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THE HONOURABLE NOËL A. KINSELLA
SPEAKER

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THE SENATE

Tuesday, November 27, 2007

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

[Translation]

Prayers.

THE RIGHT HONOURABLE ANTONIO LAMER, P.C., C.C.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I draw your attention to the presence in the gallery of His Excellency Wolfgang Ertlitz, President of the Federal Council of the Republic of Austria, who is leading a delegation of his colleagues on their visit to Canada.

On behalf of all honourable senators, I welcome you to the Senate of Canada.

Hon. Senators: Hear, hear.

Hon. Dennis Dawson: Honourable senators, today is a sad day for the Canadian legal community and for all defenders of rights and freedoms in this country. The Right Honourable Antonio Lamer passed away, leaving behind a great legacy.

Born in Montreal, he served in the Royal Canadian Artillery. He then obtained a Bachelor of Laws from the University of Montreal and was later called to the Quebec bar. After spending some time in the private sector, he worked in a variety of capacities within the Canadian legal system and on a number of boards of directors.

He was appointed to the Superior Court of Quebec in 1969. In 1971, he became vice-president of the Law Reform Commission of Canada, and its president in 1976. He was also a member of the Canadian Human Rights Foundation. Justice Lamer was appointed a judge of the Court of Appeal of Quebec in 1978 and of the Supreme Court of Canada in 1980, and became Chief Justice of Canada, the highest position in the Canadian judiciary, in 1990.

• (1405)

[English]

He arrived at the Supreme Court just in time to leave his mark on the Canadian Charter of Rights and Freedoms and on the Constitution. He set the tone for the respect of the Constitution, the Charter and the rights of individuals.

[Translation]

This great Quebecer and Canadian worked very hard throughout his brilliant career to defend his country's interests and those of his fellow Canadians. He will always be remembered as a great champion of the Canadian Charter of Rights and Freedoms. His absolute commitment to the Charter principles greatly contributed to giving that document the important status that it enjoys today.

He also advanced jurisprudence related to Aboriginal law. I am convinced that francophones outside Quebec owe him a great debt of gratitude for protecting their rights.

Since his retirement I have had the pleasure of dining with him about a dozen times a year, and I learned a lot from him. I will miss our long dinners and our discussions. My colleague, Senator Nolin, attended some of these dinners, and I think he too will remember them with fondness.

His contributions will no doubt have a major impact on future generations.

On behalf of all my parliamentary colleagues, and our friends from the Press Club, I would like to extend our deepest sympathies to the family and relatives of Mr. Lamer.

SENATORS' STATEMENTS

JUSTICE

YOUTH CRIMINAL JUSTICE ACT—COMMENTS BY THE HONOURABLE SHARON CARSTAIRS

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): Honourable senators, last Thursday during Question Period, Senator Carstairs posed a series of questions related to Bill C-25, An Act to amend the Youth Criminal Justice Act. The honourable senator stated:

On Monday, while watching "Politics" on CBC, the Conservative spokesperson referred to amendments to the Youth Criminal Justice Act as having two purposes: deterrence and denigration.

I want to inform all honourable senators that this information is incorrect. Rob Moore, Parliamentary Secretary to the Minister of Justice, did not use the word "denigration" during his appearance on CBC Newsworld's "Politics" on November 19, 2007.

During his appearance on this program, the parliamentary secretary used the word "denunciation" repeatedly. Our government is seeking to include this sentencing principle, along with deterrence, under the Youth Criminal Justice Act to allow the courts to consider it as an objective of sentencing. Mr. Moore clearly stated in this interview that this sentencing principle sends the message that we, as a society, publicly condemn these criminal actions.

[English]

JUSTICE

LEGISLATION TO PREVENT IDENTITY THEFT

Hon. Donald H. Oliver: Honourable senators, once again, our Conservative government is showing real leadership in protecting Canadians from crime. Our government is tackling violent crime, has introduced a national anti-drug strategy and is working to increase penalties for criminals who use firearms.

Honourable senators who know of my interest in combating Internet spam will not be surprised to know how keen I am to support legislation designed to prevent identity theft.

“Phishing” is an attempt to criminally and fraudulently acquire sensitive information like user names, passwords and credit card information over the Internet. Spammers who masquerade as a trustworthy entity use this as a means to steal identities of persons, corporations and even non-government organizations.

Consider, for example, two weeks ago, on November 14, the Honourable Monte Solberg, Minister of Human Resources and Social Development, sent an email informing the public service that spammers had fraudulently posed as the Financial Consumer Agency of Canada — the FCAC. Spammers had sent emails to various Canadian financial institutions that claimed to be from the FCAC and said they were investigating complaints. The email recipients were directed to click a link in the email to view the status of the complaint and to provide specific financial information. This is how identities are stolen.

Canada’s new government is now turning its attention to this important issue of identity theft. Identity theft is emerging as a major crime that can stalk anyone at any time. It is especially dangerous to those, in particular seniors using the Internet, who may not even know that they are at risk. It is the ultimate invasion of privacy. Using personal information gained from hacking or stolen personal records, fraudsters are ruthlessly stripping Canadians of their money, identity and self-respect.

Abusing and misusing another person’s identity information is already covered under the Criminal Code; but steps leading up to that point, such as collecting, possessing and trafficking in identity information, are generally not captured by existing offences. Legislation now before the other place will change this situation by directly targeting aspects of identity theft.

Nancy Hughes Anthony, head of the Canadian Bankers Association, has strongly endorsed this legislation, stating:

This bill represents concrete action in the fight against identity theft and we applaud and support today’s efforts to put consumer protection at the forefront, where it should be.

This builds on the many initiatives our government is taking to protect Canadians from all forms of crime, while ensuring that offenders are held to account for their actions.

VETERANS AFFAIRS

COMMITMENT TO TROOPS

Hon. Roméo Antonius Dallaire: Honourable senators, the following is a statement of commitment to our troops from Vimy to Afghanistan.

[Translation]

In April of this year, we celebrated the ninetieth anniversary of the Battle of Vimy Ridge. Thousands of Canadian soldiers were killed or injured during that battle, which was part of a long and bloody war. Almost 65 years ago, nearly 2,000 Canadian soldiers were killed, injured or taken prisoner on the beaches at Dieppe, during another long and bloody war. These classic wars of the past were fundamentally based on attrition. In order to achieve our objectives, we had to be prepared to accept a high number of casualties on our side, and show perseverance and determination to sustain our efforts until the final victory, despite the bloodbaths and the suffering.

• (1410)

[English]

Those who fought in those classic wars sustained both physical and mental injuries that remained with them for the rest of their lives. In those wars of attrition, the scale of losses and the massive impact of casualties returning home challenge to a nation’s core its will to pursue and be victorious. In this post-Cold War era, where the casualty rates in civilian populations massively outweigh the losses of the militaries engaged in combat and protection tasks, the will of the sovereign developed countries is once again tested by the return of those valiant soldiers who pay the price of life and their future in so much more complex and ambiguous missions in farther-off lands than we could have imagined in the past.

In this general period of remembrance, the question that arises from those who have borne the brunt of our desire, our duty to maintain our security and to assist in bringing peace to other peoples, is: Are we as worthy today as our elders of their commitment and of the enormous sacrifices they and their families are called upon to pay?

[Translation]

The death of a warrior on the battlefield, whether the soldier was killed or injured in Afghanistan, Korea or Europe during World War II, is equally laudable, dreadful and worthy of our respect and gratitude.

On the issue of the price that must be paid for peace and security in far-off lands where extremism and human rights abuse are commonplace, the value remains the same, the price is just as high and the need just as great.

[English]

Weapons still exist that can obliterate the planet and all of its life forms within minutes, and powerful nations still resort to the use of military strength to impose their will or protect their influence on others. However, there is still considerable hope that soldiers of this era and the future will be used more often not only

as simple peacekeepers as in the recent past, but also as warriors of peace who are prepared to fight and die to protect those innocent human beings whose rights are massively abused by rogue governments and rebellious, subversive elements within their borders. As veterans of previous wars have done, modern-day warriors of peace will commit themselves to the unlimited liability of service to their nation and pay the ultimate price in the protection and rendering of security for those humans who exist in inhuman conditions in far-off lands across the globe.

The abnegation and commitment that these warriors of peace and their families give to their missions are nothing less than exemplary. It is sad and immature that generations like ours cannot muster the same depth of commitment and sacrifice as did those who preceded them in order to sustain the enormous price of peace, security, human dignity, human rights, rule of law, gender equality and democracy in imploding nations and democracies around the world.

[*Translation*]

When we say “Je me souviens”, or “I remember”, we remind ourselves that the incredibly precious and worthy existence of our country is owed in part to the sacrifices of our fathers who served for decades under our flags around the world. This expression of remembrance should become a rallying cry and a cry of encouragement for those serving today in complex missions that are just as essential to the respect and dignity of human beings suffering abuse in far-off lands.

[*English*]

GREY CUP 2007

CONGRATULATIONS TO SASKATCHEWAN ROUGHRIDERS

Hon. David Tkachuk: Honourable senators, the headline in my hometown newspaper this morning read, “Rider Victory Reflects Sask.’s new confidence.”

Next to that was the headline: “Sask. Liberal party’s future shaky.” It is Tuesday morning and there is nothing but good news.

I will talk about the former headline rather than the latter. After an 18-year championship drought, the Saskatchewan Roughriders won the Grey Cup on Sunday. The margin of victory was not huge; the Riders won 23 to 19 over the Winnipeg Blue Bombers. I want to point out that the Blue Bombers is another Western team, despite the fact they are in the Eastern Conference.

• (1415)

It was smash-mouth football from another era. As the newspaper described it: It was “a trench warfare, gut-busting, take-no-prisoners struggle that went down to the final half-minute. . . .” In 1989, the hero was David Ridgeway, and I have an autographed picture of him in my office if anyone wants to have a look sometime. Honourable senators might have guessed by now that I am somewhat of a fan of the Riders.

[Senator Dallaire]

This year the Grey Cup hero was defensive back James Johnson, who in the space of one half of a football game went from a bum in many fans’ eyes to a hero for all Saskatchewan fans. He got burned on a 50-yarder early in the second half that gave Winnipeg real hope; and he picked off a Winnipeg pass in the last half minute that ended the dreams of that team.

I congratulate Mr. Johnson and his teammates for not only this victory, but also for a great season of football. I congratulate Kent Austin, coach, who showed this team how to win all year. In spite of his protestations to the contrary, he led the Saskatchewan team to victory yesterday, just as he led them to a Grey Cup victory as quarterback in 1989.

As he intimated, this was a team effort, as all things are in Saskatchewan, and a job well done by all the players. Congratulations to Winnipeg and Saskatchewan for a Grey Cup game that was truly a tribute to all Canadians.

SASKATCHEWAN

HUMBOLDT—ST. PETER’S COLLEGE ANNUAL AWARDS CEREMONY

Hon. Rod A. A. Zimmer: Honourable senators, access to post-secondary education in rural communities is an important key to sustainable rural economic development. When young people from rural areas are able to attend university close to home, it means that they are able to help out on the farm or with the family business, all the while contributing to the rural economy.

Students who study in rural settings are more likely to return to their respective communities once they have completed their post-secondary education. This benefits local area businesses who are desperately trying to attract professionals and skilled labourers to their communities.

Established in 1921, and affiliated with the University of Saskatchewan, St. Peter’s College, my alma mater, is an example of a rural university making a real contribution to regional and rural development in Saskatchewan. Canada’s only Benedictine liberal arts and science college is situated on 250 acres of mixed forest overlooking Wolverine Creek, 110 kilometres east of Saskatoon. It offers approximately 50 courses in university programs ranging from commerce and pre-medicine to social work and pre-law.

Honourable senators, grounded in tradition and looking toward the future, the college is emerging as Canada’s pre-eminent rural college through its commitment to university, professional and community programming. The students at St. Peter’s College are being taught by the best and the principles, values and lessons in life that they learn there will guide and protect them for the rest of their lives.

On Friday, September 14, I had the honour of addressing St. Peter’s students at an awards ceremony in Humboldt, Saskatchewan. Students received awards for their academic excellence, community involvement and achievement in sports. The diversity of these students’ accomplishments and their commitment to learning was truly inspiring. A large number of

St. Peter's students return to live and work in rural areas. These students are making a direct contribution to the rural economy and helping rural economic development.

Honourable senators, I would like to take the opportunity to congratulate and to commend the students of St. Peter's College on their personal achievements, as well to thank them for their contribution to this great adventure we call Canada.

[Translation]

ROUTINE PROCEEDINGS

PRESIDENT OF THE TREASURY BOARD

2006-07 ANNUAL REPORT TABLED

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I have the honour to table, in both official languages, the President of the Treasury Board's annual report to Parliament, entitled *Canada's Performance 2006-07: the Government of Canada's Contribution*.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of the participants in the Fall 2007 Parliamentary Officers' Study Program.

On behalf of all honourable senators, welcome to the Senate of Canada.

• (1420)

[English]

THE SENATE

NOTICE OF MOTION TO URGE PRIME MINISTER TO CONVENE FIRST MINISTERS' CONFERENCE ON FUTURE OF INSTITUTIONS OF PARLIAMENT

Hon. Tommy Banks: Honourable senators, I give notice that, at the next sitting of the Senate, I shall move:

That the Senate urges the Prime Minister to convene forthwith a meeting of the First Ministers of the Provinces and Territories and of Canada, for the specific purpose of considering the future of the institutions of the Parliament of Canada.

[Translation]

OFFICIAL LANGUAGES

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO REFER PAPERS AND EVIDENCE ON STUDY ON STATE OF FRANCOPHONE CULTURE FROM PREVIOUS SESSION TO STUDY ON OFFICIAL LANGUAGES ACT

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

That the papers and evidence received and taken and the work accomplished during the first session of the Thirty-ninth Parliament in relation to the study on the state of Francophone culture in Canada by the Standing Senate Committee on Official Languages, pursuant to the order of reference adopted by the Senate on May 3, 2007, be referred to the committee for the purposes of its study on the application of the Official Languages Act, pursuant to the order of reference adopted by the Senate on November 20, 2007.

[English]

MINE BAN TREATY

TENTH ANNIVERSARY—NOTICE OF INQUIRY

Hon. Elizabeth Hubley: Honourable senators, pursuant to rule 57(2), I give notice that two days hence:

I shall call the attention of the Senate to the 10th Anniversary of the signing of the Ottawa Treaty against the use of land mines.

[Translation]

QUESTION PERIOD

THE ENVIRONMENT

CLIMATE CHANGE—GOVERNMENT'S POSITION

Hon. Céline Hervieux-Payette (Leader of the Opposition): Honourable senators, my question is for the Leader of the Government in the Senate. I would like to remind her that, nearly two years ago, international leaders gathered in Montreal to discuss climate change. At the time, Canada set out on a mission and managed to achieve consensus on measures to reduce greenhouse gas emissions.

Two years later, Canada has switched from world leader to Kyoto killer. Newspaper headlines are pointing out that Canada is alone in this, and other nations are criticizing the Prime Minister's efforts to block the deal at the Commonwealth summit.

Climate change is the most pressing issue we are facing. How then can the government pretend that it is not a pawn of the Americans and the multinational oil companies in Alberta?

[English]

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): Honourable senators, the government is taking a reasonable approach to this whole issue. I draw the attention of the honourable senator to the editorial in the *National Post* this morning and also to the column by Jeffrey Simpson in *The Globe and Mail*. The fact is that the Prime Minister and the government have shown leadership on the issue of the environment. His stand at the Commonwealth summit was absolutely consistent with the position he took at the

G8 and APEC meetings. Clearly, all reasonable observers would acknowledge that this is the responsible way forward. We all know what happens when countries sign on to agreements with no plans to implement them.

• (1425)

There is absolutely no way that the world can proceed to reduce greenhouse gases and deal with the whole question of the environment without all of the major polluters at the table, including a member of the Commonwealth, India, as well as China and the United States.

