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**Tuesday, October 17, 2006**



THE HONOURABLE NOËL A. KINSELLA  
SPEAKER

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## THE SENATE

Tuesday, October 17, 2006

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

Prayers.

[Translation]

### AFGHANISTAN—FALLEN SOLDIERS

**The Hon. the Speaker:** Honourable senators, before we proceed, I would invite senators to rise and observe one minute of silence in memory of Trooper Mark Andrew Wilson, Sergeant Darcy Tedford and Private Blake Williamson, whose tragic deaths occurred on October 7 and 14 while they were serving their country in Afghanistan.

*Honourable senators then stood in silent tribute.*

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[English]

## SENATORS' STATEMENTS

### FOSTER FAMILY WEEK

**Hon. Catherine S. Callbeck:** Honourable senators, one of the most basic needs of any child is to live in a home surrounded by people who can provide love and protection. Unfortunately, there are many children in our society who, for one reason or another, cannot remain in their own homes, who need the care and support of others. Today, I want to recognize the exceptional contributions made to our society by a group of people who have made a commitment to provide a safe and loving environment for those children. These special people are foster families.

Across the country, this week has been set aside to commemorate and celebrate the 35,000 dedicated and compassionate foster parents who provide a safe, secure and loving environment for more than 70,000 children and youth.

In my home province of Prince Edward Island, approximately 110 foster families provide stable and caring surroundings for over 250 children and youth who need their assistance.

Foster families provide a critical service to our society in so many ways. Whether children need foster care for a few days, for several weeks, or possibly for years, it is foster families who provide a home where children can experience a stable and caring environment that supports and encourages their growth and development. Foster families have one thing in common — a sincere interest in the well-being of children and a sense of social responsibility for their best interests.

Canadian foster families, through their sacrifices and selflessness, perform a truly invaluable service through the care

and support of our most vulnerable children. Honourable senators, I hope you will join with me in recognizing our foster families for their kindness, their generosity and their capacity to care.

### INTERNATIONAL DAY FOR THE ERADICATION OF POVERTY

**Hon. Nancy Ruth:** Honourable senators, today is the International Day for the Eradication of Poverty. Part of me thinks it is ridiculous that I am here talking about poverty, in this chamber, for we senators are salaried, pensioned, privileged, predominantly male and predominantly White. In some sense, we have little to do with poverty, except for the fact that we are human beings connected to everyone, everywhere. We are connected to the poor and the suffering, be they in Darfur, North Korea, here on reserves or on farms, in our cities or on the Hill.

I have a toonie in my hand and two and a half billion people in the world live on less than a toonie a day. One third of humanity lives on less than a toonie. Of the world's one billion poorest people, three fifths are women and girls.

What we do here on any given day can make poverty worse or it can make poverty better.

Canadian women are especially vulnerable. Nearly 45 per cent of single mothers and their kids live below the poverty line; nearly the same percentage as single, divorced or widowed women are poor; and women with kids make up 83 per cent of Canada's minimum-wage workers who earn wages below the poverty line. That is who we are talking to when we go to Tim Hortons or McDonald's. It is funny how companies like that all have male names. I suspect that reflects both the capacity of women to raise capital and the lack of early childhood education.

In our country there is no living wage and no guaranteed annual income. Perhaps we senators should think about pushing for a living wage for workers and a guaranteed annual income for the poor.

### EMERGENCY NURSES WEEK

**Hon. Elizabeth Hubley:** Honourable senators, Canada's health care system is overstressed and not without its problems, yet it remains the envy of much of the developed world. At the heart of this system are thousands of professional nurses, whose medical knowledge, expertise and dedication to patient care make hospitals run as they should.

One of the most demanding jobs is that of the emergency nurse, working on the front line, dealing with every unexpected and sometimes tragic case that comes through the door — sick infants, heart and stroke victims, and people with major trauma from highway and other accidents.

The emergency nurse, honourable senators, is a special breed. To use the colloquial expression, they have seen it all. October 9 to 13 was National Emergency Nurses Week.

• (1410)

The National Emergency Nurses Affiliation — NENA — awards emergency nurses throughout Canada who have demonstrated excellence in their field of practice. In that regard, I am proud to inform you that a Prince Edward Islander, Ms. Edwina Campbell of Charlottetown, has been named the sole recipient of the NENA Award of Excellence in Emergency Nursing Practice for 2006.

The criteria for that award are demanding. Candidates are required to excel in nursing knowledge, in clinical decision making, in professional accountability and responsibility and in application of research and must possess superior interpersonal relationship and communications skills.

Those who know Edwina Campbell personally describe her as tough-minded, always positive, and a fearless patient advocate whose kindness and compassion is always at the forefront.

This outstanding professional, whose mother was an emergency nurse and whose two sisters are also nurses, is the first emergency nurse from my province to be honoured in such a fashion.

Honourable senators, I know you will join with me in congratulating Edwina Campbell on having received this prestigious award.

#### ASIA-PACIFIC GATEWAY AND CORRIDOR INITIATIVE

**Hon. Gerry St. Germain:** Honourable senators, I rise today to commend Prime Minister Stephen Harper and Canada's new government for efforts taken to build Canada's Asia-Pacific Gateway.

Last Wednesday, in Vancouver, Prime Minister Harper was joined by B.C. Premier Gordon Campbell, ministers Lawrence Cannon and David Emerson, representatives of all four Western provinces and Captain Gordon Houston, President and CEO of the Port of Vancouver, in announcing that the Government of Canada is moving ahead immediately with the Asia-Pacific Gateway and Corridor Initiative. Together with these stakeholders in the private sector, Canada's new government is taking action to launch 12 separate infrastructure, transportation, technology and border security projects.

These projects span the length and breadth of the gateway with five key areas of investment focus: First, all of the large commercial ports will see major expansion and improvement; second, bridges and roads linking the ports to the national and trans-national highway systems will be built or upgraded; third, there will be further twinning of the Trans-Canada Highway in Banff National Park; fourth, a new container security screening facility will be installed at the Port of Prince Rupert; and finally, a high-tech traffic management system will be developed for the Lower Mainland that will move containers in and out of port terminals faster and more efficiently.

[ Senator Hubley ]

Canada's new government has committed \$591 million to these projects, while the private sector has committed \$3 billion to gateway- and corridor-related capital investment between 2004 and 2010.

Honourable senators, as a result of these efforts, Canada's share of West Coast container traffic is expected to rise from 9 per cent to 14 per cent by 2020. Improving our international transportation and trade links will lead to more business opportunities and jobs for British Columbians and all Canadians. It will also help us reclaim Canada's role as a serious competitor and entrepreneurial leader in the world.

#### THE HONOURABLE WILFRED P. MOORE

CONGRATULATIONS ON RECOGNITION  
BY ROTARY CLUB OF LUNENBURG, NOVA SCOTIA

**Hon. Gerard A. Phalen:** Honourable senators, it is with great pleasure that I rise today to congratulate my friend and seatmate and our colleague Senator Wilfred Moore on being recognized by the Rotary Club of Lunenburg, Nova Scotia, this past weekend.

Senator Moore was recognized, by way of a roast, for his many years of caring and his contribution to the community of Lunenburg. Although I understand that fun was poked at my friend, for everything from the time it took to complete law school to his performance as a lawyer and, of course, his appointment to the Senate, the capacity crowd acknowledged Senator Moore's tireless efforts in his community.

Senator Moore was recognized for his years chairing the *Bluenose II* Preservation Trust, a group of volunteers charged with restoring and maintaining the province's sailing ambassador. I know about the countless hours Senator Moore has worked on behalf of that trust. I have had the pleasure of touring the *Bluenose II* and highly recommend you take the opportunity to see this piece of Canadian history.

Senator Moore was also recognized for his work on the restoration of the historic St. John's Anglican Church in Lunenburg, as well as the town's harbour cleanup project. Senator Moore's work on behalf of the Nova Scotia College of Art and Design's studio project was also recognized. That project was conceived by Senator Moore and offers a Lunenburg work placement and residence to two of the college's graduate students every year.

• (1415)

Honourable senators, I join with the people of Lunenburg in thanking Senator Moore. I think Chief Justice Joseph Kennedy, who hosted the evening, said it best:

It's nice to have an opportunity to say things about a guy I think very highly of. People say things privately, but it's nice to publicly acknowledge him.

Honourable senators, please join with me in congratulating Senator Moore on the recognition he received and for the work he has done on behalf of the Town of Lunenburg and the Province of Nova Scotia.

## CANADA-UNITED STATES TRADE AGREEMENT

## SUGAR BEET INDUSTRY

**Hon. Joyce Fairbairn:** Honourable senators, last week, in Lethbridge, I had the pleasure of a visit from my colleagues Senator Hays and Senator Banks. Our purpose was to join in the annual celebration of the sugar beet harvest in Southwestern Alberta. This is an industry that has been centred in that corner of Canada for the better part of the last century. It is something we count on and very often take for granted.

Our visit came at a time which is usually one of great spirits after a good harvest. However, those spirits were lowered by the news that the vigorous American sugar lobby has focused its sights on Southern Alberta and is in the process of trying to force the United States Department of Agriculture to change trade rules that would significantly reduce exports of sugar beet thick juice from Canada. This juice is an integral part of the production process for beet sugar and currently enters the U.S. duty free.

Last year Canada's exports of beet thick juice was evaluated at \$12.5 million U.S., and this new proposal would significantly reduce or eliminate Canadian sugar exports.

Today's news, in a smaller way, strikes a memory of the BSE crisis that crippled our cattle industry, which only now is being restored and is back in business. If the American administration cannot be persuaded that this, too, is a serious challenge to another part of our agriculture industry, we might well witness the end of one of our oldest and continuous industries.

Some senators may remember the battle that took place in this chamber back in the 1980s. On that occasion, it happened when a support system that had been put in place by Prime Minister John Diefenbaker was dropped without notice to the beet farmers. For the first time in anyone's memory, a crop was not planted. There was no harvest. The towns of Taber, Picture Butte and the surrounding area, including Lethbridge, were devastated.

As a new senator, it was my first cause. Every day I was begging government leader Duff Roblin, a wonderful man, to persuade his colleagues to get the industry back. Nothing happened. Citizens, whose whole lives and the lives of their families came to a stop, were forced to turn away from the job and become promoters, public relations advocates, lobbyists standing in front of the House of Commons, begging for help. It was the last thing they ever imagined they would have to do in their lives as productive farmers. By the time their industry was restored to them, some of them were suffering from health problems and others just quietly left the land.

However, the foundation was there and the families now continue to prosper. Their commitment is deep and valuable. As I speak, members of the beet growers industry are in town today bringing their cause to the government. My colleague from Lethbridge, MP Rick Casson, and I were hoping to meet with Minister Emerson. I profoundly hope that parliamentarians from all parties in every part of Canada will join together to help these farmers and our federal government in expressing, in the strongest possible terms, the necessity of maintaining a current trade agreement with the United States government on this industry

that is so important to our farmers and the sugar industry they support.

## ROUTINE PROCEEDINGS

## STUDY ON NATIONAL SECURITY POLICY

## TABLING OF DOCUMENTS

**Hon. Colin Kenny:** Honourable senators, pursuant to rule 28(4) and with leave of the Senate, I would like to table correspondence between Senator Rompkey and myself with respect to CFB Goose Bay.

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

**Hon. Senators:** Agreed.

• (1420)

[Translation]

## LEGAL AND CONSTITUTIONAL AFFAIRS

NOTICE OF MOTION TO AUTHORIZE COMMITTEE  
TO MEET DURING SITTING 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 the Standing Senate Committee on Legal and Constitutional Affairs have the power to sit on Thursday, October 19, 2006, Tuesday, October 24, 2006 and Wednesday, October 25, 2006, even though the Senate may then be sitting, and that rule 95(4) be suspended in relation thereto.

[English]

## QUESTION PERIOD

## FINANCE

## FEDERAL-PROVINCIAL FISCAL ARRANGEMENTS

**Hon. Daniel Hays (Leader of the Opposition):** My question is for the Leader of the Government in the Senate. Budget 2006 promised to restore fiscal balance in Canada. Since that budget was brought down, much has transpired on the matter but there is one constant: The Premier of Newfoundland and the Premier of Saskatchewan hold a position that does not square with what they are hearing from the government. The same can be said of the Premier of Quebec and the Premier of Ontario, as well as other premiers. However, those four premiers in particular have expectations arising out of both the budget provision that I quoted as well as the provisions in the election platform of the Conservative Party leading up to the election last January 23.

My question to the Leader of the Government is: Can she share with us the process by which these differences are to be resolved and the timing of that process in terms of when these premiers and all Canadians can expect a satisfactory answer to this important question of fiscal imbalance?

**Hon. Marjory LeBreton (Leader of the Government):** I thank the honourable senator for his question, but I am unable to give him a specific timeline on the process. Honourable senators are aware that the Prime Minister and members of his cabinet, in particular Minister Flaherty, have publicly stated that the government is continuing its consultations with the provinces and the territories to bring forward proposals to restore fiscal balance in the coming months. I am certain that honourable senators would not want me to speculate, and nor would I speculate, on news stories resulting from the viewpoint of one premier or another on the deliberations to date. It was obvious at the last meeting of all the premiers that they held many differences of opinion on the issues.

I will answer the question simply by stating that this government is committed to restoring fiscal balance in Canada and will make its best efforts to reach a consensus as soon as possible.

• (1425)

**Senator Hays:** I thank the minister for her comment, since it really was not an answer.

I gather that the Minister of Finance has indicated that this is a matter that will be addressed in a concrete way in the 2007 budget. This is not a satisfactory situation when Budget 2006 indicates that it is something that will be done. I think it is a fair assumption on the part of all Canadians that it will be done within the context of Budget 2006 and not the 2007 budget.

