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THE HONOURABLE NOËL A. KINSELLA
SPEAKER

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THE SENATE

Monday, June 16, 2008

The Senate met at 6 p.m., the Speaker in the chair.

• (1805)

Prayers.

Our government, honourable senators, is investing in seniors because seniors have invested in Canada. They have made this country what it is and, under the strong leadership of Stephen Harper, our government is making a difference for all seniors.

SENATORS' STATEMENTS

WORLD ELDER ABUSE AWARENESS DAY

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): Honourable senators, today we mark World Elder Abuse Awareness Day.

To mark the occasion, the third meeting of the International Network for the Prevention of Elder Abuse took place today in Ottawa. Last year, the network met in Geneva, and the year before that in New York. It is a great honour that they chose Ottawa for the meeting this year. People from all over Canada and, indeed, beyond our borders participated.

Caregivers, people in law enforcement, health professionals and seniors have told our government that elder abuse remains largely hidden behind closed doors because many seniors who experience abuse feel embarrassed, isolated or are afraid to speak out.

Elder abuse is a priority for our government. In keeping with the promise we made in the most recent Speech from the Throne, we are tackling the problem through a number of different measures. Budget 2007 boosted funding for the New Horizons for Seniors Program from \$25 million to \$35 million. Part of that extra money was dedicated to community-based elder abuse programs.

Last year, we introduced Bill C-27 to crack down on identity theft, a crime that often affects seniors.

In Budget 2008, \$13 million was set aside and dedicated to the issue of elder abuse. I am pleased to say, honourable senators — and I announced this today — on October 1, the International Day of Older Persons, we will launch a multimedia public awareness campaign to break down the walls of silence that surround elder abuse. It will show seniors, and those who work with seniors, that abuse cannot and will not be tolerated and that help is available.

Elder abuse comes in many ugly forms: physical, financial, psychological and sexual. The key to prevention is public awareness. This print, radio and television campaign will help seniors and others to recognize the signs and symptoms of elder abuse and provide information on the support that will be available.

This campaign will provide to front-line workers — caregivers, community organizations and law enforcement — people who work with seniors on a daily basis — the tools they will need to make a difference.

NATIONAL BLOOD DONOR WEEK

Hon. Terry M. Mercer: Honourable senators, last week marked the first federally-recognized National Blood Donor Week. The week, which culminated on June 14 with World Blood Donor Day, is an opportunity to thank donors for their life-saving act and call upon Canadians to join them to help save someone's life.

Friday morning, I had the pleasure of attending a ceremony in Halifax to honour donors and volunteers of Canadian Blood Services in my province. It was a pancake breakfast and I served as chef. I did not kill anyone that I am aware of.

The theme of this year's week is "Many Happy Returns." It was chosen to highlight the importance of committed, lifelong blood donors, and the many opportunities to save lives through blood donation in the course of a year.

I had the pleasure on Friday morning of meeting a gentleman who celebrated his eight hundredth donation of blood over his lifetime. He is still donating. What a wonderful record of achievement.

Honourable senators, Canadian donors have a track record that is second to none, with an average donation rate of twice per year. However, there is plenty of room to grow. Of the 400,000 active donors in Canada, nearly 275,000 gave once or twice last year. You may not know this, but blood donors are eligible to give blood every 56 days, which can mean six or seven times a year.

This is one reason why we brought forward to this place in 2005 our simple bill, with the help of Senator Cochrane. It was sponsored in the House this year by Navdeep Bains, the Member of Parliament for Mississauga-Brampton South. It was supported by all parties in both Houses of Parliament. I wish to thank everyone in both Houses involved in bringing attention to this important act and to the many volunteers who donate their time and their blood.

This year is particularly important to me, as I was both a donor and recipient of blood products. I will never know who donated the blood that helped saved my life over this past year. To them and the many others, I would like to say thank you on my behalf and on behalf of honourable senators.

I encourage everyone to donate their time, money and, most important, their blood to save a life. It is a gift you will never forget giving.

ANNE OF GREEN GABLES

ONE HUNDREDTH ANNIVERSARY OF PUBLICATION

Hon. Catherine S. Callbeck: Honourable senators, this year marks the one-hundredth anniversary of the publication of the famous novel *Anne of Green Gables* by Lucy Maud Montgomery. Millions of people around the world have been captivated by the fictional story of an orphan girl who was raised in the rural community of Cavendish, Prince Edward Island.

Since the publication of that novel a century ago, it has been translated into 36 languages and has sold more than 50 million copies. It has been adapted for movies and television. The play *Anne of Green Gables* has been performed in front of more than 2 million people since 1964 at the Confederation Centre of the Arts in Charlottetown, making it the longest-running musical in Canada.

Anne of Green Gables has become Prince Edward Island's most famous icon. Millions of visitors from around the world have visited our province. Like Lucy Maud Montgomery, the Island's most famous author, their souls and imaginations have been stirred by the Island's pastoral beauty and the hospitality of its people.

A number of special events are planned in celebration of the one-hundredth anniversary of the publication of *Anne of Green Gables*. The Montgomery Theatre, a new theatre, is opening in Cavendish to present plays from the life and times of Lucy Maud Montgomery. An exhibition of quilts and textiles is planned for the fall, 2008. Canada Post will be issuing a commemorative stamp and other postal products. The Girl Guides of Canada have announced the 100 Years of Anne Girl Guides Challenge for its members. Penguin Books will be publishing a special one-hundredth anniversary edition. The L. M. Montgomery Institute at the University of Prince Edward Island will be hosting an international celebration of imagination and creativity in honour of the anniversary. Here in Ottawa, Library and Archives Canada is featuring a special exhibit called "Reflecting on Anne of Green Gables." As well, Penguin Books will launch a national letter-writing campaign, inviting Canadians of all ages to write a letter to Anne, telling in 500 words or less what she means to them. A national jury, including former Governor General Adrienne Clarkson, will select the winning entry.

• (1810)

As well, new and returning visitors to Prince Edward Island, and Islanders themselves, will visit their favourite Anne attractions and celebrate the many other activities associated with this one-hundredth anniversary.

While associated mainly with Prince Edward Island, *Anne of Green Gables* is a truly Canadian classic. L.M. Montgomery is one of this country's most accomplished writers. I invite all Canadians to join in celebrating the one-hundredth anniversary of the publication of *Anne of Green Gables* and in recognizing the legacy

of L.M. Montgomery. What better way to celebrate and recognize this event than to plan a visit to Prince Edward Island in 2008?

JOHN PETERS HUMPHREY

HAMPTON, NEW BRUNSWICK— DEDICATION OF MONUMENT

Hon. Joseph A. Day: Honourable senators, yesterday afternoon over 500 citizens in New Brunswick gathered in Hampton for a monumental occasion, and I want to tell you about what transpired. The story begins in the early 1900s, when John Peters Humphrey was growing up in Hampton, New Brunswick. Fast-forward to his attending Mount Allison University and McGill University law school, where he taught for a good number of years as a professor of law.

Eleanor Roosevelt asked John Humphrey to be the first director of the Human Rights Directorate of the United Nations, following the Second World War. One of the first actions of the United Nations was the adoption of the Universal Declaration of Human Rights, which formed the basis for all the protocols that followed with respect to human rights.

It was not until many years afterwards, at the time John Humphrey retired from teaching and his material was found, that it became clear that John Humphrey was, in fact, the person who wrote the first draft that ultimately became the Universal Declaration of Human Rights. However, in his early lifetime, he never received recognition, nor did he seek it, for the work he had done.

That document on human rights that John Humphrey helped draft, as Nelson Mandela has said, has become the Magna Carta of human rights. It was the fundamental document — I think it was Eleanor Roosevelt who said that.

Honourable senators, finally, at long last, 60 years after the adoption of the Universal Declaration of Human Rights, a monument to John Peters Humphrey — who grew up in Hampton, New Brunswick, and who is buried there — finally has been erected.

This movement was a grassroots one, honourable senators. The monument comprises two wonderful columns three metres in height, a semicircular bench that represents the United Nations, and two figures of John Humphrey — one as a senior person and one as a boy growing up in New Brunswick.

I highly recommend, if you have the opportunity to visit, that you stop in Hampton, New Brunswick, and see this wonderful, world-class monument, which was designed by John Hooper. The late John Hooper created the Terry Fox statue on Wellington Street, across from the Parliament buildings. "Balancing," at the National Arts Centre, is another of his well-known pieces of art. He designed that work, and the studio completed it.

Honourable senators, I hope that everyone will have an opportunity to come to the area of Hampton, New Brunswick, to see this wonderful monument, a testament to the tremendous contribution by John Peters Humphrey to human rights in this country.

MICHENER AWARDS FOUNDATION

2007 MERITORIOUS PUBLIC JOURNALISM AWARD— *THE LONDON FREE PRESS*

Hon. Jeremiah S. Grafstein: Honourable senators, I draw the attention of the Senate to a prestigious award won by *The London Free Press*, located in my hometown of London, Ontario. It was presented on June 13 by the Michener Awards Foundation in Ottawa for a series of stories on elevated lead levels in drinking water in London, Ontario.

• (1815)

I will quote from an article by Katherina Dehaas:

The Free Press received a citation of merit as one of only seven media outlets nominated for the national journalism award handed out at Rideau Hall by Gov. Gen. Michaëlle Jean. The Michener is the highest award in Canada for public service journalism.

The Free Press was nominated for stories by reporter Jonathan Sher about lead levels in Ontario drinking water. His series of stories prompted action by the provincial government, which ordered schools, child-care centres and municipalities to test for lead in tap water.

Schools and child-care facilities also must flush their systems daily. No testing was mandated before the stories by Sher.

The article continued:

‘We’re all proud of the work the Free Press and Jonathan Sher did to expose a serious health risk to Ontarians and Londoners in particular,’ said Greg Van Moorsel, city editor.

Mr. Sher’s last article appeared on April 5, 2008, and said:

Changes made to London’s water chemistry have reduced the lead in city taps, city officials reported yesterday.

Nearly a year after The Free Press reported startlingly high levels of lead in London’s tap water, triggering new Ontario regulations, a second set of tests has found levels down significantly.

‘There was a 40 per cent to 50 per cent reduction . . . in virtually every home...’ Pat McNally, acting city engineer, said yesterday.

The article stated that Mr. McNally was “extremely pleased,” and goes on to state:

City officials tested 100 older homes with lead service lines. While one in four had lead levels above Ontario’s health standard . . . , the levels weren’t nearly as high as those found last year....

The reduction was made even though tests this year were more vigorous than last year, he said.

The article later stated:

Since January, London has added sodium hydroxide, more commonly known as lye or caustic soda, to water coming from Lake Huron. Before then, Londoners had been drinking tap water far more acidic than what’s tolerated by U.S. utilities whose customers have lead pipes.

There is another crisis in Canada: One third of Aboriginal communities — 178 to 226 — have drinking water that is worse than the water in London, Ontario. It is a scandal. I hope the Senate urges the government to support measures before the Senate to deal with this ongoing crisis that is depriving Aboriginal communities of clean drinking water.

ROUTINE PROCEEDINGS

CONFLICT OF INTEREST AND ETHICS COMMISSIONER

2007-08 ANNUAL REPORT TABLED

The Hon. the Speaker: Honourable senators, I have the honour to table, in both official languages, the 2007-08 annual report of the Conflict of Interest and Ethics Commissioner on her activities in relation to public office-holders, pursuant to paragraph 90(1)(b) of the Parliament of Canada Act.