[Translation]

Senator Hervieux-Payette: I think that the Prime Minister and President Bush are the only ones who still refuse to take action against greenhouse gases. The outgoing Prime Minister of Australia, John Howard, was shown the door because of his position on the environment. Naturally, this is food for thought, especially considering he did not win his seat.

I would like to remind the Leader of the Government in the Senate that we need to seriously tackle this problem. With that in mind, can the Leader of the Government in the Senate tell us when the Prime Minister will do us proud on the international scene by playing an active role as the leader of a developed country, instead of following the agenda of developing countries such as India, China and other, much smaller countries?

[English]

Senator LeBreton: First, Canada is not following the agenda of the United States, and it was clear at the Commonwealth summit that several countries shared Canada's position. Some of the reports were incorrect.

However, let us pretend for the moment that Canada stood alone. What becomes obvious is the leadership capability of the Prime Minister, in being able to bring everyone around to the reasonable approach that Canada has taken. The government and the Prime Minister have shown leadership on this matter. We already know the sad results of signing on to protocols and accords that we have no intention of living up to, let alone any idea of how we would live up to them.

I understand New Zealand was one of the countries at the Commonwealth summit that also agreed with Canada's position. With regard to Australia — according to an editorial I read on the Internet in one of the Sydney newspapers — Mr. Howard's defeat cannot be linked to the environment alone. His defeat was really brought about, according to some of the commentary I read, because he had been there for quite a long period of time. The voters of Australia factored that in when they voted in the election on Saturday.

Hon. Grant Mitchell: Honourable senators, it goes like this: The fire chief arrives at the burning house but with only two of his three fire trucks, turns to the firefighters who are there and says, "Do not start anything until the third fire truck arrives." That is not a joke and there is no punchline. In fact, very unfortunately, this is exactly the position that Prime Minister Harper took at the Uganda conference. If it were not so disingenuous, and if it were not so frightening, in fact if it were not so literally pathetic, it might actually be a joke.

[Senator LeBreton]

Why will this Prime Minister simply not stop misleading the world and misleading Canadians with his suggestion that all countries have to be on side before he will agree to binding emission targets, when really he is clearly, fundamentally, a climate change denier who will never agree to do anything significant to combat climate change?

Senator LeBreton: Thank you, Senator Mitchell. The fact is, and it has been well acknowledged by many people, that Canada has to be part of a global solution to this problem.

The honourable senator talks about fire trucks. I can give another analogy. If I live in a house and I am told to keep my property in good order and to keep my garbage cleaned up but my neighbours on either side refuse to do likewise, am I responsible for all the garbage on the street? That is how ridiculous the argument is.

The Prime Minister has taken a consistent and reasonable position from the very beginning. I do not need to remind the honourable senator that greenhouse gas emissions went up under the previous government. He seems to take offence to that, but it happens to be the reality.

• (1430)

The way forward is to have a reasonable solution that includes the major emitters, being mindful of the impact on Canada's economy. The environment and the economy are closely linked. I think all Canadians believe that this is the reasonable approach.

Canada has taken many measures within our realm of responsibility to reduce greenhouse gas emissions. We are doing our part. On the global front, it is important that major emitters such as India, China and the United States do their part. The United States did not sign on to the Kyoto accord, yet the percentage of their emissions increase was much less than ours.

Senator Mitchell: It was an unfortunate analogy that the leader chose to explain her position. In fact, it is the neighbours who are creating the garbage. It is the Western industrialized nations that have built their economies and created the emissions that are now damaging the neighbours who have not contributed to the problem.

When the Prime Minister hears countries like Malta, for example, lay out their concern that the consequences of climate change will be catastrophic for them, what depth of selfishness and lack of insight resides in his Conservative heart that he would not want to do whatever we can do to help those people to solve a problem that we have created and from which they will have to suffer?

Senator LeBreton: Is the honourable senator saying that I, as a neighbour living in the centre of this, is not only responsible for my own property, but also that I should pay my neighbours to clean up their property with no guarantee that they will do it?

I believe Senator Mitchell is engaging in the same rhetoric that he has been uttering for quite some time. This is an issue on which the Prime Minister has been consistent. He has shown strong leadership on this subject. The Minister of the Environment has done likewise. The Prime Minister and the members at the summit

all signed the communiqué, so they all agreed with the Prime Minister, and that is consistent with what the Prime Minister said at both the G8 and APEC meetings.

Senator Mitchell: This response demonstrates the lack of understanding of the leader. No one is saying that Canada must pay to clean up another country's problems. We are saying, "Why not impose hard targets in Canada to reduce our carbon footprint in this country, thereby leading the world and contributing to other parts of the world, thereby stimulating our economy?" Can I not get it through the leader's head that Kyoto and climate change initiatives are not an economic burden? They are an economic opportunity.

Senator LeBreton: The honourable senator says today that I do not understand what I am talking about. Senator Carstairs said last week that I did not know the definition of "denunciation." That is the view of the honourable senators.

We are committed to taking real and balanced action on the environment. Our plan sets tough and achievable mandatory targets for all major industrial sectors to cut greenhouse gas emissions by 20 per cent by 2020, and by 60 to 70 per cent by 2050. I point out again that under the leader of the Liberal Party, who was the Minister of the Environment, our greenhouse gas emissions rose 33 per cent above Canada's Kyoto targets. That proves that signing on to an agreement with no idea of how to implement it because you are trying to garner a few nice headlines in some of the media or curry favour with a couple of countries does not solve the problem.

FOREIGN AFFAIRS

AFRICA—FUNDING FOR MALARIA

Hon. Mobina S. B. Jaffer: Honourable senators, my question is to the Leader of the Government in the Senate.

I commend the Prime Minister on last week's announcement of a funding initiative to save 1 million African lives. The Prime Minister says that it will save over 500 African lives per day. In light of the fact that malaria kills 3,000 African children per day, can the honourable leader tell us how much of the \$105 million over the next five years will go specifically towards fighting malaria? Will this funding be in addition to what is already allocated for malaria prevention by the federal government?

• (1435)

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): I thank the honourable senator for her question and welcome her back. I was pleased to learn that she accompanied the Prime Minister on his trip to Uganda. I will take the question as notice and obtain an exact breakdown as to how this money will be allocated.

Senator Jaffer: Honourable senators, may I also request that the Leader of the Government in the Senate find out whether the federal government has provided additional money requested by the World Health Organization and the Red Cross for malaria projects that are currently underway? I should also like to know how much money will be provided towards a major expansion of CIDA's bed net project.

Senator LeBreton: Honourable senators, I will be happy to inform Senator Jaffer of same. As she knows, the Prime Minister has said in answer to questions from the media that we still have quite some work to do in the field of foreign aid. I will be happy to take her second question as notice as well.

THE ENVIRONMENT

QUEBEC—SUPPORT FOR KYOTO PROTOCOL

Hon. Dennis Dawson: Honourable senators, I was happy to hear that the Prime Minister brought Senator Jaffer to Uganda. Maybe Mr. Baird can take Senator Mitchell with him on his trip to Bali.

Some Hon. Senators: Hear, hear!

Senator Dawson: The Leader of the Government would be relieved for a few days.

[*Translation*]

Two years ago, honourable senators, Prime Minister Harper campaigned on the concept of respecting the will of the provinces. In particular, I recall his promise to respect the provinces' wishes when it comes to international negotiations. Once again, the Conservative government says one thing, but does another. All the parties in the Quebec National Assembly recognize the importance of the Kyoto Protocol. The government is thumbing its nose at the consensus in Quebec. In spite of everything, in his budget speech, the Minister of Finance, Mr. Flaherty, said that the long, tiring, unproductive era of bickering between the provincial and federal governments is over. How can we believe such a statement when the federal government is not keeping its promise to communicate the positions of Quebec and the other provinces to the rest of the world?

[*English*]

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): I thank Senator Dawson for his question. The preamble to the question was an enticing suggestion.

The Prime Minister and the government are working very hard. Part of our mandate is to respect provincial rights. In the case of the Province of Quebec, we have delivered on many fronts in that regard. In some areas, obviously, the federal government holds positions on which individual provinces may have differing opinions. That in no way detracts from either the federal government or the province concerned. As a matter of fact, that is one of the wonderful products of our democracy.

However, I believe the position the Prime Minister has taken on the environment and the Kyoto accord is valid. As much as people may like to say otherwise, many people in the honourable senator's own party acknowledge, including the deputy leader, that the Kyoto accord was not able to be accomplished. The senior adviser to then Prime Minister Chrétien has stated publicly that the accord was signed onto with no plan or idea as to how it would be implemented.

• (1440)

[Translation]

Senator Dawson: How can the government claim that it provides the provinces the opportunity to be heard when it is not allowing Quebec Premier Jean Charest to raise the matter of Kyoto at the next summit of the Francophonie in Quebec City next fall?

[English]

Senator LeBreton: I thank the honourable senator for his question. Of course, the Premier of Quebec is a well-known environmentalist. When he was a federal cabinet minister, he attended the original conference, the Earth Summit, in Rio de Janeiro. Mr. Charest's views on the environment are well known and well respected.

The Government of Canada has a national responsibility on the environmental front. We have taken many actions already — which Premier Charest would have surely supported — including the preserving of lands in this country. We have also laid out our “Turning the Corner” plan.

I suppose the problem is the actual Kyoto Protocol, which, as we know — much as others might like to believe otherwise — is now impossible. We cannot go back and answer for work that was not done or actions that were not taken. We only have to work from here into the future, and I believe the government is on solid footing. I believe the general public across the country supports that position.

[Translation]

INTERGOVERNMENTAL AFFAIRS

MEETING WITH FIRST MINISTERS

Hon. Dennis Dawson: How can the minister defend Prime Minister Harper who prefers to have his picture taken in Rivière-du-Loup with Mario Dumont rather than meeting with the Quebec premier to discuss the economy?

Why does Prime Minister Harper refuse to meet with the other provinces to discuss the Constitution? Why does he refuse to acknowledge that Quebec has a position on the Senate to which the government does not listen?

Finally, how can he make all these comments about Mr. Charest when he refused to meet him and preferred to be photographed with Quebec's Leader of the Opposition?

That is an insult, honourable senators!

[English]

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): The honourable senator is wrong. The Prime Minister has not refused to meet with Premier Charest. As a matter of fact, I think he has met with Premier Charest more than any other premier. As I reported last week, the Prime Minister has been working with the various premiers to try to organize a meeting of all premiers either shortly before or after Christmas.

The premiers have been canvassed — and, as I mentioned last week, several provincial elections intervened. The Prime Minister has not refused to meet the Premier of Quebec. He is happy to meet with the premiers.

I was happy to see that Premier Charest and Premier McGuinty of Ontario met to discuss the very real issues between the Quebec and Ontario border. I was also pleased to see them express their views on the future of the Senate. They clearly have conflicting views, but the fact is we are making progress, given that the matter is now being discussed.

Senator Rompkey: And the House of Commons.

THE ENVIRONMENT

BALI CONFERENCE ON CLIMATE CHANGE—PROPOSAL TO INCLUDE MEMBERS OF OPPOSITION IN DELEGATION

Hon. Tommy Banks: I have a supplementary question for the Leader of the Government. It is astonishing that people on the leader's side, who are usually reasonably well informed, continue to believe that no progress was being made under the Kyoto Protocol. That is not true. Even a grazing examination of the matter will show that that statement is not true.

However, my supplementary has to do with the question originally asked by Senator Dawson — and I think he was serious — about Senator Mitchell attending in Bali. The previous government, and the one before that, ensured that there were members of the opposition in attendance at these conferences. In fact, the present Leader of the Opposition — who was at the time, as you pointed out, the Minister of the Environment — ensured there was a member of the Conservative Party at the Montreal conference.

What is it that has caused this government to discontinue that courtesy?

• (1445)

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): I thank the honourable senator for the question. Many groups are sending representatives to the conference in Bali, and members of the opposition are entirely free to attend. Minister Baird will be accompanied by a number of people. He will represent Canada, and who accompanies him is his choice, but that does not prevent other people from attending the conference.

Insofar as the Montreal conference is concerned, I do not know whether the individual that Senator Banks mentioned was part of the official delegation, or attended on his own. I will check. Members of the opposition are free to attend the conference, and I expect they will.

It was interesting that the first question MP David McGuinty asked Minister Baird in the other place in 160-odd days was about why he was not invited on the trip. He was worried about going on a trip rather than about substantive issues concerning the environment.

Senator Banks: Honourable senators, I hope the minister will check on that. I believe she will find that the member of the opposition was a member of the Canadian delegation at the Montreal conference. The fact that any Canadian can attend the meeting in Bali is not the thrust of my question. I should have expressed more clearly that I was asking about members of the opposition as part of the Canadian delegation. I hope that she will check and let us know whether I am correct, as I hope I am.

HEALTH

FUTURE OF CANADA HEALTH NETWORK

Hon. Lorna Milne: Honourable senators, I was saddened to learn that once again this government has decided that the bottom line is more important than the health of Canadians.

The *Toronto Star* recently reported that, as of March 31, 2008 —

Some Hon. Senators: Oh, oh!

Senator Milne: It is the only sensible newspaper in the country.

Senator Tkachuk: Oh, oh!

Senator Milne: The *Toronto Star* reported that as of March 31, 2008, the Canada Health Network will cease to exist.

The Canada Health Network is a collaboration of 26 organizations — government departments, universities, hospitals, libraries and non-profit health providers — that draw on 1,600 specialists across the country. It is the first of its kind in the world. Its website has been getting 380,000 hits a month and in the last year, its usage increased by 70 per cent. It has established a reputation as a trustworthy source in a cyber-world of drug manufacturers, health care conglomerates and self-promoters.

How does closing down the Canada Health Network show this government's commitment to meeting the health needs and interests of Canadians?

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): I thank the honourable senator for that question. In response to the reference to *The Toronto Star*, during the free trade debate Simon Reisman was questioned on something that was reported in *The Toronto Star*, and he yelled, “*The Toronto Star*? That rag? You call that a newspaper?”

With regard to Senator Milne's question, under Minister Clement, the Department of Health has undertaken many new initiatives to service Canadians on a host of health issues.

• (1450)

I will obtain a definitive answer from the Department of Health to the senator's question on the health network. However, many programs that the Minister of Health is engaged in reflect the new reality we face in health care.

Minister Clement is currently in China or about to go there to deal with the serious issue of product safety. The government has committed to a number of new programs. Simply because a program was already in place does not mean that it must continue because this government may have better programs. In respect of the specific question, I will take that as notice.

Senator Milne: I thank the leader for that response, although I am not quite sure what Simon Reisman's opinion of the *Toronto Star* has to do with the health of Canadians. I know that Minister Clement launched a website in October to provide users with information about all programs of the government. However, missing from Minister Clement's new site is any reference to links between health and the environment, disease, poverty, violence and gun control. In addition, the site does not touch sensitive topics such as abortion, genetically modified foods or sexual abuse. The subject of mental illness is completely overlooked. The Canadian Health Network looked at controversial questions from all sides and was constantly updated as new knowledge became available.

Would the Leader of the Government in the Senate inform honourable senators as to how much the Government of Canada invested in the Canadian Health Network on an annual basis, since it opened; and how much will be saved from the bottom line instead of providing comprehensive and unbiased information on health care to Canadians?

Senator LeBreton: I thank the honourable senator for the question. Perhaps people around here are losing their sense of humour. I made a reference to the *Toronto Star* because the honourable senator had made a reference to the *Toronto Star*, as being the only sensible newspaper. I was trying to inject a little humour, but I apologize for trying to be a little light on occasion.

I am surprised that the honourable senator mentioned mental health because for years Canada was the only G8 country in the developed world that did not have a national mental health strategy. Who was in power when that happened? As the honourable senator knows, our former colleague, Senator Kirby, heads up the newly established national Mental Health Commission to work with stakeholders and the provinces to address a very serious illness that affects one in five Canadians.