Am I correct in understanding that when the Minister of Finance holds forth the 2007 budget as the time for a solution that that is not so and that we can expect something much sooner than that?

**Senator LeBreton:** I thank the honourable senator for his question. I have not seen the comment of Minister Flaherty to which the honourable senator has alluded.

However, suffice to say that, as the honourable senator knows, the government has received several reports on this issue, the last one being the O'Brien report. The Minister of Finance primarily, along with the Minister of Intergovernmental Affairs, Minister Chong, have been meeting with the provinces and territories. I think the reference to the 2007 budget was not specifically related to the fiscal balance issue. However, I will have to check that.

My understanding is that both Ministers Chong and Flaherty are in active and fruitful discussions with their counterparts. I am quite certain they are working diligently to resolve the issue of fiscal balance.

**Senator Hays:** Honourable senators, in the absence of something more concrete, we, unfortunately, have to rely on what we read, what the media say and what the Prime Minister, premiers and others are quoted as saying.

[ Senator Hays ]

The minister and I last had an exchange on this subject on June 6 of this year. We talked specifically about the O'Brien report and the issue of the calculation of equalization and the use of resource revenues in that calculation or formula. At that time the Leader of the Government indicated:

The Prime Minister and the government do not intend to alter the offshore agreements that were reached in 2005 with Nova Scotia and Newfoundland and Labrador.

That is not Saskatchewan's issue, but it is certainly the issue in Newfoundland.

Media reports indicate that there may be some question about that. Can the minister elaborate?

**Senator LeBreton:** Unfortunately, honourable senators, I cannot elaborate, other than to report that we take the issue of fiscal balance very seriously. Obviously, some provinces have interests that others do not. That is the nature of our federation.

I simply repeat what I said last June: The Prime Minister and members of our government are well aware of the commitments we made during the election campaign. Thus far the record has shown that we live up to our commitments.

**Hon. Bill Rompkey:** Honourable senators, my question is directed to the Leader of the Government in the Senate and follows up on the same line of questioning.

I want to refer the Leader of the Government not to a news report or to speculation but to an actual letter that was signed by the Prime Minister's own hand during the last election campaign. It is not speculation. We have seen it as, indeed, has Premier Williams.

When the Prime Minister was in Newfoundland last weekend for the annual meeting of the Progressive Conservatives of Newfoundland and Labrador, they had a discussion. Premier Williams asked him three times — I believe that is what Premier Williams said, and I have no reason to doubt his word — whether the Prime Minister would live up to the commitment he had given in writing, signed by his own hand, during the election campaign.

According to Premier Williams, the Prime Minister's reply to Premier Williams was that he had not made up his mind.

The Prime Minister had made up his mind during the campaign but this past weekend he said he had not made up his mind. I know the Prime Minister wants to live up to his campaign promises, as the minister has just said, and I know how serious he is about that.

• (1430)

Therefore my question is: When will the Prime Minister live up to the campaign commitment that he made in writing that Newfoundland and Labrador would not lose equalization?

**Senator LeBreton:** I thank the honourable senator for the question. Yes, in fact the Prime Minister was in Newfoundland and Labrador on the weekend attending the annual meeting of the Progressive Conservative Party of Newfoundland and Labrador. He spoke to the delegates at the meeting. It was a very positive meeting. He was very well received. He had a private

meeting with Premier Williams. It was a very good meeting as far as I can understand, although once the Prime Minister left Newfoundland and Labrador, Premier Williams decided in his own way to discuss what went on in a private meeting. I was not at the private meeting, so I will not say what I think happened. I do not know about the specific letter. We are only relying on news reports of what Premier Williams said.

I was not at the meeting and I can say that the Prime Minister has indicated that the issue of fiscal balance will be dealt with fairly with all provinces and territories. I am sure the Prime Minister will do so in his own good time as he has done on other issues.

**Senator Rompkey:** We will wait and see what good time brings forth and we will be watching very closely to see that campaign commitments are kept.

I might just say though that I do not think anyone should doubt the veracity of what Premier Williams says. He has, after all, over 70 per cent support in the province. I doubt that anyone can match that across the country, so he is a man who speaks for his people and I might say speaks very well.

## NATURAL RESOURCES

### PROPOSED FALLOW FIELD LEGISLATION

**Hon. Bill Rompkey:** On another issue that Premier Williams has spoken about, I want to ask the Leader of the Government in the Senate about the development of fallow field oil reserves. As the minister will know, we have to depend on oil at the moment. Fish have disappeared, mills are closing, mines are at their limit and unfortunately, or fortunately, our economy is driven by oil.

Companies want to sit on the oil because it is not in their best interests to develop it right away, but it is in the interests of the people of Newfoundland and Labrador to develop that oil and to get the jobs that that oil will bring. We cannot control that. The courts have ruled that the offshore is a federal responsibility. Without the support of the Prime Minister, we cannot move on fallow field legislation.

In the interests of jobs, in the interests of the economy, in the interests of the people of Newfoundland and Labrador, when will the Prime Minister move on urging companies and putting in place the legislation that will force companies to develop fallow field oil?

**Hon. Marjory LeBreton (Leader of the Government):** The whole issue of the oil companies and the development of fallow field reserves in Newfoundland and Labrador is a very complex one. I am not an expert on the complexities of the oil industry, so I will simply take that question as notice.

## NATIONAL DEFENCE INTERNATIONAL COOPERATION

### AFGHANISTAN— CIDA PROJECT FUNDING AND DELIVERY

**Hon. Roméo Antonius Dallaire:** Honourable senators, this question is for the Minister of International Cooperation, who has responsibility for the Canadian International Development Agency, and the Minister of National Defence.

In Rwanda, we received no development funds in order to conduct the demobilization and reintegration of the forces and that directly undermined the peace process. In the former Yugoslavia, with the Dayton accords, although the troops were on the ground for over a year with a secure environment, the development monies never appeared, nor the personnel. With frustrations, broken promises, loss of credibility, unrest and increased danger, soldiers paid with their lives to try to hold the situation because of the lack of commitment and dedication of funds and personnel to implement the development programs.

• (1435)

Since Glyn Berry lost his life in Afghanistan, CIDA and Foreign Affairs may not consider that to be a career-enhancing place for their personal ambitions. Can the leader, through those two ministers, tell us whether there is adequate CIDA and Foreign Affairs staff to implement a plan to be integrated with the security plan for the development and nation building of Afghanistan, and whether the dedicated funds from CIDA are being managed by that staff to implement those projects?

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

The government, as he is well aware, has made substantial financial commitments for the stabilization and reconstruction in Kandahar province, and we are delivering on that funding. Having said that, it is obvious that there are difficulties, specifically in Kandahar province. We only have to witness the last five deaths of Canadian soldiers defending a reconstruction project in Kandahar province.

Through CIDA, Canada is actively funding projects in Kandahar, including a provincial reconstruction team spending \$3.1 million for medium-sized infrastructure projects such as bridges and dams. We have funded the expansion of the Afghan government's national solidarity program to promote community-based development in districts in Kandahar. We are putting \$5 million towards polio eradication in southern Afghanistan.

**Senator Dallaire:** Yesterday, the Standing Senate Committee on National Security and Defence received a briefing from Brig-Gen. Howard, who stated that those funds are not appearing in a proportional fashion to integrate development efforts with security efforts in order to advance the program, reduce risks of casualties and ultimately achieve the aim of supporting the Afghanistan government, as enunciated by the Liberal government and is being continued.

There is no indication that the substantive proportional amount of funds and staff effort is actually on the ground to meet the equal challenge by the military to provide and reinforce that security effort.

We are spending hundreds of millions in establishing the security and then find out there are hundreds of millions in DND for development work where we should be seeing proportionately as much, if not more, in the integrated effort of the provincial reconstruction team to advance the whole civilian-development capability.

**Senator LeBreton:** I thank the honourable senator for the question. As the honourable senator knows, because it has been before his committee, Afghanistan is the single largest recipient of aid from the Government of Canada.

Senator Dallaire mentioned the death of Mr. Berry and that there are some concerns about the monies allocated to CIDA and to National Defence for getting in and making a difference in Kandahar because of the volatility of the situation.

I will seek further clarification on exactly what CIDA and National Defence are doing to step up the work of CIDA. The honourable senator more than most, as a military person, does understand. We all understand how difficult it is to secure the area and to work on the reconstruction projects — which most Canadians indicate they would like us to do. However, with respect to the recent tragic deaths of the five soldiers on that reconstruction project, they were not in a combat situation, and the members of the foot patrol confronted by the suicide bomber on the bicycle were also doing reconstruction work.

• (1440)

Honourable senators, this is a complex and difficult situation, and there are no easy answers. However, I will seek some clarification as to how CIDA and National Defence are trying to deliver the money directly to projects in Kandahar province.

## FOREIGN AFFAIRS

### UNITED NATIONS RESOLUTION FOR ARMS TRADE TREATY

**Hon. Francis Fox:** Honourable senators, my question is also to the Leader of the Government in the Senate. I very much hope she will be able to say simply “yes” in answer to the question.

As the minister knows, in the spring of this year, her colleague the Minister of Foreign Affairs announced that Canada would support a resolution in the United Nations General Assembly calling for an arms trade treaty. The list of the official co-sponsors of the resolution is now public, and curiously, or unfortunately — perhaps both — Canada is not on the list. To date, 77 countries stand in support of this resolution, but not Canada.

Will the Leader of the Government tell us whether it is the intention of the current government to instruct Canada’s ambassador to the United Nations to officially co-sponsor this resolution and put Canada’s full diplomatic resources behind this important initiative?

**Hon. Marjory LeBreton (Leader of the Government):** Honourable senators, I will not indicate whether I will answer yes or no to anyone. We have a new ambassador at the United Nations, and there are many complex and interesting issues before the United Nations at the present time. I will simply take the honourable senator’s question as notice.

**Senator Fox:** It would be the first time that Canada has not supported a significant international arms control initiative. People would also note with interest that one of the countries standing on the sidelines on this issue is the United States.

Can the minister assure us that the current government’s position will reflect the values of Canadians and not be tempered by the interests of gun manufacturers no matter where they are?

**Senator LeBreton:** The idea that any leader in this country would not lead the country in the interests of Canada is bizarre in the extreme and is almost unworthy of an answer.

**Senator Mercer:** Wait for the phone call from Washington.

**Senator LeBreton:** That is ridiculous. The fact is there are many examples where the Government of Canada has taken positions that have not pleased our neighbours to the south, but we are always respectful of them, which is something they did not get from the previous government.

**Senator Fox:** Will the minister acknowledge that the question of trade in small arms is very much related to anti-terrorist movements? This country has always been a leader in this area. The land mines legislation is but one example. We now have the possibility of indicating to the world where we stand on the small arms treaty, which will help stem the clandestine flow of Kalashnikovs and all those weapons into just about every country in the world, perhaps even into some Canadian cities. All I am asking from the Leader of the Government in the Senate is to say that, yes, the Government of Canada will stand four-square behind this treaty that brings together a number of countries to try to limit the proliferation of the trade in small arms.

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

**Senator LeBreton:** I will take that question as notice.

On the issue of dangerous activities in the world, after all, it was this government that finally had the courage to put the Tamil Tigers on the terrorist organizations list.

• (1445)

## INTERNATIONAL TRADE

### SOFTWOOD LUMBER— CANADA-UNITED STATES TRADE AGREEMENT

**Hon. Pierrette Ringuette:** My question is for the Leader of the Government in the Senate. In the last two weeks, Canada has witnessed major forest mill closures resulting in more than 2,000 jobs lost in our mills in Quebec, Ontario and New Brunswick. That is not counting the indirect jobs lost in the affected communities.

Last Friday, the U.S. Court of International Trade ruled that the Canadian softwood lumber industry is entitled to every penny of the \$5.3 billion of illegally imposed duties on our softwood exports over the years and, therefore, free entry of our products into the U.S. with no quotas.

Will the government acknowledge this U.S. trade court ruling and remove its signature from the softwood agreement with the U.S. that penalizes our industry and that curtails NAFTA and our sovereignty?



**Hon. Marjory LeBreton (Leader of the Government):** I thank the honourable senator for her question. The softwood lumber agreement is not responsible for the job losses, as everyone knows.

I have read about the court ruling. We could again be setting another round of appeals and we would have been back in the same boat again. The government is taking measures to deal with the job losses, which, as I wish to point out once again, have nothing to do with the softwood lumber agreement. The job losses had everything to do with the rising Canadian dollar and the declining housing market in the United States.

On the issue of the softwood lumber agreement, the provinces and industry support it and no more so than in Atlantic Canada, where there should not be one single, solitary soul who is against the agreement.

**Senator Ringuette:** Perhaps the Leader of the Government in the Senate can come to New Brunswick and tell that to the 350 employees who lost their jobs last week.

In light of the U.S. Court of International Trade ruling for free entry of our softwood products, will the government withdraw Bill C-24, currently in the other place, imposing export charges on our softwood of up to 22.5 per cent and related monthly quotas?

**Senator LeBreton:** Of course we will not withdraw Bill C-24. I wish to point out to the honourable senator that the Maritime Lumber Bureau, which represents the industry in Atlantic Canada, gave the agreement its full support and urged all parliamentarians to set their partisan interests aside to support a negotiated resolution that preserves the region's historic exemption and its anti-circumvention programs.