[Translation]

FRANCE—CANADA SYMPOSIUM

PARLIAMENTARY DELEGATION TO SYMPOSIUM ON FOUR-HUNDREDTH ANNIVERSARY OF QUEBEC CITY—REPORT TABLED

The Hon. the Speaker: Honourable senators, I have the honour to table, in both official languages, the report of the parliamentary delegation regarding its participation to the France-Canada the Symposium on the four-Hundredth anniversary of Quebec City, held in France, on March 7 and 8, 2008.

JUDICIAL COMPENSATION AND BENEFITS COMMISSION

2007 REPORT TABLED

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I have the honour to table, in both official languages, the 2007 report of the Judicial Compensation and Benefits Commission.

JUSTICE

LEGISLATIVE INSTRUMENT RE-ENACTMENT ACT— REPORT TABLED

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I have the honour to table, in both official languages, the review report of the Minister of Justice on the implementation and operation of section 4 of the Legislative Instrument Re-enactment Act.

[English]

STUDY ON RURAL POVERTY

FINAL REPORT OF AGRICULTURE AND FORESTRY COMMITTEE TABLED

Hon. Joyce Fairbairn: Honourable senators, I have the honour to table, in both official languages, the ninth report of the Standing Senate Committee on Agriculture and Forestry, the final report of its study on rural poverty, entitled: *Beyond Freefall: Halting Rural Poverty*.

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

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

• (1820)

FEDERAL SUSTAINABLE DEVELOPMENT BILL

FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-474, An Act to require the development and implementation of a Federal Sustainable Development Strategy and the development of goals and targets with respect to sustainable development in Canada, and to make consequential amendments to another Act.

Bill read first time.

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

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

NATIONAL SECURITY AND DEFENCE

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

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

That pursuant to rule 95(3)(a), the Standing Senate Committee on National Security and Defence be authorized to sit for two days this summer, on dates to be determined after consultation with committee members, for the purpose of considering a draft report, even though the Senate may then be adjourned for a period exceeding one week.

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO DEPOSIT REPORTS WITH CLERK DURING ADJOURNMENT OF THE SENATE

Hon. Colin Kenny: Honourable senators, I give notice that I will move:

That the Standing Senate Committee on National Security and Defence be permitted, notwithstanding usual practices, to deposit up to three reports, one on Canadian military leadership, one on the evacuation of wounded soldiers and one on emergency preparedness in Canada, from June 20 to September 15, 2008, with the Clerk of the Senate, if the Senate is not then sitting; and that the reports be deemed to have been tabled in the chamber.

[Translation]

QUESTION PERIOD

ANSWER TO ORDER PAPER QUESTION TABLED

HUMAN RESOURCES AND SOCIAL DEVELOPMENT—CHILD CARE SPACES

Hon. Gerald J. Comeau (Deputy Leader of the Government) tabled the answer to Question No. 23 on the Order Paper—by Senator Cordy.

DELAYED ANSWERS TO ORAL QUESTIONS

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I have the honour to table four delayed answers to oral questions raised by Senator Trenholme Counsell on April 29 and June 11, 2008, regarding the report of the Advisor on Healthy Children and Youth; by Senator Mercer on April 29, 2008 regarding Human Resources and Social Development—Universal Child Care Plan; by Senator Campbell on May 13, 2008, regarding Insite supervised injection sites in Vancouver; and by Senator Trenholme Counsell on May 29, 2008, regarding Aboriginal health.

HEALTH

REPORT OF ADVISOR ON HEALTHY CHILDREN AND YOUTH—ABORIGINAL HEAD START PROGRAMS—EARLY CHILDHOOD DEVELOPMENT

(Response to questions raised by Hon. Marilyn Trenholme Counsell on April 29, 2008 and June 11, 2008)

The health and well-being of Canada's children and youth are important to this government. That is why in March 2007, the Minister of Health appointed Dr. Khristinn Kellie Leitch as his Advisor on Healthy Children and Youth to determine how the federal Health Portfolio can best contribute to enhancing the health of children and youth.

Dr. Leitch's mandate was to review the current activities and programs delivered by the Health Portfolio, assess the challenges and priorities facing the federal government with respect to children and youth health issues; and provide recommendations on possible mechanisms for maintaining and improving the health of children and youth.

Keeping within the context of her mandate, Dr. Leitch's Report and recommendations focussed on three pillars: Mental Health and Chronic Illness, Injury Prevention and Safety, and Obesity and Healthy Lifestyles. Recommendations also touched on additional areas such as the environment, and Aboriginal child and youth health, all of which are of critical importance to improving the health of Canada's children and youth.

In her report, Dr. Leitch notes that the social determinants of health, including poverty, education, and housing, are central to the challenges that Canadian children and youth face with respect to their health. While a thorough analysis on these issues fell outside of her mandate, their importance with respect to child and youth health outcomes warranted further discussion as an Appendix.

This government recognizes that strategic investments in the early years help children succeed throughout their lives. Great strides have and continue to be made across this country by federal, provincial and territorial governments towards improving living standards and ensuring access to key determinants of health such as education and housing for children and youth.

With respect to Aboriginal child and youth health, the federal government, through Health Canada and the Public Health Agency of Canada, invests in a range of programs and services to promote improved health outcomes for First Nations, Inuit and Métis children, their families and communities. These include culturally appropriate strategies to promote healthy choices around physical activity and healthy eating.

This government continues to work closely with other levels of government, First Nations, Inuit and Métis communities and organizations, and other partners to help Aboriginal children achieve better health outcomes. Specific initiatives supported by Health Canada include:

- a. Community health programs and services for First Nations and Inuit children and mothers designed to provide children with a healthy start in life, such as: the Maternal Child Health Program, Aboriginal Head Start on Reserve, the Canada Prenatal Nutrition Program-First Nations and Inuit Component and the Fetal Alcohol Spectrum Disorder Program.
- b. Mental health and addictions programs and services for First Nations and Inuit to improve overall community and mental wellness, such as: the National Aboriginal Youth Suicide Prevention Strategy, Brighter Futures and Building Healthy Communities, the National Native Alcohol and Drug Abuse Program and the Youth Solvent Abuse Program.

- c. The promotion of healthy living in First Nation and Inuit communities through the Aboriginal Diabetes Initiative and through activities such as nutrition and physical activity promotion.
- d. Injury prevention activities, including working with National Aboriginal Organizations and other partners to develop educational resources to reduce the injury rate. For example, "Journey to the Teachings", an injury prevention training manual that incorporates traditional and local knowledge as well as current evidence from the injury prevention field, has been created for practitioners and service providers who work with First Nations and Inuit communities.

Recognizing that early childhood development is a key determinant of health, the Public Health Agency of Canada (through Agency Regional Offices) funds programming through grants and contributions for children, including off-reserve First Nations, Inuit and Métis children, and their families. Programs include:

- e. the Aboriginal Head Start in Urban and Northern Communities (AHSUNC);
- f. the Community Action Program for Children (CAPC);
- g. the Canada Prenatal Nutrition Program (CPNP); and
- h. the Centres of Excellence for Children's Wellbeing.

The Agency also funds and/or delivers programming with an impact on the health of Aboriginal children, including:

- i. The Fetal Alcohol Spectrum Disorder (FASD) Initiative, with the long-term aim of reducing the number of births affected by FASD and improving the outcomes for those affected. Populations of special interest include Métis, Inuit and off-reserve First Nations.
- j. The Healthy Living Strategy, which fosters intersectoral healthy living collaborative efforts with provincial, territorial and other partners, considers Aboriginal people as an at-risk population.

Aboriginal Head Start Programs

In 2007-08 Health Canada provided \$57.3M to support over 9,000 children in over 300 Aboriginal Head Start programs in First Nations communities on reserve.

The program funds early intervention strategies to address the developmental needs of young children most at risk. The goal is to support community designed and controlled activities.

Health Canada recognizes the positive impact that this program is having in First Nations communities particularly on children's readiness to learn and First Nations language development.

In 2006, funding was made available to First Nations on reserve to enhance federal early learning and child care programs. This will increase access to and improve the quality of programs, and support joint planning, joint training and the co-location of Head Start sites with child care centres.

Funding is also being provided by the Public Health Agency of Canada to support Aboriginal Head Start in Urban and Northern Communities (AHSUNC). This Aboriginal-specific program is a holistic, community-based health promotion and early childhood development program serving approximately 4500 Inuit, Métis and off-reserve First Nations children at approximately 129 sites in over 120 communities across Canada.

HUMAN RESOURCES AND SOCIAL DEVELOPMENT

UNIVERSAL CHILD CARE PLAN

(Response to question raised by Hon. Terry M. Mercer on April 29, 2008)

The Childcare Resource and Research Unit's report is a snapshot of regulated child care spaces in each province and territory as of March 31, 2007. The report does show that in 2006/07 the provinces and territories continued to create new child care spaces, although the rate of growth declined.

It is important to note, however, that this report does not reflect the new investments announced in Budget 2007. In future years, it is anticipated that the number of regulated child care spaces in Canada will increase to reflect the federal transfers to the provinces and territories, which began in April 2007, as well as spaces created as a result of the new Investment Tax Credit for child care spaces.

In particular, Budget 2007 committed to transfer \$250 million each year to provinces and territories to support their priorities for child care spaces — so they can continue to build their child care systems to meet the needs of their own citizens.

This \$250 million is on top of the \$850 million provinces and territories already receive through the Canada Social Transfer for children's programs and services, for a total of \$1.1 billion this year alone — and with the introduction of a 3% escalator starting in 2009/10, this will rise to \$1.3 billion by 2013/14.

As well, the new Investment Tax Credit will provide businesses that create new child care spaces in the workplace with a 25-percent tax credit.

Since Budget 2007 and its new secured funding of \$250 million annually for the creation of child care spaces, many provinces and territories have announced plans for new spaces — over 60,000 so far. Other jurisdictions have chosen to invest these new funds in enhancing the quality of their spaces, or affordability.

Jurisdiction	Date of announcement	Number of spaces
British Columbia	October 01, 2007	2,200
Alberta	March 08, 2008 ¹	1,425
	March 27, 2008	14,000
	April 14, 2008	3,489
	April 14, 2008	1,400
Saskatchewan	September 28, 2007	1,050
Manitoba	March 19, 2008	500
	November 20, 2007	2,500
Ontario	April 28, 2008	6,500
	June 11, 2007	7,000
Quebec	March 13, 2008	20,000
New Brunswick	June 01, 2007	750
Running total		60,814

Note: The source of all space announcements are from government press releases or official government documents unless otherwise stated. Where possible, spaces have been confirmed with PT officials to ensure announcements are not duplicative.

¹ Announced through an article in the *Calgary Sun* and confirmed by Government of Alberta Officials.

HEALTH

VANCOUVER—SUPERVISED INJECTION SITE TO COMBAT DRUG ABUSE

(Response to question raised by Hon. Larry W. Campbell on May 13, 2008)

It is important to clarify that Insite, the Supervised Injection Site in Vancouver, is primarily a research project and not a health facility.

It is important to note that the Government of Canada's *Controlled Drugs and Substances Act* (CDSA), and its regulations, sets out clearly the circumstances under which activities with illicit drugs, controlled substances and precursor chemicals are permitted. If the activity is not authorized by the Act or its regulations, it is an offence and subject to potential prosecution.

Strong federal laws, such as the Act, are important to protect the health and safety of Canadians. There is a compelling state interest in controlling the use of dangerous and illegal drugs, such as heroin and cocaine which are injected at Insite, an interest shared by the world and formalized in international treaties.