With regard to issues of abuse, many of these matters are dealt with by other departments. The government sees a segment of the environment as very much a health issue. The honourable senator has asked for specific details that I will be happy to try to provide.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I draw your attention to the presence in the gallery of a number of Canadians who are concerned about the impact of arthritis in Canada. They join us today as part of the Alliance for the Canadian Arthritis Program and are led by their co-chairs, Dianne Mosher and Gordon Whitehead. They are guests of the Honourable Senator Comeau. On behalf of all honourable senators, welcome to the Senate of Canada.

Hon. Senators: Hear, hear!

CONFLICT OF INTEREST COMMITTEE

MEMBERSHIP

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, before we go to Orders of the Day, I have been asked by a number of senators in the chamber as to when the Conflict of Interest Committee will organize its activities. This is for information purposes only at this time. The motion would have to be moved in a more formal way once we know the name of the fifth member.

• (1455)

Could I ask the Leader of the Government in the Senate if she could provide the four names, who would then seek further names to serve as the fifth member?

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): Honourable senators, the four names for the Standing Committee on Conflict of Interest for Senators are Senators Andreychuk, Angus, Carstairs and Joyal.

ORDERS OF THE DAY

DONKIN COAL BLOCK DEVELOPMENT OPPORTUNITY BILL

SECOND READING—DEBATE ADJOURNED

Hon. Donald H. Oliver moved second reading of Bill C-15, An Act respecting the exploitation of the Donkin coal block and employment in or in connection with the operation of a mine that is wholly or partly at the Donkin coal block, and to make a consequential amendment to the Canada—Nova Scotia Offshore Petroleum Resources Accord Implementation Act.

He said: Honourable senators, I am very pleased today to have this opportunity to speak in support of Bill C-15, the Donkin Coal Block Development Opportunity Act. This is a very important day for Cape Breton and, indeed, for all of Nova Scotia.

This legislation is about future jobs and prosperity for the region. The Donkin undersea coal block is located offshore of Cape Breton Island. Development of this resource has the potential to bring significant economic benefits to Cape Breton and Nova Scotia.

First, Donkin means employment, creating some 275 new jobs and up to 700 indirect jobs. Donkin also means hundreds of millions of dollars for the provincial economy in salaries, equipment sales, and goods and services. Those are the immediate benefits — and there is much potential for a lot more benefits.

Donkin and the economic activity that it will generate could lead to other economic development opportunities for Cape Breton. Donkin signals the return of an industry that was once vital to this region of Canada.

Honourable senators know of the history of coal in Cape Breton. The island was settled largely due to coal, and coal mining provided the main livelihood for many islanders for more than 100 years. As a result, coal mining has shaped the culture of Cape Breton. Many Cape Bretoners today can trace mines in their families going back decades. They are proud of their heritage and would welcome a resurgence of coal mining in this region.

The Donkin block is part of what is called the Sydney coal field, a resource that has made an enormous contribution to the economy of Cape Breton. It is estimated that 450 million tons of coal was taken from the Sydney field between 1863 and the year 2000. It was the largest coal resource in Eastern Canada. Donkin is the last block of coal that can be mined from the coast.

In December 2004, the Province of Nova Scotia issued a call for proposals to explore the feasibility of developing this resource. A year later, Nova Scotia announced that the Xstrata Donkin Coal Development Alliance was the successful bidder.

The company immediately launched a multi-million dollar study to evaluate the potential for bringing a mine into production. The study is currently under way, with a major decision point in February 2008. If all goes well, a positive decision in mine development will take place next August.

From a resource standpoint, everything appears favourable so far. However, for Xstrata to come to a positive decision, there is another issue that needs to be clarified.

• (1500)

Both the Government of Nova Scotia and the Government of Canada claim ownership and jurisdiction over the Donkin resources. This bill provides a solution to regulatory overlap. Both the federal and the provincial governments contend that they have legal obligations regarding matters such as regulating resource development, and certain labour matters, including occupational health and safety.

This proposed legislation outlines the terms of an agreement between both the federal and provincial governments that will allow the development of Donkin, with all of the economic benefits, to proceed. This is an extraordinary example of goodwill on the part of the federal government and the Province of Nova Scotia. As a result, the path is now clear to move forward with the Donkin mine if the private sector decides that the mine is a viable and profitable option. Xstrata is looking for regulatory certainty before its February 2008 decision date because regulatory regimes affect costs. The objective of the bill before us, honourable senators, is to establish regulatory clarity and facilitate economic development and to do so in a way that is acceptable to both the federal and provincial governments.

In March 2007, federal and provincial officials agreed on an approach. That was quickly followed by a period of federal-provincial consultation with the public and other stakeholders. Assurances resulted and labour, community and industry groups both understood and supported the proposed regime.

Employee and employer groups, community organizations and the Canada-Nova Scotia Offshore Petroleum Board were all supportive and, as a result, we have a bill that is before us that all support.

The legal framework proposed in Bill C-15 covers resource development and a number of labour matters. These matters include labour standards, industrial relations and occupational health and safety. The bill provides the Governor-in-Council with the authority to make regulations that will incorporate provincial laws within the body of federal law. Any provincial law incorporated federally would be administered and enforced by the provincial officials. In turn, Bill C-15 excludes corresponding federal laws from applying to the Donkin coal block. By means of this legislation, both levels of government will be able to work together to ensure that occupational health and safety provisions will serve the Donkin miners well.

More specifically, Nova Scotia's Trade Union Act, the Occupational Health and Safety Act, and the Labour Standards Code will be incorporated into a federal statute in this bill. Nova Scotia has accepted to amend its occupational health and safety laws to include certain elements that exist under federal law. This is meant to provide the highest level of protection for the workers. The labour matters covered by this bill will not in any way sacrifice the doctrine of accountability, transparency, or health and safety for the sake of regulatory efficiency.

Bill C-15 also clarifies the matter of royalties. Royalties will be collected by the province and then remitted to the Government of Canada. The Government of Canada will then remit an equivalent amount to Nova Scotia. When I first saw that in the bill, I asked, "Why are they going that route?" The process seems circular: Royalties are collected by Nova Scotia, remitted to the federal government and then the federal government remits back to the province. The reason for this method is that the Financial Administration Act mandates that royalties need to be deposited in the Consolidated Revenue Fund. Therefore, royalties must go there first. However, an equivalent amount will be sent back to Nova Scotia by way of a cheque.

Bill C-15 provides a clear and stable regulatory system for the Donkin coal development. It also permits both levels of government to retain their positions with respect to ownership and regulatory jurisdiction. As all honourable senators will see, the immediate objectives of the bill are to facilitate provincial management of the Donkin coal block and to provide a clear regulatory regime to govern its development.

Bill C-15 is an outstanding example of cooperation between the federal and provincial governments to advance a common interest in seeing the development of the Donkin block. By introducing this proposed legislation, the Government of Canada is demonstrating its commitment to the economic development of the Cape Breton community and to the province of Nova Scotia as a whole.

Hon. Lowell Murray: May I ask the sponsor of the bill a question?

Senator Oliver: Yes.

Senator Murray: Honourable senators, when I was growing up in a mining town in Cape Breton, there was never any doubt as to where jurisdiction lay. Jurisdiction lay with the Province of Nova Scotia. The matters to which the honourable senator refers were governed by a statute called the Nova Scotia Coal Mines Regulation Act.

Does the honourable senator know why there is a federal claim of jurisdiction? Does it have to do with the fact that the mines go out under the ocean? Does it date back to the legal contests of the 1980s regarding offshore matters?

Further, I did not hear mention of the environment in the honourable senator's speech, nor does a quick glance through the bill reveal any reference to the environment. Has an environmental impact assessment of this bill, or of this project been undertaken? If not, when will such an assessment be done, and will it be done under federal or provincial auspices?

Senator Oliver: Honourable senators, I said that both Nova Scotia and the federal government claim jurisdiction over this project. Nova Scotia has jurisdiction through labour standards codes as well as health and safety.

The federal government's claim, as the honourable senator suggested, arises because this coal is not on land. This coal is 3.5 kilometres under the ocean. That is the jurisdiction to which the federal government lays claim. On that basis, the federal government believe that it does have a jurisdiction, and it is not losing jurisdiction under this bill.

Senator Murray: Honourable senators, I suppose it is a point of detail, but there were dozens of coal mines in Cape Breton that went out a number of kilometres under the ocean. These were governed by the relevant provincial statutes. I presume that Ottawa's claim goes back to the 1980s, when there was a legal contest in relation to offshore matters.

Senator Oliver: The coal is located offshore of Cape Breton Island, an area of federal resource ownership and jurisdiction. Federal laws are applicable to the Government of Canada and it has an obligation to enforce them. The federal government is not giving up those rights. Therefore, it negotiated with the Province of Nova Scotia for purposes of this one project, and that is what Bill C-15 does. This is a specific bill to deal with this particular coal mine.

Senator Murray: As the honourable senator suggested in his speech, both Nova Scotia and Ottawa have a claim, and in the 1980s it was agreed to set aside their legal cases and to negotiate.

Senator Oliver: The province and the federal government both have a legal claim; I hope the honourable senator understands that that is the purpose of this bill. Rather than take that matter to court, they say: "We have a body of coal that can give as much as \$5 million a year in royalties to the Province of Nova Scotia. Let us do something about it now."

They came together and started the process in 2004; they entered into extensive negotiations and have proposed to come up with one statute that protects the rights of both the federal and provincial governments and to move forward.

The international company that has won the right to develop this project has stated that there is such a regulatory burden in working under this circumstance that they want the matter cleared up before they can proceed. They are prepared to spend millions of dollars to do so.

This bill is designed to give some regulatory certainty to the company that is doing the development.

• (1510)

Senator Murray: Does the honourable senator wish to respond to my question about the environment?

Senator Oliver: The question about the environment is something that can be looked at when the bill goes to committee. The federal government gave a grant of \$11 million recently for research. The information that will come out before the committee from the department is that this study will show that virtually no environmental damage will be done as a result of the extraction of this coal. We do not know yet what will be done with this product when it is taken out. Will it be processed there, or will it be taken away? However, virtually no environmental damage will be done as a result of the grant of \$11 million that the federal government has given for more research and development.

Hon. Tommy Banks: May I ask a question, senator? I apologize for not being here for your entire presentation. One of the saddest things we have ever had to do in this place was, in effect, to put the final nail in the coffin of the federal subsidy to the Cape Breton coal mines. That wrenching decision needed to be made. It was decided the federal subsidy must end of an industry that, as it was argued at the time, had no light at the end of the tunnel. We were seen to be supporting a way of life as opposed to an industry that had any chance of success. Is it the belief of the people who will operate this mine that they can operate it without subsidy?

Senator Oliver: Yes, it is.

On motion of Senator Phalen, debate adjourned.

SPEECH FROM THE THRONE

MOTION FOR ADDRESS IN REPLY ADOPTED

On the Order:

Resuming debate on the motion of the Honourable Senator Comeau, seconded by the Honourable Senator Brown:

That the following Address be presented to Her Excellency the Governor General of Canada:

To Her Excellency the Right Honourable Michaëlle Jean, Chancellor and Principal Companion of the Order of Canada, Chancellor and Commander of the Order of Military Merit, Chancellor and Commander of the Order of Merit of the Police Forces, Governor General and Commander-in-Chief of Canada.

MAY IT PLEASE YOUR EXCELLENCY:

We, Her Majesty's most loyal and dutiful subjects, the Senate of Canada in Parliament assembled, beg leave to offer our humble thanks to Your Excellency for the gracious Speech which Your Excellency has addressed to both Houses of Parliament.

[Senator Oliver]

Hon. W. David Angus: Honourable senators, I would be seriously remiss if I were to allow the debate on the Speech from the Throne of October 16 to conclude without commenting, at least briefly, on the critical subjects of Arctic sovereignty and northern development. My interest in the protection and development of the vast territories and waters that constitute Canada's Arctic and polar regions dates back almost 50 years. I was delighted to learn that it is now front and centre on the government's policy agenda and list of priorities.

I was an impressionable young Canadian sitting in warm June sunshine with my family in front of Nassau Hall at Princeton University in New Jersey. We were with my fellow members of the class of 1959, attending ceremonies marking our graduation from this great American institution of higher learning. Can you imagine, honourable senators, how proud I was, as a foreign student, to see Canada's new and dynamic Prime Minister, the Right Honourable John George Diefenbaker, rise to receive an honorary doctorate amidst glowing praise from the university president? At that point, the audience was unprepared for what was to follow. Our striking Prime Minister, with the wavy white hair, piercing blue eyes and clear and captivating voice, approached the podium, and he proceeded to deliver an old-fashioned barn-burner as our commencement address. My classmates marvelled at Old Dief's inspirational oratory, and my heretofore apolitical family and I became instant Tories.

Dief's words rang out and reverberated amongst the ivy-covered buildings of the Princeton campus:

Ah, yes, my friends, I think of a vast program on Frobisher Bay on Baffin Island in the Canadian Arctic, hiding resources that Canadians have little realization of.

We have started a vast roads program for the Yukon and Northwest Territories which will open up for exploration vast new oil and mineral areas — ah, yes, thirty million acres. We have launched a seventy-five million dollar federal-provincial program to build access roads. This is the Vision . . . our northern vision. We are fulfilling the vision and the dream of Canada's first Prime Minister, Sir John A. Macdonald. But Sir John saw Canada from East to West. I see a new Canada. A Canada of The North! We have plans to carry out a legislative program of Arctic research, to develop Arctic roots, to develop vast hidden resources.

It was vintage Dief. He rambled on and on, with his audience, everyone, paying rapt attention to each and every word. I was totally sold by the time he had finished and had later shaken my hand, along with those of several other Canadian graduates. I could not wait to go home to Canada to join what he called the YPCs — Young Progressive Conservatives. He said, "Young man, you will help tame the wilderness that had always whispered to the Nation's adventurers." Honourable senators, my political stripe was firmly and forever established that day.

Honourable senators, much has happened during the intervening half century. We have awakened to the fact that mankind has systematically damaged the earth's atmosphere and its natural surroundings. We became sensitive to the critical need to protect our environment — our air, our water and our ecologically sensitive lands. We became more and more aware of

the challenges posed by the rugged and often extremely unfriendly northern terrain. We woke up to the rights, the needs and the aspirations of our Aboriginal peoples, including the Inuit and others living in the North. We lived through repeated versions of energy crises, and we became more and more aware of the value of the undeveloped oil and gas resources and rich mineral deposits in the North. We have become more and more sensitive to and concerned about national security issues, including the menace of terrorism, and how important it is to our national strength, security, and well-being that Canada's sovereignty in the Arctic regions be well established, confirmed and recognized by the international community.

Perhaps, honourable senators, most important of all, we have come to believe and understand that major climate change is taking place, with both negative and positive results, especially in the Arctic and the polar regions, where the icecap and glaciers have been receding and melting with profound effects on the human and animal population of the North and elsewhere. This morning in *The Globe and Mail* we read about the plight of the polar bears. Two-thirds of this generation of polar bears in our North are becoming extinct. This list goes on and on, whether it is the fish or other sea species so important to the livelihood and the ecology of the North.

The Harper government sees these developments as critical, none more so than the opening up or thawing of the Northwest Passage at an accelerating rate, with far-reaching potential effects on international trade and shipping. It also raises thorny geopolitical issues with commercial, military and sovereignty consequences.

As well, as Peter C. Newman chronicled so fascinatingly in his book, *Renegade in Power*, more was accomplished in the Canadian North during the five Diefenbaker years than in any previous period of the nation's history up to that time. Sadly, the results never came within a light-year of the expectation aroused by Dief's exciting "Northern Vision" as expressed repeatedly during the 1958 general election campaign and subsequently.

