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Wednesday, October 4, 2006



THE HONOURABLE NOËL A. KINSELLA
SPEAKER

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THE SENATE

Wednesday, October 4, 2006

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

Prayers.

AFGHANISTAN—FALLEN SOLDIERS

SILENT TRIBUTE

The Hon. the Speaker: Honourable senators, before we proceed, I would ask senators to rise and observe one minute of silence in memory of Sergeant Craig Paul Gillam and Corporal Robert Thomas James Mitchell, whose tragic deaths occurred yesterday while serving their country in Afghanistan.

Honourable senators then stood in silent tribute.

[*Translation*]

SENATORS' STATEMENTS

WORLD TEACHERS' DAY

Hon. Rose-Marie Losier-Cool: Honourable senators, I proudly rise today to recognize World Teachers' Day, which will be celebrated tomorrow, October 5, 2006.

[*English*]

This year's theme says it all: Teachers make all the difference in the world. I know that each and every one of us can remember a teacher who made a difference in our lives.

[*Translation*]

All of us have enjoyed the patience, wisdom, humour, comfort, encouragement and support of teachers, whether in grade school, high school, college or university. We can therefore all appreciate how pivotal the role of teachers is in society; without them, society would lack structure and a future.

Since coming to the Senate, I have often repeated how education is the key to personal, social and economic development and success. Since education is the key to this future and teachers are a primary vehicle for this education, you will agree with me that teachers are most likely the most important members of society anywhere in the world.

Teaching has been an important part of my life, both in the classes I taught and in national or provincial associations. I am not the only former teacher in this chamber.

The teaching profession is a stimulating and satisfying one, but it is not without its share of difficulties. We know that our Canadian society is constantly evolving, particularly where its values, technological infrastructure and professional opportunities are concerned.

Our teachers, both men and women, have to deal with situations today which are often much more complex and difficult than in my day. This is why they deserve even more respect and loyalty. Let us remember that these teachers are the key to our children's success, and that of our grandchildren and great-grandchildren. Let us thank them from the bottom of our hearts.

[*English*]

Why not call a teacher tonight or tomorrow?

THE SENATE

DR. GARY O'BRIEN—TRIBUTES ON RETIREMENT

Hon. Bill Rompkey: Honourable senators, I rise today to add my comments to the comments Senator Stratton made yesterday about Dr. Gary O'Brien. I saw Mr. Blair Armitage in the Reading Room and I congratulated him. If the other table officers had been there, I would have also congratulated them, as well as the Clerk of the Senate on his wisdom and perception. Mr. Armitage said, "We will miss Gary. I do not know how we will get on without him." That said it all.

Yesterday, Senator Stratton went through Gary's curriculum vitae, so I will not repeat it. I simply wish to emphasize the personal characteristics that Gary brought to us. He was unfailingly courteous at all times. I never saw him operate in any other way. He was knowledgeable. He knew the rules but, moreover, he also had corporate memory, knowing what went on previously, which is so important around here. Gary would say, "The last time we did it, this is the way it happened." That is very important.

Gary had a sense of humour and you could joke with him. That greases the wheels of this place and makes it a lot easier to work here. He was conscientious and very meticulous in ensuring that you did the right thing at the right time, and he would give you advice in advance. He was discreet. He would never tell us what the other side was thinking and, I assume, he would never tell them what we were thinking. I never forgave him for that, but that discretion was an attribute that stood him in good stead. He was a coach to all of us, and I think we all benefitted from his presence here. We will miss him.

• (1340)

I simply want to say to Gary, thank you very much for all you have done.

By the way, Gary is jogging now out in the fresh air away from some of the staleness that sometimes inhabits this chamber. We wish him well.

Hon. Senators: Hear, hear!

CANADIAN BREAST CANCER PATIENT CHARTER

Hon. A. Raynell Andreychuk: Honourable senators, this past Sunday I joined 1,800 residents — mainly survivors, friends and other community members — in the Canadian Breast Cancer Foundation CIBC Run for the Cure. In 50 other cities, the same event was taking place. No doubt, many members from this chamber took part.

I want to commend the survivors, their friends and the volunteers for their tenacity, persistence and, above all, their message of hope for breast cancer survivors and their families.

I also want to bring to the attention of this chamber and to the people of Canada a new initiative called the Canadian Breast Cancer Patient Charter, which was launched Sunday, May 7, 2006, at Reasons for Hope 2006, the fourth scientific conference of the Canadian Breast Cancer Research Alliance in Montreal, Quebec.

Canadians face significant challenges related to breast cancer care. Access to the highest standard of care varies widely from place to place, from province to province, and between urban and rural areas.

Certain populations, including Aboriginal women, experience particular difficulties. As a society, Canadians struggle with rising treatment costs and the contradictions of a medicare system that covers only those treatments delivered in a hospital setting. Individuals, families and caregivers face the heavy emotional and financial burden that come with a cancer diagnosis.

This patient charter is not a legal document; rather, it is a road map of principles that charts the way to improve knowledge and quality of life for the growing number of Canadian patients diagnosed with breast cancer. In fact, one in nine women will face breast cancer in some form during their lives.

The charter is especially important in a time when incidence rates are rising and the overall number of patients is increasing as our population ages, even as incremental advances in screening and treatment are contributing to better overall survivor rates.

The document can be found on the Internet at www.canadianbreastcancerpatientcharter.com. Although this document is written with breast cancer patients in mind, its broad brush strokes apply generally to all cancer patients.

STUDENT FUNDING AND INDEBTEDNESS

Hon. Elizabeth Hubley: Honourable senators, about one year ago I brought to the attention of honourable senators the serious deficiencies and inequities in our funding of post-secondary education in Canada; in particular, the problems of escalating tuition and other costs and the shameful spectre of student loan debt, which is now estimated by the Canadian Federation of Students to be more than \$12 billion. Tuition fees have almost doubled over the past 15 years in the face of shrinking transfers to the provinces.

It has now been demonstrated that asking students and their families to shoulder more of the funding burden results in decreased rates of participation by low- and middle-income groups. In spite of tuition freezes and reductions in some

provinces, going to college or university is still unaffordable for many bright and capable young Canadians. We must do better.

Regrettably, the groundbreaking and ill-fated 50/50 Program put forward by the previous Martin Liberal government, which promised to assist all students regardless of their financial circumstances or problems, could not be implemented. However, it should be a directional marker for the present Conservative government, showing the type of creative approaches that are possible in addressing the post-secondary education funding issue.

One thing is very clear to me: We need a progressive and strong national policy for post-secondary education, one that is student-centred and respects provincial jurisdiction while not being afraid to exercise the federal government's legitimate responsibility and authority in this crucially important area.

• (1345)

Honourable senators, today one of our national student organizations, the Canadian Federation of Students, is on Parliament Hill meeting with members of all parties to bring greater attention to the issues of post-secondary funding and student debt. I support their efforts and urge the government to focus on the needs of our colleges and universities and on our students.

FEDERAL ACCOUNTABILITY BILL

Hon. David Tkachuk: Honourable senators, I rise today to speak about the issue of accountability and responsibility. Last week I rose during Question Period to ask the Chairman of the Standing Senate Committee on Legal and Constitutional Affairs process type questions about the committee's hearings into Bill C-2. The chairman provided this chamber with excellent information, which included that as of last week the committee had heard from over 120 witnesses through at least 75 hours of hearings, and that testimony was beginning to become repetitive. In fact, the Senate has heard from 51 more witnesses than had been heard by the House committee studying Bill C-2.

Honourable senators, after the expensive wreckage of the sponsorship scandal and the tens of millions of dollars lost, Canadians have every right to expect that after losing the 2006 federal election the Liberal Party of Canada and its members should have learned that Canadians demand accountability. I thought about the hearings of the Standing Senate Committee on Legal and Constitutional Affairs and the information provided to this chamber last week, and I cannot understand why Liberal senators are continuing to throw up roadblocks to the passage of Bill C-2, the proposed federal accountability act, when Canadians clearly want their politicians and political parties to behave responsibly and with accountability.

Canada's new government introduced Bill C-2 as its first piece of legislation this past April and sent the proposed law to the Senate in June. Conservative senators were prepared to meet through the summer to pass legislation and the Liberals refused to

cooperate. With the length of hearings and the long witness lists, one can only presume that the Liberal committee members are unnecessarily delaying the new accountability legislation.

The question to ask is: For what reason? There is a convention coming up in early December where I expect tax receipts will still be issued even if personal contributions add up to over \$1,000. Donations in large amounts will still be accepted from corporations and unions, and the five-year lobbying ban on former ministers, their aides and senior public servants will not stop these people from working the rooms in December, safe from the eyes of the Auditor General.

The culture of entitlement is alive and well, and Liberals will still be Liberals. It is not about Canadians for the Liberal Party; it is about the Liberal Party, and I hope that Canadians are paying attention.

CELTIC COLOURS INTERNATIONAL FESTIVAL

Hon. Jane Cordy: Honourable senators, it is with great pleasure that I rise today to congratulate the Celtic Colours International Festival of Cape Breton, Nova Scotia, for its nomination for the “Event of the Year” award presented by the Tourism Industry Association of Canada. The Celtic Colours International Festival is one of the three finalists for the award, with the winner to be announced at a gala dinner October 23 in Jasper, Alberta.

Cape Breton Island is host each year to the Celtic Colours International Festival, celebrating North America’s only living Celtic culture. Over the nine days of the festival, Cape Breton is home to a unique celebration of music and culture, as the Celtic Colours International Festival presents dozens of concerts all over the island. There are close to 100 workshops, a visual art series of exhibitions and a nightly Festival Club.

The festival has grown over the years and now artists from all over the globe are invited to join some of Cape Breton’s finest singers, players, dancers and tradition bearers in the celebration. Artists from Scotland, Ireland, Wales, Denmark, Spain, New Zealand, England, the United States and across Canada will be performing.

This year’s festival is looking to be the most successful yet. A record number of advance tickets have been sold and the number of attendees from all over the world is increasing. Now celebrating its tenth anniversary, the Celtic Colours International Festival runs from October 6 to October 14, which happens to coincide with the Senate break week.

