Horner of Alberta, in a press release speaking on behalf of the provincial agricultural minister, said "Ministers expressed concern that the federal government is unilaterally calling for the replacement of the nation-wide risk management program when all parties at the federal-provincial-territorial meeting held only weeks ago agreed to work together to transform the program." That was the unanimous view of the provincial and territorial agricultural ministers on the CAIS.

Did the Prime Minister know or have any idea of what the wishes of the provinces were when he promised to eliminate the CAIS? In view of the unanimous decision by the provinces and territories, does the minister stand by the answer of April 5 that the program will be replaced?

**Hon. Marjory LeBreton (Leader of the Government):** Honourable senators, I thank the Leader of the Opposition for that question.

I listened carefully to Senator Callbeck when she said that "this whole issue is not to be solved quickly." Truer words were never spoken. It is true that the farm group has been out on the lawns and other places in Ottawa. The Minister of Agriculture has met with all of the ministers of agriculture. The honourable senator quoted different things that different ministers have said. I read an article the other day about farmers saying that they appreciated the efforts of Minister Strahl and that he is seized of their problems. It is a complex problem, as we know.

At this moment, I can only say that the Minister of Agriculture is very much seized of this very serious problem. These matters have not developed since January 23. I am hopeful that the Minister of Agriculture will come up with solid initiatives for farmers within the next short while.

**Senator Hays:** Honourable senators, I take it that it is not clear whether or not the CAIS program will survive. That is not a satisfactory situation for many producers. They would like to know what programs are available to them at this time of stress. I would urge the minister to try to determine, if she possibly can at the earliest possible date, what the position is with respect to CAIS. This subject will come up again, but that will be the sentiment of further questions she will receive as time goes on.

By way of supplementary question, the producers are facing a serious situation now. Senator Fairbairn asked a question in this regard and the Leader of the Government in the Senate gave a hopeful answer when we met at the first sitting of the Thirty-ninth Parliament. This is a matter that will not go away. Senator Callbeck is right; a resolution will take time. However, certain things have to be done in an ad hoc fashion and very quickly. Many of us, from both sides of the chamber, attended a breakfast this morning hosted by the Ontario Federation of Agriculture at which industry representatives were present. To highlight the seriousness of the situation, we were told that the fiscal years from 2003 to 2006, 2006 being anticipated, are the four most financially stressful years in terms of net farm income that have been experienced in Canadian agricultural history.

My supplementary question relates to a precedent that was set by the Conservative government headed by Brian Mulroney, whom we applauded a moment ago for his environmental contribution, when they were faced with a similar situation in the agricultural sector in the mid-1980s. At that time the government established an ad hoc program called the Special Canadian Grains Program. In 1987, the government made a \$966 million transfer to producers to address an urgent situation and did it in a timely way. In 1988, a further \$1 billion and \$65 million in ad hoc payments were transferred to producers in terms of dealing with a stress situation that is the same as the one today and, perhaps, not as bad as it was then. Is the government considering a similar program at the present time to assist agricultural producers?

**Senator LeBreton:** In order that honourable senators are aware, as of April 20, 2006, \$466 million has been paid to producers and \$39 million has been transferred to the Province of Quebec for Quebec producers.

In addition, during the election campaign, the Prime Minister committed to increasing federal investment in agriculture by \$500 million annually. I can say quite definitively that the government intends to follow through on that commitment.

• (1510)

**Senator Hays:** I have a final supplementary question, which is more a comment than a question. The payments that the minister refers to are welcome and much appreciated. However, they do not address the magnitude of the problem in the same way that programs have in the past, and I cited one. It seems the government underestimated the gravity of the situation facing Canadian agriculture during the election in terms of the usefulness of the CAIS program. As we know, the CAIS program is not necessarily a universally popular program and more is needed.

I could leave the question with the minister to transfer to her colleagues, to Minister Strahl in particular. This is a matter that needs immediate attention and this spring is the deadline.

**Senator LeBreton:** The honourable senator said he was making a comment, so I will comment also. I do not think anyone on this side underestimates the gravity of the situation facing the agricultural community. Minister Strahl has been meeting with agricultural producers and ministers for the last two and a half to three months and there is no one that is more committed to finding a long-term solution.

**Senator Mercer:** There is no action from this government. Farmers are going broke.

**Senator LeBreton:** The Canadian public actually voted to put an end to this overblown rhetoric and shouting. With due respect, we do respect the farmer. We do not underestimate the challenge they face and I can assure the honourable senator that the government is very much aware of the situation and is working very hard to resolve it and to find some long-term solutions.

**Senator Mercer:** If there is anything left of the industry.

#### FARM INCOME CRISIS AND DISASTER RELIEF— PROGRAM TO SUPPORT ALTERNATIVE CROPS

**Hon. Gerry St. Germain:** Honourable senators, I have spoken to Minister Strahl, as many others may have done. Senator Gustafson and I have been on the ground in Saskatchewan, trying to establish the gravity of the situation, which we understand because we happen to be in agriculture.

The Leader of the Opposition pointed out that the years from 2003 to 2006 have been the worst years for our farmers. Can the Leader of the Government in the Senate indicate why a program has not been put in or alternate crops suggested? The farmers have been asking why there has not been a transition to canola and other products for ethanol and biodiesel. Could the Leader of the Government tell the Senate what proposals the government has? This is the solution and it should have been done three years ago.

**Hon. Marjory LeBreton (Leader of the Government):** I thank Senator St. Germain for his question. The question of diversity of crops, transferring over to other crops is a question that is receiving a significant amount of attention from Minister Strahl and others. I will be happy to take the question as notice and reply at a later date.

#### NATIONAL CHILD CARE

##### PROPOSED GOVERNMENT PROGRAM

**Hon. Sharon Carstairs:** My question is to the Leader of the Government in the Senate. I believe the government may call their \$1,200 taxpayer payment to parents of children under the age of six many things, but they cannot call it child care because it will not make a dent in the cost of quality child care anywhere in this country.

My question is why is the government using this vehicle? There are four reasons why I want to know the answer. First, the \$1,200 is not tax deductible, so it will not result in a \$1,200 payment. Second, many of the provinces have not agreed not to claw back this money from welfare recipients, the poorest of the poor, so they will lose more of this \$1,200. Third, those living in social housing will lose an additional part of the \$1,200. In my province that can be as much as \$275. Fourth, many families will suffer a reduction in their national child tax benefit, thereby leaving some families with less than \$400 out of the till called \$1,200 for child care. Can the minister explain why this is the vehicle being used?

**Hon. Marjory LeBreton (Leader of the Government):** Honourable senators, let me quote a Liberal who, according to the *National Post*, said that the Liberal national child care program was nothing but “a deathbed repentance.” That is a direct quote from Tom Axworthy.

I can answer the question in two ways. First, no one would ever suggest that we are not committed to creating new child care spaces in this country to support families. Second, with regard to the payment of \$1,200 per year per child under the age of six, this is a more universally accessible child care. It is not the answer to everything, but it puts into the hands of parents money to help them make child care choices. I believe that this measure will go a long way.

It is interesting that one of the groups who has been supportive of \$1,200 per child under six is senior citizens, many of whom are looking after their grandchildren. We are not suggesting that we do not have an additional child care plan, and we will be offering incentives to provide child care spaces. However, the key is flexibility and choice. This proposal is just a start. Someone was telling me the other day that only 20 per cent of parents access the child care facilities as they are right now. This is a payment to give parents all over the country more choice in child care, whether they work inside or outside the home.

[Translation]

#### DELAYED ANSWERS TO ORAL QUESTIONS

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** Honourable senators, I have the honour of presenting delayed answers to an oral question raised on April 5, 2006, by Senator Austin regarding the World Trade Organization Negotiations,

Doha Round, Supply Management; an oral question raised on April 5, 2006, by Senator Atkins regarding CFB Gagetown and the testing of Agent Orange and Agent Purple; an oral question raised on April 6, 2006, by Senator Hays regarding biofuels and the deadline for adding 5 per cent biofuel to all Canadian fuel; and to an oral question raised on April 6, 2006 by Senator Carstairs regarding Employment Insurance Compassionate Care Benefits.

## **AGRICULTURE AND AGRI-FOOD**

### **WORLD TRADE ORGANIZATION NEGOTIATIONS— DOHA ROUND—SUPPLY MANAGEMENT— DESIGNATION OF MINISTER**

*(Response to question raised by Hon. Jack Austin on April 5, 2006)*

Canada is continuing to work hard at the WTO to achieve a more level international playing field through the elimination of export subsidies, the substantial reduction of trade-distorting domestic support, and real and significant market access improvements. We will continue to press hard for a fair deal for the entire sector.

Canada is facing pressure in the WTO agriculture negotiations on key issues of importance to Canada's supply management system.

The government is committed to defending Canada's ability to choose how to market its products, including through orderly marketing systems such as supply management.

## **NATIONAL DEFENCE**

### **CFB GAGETOWN—TESTING OF AGENT ORANGE AND AGENT PURPLE**

*(Response to question raised by Hon. Norman K. Atkins on April 5, 2006)*

Options for government compensation are being developed in order to respond to concerns raised by Canadian Forces (CF) members, veterans and area residents about the health effects of Agent Orange herbicide use at CFB Gagetown.