Much was accomplished, especially with Dief's Roads to Resources Program. There can be little doubt that the future viability of oil and gas development in the North benefitted greatly from the vision. The non-fulfillment of the vision, however, had many causes, political and otherwise. As Newman wrote, though:

The real trouble was, rather, in the character of the North itself. Political rhetoric, no matter how inspired, could work little magic in that inhospitable barren land.

• (1520)

Honourable senators can imagine how pleased I was to hear our elegant and inspiring young Governor General here in this chamber on October 16 state, *inter alia*, about our North:

But the North needs new attention. New opportunities are emerging across the Arctic, and new challenges from other shores. Our Government will bring forward an integrated northern strategy focused on strengthening Canada's sovereignty, protecting our environmental heritage,

promoting economic and social development, and improving and devolving governance, so that northerners have greater control over their destinies.

Honourable senators, rarely have I read or heard such a non-controversial or non-partisan statement of public policy, with objectives that, at least on their face, appear universally acceptable to all Canadians. Hopefully, we can all agree to actively support and promote this critical northern development and Arctic sovereignty aspect of the government's agenda.

Yes, honourable senators, these proposals are very ambitious and, yes, they will be very costly to implement, but surely the short- and long-term benefits for Canada at large, for our northern inhabitants in particular and for our future generations are obvious.

I suggest, honourable senators, that we are facing here a no-brainer. I urge us all to get behind and enthusiastically support the proposed initiatives to, first, establish and have confirmed and recognized internationally, once and for all, our sovereignty in the Arctic, and especially over the Northwest Passage — and, honourable senators, as Prime Minister Harper has said repeatedly, we must use it, and we cannot afford to lose it; second, to improve living conditions in the North for First Nations and Inuit through better housing; third, to build a world-class Arctic research station that will be on the cutting edge of Arctic issues, including environmental science and resource development — a research station built in the Arctic by and for Canadians but also to serve the global community; fourth, to complete the comprehensive mapping of Canada's Arctic seabed; fifth, to build eight new Arctic patrol ships to complement increased aerial surveillance in guarding Canada's Far North, including the Northwest Passage; sixth, expanding the size and capabilities of the Arctic Rangers so they can better patrol our vast Arctic territory; seventh, the development of an Arctic warfare training centre and the deployment on an ongoing basis of at least 1,000 Canadian soldiers in the Arctic; and finally, the construction of a modern state-of-the-art and fully equipped deepwater port at Nanisivik on northern Baffin Island. Nanisivik is already a functioning port and is ideally located at the eastern entrance to the Northwest Passage. The plan is to invest approximately \$100 million to upgrade this potentially great Arctic port and to have it fully operational by 2015, if not sooner.

Honourable senators, there are various complicated issues of international law that bear upon whether Canada's sovereignty claims in the Arctic are in all respects valid. I shall not go into the details of these today, but they are important and interesting and I shall revert to them on another occasion. There is no doubt that Canada's arguments are strong and, in most cases incontrovertible, but in some aspects of our claims doubt does exist. I submit that it is critical to our nation's future well-being, to our ongoing national security and prosperity, that these doubts be dispelled without delay. We must do all possible to establish that the Northwest Passage constitutes an historic, internal Canadian waterway — those words have legal, special meaning — a claim disputed by the Americans, the Norwegians, the Danes, the Russians and several others.

We can all remember, honourable senators, the embarrassing and provocative cases of the U.S. supertanker and ice-strengthened *Manhattan* in its voyages of 1967 through

1970, as well as the U.S. Coast Guard vessel *Polar Sea*, which, in 1985, transited the Northwest Passage without even asking Canada's permission.

We need to convince the international community of the legal validity of our Arctic sovereignty claims. This is urgent and critical. The government's proposed integrated northern strategy will go a long way to help us accomplish this goal.

Furthermore, as Franklyn Griffiths wrote in his 1987 book, *Politics of the Northwest Passage* — and I quote:

... latent attachments to the Passage and to the Arctic spaces it represents are lodged deep in Canadians' conceptions of themselves as a people.

Honourable senators, the Speech from the Throne describes a new northern vision for Canada. Let us ensure that it is realized and does not become but a mirage. Please let us all unanimously support the government's new integrated northern strategy.

Hon. Roméo Antonius Dallaire: I should like to ask a question of Senator Angus. My question refers to the new northern Arctic strategy. In 1987, the Conservative government issued a White Paper on Defence, entitled *Challenge and Commitment: A Defence Policy for Canada*. That paper called for an Arctic base, in fact an Arctic base of significance, tri-service. It discussed the creation of a permanent force out of the rangers, in order to improve their capabilities. That white paper discussed an upgrade of the Aurora aircraft, to provide more surveillance. The defence white paper also talked about nuclear-powered submarines to provide subsurface surveillance. It talked about the possibility of nuclear-powered icebreakers and even a circumpolar alliance in order to establish our presence there and to create a synergy between the enormous background that the Russians have in the Arctic and our still-steep learning curve.

The only problem with all of that is that the same government put no cash behind it, and the whole thing crashed in 1989.

What tells the honourable senator that we will have more than a vision or pie in the sky? Does Senator Angus believe that his government will invest tens of billions of dollars to make that vision a reality?

Senator Angus: I thank the honourable senator for that question. I know amongst my colleagues in this chamber there are few who know as much as he does about this subject. I am sure he will agree with me and share my hopes that we can indeed place our confidence in my leader, the great Prime Minister Stephen Harper, who has undertaken to put this northern integrated strategy in place and to seek from Parliament the authority to spend the monies needed to accomplish these ends, which are so critical to our well-being.

[Translation]

Hon. Céline Hervieux-Payette (Leader of the Opposition): Honourable senators, it is an honour for me to speak last today and join in the comments on the Speech from the Throne.

Because I am a practising Catholic, I would like to quote from the Bible, in the book of Proverbs, "Where there is no vision, the people perish." These words are also inscribed on the Peace

[Senator Angus]

Tower in Ottawa and, unfortunately, their spirit imbues the Conservative government's latest Speech from the Throne from start to finish.

Given that the clash of ideas and views is the lifeblood of Parliament — and democracy itself — I am glad to have this opportunity to comment on and criticize the government's Speech from the Throne, which opened the current session on October 16.

First of all, since it is customary to recognize the participation and contribution of the mover and seconder, I must congratulate Senators Comeau and Brown for their eloquent and passionate support for the government's action plan. Even though we do not share all their conclusions and their certainty in this regard, we remain convinced that these two senators do credit to this chamber and serve it with energy, talent and conviction.

[English]

I wish to commend as well Governor General Michaëlle Jean for her grace, dignity and eloquence in delivering the Speech from the Throne. She inspires us all and she is an outstanding model of the contribution immigrant women make to this country — a theme we had occasion to celebrate in October during Women's History Month.

[Translation]

Honourable senators, barely five weeks ago, the Conservative government presented its action plan for the coming session. Stating the objectives of a better, stronger, more secure Canada and five major priorities for achieving those objectives, the government delivered a program that unfortunately lacks inspiration, vision and daring.

For a government, a Throne Speech is supposed to be an opportunity to rally Canadians around a common enterprise, to inspire them to greatness, to instil in them a new and greater national pride, in short, to remind them of where they come from, who they are and, most importantly, all they can do and be.

• (1530)

Although all our fellow citizens would like to continue to build a better Canada, to use the government's expression, this action plan does not go far enough to help them make Canada a world leader in such matters as the environment, the economy or social justice. This is a narrow program with a short-term vision, focused exclusively on an electoral deadline; in short, a patchwork of tired refrains, broken promises and wilted pages from an old program.

[English]

From the last Throne Speech's empty promises, allow me to underline the government's failure to come through on its child care commitments. Surely, my colleagues will remember that the government had promised to create 125,000 new spaces in its 2006 action plan. Unfortunately, in late September of this year, the minister responsible confirmed that the government could not deliver on that commitment. Instead of addressing the issue with resolve and maturity, the minister threw up his arms, admitted defeat and blamed the provinces. Such a lethargic and

faint-hearted approach makes me wonder whether the government realizes that Canadian families in some cities are forced to wait an average of two years before securing a public child care space. Instead of squabbling with the provinces, the minister should start being a little more creative in determining how his government will keep its promise. In doing so, he might begin by drawing inspiration from the previous Liberal government's national early learning system.

Honourable senators, from the shortcomings of the last Speech from the Throne, I will now turn to those in the current one, which is a five-point program featuring federal reforms, tax cuts, crime, environment and national defence.

[*Translation*]

Since the government's intended reform of our federation will directly affect this chamber, I will address that issue first.

Over the past few weeks, the government has spelled out its commitments on this by presenting the two bills on Senate reform from the last session. This shows the government's insensitivity and irresponsibility and its disdain for the provinces.

The purpose of the Senate is to ensure balance between the regions of Canada and to represent the interests of the provinces. Instead of involving the provinces in its reform plans, the government is excluding them and instead of listening to the views expressed by many of the premiers, it is ignoring them.

Let us remember that the Standing Senate Committee on Legal and Constitutional Affairs concluded, in June of this year, that Bill S-4 would raise a number of constitutional concerns if passed without any consultation with the provinces. Given the scope of the challenges, we came to the conclusion that Bill S-4 should be referred to the Supreme Court of Canada.

Instead of respecting the provinces and benefiting from the wisdom of the constitutional experts who testified before our committees, the government has shown that it did not hear a thing and does not want to hear a thing. It came back with half-baked legislative measures that will allow any prime minister who wins two consecutive elections to appoint every senator. These measures will create an electoral illusion, smoke and mirrors meant to calm certain elements of the Conservative Party, but certainly not the Canadian public.

[*English*]

Moreover, by giving parliamentarians an ultimatum to reform the Senate, and threatening to abolish it if they do not, by refusing to bring in the provinces, the Prime Minister is playing a game of bulldozer federalism.

[*Translation*]

Honourable senators, the official opposition will support a reform of the Senate that is based on sound political principles, respects the Constitution and encourages provincial participation. Unfortunately, the government is coming back with a flawed and improvised proposal that is sorely lacking in imagination.

In addition to reforming the Senate, the government is also committed to restraining the federal spending power, as it relates to new programs in federal jurisdictions. I am going to comment on this issue by adding my voice to that of Liberal Party leader Stéphane Dion.

The wording used in the Speech from the Throne regarding the federal spending power is more limited in scope than the current framework for this power, under the 1996 social union agreement that was signed by all the provinces. This is particularly true considering that the new wording only applies to cost-shared programs, which have become almost non-existent.

The global agreement had a broader scope that included all types of transfers to the provinces. That agreement not only specified that the support of a majority of provinces was required to implement any Canada-wide initiative, it also recognized that the federal government could not establish programs on its own.

Before pushing this issue further, the government should assemble the provincial premiers, as it also should regarding its Senate reform proposal.

[*English*]

Honourable senators, besides Senate renewal, the Speech from the Throne also contains proposals pertaining to tax cuts and the economy. While the government has promised to provide economic leadership and a prosperous future for us all, the means it has proposed to do so fall short of the mark. In fact, its promised cut to the GST is a prime example of the short-term policies of a government focused only on the next election.

[*Translation*]

In its *Report on Business* at the end of October, *The Globe and Mail* reported a very wide consensus among Canadian economists that the Conservative government's proposal to reduce the GST was flawed. Also, an OECD report published in October indicates that the preferred approach in that regard should be to maintain the consumption tax and reduce personal and corporate taxes. Based on that study, any reduction in personal and corporate income tax tends to stimulate economies and the investments necessary to increase our productivity, enhance our competitiveness and improve our living conditions.

[*English*]

The government's wrong-headed, opportunistic and election-minded GST cut points to another shocking failure in the Throne Speech's economic proposal: its total lack of an action plan for dealing with poverty and homelessness.

In Canada today, nearly 3 million families, over half a million seniors and more than 1 million children live in poverty, while some 300,000 people remain homeless. That is a bleak picture made even darker by the latest World Bank figures underlining that the gap between the rich and the poor in this country has reached Third World proportions. Yet, all the Speech from the Throne offers to repair this tattered social fabric are a few bland statements and a handful of wishy-washy commitments. Moreover, last night's report on poverty in the largest city of Canada, Toronto, presented clear evidence of this government's lack of concern for reducing poverty.

[*Translation*]

Progress should not be measured by how much we add to the prosperity of the wealthy, but rather by how we meet the essential needs of the less fortunate. By failing to provide measures that would lay the foundations for real progress in that respect, the government is shirking its ultimate responsibility to ensure the well-being of every citizen. The government must change course, and should it need guidance, it could leaf through the plan to combat poverty developed by the Liberal leader, Stéphane Dion.

[*English*]

Honourable senators, joining poverty on the list of topics short-changed by the Speech from the Throne is the environment. Although the government deserves credit for expanding the Nahanni National Park Reserve, it gets failing grades when it comes to protecting our ecosystem and fighting climate change.

Last summer, I had the opportunity to organize and lead a consultation tour throughout Quebec's 14 regions. Honourable senators, the people in my province are very worried about this problem and expect the government to come up with serious solutions to it.

However, instead of offering strong protective measures, reasonable targets and a clear plan, the government settles for soaring rhetoric, claiming the targets it has set for reducing greenhouse gas emissions are among the most aggressive in the world. Yet, the Deutsche Bank has said that the current approach will most likely ensure that Canada's greenhouse gases will continue to rise until 2020. The same bank also noted that the Canadian government seriously exaggerated the costs of complying with Kyoto.

Although the Speech from the Throne commits to bringing forward elements of the clean air legislation from the previous session, that will not be nearly enough to combat global warming.

• (1540)

A scientific panel of the United Nations has said that to avoid the most serious effects of climate change, countries like Canada must reduce their emissions by 25 per cent to 40 per cent below 1990 levels by 2020. Unfortunately, Canada is among the few countries that have chosen to ignore UN warnings to set targets to ensure global warming stays below those levels. Even if the government reaches its own targets, our emissions will remain above the mark set for us by international experts. Moreover, the government's solution to all this — its very own climate change plan — has been criticized as unworkable by seven major independent organizations, including the National Energy Board and the National Round Table on the Environment and the Economy.

The government seems unable to heed such advice or entertain opposing views on this or any other issue. Last week, the Minister of the Environment excluded opposition members from Canada's official delegation to the upcoming United Nations conference on climate change in Bali. I hope that today the Leader of the Government in the Senate will recognize, reconsider and recommend the participation of Senator Mitchell and others who have an extensive knowledge on environmental matters to attend this conference with the government. This shameful

[Senator Hervieux-Payette]

practice of exclusion started last year when the Conservatives banned various stakeholders and organizations from attending the UN conference.

[*Translation*]

Honourable senators, as proof that the Conservatives are working behind the scenes to sabotage any international climate change progress, I would like to mention the following: last Friday, out of the 53 Commonwealth countries, only Canada and Australia refused to sign a final declaration to fight climate change, whose goal was to present a united Commonwealth front in preparation for the Bali conference. We should note that with last Saturday's election of a new, more environmentally friendly government in Australia, Canada now stands alone on this issue among Commonwealth countries.

[*English*]

We must put a stop to these backroom antics. Climate change is the most pressing global issue of our time, and we must work together to address it. The government must take action, adopt a more cooperative attitude and go back to the drawing board. It must replace its weak approach with a real action plan to help meet our Kyoto commitment, a piece of legislation adopted by this Parliament.

Honourable senators, from devising unworkable plans and engaging in backroom dealings on the environment, the government has resorted to using smoke and mirrors to hide its tracks on the criminal justice and security file issue to which I will now turn.

The linchpin of the government's Throne Speech proposal in this regard, the so-called "tackling crime bill," basically rejigs five bills from the last session into omnibus legislation, boldly stating that Bill C-2 would be a matter of confidence. The Prime Minister claimed the bill would deal firmly with crime. He explained it would ensure stiffer sentencing for gun crime, provide stricter bail requirements for accused gun criminals, keep dangerous offenders behind bars and crack down on drunk drivers. The bill is a matter of confidence, he said, because it is a key part of his program, adding that the opposition has no reason to delay since it had campaigned in support of its principles and had wasted enough time studying the matter anyway.