I would like to invite all senators to visit Cape Breton next week for an immersion in Celtic culture and a guaranteed fun time.

• (1350)

MATRIMONIAL REAL PROPERTY ON RESERVE

Hon. Mobina S. B. Jaffer: Honourable senators, I rise to speak on the issue of matrimonial real property on reserve and the rights of Aboriginal women.

[Senator Tkachuk]

Last week, the Minister of Indian Affairs and Northern Development announced consultations within the Aboriginal community on the issue of property rights for women on reserves. Over this past weekend, Senator Shirley Maheu and Senator Thelma Chalifoux have been very much in my thoughts.

I remember taking part in a steering committee meeting with Senators Maheu and Chalifoux, speaking to then Minister of Indian Affairs Robert Nault. Both women spoke so passionately of the challenges that Aboriginal women face, being forced to leave the matrimonial home with their children after the breakup of a marriage.

Both senators worked hard to produce an interim report entitled: *A Hard Bed to Lie In: Matrimonial Real Property on Reserve*. As the report stated:

The Committee strongly believes that each and every government, be it the Canadian government or First Nations governing bodies, has a duty to respect and protect the rights of Aboriginal women...

Since the release of that report, the Standing Senate Committee on Human Rights has continued its work on this issue, preparing another outstanding report under the leadership of our colleague Senator Andreychuk, whose work on this issue has been equally tireless and passionate. The committee continues to work on these issues up to this day with the help of Senator Carstairs, who I know took a direct and active interest in this issue as the Leader of the Government in the Senate as well.

At the time when the Senate is under a microscope and our very existence is called into question, we should acknowledge the work of the Standing Senate Committee on Human Rights as the best kind of contribution this place is able to make to our democracy. It is a tribute to our departed colleague Senator Maheu, as a lifelong defender of the rights of women and to our former colleague Senator Chalifoux, who has worked for years as a champion for the rights of Aboriginal women. It is an example for all of us of the kind of positive footprint this chamber can make on our laws and the support we can give to ensure all Canadians have the full benefits of their rights in our society.

As the promised consultations move forward, the challenge for all of us will be to ensure that this work — which reflects the needs of Canada’s Aboriginal women so well — is reflected in the legislation that will eventually result.

I rise today to salute the work of Senator Maheu and Senator Chalifoux on this issue.

[Later]

TREASURY BOARD

TERMINATION OF SECRETARIAT ON PALLIATIVE AND END-OF-LIFE CARE— RESPONSE TO COMMENTS OF SENATOR

Hon. David Tkachuk: Honourable senators, yesterday, during Question Period, a senator mistakenly attributed some contrary comments made about a vulnerable group of people to me. He referred to me as the “senator from Saskatchewan” and said:

Would the Leader of the Government in the Senate ask the Honourable John Baird, President of the Treasury Board, to reconsider these cuts? It is not a great deal of money but it goes such a long way in helping those people who are the most vulnerable, contrary to what the Senator from Saskatchewan had to say.

When I tried to seek immediate clarification — and our whip even tried to raise a point of order, although I am aware that according to rule 23.1 you cannot do so during Question Period — the questioner replied that I had made a joke of his comments about who is the most vulnerable.

I would like all senators who were here yesterday, or who may be aware of the mistaken comments made by that senator during Question Period, to know that I made no contrary comments or jokes whatsoever with respect to any vulnerable group in society, in Saskatchewan or in Canada. In fact, a great deal of my work as a senator is concerned with vulnerable groups in society. One only need look at my years served on the Standing Senate Committee on Aboriginal Peoples, my Senate public bills and statements I have made since my appointment in 1993.

Senators may not agree with opinions or statements I make from time to time, but they may not attribute words to me that I have never said. I hope this will not happen to another senator since we all in this place face the challenges of representing and defending the interests of minorities in Canada, a privilege that I know none of us takes lightly.

ROUTINE PROCEEDINGS

STUDY ON NATIONAL SECURITY POLICY

REPORT OF NATIONAL SECURITY AND DEFENCE COMMITTEE TABLED

Hon. Colin Kenny: Honourable senators, I have the honour to table, in both official languages, the fourth report of the Standing Senate Committee on National Security and Defence entitled: *Managing Turmoil, The Need to Upgrade Canadian Foreign Aid and Military Strength to Deal with Massive Change*.

COMMITTEE OF SELECTION

FOURTH REPORT OF COMMITTEE PRESENTED

Hon. Terry Stratton, Chair of the Committee of Selection, presented the following report:

Wednesday, October 4, 2006

The Committee of Selection has the honour to present its

FOURTH REPORT

Your Committee recommends a change of membership to the following committee:

Standing Senate Committee on Official Languages

The Honourable Senator Murray, P.C., replaces the Honourable Senator Plamondon as a member of the Standing Senate Committee on Official Languages.

Respectfully submitted,

TERRY STRATTON
Chair

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

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

• (1355)

[*Translation*]

LEGAL AND CONSTITUTIONAL AFFAIRS

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO MEET DURING ADJOURNMENT OF THE SENATE

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, in accordance with rule 95(3), the Standing Senate Committee on Legal and Constitutional Affairs be required to meet the following dates; Tuesday, October 10, 2006 from 4:00 p.m. until 9:00 p.m., Wednesday, October 11, 2006 from 9:00 a.m. until 9:00 p.m., Thursday, October 12, 2006 from 9:00 a.m. until 9:00 p.m. and Friday, October 13, 2006 from 9:00 a.m. until 9:00 p.m., even though the Senate may then be adjourned for a period exceeding one week.

L'ASSEMBLÉE PARLEMENTAIRE DE LA FRANCOPHONIE

MEETING WITH OFFICIALS OF THE SECRETARIAT GENERAL, MAY 19-26, 2006—REPORT TABLED

Hon. Andrée Champagne: Honourable senators, pursuant to rule 23(6), I have the honour to table, in both official languages, the report by the Parliamentary Delegation of the Canadian Branch of the Assemblée parlementaire de la Francophonie following its meeting with the officials of the Secretariat General of the APF in Paris on May 19, 2006, and in Amman, Jordan, Jerusalem, Israel, Ramallah, West Bank, and Damascus, Syria, from May 21 to 26, 2006.

QUESTION PERIOD

TREASURY BOARD

TERMINATION OF COURT CHALLENGES PROGRAM

Hon. Marie-P. Poulin: Honourable senators, my question is for the Leader of the Government in the Senate. Yesterday, in response to a question from the Leader of the Opposition, she said, and I quote the October 3 *Debates*:

... I do not think that any taxpayer who would have supported the original Court Challenges Program would think that there would be anything left to challenge with regard to the Charter.

Yet, the honourable senator must remember the Montfort Hospital affair, which happened very recently. The case involved challenging a provincial government ruling, which reversed a decision to close the only French-speaking university teaching hospital in the province of Ontario.

[*English*]

Hon. Marjory LeBreton (Leader of the Government): I thank the honourable senator for the question. I happen to be one of the people who supported Gisèle Lalonde and the people at the Montfort Hospital.

This government will always defend minority rights and minority language rights. Nothing in our savings announcements will change that fact.

[*Translation*]

Senator Poulin: This is precisely what concerns me. There is quite a discrepancy between what you say and what you do. If we recall the Montfort affair, the defendant before the court was indeed the Government of Ontario, represented at the time by none other than Messrs. Baird and Flaherty. They are now the ministers in your cabinet who decided to cancel the program that provided the funding for the case, which they lost. Does this not represent a conflict of interest?

[*English*]

Senator LeBreton: Honourable senators, I am here to answer for the new Conservative government of Prime Minister Harper. I am not here to answer for decisions of provincial governments of any stripe.

• (1400)

JUSTICE

STATUS OF SPECIFIC CASES FOLLOWING TERMINATION OF COURT CHALLENGES PROGRAM

Hon. Tommy Banks: Honourable senators, my question is addressed to the Leader of the Government in the Senate. It concerns the same sort of issue as that raised by Senator Poulin in her question. I am reminded by Senator Poulin that the honourable leader said yesterday, more or less, that things ought to all have been taken care of by now.

My first question in respect of the cancellation of the Court Challenges Program is this: Is the money gone? Will those cases that are presently being prosecuted under funding agreements which have been made between the Court Challenges Program and the plaintiffs continue to be fought or will they be cut off in midstream?

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, that is a good question, and I will simply take it as notice.

Senator Banks: I look forward to the answer.

Honourable senators, my supplementary question is in respect of things having been taken care of because the law has been in place for a long time.

The Canadian Forces Superannuation Act, which was promulgated in 1901 — 105 years ago — contains a provision called the gold diggers provision. This provision prevents young women who have married older veterans in the hopes, one assumes, that the veterans will die, and that they will continue to collect the veterans' pensions for a long time, from collecting those pensions. That was 105 years ago, honourable senators. A court challenge, funded by the Court Challenges Program, however, was brought by such a wife in anticipation of the day, some years hence, when she might become a widow. I am wondering whether that case has been cut off.

Further, a friend of mine, whose name is Kiviaq, has brought an action against the government in respect of Inuit rights. I happen to know that that case went through a severe and arduous adjudication process at the Court Challenges Program in order to determine, first, whether the case was of sufficient merit that public monies could be put in to assist him.

Yesterday, the minister suggested that persons do not need to have that kind of assistance because they can go elsewhere for funding. She gave a good example of that in the case of a mother who was bereaved at the loss of a son, and who used the organization Mothers Against Drunk Driving, or MADD, as a vehicle to obtain assistance in funding.

My friend Kiviaq has brought an action and he does not seem to have any place that he can or could go in order to obtain assistance in levelling that legal playing field on which he is obliged to play at the Supreme Court save the Court Challenges Program.

In these two cases, and in myriad others, I am asking the question that I first asked, of which the leader has taken notice. I am hopeful of an answer that will affirm that at least those cases that are already in progress will be allowed to continue.