Some of the activities that occur at Insite, involving the injection drug users and the staff, would be considered illegal, if the site did not have an exemption under section 56 of the CDSA.

As a result, the Vancouver Coastal Health Authority applied for an exemption from the Act to operate the site as a research project. The Minister of Health granted an

exemption for scientific purposes for a research project under section 56 of the Act. The current exemption expires on June 30, 2008.

On May 14th, 2008 it was announced that a total of \$10 million in federal funding will be provided over 5 years to treat individuals living in Vancouver's Downtown Eastside. The program will be implemented in partnership with the Vancouver Coastal Health Authority. These services will include an Assertive Community Treatment team of professionals, and 20 new treatment beds dedicated to vulnerable female drug addicts.

Addressing substance abuse is a serious issue for this Government and it recognizes the unique challenges faced by certain populations who are especially vulnerable and hard-to-reach. This government cares about the health of all Canadians and has taken action in order to protect their health.

INDIAN AFFAIRS AND NORTHERN DEVELOPMENT

ABORIGINAL HEALTH

(Response to question raised by Hon. Marilyn Trenholme Counsell on May 29, 2008)

The Government of Canada has continued to invest in First Nations and Inuit health since 2006, and has undertaken a number of key initiatives to support better health outcomes for First Nations and Inuit.

Budget 2007 provided \$75 million to sustain health services and support new innovations in health care delivery. Budget 2008 provided an additional \$147 million over two years to support health programs for First Nations and Inuit and put in place concrete improvements aimed at obtaining better health outcomes.

We are investing \$330 million over two years to improve access to safe drinking water in First Nations communities through the First Nations Water and Wastewater Action Plan. The Plan will help improve the health and quality of life of people in First Nation communities by assisting First Nations to provide better water and wastewater services to their residents.

We are implementing the pilot projects to test Patient Wait Times Guarantees for federally funded prenatal and diabetes care delivered in First Nations communities on reserve. Upon completion of the pilot projects, results will be evaluated to assess the applicability of the approach for other First Nations communities.

We are taking steps to ensure that First Nations and Inuit continue to receive modern and effective addictions services. The National Anti-Drug Strategy will provide \$30.5 million over five years to modernize and enhance First Nations and Inuit addictions programming.

The Mental Health Commission of Canada was announced in August 2007 to be a national focal point for addressing mental health and mental illness, including

Aboriginal mental health issues. The Board of Directors includes First Nations and Inuit members, and the Commission is supported by a First Nations, Inuit and Métis Advisory Group.

We have also taken steps to improve delivery of health services for First Nations. We have signed an unprecedented agreement, the Tripartite First Nations Health Plan, with the Province of British Columbia and the B.C. First Nations Leadership Council. Through the plan, all parties will work to develop new governance structures, enhance First Nations involvement in the delivery of health services, and promote better integration and coordination of federally and provincially funded health services for First Nations in British Columbia.

We have been working in close partnerships with Aboriginal peoples in the planning of effective and coordinated health services through joint task groups with the Assembly of First Nations and with the Inuit Tapiriit Kanatami. The task groups have played an important role in advancing First Nations and Inuit health issues, and in raising awareness of both the challenges and the progress for improving First Nations and Inuit health. The task groups addressed key issues such as cross-jurisdictional agreements, and quality of, and access to, health services.

The overall goals of Health Canada's (HC) First Nations and Inuit Health Branch's (FNIHB) Fetal Alcohol Spectrum Disorder (FASD) Program are to: prevent FASD births; and improve the quality of life for individuals affected by FASD. To meet these goals, First Nations and Inuit communities are supported to undertake activities that will educate and raise awareness in communities about the impacts of FASD; develop mentoring programs that support women to stop or reduce alcohol use while pregnant; facilitate access to earlier diagnosis; and build capacity in front-line staff and families to develop successful prevention and intervention programs and services.

Current annual funding for HC's FASD program is \$16.7 million. This includes annual funding of \$1.7M received in 1999 with an additional \$15M per annum received in 2002 from the federal strategy on Early Childhood Development (ECD) for First Nations and other Aboriginal children.

Building awareness and developing capacity in First Nation and Inuit communities is the foundation for program activities. A recent opinion survey indicated that 94% of First Nations and 86% of Inuit were aware of FASD. Health Canada assists communities in developing their own capacity through education, training and the use of asset mapping — a community planning tool designed to help communities identify their strengths, and develop a plan of action that is meaningful and relevant to their own unique context. Members of 400 communities have been trained, and approximately 200 communities have developed maps that identify their strengths and focus on a plan of action for FASD.

Mentoring programs are based on an in-home visitation model in which the mentor helps an at-risk woman to identify her strengths and challenges and then links her to appropriate services and supports that can help to reduce her risk of having a baby affected by FASD. Mentoring programs have proven to be effective in supporting at-risk women and FNIHB's program has been built based on this evidence. FNIHB-funded mentoring projects in First Nations communities have almost doubled in the last two years from 22 to 40 sites across Canada, reaching more than 600 women.

While the priority to date has been on mentorship, there will be increasing attention on establishing community coordinator positions to increase families' access to diagnostic teams, services and support. Health Canada has funded the establishment of community coordinator positions in 18 communities (an increase of 7 from last year), and while this program is still in the early stages of development, community response to this program has been very positive. In 2007, almost all of the communities who had implemented these positions reported an actual increase in the number of children 0 to 6 years of age who were diagnosed.

Research has established that multi-sectoral strategies that offer women and their children a continuum of integrated and culturally appropriate health and social services and supports have the best chance of improving health outcomes for both mother and child. As such, FNIHB has adopted an integrated approach to FASD prevention and intervention. In 2007, the FASD Program collaborated on a healthy pregnancy campaign that included radio ads and culturally appropriate fact sheets to increase awareness of FASD. The Canada Prenatal Nutrition Program provides referral services to FASD programs based on their interactions with high-risk pregnant women. The Maternal Child Health Program builds on investments in FASD prevention by helping families with special needs children navigate and access appropriate services and supports. The Aboriginal Head Start Program on Reserve is a significant source of early intervention supports for children and their families. Children affected by FASD are supported through early intervention activities to minimize the impact of this disability on their lives. Health Canada has based its approach on research that has demonstrated that outcomes are improved with early identification and intervention, before the age of six.

In addition to supporting First Nation and Inuit communities, Health Canada continues to work with other federal departments and key stakeholders to improve FASD surveillance data, develop guidelines, increase international collaboration on FASD, and promote research to ensure that programming is based on solid evidence.

Over the past several years, FNIHB has been working in collaboration with Provinces and Territories, the Public Health Agency of Canada, the Canadian Paediatric Society, Motherisk, and the Canadian Association of Paediatric Health Centres, among others, on initiatives related to FASD prevention and intervention. FNIHB has worked in partnership with the Department of National Defence on

increasing awareness of FASD and providing training to program staff who work with youth in First Nations and Inuit communities. FNIHB also funds National Aboriginal Organizations for collaborative work in areas such as youth asset mapping, children with special needs, FASD training workshops, and strategic planning.

Since research and capacity building are major priorities, FNIHB funded a research project in 2007 on substance abuse treatment and support for First Nations and Inuit women at risk of having a child affected by FASD. Also in 2007, FNIHB established a National Project Fund and provided funding to five regions for community-based projects aimed at promoting knowledge translation across the country in First Nations and Inuit communities.

FNIHB continues to work towards the prevention of Fetal Alcohol Spectrum Disorder (FASD) affected births, and to improve outcomes for those affected, by supporting First Nation and Inuit communities and by working in collaboration with federal departments and agencies, provincial and territorial governments, and other organizations towards this very important goal.

ORDERS OF THE DAY

BUSINESS OF THE SENATE

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, under Reports of Committees, I would now like to call Item No. 1 and then revert to the order of business as listed.

• (1825)

[English]

THE ESTIMATES, 2008-09

REPORT OF NATIONAL FINANCE COMMITTEE ON MAIN ESTIMATES ADOPTED

Hon. Joseph A. Day moved the adoption of the report. The Senate proceeded to consideration of the sixteenth report of the Standing Senate Committee on National Finance entitled *Infrastructure Programs and Regional Development Agencies*, presented in the Senate on June 11, 2008.

He said: Honourable senators, I asked that this item come up first because it forms the basis for dealing with Bill C-58 and Bill C-59. Instead of supply bills going to committee, any work that we do with respect to the estimates prior to the receipt of the supply bills is, in effect, a pre-study.

I wanted to speak to this particular report so that we can discuss it before we get to the supply bills.

Honourable senators, this report is an important document in providing background information on a change that is transpiring with respect to the federal government's role in national infrastructure. The report is entitled: *Infrastructure Programs and Regional Development Agencies*.

This report builds on the work that the National Finance Committee did about a year or a year and a half ago in relation to vertical and municipal fiscal balance. We saw difficulties with respect to municipalities having enough revenue to meet all of the legal requirements that municipalities now have to meet.

We pointed out at that time the imbalance in terms of the national government and the provincial governments having the means to raise revenue whereas municipalities are restricted to property taxes to raise their funds, making it difficult for them.

The federal government has for some time, previous governments and the current government, recognized the federal government's role in relation to municipalities and helping them meet their obligations with respect to infrastructure.

We brought in Mr. Gord Steeves, President of the Federation of Canadian Municipalities, and he pointed out the importance of a long-term commitment and other sources of revenue that would help municipalities. We went on from there to deal with what was created in 2002: the office of Infrastructure Canada. That office has moved around various places in the federal government, but it is clear that with the current government this office will take on a larger role.

We are concerned that the regional development agencies be closer to the federal government funding to assist with infrastructure. For example, the regional development agency in my area, the Atlantic Canada Opportunities Agency, understands the issues more clearly than would a national group sitting here in Ottawa. We are concerned that the trend is toward Infrastructure Canada taking on more and more of the decision making on a national basis as opposed to allowing the regional development agencies to do what they do best. That is one area that we will be keeping an eye on, honourable senators.

Some of the programs that will continue under Infrastructure Canada are the Public Transit Fund, which goes to municipalities to help with public transit; the Canada Strategic Infrastructure Fund; the Border Infrastructure Fund; the Municipal Rural Infrastructure Fund; the Infrastructure Canada Program; and the First Nations Infrastructure Fund.

In addition to that, honourable senators, under the Building Canada Fund there are a number of new programs.

• (1830)

There are a number of directed infrastructure programs, including the municipal GST rebate, Gas Tax Fund under the Building Canada plan, Public-Private Partnerships Fund, Gateways and Border Crossings Fund, Asia-Pacific Gateway and Corridor Initiative, and provincial-territorial base funding.

Honourable senators, most of these are included in Infrastructure Canada, which then forms partnerships with regional development agencies, but some fall under Finance Canada and others are with Transport Canada. If one did not

have this report and had not gone through what our committee did, it would be difficult for any municipality that does not have a staff of people working for them to follow through on these programs to know what programs are in existence and what the parameters are with each of these because they are all different. Some cover a period of seven years, others a period of three years; some need one-third one-third one-third funding; some do not.

Honourable senators, the point we want to make in this particular report is that we need to simplify the administration with respect to these various infrastructure reports and allow the money to get to the municipalities where the money is needed. With respect to each of these different programs, there is an infrastructure of build-up in terms of personnel to administer.

If the programs are headquartered in Ottawa, the bureaucracy is in Ottawa, and they must duplicate that infrastructure in each province or region, depending on the program.