In addition, any CF member or veteran who feels they have an illness associated with exposure to Agent Orange or other herbicides at CFB Gagetown can apply for a VAC disability pension.

## **AGRICULTURE AND AGRI-FOOD**

### **FARM INCOME CRISIS AND DISASTER RELIEF**

*(Response to question raised by Hon. Daniel Hays on April 6, 2006)*

The target of 5 per cent renewable content in Canada's transportation fuels by 2010 will require three billion litres a year of biofuels — a ten-fold increase from current use.

We are working towards this goal in cooperation with the provinces and territories. The Council of Energy Ministers, co-chaired by Minister Lunn, is coordinating work to develop a national framework on renewable fuels.

Three provinces have put legislation in place to require ethanol in gasoline; most provide road tax exemptions or other incentives. In addition to the provincial measures, the federal government has had a capital incentive program and continues to exempt biofuels from federal fuel excise taxes.

These existing cooperative federal-provincial measures are expected to increase Canadian production of ethanol by over one billion litres per year by 2007 with four new plants coming on-line in 2006, and others expected in the coming years.

Increased use of biofuels in Canada could improve the economics of agriculture to the extent that farmers participate in this value-chain. It can also have positive environmental benefits, while promoting rural economic development and technology development.

## **HUMAN RESOURCES AND SOCIAL DEVELOPMENT**

### **EMPLOYMENT INSURANCE COMPASSIONATE CARE BENEFIT**

*(Response to question raised by Hon. Sharon Carstairs on April 6, 2006)*

In November 2005, the previous government announced a proposed change to the eligibility criteria under the Compassionate Care Benefit. Consultations on the proposed change are now complete and the government is reviewing the results.

An evaluation of the Compassionate Care Benefit is currently being carried out and is expected to be complete by mid-2006. Decisions on possible changes to the benefit will be based on the results of that evaluation.

## **ORDERS OF THE DAY**

### **SPEECH FROM THE THRONE**

#### **MOTION FOR ADDRESS IN REPLY— DEBATE CONTINUED**

On the Order:

Resuming debate on the motion of the Honourable Senator Champagne, P.C., seconded by the Honourable Senator Segal, for an Address to Her Excellency the Governor General in reply to her Speech from the Throne at the Opening of the First Session of the Thirty-ninth Parliament.—*(2nd day of resuming debate)*



**Hon. Maria Chaput:** Honourable senators, I listened carefully to the Speech from the Throne given by Her Excellency the Governor General of Canada. This speech, the first of the Right Honourable Stephen Harper's government, left me with many questions and concerns.

In the Throne Speech, the government said it wanted to build a stronger Canada that drew its strength from the diversity of its people and its regions by setting a clear and focused agenda. But does this agenda reflect the values and priorities of Canadians? Do these measures address the concerns of the people?

[English]

In turning a new leaf, will the government provide ordinary working families with the support they really need? Will poor families make enlightened choices with respect to child care if the choice comes down to deciding between cash and quality child care services? A cash payout to parents is not a child care program.

• (1520)

[Translation]

The well-being of children and families is of particular concern to francophone minority communities, who wonder whether the government's actions are truly in their best interest. Providing a range of early childhood services is crucial to ensuring the survival of francophone minority communities. I would not want these communities, to which I belong, to feel that they are back to square one, that their past arguments are no longer relevant.

Before the election, the leaders of the three federalist parties signed a solemn commitment to ensure that the federal government fosters the growth of francophone minority communities. This solemn promise presented by the Fédération des communautés francophones et acadienne du Canada (FCFA), includes commitments to promote linguistic duality and support the development of organizations and institutions within francophone and Acadian communities. Prime Minister Harper signed this promise.

FCFA President Jean-Guy Rioux congratulated all three leaders on their vision. However, the FCFA raised concerns following the Speech from the Throne. "This speech," said Mr. Rioux, "does not place linguistic duality or diversity on our country's list of fundamental values."

In a February 23, 2006, press release, the Commission nationale des parents francophones (CNPf) appealed to the government to honour the early learning and child care agreements concluded in 2005 with the 10 provinces. The principal organization representing francophone parents in Canada was responding to Prime Minister Harper's intention to quash these agreements in 2007. The commission argued in favour of building on past achievements in order to continue to meet the needs of young Canadian families.

"These agreements are very important to us," said CNPF President Ghislaine Pilon. "They are the culmination of many years of work by the commission and its partners with the federal

government, and by our members with their partners across the country." "Children are our future," she added. "Francophone parents want to calmly discuss ways that would see Canada make children the focal point of its social vision."

Honourable senators, you will no doubt remember the report of the Standing Senate Committee on Official Languages tabled on June 17, 2005. The CNPF strongly supported the conclusions of the committee's interim report on French-language education in a minority setting, subtitled *A Continuum from Early Childhood to the Postsecondary Level*.

In this report, the Senate committee called on the federal government to implement policies and programs that addressed the needs of francophone parents and early childhood development. "After 10 years of school governance, the situation is still shaky," said Ms. Pilon. "Only half of francophone children enter French-language kindergarten, and only a fraction of those will go on to pursue post-secondary studies in French. Our initiatives lack long-term viability. The Senate has understood: We have no time to spare; things must change now!"

"There is an encouraging link between the Senate committee's report and the Sommet des intervenants en éducation," said the CNPF President. "As long as we have initiatives for francophones, why not give them the tools they need to succeed? The research is abundantly clear on the importance of investing early and heavily in young children. The basis of the continuum the Senate committee talked about is getting children off to a good start. And this is where we need to start in order to prevent assimilation."

As a native Manitoban, I cannot forget that, in my province, access to French-language education was abolished in the 1890s. It was not until 1979, in the *Forest* case, that the Supreme Court of Canada found Manitoba's Official Languages Act to be unconstitutional.

We must not further undermine the infrastructures in place and accelerate the trend toward assimilation, which is an ever-present threat. For the past 35 years or so, the federal government has held itself up as the chief advocate for official-language minority communities. Its leadership and financial support are instrumental to the development of francophone minority communities and their institutions. Whatever happened to the solemn commitment signed by Mr. Harper before the election? There was no mention of it in the Speech from the Throne.

I would now like to talk about culture and the arts. The government must recognize the importance of artistic creativity to a nation's vitality. The government has always had a key role to play in supporting the arts; no worthy artistic community could survive without such support. The Department of Canadian Heritage must introduce various programs and initiatives to promote the arts and culture in Canada.

[English]

Let us remember that the arts are a reflection of Canada's evolving culture and our national identity at home and on the international stage. The arts enrich our lives, celebrate Canada's great diversity, demonstrate openness to new cultures, promote an international reputation for excellence in creativity and help to showcase Canada to the world.

[Translation]

René Cormier, the President of the Fédération culturelle canadienne-française (FCCF), was deeply disappointed:

The message we get from the Speech from the Throne is quite clear. Francophone art and culture have been eradicated from the vision of Canadian society as the Conservative Party sees it.

I would now like to return to early childhood development and discuss the link between language, culture and education in francophone minority communities. In minority communities, culture and education act to protect and promote language, and the institutions that support language — schools, arts facilities and cultural centres — are the main places where francophones can assert and express their identity.

How can cultural identity develop in a minority community where people grow up in often difficult circumstances and where obtaining services in their mother tongue is too often exhausting, if not impossible? Francophone schools in minority communities have a key role to play in early childhood development, strengthening cultural identity, and protecting the French language and culture.

The education system alone cannot solve all the problems of minorities. But without such a system that ensures the transmission of language and cultural values, minorities will be doomed to assimilation.

Schools in minority communities have an impact on the linguistic vitality and the development of the community, a role that schools in majority communities do not have to fulfill. French-language schools in minority communities give people the means to counter assimilation and take control of their future.

Early learning and child care are therefore the starting point for transmitting language and cultural values. Child care is not a luxury, it is a necessity. The commitment made by governments in 2004 to a national child care program with \$5 billion in federal funding over five years gave francophone minority communities an opportunity to plan for the future of their children.

The priority of francophone minority communities is to ensure that Mr. Harper's Conservative government honours the 10 multi-year child care agreements reached with the provinces.

[English]

The Conservative government calls its election promise a "choice in child-care allowance." It may be beneficial to parents as a family allowance, but it does not address broader child care needs. The Conservative's plan ignores Canadians' desire for quality early learning and child-care needs.

[ Senator Chaput ]

Honourable senators, here are some concrete examples of what Canadian families want.

In March 2006, the Ontario Public School Boards' Association wrote a letter to the Right Honourable Stephen Harper. That letter reads, in part, as follows:

The future of Canada is dependent upon the education of our children and dependent upon the start we give them in life. Investing in our youngest children in the early years represents the most far-reaching and responsible investment we can make in Canada's future.

An article by Bill Moore-Kilgannon appeared in the *Edmonton Journal* on March 14, 2006, entitled, "Childcare set to take three steps back." In it, Mr. Moore-Kilgannon writes:

...the \$100 a month is simply not going to make a difference for many families who are desperately looking for quality childcare...