Lamenting that much of his crime legislation from the last session had not passed, the Prime Minister accused the Liberals of obstructing his bill. He failed to mention, however, that his government delayed its own legislation by repeatedly turning down opposition offers to fast-track those bills.

[*Translation*]

Honourable senators, I would like to go over a few facts. In 2006, after its first Speech from the Throne, the government introduced 13 crime bills. The official opposition supported 10 of these. But instead of accepting our offer to fast-track them, the Conservatives chose to let six of their bills die on the *Order Paper* and *Notice Paper* and then accuse us of obstruction. Also, as more proof of its desire to pass these bills, the official opposition suggested that all the parties agree to deem Bill C-2 read the second time and, consequently immediately refer it to a committee. We hope that the government will show good faith and prove to be more cooperative this session.

[English]

Honourable senators, from examining the government's backroom manoeuvring on the environment and refuting its claim that the opposition was stalling crime legislation, we now turn to the ambiguity in the Speech from the Throne in regard to Afghanistan.

[Translation]

The government claims that it wants to take a responsible and effective approach in Afghanistan, yet all it will say is that it wants to let Parliament decide what will become of the mission after 2009. The government has indicated that it would prefer to prolong the mission until 2011, and that the primary goal should be to train Afghan security forces, but it has not said whether its plan includes a combat mission. In order to buy time while refusing to reveal its real game plan, the government has asked Mr. Manley's working group to study four possible scenarios and come up with recommendations. It seems silly to ask the group to study these four options when the government has already indicated its preference for one of them, namely accelerated training for Afghanistan's police and army.

At any rate, the official opposition believes that the government should show greater transparency and leadership on this issue. It should inform NATO and the Afghan government immediately that our combat mission in Kandahar will end in February 2009. That would ensure that arrangements could be made for replacement forces and would enable Canada to determine how best to help with reconstruction in Afghanistan.

[English]

Honourable senators, although I have focused on the shortcomings of the Throne Speech up to this point, I wish to underline that there are some positive aspects to it, including the government's plan to broaden the scope for the action plan for official languages. As well, we are heartened by the government's commitment to assert Canada's sovereignty in the Arctic by building a world-class research centre, mapping the Arctic sea bed and expanding aerial surveillance. We also look favourably on the government's commitment to Haiti and to provide better support for veterans. Moreover, while there are many other aspects of the Throne Speech I could comment on, both good and bad, I will wrap up with a few general observations arguing that the government fell short of the mark overall.

[Translation]

Honourable senators, our fellow citizens were hoping that their government would restore Canada's international reputation, ensure a prosperous future, clean up the environment and maintain public order via a flexible, effective and workable justice system. Even though the government stated these very objectives in its Speech from the Throne, it has failed to put forward a single measure, vision or approach that might rally, inspire or excite Canadians.

The speech was nothing more than a rough draft made up of assorted notes, a few rudimentary ideas, and some vague commitments. I would like to remind the government that we are still waiting for it to commit to helping the manufacturing sector in Ontario and the rest of Canada. We hope that this

government will address some of the real problems affecting Canadians rather than start its election campaign early.

[English]

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): Honourable senators, I rise to address the Speech from the Throne that was delivered by Her Excellency the Governor General in this chamber on October 16. At the outset, I acknowledge and thank my colleagues, my seatmate, Senator Comeau, and our newest senator, Senator Brown, for moving and seconding the Speech from the Throne in this chamber.

As honourable senators will recall, the speech set out the government's plan and outlined the overall direction of Her Majesty's Canadian government for the coming session of Parliament.

We are fortunate in this country to enjoy peace, order and good government. I say this with the expectation that there would be objections expressed by some honourable senators — thank you, Senator Cools — however, I am confident that even they realize that as the third-oldest continuous democracy in the world we enjoy great freedom and liberty. One only has to look at the turmoil ripping apart countries such as Pakistan and Zimbabwe to realize that we are truly blessed. This blessing has come both in terms of our institutions and the representatives of the populace, some of whom are more effective than others. Nevertheless, we are a very fortunate country. As Her Excellency said in her speech, "Canada is the greatest country in the world."

• (1550)

However, we must not become complacent and simply allow certain dysfunctional institutions to tick along without proper attention. Nowhere is this more evident than in the upper chamber. Our government is seeking to provide Canadians with a more democratic upper house, something that has been on the minds of citizens practically since Confederation. Yet, for a variety of complex reasons, from patronage and partisanship to ignorance and indifference, change has rarely been addressed in such a meaningful and constructive way.

Another area of concern is the declining voter turnout that has been a fact of political life over the past few decades. This is an issue that I will address further in my speech, for it is one that strikes at the very root of our democracy and our democratic system and the enjoyment of freedom and liberty from sea to sea.

As Her Excellency mentioned, this year we marked the fiftieth anniversary of the occasion when Her Majesty the Queen became the first reigning sovereign to open our Parliament. The image of Her Majesty and Prince Philip sitting at the front of this chamber, accompanied by the Right Honourable John George Diefenbaker is one familiar to many Canadians, and certainly one that I remember fondly.

This year also marks the fortieth anniversary of the establishment of the Order of Canada. Indeed, the first investiture was held 40 years ago this very week. Again, we are reminded of the dynamic nature of our country and its citizenry, a dynamism that our government seeks to further enhance.

The Speech from the Throne provides an occasion to reflect upon not only our history, but also the recent achievements of our government and the plan that we have set forward for the future. This plan will help to improve the well-being of all Canadians through the lowering of the tax burden, a more stringent and effective Criminal Code, a realistic plan for the preservation of our natural environment, improvement of our parliamentary institutions and an overall economic policy that will continue to promote growth and stability. The overall theme of the Speech from the Throne that opened the second session of our current Parliament is "Strong Leadership. A Better Canada."

Our country has been built through imagination and dynamism that has brought people together from around the globe at different times. Citizens expect their government to build upon this legacy of innovation and progress and to provide a framework within which they can reach their full potential, particularly as my colleague Senator Angus focused on Canada's North.

Canada's North has long played an important role in defining who we are as Canadians. Our government is taking bold steps to protect Canadian sovereignty and to better utilize the opportunities that the Canadian Arctic holds.

Through the establishment of a world-class Arctic research station that will focus on environmental science and resource development, we are enhancing Canada's place as a leading Arctic country.

We have long known that the truism "use it or lose it" has great relevance to the North, and we are listening to First Nations and Inuit who have long called for a more comprehensive plan to protect our Arctic territory, its environment and its resources.

During the Second World War, the *St. Roch*, a Royal Canadian Mounted Police patrol boat, sailed the waters of our North to protect them from unwanted incursions, proclaiming to the world that this region is an integral part of Canada. We will continue not only to proclaim our sovereignty, but also to make it felt. Although different in landscape and climate from other parts of Canada, the North is as much a part of our country as British Columbia or Prince Edward Island.

Simply put, honourable senators, protecting our Arctic is one of the most significant priorities of our government. Through a dynamic and multi-faceted plan, our government is working to realize the opportunities the Arctic offers. Through protecting our environmental heritage while promoting social and economic development, we will also be giving the citizens in the territories more control over their affairs and collective destiny within the Canadian federation.

Who better to safeguard Canada's North than those who reside there? We owe a sacred duty to the people of the Arctic and the Fathers of Confederation, such as Sir John A. Macdonald and Sir Oliver Mowat, who envisaged the Dominion of Canada that extended to the Far North.

The Arctic is certainly not of passing interest to this government. As announced in the Speech from the Throne, we will further assert our sovereignty in the Arctic through a comprehensive mapping of Canada's Arctic seabed, a project that has long been required.

Shortly after the opening of the First Session of the Thirty-ninth Parliament, our government announced that it would save the Canadian Map Office, which was slated for closure by the previous government. Canadians know that this government is serious about preserving and enhancing our sovereignty. Without modern maps and access to them, we cannot comprehend exactly over what we have sovereignty.

An integral part of protecting our sovereignty is the rebuilding of the Canadian Forces after more than a decade of neglect. We place a great value on the services and sacrifices made by the men and women who serve as members of Her Majesty's Canadian Forces. These citizens play a central role in safeguarding Canada and ensuring that we can play a positive role on the international stage.

Our government has invested heavily in the Canadian Forces, providing members with the modern equipment and supplies they require to discharge their duty. When a person becomes a member of the Canadian Forces, there is an implicit agreement between the individual and the government that the individual will defend Canada and its interests and that the government will provide that individual with the proper resources necessary to discharge that crucial duty. We are fulfilling our obligations in this regard more than ever. No more will we be sending soldiers into the field with improper equipment.

Canada has returned as a credible player to the international stage. Too often, the previous government merely reflected upon the great achievements that Canada attained in the 1940s, 1950s and 1960s, without realizing that a constant effort has to be made to maintain our influence in the world. To be taken seriously as an independent country, we cannot simply rest on the laurels of past achievements. Pearson's Nobel Peace Prize and Diefenbaker's historic stand on racial equality and the need to end apartheid mean little if we do not continue to promote our values overseas.

Our government will continue to seize opportunities to play a positive and constructive role on the international stage. Through the United Nations, the Commonwealth, la Francophonie and other multilateral and bilateral groups, Canada can play an increasingly positive role in the world, both next door and across the globe.

Cooperating with other countries that share our values of freedom, human rights, democracy and the rule of law, Canada is once again playing a key role as an international leader. Perhaps nowhere is this more evident than in our commitment to the United Nations sanctioned mission in Afghanistan. Canada and our allies are bringing hope to the people of Afghanistan where there was previously only despair and tragedy.

Canadians understand that this has come at a tremendous cost to our own people. Where would we be today if our ancestors had run away from defending Lundy's Lane or been absent from the liberation of Europe in 1944 and 1945? It is not part of our identity to abandon people in need and scurry away to become nothing more than willing collaborators.

Our commitment to constitutional democracy with economic openness, a social safety net, equitable wealth creation and sharing across regions allows us to help less fortunate countries, such as Haiti. As Haitians strive towards achieving a more

equitable and democratic society, they are able to not only look at Canada as an example, but also see Canadians in their own neighbourhoods, helping them to realize the potential of their country.

In the coming year, we will mark the four hundredth anniversary of the establishment of Quebec City and the two hundred and fiftieth anniversary of the establishment of representative government in Nova Scotia. No political system is without flaws, and ours continues to contain some significant anomalies.

The history of our institutions is one of innovation and modification. We have a long tradition of taking institutions with ancient roots and making them more relevant, functional and open to Canadians. That is the story of the birth and the flourishing of Canadian democracy that began almost 250 years ago in Nova Scotia.

In the field of Senate reform, our government has reintroduced legislation that addresses the issue of tenure and senator appointments. Indeed, it is comical to listen to the protests and cries from the other side of this chamber. What we often forget is that at one time, Canada possessed an elected upper house. The Legislative Council of the Province of Canada was an elected body from 1856 to 1862, with councillors serving — get this, honourable senators — eight years.

• (1600)

Senator Segal: Hear, hear!

Senator Comeau: Ah-ha, now it comes out.

Senator LeBreton: We have had more than a century of discussion about Senate reform, and few other issues in Canadian political history have been so persistent. While electing members of our upper house is not something that any of us remember, it is not foreign to our tradition of government. This reform is not a case of change for the sake of change, but rather change for the sake of opening government to Canadians.

In terms of the proposed length of Senate tenure, it is funny to hear some honourable senators complain that eight years is not enough, especially when one considers that, over the years, a number of our colleagues were appointed at the tender age of 68 or 71, and were only able to serve four to six years in this chamber. Yet this tenure did not prevent them from making a meaningful contribution. One has only to look at former senators such as Eugene Forsey or Dr. Yves Morin to realize that a senator's ability to contribute is related more to the senator's own predisposition to become fully engaged in the work of the Senate than to have been given the opportunity to languish in the Red Chamber for decades at a time.

Some senators have reflected on the fact that Senate tenure was one of the principles laid down by the Fathers of Confederation, as I heard an honourable senator say a few moments ago. This information is true, but the Fathers of Confederation also envisaged a body that would be populated, in perpetuity, solely by White males of a certain economic status. Oh, how far we have travelled and yet how far we still need to go. To continue this

analogy, this further distance will be traversed through our bill on Senate tenure and our bill that will consult the Canadian people on the appointment of senators.

Our interest in enhancing our democratic structures is not limited simply to Senate reform, but will also be achieved through offering voters expanded opportunities to cast a ballot, and through safeguarding our electoral system from fraud through the requirement of visually identifying each elector.

We are also committed to providing better living conditions to the Inuit and First Nations people through better housing. In addition to this commitment, we will work to improve the conditions of Canada's Inuit and First Nations communities. In particular, we have introduced legislation that will guarantee that persons living on reserves will have the same protections and rights that other Canadians enjoy under the Canadian Human Rights Act. It is time to pass this legislation. We are also dealing with specific claims, and bringing expediency and fairness to the existing claims process. This initiative will address a number of long-standing issues and further improve the lives of many Canadians.

Our government believes passionately that the various watertight compartments of the Canadian federation — the various jurisdictions — must be respected to foster a more effective federal union; one built on each level respecting not only the responsibilities of each other, but the needs of the citizens within their particular jurisdiction.

We will continue to strengthen Canada's economic union. It is incredible to think that Canada is still riddled with interprovincial trade barriers. These have been in place far too long. It is unacceptable that it is often easier to sell a product to a foreign country than it is to sell it to a neighbouring province. These artificial barriers must come down. By improving interprovincial trade we can better realize the full potential of our economy, and also improve our productivity and ability to compete in international markets.

Through Advantage Canada, we have set out a sensible economic plan to ensure solid growth into the future and provided conditions that place Canadians in a better position to attain better-paying jobs.

The continuing program of tax reductions is already helping the Canadian economy to excel. The cuts in the Goods and Services Tax, reduction in personal and business taxes, will play a key part in enhancing our ability to compete.

Honourable senators, in the area of health and environment, our government will continue its dedication to promoting and improving the health of all Canadians. Most will recall Prime Minister Harper's announcement of the creation of the Mental Health Commission of Canada. This commission addresses an issue that no federal government had previously dealt with in a meaningful way. It was the persistent orphan of the Canadian health care system. Our government acted upon the recommendations of the Standing Senate Committee on Social Affairs, Science and Technology and created a body that will help facilitate a more open and coherent mental health strategy across the country. The one in five Canadians that will suffer from a serious mental illness over the course of their lives will no longer

be pushed into the shadows. This once voiceless group has been given a place on the national stage by this government, and I am happy that our former colleague, Michael Kirby, agreed to take this body on.

Further evidence of the dynamic and innovative approach that we have taken, not only in the field of health care but in the government as a whole, is an area that is near and dear to me, and that is seniors. Because seniors invested in Canada, our government is investing in seniors by listening and helping them gain access to benefits and services they are entitled to. They deserve no less.

We have already made great advances in improving services to Canadian seniors. We have increased Service Canada points of service throughout the country, enhanced mobile services for seniors, placed inserts in major daily and weekly newspapers about important news regarding Canada Pension Plan and Old Age Security, and contacted seniors directly to let them know about the benefits available to them.

Our government will continue to fight for seniors. We have achieved much in this area already through the establishment of the National Seniors Council. The council's mandate is to advise the government on issues of national importance to Canadian seniors. Few things better demonstrate our openness to positive change than involving people at the grassroots, such as the seniors council is doing. The council is helping to ensure that our government's policies, programs and services meet the evolving needs of seniors and the challenges Canada faces as a result of our rapidly growing and aging population.

Honourable senators, in the area of crime and crime prevention, through the safer communities strategy, our government will continue to make our communities safer places in which to work, play and grow.