We will continue to keep an eye on this, but we wanted honourable senators to be aware of the programs in existence, the ones continuing, those that have a sunset clause, and the new role for Infrastructure Canada in this process. Hopefully, honourable senators, over time the number of programs will be reduced and funds given with some parameters and constraints, but as close as possible to where the funds are needed in the municipalities, where they are intended, but without all of the bureaucracy that is involved between the federal public purse and the municipalities we intend to assist.

I hope honourable senators find this report helpful, and I would hope this report will be supported when the vote is called.

Hon. Jeremiah S. Grafstein: Honourable senators, I have a brief question. Two weeks ago I attended the Canadian Federation of Urban Transit Authorities as a keynote speaker. The group was assembled from all parts of Canada — federal, provincial and municipal officials — and the federation president said that urban transit alone needed \$40 billion in the next four to five years in order to renovate the existing transit systems. That amount is only for existing plant and facilities; it is not for new additions.

I asked the president of the association how much money in the last two or three years has actually gone to the transit authorities. He told me a startling number. The figure is somewhere between \$500 million and \$600 million in all of Canada. We need \$40 billion, and the only money that has really gone directly to the authorities through the provinces and municipalities that touch the urban transit authorities is between \$500 million and \$600 million. Does the honourable senator have any comment about that?

Senator Day: I thank Senator Grafstein for that question, and I appreciate the opportunity to expand on this point. There is a program in existence that has a sunset clause called the Public Transit Fund. That program was implemented under the previous administration, and once the end date is reached, the program will be gone. There is no equivalent program for that under the Building Canada Fund.

There is, however, one initiative that we should applaud the federal government on. The Gas Tax Fund has now been extended indefinitely whereas it had previously included a sunset clause, and that does provide for some funds, but whether it will go to urban transit or whether it will be used for other purposes now, we do not know.

There are two things. First, we do not know whether in the future there will be any infrastructure funds directed to urban transit, but it looks unlikely. Second, as has been suggested, when an amount is announced in Ottawa, there is so much bureaucracy and so many agreements to be signed and negotiated that a high percentage of those funds are depleted before they arrive at their intended purpose. That must change.

Hon. Terry Stratton: Honourable senators, I did not intend to speak, but this subject intrigues me. Newspaper reports in Winnipeg last week stated that the money is ready to flow for transit if council could make up its mind. The bureaucracy is not only here; bureaucracy also exists at the municipal level in many cases.

That is part of the problem that we must work our way through. Smaller cities with a population of 600,000 or 700,000, such as mine, are in this quagmire of trying to decide which way to go, and this debate has been ongoing for years. That is part of the problem we may be having.

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

Hon. Senators: Question!

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

Hon. Senators: Agreed.

Motion agreed to and report adopted.

APPROPRIATION BILL NO. 2, 2008-09

THIRD READING

Hon. Terry Stratton moved third reading of Bill C-58, An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2009.

He said: Honourable senators, certain questions were raised while we were at debate on these two supply bills. Senator Murray raised a question with respect to supply that I would like to respond to as I said I would.

Last Tuesday, I undertook to get back to Senator Murray with respect to his questions on the supply process in the other place this year. In recent years, the usual practice was for the government to seek Parliament's approval for supplementary estimates in December and March. There has never been anything to prevent the government from introducing supplementary estimates in June, and until about a decade ago, it was not unusual to have supplementary estimates in June.

This year, supplementary estimates were tabled in the spring to support the government's commitment to better align the estimates with the budget as early as possible in the fiscal year.

As Alister Smith of the Treasury Board told the National Finance Committee at our meeting of May 28:

Tabling the supplementary estimates in the spring rather than the fall provides for parliamentary approval of appropriations in June rather than December, as has been the case in recent years, and as a result, it will enable government departments and agencies to provide new programs and services to Canadians earlier in the year and likely curb the frequency and amount of lapses that occur with supplementary estimates in the fall.

Honourable senators, the fact that Bill C-58 represents the full supply does not necessarily mean that we are done for the year. It only means that when Bill C-58 has passed, the full amounts set out in the Main Estimates will have the sanction of Parliament. Indeed, as Mr. Alister Smith pointed out during our committee hearing, the government also expects to table supplementary estimates in October and February. If events follow their normal course, we will be asked to approve these through Appropriation Bills No. 4 and No. 5, in December and March, respectively.

• (1840)

Senator Murray said that there will be presumably no more interim supply bills during the present fiscal year. In a way, he is correct. Interim supply refers to the money granted in March to cover the government until the balance of the Main Estimates are approved in June.

Interim supply does not refer to additional requests for spending authority that come through the supplementary estimates. Again, Treasury Board expects to present two additional sets of supplementary estimates.

To answer the honourable senator's question as to how this affects the supply cycle, the fact that we have supplementary estimates in June does not, in any way, affect the supply cycle of the other place. Supply bills are put to a vote on the last allotted opposition day of the supply periods ending in June, December and March respectively. I think honourable senators know this.

An Hon. Senator: I do now.

Senator Stratton: As long as the other place sits in accordance with its published timetable, the House of Commons Standing Order 81 requires there to be the following number of supply days: eight in the period ending June 23, seven in the period ending December 10, and seven in the period ending March 26. The fact that we have supplementary estimates in the spring does not alter the rules that set out additional supply days should the other place sit beyond its scheduled date of rising, nor does it alter the timing of supply days.

Standing Order 81 requires the government to give the opposition in the other place 48 hours' notice of a supply day. It specifies that no more than one fifth of the mandated 22 days within the calendar year may be on a Wednesday and no more

than one fifth may be on a Friday. Figure that out. It also does not affect the ability of the opposition to choose the topics of debate for those days, no matter how far removed from the vote set out in the estimates those topics may seem.

Beyond that, the timing of House business, such as supply, is up to the government. For various reasons, the government may choose to schedule supply days early in the supply period, late in the period or spread them out.

This year, a decision was made to schedule several opposition days earlier in the supply period. There was also an instance about a quarter century ago where the government presented Supplementary Estimates (D) and (E). This did not, in any way, affect the number or timing of supply days.

I hope this provides some clarity. However, the bottom line is that the only thing different this year from past years is that this government has chosen to present three sets of supplementary estimates this year, allowing it to better align the first set with the budget. I hope that finishes that question.

I wanted to respond to Senator Day's question regarding the wording of clause 2 in Bill C-58. We have been in touch with Treasury Board and have been assured that the wording is correct. As well, we have learned that the Treasury Board's senior legal counsel reviewed this issue with the Senate's deputy law clerk last Wednesday and explained that the wording is correct.

The amount of \$56 billion set out in clause 2 reflects the fact that the interim supply of approximately \$23 billion has already been granted. The Main Estimates total approximately \$79 billion. This is not the amount sought in this bill and not to be part of clause 2. The distinction is that the first use of the word "aggregate" refers to all items in the estimates and another use of "aggregate" is the addition of schedules 1 and 2 less sums that were appropriated under Appropriation Act No. 1 in March. Again, we were assured that the wording is correct.

Hon. Joseph A. Day: Would the honourable senator accept a question?

Senator Stratton: Yes.

Senator Day: The question is not with respect to the answer that the honourable senator provided to my earlier question, but rather the response to Senator Murray's question on the supply cycle.

I read through that document and I thank the honourable senator for providing me with a copy beforehand. I want to understand the reference on page 3 to an opposition day in the supply period. In the second paragraph, it refers to eight supply days. The term "supply days" is used throughout the rest of the document. On page 4 in the second paragraph it says that supply days early in the supply period, late or spread them out. This year, a decision was made to schedule several opposition days earlier in the supply period.

I do not understand this document, unless "supply days" and "opposition days" are synonymous.

Senator Stratton: That is my understanding. There are eight supply days that allow the opposition to pick their topic in one of those eight days. I know the government — I think it was in March, although I could be wrong — had four consecutive days for opposition days. I see some nodding, so I think it was around that time.

The government schedules those days for the opposition to pick the topics for their opposition days.

Senator Day: Do I understand the honourable senator to agree with me that the terms "supply day" and "opposition day" are the same thing?

Senator Stratton: That is my understanding.

Senator Day: I now understand the document.

Senator Stratton: I do not blame the honourable senator for being confused.

Senator Day: The term was used somewhat interchangeably and that was my difficulty.

On debate now, if I may. First, I wish to ask permission, honourable senators, if I could circulate a copy of clause 2. I had the pages prepare that for me so I can explain my difficulty with respect to that clause.

The Hon. the Speaker: Does Honourable Senator Day have permission of the house to table a document that will be circulated?

Hon. Senators: Agreed.

Senator Day: This clause is part of Bill C-58. My concern is with respect to clause 2. Honourable senators have heard the answer to my concern but have not heard my question. The answer was given by the Honourable Senator Stratton.

Could the pages circulate that clause to those who do not have the bill? I would ask honourable senators to refer to clause 2.

Honourable Senator Stratton indicated that he spoke to Treasury Board senior legal counsel. I have discovered that these supply bills come from Treasury Board. They are not reviewed by the Department of Justice Canada. Therefore, the legal people within Treasury Board are the ones who determine what the wording should be.

I researched this particular clause in main supply. It reflects the fact that we had interim supply in March. They are trying to reflect in clause 2 that there was interim supply. The full amount of the estimates is \$79 billion for this fiscal year and \$23 billion has already been advanced.

Therefore, they should be asking for approximately \$56 billion. I apologize for taking honourable senators through this, but I think it is very important because this is a matter of \$23 billion. Clause 2 talks about a figure in excess of \$55 billion. I have rounded that off to \$56 billion and I will not go through the next three or four lines, which only modifies the \$55 billion-plus.

On line 25 is “not otherwise provided for.” The first part of clause 2 is saying that the government is looking for \$56 billion for main supply. On line 26, it continues, “and being the aggregate.” I submit to honourable senators that “and being” is another way of saying \$56 billion. They put it in figures, then in words and then, “and being”:

... and being the aggregate of the total amounts of the items set out in the Main Estimates for the fiscal year ending March 31, 2009. ...

Those three lines, “and being the aggregate,” is \$79 billion, “and being” the total amount of the estimates. Therefore, they are saying \$56 billion “and being the aggregate of all the estimates,” which is \$79 billion. We have two different figures. The next wording says “and being the aggregate of.” There is another “and being the aggregate of.”

• (1850)

The next one is, in fact, \$56 billion. It shows the full amount less the amount already advanced in Schedules A and B. There is a claim in this bill — this bill the government put to us — saying, “We need \$56 billion, ‘and being’ \$79 billion ‘and being’ \$56 billion.”

Honourable senators, I know the lawyers at Treasury Board of Canada Secretariat have said the wording is fine. I have taken the advice of my honourable friend, Senator Murray, and read the French. Although the wording in French is much better, it repeats the same problem: \$56 billion, \$79 billion and \$56 billion.

I do not suggest we hold up this supply cycle, because there is an overriding rule of interpretation that, if the intent is clear, we can follow the intent. However, I suggest to you that we should send a message back — and I hope we will do so through the honourable deputy chair of the Standing Senate Committee on National Finance — that this wording they adopted so many years ago and have been repeating has a clause out of place. I suspect there is a clause out of place, and I think that clause is line 25, which that should appear after the “79,” where it says “and being the aggregate of everything that is claimed for for the year.” The wording should be in that clause: “not otherwise provided for.”

That wording is, in my view, irrelevant for the \$56 billion because it is \$56 billion. None of the \$56 billion has been advanced yet. Therefore, that wording, “not otherwise provided for,” should appear after the “and being \$79 billion” to form the following: “and being \$79 billion not otherwise provided for.” That would bring each one of these paragraphs down to \$56 billion.