...Alberta families who rely on or are looking for quality affordable childcare are starting to realize that something is about to land on them, and force them to take three steps backward.

Another article, this one by Paulette Senior, CEO of YWCA Canada, appeared in the *Ottawa Citizen* on March 24, 2006. That article is headed:

Listen to the parents: Prime Minister Stephen Harper shouldn't underestimate Canadians' desire for quality, accessible child care.

In the article, Ms. Senior wrote:

Since Feb. 24, more than 22,000 Canadians have signed an on-line open letter that urges politicians to work together to honour the child-care agreements created last year....people from all walks are saying the same thing: \$1,200 a year is not enough. Canada can, and must, do better.

• (1530)

Hayley Wickenheiser, a gold medal winner and hockey star at the Turin Olympics, as well as a mother, signed the open child care letter a few weeks ago. Municipal mayors and police chiefs have signed the letter. School boards and directors of health units have passed resolutions demanding that the federal government fund the kind of child care that \$1,200 a year cannot create.

A recent survey of Canada's top 150 corporate executives shows that only 9 per cent thought that axing the federal-provincial child care agreements should be a top priority. Pundits have speculated that business leaders, especially those in large companies, prefer that women find affordable child care because their skills are needed in the workforce.

Our Liberal leader, the Honourable Bill Graham, presented the following argument in his reply to the Speech from the Throne when he said:

Many advanced countries in Europe and elsewhere have recognized the importance of early learning and have had the foresight to establish national child care programs. These governments have been commended for doing so by organizations like the OECD (Organization for Economic Cooperation and Development), who see child care as a critical element of an advanced and progressive economic policy as well as important social policy.

[Translation]

Honourable senators, I would like to conclude by stating the position of francophone parents in minority communities. The report of the Commission nationale des parents francophones (CNPf) is clear:

Francophone communities gained a place in the 2005 learning and child care agreements. The inclusion of provisions aimed at francophone children in each of these agreements is a first in Canada. The federal government must not withdraw this support for Canadian families, especially francophone families.

[English]

If there is one program that must be immune from partisan cutbacks, surely it is the National Child Care Program so needed by our Canadian families. Furthermore, if the Prime Minister is serious in his written pre-election promise to the Fédération des communautés francophones et acadienne du Canada, then Prime Minister Stephen Harper will recognize that it is time to honour the previous agreement made with the people of Canada about meeting the needs of Canadian children and their families.

[Translation]

In turn, the specific needs of francophone minority communities will also be met.

[English]

Dr. J. Fraser Mustard, Companion of the Order of Canada, founding president and fellow of the Canadian Institute for Advanced Research (CIAR), has had a diverse career in the health sciences, research and the private sector. Dr. Mustard has been a leader in Canada on the socio-economic determinants of human development and health. A particular emphasis has been on early childhood and the role of communities.

[Translation]

At a conference in February 2006, held by the Commission nationale des parents francophones, in partnership with the Société Santé en français, Dr. Mustard spoke on early childhood development in pluralistic and democratic societies. His position was absolute:

One of the critical steps in a child's first years is the development of language and literacy. Children who are exposed to two languages in their first eight months can

speak both languages easily and without accent. They are also capable of learning more languages. For a country that wants to build a pluralistic and democratic society, it is absolutely essential to establish high-quality development programs for young children in linguistic minorities.

Honourable senators, if the early learning and child care agreements reached in 2005 are not honoured, the consequences for francophone minority communities will be profound.

For example, at the national level, this would jeopardize the implementation of strategic plans and action plans developed by the CNPF and their provincial counterparts; jeopardize the creation of a national, affordable and stable quality child care program that Canadians have been waiting 30 years for, as well as the efforts to improve the status of child care professionals; and deprive francophone communities of a new tool to help them properly prepare their children for school, when we know that only half of francophone children enrol in French-language schools.

**The Hon. the Speaker *pro tempore*:** I am sorry to inform Senator Chaput that her 15 minutes have run out. Does she seek leave to continue?

**Senator Chaput:** Yes, honourable senators.

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

**Hon. Senators:** Agreed.

**Senator Chaput:** In francophone Manitoba, the consequences will be just as terrible. Going back on the 2005 agreements will reduce the number of child care spaces and lengthen waiting lists; eliminate scholarships for those wanting to pursue a career in early childhood education; and eliminate expected funding for the Collège universitaire de Saint-Boniface for its new program in early childhood services administration, *Leadership en jeune enfance*.

Honourable senators, I have before me a document from the Commission Nationale des parents francophones. I also have the agreement in principle between the Government of Canada and the Government of Manitoba. These are the things that will be eliminated, and it is the communities, families and children that will pay the price.

**Hon. Hugh Segal:** Honourable senators, I hope I misunderstood the first part of the honourable senator's comments. I understand that there are disagreements among the parties in the Senate on the issue of the national child care policy.

If I understand correctly, you suggested at the start of your remarks that Conservative policy will restrict the growth of French-Canadian culture and education outside Quebec. Am I to understand that, in your opinion, this is the purpose of our policy? Am I correct in my understanding of your remarks here before your colleagues in the Senate of Canada?

**Senator Chaput:** Honourable senators, if the agreement is not honoured and the funds are not provided for early childhood education, which would cut the number of places in daycare and the French-language programs associated with our schools to ensure that early childhood education is an integral part, yes, it will put the survival and growth of francophone minority communities at risk.

French-language schools in minority communities play a dual role that must begin at birth, because we are working, as you know, honourable senators, within a community that has an anglophone majority. Our survival depends on it, as does the number of students registering in our French-language schools, if we have not planned for this sort of program.

**Hon. Madeleine Plamondon:** Honourable senators, I have found this a very eloquent speech. I fully support the interests defended by the honourable senator. However, in order for children in Quebec to benefit from this program and others remaining at home who would welcome the cheque for \$1,200, would you not agree that we should give the choice to those families who do not want to send their children to daycare but want to keep them at home while at the same time providing financial support, to those who want to send their children to daycare and benefit from the child care system? This way, neither would have to do without, depending on their choices.

**Senator Chaput:** Honourable senators, ideally, in some instances it would be good to have both the cheque and the daycare system. However, it must be remembered that in our case, in French-speaking Manitoba, children sent to care that is not francophone are not given the French environment that will allow them to grow. In most cases, caregivers speak little or no French, and bilingual daycare centres do not operate in French. The young child placed in child care because the mother has to work learns English, because French is not commonly spoken. Our children are assimilated and then someone has to try to turn them back into francophones. It does not work. Numbers are not growing in our French schools, they are shrinking. One day, they will no longer be there. That is why it is so important to us.

• (1540)

**Hon. Aurélien Gill:** Honourable senators, when the recent federal election was held, Aboriginal Canadians once again had a very low voter turnout, a sure sign that they take little interest in politics. Many Aboriginal people feel that politics has nothing to do with them.

Moreover, as the recent Speech from the Throne clearly illustrates, the government pays little attention to Aboriginal affairs. Do you not see a connection between the two?

How do you expect Aboriginal people to take an interest in politics when neither the federal government nor the provincial governments recognize any of the First Nations' own political institutions?

As well, our peoples are lost amid electoral boundaries that do not take into account their very existence on the land. Our peoples still come under the legal and administrative authority of an outside power by virtue of the Indian Act. They have no autonomy.

We are still isolated, scattered, weakened bands. Our communities and nations have been broken up and divided to fit the provincial and federal territorial divisions.

At best, we are lobby groups. We are delegated administrators, subject to rules of governance foreign to our nations.

In 2006, we are still at the mercy of powers we do not have. In a word, we are clients, beneficiaries, if not "problems" that people sometimes wish would go away.

We are still not players in the Canadian political arena. Are we condemned to be dependent? What did we do to become prisoners of the shadowy margins of society?

[English]

I will repeat over and over again that we must start with the foundation that is the power to govern ourselves through suitable, basic and absolutely essential political institutions.

[Translation]

It is urgent for our nations to establish a constituent assembly with a mandate to start anew, or almost, in creating this new Aboriginal world, a world that is responsible and politically, economically, legally, socially and culturally unique.

This creative process, Estates General of a sort, would bring together all concerned under Aboriginal control, and would not be limited in time, providing at least as much time as do federal and provincial legislatures to debate issues of importance to the country.

A two-century-old anomaly cannot be resolved in a week.

The paramount objective of such an assembly would be to make numerous changes to put an end to this intolerable trusteeship.

It is all well and fine to talk about self-government, governance or principles of any kind, but the fact remains that such discourse becomes exasperating and an exercise in frustration. Those are empty words that obfuscate the truth.

[English]

We, the Aboriginal people, still do not have political structures that are really our own. We have no representatives, no policies — we have nothing.

[Translation]

Enough with all the commissions, committees, meetings, assemblies and consultations that lead nowhere. It is high time we put an end to this circus and break the vicious circle. Gone are the days when we could be considered unemancipated minors with numbers belonging to bands.

Gone are the days of federal government handouts.

Gone are the days of the Indian Act.

Gone are the days when we were kept under guard in Indian reserves.

Gone are the days of the department and its Indian agents who had almost total control over our representatives and our lives.