[Translation]

**Senator Ringuette:** Honourable senators, I have been following this issue since April. So far, all the forecasts issued by economists on this matter have proven accurate. I have no intention of talking politics today. No matter the colour of the party in power — whether red, green, yellow or blue — Canadians deserve to be respected by their government.

During the last election, your government promised to continue to fight for the Canadian industry and for our position within the North American Free Trade Agreement. You also promised to respect the conditions of NAFTA. Yet, since coming into power, your government has not followed through on any of its campaign promises. As I said earlier, it is not a matter of party colours; it is a matter of respect.

• (1450)

[English]

**Senator LeBreton:** The government has shown respect for the provinces, the industry and the rule of law. I have noticed that many politicians of all political stripes have supported this agreement. The provincial governments, whether they are Liberal, NDP or Conservative, and industry support this agreement.

From what I can determine from watching the comments of some of the members of the Liberal Party, this is an issue that

they want behind them; they do not want to saddle their leadership with this issue. Therefore, I suggest that if anyone feels strongly about this, he or she has the right to vote against it. I would imagine, however, that the honourable senator would then not be mindful of the wishes of the industry or of the various provincial governments. This is in no way being disrespectful, but this is a free Parliament and the honourable senator is entitled to her views. However, I happen not to agree or share them.

The softwood lumber agreement is one that has wide ranging support, especially in Atlantic Canada. The Atlantic Canadian industry is fully protected under the agreement.

[Translation]

## HUMAN RESOURCES AND SOCIAL DEVELOPMENT

### POSITION OF OLDER WORKERS

**Hon. Jean-Claude Rivest:** Honourable senators, our colleague just mentioned a very serious problem facing the forest industry, particularly in New Brunswick, Quebec, Ontario and British Columbia.

We learned yesterday that the federal and Quebec governments are about to implement a program targeted at older workers in the industry that will certainly give them a helping hand in the short term.

Since older workers represent a large part of the labour force affected by this crisis, the federal government and Quebec government will contribute 70 per cent and 30 per cent respectively to help older workers retire.

Can the honourable minister confirm that the Canadian government, and the Quebec and other provincial governments, are ready to take the first important step by announcing the implementation of this program?

[English]

**Hon. Marjory LeBreton (Leader of the Government):** Honourable senators, \$400 million was set aside in the budget in March specifically for the forest industry and the adjustments that may be necessary for people working in the industry.

Today, the Minister of Human Resources, Minister Finley, announced an older workers program. It was just announced before we came into the chamber today and I will be happy to provide the details to the honourable senator.

## VISITORS IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I would like to draw your attention to the presence in the gallery of the Honourable Mohammadmian Soomro, Chairman of the Senate of the Islamic Republic of Pakistan, who leads a delegation of a number of his colleagues, senators in the Senate of the Islamic Republic of Pakistan.

On behalf of all honourable senators, I wish to welcome you, chairman, and the honourable senators accompanying you, to the Senate of Canada.

• (1455)

## ORDERS OF THE DAY

### TAX CONVENTIONS IMPLEMENTATION BILL, 2006

#### SECOND READING—ORDER STANDS

On the Order:

Resuming debate on the motion of the Honourable Senator Angus, seconded by the Honourable Senator Tkachuk, for the second reading of Bill S-5, to implement conventions and protocols concluded between Canada and Finland, Mexico and Korea for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income.

**Hon. W. David Angus:** Honourable senators, when I moved the second reading of Bill S-5 at an earlier sitting, I was queried by Senator Murray as to whether there were any countries with whom we had negotiated tax treaties that had not yet implemented these treaties at their end. At the time, I undertook to obtain a list from the Department of Finance as to whether there were any countries in that category and, if so, how many.

I am pleased to advise that there are three such countries at the moment, being Gabon, Italy and Lebanon.

**Hon. Lowell Murray:** Honourable senators, does the honourable senator have the dates upon which the Parliament of Canada passed the enabling legislation for those three tax treaties? In other words, I am interested to know how long we have been waiting for our partners to reciprocate.

**Senator Angus:** I have that information and would be glad to share it with honourable senators. In the case of Gabon, Bill S-17 was our implementing legislation. It received Royal Assent in March 2005. In the case of Italy, the treaty was implemented in Canada by way of Bill S-2, which received Royal Assent in December 2002. Canada's first tax treaty with Lebanon was implemented in Canada by way of Bill S-3, which received Royal Assent in June of 2000. That treaty has not yet been ratified in Lebanon.

**Senator Murray:** I thank the honourable senator.

Order stands.

### CONSTITUTION ACT, 1867

#### BILL TO AMEND—SECOND READING— ORDER STANDS

On the Order:

Resuming debate on the motion of the Honourable Senator LeBreton, P.C., seconded by the Honourable Senator Comeau, for the second reading of Bill S-4, to amend the Constitution Act, 1867 (Senate tenure). —(Subject-matter referred to the Special Senate Committee on Senate Reform on June 28, 2006)

**Hon. Joan Fraser (Deputy Leader of the Opposition):** Honourable senators, the Chair of the Special Senate Committee on Senate Reform has gone to speak to the Speaker of the Senate of the Islamic Republic of Pakistan. He asked me to take this opportunity to remind senators that, although the special committee is studying the subject matter of this bill, among other things, senators remain free to speak to it. He also wishes to assure the Senate that the special committee hopes to send its first report to this chamber soon.

**Hon. Terry Stratton:** Honourable senators, if I may, what does “soon” mean?

**Senator Fraser:** Honourable senators, Senator Stratton is as aware as I am that things in the Senate sometimes take on a life of their own. The current planning, I believe, is to try to have this report available next week or, at the very latest, the week after.

Order stands.

[Translation]

### LEGAL AND CONSTITUTIONAL AFFAIRS

#### MOTION TO AUTHORIZE COMMITTEE TO MEET DURING SITTING OF THE SENATE— MOTION TO AUTHORIZE COMMITTEE TO MEET DURING ADJOURNMENT OF THE SENATE— ORDERS WITHDRAWN

On Motions Nos. 1 and 2 by the Honourable Senator Comeau:

That, in accordance with rule 95(3), the Standing Senate Committee on Legal and Constitutional Affairs be required to meet on Monday, October 16, 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;

That, the Standing Senate Committee on Legal and Constitutional Affairs be required to meet on Tuesday, October 17, 2006 from 9:00 a.m. until 9:00 p.m. and on Wednesday, October 18, 2006 from 9:00 a.m. until 9:00 p.m., even though the Senate may then be sitting, and that rule 95(4) be suspended in relation thereto;

That, the Standing Senate Committee on Legal and Constitutional Affairs be required to meet Thursday, October 19, 2006 from 9:00 a.m. until 1:00 p.m.; and

That the Standing Senate Committee on Legal and Constitutional Affairs submit its report on Bill C-2, providing for conflict of interest rules, restrictions on election financing and measures respecting administrative transparency, oversight and accountability, no later than Thursday, October 19, 2006.

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.

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** Honourable senators, I advise the Senate that I am withdrawing Government Notices of Motion Nos. 1 and 2 on the Order Paper.

**The Hon. the Speaker:** Honourable senators, is leave granted to withdraw these motions?

**Hon. Senators:** Agreed.

Motions withdrawn.

• (1500)

## CRIMINAL CODE

### BILL TO AMEND—THIRD READING

On the order:

Resuming debate on the motion of the Honourable Senator Lapointe, seconded by the Honourable Senator Tardif, for the third reading of Bill S-211, An Act to Amend the Criminal Code (lottery schemes).—(*Honourable Senator Comeau*)

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** Honourable senators, I am pleased to participate in the third reading debate on Bill S-211 introduced by Senator Lapointe.

First, I would like to point out that I am taking the place of my colleague, Senator Forrestall, who passed away on June 9. I hope that my remarks will be worthy of the ones he would have made.

Senator Forrestall spoke to Bill S-211 on May 10, less than a month before his death. That is certainly a testament to his dedication to this chamber and to Canadians. His absence will be deeply felt in this chamber.

Bill S-211 seeks to amend the Criminal Code in relation to gaming offences in order to limit the locations where provincial governments may install video lottery terminals and slot machines to casinos, race-courses and betting theatres.

This is the fourth time that a version of this bill has been brought before us. Senator Lapointe introduced Bill S-18 in April 2003, Bill S-6 in February 2004, and Bill S-11 in October 2004. We appreciate the perseverance of Senator Lapointe, who has gone through all these stages.

The Standing Senate Committee on Legal and Constitutional Affairs studied Bill S-211 at length and made amendments and the Senate adopted the bill as amended a year ago. Bill S-211 currently before us is that amended version. This explains in part why Senator Lapointe hoped that the bill would be sent directly to the other place. We must now examine each legislative proposal with the requisite diligence, even those we have already studied. I am pleased that we made a decision about Bill S-211 in committee.

When we were examining the bill, I found it useful to go over the transcripts of deliberations on previous versions. I carefully read the testimony on the risks lottery terminals present to communities and the pathological addiction they can cause.

Allow me to quote testimony by Dr. Derevensky from McGill University at the Standing Senate Committee on Legal and Constitutional Affairs on February 19, 2004:

The video lottery terminals, or electronic gaming machines, appear to be highly problematic as a result of their structural characteristics. For example, these machines have high payout rates so that one is reinforced frequently on these games...

We also know that VLT machines are highly addictive. They have appealing light, colour and sound. They use multiple games on these machines, which enable an individual to consistently play on and off.

Dr. Derevensky added:

We also know... that the local convenience of VLTs makes them very attractive. You do not have to walk very far in any major urban city to find a VLT. They are located at almost every other corner.

This testimony was highly convincing at the time and it still is. There is no end to the evidence showing that video lottery terminals are the crack cocaine of the gaming world.

However, our role as parliamentarians, which we take quite seriously, requires us to take into account all the relevant aspects of a legislative document and the context in which it will be applied.

From the review of Bill S-211 at the Standing Senate Committee on Social Affairs, Science and Technology, broad support emerged for the objectives Senator Lapointe proposes achieving with this bill, addressing the serious problem of compulsive gambling.

Throughout the process, general concern about Bill S-211's encroachment on provincial jurisdiction was also expressed.

This was a major concern of Senator Forrestall, who stated on May 10, 2006:

Honourable senators, while I respect the bill, where it comes from, and the sincerity with which it is put forward, noting on more than one occasion the enthusiasm Senator Lapointe has for this matter and for what he has attempted to do, I have continuing real concerns with this bill in that it intrudes into provincial jurisdiction.

Senator Champagne shared that opinion and, during the proceedings of the Standing Senate Committee on Social Affairs, Science and Technology, she told Senator Lapointe:

Basically, I entirely agree with the objective of this bill that you have tabled. All this has been set in the context of the Criminal Code, but nonetheless, it comes under provincial jurisdiction and thus, there is a major problem, in my opinion.

The crux of the matter lies in two federal-provincial agreements signed in 1979 and 1985, according to which gaming is to a large extent a provincial jurisdiction.

Senator Kirby, the chair of the Standing Senate Committee on Social Affairs, Science and Technology, quoted section 1.1 of the 1985 agreement, which reads as follows:

The Government of Canada undertakes to refrain from re-entering the field of gaming and betting and to ensure that the rates of the provinces in that field are not reduced or restricted.

Other aspects of the bill were also discussed. But the main issue remains that of intrusion in areas of provincial jurisdiction.

Unfortunately, it is impossible to amend the relevant provisions without totally gutting the bill. By passing this bill, the government will be sending the provinces the message that they will be allowed to operate video lottery terminals, over which they have complete power, only in specific places.

While the concern is legitimate, it does not justify the committee making a decision on Bill S-211 on that basis. As Senator Kirby pointed out to the committee, if a bill that affects provincial jurisdictions were to be killed in the Senate, it would be up to the chamber as a whole and not to the Senate committee to kill it.

This bill is once again before us and, once again, it is up to us to decide whether to send it to the other place without addressing the issue of jurisdiction, should we choose to send it on.

Although testimony has shown that video lottery terminals contribute to compulsive gambling, the question of jurisdiction remains. That is why I cannot support this bill. I hope that we will review all aspects of this issue carefully before we make our final decision.

**Hon. Pierre Claude Nolin:** Honourable senators, will Senator Comeau entertain a few questions?

**Senator Comeau:** Yes.

**Senator Nolin:** You raised an argument against Senator Lapointe's bill. You said it was a matter of federal jurisdiction because the Criminal Code applies, given that, on a certain date the federal government — not Parliament — signed an agreement with the provinces not to limit their ability to collect revenue from the lottery system. As of that date, the federal Parliament could no longer amend that section of the Criminal Code. Is that the thrust of your argument?

**Senator Comeau:** Not at all. I did not say that the federal government would not have the right to do so. In 1985, the federal government said it would not encroach on those areas of jurisdiction. That does not mean it cannot, but we would be going against an agreement that currently exists with the provinces.

**Senator Nolin:** That is an important distinction to make. The agreement was between the executive branch of the federal government and those of the ten provinces. It is an agreement. I am pleased to hear you say that it does not prevent Parliament from amending the Criminal Code. It will be up to the government to decide whether it wants to re-examine the

agreement with the provinces. As long as the government does not abdicate its responsibility to amend the Criminal Code, I agree with your argument. It will be the government's problem.

• (1510)

The problem facing Parliament is whether we want to amend the Criminal Code. I believe we should; others would argue the opposite.

I would like the honourable senator to correct me if I have not properly grasped his argument.

**Senator Comeau:** The honourable senator is correct. Parliament has the power to introduce a bill in any way it sees fit.

I would like to quote from the 1985 federal-provincial agreement:

The Government of Canada undertakes to refrain from re-entering the field of gaming and betting and to ensure that the rates of the provinces in that field are not reduced or restricted.