I think it is probable that 10, 15 or 20 years ago, someone misplaced that modifier and it should be down below.

Honourable senators, with that caveat, we all understand here that what we are being asked to approve is the full amount of what appears in the Main Estimates, less what was already advanced in March of this year. We all understand that. In March, we have an interim supply and that keeps the government operating until the end of June. The government is now looking for money to keep it operating from the end of June through to the end of the fiscal year at the end of March, 2009.

[Senator Day]

We all understand that is \$56 billion and that they are not asking for the full amount of \$79 billion, \$23 billion of which they have already received. If we all understand that, then I think we can live with this wording with the hope that Treasury Board will take advice from the Department of Justice and have this wording corrected before we see it again this time next year.

We see it only once a year because it deals with full supply, which takes everything in the Main Estimates, less the amount already advanced.

Senator Stratton: Honourable senators, I want to ask a question. I had sent this note to Senator Day last week with respect that the Treasury Board senior legal counsel had reviewed the issue with the Senate’s deputy law clerk last Wednesday.

Did Senator Day consult with our deputy law clerk?

Senator Day: It may not be any of his business, but I did, and I will let him know. I did receive the answer from Senator Stratton. I did consult with the law clerk; the law clerk was the one who was able to make the determination. I said, “Would you go to Justice and ask them to look at this?” He said, “Justice has not looked at this in 25 years.”

He said: Treasury Board keeps cranking this out each year. That gave me some concerns. Honourable senators will note that the answer given was from a legal counsel in Treasury Board. These are the people who put the document out. These are the people who know that the government needs \$56 billion to continue operating. They will not give us an independent bit of advice on this matter. They will say, “Yes, it is fine.” It has already been through the House of Commons. The wording has been used for 25 years.

I think we need an independent look at this matter and I would be content if that independent look was conducted by the Department of Justice. They are able to look independently at this wording. However, in the short amount of time that we had, honourable senators, we did not have an opportunity to direct the Department of Justice to look at this wording. The Department of Justice will not second-guess one of their fellow lawyers in Treasury Board unless they are convinced to do so by us.

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

Hon. Senators: Question!

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

Some Hon. Senators: Agreed.

Senator Ringuette: On division.

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

APPROPRIATION BILL NO. 3, 2008-09

THIRD READING

Hon. Terry Stratton moved third reading of Bill C-59, An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2009.

Hon. Joseph A. Day: Honourable senators, I can tell honourable senators that the same wording problem does not appear in this Supplementary Estimate (A). It appears only when there has been an advance on a full amount that was originally set out.

Supplementary Estimates (A) is for the full amount of the supplementary estimates. Therefore we do not have the same wording problem at all here. Honourable senators will know that, between second and third reading, we would proceed typically to committee. However, with supply bills, we have a report that replaces proceeding to committee and that report has been adopted by this body.

I will vote in favour of this supply bill.

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

Hon. Senators: Question!

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

Some Hon. Senators: Agreed.

Senator Fraser: On division.

Senator Tardif: On division.

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

[Translation]

JUDGES ACT

BILL TO AMEND—THIRD READING

Hon. Gerald J. Comeau (Deputy Leader of the Government) moved third reading of Bill C-31, An Act to amend the Judges Act.

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

• (1900)

[English]

BUDGET IMPLEMENTATION BILL, 2008

THIRD READING—DEBATE ADJOURNED

Hon. Terry Stratton moved third reading of Bill C-50, An Act to implement certain provisions of the budget tabled in Parliament on February 26, 2008 and to enact provisions to preserve the fiscal plan set out in that budget.

He said: Honourable senators, I am happy to speak to Bill C-50, the Budget Implementation Act, 2008, at third reading. Before continuing, I want to thank the Standing Senate Committee on National Finance and its chair for having undertaken a pre-study of Bill C-50 and facilitating an expedited consideration of this important legislation in the Senate.

Recently, we have seen concern regarding the state of the Canadian economy, but notwithstanding global economic challenges, we can be confident about our future. We have among the strongest economic fundamentals of any G7 country. We have a long-term economic plan, Advantage Canada, to provide the economic leadership for the challenges and opportunities of today and tomorrow.

In October's economic statement, we took aggressive and pre-emptive action through broad-based and permanent tax relief to inject our economy with stimulus. In the coming year alone, we will have provided \$21 billion in tax relief, roughly 1.4 per cent of Canada's economy.

As the Conference Board of Canada recently declared,

The Canadian economy will weather the storm of uncertainty. . .

. . . Furthermore, recent changes, such as tax reductions announced by the federal government . . . will maintain the momentum.

Recently, even IMF managing director Dominique Strauss-Kahn spoke of that organization's positive view of the Canadian economy, noting that they were "optimistic in the context of a pessimistic situation for the world economy."

Budget 2008 helps maintain Canada's economic momentum in several important ways, including cutting the federal debt; reducing taxes, including a tax-free savings account; help for manufacturers and processors; and investing in the future of Canada.

[Translation]

These measures, combined with the solid fundamentals of our economy, will support the economy during this period of uncertainty resulting from the economic slowdown in the U.S. and instability in the global financial markets.

Budget 2008 takes action to enhance our long-term prosperity. It underscores and strengthens the responsible leadership our government is providing for Canadians.

[English]

This leadership starts with reducing the amount the government owes. For 2007-08, the government plans to reduce the federal debt by \$10.2 billion. We will continue to reduce the debt. By 2012-13 the total debt reduction since the government took office will exceed \$50 billion.

The government will also continue to reduce taxes. To date, our government has already introduced measures that will provide nearly \$200 billion in broad-based tax relief. One such measure is the landmark tax-free savings account, or TFSA, as it has become known. Described by the C.D. Howe Institute as a “tax policy gem,” the TFSA will allow Canadians to contribute up to \$5,000 every year to an account, and to carry forward unused room to future years, with no lifetime limit or tax on investment income earned in the TFSA, including capital gains.

I underline the no tax portion of that last sentence. The TFSA will also provide greater savings incentives for low- and modest-income individuals, as neither the income earned in the TFSA nor withdrawals from it will affect eligibility for federal income-tested benefits and credits such as the Canada Child Tax Benefit, the GST credit, the Age Credit and OAS or GIS benefits.

In the first five years, estimates are that over three quarters of the benefits of saving in a TFSA will go to individuals in the two lowest tax brackets. As John Stapleton of the Metcalf Foundation has noted, “This is a very, very significant new measure for low-income people and has enormous potential.”

[Translation]

Bill C-50 also proposes measures to help Canadian manufacturing and processing companies that are still in a very difficult situation. We started to work on this in Budget 2007, when we provided a temporary accelerated capital cost allowance that allowed manufacturing companies to completely amortize over two years their investments in machinery and equipment.

Budget 2008 proposes extending by three years the application of this accelerated capital cost allowance on a declining basis.

[English]

This is on top of other measures like the \$1 billion Community Development Trust to support communities and laid-off workers experiencing hardship due to global economic volatility, and the \$250 million Automotive Innovation Fund to support research and development investments in the automotive sector.

Budget 2008 also proposed a number of new measures that will protect and secure Canada's sovereignty and create more economic opportunities in the North. One such measure in this legislation is the proposal to increase the residency component of the Northern Residence Deduction by 10 per cent to attract skilled workers to Northern Canada. This bill also proposes a one-year extension of the Mineral Exploration Tax Credit that will support continued exploration for new mineral reserves in the North, as well as other regions of Canada.

Bill C-50 also encourages small- and medium-sized business to grow by increasing the expenditure limit on the Scientific Research and Experimental Development Investment Tax Credit to \$3 million.

[Senator Stratton]

Furthermore, Bill C-50 proposes the creation of the independent Canada Employment Insurance financing board to improve the management and governance of the EI program. Employers and employees can be confident that from now on, the EI account will be managed on a truly break-even basis over time.

[Translation]

We are also investing in Canada's future. The world is evolving, and Canada must adapt in order to remain competitive. Budget 2008 includes measures to help Canada better face competition on the world stage thanks to investments in individuals, knowledge, communities, traditional industries and infrastructure.

For example, to help individuals, Bill C-50 proposes a new Canada Student Grant Program with funding of \$350 million a year starting in 2009 that will reach \$430 million by 2012-2013.

• (1910)

The bill also proposes \$123 million over four years to streamline and modernize the Canada Student Grant Program.

[English]

Bill C-50 also commits to helping those in need. Nowhere is this better demonstrated than the \$110 million provided to the Mental Health Commission of Canada to help Canadians facing mental health and homelessness challenges.

The preceding was a brief overview of the contents of Bill C-50. I could not speak to the other positive measures within this 140-page bill. However, those proposed measures, along with the ones I have mentioned today, illustrate the continued responsible leadership of our government.

[Translation]

Let us manage Canada's finances responsibly, especially in this period of economic uncertainty. That way, Canada will be in good position to meet its future challenges.

Some Hon. Senators: Bravo!

[English]

Hon. Lowell Murray: Honourable senators, I take the occasion of this debate to say a few words about the prestudy of the subject matter of this bill and I will then refer briefly to the bill in the context of the present state of play in both the House of Commons and the Senate.

I agree entirely with Senator Stratton in his compliments to the Chair of the Standing Senate Committee on National Finance and its members for their good work on the prestudy of the subject matter of Bill C-50. By my count, the committee held six meetings over three weeks and heard 38 witnesses. I was present during the first and third weeks. During the second week, Senator Chaput, other senators and I had to be in New Brunswick with the Official Languages Committee. Such is the pace of committee work in this place, in particular in the late months of a session.

My wish is that the committee had started the prestudy sooner. Ideally, when the subject matter of a bill is being prestudied, the hearings are held, witnesses are heard and the report is tabled before the bill leaves the House of Commons. This gives the House of Commons an opportunity to consider the perspective of the Senate and to incorporate amendments, technical or otherwise, that the Senate might recommend to a piece of legislation.

I would like to see the practice of prestudy revived in the Senate. We have all observed complex, sometimes omnibus, bills that are introduced in the other place and then wend their way ever so slowly through that House, for various reasons, and land in the Senate on the eve of a recess and/or with timelines that put pressure on the Senate to pass the bills quickly, with inadequate study and with no amendments. That happens far too often.

Prestudy could be the answer to that problem. The practice was started by the Standing Senate Committee on Banking, Trade and Commerce under the chairmanship of Senator Hayden in 1971. It was the practice of that committee to engage in expert assistance from tax lawyers and tax accountants who, in their analysis of complex tax legislation, identified technical and substantive defects. The committee was able to bring those matters to the attention of the minister and the House of Commons before tax measures received a final vote in the other place.

I am indebted to Associate Professor Andrew Head of the Political Science Department at Simon Fraser University, who wrote a paper in the special series on Senate Reform from the School of Policy Studies at Queen's University. The study contained a table showing that while there was only one tax measure — I believe the famous tax reform bill in the early 1970s — between 1968 and 1972, it grew to 23 such prestudies by the Senate in the 1974-79 Parliament; to 37 in the 1980-84 Parliament; and to 75 in the 1984-88 Parliament. Honourable senators can see that the practice of prestudy spread from the Standing Senate Committee on Banking, Trade and Commerce to other committees of the Senate. Looking back on it, I agree with those who felt that we were overdoing it somewhat when we prestudied 75 bills. It seems obvious to me, in retrospect, that we were acting on our own scheduling convenience to do prestudies.