Gone are the days of the department and its needless and inefficient controls, its administrative delegations, its more or less useful reports, its statistics, and its budgets, all designed to serve the objectives of the ruling party, that is, the federal government.

This whole process has resulted in subordinating Aboriginal objectives to all other political objectives.

All of that has to come to an end. It is time to stop making moccasins for us in Ottawa. They hurt us as we walk the paths of our ancestors.

It is time for our responsible government to begin. That is why I say, first, our government.

No one can presume to imagine the results of truly Aboriginal action to design our own government structures and institutions. One thing is certain: they will bear little or no resemblance to what exists today.

Second, our identity. Canadians would be surprised to learn that Aboriginal peoples have no say over their identity. Since the 19th century, the government has dictated the membership rules through the Indian Act.

We are not peoples or First Nations. We are bands, and each individual Indian is a registered number, a number belonging to a band, as I said earlier.

It is as if we no longer had any cultural ties or historical status, as if we never had a territorial or political existence.

[English]

My fellow senators, the day our government is created this identity issue will be a priority on the agenda. What in fact are First Nations? What in fact are Aboriginal people in Canada?

[Translation]

Today, nobody takes identity into account in Indian issues.

We Aboriginal peoples must revive our community affiliations so as to better define where we belong as Aboriginal people.

An Aboriginal person is Haida, Dene-Gwitchin, Siksikwa, Anishnabe, Mi'kmaq, Innu, and so on.

I dream of the day when Canadians will know us by our real names and when we ourselves will find our own true identities.

I dream of the day when we will control the cultural and historical parameters of our Amerindian and Métis citizenship; it will be then that we rejoin the world.

We will stop being ghosts and non-citizens, totally dependent on the charity and nurture of the state.

Third, taxation. While Canadians do not know us at all as diverse peoples, they do know us as Aboriginal people, privileged because we are exempt from tax laws.

[English]

This is an important part of the issue. We come across as the spoiled child of the family when in fact we are the worst off.

[Translation]

The image of the child is relevant. The fact that Indians living and working on reserves do not pay taxes is part of our status under the Indian Act, a status that radically limits our rights and confirms that we are under trusteeship.

This situation must disappear forever. It is humiliating and a source of misunderstanding, prejudice, jealousy and utter ignorance.

The day we can take a census of our own citizens, the day we have national, regional and local institutional control, we too will have the chance to generate and manage our own tax base and we too will join the discussion on equalization, on fiscal imbalance and on royalties for natural resources.

Then we will stop being even more marginalized as we watch multinationals develop our natural resources.

We will stop being questioned and prosecuted by the very people who are responsible for managing the Indian Act.

Fourth, wealth. In English, we say that money talks. Yes, my friends, money talks, but it is high time for it to speak Indian.

For 50 years now, successive governments have talked about economic development for Aboriginals.

For 50 years now, we have been talking but no one has been listening. Once again, the current government is adding to the bottomless pit of empty words. It talks about its economic worries and about encouraging entrepreneurship in Aboriginal communities. I do not know whether to laugh or cry. No one can distribute wealth that has not been created. No one can create wealth from nothing.

I do not think I am going out on a limb when I say that economic development is linked to a society's ability to control its destiny.

• (1550)

We have been excluded from the economy for generations. We do not have access to resources. For the most part, we have tiny insignificant Indian reserves.

Is it possible to develop an Indian reserve? No, it is not.

Economic development means owning resources, fiscal jurisdiction, space and territories, education, market, partnership.

[English]

Aboriginals will never develop economic autonomy without the essential conditions required.

[Translation]

Let us be clear. Nothing will ever be possible — government, wealth, ownership, taxation — if we do not resolve, once and for all, the matter of Aboriginal lands based on First Nations national conferences.

For nearly 40 years, little progress has been made on the issue of land claims and specific agreements, as the current Minister of Indian Affairs is fully aware. He was an Indian claims commissioner for several years, as was I.

At this rate, we could spend centuries wasting time in legal and political tinkering. Quite frankly, with crises erupting everywhere, the situation is becoming ridiculous.

I believe it is crucial that the Government of Canada, the provincial governments and an Aboriginal government, one that is duly representative and vested with full powers, all sit down together to reach a comprehensive and definitive agreement: a meaningful distribution that will satisfy all First Nations, not on the basis of bands, but rather on the basis of actually descent from specific historic peoples.

These lands are the cornerstone of every aspect of our future. As our leaders stated 40 years ago, and even much earlier — I was among them:

If we could reclaim our ancestral land with even a fraction of its natural resources, we could easily fulfil our legitimate needs and we would no longer be viewed as having no history, no future and as foreigners in our own land.

In view of the preceding, I ask that common sense prevail as I call attention to a matter that has been overlooked in the past.

[English]

We had our rights; we had our law. We must therefore work together to modernize our customary rights in order to coexist socially and civilly with the common law and the civil code.

[Translation]

Because in this respect, we, Aboriginal peoples, are all distinct societies with unique and different cultures. What a great and wonderful challenge it would be to establish Aboriginal customary law by bringing together the cultural heritage of our nations.

[ Senator Gill ]

There are some 50 First Nations in Canada, not 630 Indian nations. These 50 peoples — from Inuit to Mi'kmaq, from Kakwakakwa to Eeyou, from Iroquois to Dene-Sarcee — bring unique knowledge and creative resources.

We wish to live, contribute, participate and, above all, we wish to solve our problems.

Honourable senators, for years I have been saying in so many different ways and venues that this is an urgent matter.

I am proud to be Aboriginal, a senator, a member of Canada's upper house.

[English]

I am not proud to see my country, Canada, so blind and insensitive to the glaring problems of Aboriginals.

[Translation]

There is little time. Time is a luxury we can no longer afford. I am growing old and I am in a position to know how things have dragged on since the time when I was a young band chief. We have made progress in 50 years but the important issues keep being put off.

Whenever I see, either first hand or through media reports, the difficulties which our people experience in prisons out West, in city and downtown streets, in northern ghettos, the family violence that exists — when I see all this misery akin to that found in the Third World, this makes me sad.

There is no need for this in a wealthy country such as ours.

The changes I would like to see — in our general condition, government, wealth, territory, our identities — are not a whim or petty politics. The future of Aboriginal people is at stake — and this future is shared by Canada.

Finally, I cannot leave you without recognizing the recent appointment of the new Minister of Indian Affairs, Jim Prentice. I know the man, but, more importantly, I know that the man knows the issue.

He is an old hand in Aboriginal affairs, and I allow myself to dream that he might have the support, the ear and the heart of his cabinet colleagues. The position of Minister of Indian Affairs is difficult and thankless. It is like being responsible for a huge black hole, to which no one gives priority. As I know him and know his skills and experience, I wish him the best of luck and invite him to work hard so that the wall of silence may be broken.

Honourable senators, how should I conclude? It will take more than the government's billions to resolve this.

[English]

We, the First Nations, no longer want to be dependent. We no longer want handouts. We no longer want to be trailing behind a power that does not belong to us.

[Translation]

Dignity requires it.

We want to be who we truly are. We want to be responsible for our future by having what is rightfully ours. That, in essence, is what I have said in setting out my plan.

May God let me see this happen in my lifetime.

On motion of Senator Comeau, debate adjourned.

## PUBLIC SERVICE EMPLOYMENT ACT

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

**Hon. Pierrette Ringuette** moved the second reading of Bill S-201, to amend the Public Service Employment Act (elimination of bureaucratic patronage and geographic criteria in appointment processes).

She said: Honourable senators, I have the honour today of beginning debate at the second reading stage of Bill S-201 entitled An Act to amend the Public Service Employment Act, which I tabled on April 5.

The intent of this bill is twofold.

First, it would disallow the establishment of geographic criteria to determine an area of selection for the purposes of eligibility in appointment processes.

Second, the bill would ensure that appointments to or from within the public service are free from bureaucratic patronage.

• (1600)

Currently, the Public Service Commission uses geographic criteria to define eligibility for internal and external public service competitions.

This geographic restriction to obtaining federal government jobs is set by regulation and, for the most part, limited to a 50-kilometre radius from the official site of the competition, which prevents qualified Canadians from getting a job.

The current selection process limits access by all Canadians to public service jobs. This affects federal government jobs in an entire region and even an entire province, since a person's candidacy is automatically rejected if they live outside the 50-kilometre radius.

[English]

For instance, in the greater Ottawa region, the capital region that includes portions of Ontario and Quebec, the population is almost 1 million. Those 1 million residents have almost exclusive access to 60 per cent of the federal public service jobs, and that excludes Crown corporations, agencies and employees on Parliament Hill.

With a small percentage of these jobs located in Montreal and Toronto, we therefore have 0.3 per cent of the Canadian population that has sole access to roughly 60 per cent of federal government jobs. Sixty per cent of federal government jobs amounts to 200,000 jobs. If you averaged the salary at a low of \$55,000 per year, this represents an annual payroll of \$11 billion, with about \$7.5 billion in Ontario alone.