It clearly states that this is a parliamentary commitment. If we, as a Parliament, decided to renege on a government commitment, we have full authority to do so. We must consider the consequences involved when Parliament decides to renege on government commitments.

**Hon. Serge Joyal:** Will Senator Comeau entertain another a question?

**Senator Comeau:** Yes.

**Senator Joyal:** In the agreement the honourable senator just referred to, there is a section to protect the provinces to some degree. The purpose of that agreement is to provide additional funds to the provinces. A province could deduct from the amounts paid each year to the Canadian government as rent for occupying this field of jurisdiction an amount corresponding to the money it would have lost if the government had reduced access to the lottery system. Thus, the Government of Canada cannot renege on this agreement.

In other words, despite the fact that Parliament, by amending the Criminal Code, could reduce a province's ability to install as many video lottery terminals as it likes, the provinces would be protected because they would be entitled to retain a portion of the annual rent they would have paid to the Canadian government to occupy this jurisdiction. That is a very important factor in the decision we must make today.

I think that the response to the legitimate fear you are expressing lies in the very agreement that the Canadian government signed with the provinces at that time.

**Senator Comeau:** Thank you for bringing that very important point to the Senate's attention.

**Hon. Jean Lapointe:** Honourable senators, there is another very important point that should be mentioned here. I am not related to Republican Senator McCarthy. I am not against gaming or casinos. But I am against abuse. The proximity of video lottery terminals in towns, on major roads or in back streets, is creating a huge crisis in society. I have been looking at this issue for

four years. I chose an amendment to the Criminal Code because it was the only way open to me. No one has pointed out, however, that video lotteries did not exist before 1985. Today, 80 per cent of the people in Quebec are against these lotteries, because they can see the unhappiness and the social problems that these infernal machines cause. Moreover, it has been proven that they cost governments more than they bring in.

Whether or not you agree on that is your opinion, and I respect it, but I do not have to share it. You said at the beginning of your remarks that I had been very patient, but I must correct you: I have not been patient, I had no choice. You know me well enough to know that I am averse to wheels that grind slowly. I just want to say that patience has its limits.

**Senator Comeau:** I understand your aversion to wheels that grind slowly.

The first part of my speech did indicate that I understand your goals and objectives.

In previous speeches, you made a very strong case about the extent of the problem caused by these lotteries. I agree completely with the objective of your initiative, and I know the dead ends you have reached every time you tried to solve the problem.

**Hon. Marcel Prud'homme:** Honourable senators, would it not be possible to go ahead with the bill in the Senate? Because it is a Senate bill, it will have to go to the House of Commons.

I remember similar circumstances where the Senate, in its wisdom, believed that it was the best it could present. It seems that such is the case this time.

I would not want the senators to do what they did to the House of Commons when they sent a bill to recognize the Dalai Lama as an honorary citizen. That was a poorly drafted bill and we reached an agreement on amending it. However, if we believe that this bill achieves almost all the objectives but that the administrative issues between the federal and provincial governments remain to be resolved, then why not send it to the House of Commons? They will study the bill in committee and will have to present something that will be acceptable to us.

I do not wish to send a badly worded bill and then say that I voted for such a bill in the hope that the other place would improve it. We can go ahead in order to further the debate. The House of Commons can study the matter of agreements made in the past and arrive at a conclusion that will satisfy the Senate.

**Senator Comeau:** I appreciate Senator Prud'homme's comments. I agree that perhaps the time has come for the Senate to make a decision about this bill. I am ready to call for an immediate vote so that we know what the senators think.

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

**Hon. Senators:** Question!

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

Motion agreed to, on division, and bill read third time and passed.

• (1520)

[English]

## PERSONAL WATERCRAFT BILL

### SECOND READING—ORDER STANDS

On the Order:

Resuming debate on the motion of the Honourable Senator Spivak, seconded by the Honourable Senator Segal, for the second reading of Bill S-209, concerning personal watercraft in navigable waters.—(*Honourable Senator Comeau*)

**Hon. Tommy Banks:** Honourable senators, I wish to ask Senator Comeau, for the purpose of planning at the committee to which I suspect this bill may be referred, how long he thinks it might be before he speaks to Bill S-209?

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** I expect that as soon as the sponsor of the bill, Senator Spivak, returns, the bill will be referred to committee. This side has no problem with that.

Order stands.

## STUDY ON NATIONAL SECURITY POLICY

### REPORT OF NATIONAL SECURITY AND DEFENCE COMMITTEE—MOTION IN AMENDMENT— DEBATE CONTINUED

On the Order:

Resuming debate on the consideration of 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*, tabled in the Senate on October 4, 2006.—(*Honourable Senator Cook*)

**Hon. Joan Cook:** Honourable senators, although this item on the Order Paper is standing in my name, I do not wish to speak at this time; as such, I yield the floor to the Honourable Senator Baker.

**Hon. George Baker:** Honourable senators, I thank Senator Cook. I shall be brief, so that any other senator who wishes to speak may do so. The fourth report of the National Security and Defence Committee singles out the community of Goose Bay. At the end of my brief remarks, honourable senators, I shall propose a motion that will contain two alternatives, in case the Speaker finds the motion inappropriate or cumbersome.

Honourable senators, more than 500 families are directly involved in employment at Canadian Forces Base Goose Bay. Yet, a section at page 53 of the report is entitled "Goose Bay: The Poster Boy For Warped Military Spending." The Government of Canada in its wisdom has committed substantial resources to that base. To refer to Goose Bay as "pork" and "The Poster Boy For Warped Military Spending" is insulting. That reference is inflammatory and belligerent. Those are the words of a bully.

I was further shocked at the words of the chair of the National Security and Defence Committee, who is present in the chamber today, when he presented the report. He said: "We can see no military purpose for the base whatsoever." I find that comment rather strange, honourable senators, because CFB Goose Bay and other bases on Canada's coastlines are used continually for the defence of North America in a special way. Interceptor jets are scrambled from CFB Bagotville, Quebec, to intercept on the line that goes straight down the Atlantic Ocean that separates Canadian-managed airspace from that of Europe, and the same applies up North when an unidentified aircraft flies over that line. There are 400 air traffic controllers based in Gander, my hometown, that note the unidentified aircraft and notify the military at bases such as Bagotville. The U.S. and Canadian militaries then scramble interceptor jets.

In the United States, those jets are based in North Carolina and at an advance staging base in Bangor, Maine. Until two months ago, the jet that was used was the F-14, which has been in service for 30 years and had tremendous range. The F-14 has been replaced by the Hornet. In Canada, the interceptor jets are in Montreal, at times, and there are a couple of jets in Ontario. The main base is CFB Bagotville, which is relatively inland. It has been a kind of embarrassment to people in Newfoundland and Labrador each time an alert is raised on an unidentified aircraft that has crossed over the line and the interceptor jets are scrambled, because the jets have to refuel at Goose Bay before they intercept. Upon close examination of Canada's defence system, one would not suggest closing down CFB Goose Bay. In fact, one would likely suggest that the interceptor jets be removed from Ontario and Quebec and placed at CFB Goose Bay.

Two weeks ago, before the House of Commons standing committee, the Minister of National Defence said how proud he was of our interceptor squadron. He could recall that, in 1988, within moments, when three Russian Bears came over a line up north in Labrador, they were escorted out of the Canadian zone by the interceptor jets stationed at Bagotville. We all know of that occurrence because it made international news. What the Minister of National Defence probably did not know was that those three jets were on the tarmac at Goose Bay, Labrador, on return from another mission, which is why they got there so quickly.

It is constantly questioned in air traffic control services why it is that the American jets stationed at bases in North Carolina and Maine are able to do the Canadian interceptions. That is why many people in Goose Bay have demanded for years that the interceptor jets be placed there; it is straight logic.

Honourable senators, on national television the chair of the National Security and Defence Committee said that the committee can see no military purpose for the base whatsoever, that this base is a poster boy for warped military spending and that it is pork.

As well, honourable senators, I speak to this today to defend Senator Rompkey and his lifetime of efforts for Goose Bay.

• (1530)

In recent years he has been known as an author. He has published and what he has published has always been about Labrador. I do not want to say what happens in caucus meetings because that is secret. However, I can assure honourable senators that he was hurt by these references.

[ Senator Baker ]

#### MOTION IN AMENDMENT

**Hon. George Baker:** I rise today, honourable senators, to try to excise, expunge and extricate those impugned references to the great community of Goose Bay that has fulfilled a great function in the defence of North America.

Honourable senators, what I would like to do is move a motion. I discussed this with the clerk of the committee who expressed certain reservations. I can recall 38 years ago when I was the law clerk of the provincial legislature in Newfoundland — we had no reservations about anything. We did what we wanted to do.

What I want to try to do in this motion is to extricate the references to Goose Bay from the interim report of the committee. I realize this debate concerns the consideration of that interim report. Therefore, I move:

That all references to CFB Goose Bay (Labrador) be removed from the Interim Report of the Standing Senate Committee on National Security and Defence.

The Speaker may find that a bit cumbersome or contrary to law and therefore, in the alternative, I suggest that the report be referred back to committee for reconsideration and that all references to CFB Goose Bay, Labrador be removed from the interim report of the Standing Senate Committee on National Security and Defence.

If Your Honour finds that to be cumbersome or contrary to parliamentary procedure, in the final alternative, which I am told would be required to ensure it stands, I would move that the report be adopted as it is but that all references to CFB Goose Bay, Labrador be removed from the interim report of the Standing Senate Committee on National Security and Defence.

My motion would be seconded, of course, by none other than Senator William Rompkey.

I thank honourable senators for their attention.

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

**The Hon. the Speaker:** Honourable senators, may we have a bit of order as we proceed?

I will not put the motion at this time because with some further debate I think we may find an agreeable way across the house to proceed.

Let us continue with the debate.

**Hon. Marjory LeBreton (Leader of the Government):** Honourable senators, will Senator Baker entertain a question?

**Senator Baker:** Yes.

**Senator LeBreton:** I listened intently to what the honourable senator had to say. He made reference to the present government. I just want to clarify and put on the record that the Conservative

government which is now in office under Prime Minister Harper is committed, and made a campaign commitment, to retaining the base at Goose Bay. It should be clear that is on the record.

I want to know whether Senator Baker would like to acknowledge that again, if in fact he did not do it in the first instance.

**Senator Baker:** Honourable senators, it is not just the existing Conservative Party that made that commitment — so did the Liberals, the NDP and I think the Bloc as well. It is only the Senate committee that I referenced earlier which objects to that funding.

**Hon. Tommy Banks:** Honourable senators, it is daunting to follow Senator Baker speaking about anything, even if one agreed with it, which I do not.

In speaking to this report, I will confine myself to the matter referred to by Senator Rompkey's intervention of October 5, which is the same matter referred to by Senator Baker. That matter is the recommendation in the present report that refers to the policy of closing or moving surplus Canadian Forces bases which are no longer efficient, have become redundant or obsolete and which recommendation gave as an example the Canadian Forces Base at Goose Bay, Labrador.

The Standing Senate Committee on National Security and Defence has for years been of the opinion, and has expressed in several prior reports, that there is a serious shortfall in the funding for the maintenance of infrastructure belonging to the Department of National Defence. There are a number of military bases in Canada — in all provinces of Canada, I think, but certainly in several of the provinces of Canada — that are superfluous to the present needs of the Canadian Forces.

The recommendation to which Senator Rompkey referred is a recommendation on a matter of government policy, specifically on government policy having to do with surplus infrastructure of the Department of National Defence. It is not, I suggest, an example, as suggested by Senator Rompkey, of micromanagement. It is a recommendation as to government policy.

When, in the committee's previous reports and its relative infancy, it unanimously made policy recommendations on various matters, the committee was roundly criticized for having made recommendations in a report without having presented specific examples upon which those recommendations were based and to which they would apply. We have learned, therefore, that it is wise to include illustrative examples in connection with our recommendations.

It is the committee's opinion, as expressed in this report, that there are more than 20 such superfluous bases now operated by the Canadian Forces, bases that are unjustifiable and a costly drain on the parliamentary appropriations to the Department of National Defence, the continued operation of which bases cannot be justified in light of the nation's present or foreseeable needs.

We have, as one officer expressed it, a size nine military and size 12 shoes.

Past experience has shown us that we need to provide —

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** Honourable senators, I rise on a point of order.

Might I ask the Speaker at which point we are right now? My understanding is that a number of motions were moved by Senator Baker. Are we on the motion in amendment or are we back on the report? This is just a point of clarification.

**The Hon. the Speaker:** I thank the honourable senator for his intervention.

Senator Baker has a couple more minutes left in his speaking time. He has given the house an indication that he has three ways in which he may go with his three different motions. After the debate matures a bit, I will recognize him for the remainder of his time, and by that time, he might have decided which of his motions he wishes to put before the house. It will be up to the house to determine what it wants to do with the motion.

The chair is recommending that the debate continue and that we hear the rest of Senator Banks' intervention. We will then return to Senator Baker.

**Senator Baker:** I of course bow to the decision of Your Honour.

**Senator Banks:** Experience has shown us that we need to and it is wise to give illustrative examples along with our recommendations, in this case the recommendation that military bases should not serve the purpose of regional economic development when they have become redundant or obsolescent to the forces' needs.

We could have given past examples. There have been several such closures in my constituency in the province of Alberta, including CFB Penhold, which was once a bustling place with uniformed complements counted in the hundreds, including both air force and army units, and which has, since 1996, been in private operator's hands with not a uniform in sight. The Tactical Air Command was moved for reasons of efficiency out of Edmonton and into Manitoba. Another example is the complete closure of the Edmonton Kingsway base of the 418 Fighter-Bomber Squadron which became the 418 Transport and Rescue Squadron, and which base — hangars, aircraft, barracks, messes, the whole works — has simply disappeared.