However, I believe that we should review complex and important legislation the minute it is given first reading in the House of Commons. We ought to consider whether we should begin a prestudy immediately so that the views of and potential amendments identified by the Senate can be sent to that House before the bill is voted on.

I turn for a moment to Bill C-50 and the context of the present state of play in both Houses. Normally, when there is a minority government, legislation coming from that House to this house will frequently bear the marks of compromise and accommodation between the government and one or more of the opposition parties.

Under those circumstances, my instinct and that of most honourable senators, I believe, is to defer to those accommodations and to not upset the delicate balances. However, since 2006, when this minority government began, that has not been the case. Bills coming from the other place are

not the product of compromise among the parties. Rather, the government has been playing and winning a game of chicken with the opposition parties, in particular with the official opposition, the Liberal Party. The government dares the opposition to not only defeat a government bill but even to amend it in any substantive way.

The confidence convention is brandished as a weapon. Dissolution and recourse to a general election is threatened. The result is that bills are passing the House of Commons on the basis of deliberate and substantial absenteeism on divisions by the Liberal MPs. That is what is happening. I have some sympathy for Mr. Dion's predicament. Neither he nor the opposition should be goaded into bringing on a general election at a time when he does not believe it would be in the interests of his party or the country. Nor should he visit his predicament upon us, in particular, the Liberal majority in this house.

The Senate has a different role and responsibility than the House of Commons has. We are not a confidence chamber. No vote here involves confidence. A matter becomes confidence only if it is determined to be such a matter in the other place. Yet, we, in particular the Liberal majority here, have been co-opted into the strategy of the Liberals in the House of Commons under the leadership of Mr. Dion.

• (1920)

The result is that there have been at least three bills, including this one, which we know — at least the majority of senators know — should have been amended and were not.

Honourable senators will remember Bill C-52, and in particular the provisions of that budget implementation bill relating to equalization and the Atlantic accords. As well, there were the Criminal Code amendments regarding sentencing that went through a few months ago. We now have Bill C-50, and in particular the immigration provisions that should be severed from this bill and stand alone as a separate bill.

I say that as a result of this play of forces in the other place we are falling down even in our responsibility as a revising chamber. Therefore, I appeal to honourable senators opposite, with the autumn in view, to reconsider their position. Let us do our job; let the House of Commons do theirs.

Senator Prud'homme said the other day, and I agree entirely, that if we amend a bill and it goes back to the House of Commons and the members of the House of Commons, in their wisdom, decide to reject the amendment, then almost invariably we, in the Senate, defer to the elected House. However, we should not be impeded from moving and passing amendments to bills, whether technical or substantive, when we believe that it is in the public interest to do so.

We buy time in that process, perhaps for the government to reconsider, perhaps for other parties in the House of Commons to reconsider, perhaps for public and media opinion to gel on a matter that may have moved too quickly. I think we will have to start doing our job more diligently, and the current adjective and adverb is "robustly," so I will throw that one in.

Relevant to the matters I talk about, I wish to place on the record something of what has been happening in the British Parliament recently. I do not think they have numbers for their

bills there, but they have had before them in Parliament a government bill, the Counter-Terrorism Bill, 2007/08. This is an extremely controversial bill, in particular a provision that would allow the detention of suspects for 42 days without a charge. At present the authorities are allowed to detain someone for 28 days without charge. Under this bill they will be able to do so for 42 days.

Senator Segal: A violation of the Magna Carta.

Senator Murray: My friend, Senator Segal, says this is a violation of the Magna Carta. Indeed, some of the opponents of the bill have also mentioned habeas corpus. Some opponents of the bill in the United Kingdom have pointed that out. Legal and human rights experts have weighed in on this matter, as have the ethnic communities — especially the Muslim community — and media commentary. The bill has been opposed publicly by the Director of Public Prosecutions, by the former Lord Chancellor and by the former Attorney General.

The bill got first reading on January 24, 2008, went to second reading on April 1, was in committee from April 22 to May 15 and emerged from the committee, heading for report stage and third reading, which took place last Tuesday and Wednesday.

I may say that the government had agreed to some amendments. I read an interview that the Home Secretary, the Right Honourable Jacqui Smith, gave to the London *Spectator* in their June 7 edition. As I read it, to my astonishment I found that that bill that caused such a commotion, which was so divisive and controversial in the country, is not a confidence matter. It is not regarded by the government as a confidence matter. Imagine: a bill on national security and so on.

She is reported between inverted comments as saying:

I think if it was turned into a vote of confidence there would be massive support of the government, I don't think it will be a problem.

A little later she says:

I don't know, it is up to the opposition to call a vote of no confidence, but it seems to me that they would be a bit silly to do that.

The vote was held last Wednesday. There were 36 or 37 Labour backbenchers who deserted the government on the bill. They voted against the bill at third reading.

Senator Segal: Hear, hear!

Senator Murray: The bill passed by nine votes. Those nine votes came from one of the smaller parties, Ian Paisley's Democratic Unionist Party. That is what got the bill through.

It is extremely interesting because, if one thinks about it, the Home Secretary acknowledged that if the government had brought the hammer down and said this is a confidence vote, there would have been, as she said, massive support. However, the government took its chances. She did go to the Labour Party and made a good speech to them and tried to bring them on side, but

she lost 36 or 37 of them. They took their chances on the backbenchers. They took their chances, and the bill squeaked through.

The Conservatives, for their part, who have been on a roll — they are ahead in the polls, they won some by-elections — could have declared the bill a matter of confidence in order to embarrass some Labour MPs from marginal constituencies who voted against in order to force them to vote for the bill. They did not do that.

The thought that occurred to me while reading all of this is that this would never happen here. It has never happened here under any government that I am aware. The only time there is anything remotely approaching a free vote here is when there is a matter of religious or personal conscience such as abortion or capital punishment and those types of things.

The United Kingdom is a different country and I acknowledge there are sometimes sensitive issues of language, region and ethnic considerations that come before us. Prime Ministers or national party leaders have to invoke personal loyalty, caucus solidarity and national unity and that sort of thing, but that does not happen every day.

We could much more often take the same — I was going to say “liberal” — more flexible attitude. The hammer is brought down; the whips bring down the hammer far too often.

I leave that example for honourable senators as food for thought from the mother of Parliaments.

Hon. Terry M. Mercer: Would Senator Murray permit a question?

I have listened closely to what he said, and I was following his argument. I appreciated his advice, but I did not quite understand, even at the end of it, how Senator Murray would vote on the bill.

He is not under any whip, and he is a member of a small but significant group in this place. He has not indicated how he will vote on this bill that has some very significant aspects, and some matters of great conscience.

The Hon. the Speaker: As Senator Murray's time is up, we need an extension of his time.

Hon. Senators: Agreed.

Hon. Gerald J. Comeau (Deputy Leader of the Government): Five minutes.

Senator Murray: I would have gladly supported a reasonable amendment from Her Majesty's Loyal Opposition along the lines that we were talking about in terms of the immigration provisions of this bill. When the time comes, when third reading is called, if no one else says “on division,” I shall.

The Hon. the Speaker: Questions or comments on Senator Murray's time?

Hon. Joseph A. Day: Honourable senators, I can do this by a question to Senator Murray, and perhaps that is the easiest way. Normally, under rule 37(3), the first speaker after the sponsor of the bill would have 45 minutes. The understanding between

Senator Murray and me is that I will be the first speaker on behalf of Her Majesty's Loyal Opposition. I intended to speak tomorrow. I did not want to interrupt Senator Murray when he was on such a fine roll in making pertinent points.

• (1930)

Could the honourable senator confirm that he was not taking the 45-minute provision under section 37(3), which is reserved for the first speaker of the opposition?

Senator Murray: I was certainly not attempting to displace my honourable friend as official spokesman for the opposition. I look forward to his speech tomorrow because, as he will now understand, having heard what I had to say, they have much to answer for.

On motion of Senator Day, debate adjourned.

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

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

Leave having been given to revert to Notices of Motions:

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

That, pursuant to rule 95(3)(a), the Standing Senate Committee on Social Affairs, Science and Technology be authorized to sit June 18 and June 19, 2008, for the purposes of its study on population health and its study on cities, even though the Senate may then be adjourned for a period exceeding one week.

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO DEPOSIT REPORT WITH CLERK DURING ADJOURNMENT OF THE SENATE

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

That the Standing Senate Committee on Social Affairs, Science, and Technology be permitted, notwithstanding usual practices, to deposit with the Clerk of the Senate a report relating to its study of current social issues pertaining to Canada's largest cities, between June 19 and June 30, 2008, if the Senate is not then sitting; and that the report be deemed to have been tabled in the chamber.

CRIMINAL CODE

BILL TO AMEND—THIRD READING

On the Order:

Resuming debate on the motion of the Honourable Senator Grafstein, seconded by the Honourable Senator Joyal, P.C., for the third reading of Bill S-210, An Act to amend the Criminal Code (suicide bombings).
—(*Honourable Senator Prud'homme, P.C.*)

Some Hon. Senators: Question!

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

Motion agreed to and bill read third time and passed.

DRINKING WATER SOURCES BILL

SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Grafstein, seconded by the Honourable Senator Corbin, for the second reading of Bill S-208, An Act to require the Minister of the Environment to establish, in co-operation with the provinces, an agency with the power to identify and protect Canada's watersheds that will constitute sources of drinking water in the future.
—(*Honourable Senator Banks*)

Hon. Tommy Banks: Honourable senators, I wish to speak to this bill, and I want to make clear to senators, without any subterfuge, why I will speak for a moment now and then ask for another adjournment.

This is Senator Grafstein's other bill having to do with water. The bill having to do with drinking water is before the committee now. The two measures in some senses relate to each other. The committee wishes, and I am expressing what I understand to be the wishes of the committee, to deal with them quite separately.

Therefore, I speak now to reserve the remainder of my time by adjourning this bill until the next sitting of the Senate.

On motion of Senator Banks, debate adjourned.

NATIONAL PEACEKEEPERS' DAY BILL

THIRD READING

Hon. Tommy Banks moved third reading of Bill C-287, An Act respecting a National Peacekeepers' Day.—(*Honourable Senator Meighen*)

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

Motion agreed to and bill read third time and passed.

NATIONAL SECURITY AND DEFENCE

BUDGET—STUDY ON NATIONAL SECURITY POLICY—REPORT OF COMMITTEE ADOPTED

On the Order:

Resuming debate on the motion of the Honourable Senator Kenny, seconded by the Honourable Senator Moore, for the adoption of the sixth report of the Standing Senate Committee on National Security and Defence (budget—release of additional funds (study on the national security policy)), presented in the Senate on May 29, 2008.—(*Honourable Senator Stratton*)

Some Hon. Senators: Question!

[Translation]

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

Motion agreed to and report adopted.

[Translation]

STUDY ON CONTAINERIZED FREIGHT TRANSPORT

REPORT OF TRANSPORT AND COMMUNICATIONS COMMITTEE—DEBATE ADJOURNED

The Senate proceeded to consideration of the seventh report of the Standing Senate Committee on Transport and Communications, entitled *Time for a New National Vision: Opportunities and Constraints for Canada in the Global Movement of Goods*, tabled in the Senate on June 10, 2008. —(Honourable Senator Bacon)

Hon. Lise Bacon moved the adoption of the report.

She said: Honourable senators, last Tuesday, we presented the report entitled: *Time for a New National Vision: Opportunities and Constraints for Canada in the Global Movement of Goods*.