Along the same lines of argument, and in the spirit of equity and justice, the 0.3 per cent of the population within the capital region does not have access to the other 40 per cent of federal government jobs located outside the national capital. Therefore, 99.7 per cent of Canadians have access to 40 per cent of federal government jobs, as long as they live within 50 kilometres of that job.

For instance, people living in Kingston cannot apply for a job in Ottawa. People in Hamilton cannot apply for a job in Toronto. People living in Edmunston, Grand Falls and Woodstock, New Brunswick cannot apply for a job in Fredericton, Bathurst or Moncton, New Brunswick.

The official website for job openings for the Government of Canada is jobs.gc.ca. I go regularly to that site. The last time I went there, there were four options listed. For jobs with no geographic restriction, there were 43 listed and they were various across the country. Jobs in this region — the national capital area and eastern Ontario — had 30 jobs listed.

**Hon. Sharon Carstairs:** On a point of order. There is someone in the chamber who has a Rogers BlackBerry and it is constantly going off. It is contrary to the rules of the Senate. Would they please turn it off?

**Hon. Percy Downe:** The BlackBerry might have been left behind by somebody. We should enforce the rule. However, these instruments should not be allowed in the chamber at all. It is an insult to the senator trying to give her speech.

**The Hon. the Speaker pro tempore:** The rules are that BlackBerrys are not allowed in the room. The Speaker has an intention to put this rule into order. I do not know if that will be done today.

**Senator Corbin:** Ban the BlackBerry and ban the owner of the BlackBerry.

**Senator Ringuette:** Honourable senators, I would like to pursue this. I find this is very important. I do realize the BlackBerry situation is an issue, but with your indulgence I will try to continue with all the energy I can to express my very deep concern about this bill.

**Senator Carstairs:** The problem is we cannot hear you.

**Senator Ringuette:** I can promise you that I have a very loud voice when I want to.

**An Hon. Senator:** We know!

**Senator Ringuette:** For the National Capital Region and eastern Ontario, 30 jobs were listed; 18 of them were exclusively for this region and 12 were for various regions. All in all, 60 per cent were exclusive to Ottawa.

In New Brunswick, there were 11 jobs listed, but two for New Brunswick only. That means only 18 per cent were exclusive for New Brunswickers. In Quebec, 24 jobs were listed, 14 restricted to 50 kilometres, which is 58 per cent exclusiveness. This is not a very proud moment for this situation.

I will now highlight for you some facts as stated in the 2004-05 annual report of the Public Service Commission that was tabled last fall.

In 2004-05, nearly 35,000 people were hired into the public service. Hiring is still predominantly for a contingent work force for a specified period. In Ottawa, the public bureaucracy calls these positions "term." When these positions are referred to in Atlantic Canada or in eastern Quebec, they are called "seasonal," just to make sure that we all understand the terminology here.

The number of new indeterminate permanent hires fell to 9,426 in an organization of 153,000 permanent employees. Of these indeterminate permanent hirings, only 3,400 or 10 per cent, were recruited from outside the public service, the remainder being hired from the specified period — the term pool group.

Let us go to the term pool group. Only 26 per cent of those 35,000 hired as term or casual were from outside the public service. Workers hired from the contingent work force clearly had an advantage in competitions for permanent jobs, having enjoyed privileged access to the workplace and the opportunity to learn about the job and the public service prior to competing for the position.

Managers have met the minimum policy requirements to recruit nationally for all senior level positions but otherwise have opted for provisions to limit competitions by geographic area. This option is used to manage a large number of candidates. As a result, 19 per cent of all externally advertised jobs and 28 per cent in the national capital region use a national area of selection.

Under Bill C-25, managers will have greater discretion over the appointment process. Managers will determine whether or not to advertise positions and how many candidates to consider for a position.

[Translation]

These facts do not take into account other backroom tactics used by managers to undermine the equity and impartiality of the recruitment process, by hiring casual or term employees without holding a competition and by going to various placement agencies or headhunters.

I invite you to consult the very long list of placement agencies in Ottawa's *Yellow Pages*. Managers regularly use the services of many of these agencies to hire employees, thereby getting around existing rules.

Honourable senators, these data provided by the Public Service Commission and the promises that were made to us two years ago so that we would not amend Bill C-25, the Public Service Modernization Act, show how important it is that we pass Bill S-201 quickly.

[ Senator Ringuette ]

Two years ago, the minister responsible for the Treasury Board received \$40 million to implement Bill C-25, which included funding to update electronic recruitment technology in order to eliminate geographic restrictions on recruitment.

• (1610)

This has not yet been done. As most of us predicted, the increased flexibility that the Public Service Modernization Act gives managers allows them to continually impose geographic restrictions or bend the existing rules.

Bending the rules has become easy, and even commonplace, for them, which is why we need this bill to ensure that all Canadians are respected.

The Public Service Commission's national hiring policy applies to only 19 per cent of jobs in all regions. Fortunately, as of April 1, 2006, 60 per cent of all jobs in the National Capital Region are open to the public.

[English]

Honourable senators, I do understand that opening the hiring process for federal jobs to all Canadians will increase the administrative work of managers, but my scale tips for equity and fairness. The administrative burden should not be a factor in order to respect Canadians' mobility rights under article 6 of our Charter of Rights and Freedoms.

[Translation]

Former minister Reg Alcock announced a gradual increase in the percentage in terms of the selection process.

[English]

I welcome this effort. However, two wrongs do not make it right. Let me explain. It is like reverse discrimination. It is not because that, for the last three decades of discrimination based on geographic barriers for the 60 per cent of federal jobs in Ottawa, as parliamentarians and Canadians, we should accept this concept. Reality is that for jobs that are advertised to the public, still 40 per cent of federal jobs across the country will have geographic barriers for all Canadians, including those living in the capital region.

Opening up the 60 per cent federal jobs that are advertised publicly for Ottawa is not opening the access to 100 per cent of federal jobs to all Canadians, which is the priority objective of this bill. We need this bill to legislate equity and fairness to all Canadians in order that a national area of selection is mandatory, not a rule. I repeat that it is mandatory.

I also want to alert honourable senators that out of the 5,000 employees on Parliament Hill, many are permanent employees that are not hired by MPs or senators. They are employees of the House of Commons and the Senate and the necessary units to make this place work. Here, also, we witness discrimination in regard to most of the competitions on the basis of geography. Last September, the Library of Parliament opened competition No. 05F13, closing September 28. This was an indeterminate position for a senior officer, accounting operations, with Finance and Material Services. This was limited to 50 kilometres.



It is ironic how, even within Parliament Hill, with parliamentarians representing the voice of all Canadians, even we allow geographic barriers to employment on the Hill, the centre of our country's democracy. This bill, Bill S-201, does not remove the geographic barriers for employment on Parliament Hill. We, of all places, should not require legislation to include all Canadians. It should be a given here on Parliament Hill, of all places.

I therefore request that senators who are members of any committee dealing with the administration of Parliament officially ban geographic barriers from any competition for employment with and for the administration of Parliament Hill.

After second reading of that bill, the first time around, I wrote to the Speakers of each House calling for their attention on this issue. I regret to say that I have received passive reply.

It is funny that, for decades, successive Canadian governments, the diplomatic core, and all Canadians, have taken great pride in promoting equity and fairness around the world. It is time that we bring equity and fairness right here, at home, for all Canadians living from coast to coast to coast. It is most unfortunate that we must legislate equity and fairness for our own people so that their access to federal government jobs is not curtailed and so that their mobility rights under the Charter of Rights and Freedoms is not undermined by the federal government administration.

The Canadian Charter of Rights and Freedoms mobility rights clearly state, in article 6, that every citizen of Canada and every person who has the status of a permanent resident of Canada has the right to pursue the gaining of livelihood in any province.

[Translation]

Honourable senators, in this age of advanced technology and easy access to rapid communications, why does the government staff public service positions only with candidates who live where the jobs are located?

This might have been justifiable in 1900 or 1910, but not in 2006. Most would agree that competent people who find jobs that match their training and experience, whether in the private or the public sector, are willing to relocate.

For years, the federal government's hiring practices have been subject to geographic restrictions. As a result, 80 per cent of federal officials are from Montreal, Ottawa or Toronto, and they hold 60 per cent of the jobs.

We can imagine the influence that 80 per cent of the public service has on policy and program development. They analyze the issues, formulate recommendations and implement programs based on their communities, their heritage and the knowledge they have acquired in their part of the country.

Parliamentarians and the general public then wonder why the programs do not address regional needs; why the policies and programs are designed with urban communities in mind; why there are so many administrative formalities; why applicants have to speak to a voice mailbox rather than a real person; why public

servants do not understand how natural resource processing industries such as fisheries, forestry and farming work; and why they do not understand the needs of seasonal workers and these industries.

Essentially, many public servants know nothing about the realities of the industries I have just listed. They know only the data they analyse and form hypotheses about.

Residents of rural areas and communities cannot get federal jobs. They therefore feel marginalized and dissatisfied with their central government.

The current process prevents them from taking advantage of opportunities that should be available to them as Canadian taxpayers. The taxman does not care about the place of residence of taxpayers who pay their taxes, and applications from qualified job seekers should not be rejected because of their place of residence, because we are all taxpayers. These geographic restrictions are unacceptable.