On a personal note, you will not be surprised that I must express my delight at the proposed amendments to the Criminal Code, which better define impaired driving offences.

The federal government is offering resources that will facilitate the recruitment of 2,500 more police officers. This initiative will help to ensure safer communities and that those who commit offences face the appropriate punishment for their crimes. The bill tackling violent crime will help update the Criminal Code and protect Canadians.

Honourable senators, in conclusion, it is not surprising that some honourable senators have used the Address in Reply to the Speech from the Throne not as a time to reflect upon the serious and weighty matters dealt with by the government in a constructive way, but rather as an opportunity to spew unfounded statements that reveal their failure to digest the speech. Instead, they merely checked a few websites and blogs for opinions and talking points. Like pre-programmed automatons, some honourable senators opposite continue to have great difficulty in accepting that they are no longer in power. Our government is striving and succeeding in building a better Canada through strong leadership and innovative policies.

The propensity of members of Her Majesty's Loyal Opposition in the other place simply to sit on their hands when it comes time to vote on important matters of state is further evidence of how unfit they are to govern.

[Senator LeBreton]

Honourable senators, I believe the plan of our government, set out by Her Excellency, is one that will bring a better existence to Canadians, greater prosperity, a cleaner environment and a better future for all.

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 and Address in Reply to the Speech from the Throne adopted, on division.

On motion of the Honourable Senator Comeau, ordered that the Address be engrossed and presented to Her Excellency the Governor General by the Honourable Speaker.

• (1610)

CRIMINAL CODE

BILL TO AMEND—THIRD READING

Hon. John G. Bryden moved third reading of Bill S-203, An Act to amend the Criminal Code (cruelty to animals).—(*Honourable Senator Bryden*)

He said: I will be brief, as honourable senators have come to expect.

I want to thank all honourable senators and, in particular, the Standing Senate Committee on Legal and Constitutional Affairs, for the careful but urgent consideration that has brought Bill S-203 to this stage. Bill S-203 is identical to, and in the same form as, its predecessor, Bill S-213, which had reached committee stage after second reading in the House of Commons at the time of prorogation of the First Session of the Thirty-ninth Parliament.

If Bill S-203 passes third reading today, it will be sent to the House of Commons, where I believe it will be found to meet all the requirements of Standing Order 86.2(1) to have Bill S-203 referred to the House of Commons Standing Committee on Justice and Human Rights, which can then hold hearings, call witnesses and report the bill back to the House, with or without amendments, for third reading.

I ask honourable senators to support Bill S-203.

Hon. Sharon Carstairs: Honourable senators, I did not support Bill S-213 and I will not support Bill S-203. I wish I could speak positively about this bill but I cannot because it is such a tepid piece of proposed legislation. In my view, it does not in any way meet the needs of animals in this country. There is far too much cruelty to animals in Canada. Interestingly enough, honourable senators, studies have shown a clear correlation between those who act in a cruel manner to their animals and the way in which they treat their fellow human beings, in particular, children, women and other vulnerable persons. To accept less than what I believe we could have is anathema to me.

Honourable senators, I am a realist in politics. If we support this bill and it passes, it is highly unlikely that a stronger bill will come to us in the near future. I am well aware that a private member's bill has been introduced in the House by Mark Holland, MP, which is a stronger piece of proposed legislation. However, there will be little political will in either House to deal with a second bill on animal cruelty in the same session.

Honourable senators, I believe that one should not accept half a loaf when one could have a whole loaf. I will vote against this bill because it is woefully inadequate.

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

Hon. Senators: Agreed.

Senator Carstairs: On division.

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

NATIONAL BLOOD DONOR WEEK BILL

SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Cochrane, seconded by the Honourable Senator Keon, for the second reading of Bill S-220, An Act respecting a National Blood Donor Week.—(*Honourable Senator Comeau*)

Hon. Janis G. Johnson: I am happy to inform honourable senators that I support the designation of a special week in June each year as national blood donor week. Thousands of Canadians require blood or blood products for themselves or a family member, but less than 4 per cent of eligible Canadians donate every year. We must work to see this change. A national blood donor week will raise awareness of the importance of voluntary blood donation, and will encourage more people to become regular blood donors. In addition, it will be a time to thank those individuals who already selflessly donate blood.

The creation of a national blood donor week coincides with the World Health Organization's World Blood Donor Day. The June date is in honour of the June 14 birthday of Karl Landsteiner, discoverer of the ABO blood group system. The day is supported by three major organizations working for voluntary non-remunerated blood donation: the International Federation of Red Cross and Red Crescent Societies; the International Federation of Blood Donor Organizations; and the International Society of Blood Transfusion.

Bill S-220 lets Canada join in the international efforts with a full week of celebration. The majority of the world's population do not have access to safe blood. Canada's national blood donor week, along with World Blood Donor Day, will focus attention on the needs of those countries with less developed services. In Canada, we are fortunate to have access to high quality blood, blood products and alternatives. Canadians can rely on

approximately 3.5 per cent of the eligible population to donate blood annually. Since a substantial number of Canadians will require blood or blood products at some time in their lives, it is time to see more Canadians become regular lifelong donors.

A blood donor week will give us the chance to honour donors in their acts of kindness and generosity, and to thank those who give blood on a regular basis. A yearly celebration would reinforce the message that blood is the gift of life and that a blood donation can save the lives of many. Demographics have shown that in the face of an aging population, the demand for blood and blood products will continue to grow, and so we need to encourage more Canadians to donate. The creation of a national blood donor week would be a nationwide celebration of blood donors across the country and would show that the spirit of giving to help our fellow Canadians is alive and well. We thank all Canadian donors who give the gift of life, and I urge honourable senators to vote in favour of Bill S-220.

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

Motion agreed to and bill read second time.

REFERRED TO COMMITTEE

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

On motion of Senator Cochrane, bill referred to the Standing Senate Committee on Social Affairs, Science and Technology.

BANKRUPTCY AND INSOLVENCY ACT

BILL TO AMEND—SECOND READING— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Goldstein, seconded by the Honourable Senator Chaput, for the second reading of Bill S-205, An Act to amend the Bankruptcy and Insolvency Act (student loans).—(*Honourable Senator Comeau*)

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I have absolutely no objection if Senator Hubley speaks to Bill S-205 at this time but this side would like to reserve the 45 minutes for the responder.

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

Hon. Senators: Agreed.

• (1620)

Hon. Elizabeth Hubley: Honourable senators, today we will play a little game. Perhaps you are familiar with it, from episodes of "Sesame Street." It is called "one of these things is not like the others."

Here is my list: Court-imposed fines; court-imposed family payments; court-imposed damages in civil cases; court-imposed liabilities from fraud; and, government student loans.

The answer seems obvious, does it not? That is, unless you read the Bankruptcy and Insolvency Act. In this act, you find that all of these things are the same. When it comes to declaring bankruptcy, government student loans are treated the same way as court findings against an individual and are exempt from relief through bankruptcy. While the exception for student loans is only for 10 years, it still seems incongruous that student loans are lumped in with court-ordered payments. Senator Goldstein, in his remarks in support of Bill S-205, outlined some of the history behind this categorization — principally, the fear of widespread abuse of the bankruptcy provisions of the Canadian legal system by recent graduates.

First let me dispense with this myth. Not only is there no documented justification for this viewpoint, the reality is quite the opposite. There is substantial evidence to show that this viewpoint is wrong. Studies have looked at bankruptcy applications before this exception was enacted, and the conclusions were that there was no evidence of widespread fraud. Those people who were listing student loan debts in bankruptcy applications were those who were unable to profit from their education. The reasons for this were widespread, from disability through to declining job futures in a given field. It was evident that these were legitimate cases of people experiencing undue hardship; that is, people who needed a fresh start and people who the Bankruptcy Act was intended to help.

Why is there a special status for student loans? The existing provision leads to the assumption that any bankruptcy applicant with a student loan is fraudulent, that there is no valid reason to apply for bankruptcy relief for a student loan and, even worse, this is a blanket provision. The applicant does not even have the option of proving that they are honest and acting in good faith. The law does not provide for an appeal process or recognize that there can be a legitimate reason for applying for bankruptcy due to excessive student debt.

At present, students cannot hope for relief from overly burdensome student loans for 10 years. It does not matter if the student suffers from some disability that prevents them from earning a living. It does not matter if economic pressures prevent them from earning a living. It does not matter if family situations limit their choices. In most cases, their student loan is the main problem. If they find themselves in trouble, there is no hope. Although they may leave university full of promise for the future, much can happen in 10 years.

Honourable senators, I fully support this bill and congratulate Senator Goldstein for introducing it. In fact, I wish that this bill went farther, and removed fully the student loan exemption. There is no need to assume that students who need to seek bankruptcy protection are perpetrating a fraud. This bill will at least give them the opportunity to prove that they are acting in good faith, a simple option which is not available to them now.

Although we can start to impose some sanity into the system by passing this bill, I believe that we must go much further. After all, the underlying problem is student debt. As a society, we constantly repeat the mantra that the path to a prosperous future is through education, but successive governments have failed and are failing young Canadians. We repeatedly acknowledge the importance of education, not only to the individual, but also to the health of our economy and our

society. In the meantime, the cost of education continues to increase. The response has been to give more loans to students, but is that really the answer? If we truly believe in the importance of higher education, why do we add to the system that burdens young graduates with huge debt loads? If we did not force high debt on our students, we need not worry about whether or not student loans are covered in bankruptcy legislation.

Perhaps a few figures will help to describe the situation faced by many students. Last year, Statistics Canada released a report entitled, "How Students Fund Their Post-Secondary Education," which looked at data up to the year 2002. One of the facts that jumped out at me was the increase in tuition. From 1990 until 2002, tuition increased by an average annual rate of 8.1 per cent. When one compares this to inflation, at an average annual increase of 1.9 per cent, one will see that tuition has increased four times faster than inflation. This report also noted that, when one looks at higher-priced university programs, the participants were predominantly from families from higher socio-economic backgrounds. This suggests that perhaps we, as a society, are limiting some programs to those who can afford the program, not those who are best suited for the program.

Another report released last year from Human Resources and Skills Development Canada analysed trends in student borrowing from 1990 to 2000. This study found that, although the percentage of university and college students who take advantage of government student loan programs remained about 50 per cent for the study period, the typical amount owed over this 10-year period increased by over 60 per cent. It is not surprising that this same study found that the number of students having difficulty paying back their loans has increased over the 10 years.

In conclusion, these statistics reveal an underlying problem: While we talk about the importance of higher education and the need to encourage students to pursue higher education, we then sit by and watch the barriers for those same students climb higher and higher. It is not surprising that we are here today talking about student bankruptcy. However, while this bill will remove one of the glaring faults in the system, and I fully support this initiative, we are missing the real point. Today I encourage and challenge all honourable senators to begin dealing with the real problem, the problem of student debt and the increasing cost of higher education.

Hon. Sharon Carstairs: Would the honourable senator accept a question?

Senator Hubley: Certainly.

Senator Carstairs: Honourable senators, let me congratulate the Honourable Senator Hubley on her speech and Senator Goldstein on this extremely important initiative.

Honourable senators, I want to set the stage by explaining my own error. I had thought that the six-month period following a student's graduation — and where they had not given indication that they were going to continue on school the next year — was a period which was interest-free. However, it is not. Interest actually begins to accrue the day the students have completed their course. The six-month period refers to a period of time when they can set up their repayment schedule.

I subsequently learned that the bureaucracy is taking some three or four months to respond to the student with respect to what this repayment schedule will be. If a student does not finish classes and begin immediately to negotiate how to pay back their student loan — should they let a couple of months go by — they will find themselves in default, and they will be listed in the statistics as a student in default.

Does the Honourable Senator Hubley believe that is fair to the students of this country?

• (1630)

Senator Hubley: I thank the honourable senator for her question. I also appreciate her illuminating the problem as it comes down on students. Of course, what Senator Carstairs has stated is correct and, of course, I do not agree with it.

Hon. Jane Cordy: Would the senator take another question? I should like to congratulate Senator Hubley on her speech, along with Senator Goldstein for raising this extremely important issue.

There are students in Canada with overwhelming debt. To not be able to declare bankruptcy until 10 years has passed since graduation puts a tremendous onus on a student, particularly in an age where so many of the jobs students are getting now are contract jobs. These young people are not guaranteed employment for a full year, and they have no benefits. They are getting short-term contracts one after the other.

I know the honourable senator has done some studies on this subject. I am wondering whether she has come across any information to suggest a correlation between students who are buried under debt and mental health problems? We are talking here of people in their late 20s only and who are faced with debt they cannot get out of. I have heard of depression and other mental health issues — and, in some cases, unfortunately, suicides — as a result of debt these students are facing.

Senator Hubley: I thank the honourable senator for her question. Again, she has shown to us the effects of heavy student loans on individuals.

One of the most difficult things today for our young people who have worked their way through university and accumulated a huge debt load, in many instances, is that they do not have any hope of getting the job they have worked all their lives for and received the training and the education to fulfill. That letdown is a difficult one.

That realization, when they get out of school and are faced with their debt, is difficult on our young people. In other words, we are pushing our young people back; we are not bringing them forward and providing the opportunity for them to be successful in their lives.

The other thing that is difficult about this subject is that we do not hear enough about it, so I thank the honourable senator for her question. I am sorry I do not have actual statistics to share with Senator Cordy, but I have heard many stories that tell me that what she has alluded to does in fact happen.

The Hon. the Speaker: Is there further debate?

On motion of Senator Comeau, debate adjourned.

HERITAGE LIGHTHOUSE PROTECTION BILL

SECOND READING—ORDER STANDS

On the Order:

Resuming debate on the motion of the Honourable Senator Carney, P.C., seconded by the Honourable Senator Nolin, for the second reading of Bill S-215, An Act to protect heritage lighthouses.—(*Honourable Senator Comeau*)

Hon. Lowell Murray: Honourable senators, the Deputy Leader of the Government has asked to stand the debate on this bill.

Again, I am encouraged by the fate of Bill S-203, Senator Bryden's bill to amend the Criminal Code, which had been sent to committee stage for one day, returned here and received third reading today, meaning that it will be reinstated at the committee stage of the House of Commons, where it was at the time of prorogation.

Bill S-215, which has now been called, is in the same situation. It was at committee stage in the House of Commons when prorogation overtook us. The only difference is that Bill S-215 has been passed on six previous occasions by the Senate.

May I ask the deputy leader to bring us up to date as to status of this bill and the government's intentions with regard to it?

Hon. Gerald J. Comeau (Deputy Leader of the Government): I believe I indicated last week that the sponsor of the bill had indicated that she had three ministers who had supported the bill in writing. I have requested those letters to be sent to me, as critic of the bill.

I indicated at that time that, if there were three letters from three ministers who indicated their support the bill, I do not think it would take all that long for the bill to move forward.

I am still waiting for two of them. I have subsequently learned that one of the three ministers did not send that letter — I think it was the Minister of Heritage. I believe Senator Carney did correct the record. I am still waiting for the lead minister on this to advise us on his perception of the status of the bill so that I can properly do my job as critic of the bill.

Senator Murray: Honourable senators, I will let pass the rather unusual situation in which the Deputy Leader of the Government is a critic of a bill proposed by one of his caucus colleagues that is not my business.

With regard to the ministers, the lead minister to whom he refers is what minister?

Senator Comeau: If we are going to get into debate on this point — and I am not sure how proper this is. The honourable senator's question related to the status of the bill and whether I am going to move it today. The honourable senator has his answer; today is not the day, for sure.

I am prepared to provide further information, but I am not sure, at this stage of the proceedings, whether there should be a dialogue between him and me. I am not sure how appropriate this is. Perhaps the Speaker or the chair of the Rules Committee can provide further information.

However, I shall respond to the question and leave it up to the powers that be to decide whether this is a proper means to get into a dialogue.