• (1540)

We chose a current example, honourable senators, and the current example we chose, among many such possible examples, was Goose Bay, Labrador.

Senator Rompkey received very considerable applause from honourable senators during and following his speech. I am going to assume that, while some applause was no doubt in respect of his unquestioned oratorical skills, some of it was also in direct support of his point which, as I understand it, was that it is inappropriate that the committee should have made a recommendation in respect of the closure of bases and inappropriate for the committee to have put any particular military installation forward as an example to illustrate its recommendation.

I am going to assume as well, honourable senators, that the support for Senator Rompkey's point of view was from honourable senators who have actually read the report and perhaps even those predecessor reports on the shoulders of which it stands, and who are therefore entirely cognizant of the rationale by which and the context in which the recommendation was made. To assume otherwise would, of course, be irrational.

To remind honourable senators, the committee has dealt with matters of insupportable and surplus DND infrastructure in its reports of November 2002, December 2004, September 2005, June 2006 and now again in the present report. Again, I assume that all honourable senators have read all of those reports and successive recommendations and are therefore familiar with the continuum of the committee's logic.

Speaking to what I think is Senator Rompkey's point, I have to tell you that while I perfectly understand the role of the Senate and of senators in protecting regional interests, I do not believe that the protection of those regional interests should ever override the national interest.

Senator Rompkey said in his speech, "Our job here is to be lobbyists and spokesmen for our communities and to try to get what we can done." I certainly subscribe to that, but only to a point. The point of divergence for me is the point at which the interests of our constituencies collide with the national interest. The examples of the closures of the Alberta military bases I gave earlier would be a case in point. I believe that the interests of Cape Breton coal miners and their communities was another example of such a collision, and there have been others, having to do with softwood, fisheries and farms. In fact, there are collisions from time to time in every aspect of Canadian life and they bring us to hard decisions. When it comes to those decisions, we must each decide on which side of the fence we will come down and some of us will decide differently from others.

In his intervention, Senator Rompkey asked some questions and I will seek to answer some of them. He said, "I do not know who writes these things." Well, honourable senators, this is a unanimous report. The authors of this report are the senators whose names are on the front of it, and who are or were at the time members of the Standing Senate Committee on National Security and Defence. Every single chapter, every page, every paragraph, every word and, in fact, the punctuation of this report have been under the glaring scrutiny of its members and have in quite large degree been directly written by them. The report as tabled would not be recognizable by comparison to the first draft. We have vetted, argued, reworked, redesigned and amended our own work. There is nothing in this report to which each member of that committee does not subscribe and has not subscribed.

Senator Rompkey said, "This was done without any consultation as far as I know." That is not so, honourable senators. We have heard from Geoff Peters, Siobhan Coady, Carl Powell, Leonard Barron, and Fraser Ellis in a town hall meeting having to do with Goose Bay in February of 2005. We heard from His Worship Leo Abbas, the Mayor of Happy Valley-Goose Bay, from the Honourable Trevor Taylor, the Newfoundland and Labrador Minister of Fisheries and Aquaculture, who is also the Minister Responsible for Labrador, and from Mr. John Hickey, the member of the House of Assembly.

Senator Rompkey also wondered about the committee's contention in this and previous reports that "there is no apparent operational military mission," and went on to say, "Did anyone ask? No, they did not." We did ask, honourable senators. We have heard the military side of the question. We heard from the Minister of National Defence, the Honourable Gordon O'Connor, and we quoted him in our report of June 2006, as saying, "We have too much infrastructure." "We have too many buildings, too many everything."

We heard from MGen. J.J.C. Bouchard the First Canadian Air Division, who told us that:

On the infrastructure front, the air division is responsible for approximately \$5.2 billion in realty assets, much of which is over 50 years old. Current annual funding falls below the recommended level for recapitalization, repair and maintenance, thus accumulating a backlog that must be addressed in the next few years.

We heard from LGen. Marc Caron, Chief of the Land Staff, who told us, "The impact statement notes that in order to respect industrial standards we are underfunded by \$114 million on infrastructure."

We heard from LGen. Ken Pennie, Chief of the Air Staff, who said, "We really do not have an operational need for Goose Bay, since the end of the Cold War."

Honourable senators, Goose Bay was a NATO pilot-training facility, but NATO pilots have not been there for a long time now. The NATO Memorandum of Understanding for Foreign Pilot Training at Goose Bay expired on March 31, and no NATO nation has made contact with Canada or responded to the very considerable efforts that have been put forth by Canada to negotiate a new one. There is no interest.

Goose Bay was an ideal location for the training of NATO and Canadian pilots in low-level strafing and bombing. Senators will remember the concerns raised about that low-level strafing and bombing in respect of its effect on social and ecological affairs, but technology has overtaken the necessity for low-level strafing and bombing. Nobody does that anymore. The advent of different kinds of munitions has rendered this practice obsolete.

There has been no NATO training operation at Goose Bay for some considerable time. NATO does not appear to be interested in coming back to Goose Bay, and that was its principal use.

Senator Rompkey said, "The federal and provincial governments support the production of a business development plan; that is what they asked for." He is correct. The Standing Senate Committee on National Security and Defence, as it makes plain in the present report, could not support that initiative more strongly. The codicil is that the business development plan should contemplate the transfer, over a reasonable time, of the proprietorship and operation of physical plant, facilities at Goose Bay, as has happened elsewhere in the country, that are surplus to the country's military needs to another entity, as has happened all over the country. It should not rely forever on the Department of National Defence as a regional economic engine.



In 2002, the Standing Senate Committee on National Finance, chaired by Senator Murray, conducted a study in which Senator Rompkey participated and which dealt in some detail with the question of the future of the DND facilities at Goose Bay. During the course of that study, Mr. Randy Ford, President of the Goose Bay Local of the Union of National Defence Employees, was talking about the desirability, in his view, of a different proprietorship. Senator Rompkey questioned Mr. Ford, saying:

I was interested in the line, "Let some other entity run and grow the business...." Are there alternatives? If so, what are they? I was interested in the point in your presentation. You alluded to a Crown corporation or a locally-run authority. I should like to explore that and give you some time to amplify that.

Mr. Ford replied:

I do not think the concept of a separate entity running the base is that far-fetched. The efforts to privatize must lead to economic efficiencies...

In the same meeting, I asked Mr. Ford:

Do you think that the community... could do a better job in the way that some airport authorities across the country have demonstrably done their jobs?

Mr. Ford replied:

In effect, yes. I think that is a good model, the way airports were handed over. The Goose Bay Airport Corporation is doing an excellent job and is showing profits. That is good. If that is any indication, that might be the route we must take.

In the same hearing, Mr. Frank Young, General Manager of the Goose Bay Office of the Department of National Defence, said:

The air traffic at Goose Bay is mostly civilian. Canadian Forces Base Goose Bay may be a military airfield; however, close to 70 per cent of all air traffic at that base is civilian.

Colonel Alan D. Hunter, then the Director, Air Force Employment at the Department of National Defence said:

I should point out that if the allies were to terminate the Memorandum of Understanding and cease flying operations at Goose Bay, there is no rationale from an Air Force perspective, to retain the Wing and to maintain a Canadian Forces presence at Goose Bay. All of the military benefits that are currently derived from 5 Wing Goose Bay could be met at other Canadian facilities in a much more cost-effective manner.

Senator Rompkey responded to him by saying:

That last point is a question that maybe we should examine later on, the use of Goose Bay by the Canadian Forces. To summarize the answer, the strategic role of Goose Bay at the moment is to support the allied training that is there. If the allies were to leave, the Canadian Forces would have no use for Goose Bay; is that right?

Colonel Hunter replied, "That is correct, senator." Senator Rompkey said, "That puts it in perspective. That is why hearings are important."

That is so, honourable senators. Hearings are important, and there are at least 20 more examples that could be provided by our size nine military in its size 12 shoes. We cannot afford it. We cannot be all hat and no cattle.

We cannot continue with using forces bases as regional economic development instruments. That is not how parliamentary allocations to the Department of National Defence should be spent. This report's recommendations dealing with the divestiture of surplus and obsolete military bases and infrastructure, and the other recommendations contained in this report, are policy recommendations.

• (1550)

The budget of the Department of National Defence should not in any part be regional economic-development budgets. There are other functions of government that can properly and effectively address regional economic development.

Military bases, including those closed in Alberta that I referred to earlier and elsewhere in the country, are wonderful and welcome contributors to local and regional economies. Those contributions should be and must be incidental to the primary purpose. The only purpose of parliamentary appropriations to the Department of National Defence should be the proper training, outfitting, equipping and safety of the women and men who serve our country in the Canadian Forces.

**Hon. Terry M. Mercer:** Honourable senators, I rise to speak in this debate because I am concerned that this committee has gone astray. This committee has forgotten that not only are we honourable senators, but also we are politicians. I am concerned that the debate has come to the point where we are suggesting that spending government money should have nothing to do with regional development. It has everything to do with regional development. The argument put forward by the committee and by my colleague Senator Banks is that maybe we should move the Department of Veterans Affairs out of Charlottetown and back to Ottawa. Maybe we should move the GST centre from Summerside back to Ottawa. Maybe we should move all the offices back to Ottawa. Every dollar spent by this government has an effect on the economy of this country.

Coming from a wealthy province like Alberta, it is easy to say that spending the federal government money does not have an effect on regional economic disparity. It does in Atlantic Canada, Quebec, Northern Ontario, Saskatchewan and Manitoba. It is an important part of what this government does.

The main job of the Department of National Defence is to train the men and women in the Armed Forces and to provide for the proper defence of Canada and North America.

When we spend those dollars, we can spend those dollars with an eye on how we maintain employment in places like Labrador, Greenwood, Nova Scotia, or Bagotville, Quebec. Maybe the committee wishes to recommend closing all those bases and moving it all to someplace in Ontario or perhaps in industrial Quebec. I do not know where they want to put it all, but they obviously are not interested in spending money.

Senator Baker's resolution that I liked the best and am happy to support is to remove from the report entirely any reference to the base at Goose Bay and Labrador. Many people in Atlantic Canada, the people of Newfoundland and Labrador and the people from my province, have dedicated their lives, as many Canadians across the country have, to the defence of this country and to building up the Armed Forces. I return to my point that every dollar the government spends should be spent in a way that has the most effect on what the government department is trying to do and on the local economy.

In the previous government, I remember many meetings where we talked about how to correct spending by government departments to ensure a better effect at the local level, so that we get the best price, but to ensure that not everything is bought in Ottawa. That has an effect on everybody. It has an effect on those who sell paper, paper clips, pencils or tanks. It is an important matter. I am concerned that this committee is grandstanding and looking for front-page coverage instead of looking at the real issues of taking care of the good people of this country, and in this case the people of Goose Bay, Labrador.

**Senator Banks:** Just to clarify, do I take it that, with respect to the placement of operations of government departments, you would regard the placement of the operations of the Department of National Defence in the same general book as every other government department? Is that correct?

**Senator Mercer:** Certain aspects of it. The navy is based in Halifax and Victoria. What a surprise. It does not make any sense to base it in downtown Calgary. We have to be logical here. It is logical to have the ability to respond, to have our air force respond to unidentified planes coming into our air space quickly. If that means moving the squadron from Bagotville to Goose Bay, so be it. If that means maintaining Goose Bay so that planes from Bagotville can refuel, then so be it. The fact of the matter is that you have to be logical.

For example, I have asked governments, including governments that Senator Banks and I have been members of, to decentralize the Department of Fisheries and Oceans, to put parts on the West Coast and parts on the East Coast — where, God forbid, someone who works for Fisheries and Oceans would actually bump into a fisherman. That is logical. I am not talking about moving the entire Department of National Defence to Halifax, although we have room and we would love to have you, but let us be logical. It is also logical to ensure that money is spent in a way that has the most significant economic effect on the region that is spending the money.

**Senator Banks:** Would the honourable senator agree that military bases ought to be placed, as in the example he gave of Esquimalt and Halifax, in the place they most logically can do their best job?

**Senator Mercer:** Generally speaking, yes. The honourable senator must also realize that we also have many bases already in place. CFB Summerside and CFB Shearwater have been rationalized and have moved some of their operations to CFB Greenwood. The fact of the matter is that there are other ones. That is why the GST centre is in Summerside — one of the reasons, not the only reason. The former Conservative government put it there, and it was a good move. We applaud them for that. It was a good idea. It was in recognition that the

government has taken one thing away and put another thing back. We need to think about that.

If the CFB Goose Bay is downsized next to nothing, what will the economy replace it with? What will the local people replace it with? What will the Government of Newfoundland and Labrador do to maintain the current employment level in Goose Bay?

**Senator Banks:** There are many answers to that.

**Senator Mercer:** Yes, but I do not see anyone putting up a "help wanted" sign in Goose Bay looking for people to work in those jobs.

**Hon. Roméo Antonius Dallaire:** It is important to be careful when using examples to make one's case.

In 1995, as the deputy commander of the army, I was responsible for all the resource management of the army. There have not been major base closures or movement since that time. We did a big move at that time from Calgary to Edmonton, and a number of other rationalizations like pulling everybody out so there is no regular force army left in British Columbia. That is a significant problem.