Senator LeBreton: I cannot provide an answer to the second example that the honourable senator has cited. However, I am well aware of the first example. Obviously, the matter has been before the courts for a long time, including through many years of Liberal government, and it has not been resolved. I will simply take both cases to the Department of Justice and ask for a response.

STATUS OF LEGAL AID FUNDING

Hon. Mobina S.B. Jaffer: Honourable senators, my question is addressed to the Leader of the Government in the Senate. It concerns federal funding for legal aid.

We have seen the dismantling of the Law Commission of Canada under this government. Even more shocking, we have seen the destruction of the Court Challenges Program that had allowed minorities and other vulnerable groups to fight for their rights before our courts. I am sure honourable senators will agree that access to justice is of great concern to us all.

The Minister of Justice will soon be meeting with his provincial counterparts to discuss these and other issues. As the current federal-provincial-territorial cost-sharing agreement has been extended only as far as March 31, 2007, can the minister tell us if this minority government will commit to the stabilization of funding for legal aid?

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, I thank Senator Jaffer for her question. It is interesting that every program that the previous government bought into, or brought, in somehow or other must, by necessity, stay on our books forever.

As a result of the review of which I was a part, we did eliminate funding to the Law Commission of Canada, resulting in a saving of \$4.2 million over two years. The rationale we used was that the study of the laws of Canada and the provision of advice on reforms can be carried out within government departments; through the Canadian Bar Association; through internal research and analysis; through federal, provincial or territorial working groups; and through our work in international associations. Within the portfolio of the Department of Justice, the Government of Canada spends well over \$1.4 billion annually. This includes the Department of Justice, the Courts Administration Service, the Supreme Court of Canada, and various tribunals and commissions.

• (1405)

Senator Jaffer: Would the leader kindly answer my question as to whether the government will commit to stabilize funding to Legal Aid?

Senator LeBreton: My answer to the honourable senator was clear. The government spends \$1.4 billion annually. It is my understanding that Legal Aid has been primarily the responsibility of provincial governments. The cuts, revisions and savings that the government announced will stand.

INTERNATIONAL TRADE

INFRASTRUCTURE FUNDING
FOR ACCESS TO PACIFIC GATEWAY

Hon. Grant Mitchell: Honourable senators, it has not taken this government long to begin taking the people of Alberta for granted. Despite the importance of the Pacific Gateway to the diversification of the agricultural economy of Alberta and

the West, the government has completely dropped the ball in two critical areas: first, the development of infrastructure for getting products to market; and, second, the development of markets, particularly China in the Pacific Rim, for those products. It should be known, and I hope the government realizes this, that far less than 2 per cent of China's import markets are Canadian.

Could the Leader of the Government in the Senate please tell this chamber why the government has reduced the funding for infrastructure under the Pacific Gateway over the next five years from the \$590 million committed by the former Liberal government to a paltry \$160 million? Albertan and other farmers in the West need that money to get their products, through new infrastructure, to markets in the Pacific Rim.

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, I do not accept the honourable senator's statement that the government is forgetting Albertan farmers. Minister Emerson has been active on the Pacific Gateway file and the government is not ignoring China. As a matter of fact, the Minister of Agriculture and Agri-Food is planning to visit China next week. In both cases, I do not accept the premise of the honourable senator's question.

Senator Mitchell: The leader may say that the government is not ignoring China and, certainly, after eight or nine months it is nice to see that the Minister of Agriculture will travel there. Could the Leader of the Government in the Senate square that observation — that the government is not diminishing China — with the series of conscious actions it has taken to diminish relations with China? First, the Minister of Foreign Affairs delayed an official meeting with the Chinese Ambassador to Canada. Such meetings are matter of course after a new government is formed. Second, the government dropped the CanTrade negotiations with China. This government has taken initiatives that clearly provoke and offend China and has excluded China from its list of priority countries in the development of Asia-Pacific markets. The government announced a list that clearly excludes China.

Could the Leader of the Government in the Senate please explain how that adds up to making China a needed priority for Canada's development of Pacific Rim markets for Alberta and Western agricultural products to make the Pacific Gateway program work properly? You are dropping the ball.

• (1410)

Senator LeBreton: I am not a person who plays sports, so I do not think I could ever be accused of dropping the ball.

I do not know to which list the honourable senator is referring. Minister Emerson, who is very much engaged in the issue of the Pacific Gateway, has been working diligently on all matters of the Pacific Rim. I have never seen a list anywhere that specifically says that we are ignoring China. I do not think such a list exists.

Senator Mitchell: The honourable leader might want to read the Conservative election platform and the announcement made by the now Prime Minister in British Columbia.

Further to my question, could the Leader of the Government in the Senate please give us or pledge to provide an update on the status of the inland container port that has been requested by Grand Prairie? Federal funding would be a great asset in allowing that initiative to go forward.

Senator LeBreton: I wonder whether the honourable senator is representing the company.

An Hon. Senator: Withdraw!

Senator LeBreton: I do apologize. I just could not resist.

The fact is that I have no knowledge of that specific interest. I will take that inquiry as a delayed answer.

[*Translation*]

OFFICIAL LANGUAGES

COURT CHALLENGES PROGRAM— MANDATE OF COMMITTEE

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, my question is for the Chair of the Standing Senate Committee on Official Languages. Senator Joyal has presented a motion asking the committee to examine an issue that interests him a great deal: the Court Challenges Program.

The purpose of my question is not to underscore the merit of this motion — many senators are interested in this issue — but to check something. I have checked with the Conservative members of the Committee on Official Languages, and none of them were approached by Senator Joyal to ask whether they wanted to examine this motion.

Were the opposition members on the Committee on Official Languages asked whether they wanted to examine the issue or were even interested in looking at the issue, before the motion was presented in this chamber?

Hon. Maria Chaput: Honourable senators, I believe that any senator is entitled to present a motion. I agree with that principle. That said, no, I was not consulted. However, I was notified that day that Senator Joyal was going to present that motion. He sent me a very courteous note to let me know. As I understand it, senators are always free to present any motions they wish in the Senate.

Senator Comeau: I have an additional question. I did not in any way suggest that senators are not entitled to introduce motions. That was not the aim of my question. The purpose of my question was to challenge the value of his motion. My question was: Were the committee members consulted? The answer is no.

The committee held lengthy discussions at several meetings and, after consultation, we reached a consensus to examine two issues. If the Senate adopts Senator Joyal's motion, what will happen to the studies that are under way, for which reports are due to be completed by December 31, 2006?

Can the Chair of the Committee on Official Languages tell us whether we will be able to complete the projects we have already started or whether we will have to set them aside and look at other issues?

[Senator Mitchell]

• (1415)

Senator Chaput: Honourable senators, if the motion is referred to the Committee on Official Languages, the committee members will decide how to prioritize the activities planned for the remainder of this year and for next year.

[*English*]

TREASURY BOARD

SPENDING CUTS TO NATIONAL LITERACY SECRETARIAT— COMMENTS BY MINISTER OF FOREIGN AFFAIRS

Hon. Catherine S. Callbeck: Honourable senators, my question is for the Leader of the Government in the Senate. Last Friday, the Minister of Foreign Affairs was in Prince Edward Island. When asked by the media about the cuts to the literacy programs, he said, and I quote: "I do not think anyone should panic." He then went on to say, I quote again: "Just as quickly as programs might find themselves without funding, they may very quickly find that funding again, if the case can be made through the federal and provincial governments that there is good value for the dollar."

My question is this: Does this mean that the government will restore the cuts to literacy? I am sure that the P.E.I. Literary Alliance and other groups would like to know if there is a plan. If so, would the Leader of the Government in the Senate explain the details?

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, I am glad to note that Senator Callbeck has actually acknowledged that there is a very good minister of the Crown responsible for Prince Edward Island, and that he was there last week doing his work.

Senator Callbeck: That is what he is paid for.

Senator LeBreton: I have not seen a transcript of exactly what Minister MacKay said. However, there has been a significant overlap in programs. In the case of literacy, as I have said on many occasions, we are expending over \$81 million on literacy programs. Many of the savings were made in areas where there was overlap, or where duplication obviously would not directly benefit the people who require the assistance.

Since I do not have before me exactly what the minister said, I will not try to interpret what he could have been referring to, although he could have been referring to the overlap of many programs. Other programs pick up areas when savings like this have been made.

Honourable senators, I do not think anyone in this country would argue that \$81 million is not a considerable sum of money that the government is investing in literacy and in skills training for our citizens, whether they be adults or young people entering the workforce.

Senator Callbeck: I would be happy to send the leader a copy of what the minister said.

Honourable senators, I find the government's response to these literacy cuts to be extremely confusing. In the original press release announcing the cuts, including literacy, these programs were described as "wasteful" and "ineffective," but it was reported in our local newspaper last Saturday that the Minister of Foreign Affairs told Islanders not to worry about a permanent loss of literacy funding on Prince Edward Island.

Does that mean that the literacy cuts to the programs on Prince Edward Island will be restored?

Senator LeBreton: The honourable senator questioned me at another time about improper representation on Prince Edward Island. However, Minister MacKay has been over to the Island quite a few times.

Honourable senators, when we announced these savings, they fell into four categories: Value for money; funds that were not used and therefore were put into savings; efficiency; and non-core programs.

• (1420)

I will not respond to a newspaper article the honourable senator referred to until I have had an opportunity to speak to Minister MacKay and ascertain exactly what he said.

I do not think there is any doubt that the savings we announced have generally been very well-received across the country, except by the Liberals with their pet projects.

In any event, the announcement has been well-received. I thank Senator Callbeck for pointing out that Minister MacKay is doing such a great job as political minister for P.E.I.

SPENDING CUTS TO NATIONAL LITERACY SECRETARIAT

Hon. Joyce Fairbairn: Honourable senators, in the past week we have heard much about the \$17.7 million in federal money that has been removed from literacy programs across this country. That may not sound like much here in the nation's capital where we make laws. However, today I returned a call from Linda Richards in Saskatchewan. She is a strong woman and long-time learner who now helps others through the Saskatchewan Literacy Network, an organization that has been funded with help from Ottawa. Ninety per cent of its resources will disappear by the end of November. The doors will close for support groups in places such as Prince Albert, Regina, Swift Current and Saskatoon, where the literacy system has been at its strongest ever.