[English]

As senators with the responsibility and mandate of this institution, it is our duty to stand for equality of treatment among the population of our diverse regions that compose this country. Today, by presenting this accessibility bill, that is exactly what I am doing. In the new Public Service Modernization Act, ascended in 2003, managers have greater responsibility and flexibility to consider a number of factors when recruiting and selecting a person for a position. This, for me, is a greater cause of concern with regard to limiting national candidates' access and increased concerns about the potential for bureaucratic patronage. I have been constantly hearing about this serious issue for the last 13 years. This problem is also being highlighted by a lack of planning surrounding human resource management. In many departments, this amounts to inefficient staffing practices.

• (1620)

The Public Service Commission 2004-05 Annual Report, chapter 2, page 44, states that only "36 per cent of organizations have a human resources planning process or plan in place." No service organization in the private sector would survive or be able to compete without a minimum of human resource planning. Currently, it seems that managers hire on a whim; no wonder they use the back door to recruit. They, the other 64 per cent of federal departments, have no human resource plans, thus, no idea what are the needs, current or future, of their departments.

The second objective of Bill S-201 is to prohibit geographic patronage or, as the Public Service Commission calls it, "personal favouritism." For many years, parliamentarians have suspected that managers were engaged in patronage appointments. In 2003, the Auditor General, Sheila Fraser, audited the hiring process for student jobs and did find that 25 per cent of students employed for summer jobs within the public service were hired with bureaucratic patronage.

During the hearings of the Standing Senate Committee on National Finance in 2003-04, this issue was raised with Ms. Barrados, President of the Public Service Commission. Thankfully, as a follow-up, the commission studied the issue

and submitted its findings last October in a report entitled *Study of Personal Favouritism and Recruitment within the Federal Public Service*. Here are some interesting data on favouritism from page 11 of that report: First, 45 per cent of survey respondents believe it occurs often or always in their work unit; 28 per cent believe it occurs often; and 45 per cent believe it happens some of the time. Total response shows that 73 per cent acknowledge bureaucratic patronage in the system.

Further, page 14 of the report states:

We note that not all manipulation of qualifications is evident. In our recent audits, we have found examples of tailoring qualifications to favour a particular candidate or group of candidates in both competitions open to the public and those open only to public servants. This included changing education, language and security requirements to match a specific candidate's profile.

Another report tabled last October by the Public Service Commission, entitled *Audit of Staffing File Documentation*, states on page 2, that it found inadequate or missing documentation mostly in the assessment stage and that competitive processes were better documented than without competition processes. The rationale for the use of an appointment without competition was inadequate or missing in 15 per cent of the files; the assessment was inadequate in 38 per cent of the files; and the assessment was inadequate in 66 per cent of the files without competition.

In its 2004-05 annual report, the Public Service Commission reports no political patronage. Bravo and thanks to legislation, not rules or guidelines prohibiting this practice. However, it does link bureaucratic patronage or personal favouritism when analyzing and defining the issue of non-partisanship. At page 34, "bureaucratic patronage" and "personal favouritism" are defined as follows:

Within the federal public service's staffing and recruitment process, personal favouritism involves an inappropriate action or behaviour by a public servant who, by using knowledge, authority or influence, provides an unfair advantage or preferential treatment to: 1) a current employee or 2) a candidate for employment in the public service, for personal gain (benefit) and contrary to the good of the organization.

Most recognize that bureaucratic patronage can have a detrimental effect on the general public and particularly with the public service employees. It has been demonstrated that the mere perception of bureaucratic patronage in the workplace impacts on employee motivation and effectiveness. Imagine the impact when 73 per cent of our public servants surveyed acknowledged that it was happening in their work units.

This situation is not exclusive to Canada. Other jurisdictions have tried to deal with this problem. For example, in the United Kingdom, bureaucratic patronage or favouritism is referred to in the Recruitment Code. It establishes the fundamental recruitment principle that appointments must be based on merit. In New Zealand, this problem is addressed through Policy Conventions.

The Australian model deals with this issue in a more efficient way. Provisions against bureaucratic patronage are made on two levels in Australia. First, a direct provision was made when they modernized the Public Service Act in 1999. Section 17, entitled "Prohibition on patronage and favouritism," provides that a person exercising powers under the new act or regulation in relation to the engagement of Australian Public Service employees, or otherwise in relation to APS employees, must do so without patronage or favouritism. Second, there are provisions against bureaucratic patronage included in the Public Service Commissioner's Directions concerning three of the legislated values.

Australia has not only acted against bureaucratic patronage or favouritism, but it has also given an official legal status that includes a grievance procedure.

Honourable senators, in conclusion, I believe that every competent Canadian should be able to apply for government jobs regardless of their home address and where the job is located in Canada. It is a question of equity, fairness and rights under our Charter of Rights and Freedoms. The current selection process seriously limits job accessibility within the public service to all Canadians and thus deprives all Canadians from better equipped public employees. It is the objective of Bill S-201 to amend the Public Service Employment Act, and the act that will replace it, to enhance Canadians' access to public service jobs in all parts of Canada by removing geographic limits to the selection process and adding grievance options against bureaucratic patronage.

I have received calls, letters and emails from Canadians across this country in support of this proposed legislation. For example, we could be talking about an ex-military person living in Halifax, Nova Scotia, who wants to apply for a job in Moncton, New Brunswick, but the 50-kilometre barrier prevents him from doing so.

I, like all Canadians, hope that honourable senators will support this bill and not accept any delay tactics or rules and guidelines that might be proposed. If the Leader of the Government also wants to use delay tactics on this bill that calls on fairness and equity for all Canadians, then we will know where they stand.

• (1630)

I propose that this bill be sent today for further study to the Standing Senate Committee on National Finance.

I thank honourable senators for their attention.

On motion of Senator Comeau, debate adjourned.

## BUSINESS OF THE SENATE

**The Hon. the Speaker *pro tempore*:** Honourable senators, before we go any further, I believe you have witnessed how disturbing these BlackBerrys are. To make it safe, just leave them in your offices. I will tell the Speaker to apply this rule very strictly. It is not fair to our colleagues who are giving a speech.

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

## THE SENATE

NOTICE OF MOTION TO STRIKE SPECIAL  
COMMITTEE ON ANTI-TERRORISM ACT

**The Hon. the Speaker *pro tempore*:** Honourable senators, earlier today, Senator Comeau gave notice of motion that, at the next sitting, he will move a motion establishing a special committee to review the Anti-terrorism Act. However, pursuant to rules 57(1)(c) and (d), this motion requires two days' notice.

Is it agreed that this motion be moved two days hence?

**Hon. Senators:** Agreed.

## SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

COMMITTEE AUTHORIZED TO STUDY  
STATE OF HEALTH CARE SYSTEM

On the Order:

Resuming debate on the motion of the Honourable Senator Keon, seconded by the Honourable Senator Stratton:

That the Standing Senate Committee on Social Affairs, Science and Technology be authorized to examine and report on issues arising from, and developments since, the tabling of its final report on the state of the health care system in Canada in October 2002. In particular, the Committee shall be authorized to examine issues concerning mental health and mental illness;

That the papers and evidence received and taken by the Committee on the study of mental health and mental illness in Canada in the Thirty-seventh and Thirty-eighth Parliaments be referred to the Committee;

That the Committee submit its final report no later than June 30, 2006 and that the Committee retain all powers necessary to publicize the findings of the Committee until September 30, 2006; and

That the Committee be permitted, notwithstanding usual practices, to deposit any report with the Clerk of the Senate, if the Senate is not then sitting; and that the report be deemed to have been tabled in the Chamber.—(*Honourable Senator Keon*)

**Hon. Wilbert J. Keon:** Honourable senators, I move adoption of the motion standing in my name.

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

**Hon. Senators:** Question!

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

Motion agreed to.

## HEALTH

MOTION URGING GOVERNMENT TO PROVIDE  
LONG-TERM END-OF-LIFE CARE—  
DEBATE ADJOURNED

**Hon. Sharon Carstairs,** pursuant to notice of April 5, 2006, moved:

That

Whereas the federal government has a leadership and coordination role, and a direct service delivery role for certain populations, with regards to palliative and end-of-life care in Canada;

And Whereas only 15 per cent of Canadians have access to integrated, palliative and end-of-life care;

Be It Resolved That the Senate of Canada urge the Government to provide long-term, sustainable funding for the further development of a Canadian Strategy on Palliative and End-of-Life Care which is cross-departmental and cross-jurisdictional, and meets the needs of Canadians; and

That a message be sent to the House of Commons requesting that House to unite with the Senate for the above purpose.

She said: Honourable senators, according to Statistics Canada, in 2001, one in eight Canadians was 65 years of age or older. By 2026, one in five Canadians will be 65 years of age or older, accounting for 8 million Canadians. As baby boomers age, the senior population is expected to constitute 23 per cent of the population by the year 2041.

Our annual number of deaths in Canada is approximately 220,000. This number is expected to rise significantly over the next 40 years until the demographic wave of the baby boom has disappeared. By the year 2020, it is estimated that there will be a 40 per cent increase in deaths each year in Canada.