However, we also did assessments of the infrastructure. Only 11 per cent of all the infrastructure and operational capability of the Canadian Forces is in the province of Quebec. Unless there is an operational requirement to move Bagotville, and so on, we must recognize that there are regions that are significantly advantaged by the presence of military, not only operationally but historically — for example, the Maritimes, Ontario and areas that have been downgraded in their operational responsibility like British Columbia.

• (1600)

Did the honourable senator raise Bagotville in the operational context of F-18s being deployed in Goose Bay, or is this just an example of reducing the infrastructure in Quebec?

**The Hon. the Speaker:** Honourable senators, Senator Baker has a few minutes of his time left, and he has a number of options. He can now tell us that he wants to make a motion. If duly made, it can be put before the house. As well, he could move the adjournment of the debate. Perhaps Senator Fraser would accept such a motion, and then he could take the time in the adjournment period to decide which of those three options he might want to bring back.

**Senator Baker:** Honourable senators, I have had some consultations forced upon me in the last few minutes, and I am being blamed for not making a decision on one of those three options.

When I made the motion, my preference was to amend the consideration of this report immediately. However, I was thinking that perhaps His Honour would find that procedure cumbersome and I gave him two alternatives.

Honourable senators, the first preference stands and I move the motion. However, if His Honour rules that motion to be out of order, then I should like to place the other two alternatives back on the record.

**The Hon. the Speaker:** Honourable senators, it is moved by the Honourable Senator Baker, seconded by the Honourable Senator Rompkey:

That all references to CFB Goose Bay (Labrador) be removed from the Interim Report of the Standing Senate Committee on National Security and Defence.

It is the chair's ruling that the motion is in order, debatable, amendable and, ultimately, will be decided by the house.

**Some Hon. Senators:** Question!

**Hon. Colin Kenny:** I move adjournment of the debate.

**The Hon. the Speaker:** It is moved by the Honourable Senator Kenny, seconded by the Honourable Senator Moore, that further debate on this matter be continued at the next sitting of the Senate. Is it your pleasure, honourable senators, to adopt the motion?

**Some Hon. Senators:** No.

**The Hon. the Speaker:** Is the motion carried, on division?

**Some Hon. Senators:** No.

**The Hon. the Speaker:** Will those honourable senators in favour of the motion to adjourn please say "yea"?

**Some Hon. Senators:** Yea.

**The Hon. the Speaker:** Will those opposed please say "nay"?

**Some Hon. Senators:** Nay.

**The Hon. the Speaker:** In my opinion, the "nays" have it.

*And two honourable senators having risen:*

**The Hon. the Speaker:** Call in the senators. There will be a 30-minute bell.

• (1630)

Motion negated on the following division:

#### YEAS THE HONOURABLE SENATORS

Banks  
Fairbairn  
Joyal  
Kenny

Moore  
Murray  
Segal—7

#### NAYS THE HONOURABLE SENATORS

Angus  
Baker  
Biron  
Bryden  
Champagne  
Chaput  
Cochrane

Losier-Cool  
Lovelace Nicholas  
Mercer  
Milne  
Munson  
Nancy Ruth  
Nolin

Comeau  
Cook  
Cordy  
Cowan  
Dyck  
Gill  
Hubley  
Jaffer  
Keon  
Lapointe  
LeBreton

Peterson  
Prud'homme  
Robichaud  
Rompkey  
Smith  
Stratton  
Tardif  
Trenholme Counsell  
Watt  
Zimmer—35

#### ABSTENTIONS THE HONOURABLE SENATORS

Fraser  
Tkachuk—3

St. Germain

**The Hon. the Speaker:** The motion now before the house is the motion moved by Senator Baker, seconded by Senator Rompkey:

That all references to CFB Goose Bay (Labrador) be removed from the Interim Report of the Standing Senate Committee on National Security and Defence.

Are honourable senators ready for the question?

**Hon. Senators:** Question!

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

**Some Hon. Senators:** Agreed.

**Some Hon. Senators:** On division.

Motion agreed to, on division.

[Later]

**Hon. Joan Fraser (Deputy Leader of the Opposition):** Honourable senators, in the tumult of it all, this chamber has adopted an amendment to the report but no one has taken the adjournment of the debate on the main report. If the chamber is willing to grant leave to do that, I would propose the adjournment of the debate on the report, as amended.

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

**Hon. Senators:** Agreed.

**Senator Kenny:** My understanding is that the adjournment stands in the name of Senator Cook, that she allowed Senator Baker to speak and wishes to retain the adjournment.

**The Hon. the Speaker:** I will make it a formal motion. It was moved by the Honourable Senator Fraser, seconded by the Honourable Senator Cook, that the matter stand adjourned in the name of Senator Fraser. Is the house ready to adopt that motion?

Motion agreed to.

• (1640)

[Translation]

# STUDY ON OPERATION OF OFFICIAL LANGUAGES ACT AND RELEVANT REGULATIONS, DIRECTIVES AND REPORTS

## REPORT OF OFFICIAL LANGUAGES COMMITTEE— DEBATE ADJOURNED

The Senate proceeded to consideration of the second (interim) report of the Standing Senate Committee on Official Languages, entitled *Understanding the Reality and Meeting the Challenges of Living in French in Nova Scotia—Fact-Finding Mission to the Acadian and Francophone Communities of Nova Scotia, from September 19 to 23, 2005*, tabled in the Senate on October 5, 2006.—(Honourable Senator Chaput)

**Hon. Maria Chaput** moved:

That the second report of the Standing Senate Committee on Official Languages, entitled *Understanding the Reality and Meeting the Challenges of Living in French in Nova Scotia*, tabled in the Senate on October 5, 2006, be adopted and that, pursuant to rule 131(2), the Senate request a complete and detailed response from the government, with the Minister of Canadian Heritage, the President of the Treasury Board and the Minister for Official Languages being identified as ministers responsible for responding to the report.

She said: Honourable senators, I shall keep my remarks brief, but I would like to say a few words about the mission we led in Nova Scotia and about the report that was just tabled.

From September 19 to 23, 2005, the Standing Senate Committee on Official Languages undertook a study mission to the Acadian and francophone communities of Nova Scotia. The purpose of this mission was to get a clearer picture of the reality of Nova Scotia's minority community, and try to identify the issues facing these communities and the corrective measures deemed necessary for their development and vitality.

We have received 58 briefs, met with more than 70 community organization representatives, and travelled more than 2,000 kilometres. This mission was conducted by Senator Corbin, seconded by Senator Buchanan, in their capacity as chair and deputy chair of the committee. Imagine that, Nova Scotia communities welcoming Parliament, Parliament having travelled to go and meet with Acadians and francophones at home, in Nova Scotia. This delegation included two senators from Nova Scotia: Senator Buchanan and Senator Comeau.

This mission allowed us to see that significant progress has been made in these communities in the past few decades. For example, a network of French language schools has provided a solid foundation for the vitality of the community and its economic development.

However, several challenges remain, honourable senators. Our report highlights three very important factors that have contributed and continue to contribute to slowing the development of these communities. These factors hinder

community cohesion and, as you know honourable senators, for minority communities, community cohesion is doubly important.

The first factor is related to demographics and history. These communities are quite dispersed from north to south and east to west in the province.

You might say there is nothing we can do about that, but I would like to remind you that this scattering occurred after the deportation of the Acadians during the Great Upheaval of 1755. The distance between the communities is the result of this exile.

The second factor is political in nature and influences community development. We were told about a lack of a coordinated federal strategy for the application of the Official Languages Act. We made some recommendations to try to remedy this situation.

The other factor is linked to the public administration process. Communities told us about federal agencies and departments, and programs designed according to criteria that do not always take into account the needs of official language minority communities.

The federal government must show more sensitivity in developing these criteria.

The communities also told us about the abolishment of positions and their local impact. For example, ten positions were lost to the regions and larger cities over the past two years and the consequences are disastrous to the economy and vitality of these small rural and coastal communities.

In short, the survey mission in Nova Scotia allowed committee members to better understand the reality of and the challenges facing these Acadian and francophone communities, living mainly in rural and coastal areas.

The mission also demonstrated that the Nova Scotia government, through the Office of Acadian Affairs, is committed to addressing the official language issues that face Acadian and francophone communities, which we were very pleased to learn.

Honourable senators, I am very proud to have tabled this report on behalf of the Standing Senate Committee on Official Languages. We are very anxious to hear the federal government's response to our recommendations.

On motion of Senator Comeau, debate adjourned.

• (1650)

[English]

## THE HONOURABLE MICHAEL KIRBY

### INQUIRY—DEBATE CONCLUDED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Fraser calling the attention of the Senate to the contributions to the Senate of the Honourable Senator Kirby, who will resign October 31, 2006.—(Honourable Senator Trenholme Counsell)

**Hon. Marilyn Trenholme Counsell:** Honourable senators, I would like to say that I came to the Senate of Canada hoping to work hard and to make a difference. For me, that opportunity came especially through the Standing Senate Committee on Social Affairs, Science and Technology. For this good fortune I thank Senator Kirby, Senator Keon and all my fellow senators on the committee.

To feel a sense of accomplishment in an institution such as the Canadian Senate, strong leadership is essential. We have had just that in abundance from Senator Michael Kirby and Senator Wilbert Keon. Senator Kirby leaves us with a remarkable record of achievement. The good news is that Senator Keon is still with us.

As senators, few of us can have the single focus afforded to Senator Kirby, yet without his vision, his dedication and the sheer force of his determination, studies such as *Out of the Shadows at Last* would never have been completed. It is a tribute to the leadership and the tenacity of Senator Kirby that the subject of mental health and addiction are on the national agenda now as never before.

In some ways, a greater challenge remains and that is to call governments, communities and citizens to action. This report must not be allowed to gather dust. It must become a living document, a road map to reduce the stigma of mental illness and addiction, to create a national network of knowledge and services to make healing and lifelong support a reality for millions of Canadians and a reason to hope for every man, woman and child who suffers from mental illness and addiction.

Senator Kirby's voice remains strong and clear on this subject. The greatest gift we could give him would be our voices, strong and clear, on the need to awaken our fellow citizens and governments to the painful reality of mental illness and addiction. We must not fail.

[Translation]

As members of the Senate of Canada, we must all remain dedicated to the work we do in our communities and throughout Canada, in order to instil hope in our citizens, including some of our own family members, who live day in and day out with the pain and suffering associated with mental illness and substance abuse.

[English]

On a lighter side, Senator Kirby created a collegiality amongst his fellow senators on the Standing Senate Committee on Social Affairs, Science and Technology. We had good times, even as we worked hard. That, too, is the hallmark of a leader.

[Translation]

My close friendships with fellow members of the Standing Senate Committee on Social Affairs, Science and Technology will always serve as a fond reminder of my time here on Parliament Hill.

[English]

It is in the spirit of "hail to the leader" that I offer this tribute. Thank you, Michael, for all the memories.

[Translation]

Thank you and best wishes for the future.

[English]

**The Hon. the Speaker:** If no other senator wishes to participate in this debate, it will be considered debated.

## NATIONAL DEFENCE ACT

### MOTION CALLING UPON GOVERNMENT TO PROCLAIM SECTION 80 OF THE PUBLIC SAFETY ACT, 2002— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Segal, seconded by the Honourable Senator Di Nino:

That the Senate calls upon the Government of Canada:

- (a) to cause the bringing into force of section 80 of the *Public Safety Act, 2002*, Chapter 15 of the Statutes of Canada 2004, assented to on May 6, 2004, which amends the *National Defence Act* by adding a new Part VII dealing with the reinstatement in civil employment of officers and non-commissioned members of the reserve force;
- (b) to consult with the provincial governments as provided in paragraph 285.13(a) of the new Part VII with respect to the implementation of that Part; and
- (c) to take appropriate measures in order for the provisions under the new Part VII to apply to all reservists who voluntarily participate in a military exercise or an overseas operation, and not to limit the provisions to those reservists who are called out on service in respect of an emergency.—(Honourable Senator Banks)

**Hon. Tommy Banks:** Honourable senators, I took adjournment of this debate because there is a related matter referred to in the present report about which we have been paying a great deal of attention today. The report is called *Managing Turmoil, The Need to Upgrade Canadian Foreign Aid and Military Strength to Deal with Massive Change*. Please refer to page 83. I commend the attention of honourable senators to the recommendations in this report having to do with the reserves because they relate somewhat obliquely to Senator Segal's motion. I have brought this to his attention, he was familiar with it, and I wanted to make sure that that was so. So, I will continue for the balance of my time in order that Senator Segal's motion stays on the Order Paper, but I merely wanted to take this opportunity to draw that to senators' attention and I welcome other speakers on Senator Segal's motion.

**The Hon. the Speaker:** It stands in the name of Senator Banks.

## HEALTH

### MOTION URGING GOVERNMENT TO PROVIDE LONG-TERM END-OF-LIFE CARE ADOPTED

On the Order:

Resuming debate on the motion of the Honourable Senator Carstairs, P.C., seconded by the Honourable Senator Joyal, P.C.:

That

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

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

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

That a message be sent to the House of Commons requesting that House to unite with the Senate for the above purpose.—(*Honourable Senator Comeau*)

**The Hon. the Speaker:** Honourable senators, are you ready for the question?

**Hon. Senators:** Question!

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

Motion agreed to.

## ISSUES OF IMPORTANCE TO REGIONS OF ALBERTA

### INQUIRY—DEBATE ADJOURNED

**Hon. Grant Mitchell** rose pursuant to notice of May 30, 2006:

That he will call the attention of the Senate to issues of importance to the regions in Alberta, with particular emphasis on Grande Prairie.

He said: Honourable senators, it is my pleasure to call to the attention of the Senate issues of importance to regions of Alberta, and in this particular case I would like to emphasize the community of Grande Prairie and the Peace Region of northern Alberta.