Across the border in my hometown of Lethbridge, one of the finest literacy leaders in this country, Margot Pollard, runs the Read-On program in the public library, helping 100 adult clients each year. "We cannot be silent," she said. "We need to tell government how we want them to spend our dollars, and we need to tell them we want support for these human services."

These messages are flowing in daily from all across the country. I would like to ask the Honourable Leader of the Government in the Senate: Could the needs of such a foundation issue not warrant a second thought from the federal government?

Hon. Marjory LeBreton (Leader of the Government): I thank the honourable senator for the question. When she speaks of the various individuals who have contacted her office, I cannot imagine that people committed to literacy issues will discontinue their work in support of literacy because there have been savings in the literacy program. As I have pointed out many times, the money we have committed to literacy skills training is significant. I would hope these people make efforts to access the funds we are committing to literacy instead of assuming that somehow their commitment to literacy will no longer be valid because we have found savings in one particular part of the program.

[Translation]

DELAYED ANSWERS TO ORAL QUESTIONS

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I have the honour of presenting a delayed answer to the oral question raised by the Honourable Senator Rompkey on June 21, 2006, regarding the refit of the *CCGS J.E. Bernier*.

NATIONAL DEFENCE

ARCTIC SOVEREIGNTY—REFIT OF *CCGS J.E. BERNIER*

(Response to question raised by Hon. Bill Rompkey on June 21, 2006)

The Coast Guard will not proceed with the stationing of a Coast Guard vessel in Goose Bay as was proposed by the previous government. Hence the planned refit of the *CCGS J.E. Bernier* associated with that proposal has been cancelled.

Minister O'Connor, the Minister responsible for National Defence, is preparing a plan for the Labrador coastal area. The Coast Guard will assess its possible role as the National Defence plan unfolds.

[English]

NATIONAL SECURITY AND DEFENCE

RESPONSE TO REQUEST FOR INFORMATION TABLED

Hon. Eymard G. Corbin: Honourable senators, on behalf of Senator Kenny, Chair of the Standing Senate Committee on National Security and Defence, I am pleased to table his answer to a question from Senator Tkachuk on June 27, 2006.

(For text of documents, see Appendix, p. 828)

• (1425)

ORDERS OF THE DAY

OFFICIAL LANGUAGES COMMISSIONER

APPOINTMENT OF MR. GRAHAM FRASER— CONSIDERATION IN COMMITTEE OF THE WHOLE

On the Order:

The Senate in Committee of the Whole in order to receive Mr. Graham Fraser respecting his appointment as Official Languages Commissioner.

The Senate was accordingly adjourned during pleasure and put into Committee of the Whole in order to receive Mr. Graham Fraser on the matter of his appointment as Official Languages Commissioner, the Honourable Rose-Marie Losier-Cool in the chair.

[*Translation*]

The Chairman: Pursuant to the order, the Senate is put into a Committee of the Whole in order to receive Mr. Graham Fraser respecting his appointment as Official Languages Commissioner.

[*English*]

Before we begin, may I bring your attention to rule 83 of the *Rules of the Senate*, which states:

83. When the Senate is put into Committee of the Whole every Senator shall sit in the place assigned to that Senator. A Senator who desires to speak shall rise and address the Chair.

Is it your pleasure, honourable senators, that rule 83 be waived?

Hon. Senators: Agreed.

[*Translation*]

Senator Comeau: Honourable senators, I move, seconded by the Honourable Senator Chaput, that Mr. Graham Fraser be invited to take a seat in the Senate Chamber.

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

Hon. Senators: Agreed.

Motion agreed to.

• (1430)

The Chairman: Mr. Fraser, on behalf of all the honourable senators, I welcome you to the Senate. You have been invited here to answer questions regarding your nomination as Official Languages Commissioner.

[*English*]

We will begin with your opening statement. Afterwards, I will open the floor for questions from senators. Mr. Fraser, you may begin with a brief statement.

Mr. Graham Fraser: Thank you, Madam Chairman and honourable senators. Good afternoon. I am honoured to be before you to discuss my nomination to be Commissioner of Official Languages. As a journalist, I have had the pleasure of watching your debates, both in this chamber and in committee, but never before from this vantage point. I thank you for the privilege.

I am reminded of an appearance that I once made before a neighbourhood committee that was engaged in the planning of urban renewal in a neighbourhood in Toronto called Trefann Court. I wanted to write a book about the planning process in that neighbourhood and wanted to get permission from the committee to proceed. I was very aware of the tensions that existed between the homeowners, the tenants and the businessmen and did not want to say anything that would compromise my position or suggest that I had taken sides, so I was very nervous.

I made my presentation. The committee said that it was okay if I wrote the book, and I went ahead and wrote it. At the end of that meeting, one of the homeowners said to one of the community workers, "If he writes like he talks, it will not be much of a book."

It is a particular honour to be considered for the position of Commissioner of Official Languages. I have followed the careers of the previous commissioners, read their reports, and gone to their press conferences and committee hearings. I know several of them and I have a great deal of respect for all of them. It is an important and challenging position.

Let me introduce myself. I was born in Ottawa and moved to Toronto as an adolescent with my family, attending the University of Toronto where I acquired a B.A. and later an M.A. in history. I became a journalist in 1968 and, with a few breaks to travel, study or write books, I have worked in Canadian journalism since then for *The Toronto Star*, *The Globe and Mail*, *Maclean's* and *The Gazette* in Toronto, Montreal, Quebec City, Washington and Ottawa.

I have spent a significant part of my career writing about Quebec for the rest of Canada and, in a column for *Le Devoir* between 1995 and 2000, about the rest of Canada for Quebec. However, the critical experience that made that career possible occurred when I was a unilingual, English-speaking university student.

In 1965, I went to work on an archaeological dig at Fort Lennox on L'Île-aux-Noix on the Richelieu River, south of Montreal. That summer, I not only learned French, I discovered how little I had known or understood my own country. I developed a deep interest in, and affection for, Quebec which has lasted ever since.

It was also, paradoxically, an experience which helped me to understand both the difficulty of learning a second language and something of the immigrant experience; for learning another language and culture makes one more empathetic to those who have moved here from other countries.

[Translation]

Since then, I have always felt that, rather than being contradictory, as some claim, linguistic duality and cultural diversity are very closely linked. I would even say that, in the absence of conscious or unconscious recognition that Canada is made up of two linguistic communities, the very idea of multiculturalism would be a hard sell.

Despite this intimate connection between linguistic duality and cultural diversity, it seems to me that this connection is still misunderstood. I believe that one of the next commissioner's most important tasks will be to keep explaining this important relationship, not only to majority language communities but also to minority communities.

Just like anglophone communities, francophone communities have become receiving communities for immigrants.

[English]

Since my nomination, I have been asked several times to articulate my vision for the commissioner. I felt that I should wait until meeting with you to do so. The first, most important point is my belief in the importance of linguistic duality in Canada. I think it is one of the central, defining characteristics of the country.

As you know, the commissioner has six roles or functions in the enforcement of the Official Languages Act — a promotion and education role, a monitoring role in terms of the impact of government initiatives, a liaison role with minority communities, an ombudsman role in dealing with complaints, an auditing function in terms of the public service and a judicial intervention function.

I described the role of the commissioner recently as “part cheerleader, part nag” — and in looking more closely at those six functions, three fall into the cheerleading function and three into the nagging category. These are also related. The more successful the commissioner is in promoting, educating, monitoring and doing liaison, the fewer complaints and court actions there will be.

[Translation]

The commissioner is an officer of Parliament. This is particularly important now because of amendments to the legislation. These amendments were not undertaken by the current government, nor by the previous one.

This legislation was amended for the first time since 1988 thanks to our parliamentarians, especially our senators. The amendments came about thanks in large part to the hard work of your former colleague, Senator Jean-Robert Gauthier. I would like to pay tribute to him. This was a long-term undertaking, and I congratulate you on seeing it through.

You know better than I that these amendments provide important tools enabling minority communities to demand that the government pay attention to their needs. I think that the next commissioner's first priority will be to ensure the successful implementation of Part VII of the act.

I stand before you in a rather unusual situation. Six months ago, I published a book on language policy called *Sorry, I Don't Speak French*. I wrote the book because I wanted to remind English Canadians that the language issue is still of vital importance to the country. Allow me to share some of the main points I wanted to emphasize in my book, points that illustrate my perception of linguistic duality in Canada.

First, I noted that language policy is not intended to protect or even promote bilingualism, even though its success is unattainable unless a certain number of Canadians are bilingual. It exists, rather, to protect unilingual Canadians. There are four million unilingual francophones in Canada and 20 million unilingual anglophones.

The act exists to guarantee that the seven million francophones, and more particularly the four million unilingual francophones, receive federal government services just as well and just as efficiently as the 20 million unilingual anglophones and the anglophone minority in Quebec.

The act does not exist to force people to learn another language or to create a country in which everyone is bilingual. Often, language policy is alluded to as a dream, as something that is unrealistic or unachievable. If I thought that were true, I would not be here before the Senate today.

• (1440)

One message that I tried to convey in my book, although it may seem trite, is that English and French are Canadian languages. French is not a secret code, nor the exclusive property of Quebecers. The French language belongs to all Canadians, just as English belongs to all Canadians. It is our heritage — and an opportunity.

[English]

However, there are other, broader challenges that face the next commissioner beyond the amendments to the law.

Immigration is transforming Canada's cities and it will be a continuing challenge to convey the importance of linguistic duality to those newcomers. Immigration, cultural diversity, economic and technological change have been constant factors in Canada, not only over the last four decades since the Official Languages Act has been in force, but also throughout our history. The next commissioner will need to respond to those changes, just as the previous commissioners have done.