We have carefully examined this issue over the past year and a half, by hearing witnesses from across the country, visiting certain Canadian ports, and reviewing documents related to the movement of goods.

[English]

For the past year and a half, the Senate committee has conducted an in-depth examination of Canada's container transport system. I wish to thank Senator Tkachuk, who suggested this interesting study.

Our report examines an exciting opportunity for Canada to become a key player in the global movement of goods for distribution in North America and to Europe and Asia. We built this country with a great vision and great investments in our national railroads, the Trans-Canada Highway and the St. Lawrence Seaway. We need vision and we need to think about the big picture.

Canada is ideally positioned to become a major player in the movement of goods through our container ports, our railways, our highways and our air routes. In order to make that happen, we must look at the gaps in the system country-wide and address them as quickly as possible.

Of course, investments in infrastructure will cost money, but Canada will benefit with the creation of thousands of jobs and related investments. Now is the time, and if we do not act, we will lose out to other countries such as Mexico.

The needs are great, particularly in regard to infrastructure in Montreal, Halifax and Vancouver, which need improved links for trucks, rail transportation and so on.

• (1940)

Furthermore, in the greater scheme of things, surface congestion could cost millions of dollars every year. By increasing the number of containers to be transported, we will have a significant challenge to face collectively to ensure that our system does not suffer unnecessarily. We need to act comprehensively and have an overall vision.

[English]

There are opportunities well beyond our gateway ports themselves, extending to repackaging hubs, inland ports and more to keep our goods flowing.

Canada's container system is multi-faceted, including ships, railroads, trucks, shipping terminals, infrastructure, information technology and labour issues.

Our system is affected by a patchwork of uncoordinated and isolated government policies at federal, provincial, municipal and international levels.

Our committee found substantial work to be done at all levels of government and in the private sector to make our container system effective and competitive in a highly sophisticated global marketplace.

The stakes are high. Both investment requirements and potential returns on investment are substantial indeed. Though we have identified fragile links in the existing system, such as port congestion, system reliability, uncoordinated policy, labour shortages and underutilized information technology, we are convinced that our container system must be viewed and addressed as a whole, as a comprehensive system.

[Translation]

In that report, we targeted certain things that require particular attention in order to allow merchandise to be transported freely from coast to coast to coast. These include improving our rail services, harmonizing trucking regulations, solving the labour shortage problem, updating policies on ports, considering environmental issues, improving our infrastructures and making the most of information technology.

My fellow committee members and I agree that it is an excellent report that we should be very proud of, and once again, I move that the report be adopted.

On motion of Senator Tkachuk, debate adjourned.

[English]

STUDY ON IMPACT AND EFFECTS OF SOCIAL DETERMINANTS OF HEALTH

FOURTH INTERIM REPORT OF SOCIAL AFFAIRS,
SCIENCE AND TECHNOLOGY COMMITTEE—
DEBATE CONTINUED

On the Order:

Resuming debate on the consideration of the tenth report (interim) of the Standing Senate Committee on Social Affairs, Science and Technology, entitled: *Population Health Policy: Issues & Options*, tabled in the Senate on April 2, 2008.—(Honourable Senator Prud'homme, P.C.)

Hon. Joan Cook: Honourable senators, this matter is adjourned in the name of Senator Prud'homme and I thank him for allowing me to speak to this report this evening.

Honourable senators, the Standing Senate Committee on Social Affairs, Science and Technology's Subcommittee on Population Health, under the leadership of Senator Keon, is currently studying the impact of the multiple factors and conditions that contribute to the health of Canadians, known collectively as the social determinants of health.

Recently, the subcommittee travelled to my home province of Newfoundland and Labrador and held a series of public hearings in St. John's to learn about an online resource known as Community Accounts, which provides a knowledge-common approach to locating, using, sharing and understanding data and knowledge that is inextricably linked to the well-being of my province and its citizens.

Community Accounts provides value beyond storing and disseminating data. It has established an environment that ensures that users work, communicate and pursue broader goals together, by utilizing and sharing key sources of policy-related data and information. This type of data normally would be too costly to obtain, too time-consuming to retrieve and compile, and not readily available to the majority of community groups and individuals that use this resource.

Supported through this framework, a process has begun that turns data into information and knowledge, allowing government and citizens to become more engaged in the choices and decisions that affect the progress of my province.

Community Accounts was constructed within the Newfoundland and Labrador Statistics Agency and is maintained by the agency. It is strategically placed within the Department of Finance, which offers strong leadership support. The Department of Finance works in coordination with the executive council and the statistics agency to provide the agency with the statutory authority and responsibility to collect, compile, analyze, abstract and publish the statistical information and methods relating to the social, economic and general activities and conditions of the province and its citizens.

Community Accounts is based on a model created by a partnership of dedicated people at Memorial University and the Newfoundland and Labrador Statistics Agency. Initially, they set

out to create a resource tool that would help indicate and identify hard facts regarding the people of Newfoundland and Labrador so that strategic plans could be made to improve the lives of its residents.

Their hard work has ensured that today, anyone with a basic understanding of the Internet who wishes to use the Community Accounts instantly has free access to information from 400 communities, 80 census-consolidated subdivisions, 20 economic development zones and the province as a whole. The information can be retrieved also at the level of 13 rural secretariat regions, health authorities, school districts and Human Resources and Social Development Canada regions.

To maintain data and to ensure the continuing success of the Community Accounts, the creators have put together a Data Domain Advisory Committee to aid, identify and negotiate the long-term sharing and exchange of the key provincial and national sources of existing data on health and well-being, labour markets, social statistics, crime and safety, education demographics, income, consumption and productivity.

The Data Domain Advisory Committee is made up of over 30 individuals representing governments, academia and communities. This team works together to identify gaps in existing data and to make accommodations for methodologies to rectify the inconsistencies.

Community Accounts is responsible for creating a number of partnerships between government departments and agencies such as Memorial University, Human Resources and Social Development Canada, Statistics Canada, the Royal Newfoundland Constabulary and the RCMP.

Honourable senators, the committee heard from a variety of users of this system. The committee heard from Gerald Crane with the Rural Secretariat Executive Council, which has existed in Newfoundland and Labrador since 2004. It was created to provide the province with a coordinated approach to the economic and social aspects of rural and regional development.

The rural secretariat uses the Community Accounts to understand the regional labour market, shortages and behaviours, which allows them to understand the changing demand for public services given the changing demographics at a regional level.

The committee also heard from Sergeant Doug Ross, an RCMP officer with the Corporate Planning and Client Services of Newfoundland and Labrador. Sergeant Ross believes that the Community Accounts is a tool that can help us move upstream in an attempt to ascertain the root causes of many of the criminal offences and, subsequently, target the communities with the greatest needs and demands, consequently ensuring the most significant and efficient impact on the community with the resources at hand.

The RCMP uses the Community Accounts for Aboriginal planning requirements, using the online resource as a comprehensive community assessment tool at the front end of

Aboriginal service planning to determine the policy and public safety needs while also accounting for what resources and supports are available to draw upon in Aboriginal communities.

• (1950)

We heard from Joy Maddigan, Deputy Minister of the Department of Health and Community Services. She told us about the complexity of the system she works within and the need for careful planning to meet the demands for improvement within the Department of Health.

In regard to regional public health, the department uses the Community Accounts to keep track of children's health, healthy aging and chronic disease, as well as to estimate the potential workload in nursing districts by assessing population changes and health status indicators.

The committee heard from Susan Green, a consultant with the Kids Eat Smart Foundation, which evolved from a school lunch program in St. John's. Their vision is to ensure that every school-aged child in the province is well nourished and ready to learn. They have set up nutritious food programs called Kids Eat Smart Clubs that are organized by volunteers throughout the province. The foundation uses the Community Accounts to prioritize areas for mobilization and to identify who is using the program and where the program is needed, while at the same time identifying the financial resources available within the area to help fund the program. The data provided by Community Accounts allows the Kids Eat Smart Foundation to make well-informed, transparent decisions based on evidence.

Honourable senators, the groups I have mentioned are just a handful of people benefitting from Community Accounts. After hearing the testimonies endorsing this database, it is clear to me that knowledge is the key to success. Knowledge is the tool we will all need to make better, well-informed decisions about our future. Systems such as Community Accounts will be critical to the delivery of a comprehensive and effective national population health care system which will ensure the well-being of all Canadians.

On motion of Senator Cook, for Senator Prud'homme, debate adjourned.

[Translation]

STUDY OF OFFICIAL LANGUAGES ACT

REPORT OF OFFICIAL LANGUAGES COMMITTEE ADOPTED

The Senate proceeded to consideration of the fourth report of the Standing Senate Committee on Official Languages, entitled: *Reflecting Canada's Linguistic Duality at the 2010 Olympic and Paralympic Winter Games: A Golden Opportunity*, presented in the Senate on June 11, 2008.—(Honourable Senator Chaput)

Hon. Maria Chaput moved the adoption of the report.

Motion agreed to and report adopted.

[Senator Cook]

[English]

STUDY ON ISSUES RELATED TO MANDATE

REPORT OF ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES COMMITTEE ADOPTED

The Senate proceeded to consideration of the ninth report of the Standing Senate Committee on Energy, the Environment and Natural Resources, entitled: *Sustainable Development: A Report Card*, tabled in the Senate on June 11, 2008.—(Honourable Senator Banks)

Hon. Tommy Banks moved the adoption of the report.

He said: At the outset, I wish to take a moment to explain what this is and to commend the attention of honourable senators to this report.

A long time ago, in a country that seems very far away, the Government of Prime Minister Mulroney — that far away — put into place a choke point at cabinet similar to the one with which all senators are familiar that is provided by the Treasury Board. It said at that time that if a minister is bringing forward something and if it does not pass muster having to do with sustainable development — in more or less the same way that he said that all governments understand that if it does not pass muster — past the Treasury Board — then it will not go anywhere in terms of further consideration by the government.

That was a good idea, but it did not last very long, unfortunately. Subsequent governments of all stripes, including this one and the ones before, have said that government departments are required, each of them, to table every year in Parliament a report on sustainable development strategies of those departments; how they have established them and how they have changed them; the ways in which they are following them; and the extent to which they are effective. Honourable senators will understand that, without specific hoops through which to jump, these are running off in all directions at once. Some of them qualify for the term “flim-flam.”

An Hon. Senator: No!

Senator Banks: Yes, they do.

I commend the attention of honourable senators to the present report, because the committee of which I have the honour to be the chair, and the committee before I chaired it, and the committee before that, recommended that that policy be reinstituted in the government because it is an idea whose time is long past. We can no longer pay simple and only lip service to the idea of sustainable development strategies in government.

We must set examples for the rest of the country if we are to ask the rest of the country to change the way we all live. Some government departments, to their great credit, have put in place sustainable development strategies which actually work and which actually achieve good ends. However, that is not consistent throughout the government. This report makes that point and argues that it should be made consistent throughout the government and that it is a matter to which great attention should be paid.

I urge honourable senators to adopt this report.

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

Motion agreed to and report adopted.

[Translation]

CRIMINAL CODE

BILL TO AMEND—REPORT OF COMMITTEE ADOPTED

The Senate proceeded to consideration of the fourteenth report of the Standing Senate Committee on Legal and Constitutional Affairs (Bill S-209, An Act to amend the Criminal Code (protection of children), with amendment), presented in the Senate on June 12, 2008.—(*Honourable Senator Fraser*)

Hon. Joan Fraser moved the adoption of the report.

She said: Honourable colleagues, as you know, it is my duty under rule 99 to explain the amendment that your committee has proposed to the bill. I shall try to do so as succinctly as possible, but I do have to provide some context.