In my first speech in this chamber and in subsequent interventions here, I have said that Alberta is a very special place. I think each of us believes that of our own regions, but Alberta is a very special place, a province of bountiful resources, and industrious and innovative people from all parts of the

country and all parts of the globe. I would venture that Alberta is a model of the new economy, built on a highly skilled, productive and internationally competitive labour force and one that is built on an entrepreneurial get-things-done culture.

“Human capital” is the phrase that is often used. I like to use the word “people” as people will be the important engine of this new kind of economy. Albertans understand that implicitly. Nowhere is this more acutely recognized than in the Grande Prairie area which is blessed with an economy driven not only by energy — it is driven by the energy sector — but also by agriculture, by world-class educational institutions like the Grande Prairie Regional College and by being a government and health care regional centre.

Grande Prairie is one of the most thriving communities in Alberta. It is literally on the cutting edge of many technological, industrial and agricultural initiatives. It is appropriate that last year it was able to host the Alberta Science Fair. Many science displays and initiatives were taken by people of all ages in the community, but in particular by students in the community. At this fair, Roberta Bondar was invited to speak. It was a remarkable evening to see the hall filled with young people, in particular, so interested in science and so interested in what Roberta Bondar had to say.

Grande Prairie is rich in new ideas and upcoming technologies with some of the highest levels of new patents in the country. I have travelled to Grande Prairie on a number of occasions in the last year or so. I have had the opportunity to speak to agriculture producers, business leaders, forestry representatives, students and community members. I want to report on some of the findings.

• (1700)

There is an irony in this because so many Canadians, and most Albertans, believe that Alberta is a remarkably blessed and prosperous place; and that is true. It is also true that not all of the advantages of Alberta are equally spread. A community such as Grande Prairie is a case in point where there is tremendous opportunity and wealth, but there are gaps that need attention. The one subject area that arises again and again is the labour shortage afflicting communities like Grande Prairie, Fort McMurray and all of Northern Alberta. A subset of that problem is housing. Many have said that of Fort McMurray, in particular, but it is also a problem in Grande Prairie. There is such a housing shortage that one woman converted her home into eight bedrooms for rent at \$800 each per month. That is a keen indicator of the housing shortage in Grande Prairie. More intense is the need for labour. There are reported cases of people being offered signing bonuses to work in fast food restaurants. Literally, employers cannot find the people they need to ensure this continued economic boom. While there are huge benefits in Alberta for many large corporations, and certainly for many smaller corporations, it is often small business that is hamstrung by these kinds of problems. In Grande Prairie one can see that manifested in many ways.

How do you get more people to work in a place like Grande Prairie? One solution is foreign workers. A program under Citizenship and Immigration Canada allows foreign workers to be brought in under certain circumstances. However, there is evidence of great frustration with the program because it seems to grind along very slowly. Having said that, it is also the case that

not all Albertans are employed as they should be employed. Nearly 3,000 qualified journeymen trades people are unemployed in Alberta at any given time despite the fact that many jobs are available in places like Grande Prairie and Fort McMurray. The concern of the relevant unions is that companies can undermine collective agreements that would pay those union workers more than some companies are willing to offer. Thus, there is the competing interest of insufficient labour, trades people unemployed, and pressure to bring in foreign workers, who could stimulate the building of the economy and society. They would compete with people already here who cannot get jobs for whatever structural reason.

There are other issues as well. Aboriginal youth have tremendous potential to contribute and participate as full and equal partners in our society and in our economy. Often in a place like Grande Prairie Aboriginal youth slip through the cracks despite the tremendous prosperity. It is important that we provide and promote apprenticeships, skills training and post-secondary education for Aboriginal youth, and it is important that, where practical, the training be based upon community needs and take place within the community.

This government's reneging on the Aboriginal Kelowna accord has had a direct impact on Aboriginal peoples in a community like Grande Prairie. That kind of decision cannot be taken in the abstract. When you visit a place like Grande Prairie, you can see the huge potential that the Kelowna accord could have for developing Aboriginal peoples and the lost promise that will occur because of that decision of this government.

Honourable senators, we must invest in other young people who sometimes fall through the cracks, which happens in any prosperous society. I spoke with the head of a local teen shelter. Even during an economic boom — especially during this economic boom — we cannot forget that not everyone shares equally in the prosperity. Troubled teens are also part of our future, and we either invest in them now or we will pay for it later. There is pressure on such teen centres to do more and more work with resources that do not expand to meet the needs.

One of the most important parts of addressing a labour shortage is ensuring that all Canadians are included in the new economy and increasing productivity by building essential skills for a better-educated workforce. This means investing in new Canadians, in women, in the disabled and in the growing population of Aboriginal youth. Not only is it imperative for us as a compassionate society that we be inclusive of these groups, but also it is essential to our future economic prosperity.

Another important and difficult irony exists in the Grande Prairie region and agricultural communities across Alberta. Again, the prosperity that is so prevalent in Alberta is not spread evenly. In rural and agricultural Alberta, energy prosperity does not necessarily reach the farming community. In fact, it can make their economy and marketing more difficult because that prosperity increases input costs for farmers. Perhaps there is no easy answer, but some structural initiatives exist under the Pacific Gateway Strategy that could help Alberta and other Western farmers to diversify their markets and gain access to them.

However, two things have occurred. First, the government has taken the initiative to dramatically slow down the infrastructure funding under the Pacific Gateway Strategy. The previous

government committed \$591 million over five years, whereas this government has committed funding over eight years. Second — and this is so tricky, honourable senators — this government has limited spending over the first five years to only \$160 million. The government has not only spread out the funding over a longer period, but also the government has delayed the funding by the way in which it is weighted.

This funding is extremely important for developing the infrastructure that would allow Northern Alberta, Southern Alberta and Western farmers in general to get their products to new markets. In that respect, one important element is rail infrastructure; a second element is an inland container port facility, which they have been asking for; and a third element is simple road infrastructure for industrial commerce.

A second feature of the Pacific Gateway Strategy is the important role that the federal government could play in developing Pacific Rim markets. Surely one of the most important markets for Canada is China. It is important to note that our share of the Chinese import market is less than 2 per cent. Consider that this government has reduced the intensity of its efforts to create strong relationships with China. First, it was only in the last week that an official meeting between the Minister of Foreign Affairs and the Chinese ambassador occurred, whereas such meetings are matter of course after a new government is formed. Second, the government has withdrawn from the CanTrade negotiations with China that would have opened up opportunities to develop joint commerce with China. Surely this government should understand that if we are to diversify the Western Canadian agricultural market and if we are to enhance and create stronger international markets, China cannot be forgotten.

• (1710)

On the other hand, this government is not only forgetting it, but it is almost as though they are making a conscious effort to provoke it. Senators opposite know exactly what I am talking about when I say “provoke it.” They have taken some initiatives that are provocative to the Chinese government, that are not necessary and that are in fact limiting the development of international markets so critical to the agricultural community in areas like Grande Prairie.

The previous government invested heavily in infrastructure in the Grande Prairie region, especially in transportation infrastructure and in communications technology. Grande Prairie is a region with tremendous tourism and regional economic development potential that goes beyond even agriculture and energy.

There are also other projects that have been created by the people of Grande Prairie, one of which would have tremendous impact on its becoming a world-class tourist destination. This includes the large discovery of dinosaur bones the size of a football field at Pipestone Creek. Other infrastructure support is needed there, such as world-class swimming and recreational facilities, which they have begun to develop.

Forestry is a major industry in the Peace region and around Grande Prairie. Like many regions, this area has likely been hurt by the Conservative government's softwood agreement with the United States. In fact, the Alberta Softwood Lumber Trade Council came out recently very much opposed to that agreement.

As we all know, and as the people of Grande Prairie know, the Conservative deal leaves \$1 billion of our money in the hands of the Americans. It creates an export tax that is higher than the current U.S. duties at current price levels. Ultimately, it undermines the rules-based international trading system. Despite this government's almost obsessive efforts to curry favour with the United States government, it seems that that government continues to take Canada for granted on issues like softwood lumber, BSE and so on.

There is also the issue of the Wheat Board.

**The Hon. the Speaker:** I regret to advise the honourable senator that his 15 minutes have expired.

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** Honourable senators, given that we have taken the practice of allowing an extra five minutes in such cases, we on this side would agree to allowing the honourable senator another five minutes.

**Senator Mitchell:** Honourable senators, if I were telling them what they wanted to hear, they would have given me 10 minutes. I very much appreciate that, although there are things I am pointing out that hurt, they are willing to listen for five more minutes.

I turn now to the question of the Wheat Board. This government is trying to undermine the Wheat Board. It has structured a group to look at it, all the members of which are opposed to the Wheat Board. There is a great deal of support in the Grande Prairie area for the Wheat Board and for what it has done to support farmers in their region in Western Canada. It cannot be done away with frivolously. It should not be treated in the way this government is treating it at this time. They should state what they are going to do and allow for open and public debate on it.

In conclusion, farmers, ranchers, oil and gas producers, forestry companies and other business people in Grande Prairie are exceptionally innovative and internationally competitive. They need some help in the ways I have mentioned. They need help with infrastructure. The Pacific Gateway Strategy needs to be advanced more quickly. They need help with funding in a variety of infrastructure supports, in particular at the municipal level. Farmers need assistance in creating international markets.

Honourable senators, it would be wonderful for each of my colleagues in the Senate to spend some time in Grande Prairie. They would see an economy of the future in a classically well-run community. It is a place, however, that still needs the support of honourable senators. There are things that the Government of Canada can do to advance the interests of the people of that area.

**Hon. Gerry St. Germain:** Would the honourable senator take a question.

**Senator Mitchell:** Of course, honourable senators.

**Senator St. Germain:** I have sat in this place for 13 years. I have listened to Throne Speech after Throne Speech in which promises of grandeur have been made to our Aboriginal peoples under a Liberal administration, and nothing was done. One of the

last-ditch efforts on the part of Prime Minister Paul Martin brought our native groups together. He put together a meeting in Kelowna. It is my understanding that there were no firm financial commitments made at that meeting. It was just more promises and more talk.

In the accord that resulted, 4 per cent of the \$5.2 billion was allocated to economic development. These were flim-flam promises. Senators Sibbeston, Gill and others who are sitting on an economic development study have heard from elders and chiefs that welfare is in abundance for our native peoples, but if they seek out economic development there is no money. There is a mere pittance.

The people of Grande Prairie are pretty smart people. Generally, they have voted Conservative for the last 100 years. They will continue to vote Conservative. How can the honourable senator stand here and criticize a new government that has just taken the reins of power and when it has already done great things on the Pacific Gateway Strategy? This government has one of the best Ministers of Indian Affairs and Northern Development that anyone could ever find. He has brought a great deal of experience to the portfolio. That has never happened before. He is one of the lead ministers in the cabinet. Minister Prentice knows the file and knows what he is doing.

I am stunned that the honourable senator would be critical in any way, shape or form after 13 dismal years of promises and nothing being done for our Aboriginal peoples. The honourable senator stands here basing his entire argument on the last minute flim-flam show put on by Paul Martin.

**Senator Mitchell:** I appreciate the honourable senator's question.

When I hear the Leader of the Government in the Senate and the Prime Minister answer questions, and now when I hear the honourable senator ask questions, I am struck by the fact that they have forgotten a fundamental and significant thing that has occurred in their lives — they are no longer in opposition; they are in government. They have this wonderful opportunity to actually do something, to actually take an issue and do something with it.

So often I hear them saying, "The Liberals did not do anything" — although they are wrong about that, but that is their argument — "so we are not going to do anything." That is the indication of what you are saying.

All I heard the honourable senator say is that the Liberals had 13 years to do something. We did finally do something, and that was the Kelowna accord. You do not turn around and say that you will do something.

Where it is really evident is when it comes to the environment.

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

The time of the honourable senator has elapsed.

On motion of Senator St. Germain, debate adjourned.



• (1720)

[Translation]

# FIRST NATIONS INVOLVEMENT IN NATIONAL AND INTERNATIONAL AFFAIRS

## INQUIRY—DEBATE ADJOURNED

**Hon. Aurélien Gill** rose pursuant to notice of September 28, 2006:

That he will call the attention of the Senate to the Government of Canada's position on the First Peoples on the national and international level.

He said: Honourable senators, today I would like to address a number of important current issues affecting Canada's First Nations peoples.

In June of this year, we learned that the Government of Canada voted against the UN Declaration on the Rights of Indigenous Peoples. This declaration, which was of vital importance to us, was designed to establish a basis for fruitful dialogue between Aboriginal peoples around the world and their respective governments. Taking a modern approach that included recent developments concerning respect for cultural minorities, the UN declaration paid special attention to the right to self-government and the right to ancestral lands and the exploitation of resources thereon.

The current government's position last spring, in Geneva, was all the more disappointing because previous governments had played a major role in the complex 20-year-long negotiations leading up to the declaration.

By voting for the declaration, Canada could have made a difference. We would have taken a decisive step forward for First Nations rights in this country and around the world. Once again, Canada missed the opportunity to live up to its reputation. I cannot remain silent about such a major step backward.

As you know, First Nations account for about 370 million of the poorest people on Earth. I am sorry to have to say it again, but in Canada, the first peoples were dispossessed of their lands, then typically relocated to the most inhospitable regions where nobody would or could live. Even when isolated in ghettos, many of our people continued to be threatened and even killed when defending what was left of their space.

Although Canada's Constitution recognizes first peoples' positive rights, numerous actions by the Government of Canada do not respect these rights. The Geneva Declaration was intended to provide a better framework for the close collaboration that must exist between governments and first peoples in order to deal with the major challenge facing us today.