The fundamental question, in my view, remains the one that the late André Laurendeau and the late Davidson Dunton would ask at the beginning of the public hearings of the Royal Commission on Bilingualism and Biculturalism four decades ago: Can English-speaking and French-speaking Canadians live together, and do they want to do so? I believe that an official languages policy that works is essential if the answer to those questions continues to be in the affirmative.

Thank you, honourable senators. I would be glad to answer your questions.

[*Translation*]

The Chairman: Thank you, Mr. Fraser. The senators now have the floor. If you would like to ask questions, please rise or raise your hand. Senator Comeau now has the floor.

Senator Comeau: Mr. Fraser, welcome to the Senate and to Parliament. I have admired your work as a journalist for many years. I have had the opportunity to travel with you in the past and you have always been a true gentleman. You are an excellent choice and I support your nomination.

My question concerns Bill S-3. You mentioned it in your speech, as well as the work done by some senators, particularly Senator Jean-Robert Gauthier. The subject is broader than one might think. It will involve significant consequences and profound implications for federal institutions as they consider program development and the impact on official language minority communities.

How do you think this legislation will affect government departments and future legislation?

Mr. Fraser: As I said in my remarks, I think that this is the next commissioner's top priority. There are a number of reasons not to give specific answers to your question.

First, I am not yet the commissioner. The current commissioner has made a statement about the impact of the government's recent announcements. I do not want to either minimize or exaggerate the impact of her comments before I take over the position, if the nomination is approved.

I am coming in with questions such as: Will the government's decisions have an impact on the act? Are there court cases under way that will be affected? What will be the general impact?

Regarding the amendments to the act, I think it is very important that the implementation of the new act get off to a successful start. When I looked at the past, what struck me was that, every time there was a change in the act, there was a catch-up period. Parliamentarians set a schedule, and it takes a certain amount of time before the public service, the departments and the government can meet the objectives set by the parliamentarians.

Currently, with the amendments to the act, it is very important to take a long-term, strategic approach to avoid any initial failure that would undermine the impact of the act.

I hesitate to go any further, except perhaps to say that, before giving an opinion or developing a strategic plan, I will look at the files very carefully and seek advice so as to ensure the successful implementation of the act.

Senator Comeau: In your opinion, and without compromising yourself of course, how should we go about fulfilling these new obligations? There will certainly be implementation, and perhaps some objectives ought to be considered before moving forward with implementation.

Mr. Fraser: I hesitate to get into the details of any specific approaches, but I promise to consult widely. I would very much like to consult you and the committee on what approach to

implementing the act ought to be taken. I am also thinking about conducting, early in my mandate, wide consultation with minority communities to identify the sensitive issues, in an effort to determine where this instrument can be helpful to them. I am well aware that there are senators here who are much more familiar than I am with the details of the various files concerning minority communities. I can tell you that this is one of the first tasks awaiting the next commissioner.

Senator Comeau: You can count on our full cooperation, Mr. Fraser.

Senator Chaput: Welcome to our chamber, Mr. Fraser. It is a pleasure for me to have the opportunity to speak with you today. I have read your book with great interest. You are certainly a great communicator. You have just mentioned the consultation process. Is consultation something essential, a first step toward something better, in the role of the Commissioner of Official Languages? If so, in consulting with communities, which priorities or issues would you want to address most urgently with the official language minority communities?

Mr. Fraser: Consultation is something that I take very seriously. I consider the consultation process to be active listening, as opposed to merely listening passively to those who are expressing themselves. I think there is a distinction between "consultation" and "citizen participation" in the government's decision-making process. As I understand it at this point, the advantage of the commissioner's role is this liaison role. I can see more possibilities than just consulting groups. I would also want them to report on what they do and to convey their claims not only to the government, but also to other minority groups, as one of the challenges faced by minority communities is that they are so scattered across the country that there is not necessarily direct communication on what is being done, from St. Boniface to Moncton, or in the other minority communities.

• (1450)

This is particularly the case here, in Ontario, where minority communities are scattered. I am reluctant to state my priorities before embarking on a consultation process. It compromises the process somewhat if we tell people that we are listening, but that first we want to state our priorities.

I would rather begin by understanding the priorities of minority communities and finding out what their most important needs are. In Ottawa, I may have an idea of what those priorities might be, but it would distort, to some extent, the consultation process if we came in with set ideas on other people's priorities.

Senator Nolin: Mr. Fraser, welcome. One of the reasons I believe the government made the right choice is the fact that you are an anglophone Canadian who has been following the evolution of Quebec society very closely over the past 30 years.

You referred to that experience in your book and also in your introductory remarks. In those remarks, you told us that the coexistence of Canadian biculturalism and bilingualism ought to be seen as an advantage by all Canadians.

Mr. Fraser: Quite right.

Senator Nolin: When you speak of the transformation of Quebec society, particularly Montreal society, you will agree that a distinction must be made between the linguistic evolution or adaptation to the linguistic reality in Montreal and the somewhat different process outside the province of Quebec. Montrealers have been able to incorporate bilingualism into their daily life, in observance of Bill 101. No Montrealer — I am one, and you were one for several years — has any doubts about the advantages of learning these two languages.

How do you see your role in promoting this reality, which you yourself have observed in Quebec? Are you going to promote this view outside Quebec?

Mr. Fraser: One of the things I have observed is that the language barrier has resulted in the two communities having very little knowledge of one another in daily life. It is inevitable, in some ways, because in English Canada, in general, you only see Quebecers on television, and television avoids sub-titles. Thus, in general, when you see a Quebecer on television, he or she is a bilingual Quebecer. That leads the vast majority of English Canadians to believe that all Quebecers are bilingual. They have seen them on television, and so it must be true.

In my book, I tried to emphasize that there are four million unilingual francophones; the majority of Quebec francophones are unilingual. What has changed in Quebec over the past 40 years is that Quebec is now such an economically, culturally and socially dynamic society that someone can be a minister in a government, deputy minister, mayor, or millionaire businessperson without speaking English. And even if you do speak English, if you live outside Montreal, you lose it because outside Montreal life is conducted in French. This is a fundamental aspect of the reality — not only the Quebec reality but also the Canadian reality — that is misunderstood.

I think Quebecers do not really understand that, outside of Montreal — although Montrealers realize this — the anglophone minority is now almost as bilingual, at 65 per cent, as the francophone minorities outside Quebec. Thus, in terms of percentages, Quebec anglophones are twice as bilingual as Quebec francophones.

The fact that we have a majority unilingual society in English Canada and a majority unilingual francophone society in Quebec changes the issue entirely. How can we communicate with the dynamism of these two different societies? What are the points of reference? What are the points of contact? The message I am trying to send is that French is a Canadian language that is an asset for all Canadians, but it is an asset we can take advantage of only if we have access to that society's dynamism — if we can see French-language films and read French-language newspapers and books.

It is dangerous to believe that all Quebecers are bilingual. This really skews people's perception of the importance of language laws. Some people think the laws only protect jobs for Quebecers who can function in English anyway. If the Mayor of Rimouski comes to Ottawa with serious questions about fishing quotas in the St. Lawrence, he has the same right to have an official explain the federal policy to him in French as the mayor of Salmon Arm, British Columbia, with similar concerns.

Senator Nolin: If I have understood you correctly, your purpose is not to promote bilingualism, but to promote access and recognition of the equality of both official languages.

Mr. Fraser: English Canadians cannot have access to the French fact if they have not had the opportunity to learn French. In a way, a certain level of bilingualism is necessary to take advantage of language rights. In his 1962 speech announcing the idea of a royal commission, Mr. Pearson talked about the importance of giving all Canadians the opportunity to learn both languages.

In his September 1967 speech to the Bar, Mr. Trudeau, who was then Minister of Justice, talked about two fundamental language rights: the right to learn a language and the right to use it. I think that, if we draw a straight line from those two speeches, those two statements, if we talk about the role of the Official Languages Act and language policy as an approach based on the importance of communication between language communities, we can avoid some of the lack of understanding that exists on both sides of the Ottawa River.

Senator Tardif: Hello, Mr. Fraser. I was thrilled to hear of your nomination. I know you are very familiar with official language minority communities and with the issues of linguistic duality and cultural diversity.

• (1500)

I have also had the privilege of reading your latest book, *Sorry, I Don't Speak French*. I strongly recommend it to all senators.

As you know, the federal government plays a very important role in promoting linguistic duality within Canadian society, through the Official Languages Act, for instance. Although it is a federal act, Ottawa has traditionally tried to encourage the provinces to promote linguistic duality and support their respective official language minority communities.

Yet, despite significant gains, certain provinces still resist the notion of linguistic duality as a fundamental Canadian value.

Mr. Fraser, I would like to know how, as commissioner, you intend to encourage the reluctant provinces to support their official language minority communities and what measures you might take to encourage the provinces to accept that our official languages constitute an important advantage and asset for Canada.

Mr. Fraser: I feel somewhat self-conscious about answering your questions, since I am very aware of the work you have done in this field. Having had the opportunity, thanks to my book, to speak on phone-in programs and at conferences, one thing caught my attention: I did not really sense the visceral opposition to linguistic duality that seemed to prevail 10, 20 or 30 years ago. This was even confirmed by a recent survey for the Commissioner of Official Languages.

However, I feel that the governments are behind compared to public opinion. I believe that, in addition to a persuasive role, the commissioner is also responsible for ensuring that governments understand that their reluctance, which was understandable 30 or 40 years ago, no longer corresponds to the concerns of their citizens today. For example, people in British Columbia and

Alberta continue to show a sustained interest in immersion schools. In Vancouver, the Chinese community submitted a special request to the French embassy to have an Alliance française office opened in a Chinese community centre. Support from the grassroots has already been established, I believe.

Sometimes, the reluctance of governments is caused by erroneous information. What I hope to be able to do is take this message to the government and to institutions such as the universities and the NGOs, as well as the various institutions of civil society.

The Chairman: Honourable senators, I must remind you that we are bound by the resolution and the motion that this session must end at 3:50 p.m. Thus, to give every senator the opportunity to speak, I ask you to be mindful of the time.