As to the question of whether the Deputy Leader of the Government in the Senate can act as the critic of a bill, I shall leave that up to others as well. I do not know what the honourable senator's problem is with that, but I shall leave that up to him.

Regarding the lead minister on this matter, it is the Minister of the Environment. The Minister of the Environment effectively establishes the criteria by which heritage lighthouses would be designated as such. The other minister, the Minister of Fisheries and Oceans, is the minister from which the funding for heritage buildings comes. The Minister of Fisheries and Oceans provides the funding and the Minister of the Environment provides the designation process.

It should therefore be evident that this is more complicated than what the honourable senator makes it out to be at face value. It is a complicated bill, and it involves much more than Senator Murray makes it out to be, in spite of the fact that in his speech of last week, he did indicate that —

The Hon. the Speaker: Order. We are getting into debate. My understanding is that we were at the level of clarification. Is there debate on this item that has been called, or shall it stand?

Order stands.

[Translation]

FINANCIAL ADMINISTRATION ACT BANK OF CANADA ACT

BILL TO AMEND—SECOND READING— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Segal, seconded by the Honourable Senator Cochrane, for the second reading of Bill S-201, An Act to amend the Financial Administration Act and the Bank of Canada Act (quarterly financial reports).—(*Honourable Senator Comeau*)

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I am the critic for this bill, which I think is very interesting, and, barring any objections, it should be referred to committee for examination.

On motion of Senator Cowan, debate adjourned.

[Senator Comeau]

• (1640)

[English]

DEVELOPMENT ASSISTANCE ACCOUNTABILITY BILL

SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Dallaire, seconded by the Honourable Senator Moore, for the second reading of Bill C-293, An Act respecting the provision of official development assistance abroad.—(*Honourable Senator Segal*)

Hon. Hugh Segal: Honourable senators, I am delighted to rise to speak to Bill C-293, reintroduced some days ago by Senator Dallaire in this chamber.

While in Tanzania this past weekend, Prime Minister Harper announced a \$105 million program to help train over 40,000 health workers. The initiative will also provide treatment for diseases such as malaria, measles, HIV/AIDS, tuberculosis and malnutrition for the impoverished in Africa and Asia. The program is called the “Save a Million Lives” program.

As former colleagues of mine on the Standing Senate Committee on Foreign Affairs and International Trade will be delighted to know, the Prime Minister also committed the government to doubling the level of financial aid to Africa in the proximate period of time.

I mention this worthwhile and necessary effort to point out that Canadian foreign aid used to purchase malaria bed nets and decrease child morbidity may not necessarily contribute to poverty reduction as defined in Bill C-293, but is nevertheless essential. There is nothing wrong the intent of Bill C-293: To provide a partial statutory context for Canadian development assistance, to focus Canadian development assistance on poverty reduction and to strengthen the accountability regime of Canada's assistance programs. I heartily endorse the intent.

However, in reality, Bill C-293, no doubt unwittingly, tends to undermine the very objectives that it tries to establish. The Canadian International Development Agency needs a huge fix and, unfortunately, this is not it. The proposed legislation is diversionary; that is not its intent, but that will be its impact. Bill C-293 has, however, opened the door for a much-needed discussion on Canada's foreign aid goals of transparency and accountability as to the spending of tax dollars and the parameters around which Canada must focus in order to get the “best bang for the buck” in its attempts to assist poor and developing nations. I am delighted to see that the management and focusing of foreign aid was also featured in the Speech from the Throne read by Her Excellency in this chamber a few weeks ago.

I also believe that this general debate regarding the bill affords us a remarkable opportunity to work together and to move this bill ahead by strengthening it, by making it more effective and by having it achieve the goals its authors had in mind. I do not believe the present draft does not do this as perfectly as some suggest.

The Standing Senate Committee on Foreign Affairs and International Trade held five meetings in the last session on Bill C-293. Members heard from, among others, representatives from the Canadian Council for International Co-operation, Inter Pares, the Canadian International Development Agency, the Afghanistan Task Force, and Foreign Affairs and International Trade Canada. The committee also heard from John Sloan, the Director General of the Economic Policy Bureau; Alain Tellier, Deputy Director of the Criminal, Security and Privileges and Immunities Law Section; Finance Canada; the Canadian Council on Africa; Mark Lowcock, the Director General for Policy and International Division for the British Department of International Development; Robert Fowler, retired senior official; and George Ayittey, Professor of Economics for the American University International Development Research Centre.

This broad range of witnesses, with their expertise and attitudes, weighed in with their best opinions and judgments regarding this bill. The overwhelming view was that the intent of the bill had immense merit and that the authors should be congratulated. However, while the spirit of the proposed legislation was based on solid tenets, it was not reflected in the precise drafting as well as might have been the case.

I will provide an example. One of the requirements laid out in Bill C-293 received much attention and discussion at committee. I refer to the reporting requirements in clause 5(1). Senator Dallaire, in his representation before the committee, said: "The Minister of Finance is responsible for a third report discussed in this bill, which is a report on Canada's activities at the Bretton Woods Institutions." Graham Flack, Assistant Deputy Minister of Foreign Affairs, one of the brightest and most compelling young public servants, an outstanding reflection of the very best of our public service, used an interesting analogy regarding the reporting requirement:

The analogy I might give is that it is like being inside cabinet. They might be able to comply once, and then they would no longer be in the cabinet. To the extent that we provided that confidential information and released it, the flow of confidential information would cease.

Here Mr. Flack was referring to the confidential flow of information to Canada.

His point was to stress that "any representation" as laid out in Bill C-293 would require Canadian representatives to divulge information considered confidential. This may not be the purpose of the reporting requirement, but it would be an unintended result.

My worry is that this bill does not achieve any of the goals of broader transparency and a broader regime of governance that various people over time — including those within CIDA — have suggested we may want to embrace. The notion that we do not have our own department of international development, as they do in the United Kingdom, and that we ought to use their department as a model for explicit legislation as opposed to being a subparagraph of another act, but its own law, which we have now, is the reason for the year-long discussion regarding Canada's foreign aid objectives.

One of the most compelling of the committee's witnesses in the last session was Mark Lowcock, the Director General for Policy and International Division at the British Department of International Development. He outlined the United Kingdom's position on its parameters of disbursement of foreign aid dollars and its view on "poverty reduction as its goal." He stated:

DFID ministers and senior officials always understood that long-term, sustainable poverty reduction involved addressing the causes of poverty; and they interpreted it broadly to include investing in economic growth, conflict reduction, improving governance, fighting corruption and long-term investments, such as research and development, and human development.

He went on to say that the 2002 British act:

. . . provides clarity of purpose. It ensures that we avoid the problems we encountered when we used the aid program to pursue multiple objectives. . . . My ministers believe that the act has helped to strengthen public support for foreign assistance.

Bill C-293 and the use of the term "poverty reduction" to the exclusion of all others actually hampers ministerial decisions when allotting aid dollars and does not allow for the minister and his or her officials to apply a broad interpretation as is needed from country to country or situation to situation. The UK legislation allows this.

As I said in committee, CIDA, to their credit, does spend a large amount of money on judicial training for the purpose of having honest, well-trained judiciaries that are capable of understanding and advancing the administration of justice and support of human rights in support of the role of an independent court system. Without being extreme, someone may ask what that has to do with poverty reduction. Why should you be spending money in country "A" to train the judiciary when you should be spending all your money in country "A" on poverty reduction because that is what Bill C-293 states is the focused mandate.

• (1650)

Maureen O'Neil, another distinguished public servant, president of the IDRC, stated in her testimony:

Part of Canada's aid to poverty reduction has to go into the long-term effort to build sustainable innovation systems in developing countries, to assist them to develop their own solutions to their problems.

The other troubling aspect of the bill as drafted is the consultation requirements. These were also discussed at length in the standing committee of this house. As far as I am concerned, the problems with clause 4(1)(2) were best summarized by former ambassador Robert Fowler, former Deputy Minister of Defence, a former ambassador to Rome and special representative for Prime Minister Martin and Prime Minister Harper in Africa. He said:

I am a firm believer in the importance of wide consultation with our development partners. This language, however, strikes me on general grounds as unnecessarily specific in instructing the minister in how to do his or her job.

With regard to the reporting requirements, Mr. Fowler added:

Layering additional reporting and message massaging requirements on the already bureaucratically constipated CIDA bureaucracy will render our aid delivery even more cumbersome and slow.

We have a possible interpretation under the wording of the bill that could require consultation with everyone on every dollar spent. Based on all the testimony put forth by men and women of goodwill, more knowledgeable in these matters than I am, regarding the business of foreign aid, I am, quite frankly, a little surprised that no amendments were put forward before the bill was sent back to the chamber for its consideration.

I made my views known on Bill C-293 in the last session. I shared possible amendments with the honourable sponsor of the bill, and I listened closely to what was said at committee by both advocates and critics of the bill on all sides. My feelings have not changed. When Bill C-293 is once again up for discussion at committee, I shall propose the same amendments, especially in relation to the consultation process and reporting requirements. I should also like to open up for discussion the possibility of having the bill align itself more closely toward compliance with the new guidelines set out in the 2005 Paris Declaration, which outlines the amount of aid but more specifically the effectiveness of aid in recipient countries.

The Paris Declaration lays down a practical, action-oriented roadmap to improve the quality of aid and its impact on development. The 56 partnership commitments are organized around the five key principles: ownership, alignment, harmonisation, managing for results, and mutual accountability.

I believe this statement encompasses much of what Bill C-293 is attempting to achieve, and perhaps the committee could study the document further and determine whether the objective of this declaration is something we might also add in some of the definitions for the bill.

Bill C-293 is a bill with immense merit. We can on all sides move together. We can work together. We can make real and significant progress on the bill, all the while maintaining its integrity and objectives. I believe that jointly sponsored amendments would pass quickly in the other place and quickly become law if we could work together on that. However, should the choice be made by the majority, which is absolutely their right, to reject any and all attempts at improving the bill, then that would make collaboration more challenging.

The discussions and questions by my honourable colleagues on both sides in the last session at committee lead me to believe that many are prepared to work together on all sides to improve the noble and necessary goals of C-293 and the extent to which the drafting sustains those goals. There are good people on both sides of this debate. We have a chance to work together. I appeal to both sides to find a way to do so.

On motion of Senator Di Nino, debate adjourned.

[Senator Segal]

[*Translation*]

IMMIGRATION AND REFUGEE PROTECTION ACT

BILL TO AMEND—SECOND READING—
DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Goldstein, seconded by the Honourable Senator Campbell, for the second reading of Bill C-280, An Act to Amend the Immigration and Refugee Protection Act (coming into force of sections 110, 111 and 171).
—(*Honourable Senator Di Nino*)

Hon. Consiglio Di Nino: Honourable senators, I am pleased to speak to Bill C-280, to create the refugee appeal division, or RAD for short, at second reading.

Before I begin, I must admit that I am a bit surprised at the lightning speed with which the Liberal Party embraced a private members' bill presented by the Bloc Québécois, the separatist party.

Honestly, I am still trying to understand how the Liberal Party can sit in the opposition and claim that the refugee appeal division is a good idea, when, not so long ago, when that party was in power, it refused to implement the RAD, and rightfully so.

[*English*]

Honourable senators, my friend and colleague Senator Goldstein, in his speech on June 14, said:

If we cannot provide refugee claimants with every reasonable possibility of asserting refugee status, and if de facto refugee claimants are given a single kick at the can, a single hearing before a single adjudicator, with no further recourse from a practical perspective, our system is condemning some legitimate refugees to torture and death.

Senator Goldstein's contentions are inaccurate; they are simply wrong. There are in fact other recourses available. Failed refugee claimants can seek judicial review by the Federal Court, apply for permanent residence on humanitarian and compassionate grounds or seek a pre-removal risk assessment.

Let me quote from former Liberal Minister of Citizenship and Immigration, the Honourable Joe Volpe in response to a question in the other place:

The member should know that the appeals processes are there for everybody and that they work quite well. We're not interested in adding another layer of appeals.

The fact of the matter is that our current refugee system already contains enough provisions and processes that allow refugee claimants to revisit their claims.

The process is such that many cases are taking years to work their way through the system without the addition of another appeal with its corresponding costs, delays and bureaucracy.

To be clear, this government sees no reason to implement the refugee appeal division, or RAD, at this time, since, as the Honourable Minister of Citizenship and Immigration has already stated, Canada's current refugee-determination system meets all international and domestic legal requirements. In fact, the UNHCR gives our system an excellent grade.

It provides appropriate protection to all those who need it. It also provides a number of opportunities for decisions to be reviewed.

[*Translation*]

The members were told that implementing the sections of the Immigration and Refugee Protection Act regarding the RAD would add at least five months to the process.

As my honourable colleagues know, the media have reported an increase in the number of refugee claims presented at Canada's borders. In fact, this year there has been an increase in the total number of refugee claims presented in Canada compared to last year.

This increased volume will put pressure on the refugee claim system, which is slow and unwieldy, a pressure that would be heightened by the addition of the refugee appeal division.

[*English*]

Honourable senators, in this context, there is a growing consensus that the refugee determination process needs to be more efficient.

In fact, the president of the Canadian Council for Refugees, Elizabeth McWeeny, said:

Refugee claims need to be rapidly decided, so that those who need Canada's protection get it quickly.

It is worth noting that the former Liberal immigration critic, Mr. Omar Alghabra, said that the current refugee process takes too long and allows "bogus refugees . . . to stay longer, with potential implications for Canadian security."

• (1700)

If the Liberals believe that the current refugee process has taken too long, why would they support Bill C-280, which would likely extend the refugee process by at least five months? If they believe that the process takes too long, they should not be voting to extend this very process.

To make this point, during the vote on Bill C-280 in the House of Commons, the Honourable Joe Volpe, the last Liberal Minister of Immigration, actually voted against Bill C-280. It is also worth noting that Mr. Volpe's caucus colleagues, former Liberal Immigration Ministers the Honourable Judy Sgro and the Honourable Denis Coderre, also refused to vote for Bill C-280. Why would these three former Liberal immigration ministers refuse to support Bill C-280? Surely, they are the foremost Liberal experts on the file. In fact, they probably have more knowledge of the complex immigration issues than all other Liberal members of Parliament put together. Why did they refuse to support their

party critic's position? Why did they refuse to support their own leader, the Honourable Stéphane Dion, in this regard?

The answer is quite clear: They know that Bill C-280 will not solve the problem of timely processing of refugee files; it will compound it. It is as simple as that.

[*Translation*]

The federal government will have to cover the cost of operating the RAD, estimated at tens of millions of dollars per year.

We should not forget that implementing the RAD will also result in considerable expenses for provincial and territorial governments.

These governments are responsible for the well-being of asylum seekers while refugee claims and appeals are being processed.

Just think of the legal aid costs. The provinces have asked for an additional \$11.5 million every year since 2001 to cover the costs of legal aid for immigration and refugee cases.

Of the estimated tens of millions of dollars that implementation of the RAD will cost each year, the provinces will have to allocate \$21.2 million annually for social assistance provided to asylum seekers during the additional waiting period prior to a ruling in their case, as well as bear the costs associated with legal aid and education.

[*English*]

Another reason to oppose this bill is that it would be irresponsible to support a bill that would come into force without actual bricks and mortar, staff and rules of the RAD in place.

Honourable senators, the Immigration and Refugee Board has said that the competency profile of members of RAD is different from other IRB members. To quote the IRB:

Selection would have to reflect the tasks of an appellate decision-maker, require a stronger legal/analytical capacity. . . and some prior adjudicative experience.

The IRB also said: "The only workable way to implement would be to have a date of implementation one year after Royal Assent," so that there is a full complement of members, training and a case tracking system.

I am also surprised that members of the opposition would support a bill that would bring into force only some of the provisions related to RAD, while leaving out a key provision as well as transition provisions that speak to the broader public interest.