Canadians are becoming increasingly aware of palliative care as an end-of-life care model for all ages, including children, and are demanding it. Polls show that in 1997, only 30 per cent of Canadians were familiar with palliative care, but a poll conducted in December 2003, just six years later, showed that 75 per cent of Canadians were familiar with palliative care, and 25 per cent of those surveyed reported that they or someone in their family had used hospice palliative care services.

The aim of care focussed on dying individuals is to achieve the best possible quality of life for both the person who is dying and for their family by addressing their physical, psychological, social, spiritual and practical expectations and needs. Patients of all ages suffering from all life-threatening illnesses can benefit from access to hospice palliative and end-of-life care.

However, most Canadians do not have access to quality end-of-life care. Although there are more than 700 hospice palliative care programs listed by the Canadian Hospice Palliative Care Association on their website, most of those working in the field still estimate that approximately 15 to 25 per cent of

Canadians have access to hospice palliative care. According to a recent project funded by the Canadian Institutes for Health Research, that figure falls to 3.3 per cent if you are dealing with a child who is dying.

Honourable senators, health care is an issue that crosses the jurisdictional boundaries between the provincial and the federal governments. The federal government, through the Department of Health Canada, provides funding for the national health insurance system, develops health policy and enforces regulations. The 10 provincial and three territorial governments implement national health policies and oversee direct health care delivery. Most provinces and territories have further decentralized health care responsibility to regional health authorities. These jurisdictions in some cases have integrated palliative care into their health care programs but to varying degrees. The four western provinces, for example, have designated palliative care as a core service of the provincial health care program with a separate budget line; the remaining six provinces and the three territories have not.

Although the provinces are responsible for direct service delivery, a number of federal departments have a direct service delivery role to certain populations within Canada. For example, Health Canada's First Nations and Inuit Health Branch supports the delivery of health services on-reserve and in Inuit communities. Veterans Affairs Canada is responsible for delivering pensions, health care and social and economic support for war veterans and Canadian Forces veterans. National Defence Canada is responsible for the delivery of health care services to members of the Canadian Forces. The Department of Public Safety and Emergency Preparedness is responsible for the Royal Canadian Mounted Police, our national police force, and has responsibility for delivering health care services to its members. Citizenship and Immigration Canada administers the Interim Federal Health Program to cover emergency and essential health services for needy refugee claimants and those refugees not yet eligible for provincial health coverage. Finally, Correctional Services Canada is responsible for providing in-house health services for inmates in federal institutions.

It may come as a shock to many of you in this chamber, but in fact Canada as a federal government ranks fourth in the actual delivery of services to Canadians after three of our large provinces.

Health care policy and delivery in Canada is multi-jurisdictional, yet the federal government does have an important role to play in direct service delivery to certain populations: in income support to care givers and in coordinating and providing leadership on a pan-Canadian approach to palliative and end-of-life care.

In June 2002, Health Canada adopted a Canadian Strategy on Palliative and End-of-life Care with five priorities: best practices, research, public information and awareness, surveillance, and education for professional health care providers. This pan-Canadian strategy had three components: federal government departments, provincial and territorial

governments, and the community. Community working groups were formed for each priority. The working groups have provided excellent opportunities for networking, building cooperative partnerships and sharing best practices. These working groups have physicians, nurses, pharmacists, researchers, chaplains and volunteers among their members.

• (1640)

I will cite a few of the highlights of the work that they are doing. The Best Practices and Quality Care Working Group has been working with the Canadian Council on Health Care Services Accreditation to influence hospice palliative care accreditation across Canada and standards for hospice palliative care, and all existing accreditation programs will be in place this year.

The Education for Formal Caregivers Working Group established core discipline competencies for formal caregivers and has been able to secure \$1.25 million over five years to develop palliative and end-of-life training for all undergraduate students at Canada's 17 medical schools.

The Public Information and Awareness Working Group has completed two phases of a three-phase project to develop a framework for a national public-awareness-raising initiative on palliative and end-of-life care.

The Surveillance Working Group has completed a study and pilot project to develop a core data set and method for data collection to provide a baseline and comparative data for surveillance purposes at all levels of governance.

The Research Working Group has established a business plan to support the creation of a palliative care research infrastructure in Canada. This infrastructure would provide support, interaction and application of research findings to improve practices, education and policy. The Research Working Group has also partnered with the Canadian Institutes of Health Research in the development of a strategic initiative for palliative care research worth \$16.5 million over five years.

The federal component of the strategy has not been as well developed as the community component. The federal component was envisaged as a cross-departmental approach to end-of-life care in recognition of the federal government's role in service delivery to certain populations in addition to its leadership and coordination role at the national level. A federal interdepartmental working group was created which met inconsistently and was largely a vehicle for sharing information between different federal government departments with an interest in end-of-life care. In addition, the provincial-territorial component of the strategy was not proceeded with due to the work of the Romanow commission and the subsequent work on the 2003 and 2004 health accords.

However, despite the incomplete implementation of the Canadian Strategy on Palliative and End-of-Life Care, there have been a number of significant achievements in palliative and end-of-life care in Canada in the past five years.

The federal government funded the first ever Canadian research on palliative care at the University of Manitoba. The compassionate care benefits, an initiative of Human Resources Skills Development Canada under the federal Employment Insurance program, provides up to six weeks of paid leave from work for a person to care for a terminally ill parent, spouse or child. The Canadian Virtual Hospice, funded largely by Industry Canada, has created a virtual hospice on the Web which can be accessed by health care professionals and patients alike. Veterans Affairs Canada has created a set of guidelines for palliative care for veterans. Correctional Service Canada has done some pioneering work creating palliative care programs for those serving life sentences in federal correctional institutions, and the 2004 Health Action Plan agreed to by the federal government and all the provinces and territories promised \$41 billion in additional federal money for health care over the next 10 years. Under this plan, provinces have agreed to provide, by the end of this year, first-dollar coverage based on assessed need for a base level of home palliative care services including case management, nursing, palliative-care-specific pharmaceuticals and personal care at the end of life.

Despite these accomplishments — and there have been many — we are still not able to offer quality palliative and end-of-life care to all Canadians. The current strategy has been chronically under funded, has been incompletely implemented and has, therefore, fallen short of its objectives. Let me assure honourable senators opposite that I tabled exactly the same material in the previous session of Parliament against the previous government, so I have taken no sides on this. The reality is that we are not doing enough in this field and regardless of which government is in power I will continue to lobby in any way I can in order to achieve better results for dying Canadians.

There is a need, honourable senators, for sustainable, secure funding, for a fully-developed and implemented national strategy on end-of-life care. There is a need to standardize greater access to quality end-of-life care across the country. There is a need for ongoing education and training of health care professionals. There is a need for continued research and its dissemination, including socio-economic research and development and dissemination of best practices. There is a need for support for family caregivers who are assuming a greater proportion of the responsibility for health care as more care is delivered in the home and community. There is a need to inform patients and caregivers of supports and services available to them. There is a need for coordination and support across care settings as patients move from home to hospital to long-term care facilities and to hospices.

Honourable senators, there is a need for the federal government to further develop and adequately fund the Canadian strategy on palliative and end-of-life care in a way that is cross-departmental and meets the needs of Canadians.

That is why, honourable senators, I put this motion before you. I hope that we can concur with this motion with some speed and thereby send a message to the House of Commons asking them to unite with us and ensure that this be done so that Canadians who are dying can be assured of the quality of service they deserve.

On motion of Senator Comeau, debate adjourned.

## THE SENATE

### MOTION TO TELEVISION PROCEEDINGS— DEBATE ADJOURNED

**Hon. Hugh Segal**, pursuant to notice of April 5, 2006, moved:

That whenever the Senate is sitting, the proceedings of the upper chamber, like those of the lower one, be televised, or otherwise audio-visually recorded, so that those proceedings can be carried live or replayed on CPAC, or any other television station, at times that are convenient for Canadians.

He said: Honourable senators, on April 5 I rose in this chamber to put forward a notice of a motion that proceedings in this place be televised, making the work we do here available to Canadians should they choose to view it. I am delighted to rise today to move that motion, seconded by the Honourable Senator Tkachuk, and to speak to my intent and hopes on this matter.

Some in the media have suggested that the call for abolition of this place will reach a towering crescendo once our proceedings are available for interested viewers. While I sincerely doubt that, the notion that we might combat abolition of this place by hiding our proceedings from daily radio and visual scrutiny strikes me as utterly inappropriate. Our collective duty in this place is not exclusively to the continuation of this institution in its present form, but also to the service we render to Canadians from coast to coast.

As taxpayers and citizens, Canadians have the right to view our proceedings and come to their own conclusions on the value of them as they deem fit. If, on the basis of what they see and hear, they choose to elect federal or provincial governments with strong views on the future of this institution, whether for reform of this institution or for support of the status quo, that is their absolute right. Our job, it seems to me, is to facilitate a well-informed public.

In 1983, the British House of Lords, with a similar appointment structure to that of our Senate, voted overwhelmingly in favour of televising their sessions. Lord Soames, the mover of the motion, stated emphatically that the public had the right to see the lords, warts and all, especially at a time when the backdrop mood of the country was for the abolition or the reformation of the House of Lords.