Senator Joyal: Welcome Mr. Fraser. When we met in 1976, upon your arrival in Montreal as a correspondent for *Macleans* magazine, it was at the height of the language crisis, as you will recall. It was at the time Quebecers remember as the battle of the air traffic controllers.

The decisions of the Superior Court of Quebec, particularly those of the late Justice Deschênes, with which many in this chamber are familiar, made it possible to amend the act for which you are responsible, and to give you a role and the authority to appear before the courts and also to make binding decisions. This decision of the Superior Court of Quebec profoundly changed the Official Languages Act and gave it — as we said at the time — the teeth it was missing.

Today, we face a somewhat similar situation. The government has just announced that the Court Challenges Program of Canada — based on sections 16 to 23, 93 and 133 of the Canadian Constitution — is abolished. As you undoubtedly know, this is not the first time that a government has abolished this program. It was abolished in February 1992, and your predecessor and friend, Commissioner Goldbloom, facing a situation similar to what you are experiencing today, thought it advisable to order an evaluation of the Court Challenges Program. He asked Mr. Richard Gorham to evaluate what the program had accomplished since its inception in terms of the clarification of and respect for language rights and to show what effect its abolition could have on these rights.

Mr. Gorham released a report in August 1992, which led to a more detailed evaluation of the application of the program. The program was subsequently amended. Today, unfortunately, the program has been abolished. This concerns many senators in this chamber, regardless of their political stripe, because in the past 30 years or so, we have all seen Canadian court decisions that have rectified discriminatory situations that had existed for more than 100 years in some cases and have helped re-establish the linguistic equality and mutual respect you alluded to when you referred to the Laurendeau-Dunton commission in your opening remarks.

Would you be willing to follow the example of your predecessor, Dr. Goldbloom, and commission an impact or assessment study of what the program has done since 1994, so that we would be better able to determine what adjustments

should be made to the program, in particular with respect to official languages?

Mr. Fraser: Certainly, I am coming in with all sorts of questions about just what impact this decision could have on the new act. One way in which the situation today differs from the situation in 1992 is that the act has in fact been amended. There is therefore a specific need to look carefully at the impact the government's decisions could have on the new act.

Thank you for mentioning Mr. Gorham's report. I was not aware of the report, and I will look into it. I will do everything possible to understand the impact of any government decision as best I can.

In the spring, Minister Josée Verner confirmed that her government would support the new act. She pointed out that Bill S-3 had been adopted with her party's support. That impressed me. I want to look at how the minister's position can be reconciled with the government's decisions.

• (1510)

I am not coming here with answers, and I do not want to say anything that could undermine future decisions or decisions I might have to make if I become commissioner, but I would like to thank you for bringing the report to my attention.

[*English*]

The Chairman: Next on my list is Senator Di Nino, followed by Senators Poulin and Hervieux-Payette.

Senator Di Nino: Mr. Commissioner, or Mr. Commissioner-to-be, welcome. I extend my best wishes as well.

I should like to go back to a comment that you made reminding us that the Official Languages Act is there to protect the rights of unilingual Canadians and not to force Canadians to learn a second language. That is a very good message to leave, not only with us but also generally. I agree that I think there is a misconception that the Official Languages Act is there to force English-speaking Canadians in particular to learn French.

Before I get to my question, I would like to suggest that, in my opinion, when we talk about the kinds of initiatives or programs such as the Court Challenges Program, it creates an impression which deals with opponents — that is, one on one side and one on the other. The Official Languages Act has helped to evolve our country into a bilingual country to a degree such that, perhaps, that should be revisited. I wish to make that comment about my good friend Senator Joyal's comments.

My question to the commissioner is this: How do you see your role vis-à-vis the responsibility that you have in promoting the value and the benefit of having a bilingual country, particularly when you take a look around the rest of the developed world? When I travel, I am always amazed that anyone who has attended even high school — and certainly this is true of university — speaks not just two languages but three languages, resulting in incredible enrichment of their lives and of the cultures of those countries, not to speak of the economic value associated with that. I would like you to talk to us a bit about that, if you would, please.

[Mr. Fraser]

Mr. Fraser: My strong feeling is that learning the other official language, whether it is for a francophone to learn English or for an anglophone to learn French, is a stepping stone towards the rest of the world. Sometimes there has been a tendency to say, “We really should not be learning French. We should be learning Chinese, or we should be learning Spanish,” or whatever. I have not seen any specific figures on this — this is purely an anecdotal comment — but there are now thousands of young Canadians working around the world, involved in NGOs and doing everything from solar projects in south India to literacy projects, to working in Latin America. Anecdotally, what has struck me is that a high proportion of those students came through immersion French. They learned French first, and then went on to learn Hindi, Arabic, Spanish and German. Whatever the criticisms that may have been launched occasionally at the quality of French spoken by graduates of immersion programs, I keep noticing how many of those immersion graduates, having learned French, have moved on to learn other languages and to work in other parts of the world.

The idea that somehow learning another language is a restrictive process is totally contrary to the reality as I understand it. It is a process that makes one more sensitive to how other people respond to the world. Also, learning a third language is much easier than learning a second language. The brain is not a little black box that fills up and, if you have filled it up with French, you cannot move on to learn another language. On the contrary; it is a muscle. The more it is exercised in the parts of the brain that learn language, the easier it is to learn the codes, the habits, the cultural reflexes that are involved in learning other languages.

An official language policy that is understood and absorbed by young Canadians, whether they are French-speaking or English-speaking, is a critical step to reaching out to the rest of the world.

[Translation]

Senator Poulin: I am looking forward to addressing you as Mr. Commissioner. Your opening presentation was very interesting, especially the part about the difference between the various roles of the commissioner. Some of those roles you described as that of a cheerleader, and others as that of a nag.

I particularly appreciated you acknowledging the lengthy commitment of our former colleague, the Honourable Jean-Robert Gauthier, who, incidentally, is in the south gallery.

This morning, Jean-Robert Gauthier announced in *Le Droit* his intention to file a complaint with the Commissioner of Official Languages following the decision by the Conservative government to cancel the Court Challenges Program.

Could you remind us what the process to be followed is and what judicial value the decision made by the commissioner’s office in response to such a complaint has?

Mr. Fraser: That is a very good question. I am going to have to give you a version of my answer to previous questions. I am not the commissioner yet. I would certainly not want to compromise any decision I might make or to explain an existing process, the works of which I am not familiar with yet. The act is very clear. The commissioner has judicial authority, the power to act,

and the responsibility of an ombudsman. I expect to exercise these powers with discretion and to fully discharge these responsibilities. I would not want, however, to comment on exactly what process will be followed or what aspects of the act will be involved in that process.

I am sorry. You are providing me with questions to ask once I get the job, if I get it.

Senator Hervieux-Payette: Mr. Fraser, I think that my question fits somewhere in between the two roles you described earlier as that of a cheerleader or that of a nag and that it might provide food for thought during the time before you start the job.

You are probably aware of the European Union’s Erasmus program, in which participating students must master more than one language to obtain a degree allowing them to practice a profession. I do not want to criticize the parliamentarians who devised our bilingualism policies 30 years ago, but if it had been decided at the time that all university graduates had to speak both official languages, I doubt that we would have had referendums in Quebec.

Since the provincial education departments are expecting big cheques from the federal government, perhaps you could suggest to the governments that they begin to think about tying university funding to something like the Erasmus program.

• (1520)

We would then know that those who are getting a master’s or doctoral degree can use both official languages. I would like to get your take on this. That would be a good foundation for national unity, on the one hand; and for Canada’s productivity, on the other hand.

Mr. Fraser: I am a great supporter of the Erasmus program. In my book, I stressed the importance of that program and the investment made by European countries to ensure that this initiative is successful.

One of the problems that I identified, and I mentioned it in my book — if I may, I will only refer to what I have already written — is that, in the early 1970s, the federal government set up a program for public servants, thinking this would be a temporary measure, because the younger generation that was to follow would be more bilingual. However, at the same time, anglophone universities in Canada dropped the admission prerequisite of a second language. So, instead of being more bilingual, students are less bilingual and the federal government continues to have and to need to train senior public servants at an age when it is increasingly difficult to learn a second language. I wrote in my book that, in order to break this vicious circle, we must target the youth, and I did stress the importance of the Erasmus program.

There are paradoxes in the current system. It is very easy for teachers in English Canada to get involved in exchange programs with Australia. They can go teach in Australia for a year or two on a direct exchange. They can live in an Australian teacher’s house and vice versa. They do not lose anything in terms of pension and seniority in the education system here. Teachers in Quebec can easily arrange exchanges with France. There are all sorts of exchange programs in place. Unfortunately, it is very

difficult, if not impossible, to arrange an exchange between teachers in Quebec and teachers in English Canada. There are all sorts of institutional, provincial and union barriers in place. I find that unfortunate.

As I said in my book, there are all sorts of ways to achieve a better understanding of Canadian languages, French and English, through exchanges and programs that imitate the situation in Europe, which is quite different. I am the product of a summer program that gave me the opportunity to learn French. I am very aware of the importance of this kind of program.

Senator Angus: I would like to join my colleagues in warmly welcoming you to the Senate. Like my colleague Senator Fraser, I am an English-speaking Quebecer.

[English]

Therefore, we have a constitutional duty to represent that special minority in Quebec called the English-speaking Quebecer, so I will ask my questions in that language, if I may.

Obviously, this area is a very complex one and I, for one, applaud the great steps that have been taken in the last 35 years to not only to protect special groups in the country, but also to increase the use of these two official languages in such a good way.

I also read the reports of the language commissioners as they come out from time to time, and I particularly read the last one of Dr. Dyane Adam, who will become your predecessor if all goes well. Did you have a chance to see that report?

Mr. Fraser: I have read a number of reports. I am not sure which report you are thinking of, in particular.

Senator Angus: This came out about a month ago. It was her last report, probably, and it had a lot of comments about Air Canada. Originally, there was a federal statute enacted that enabled Air Canada to go public on certain conditions, with which it complied and so forth. At that time, there were no other major airlines flying in and out of Quebec and the issue was not so great. However, now there are other airlines flying nationally that are not subject to these requirements.