Aboriginal peoples continue to be the most illiterate, the worst off, the most marginalized in Canada. It is the persistent contradiction between what the government says and what it does that saps our energies the most. As a responsible citizen, it is difficult to survive indifference, even with a positive and constructive outlook. How could the First Nations effectively remedy the situation when the government denies them the means

to do so by scorning their rights, which it recognizes nonetheless? The main cause of all our ills lies in this lingering contradiction.

Such fine words generally produce no results, and that is what prompted Stanley Vollant, the first member of a First Nation to become a surgeon, to say at a recent press conference:

[English]

I am ashamed to be a Canadian.

[Translation]

The press conference was about the serious decline in the health of our populations. This same contradiction creates illusions among First Nations and makes things difficult for Aboriginal leaders. More often than not, to obtain funding, they have to contend with ineffective policies that are not tuned in to the real needs identified by First Nations.

You can be sure that the woes of Canada's Aboriginal peoples persist not because they lack the will to take charge of themselves, but because they are being treated unfairly. Is it not clear that Canada's refusal to sign the UN declaration in Geneva is an unacceptable setback? Unfortunately, though, it comes as no surprise. Canada's unclear, ambivalent position on all Aboriginal issues was again evident.

Canada enjoys considerable prestige internationally, and with good reason. But when it comes to Indian affairs, sadly, that prestige is just a mirage.

I would not want to forget to tell my honourable colleagues that I shall be forever grateful to them for their ongoing support for the most disadvantaged in society, and among the First Nations in particular. One must not be fooled, however, neither by the fact that Canada is a great, big country at the cutting edge of development, nor by the big budgets allocated to Indians Affairs which only very partially benefit Aboriginal people.

In addition to receiving proportionally less government funding than non-Aboriginal communities, the vast majority of our communities do not have any infrastructure to generate economic activity. The bulk of the money goes almost directly to the neighbouring communities. That is the vicious circle of poverty breeding ever more poverty. The situation is urgent and pressing, as I already told this chamber.

Over the past 50 years, and the past eight as a senator, I have always been motivated in my work by the well-being of our first peoples and the attainment by our people of the status of full-fledged citizens. I make it a point of honour to repeat that the first peoples of Canada are the ones who, for the most part, have borne the brunt of this country's success. I believe in the greatness of Canada. I must nonetheless emphasize how our government has treated and treats today still the original inhabitants of Canada. Sadly, Canada is not measuring up.

However, I have always refused to give in to the defeatism that makes us lose sight of the ideals of the country by sacrificing them to individual, financial or political interests. Our democratic institutions are strong and inspiring. The men and women who lead these institutions must have vision. We must not give in to

pressure. We must protect the Canadian Charter of Rights and Freedoms and the rights of minorities at all costs. Our challenge is to realize our values of unity and harmony in diversity.

You may be familiar with the fact that the UN Commission on Human Rights considers the situation of Aboriginal peoples to be the main human rights issue to be addressed by Canadians. The Canadian government has received several warnings in this regard from the United Nations.

Does Canada not claim to be the champion of unity through its harmonious integration of cultural diversity? Should Canada not be a pioneer in recognizing the Aboriginal cause simply by following up its words with action? The reality is that we have only succeeded in obtaining something from governments when their own interests were at stake. In other words, and with rare exceptions, the needs, interests and rights of aboriginal peoples have always been subordinated to the political and economic interests of the majority.

Beyond partisan politics, the positive commitments in Kelowna gave us hope that the government of this country was definitely on the right path. Canada had also ratified the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights; the first article in each covenant states that:

All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

It would be dishonest to reduce the issue to a partisan debate. The rights of peoples are at stake, namely the peoples who were in this country first. By tearing up the Geneva Declaration, the current government is betraying the spirit of these ratified international covenants by completely casting aside what was best about the Kelowna commitments.

In writing, the current government has promised to replace the Indian Act and related legislation with a modern legislative framework which provides for the devolution of full legal and democratic responsibility to aboriginal Canadians for their own affairs within the Constitution. This does not mean anything. The Geneva Declaration, which was rejected last spring, is precisely the cornerstone for the modern legislative framework they speak of and the foundation on which our institutions could be built.

• (1730)

The Canadian government must stop giving in to rhetoric and pressure that go against our ideals of justice. Rather than sit down with the Canadian Aboriginal organizations directly involved, Canadian representatives in Geneva chose to support Australia, which wanted to rewrite the chapter on lands and resources.

It is clear that Canada aligned itself with Australia in Geneva because the former fears provisions requiring the government to obtain the consent of First Nations to exploit surface and sub-surface resources. We will only make progress once first peoples have the means to participate in decisions made about their territory.

[ Senator Gill ]

Even today, first peoples in Canada have no recognized property rights, nor are they authorized to exploit surface, sub-surface, river or forest rights on the lands they still occupy and have always occupied. Currently, all we have are archaic location titles and certificates of possession.

We, the peoples who have occupied these lands for millennia, are still at the mercy of the minister's good will. How can we, as a people, achieve the basic dignity of being free in our own land if we cannot become financially independent by exploiting the resources on our lands? The Geneva declaration would have established the basis for satisfying negotiations to the benefit of all in the spirit of solidarity and close collaboration between peoples.

The declaration also addressed Aboriginal peoples' right to self-government. Clause 3 reaffirmed the right to self-determination and to be provided with the financial means to exercise that right.

I would like to mention clause 19 of the declaration, which specified that Aboriginals have the right to act through representatives they themselves have chosen and to establish their own decision-making institutions.

In the absence of consensus among member states, the Human Rights Council was obliged to put it to a vote. Thirty-three states voted to adopt the draft declaration. Russia and Canada voted against it, and some countries abstained.

During talks, our representative in Geneva, Ambassador Paul Meyer, justified the Canadian government's position as follows, and I quote:

[English]

In relation to self-government provisions, the text does not provide effective guidance about how indigenous governments might work with other levels of government, including laws overriding national importance in matters of financing.

[Translation]

Someone must have really wanted to foil the talks, to have resorted to such a red herring. The declaration included tools for cooperation. Furthermore, the 70 countries that have First Nations peoples all have different political structures and realities, which could not all be addressed in detail by the declaration. Basically, excuses of any kind were enough for not remaining faithful to the spirit of the declaration.

The states that signed the Geneva Declaration serve as a good example for Canada, to say the least, even though Canada never misses an opportunity to tout itself as a leader in the treatment of cultural minorities, especially Aboriginals.

Canada faced harsh criticism. Dalee Sambo, an Inuit woman from Alaska, told the media:

[English]

We do not understand this narrow-mindedness from Canada that eliminates 24 years of patient work. The declaration — it is not even a convention — only has a moral value. These are minimum standards, the fruit of compromise that is backed by

150 native organizations. It reflects a balance between our rights and government interests.

[Translation]

If self-determination is a fundamental right of all peoples, why refuse to sign a declaration that recognizes this right for Canadian Aboriginals? Would one dare to suggest that Aboriginals lack the maturity required to properly take part in the decisions and actions that affect their own land and their country? First Nations must have self-determination now.

If actions speak louder than words, the government has clearly missed an opportunity to walk the talk. The message it is sending to First Nations suggests a lack of respect and, above all, a lack of trust.

How could anyone assume otherwise, when Ambassador Meyer asserted that the declaration:

[English]

— could be interpreted to support claims to broad ownership rights over territories, even where rights to such territories were lawfully ceded treaty.

[Translation]

This very deception is what disturbed me when Prime Minister Harper, in an attempt to justify his government's sudden about-face, said:

[English]

Canada's objective was to achieve a draft declaration that affirms the rights of indigenous people around the world, but that also recognizes the rights of all citizens, both Aboriginal and non-Aboriginal, in a way that promotes harmony and reconciliation.

[Translation]

Another clumsy excuse marked by bad faith! As if Canada's goal of promoting harmony and reconciliation meant pulling out of the declaration. As if respecting the First Nations' rights that the declaration confirms automatically meant denying the rights of non-Aboriginal citizens. Does the Prime Minister want unity or discord?

This tendency to consider Aboriginal peoples as adversaries or troublemakers refuses to die. Governments must rid themselves of this persistent attitude.

As I just said, the Canadian government has missed a golden opportunity to improve its image by giving the First Nations reason to be proud of the country they agreed to share with their White brothers.

I would like to talk about another important provision in the Geneva Declaration that stipulates —

**The Hon. the Speaker:** Honourable senators, I regret to say that the senator's time is up.

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** Honourable senators, we could give Senator Gill five minutes to finish his speech.

**Senator Gill:** Honourable senators, I would like to talk about another important provision in the Geneva Declaration that stipulates that indigenous peoples, like all Canadians, have the right to freedom, peace and security and to be protected against systematic violence.

Honourable senators, this provision is very timely for the first peoples of Canada, because the forced transfer of Aboriginal children is still going on here.

I do not need to refer to the well-known episode of the residential schools. But today, the number of Aboriginal children identified by child protection authorities is three times higher than when the residential schools were operating. The rates of placement of children from First Nations are reaching very alarming levels.

In 28 of the 54 Aboriginal communities in Quebec, last year, the Youth Protection Branch dealt with 10,943 cases of placement of First Nations children for a population of 11,372 children under age 18. Children were placed several times.

Speaking of our children, imagine our astonishment upon learning of amendments to Quebec Bill 125 whereby, after being in foster care for one or two years, a child will be permanently placed. How many of our children placed in non-native families — undoubtedly good families — must we lose?

For us, this is tantamount to an inexorable and rapid assimilation. After so many battles and sorrows, how can such a law be implemented in this day and age? It is an unfortunate reminder of the Indian Act, legislation which explicitly promoted assimilation. Needless to say, the placement of these children goes against the Declaration on the Rights of Indigenous Peoples.

We must establish a new type of community living. A good number of our families have gone from one lifestyle to another without any preparation. These families need training programs so they can welcome these children and keep them in our communities.

Honourable senators, I could speak at length on these matters and explain the soundness and necessity of each article of the Geneva declaration that Canada rejected. I could repeatedly show how the Charter is not respected and why it should be in order for these injustices to finally become part of the past.

One of our former prime ministers said that a majority is judged by how it treats and governs its minorities. Given the extreme poverty of several of our communities, Aboriginal peoples are not being treated as they should.

We are not asking for the sky or the moon. We simply want social assistance to be replaced by assistance for economic, cultural and political development. As suggested by articles 14 and 29 of the declaration, we want the right to transmit to our future generations our languages, our traditions and to retain our names, to preserve our heritage, our knowledge, our sciences, our technologies, cultural manifestations, sports and arts.

• (1740)

Are we only part of prehistory and the forgotten past? I was recently drawn to the title of an article in *La Presse*. It said that Ottawa was setting the stage for an Aboriginal quiet revolution. I thought that our country's adherence to the UN declaration combined with the Kelowna accords would mark the start of a new era for First Nations, but the words of Minister Prentice left a bitter taste in my mouth. I know that Minister Prentice is quite anxious to move forward. It remains to be seen whether he has the ability to cut through all his government's decisions and counterproductive claims against Aboriginals.

I am very proud of my heritage. I have had many wonderful experiences with my people. Of course, I have also experienced disappointments. But I am not defeatist and I am sure that it is not out of spite that Canada's successive governments have allowed the situation to deteriorate. It is out of weakness.

Justice is a value that requires a great deal of strength and even greatness. And it goes hand in hand with peace, which is so important to me. Things have been dragging on for far too long. The time has come to take steps to rectify the situation.

I will close with the following three questions in the hope that they will be answered:

When will we, the first peoples of Canada, finally be recognized as full citizens of our country? When will we have our institutions and control over our resources, our land and our lives? How much longer will we have to wait to be recognized as real partners?

I want to thank you for your attention and I ask once again, honourable senators and colleagues, for your full cooperation in ensuring that these important issues are addressed and resolved by our government together with the First Nations as quickly as possible for the greater good.

On motion of Senator Watt, debate adjourned.

[English]

#### BUSINESS OF THE SENATE

##### MOTION FOR ADJOURNMENT—ORDER WITHDRAWN

On Motion No. 105 by the Honourable Senator Fraser:

That when the Senate adjourns today, it do stand adjourned until Tuesday, October 17, 2006 at 2 p.m.

**Hon. Joan Fraser (Deputy Leader of the Opposition):** Honourable senators, this motion obviously has lost any point; therefore, I propose to remove it from the Order Paper.

**Hon. Marcel Prud'homme:** On this question, I have been in this place for 13 years, but I spent 30 years in the other place. An honourable senator, who may not be as daring as I am, asked the reason for this motion. It is the first time that I have seen a motion of this kind, where a Deputy Leader of the Opposition takes the adjournment. I always thought that was the job of the Deputy Leader of the Government, because he usually states that he will move the adjournment later on. To be frank, and I am serious, I never knew this was possible. I would appreciate if someone would provide me with an explanation, just to enlighten me on the *Rules of the Senate*. We can always learn.

**Senator Fraser:** I would agree that it is a question that all senators have a right to have answered.

At the time, when I gave notice of this motion, we were involved in serious negotiations about, in particular, the progress on Bill C-2. The Honourable Senator Prud'homme may recall that there were also some rather unusual motions that had been brought in by the government side. We were able to reach agreement on the way forward in consultation with committee members, and I think therefore it is appropriate for all of these resolutions, motions, to go.

**Senator Prud'homme:** Now I understand. Thank you.

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

**Hon. Senators:** Agreed.

Order withdrawn.

The Senate adjourned until Wednesday, October 18, 2006, at 1:30 p.m.

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