• (1650)

The House of Commons of the time was still resistant to the notion of televising its proceedings in the United Kingdom, using the excuse that members might play to the camera. Lord Soames, in his wisdom, pointed out that the debates in the upper chamber were often of a higher standard, delivered by people with years of insight, experience and the ability to turn a phrase. He understood the value of using technology as a source of education and edification. He did not underestimate the intelligence of the people of the United Kingdom. That was more than two decades ago.

This is now 2006. Canadians use technology as their source of information, communication and research. Technology affects all aspects of their lives and dictates their views on all matters

deemed newsworthy. Proponents on all sides of the debate as to the future of this place, whether it be abolition, reform or maintaining the status quo, cannot argue that transparency as to its daily business is somehow counterproductive.

I would hazard a guess that some of the best reasons likely to be put forward against televising or broadcasting via Internet the sessions in this chamber are indeed some of the best reasons in favour of the same. It might be argued, for example, that the work done here is complicated. The viewing public may believe, as we know not to be the case, that proposed legislation makes its way to this chamber but that any debate on its substance or merit is mere formality. We know that is not the case. The recommendations and changes that honourable senators put forward in discussions held here and in committee have had genuine and portentous substance and impact on the government of the day and are often definitive with respect to outcomes. The public should have the right, at their convenience, to be privy to these debates. Assuming that Canadians neither care nor will understand the complexities of the legislative process is the height of condescension. Canadians may or may not wish to view what we are doing in this place, but that is up to them. I suggest that it is our duty to give them that choice.

[Translation]

Over 20 years ago, Lord Soames and an overwhelming majority of the House of Lords realized the sheer folly of being condescending towards the public.

The time has come, honourable senators on both sides of this chamber and honourable independent senators, to resolutely enter the era of television and to acknowledge that perhaps Canadians are truly interested in the legislative process which may eventually make a difference and greatly influence their lives.

The Australian Senate also broadcasts its question periods, and at least three of these must be televised in each two-week session.

The House of Lords and the Australian Senate have used radio and television, not only as a means of providing information to the public, but also to inform their citizens about issues pertinent to them.

[English]

The Australian Senate began broadcasting on television in August of 1990 according to the provisions of the Australian Broadcasting Act and its programming is carried on the Australian Broadcasting Corporation television network. The costs associated with the broadcast are borne by the corporation as part of its programming budget. However, in the spirit of political restraint, Australia's joint committee on the broadcasting of parliamentary proceedings does insist on maintaining continuity and receiving guarantees that material will not be used for the purpose of satire or ridicule.

According to the Museum of Broadcast Communications, at present some 60 sovereign states provide television coverage of parliamentary bodies, including upper chambers. Among them are countries as diverse as Australia, Germany, Japan, Hungary, Bulgaria, Russia, China, Denmark and Egypt. In Canada, the Cable Public Affairs Channel is the only network that provides Canadians with continuous live coverage of the proceedings of the

House of Commons whenever the House is in session. Committee meetings in this place are also covered by that network. The call to televise Question Period and debates in this chamber is simply a logical progression toward the inevitable.

There is no fathomable reason why Canadians cannot be privy to the thoughtful debates and discussions in which we engage. Perhaps by allowing the public a front-row seat to the debates and discussions, we can do more to inform our fellow Canadians on the deeper detailed inquiry role this chamber plays at its best. I am told by many who observed the debates on same-sex marriage before my arrival in this place that they were of a breadth and tone that contributed strongly to the overall parliamentary and national consideration of the issue at hand.

I am attracted, honourable senators, to the wisdom of Lord Soames. I have personally been witness, despite my short time amongst you, to thoughtful, incisive and dynamic exchanges and debates on issues that run to the core of who we are as Canadians by members present. Allowing these exchanges at their best, and on occasion at their worst, to be seen and heard by the Canadian people is not an encumbrance or a threat. Rather, it is duty for us to allow fellow Canadians to sit in on our discussions and to make their own determinations of us.

The future of this institution and how it may evolve and change over time is ultimately in the hands of the Prime Minister, the premiers, the respective elected legislative bodies and this body, whose concurrence is required by the Constitution for changes to be made. That, while of interest to us, should not concern us in any way on the matter of televising our proceedings.

I know that every senator shares a common resolve to serve Canada, the interests of Canadians, both at home and abroad, to the best of our ability and within the constitutional role determined for this upper chamber. I submit to honourable senators with humility, respect, and affection that giving Canadians who wish to do so the chance to easily view our proceedings is totally consistent with that common resolve.

**Hon. Sharon Carstairs:** Honourable senators, may I ask the honourable senator a question?

**The Hon. the Speaker *pro tempore*:** Would you accept a question?

**Senator Segal:** Of course.

**Senator Carstairs:** By custom and tradition in this chamber, generally a motion like this, which would have an impact on the *Rules of the Senate*, would be sent to the Standing Committee on Rules, Procedures and the Rights of Parliament.

Would the honourable senator have any objection to that motion being moved, so that the committee could study whether this was in the best interests of the Senate?

**Senator Segal:** I defer to the more experienced judgment of honourable senators, but it strikes me that, if there is a will on the part of the Senate that the matter proceed, we should find a way for that to be expressed. The Rules Committee and the Standing Committee on Internal Economy, Budgets and Administration

[ Senator Segal ]

might then be asked to look at the best way to proceed both in terms of cost and in terms of the articulation of the specifics. If there is no will amongst our colleagues to proceed, why would we bother the Rules Committee or, for that matter, the Standing Committee on Internal Economy, Budgets and Administration, if our colleagues are not of the will we should proceed in any respect in this direction?

**Senator Carstairs:** I am not suggesting that such a motion be moved today — because I think it is premature. We need to hear from honourable senators with respect to how they feel about that. However, by its nature, the same interaction about the pros and cons will not take place here as in the Rules Committee. Hence, at the appropriate time, I may well make that motion, but I will put on the record right now that I happen to favour television within this chamber. Having said that, I still favour this matter going to the committee that I mentioned.

**Hon. Tommy Banks:** I have two questions for the honourable senator, if I may.

The subject the senator has raised is one that has been raised here and has been mooted before. Some of us are less photogenic than Senator Segal and as such may not be so avidly in favour of his proposal.

First, would the honourable senator have thought or determined any aspect of what the cost might be, given the cost of the physical equipment, the personnel required to operate, edit and, one assumes, direct such broadcasts?

Second, while I agree with what the honourable senator said, which was very complimentary to the tone and level of debate in this place, there is no denying — and the honourable senator would know this better than I — the difference between the nature of debate in the other place before its being televised and the nature of that debate now. It is quite different. You mentioned the concept of playing to the cameras. I think it is not unfair, without wishing to be unduly critical of our colleagues down the hall, to say that in some respects the whole place seems sometimes to be playing to the cameras in respect of doing things that are entirely cosmetic and theatrical. I guess we should look at the best side of ourselves and assume that we would never resort — without saying stoop — to such things. Has that caused the honourable senator any concerns?

• (1700)

There are two questions: First, has the honourable senator thought about the cost? Second, is he devoid of concern about our falling into that theatrical trap?

**Senator Segal:** I am sensitive to the fact that table officers and those who serve the Senate and who are concerned about the management of this chamber's costs would be diligent and prudent in the advice and counsel they would offer. It would have

been my view not to bother them with that analysis unless we had some view from colleagues in this place as to whether they wished to proceed at all. If they did wish to proceed, then it strikes me that both in terms of the cost basis in the other place and what the House of Lords and others have done, there are easy examples upon which to construct a financial template so we would have — senators would have, and Internal Economy would have — absolute clarity as to what the costs would be.

Technology has also changed the nature of what constitutes the diffusion of a signal from the days when it began in the House of Commons to what is now available over the Internet in ways that are more economical. Should the Senate choose to proceed, that should provide some options on the financial side which did not exist when the work began in the other place so many years ago.

I think it is accurate to point out that historically, the first government to be re-elected since the advent of the televising of Parliament was the second Mulroney administration of 1988; every other government was defeated. To some extent, I think you are right to suggest that the impact upon the public perception of the democratic process as played out in the other place was not helped by the advent of television.

That being said, what transpires does transpire and the notion that either in the other place or here, the mere denial of a television signal would change the perception of politics or somehow embellish seems difficult to justify.

I would also make the case — and I say this as an absolute novice in this place who has so much to learn from everyone in the chamber — that the nature of the debate in this place is qualitatively different precisely because under our present structure individuals here do not face election on a regular basis. It is precisely because this chamber does not have the constitutional authority to move confidence or nonconfidence and because there are other legitimate constitutional constraints because of the provenance of this second chamber, that produces a quality of debate and engagement with which many Canadians would be —

**Senator Banks:** Surprised.

**Senator Segal:** Perhaps surprised, but certainly I think they would find it more edifying than is sometimes the case in other circumstances. I would like to think that colleagues, upon due consideration, would conclude that it would be something worth trying on the people of Canada. In the end, it is for them that we try to do our best.

On motion of Senator Fraser, debate adjourned.

The Senate adjourned until Wednesday, April 26, 2006, at 1:30 p.m.

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