The language commissioner was very harsh with Air Canada, to the point that the government is now being urged by the Bloc Québécois and others to bring in a bill that nearly came in during the last Parliament, Bill C-47, which would again direct some measures to the new holding company of Air Canada — ACE Aviation Holdings Inc.

I wondered what your view was. Do you feel that there should be a level playing field? When you are forcing a business to comply with elements of the Official Languages Act, at great expense, it seems anomalous to me, at least, that it is not done in an even-handed way. What are your views on the matter?

Mr. Fraser: I thank the honourable senator for his question. As I understand it, the privatization of Air Canada took place on the basis of a contract, with legislation being passed in which the company managed to derive enormous benefits from the use of the name “Air Canada,” from the resources that had been paid for by Canadian taxpayers, from the infrastructure that had been

[Mr. Fraser]

created, and with these benefits that were being conferred through this privatization process there were a series of legal obligations that Air Canada had undertaken.

You are a lawyer, sir, and I am not, but we have seen a number of cases in the past in which parties that are signatories to a legal agreement had found that the conditions had changed, and they felt that somehow it was only common justice that because conditions had changed the terms of the contract should be changed. If you were to look at the arrangement that was made between Quebec and Newfoundland over hydroelectric power, you would find an example where one party feels that a deal is a deal, and the other party feels that actually the nature of the changes of price are such that the deal should be changed. I am not sure that a contractual obligation is necessarily altered because there are new competitors in the marketplace, or because the price of gas has gone up.

The case of Air Canada is now before the courts so I do not want to say anything that would prejudice either the role that the commission has played or any decision that the government might take at this point. I have not had any legal advice on it, but my starting bias is that when a company undertakes a certain amount of contractual obligation, those obligations remain binding. They can be changed if the other party to the legal agreement agrees on those changes.

• (1530)

However, obviously all kinds of considerations have to be viewed as to what Air Canada obtained in the process of becoming a private company and the obligations that were undertaken.

[Translation]

Senator Jaffer: Welcome, Mr. Fraser. I would like to congratulate you on your appointment as Commissioner of Official Languages for Canada. This appointment represents an important step in the path of all Canadians toward bilingualism; that is, knowledge of both official languages of Canada, French and English. I am very curious to hear your point of view regarding the promotion of bilingualism among allophones outside Quebec.

Mr. Fraser: Thank you very much for your question. This question is becoming increasingly important, given the changing demographics we are seeing in cities across Canada.

One of the challenges facing la Francophonie outside Quebec is this obligation to transform itself into a host society. It can be difficult for minority communities that have sometimes been on the defensive, that have built their own institutions in the areas of religion, language and ethnicity, and that tend to see these institutions as something that belongs to them.

If official language minority communities continue to grow, there is an obligation to open the doors to immigrants from all over the world who are just as entitled to be recognized as francophones as other Canadians. I believe that one of the key issues is precisely the rapport, which I feel is crucial, that exists between linguistic duality and cultural diversity. Rather than being two opposite aspects, I see them as closely linked and feel they share an important, dynamic relationship.

[English]

Senator Grafstein: I welcome you, Mr. Fraser, to the Senate. We have followed your articles on politics with great interest. They have been cogent, sound, sometimes controversial and always interesting. You have had interesting things to say about the Senate over the years, and many of us remember those words very carefully. I will not regurgitate them, but I would remind you that now you are about to become an officer of Parliament, which includes both the House and the Senate.

Having said that, I would like to talk about Parliament's role. We have asked you about your role as an officer of Parliament, but I would like to talk to you about your impressions and observations over the years about whether Parliament, as the paramount body of oversight on official languages, has been doing its job. As you know, the structure of Parliament is very diffuse. Our attention-span is limited. We move from subject to subject. Sometimes the reports of your predecessors have been tabled in this place and the other place without any debate or comment. What are your impressions, based on your observations, as to whether both Houses of Parliament have done their job in their paramount responsibility as an oversight for the Official Languages Act?

Mr. Fraser: I appreciate the question. Actually, in a variety of ways, and sometimes in ways that are not entirely recognized, the role of parliamentarians has been paramount in advancing the cause of official languages in Canada. I believe that one of the key factors that has periodically provided impetus to the advancement of official languages over the last 40 or even 50 years has been the periodic arrival in the other place of francophone unilingual members of Parliament.

If you look back at the stage where Parliament decided that they needed to move, where the government decided that there needed to be changes to the Official Languages Act, it has been because of the presence of significant numbers of members who felt that they were not served in the official language of their choice.

One of the key moments was in 1962 with the arrival of several dozen Cr ditiste members from Quebec, who were from a different social class than had traditionally been represented in Parliament before, who did not speak English and who suddenly found themselves in what was for them a very foreign and not particularly hospitable linguistic environment. At intervals since then, this has happened with new waves of elections producing groups of people who have arrived and said, "I do not feel served here by this institution." That is on the "push side," if you like. On the "pull side," a number of reports by the joint committee, when the joint committee functioned, by the Senate committee and by the House committee have played an important role in forcing the government to respond to certain questions about the actual application of the law.

I have come gradually to understand that one of the key roles that some of my predecessors have played has been in establishing positive relations with individual parliamentarians, which has enabled both the commissioner to better understand the concerns of parliamentarians and has enabled the parliamentarians to consider issues from a different angle. I would hope that if I am

confirmed as commissioner that I would be able to have strong personal relationships with people in both Houses of Parliament and in all parties.

There is a striking degree of consensus among all parties and in both Houses about the goals and objectives of language policy. Obviously, there are partisan differences about whether the government of the day is living up to the requirements of the act and which programs should or should not be strengthened or improved. However, if you compare the situation now with the mood that existed in previous decades, there is a much greater consensus now about the importance of making this policy work.

The Chairman: I must remind honourable senators that we have less than 15 minutes left, and I still have many senators left on my list. I have doubts that we will be able to complete the list.

[Translation]

Senator Gill: Good luck, Mr. Fraser. You know that there is another reality in this country: the First Nations and Inuit. As a general rule, people in these communities still speak their mother tongue. They do have a second language, however. Most First Nations and Inuit speak English as their second language, and a small proportion of the other First Nations speak French in Quebec. How do you see the Official Languages Act applying in these cases?

Mr. Fraser: As far as I know, the vitality of Aboriginal languages does not come under the jurisdiction of the Commissioner of Official Languages. I may be mistaken.

• (1540)

The survival of Aboriginal languages is an issue that interests me, but I do not think it comes under the commissioner's jurisdiction.

Senator Gill: We might need your help on that.

Mr. Fraser: Regarding the use of English and French, every Canadian, regardless of mother tongue, is entitled to use the official language of his or her choice. There is no guarantee that the federal government will be able to respond in a language other than an official language. However, I do not see that the fact that Aboriginal communities have chosen, perhaps involuntarily, to speak one of the two official languages, English or French, should make any difference.

Senator Prud'Homme: I am probably the only person in this chamber who had the pleasure of knowing your father, Blair Fraser, and I can see that his son is worthy of the Fraser name.

First, I would like to take this opportunity to thank Dyane Adam for her excellent service. I would also like to recognize Senator Jean-Robert Gauthier's contribution and thank Senator Chaput for her work as Chair of the Standing Senate Committee on Official Languages.

Throughout my 43 years as a member of Parliament and senator, and my six years as a student at the University of Ottawa, I have followed the progress of bilingualism. However, I am still not satisfied with the progress being made in the national capital.

It is fine to talk about bilingualism in Chicoutimi, in British Columbia's Okanagan Valley, and in the ridings of Senator Austin and others who can only speak English. What I have always found disturbing, and still do, is the lack of bilingualism just steps away from these precincts.

I am always telling people to visit their capital, but they go back home with somewhat mixed feelings — so much so that it would probably be better not to invite them too often. I will let you reflect on this and see what could be done.

You have a very good reputation among your fellow journalists. Perhaps something could be done on that front as well.

I notice that our great francophone colleagues are almost all perfectly bilingual. However, the same cannot be said about our anglophone colleagues. These major figures, whom I will not name out of respect but whom we can see on the national and private television networks every evening, show a total lack of understanding. I fail to see how they can possibly express views at the national level on Quebec issues, on matters that are disturbing and upsetting to us, when they do not even speak a word of French. As soon as they learn the word “merci”, they are considered to be perfectly bilingual and they become candidate A, B, C or D.

I find that quite disturbing and annoying. I know that some progress has been made; therefore, I am not too discouraged. That was my first point.

Let us now deal with my second and third points. In the quote that Jean-Robert Gauthier was kind enough to send to us, a Supreme Court justice says that it is pointless to grant rights if we do not have the means to uphold them.

I can assure you that, as long as the Senate and the committee continue to exist, you, personally, can anticipate the outcome of your appointment, unlike some others who came before you. We wish you good luck.

I do not expect you to answer my third question. I know that you are an intelligent man. You know quite well what you will have to do. It is not necessary to elaborate. At all times, the Senate is the protector of minorities. The term “minority” is not restricted to the French or the English. The term may apply to any situation where a minority exists. You have touched on the fundamental aspect of the question and I would like you to explain it again.

As the Honourable Senator Di Nino stated, bilingualism does not mean self-denial for Canadians. This principle was very much misunderstood during the 1970s.

Mr. Fraser: I share your concerns about the linguistic fabric of the national capital. I even devoted a chapter of my book to the subject. I feel that it is a very important issue and that it has also been misunderstood. I plan on taking it seriously. I appreciate the fact that you are reminding me of its importance.

On the issue of the press, I also share your concerns. Allow me to make an observation and a statement.

[Senator Prud'Homme]

Sometimes there is a tendency to believe that a former journalist will have more of an influence on journalists than someone who has not practiced that profession. I believe that the contrary holds true. Appointing a former journalist as commissioner will not necessarily attract the attention of journalists any more than if an individual who practices another profession were appointed.