For example, Bill C-280 does not bring into force section 73 of the Immigration and Refugee Protection Act. This section would enable the minister to apply for judicial review of RAD decisions.

Why allow only failed refugee claimants the ability to apply for judicial review of RAD decisions and not the government, through the minister who represents the broader interests of the Canadian public? This is not a balanced approach.

Furthermore, Bill C-280 leaves out transitional provisions, meaning that RAD would have a backlog on its first day of operation of up to 7,000 cases from time of Royal Assent, and possibly tens of thousands should the Federal Court allow for appeals of previous decisions. This could very well delay decision-making for years.

Bill C-280, as written, fails to include transitional provisions from the current process and rules to a new one. This failure to include transitional provisions could effectively result in an enormous backlog of tens of thousands of cases.

The former Liberal Immigration Minister, the Honourable Judy Sgro, acknowledged the danger of this backlog when she said:

I believe you're aware that the reason it was not implemented was the fact that we had, and continue to have, huge volume pressures on the system.

[Translation]

Supporters of Bill C-280 allege that the government's decision not to implement the RAD amounts to contempt of Parliament. Yet in the same breath, these same people are asking Parliament not to give effect to section 73, a key section.

How can these people accuse the government of contempt of Parliament when they themselves are choosing to set aside a fundamental provision of the current act? It is hypocritical. Honourable senators, the fact is that the system in place works.

Supporters of Bill C-280 will say that the RAD is needed because, when the IRPA came into force in 2002, the two-member panels provided for under the former Immigration Act were reduced to only one member.

In fact, as there were very few cases before 2002 where two panel members disagreed, the real benefits of having two-member panels are not clear.

There were fewer than 100 decisions a year where one of the two members dissented. In other words, a second opinion benefited asylum seekers in just under one half of 1 per cent of cases. That is 0.05 per cent. That does not really warrant implementing the RAD.

[English]

To illustrate how RAD would do more harm than good, listen to the following quotation:

Let me briefly turn my attention to the refugee appeal division. At your insistence, I've given a lot of thought in the past few months about whether to implement the RAD. I've considered several options and alternatives. I've also met with and discussed the issue with stakeholders and NGOs on both sides of the debate. My decision not to implement at this time is based on several considerations. The first is that our current refugee system is already fair. I'd indicated to you that I wanted to work on a system that was fast, fair, and final. We invest in a strong first-level decision with an independent tribunal, well-trained decision-makers, and solid institutional support. The IRB has become truly a

merit-based organization. Its staff must meet criteria that are adjudicated by outside bodies, and they meet the test of knowledge and competence. I think the system offers protection to those in genuine need and helps to reinforce the country's track record of compassion and openness to those seeking asylum from around the world. Indeed, as you know, Canada is a world leader in treating applications in a fair and generous way.

That is a quotation from the former Liberal Minister of Citizenship and Immigration, the Honourable Joe Volpe, when he appeared before the Standing Committee on Citizenship and Immigration on November 1, 2005.

• (1710)

Honourable senators, simply put, the implementation of the RAD would translate into even longer delays. This situation is especially true in light of the generosity of the current system, which, contrary to the belief of my friend, Senator Goldstein, affords several opportunities to claimants to show why they should not be removed. The system includes a generous first-level Independent Review Board, IRB, hearing, the ability to apply for permanent residence on humanitarian and compassionate grounds, a pre-removal risk assessment, and judicial review of the existing system.

Honourable senators, we must all consider whether creating more layers will enhance what is already regarded as one of the best and most generous refugee determination systems in the world.

Canadians can be proud that our system is highly regarded and that it reflects our Canadian values of fairness and compassion. Are we being fair to the individuals who are currently waiting for their claims to be heard by asking them to wait even longer for a resolution? I think not.

Honourable senators, implementing the RAD is a solution in search of a problem. I am confident that Canadians would say that the system does not need more red tape, more bureaucracy, more delays, more processes, and additional costs. Not only would ordinary Canadians say that, but, as I stated earlier, I dare say that the last three Liberals to hold the position of Minister of Citizenship and Immigration have clearly made known their opposition to this bill.

Canadians whose goodwill will be tested by this bill's proposal expect a refugee system that helps legitimate refugees. They do not want a system that further prolongs an already fair, generous, and extremely lengthy refugee determination process. Once again, according to the Honourable Joe Volpe, "Protection is really what counts and that's what the current system does."

To conclude, I urge all honourable senators to listen to former Liberal Immigration Minister Judy Sgro, who said:

Bringing in . . . that particular appeal at this time would simply add more roadblocks and more time to the system, which I frankly believe would prevent us from helping the very same people we want to help, people who come here genuinely seeking a safe place.

[Senator Di Nino]

Obviously, I am in total agreement with the honourable member's comments. Honourable senators, three former Liberal immigration ministers could not support this legislation. If the Senate chooses to send this bill to committee, I hope all three will be invited to appear before the relevant committee to explain their unequivocal statements on this important matter.

How can senators opposite, in good faith, ignore the considered advice from not one but three experts, all former Liberal immigration ministers? What has changed since then?

I urge colleagues to do the right thing and follow the advice of several ministers of citizenship and immigration from both previous and current governments, and vote against Bill C-280. Implementing the refugee appeal division is neither necessary nor advisable at this time. Increasing the delay in the refugee determination process is unfair to refugees and their families, as well as Canadians who expect an efficient and timely refugee determination process.

I fear implementing the RAD will negatively impact the integrity of the current system. This is why I will vote against this legislation and urge all honourable senators to do the same.

On motion of Senator Cowan, debate adjourned.

THE SENATE

MOTION URGING GOVERNOR GENERAL TO FILL VACANCIES—ORDER STANDS

On the Order:

Resuming debate on the motion of the Honourable Senator Moore, seconded by the Honourable Senator Cowan:

That the following humble Address be presented to Her Excellency, The Right Honourable Michaëlle Jean, Governor General of Canada:

MAY IT PLEASE YOUR EXCELLENCY:

WHEREAS full representation in the Senate of Canada is a constitutional guarantee to every province as part of the compromise that made Confederation possible;

AND WHEREAS the stated position of the Prime Minister that he “does not intend to appoint senators, unless necessary” represents a unilateral denial of the rights of the provinces;

AND WHEREAS the Prime Minister's disregard of the Constitution of Canada places the Governor General in the intolerable situation of not being able to carry out her sworn duties under section s. 32 of the *Constitution Act, 1867*, which states, “When a Vacancy happens in the Senate by Resignation, Death, or otherwise, the Governor General shall by Summons to a fit and qualified Person fill the Vacancy.”;

AND WHEREAS upon the failure of the Prime Minister to tender advice it is the duty of the Governor General to uphold the Constitution of Canada and its laws and not be constrained by the willful omission of the Prime Minister;

Therefore, we humbly pray that Your Excellency will exercise Her lawful and constitutional duties and will summon qualified persons to the Senate of Canada, thereby assuring that the people and regions of our country have their full representation in a properly functioning Parliament, as that is their undeniable right guaranteed in the Constitution of Canada.—(*Honourable Senator Tkachuk*)

Hon. Wilfred P. Moore: Honourable senators, I should like to mention to this house that last Wednesday I asked Senator Tkachuk when he might be able to speak to my motion. He spoke with me the following day and indicated that he would speak on Tuesday, December 4. I therefore look forward to his remarks before putting my motion to the vote.

Order stands.

ARTHRITIS

INQUIRY—DEBATE ADJOURNED

Hon. Gerald J. Comeau (Deputy Leader of the Government) rose pursuant to notice of November 21, 2007:

That he will call the attention of the Senate to the debilitating nature of arthritis and its affect on all Canadians.

He said: Honourable senators, in my view, a major responsibility of the Senate is to raise the awareness of issues that deserve more public attention. An ailment that directly impacts 4 million Canadians deserves the attention of parliamentarians, governments and all Canadians.

The inquiry we have here this afternoon is on arthritis. I do not have arthritis, but I have observed the suffering it can cause. It is difficult for a family to watch a loved one who suffers from this ailment. When one looks at the statistics, it is surprising and alarming that arthritis receives so little attention from the general population and so little attention on the public health agenda. When we consider that it affects one in six Canadians — and this number is much larger when we factor in the families and friends of arthritis sufferers — it impacts all of us.

According to the World Bank, it ranks amongst the top causes of disability worldwide. According to a report published by Public Health Agency of Canada in 2004, it is the first or second cause of workplace disability. The portion of patients disabled is two times greater than any other chronic condition. A report from Statistics Canada, *The Economic Burden of Illness*, states that the yearly cost of work disability from arthritis and musculoskeletal (MSK) conditions is \$13.6 billion per year in Canada. That data is from 1998, Senator Oliver, and it is probably much higher now if we were to do the census.

Although there are over 100 forms of arthritis, it is easier to think in two main categories. The first one, osteoarthritis, OA, is a degenerative arthritis with loss of joint cartilage and changes to

the bone underlying the joint. It is the most common form of arthritis and represents at least 75 per cent of all arthritis in adults.

The end result is destruction of the joint cartilage and changes to the underlying bone. For people with OA, progressive pain and joint stiffness result in reduced independence due to physical disability, increased health care utilization and decreased quality of life. About 95 per cent of all hip and knee replacements in Canada are performed because of OA. By the year 2026, there will be a 50-per-cent increase in the number of Canadians with arthritis, and this increase is mostly due to OA.

Risk factors for development of OA include older age, repetitive joint trauma, genetic predisposition, metabolic factors and physical inactivity. Women are more likely to develop OA and are two times more likely to become disabled by it.

Honourable senators, I think you will notice that I am going through a lot of statistics. Others will probably have a much more interesting way of presenting the illness, but I wanted to give the statistics. Arthritis is 2.5 times more common in the Aboriginal population. The prevalence is 27 per cent for the Aboriginal population, versus 16 per cent for the general Canadian population.

Contrary to popular opinion — and this is important — osteoarthritis is not a normal consequence of aging.

The second category of arthritis is inflammatory arthritis and it can occur at any age.

• (1720)

Rheumatoid arthritis, RA, is the most common type of inflammatory arthritis. Other forms include psoriatic arthritis, ankylosing spondylitis, lupus and gout, to name a few. RA is the form of arthritis with the highest rates of work disability, ranging from 32 per cent to 50 per cent within 10 years of the disease onset, and increasing from 50 per cent to 90 per cent after 30 years of the ailment.

Work loss only partially captures the impact of arthritis on employment. There is lost productivity due to reduced performance at work. A study done by Dr. Diane Lacaille at the University of British Columbia found that reduced productivity was the largest component of indirect cost. In speaking about productivity, Canada has many committees looking at the issue of how to increase productivity in Canada. The largest component of productivity lost in Canada is caused by this ailment. Exceeded wage loss due to loss of job stands at 30 per cent, and reduced hours in absenteeism stands at 12 per cent.

In addition to its economic impact, work and productivity loss also have important psychosocial implications affecting one's sense of identity, self-esteem and competence. Rheumatoid arthritis is three times more common in women than men and the most common age of onset is between 30 and 50 years of age. It affects people during their most productive working years. Rheumatoid arthritis is also more common in the Aboriginal population where it occurs 10 years earlier and is much more severe.

[Senator Comeau]

What can be done? Prevention is the key to the management of osteoarthritis. Known preventative strategies are ignored. An 11-pound weight loss leads to a 50 per cent reduction in the risk of developing OA of the knee. We now know that early recognition and treatment of rheumatoid arthritis can result in clinical remission in up to 50 per cent of people.

New therapies and biologics are available that can substantially decrease pain, swelling and deformity. They are effective in rheumatoid arthritis, but recent data shows that they are even better in treatment of ailments such as psoriatic arthritis and ankylosing spondylitis.

There are marked disparities between which medications are accessible depending on the province of residence. Depending on where one lives in Canada, one may or may not be lucky. In Atlantic Canada, 30 per cent of people do not have provincial coverage or private medical coverage and thus cannot access any of these effective newer medications that not only control their disease, but also prevent deformity. Evidence shows a decrease in work disability.

According to a presentation by Dr. Gillian Hawker made at the Alliance for the Canadian Arthritis Program, a number of alarming concerns were highlighted. She said that there is little or no awareness of cause, course or management of arthritis. In addition, known prevention strategies are ignored and current models of care delivery are inefficient and inadequate. There are inefficient and costly waits for medications, rheumatology care, surgery, et cetera. Dr. Hawker also stated that there are marked disparities between provinces in ability to access appropriate care and that arthritis receives less than 1.3 per cent of medical research funding in this country. Honourable senators, that is a disgrace.

A further impact, according to Dr. Hawker, is that arthritis is the number one cause of disability. Arthritis has a major impact on the functioning and independence of our population. Statistics show that 17.6 per cent of the population 15 years and older report suffering from arthritis.

The total costs, direct and indirect, of arthritis are substantial. Since arthritis often limits physical function and imposes significant pain and suffering, a high proportion of indirect costs are attributable to long-term disability, such as economic dependence and social isolation. Arthritis-associated morbidity has been estimated to comprise approximately half of all morbidity due to musculoskeletal disorders, or about \$6 billion annually in Canada. Based on population projections and trends, it is estimated that the prevalence of arthritis will grow to between 21 per cent and 26 per cent by 2021.

Honourable senators, there are preventive measures possible to reduce the incidence of arthritis and therefore lessen the burden it places on our finite health care resources. In 2005, a summit on standards for arthritis prevention and care produced an evidence-based national strategy for arthritis prevention and care to guide federal and provincial government health policy development. Professionals have produced the road map to guide us.

Every Canadian must be aware of arthritis. All relevant health care professionals must be able to perform a valid, standardized, age-appropriate MSK screening assessment.

The commitment with which arthritis professionals view the importance of this subject is demonstrated in that they recommend that not only would specialists look at and identify early arthritis, but they would also welcome others in the field of medicine to identify the early stages of arthritis so that it could be treated early. It is telling that arthritis professionals are prepared to bring in others to help them in the quest for early detection. Every Canadian with arthritis must have timely and equal access to appropriate medications.

In conclusion, honourable senators, allow me to say how impressed I am with the dedication of the members of the Alliance for the Canadian Arthritis Program. I invite all honourable senators to talk to members of the alliance. You will quickly realize that they strongly believe in their program, but need our help, and we need them as well.

I know there are others in this chamber who suffer the ailment and who are probably able to provide a much better and more passionate way of presenting the disease and ideas as to how to progress. Mine is limited to having had a family member with a difficult case of arthritis, but I was not able to feel the pain she felt. I know others in this chamber feel the pain of arthritis on a daily basis and are able to come into this chamber and do the best they can without showing the affliction that they have. I know a number of senators in this chamber do their best, but it is very painful for them. We must be mindful of that.

Honourable senators, arthritis is not a question of age; it is a question of people being faced with this disease at a stage in life when they were probably the most productive, and they must deal with it as the years go by. I invite others to provide their stories to

see if we can make arthritis better known to the Canadian public and those decision makers, both at the provincial and federal level, who can make a difference in how we treat this disease.

Hon. Lorna Milne: Would the honourable senator accept a question?

Senator Comeau: Certainly.

Senator Milne: Honourable senators, as a sufferer of arthritis since my 30s, I am concerned about the things the honourable senator has mentioned.

What steps does this government plan to take to increase the amount of money spent on research for early detection of this disease?

Senator Comeau: Honourable senators, I do not wish to reduce the discussion at this point to “your government did this and so our government will do this,” or a question of “what is your government doing about this, we can do a heck of a lot more.” If the honourable senator was listening to my speech, I urge more awareness. This affects the federal and provincial governments as well as society in general. It is much more than just saying put your money where your mouth is. We must go beyond that. The honourable senator, as a sufferer of arthritis, should appreciate that.

On motion of Senator Keon, debate adjourned.

The Senate adjourned until Wednesday, November 28, 2007 at 1:30 p.m.

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