You mentioned television. The president of CBC/Radio-Canada made an interesting decision about having the Ottawa offices operate in both official languages. All CBC/Radio-Canada networks, both television and radio, French and English, work together in the same newsroom.

There is now a schedule for ensuring that all journalists in Ottawa, on the national scene, can understand and express themselves in both official languages.

CBC/Radio-Canada is aware of the problem you have identified and has taken steps to try to rectify the situation.

Senator Munson: Mr. Fraser, first, I would like to congratulate you on your appointment. I am very happy for you. You are, as we say, a good guy.

[English]

In my view, you are just another journalistic success story. Contrary to what Senator Prud'homme has said, I, too, knew the legendary Blair Fraser. I met him when I was 12, in 1958, in Campbellton, New Brunswick, where he spoke and made a tremendous impression. I am sure your dad would be very proud that you have moved on and can take the journalistic background and carry it on and serve your country.

In your speech, you talked about 300,000 new Canadians who come here every year. You talked about approaching that issue in a new and innovative way — and you are giving some hints about dealing with new Canadians and the linguistic duality. Can you give us an idea of where you plan to go with this?

Mr. Fraser: Thank you, senator. There is an expression in French, which I think applies to both your situation and mine.

In other words, “Journalism leads to everything, provided you leave it.”

I hesitate to embark on being too specific about what strategies I am considering or what plans I have in mind. I have been spending some time to try to formulate precisely how I might deal with these issues.

The one thing that does strike me, however, is that there is a tendency on the part of the English-speaking majority to look at language requirements as an unfair barrier to immigrants. I think there is a danger that this can be used as an excuse for the reluctance of the English-speaking majority to come to terms with language policies.

• (1550)

There have been studies done on the public service as to whether language requirements were more of a barrier for people who had come from other countries. They discovered that it was not a greater barrier for those who had come from other countries

and were learning French as a third language. My own view is that it is actually easier to learn a third language than it is a second language.

The other thing that strikes me is that we have seen the emergence — and there are certainly parliamentarians in both Houses who are a testament to this — of people who have come to this country and have said, “I will join one linguistic community and I want to master the language of the other linguistic community.” I think it is that reflex that led the Chinese community in Vancouver to make a specific demand to the French ambassador that the Alliance Française operation be located in a Chinese community centre in Vancouver.

One thing about the immigrant experience is that there is a desire to succeed; there is a desire to understand the nature of the country as a whole. This reflex is something that should be understood by the linguistic majorities in both English-speaking and French-speaking Canada.

[*Translation*]

The Chairman: The last senator I will recognize is Senator Lapointe, for a very short question followed by a very short answer.

Senator Lapointe: Mr. Fraser, I have been looking at your feet throughout this session, and you must be a good dancer.

I was amazed when I heard your name earlier, Mr. Fraser. We have a wonderful senator here by the name of Fraser, and when I lived in Quebec City several years ago, my home was near Fraser Street. I conclude that it was named after a francophone who left and pronounced his name the English way, Fraser, because he was headed for Western Canada.

There you have it. I had something else to say, but I do not have time. It does not matter.

I was on the Standing Senate Committee on Official Languages with the big guns at the time: Jean-Robert Gauthier, Senator Beaudoin and Senator Comeau. After we had worked for six months on an issue, Ms. Adam tabled our report and the minister dismissed it out of hand. The next day, I was on the Library Committee.

The Chairman: Thank you very much. Mr. Fraser, the senators thank you for making yourself available.

[*English*]

I thank you very much for having been a witness.

Mr. Fraser: Thank you very much.

The Chairman: Honourable senators, the time is now 3:50 p.m. Pursuant to the order of the Senate, the committee is required to adjourn now. Is it agreed, honourable senators, that the committee rise and that I report that we have concluded our deliberations?

Hon. Senators: Agreed.

The sitting was resumed.

REPORT OF THE COMMITTEE OF THE WHOLE

Hon. Rose-Marie Losier-Cool: Honourable senators, the Committee of the Whole, which received Mr. Graham Fraser, has asked me to report that the committee has concluded its deliberations.

BUSINESS OF THE SENATE

Hon. Joan Fraser (Deputy Leader of the Opposition): Just before we adjourned to go into Committee of the Whole, Your Honour made a ruling that Senator Tkachuk had not raised a point of order, but I would like to make a quick comment on what he said. I would like to explain that there were several of us yesterday who thought we heard the remarks in question; that is, it was not just one senator, there were several of us who thought that that was what we heard. However, Senator Tkachuk's microphone was not on at the time and I am pleased to have heard his explanation that what we thought we heard did not reflect either his words or, more important, his intentions. I wanted to put that on the record.

Hon. David Tkachuk: I do not understand this. First, there is nothing in the blues. I never said anything. You can hear what you want to hear. I have not heard what I said. You cannot continue to make aspersions like this unless I actually did say something, which I did not. I tried to explain what happened as clearly as I could. The honourable senator does not have to make comments that again raise doubts that something was said when, in fact, nothing was said.

The Hon. the Speaker: Honourable senators, as far as the chair is concerned, the honourable senators have expressed themselves on the matter. There is a disagreement. It is on the record. There is no point of order.

[*Translation*]

BUSINESS OF THE SENATE

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I move that all remaining items stand in their place on the Order Paper until the next sitting.

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

Hon. Senators: Agreed.

The Senate adjourned until Thursday, October 5, 2006, at 1:30 p.m.

APPENDIX

NATIONAL SECURITY AND DEFENCE

RESPONSE TO REQUEST FOR INFORMATION TABLED

(Pursuant to rule 24(3), response to questions raised by Senator Tkachuk on June 27 and October 3, 2006)

October 3, 2006

The Honourable David Tkachuk, Senator
Senate of Canada
Room 401, Victoria Building
Ottawa, Ontario
K1A 0A4

I am writing to respond to the questions that you posed during the deliberations in late June in the Senate with respect to Committee budget submissions.

You asked for details regarding the hiring of consultants to assist the committee and also for information regarding the selection of senators to participate at conferences.

First of all, I would like to underline that the Senate Committee on National Security and Defence tries, as much as possible, to operate by consensus. The work plan including lists of witnesses and other matters are discussed by the Committee during its in camera meetings before and after the public hearings. In addition, following each meeting, I send a letter summarizing the main points to all Committee members so that Senators who are absent can keep abreast of the work of the Committee.

With respect to the consultants, our Committee follows the same procedures as other committees regarding the hiring and directing of staff. At the organization meeting held on April 25, 2006, the Committee adopted the following motions:

That the Subcommittee on Agenda and procedure be authorized to retain the services of such experts as may be required by the work of the Committee; and

That the Chair, on behalf of the Committee, direct research staff in the preparation of studies, analyses, summaries and draft reports;

I would like to underline that the Committee staff is available to work with all members of the Committee. Various senators have requested individual briefings and the staff have responded to those requests. As the Chair of the Committee, however, it is my responsibility to direct the work of the staff on a daily basis. To the best of my knowledge, no member of the Committee has felt short-changed with respect to the assistance provided by the staff.

With respect to the question about the selection of senators to participate at various conferences, I would again mention that the committee operates by consensus.

The Committee receives on a regular basis from the Parliamentary Research Branch, a list of conferences that might be useful to the Committee in its work. All senators are canvassed for each conference and the selections are made according to those available or willing to go. Either the full Committee or the Chair and Deputy Chair were in agreement on each conference and who would attend. For most conferences there was just one participant for economy reasons. In cases where more than one person attended a conference, it is the practice, as is the Senate custom, to allocate conferences on a proportional basis to give all members equal opportunity. In any event, this was moot because frequently after canvassing every member of the Committee, no one was available to go.

You asked for a list of conferences attended by members of the Committee over the past five years. A list is attached.

I trust that this letter covers the points raised on June 27, 2006. Should you wish to discuss this matter further, please contact me.

Senate Committee on National Security and Defence

Conference Attendance
2001-2006

2005-2006	Senator Kenny, Defence Advanced Research Projects Agency, DARPA Tech 2005, Anaheim, California, August 2005
	Senator Kenny, Royal United Services Institute, "Transformation of Military Operations", London, United Kingdom, July 2005
	Senator Kenny, Pacific Symposium 2005 — "Asia-Pacific Democracies Advancing Prosperity and Security", Honolulu, Hawaii, June 2005
	Senator Day, Senator Meighen — 60th anniversary of the Liberation, The Netherlands, May 2005

2004-2005	Senator Day, Senator Banks, Barry Denofsky, "Strategies for Public Safety and Counter-Terrorism", San Francisco, California, March 2005
	MGen Keith McDonald, Chatham House Conference on Protecting Critical Network — Private solutions to public problems", London, United Kingdom, March 2005
	Senator Day, Senator Meighen, 60th Anniversary of D-Day, France, June 2004

2003-2004	Senator Jane Cordy, MGen (ret) Keith McDonald Canadian Association for Security and Intelligence Studies (CASIS) Annual Conference, October 16-19, 2003, Vancouver, B.C.	2001-2002	Senator Kenny — The Oslo Symposium — Building a Vision: NATO's Future Transformation, Oslo, Norway, Sept 2001
	Senator Forrestall, MGen (ret'd) Keith McDonald Seapower Conference 2003, Halifax June 2003		Senators Day and LaPierre, General (ret'd) MacDonald "CBW Terrorism: Forging A Response" Wilton Park, United Kingdom, March 2002
	Senator Day, Senator Meighen — Juno Beach Centre Opening (France) and Burials in Passchendale (Belgium) June 2003		Senator Wiebe, "Bridging the Gap: Reserve Forces and their Role in Civil Society", Calgary, March 2002
	Senator Kenny, Royal United Services Institute Conference, London, United Kingdom		Senators Kenny, Day, Forrestall and Wiebe Ottawa, Conference of Defence Associations Annual Meeting, Ottawa, February 2002
2002-2003	Senator Forrestall, Senator Day, Seapower Conference 2002, Halifax, June 2002		
	Senator Forrestall, Grant Purves, Canadian Centre of Intelligence and Security Studies (CCISS) Annual Meeting, Ottawa, June 2003		

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