As you know, Bill S-209 proposes to abolish corporal punishment in Canada by repealing section 43 of the Criminal Code. Section 43 states that every parent and teacher:

... is justified in using force by way of correction toward a pupil or child, as the case may be, who is under his care, if the force does not exceed what is reasonable under the circumstances.

[English]

This section of the Criminal Code has been controversial for some time. Most notably, it is five years, I think, since the United Nations Committee on the Rights of the Child recommended its repeal. In your committee's study of this bill, which has been before the Senate several times now, there was no school of thought of the spare-the-rod-and-spoil-the-child nature. The arguments were about the right way to abolish corporal punishment without incurring many unintended and unwanted consequences.

There were witnesses who favoured simple repeal. They pointed to quite a number of other countries, 20 or so, I think, that have abolished corporal punishment and the sky has not fallen.

• (2000)

However, a number of serious witnesses and briefs, notably from the Canadian Bar Association and the Barreau du Québec, warned that if we simply eliminated section 43 of the Criminal Code, we would possibly be leaving the way open to charges of assault, under the Criminal Code, parents or teachers who simply took action that everyone would agree is necessary action. Preventing a child from running out into traffic, strapping a recalcitrant child into a car seat or breaking up a fight in the schoolyard would be examples.

It was argued that all of these necessary acts may be open to charges of criminal assault if we simply repealed section 43. The question then became how to provide defence for people engaged in those physical acts, which may even involve some force, while not permitting corporal punishment.

Your committee was greatly influenced in this discussion by the experience of legislators in New Zealand, who went through this same legal exercise about a year ago. New Zealand's old law was very similar to our existing law. When they repealed their old law, they built some defences into the new law that they hoped would cover necessary uses of minimal force without opening the back door to a revival of corporal punishment.

Your committee now recommends an amendment adopted on division. However, I think it would be a fair comment on the proceedings to say that it was not an acrimonious division. The amendment reads as follows:

43. (1) Every schoolteacher, parent or person standing in the place of a parent is justified in using reasonable force other than corporal punishment toward a child who is under their care if the force is used only for the purpose of. . . .

Then we set out three purposes that the committee believes would cover the appropriate range of defences:

(a) preventing or minimizing harm to the child or another person.

That would be running into traffic. One would be allowed to stop a child from running in the traffic by scooping that child up:

(b) preventing the child from engaging or continuing to engage in conduct that is of a criminal nature.

Some children, knowingly or unknowingly, find themselves engaged in conduct that is of a criminal nature. For example, someone suggested to me that torturing animals, which we know, unfortunately, that some children do, would fall into this category. I think vandalism would also be covered in this:

(c) preventing the child from engaging or continuing to engage in excessively offensive or disruptive behaviour.

The word "excessively" would be important. No one would want to stop young children from being exuberant even if it tends to bother people my age who would rather have some peace and quiet. However, sometimes animal spirits of young children spill over and become genuinely excessive. For example, if a class is disrupted to the point where it cannot continue, then the removal of the disruptive child from the class and a quick march down to the principal's office would seem to be a reasonable way to proceed.

We thought it was very important to provide a definition of "reasonable force" to ensure, again, as little confusion as possible and as little room as possible for the backdoor reinstatement of corporal punishment.

Therefore, we said in section 43(2):

... "reasonable force" means an application of force that is transitory and minimal in the circumstances.

It is not a prolonged application of force and it is minimal in the circumstances. It is only that degree of force necessary to achieve the goal of preventing or restraining that is an appropriate goal to be pursued.

New Zealand did not, as I recall, include such a definition in its law. Ours was largely inspired by language in the landmark Supreme Court of Canada case on section 43, which was the case of the *Canadian Foundation for Children, Youth and the Law v. Canada (Attorney General)* in 2004. We tried hard to reflect in our definition the spirit of what we understood the Supreme Court to be laying down in its interpretation of the old section 43.

Your committee now submits this for the consideration of the Senate. We have tried to square the circle. I hope honourable senators will agree that we managed to do so.

The Hon. the Speaker: Is there any further debate?

Hon. Terry Stratton: Honourable senators, I would like to adjourn the debate in the name of Senator Andreychuk.

Senator Fraser: May I ask for an explanation?

Senator Stratton: Senator Andreychuk is chairing the Standing Senator Committee on Human Rights dealing with Bill C-21 at present. However, she would like the opportunity to speak with respect to this bill.

Senator Fraser: I wish to speak to the adjournment motion. We may have some confusion here because Senator Andreychuk, honourable senators will recall, was in the chamber briefly earlier this evening. In that moment, the honourable senator came to me to say that she was prepared to see the report go through this evening and to make her remarks at third reading.

Senator Stratton: Was that your understanding of the honourable senator's request?

Senator Fraser: That was my understanding. She is the Deputy Chair of the Legal and Constitutional Affairs Committee, and I would never try to block Senator Andreychuk. However, that was her suggestion.

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

Motion agreed to and report adopted.

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

Senator Stratton: Will the Honourable Senator Fraser speak at third reading?

Senator Fraser: Normally, it would be the sponsor of the bill who would be moving it. However, in her temporary absence, we have people willing to speak at the next sitting of the Senate.

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

[Senator Fraser]

[Translation]

STUDY OF OFFICIAL LANGUAGES ACT

REPORT OF OFFICIAL LANGUAGES COMMITTEE ADOPTED

The Senate proceeded to consideration of the fifth report of the Standing Senate Committee on Official Languages, entitled *Bilingual Staff At Air Canada: Embracing the Challenge and Moving Forward*, tabled in the Senate on June 12, 2008. —(Honourable Senator Chaput)

Hon. Maria Chaput moved the adoption of the report.

She said: Honourable senators, I would like to say a few words about this report on the bilingualism of Air Canada staff. Our study was a very targeted one. It essentially dealt with the issue of recruitment. We wanted to understand Air Canada's recruitment practices and the difficulties encountered. As you will see from the recommendations, when we learned that the recruitment was done primarily in specific Canadian cities, we strongly recommended that it be conducted throughout the country, in all Canadian cities, and that Air Canada develop partnerships with universities and colleges and participate in career days. We also looked at the issue of training.

Motion agreed to and report adopted.

• (2010)

REPORT OF OFFICIAL LANGUAGES COMMITTEE ADOPTED

The Senate proceeded to consideration of the sixth report of the Standing Senate Committee on Official Languages, entitled *Progress Report: Study on the Implementation of Part VII of the Official Languages Act*, tabled in the Senate on June 12, 2008. —(Honourable Senator Chaput)

Hon. Maria Chaput moved the adoption of the report.

Motion agreed to and report adopted.

[English]

POST-SECONDARY EDUCATION

INQUIRY—ORDER STANDS

On the Order:

Resuming debate on the inquiry of the Honourable Senator Hubley, calling the attention of the Senate to questions concerning post-secondary education in Canada. —(Honourable Senator Andreychuk)

Hon. Terry Stratton: Honourable senators, I would ask to have this item stand in the name of Senator Andreychuk, who would like to speak to the inquiry but is unable to do so today because she is at the Human Rights Committee meeting studying Bill C-21.

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

Hon. Senators: Agreed.

Order stands.

ARTHRITIS

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Comeau, calling the attention of the Senate to the debilitating nature of arthritis and its effect on all Canadians.—(*Honourable Senator Tkachuk*)

Hon. David Tkachuk: Honourable senators, this item has reached the fifteenth day and if His Honour were to seek the consensus of the chamber, he would find agreement to suspend the application of rule 27(3) of the *Rules of the Senate* to allow this item to stay on the Order Paper for the next 15 consecutive days.

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

Hon. Senators: Agreed.

On motion of Senator Tkachuk, debate adjourned.

FOREIGN AFFAIRS AND INTERNATIONAL TRADE

STUDY ON AFRICA—*OVERCOMING 40 YEARS OF FAILURE: A NEW ROAD MAP FOR SUB-SAHARAN AFRICA*—MOTION TO PLACE COMMITTEE REPORT TABLED DURING PREVIOUS SESSION ON ORDER PAPER—DEBATE CONTINUED

On the Order:

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

That the seventh report of the Standing Senate Committee on Foreign Affairs and International Trade entitled *Overcoming 40 Years Of Failure: A New Road Map For Sub-Saharan Africa*, tabled in the Senate on February 15, 2007, during the First Session of the Thirty-ninth Parliament, be placed on the Orders of the Day for consideration at the next sitting of the Senate;

And on the motion of the Honourable Senator Cools, seconded by the Honourable Senator McCoy, that the question now before the Senate be referred to the Standing Senate Committee on Foreign Affairs and International Trade for examination and report.—(*Honourable Senator Di Nino*)

Hon. Peter A. Stollery: Honourable senators, on the amendment to the main motion, Senator Di Nino and I had an arrangement that he would ask that the Senate proceed. Senator Di Nino is not here, so I ask that we proceed.

Senator Tardif: Question!

Hon. Terry Stratton: Honourable senators, Senator Andreychuk has asked me to request time for her to respond to this item this week. Therefore, I ask that the item stand in the name of Senator Andreychuk.

Senator Stollery: I remind honourable senators that the item has been before the Senate for about a year and a half. I am not trying to take away Senator Andreychuk's opportunity to speak to the main motion, but I am asking that the house proceed with Senator Cools' amendment to Senator Di Nino's motion. If Senator Di Nino's motion were passed, then Senator Andreychuk would have the opportunity to make her views known on the Africa report. I believe it would be in the interests of all honourable senators. Certainly, there is no question of anyone trying to stop Senator Andreychuk from speaking to the item.

The Hon. the Speaker: The chair requests clarification from the house. The question immediately before honourable senators is the motion of the Honourable Senator Cools, seconded by Senator McCoy, to amend the main motion of Senator Di Nino. Is the house ready for the question on that motion?

Hon. Senators: Question!

Senator Stratton: The question then is, and I will read it so there is a clear understanding:

On the motion of the Honourable Senator Cools, seconded by the Honourable Senator McCoy, that the question now before the Senate be referred to the Standing Senate Committee on Foreign Affairs and International Trade for examination and report.

We do not know whether Senator Andreychuk wants to speak to this amendment. I would ask honourable senators for one day to know the answer. I have made a commitment and it takes extraordinary circumstances for me not to live up to a commitment. I ask for one day.

Senator Stollery: Honourable senators, I would not want to make things any more difficult than they have already become. I would suggest that we wait one day and deal with Senator Cools' motion and Senator Di Nino's motion. Doing so does not affect Senator Andreychuk's right to speak, which I do not want to take away. If honourable senators find that reasonable, then I am prepared to proceed.

Hon. Gerald J. Comeau (Deputy Leader of the Government): Given that the instructions to the whip were not entirely clear as to whether Senator Andreychuk intended to speak to the motion in amendment or to the main motion, perhaps honourable senators might seek her advice. If it is her intent to speak to the main motion, then the Senate could proceed with the amendment now or later this afternoon and come back to it with the leave of the Senate. If the amendment is not the concern of the honourable senator, then it could be dealt with this evening.

Senator Stollery: Certainly, I want to be agreeable, but I would point out that I am in the position of speaking for Senator Di Nino, whose main motion has been amended by Senator Cools.

The original report was tabled in the Senate one and a half years ago. I do not know how much money and time have been spent on this, but it is time we put the item to rest. I remind honourable senators that I am arguing for Senator Di Nino's motion; it is not my motion.

The Hon. the Speaker: Honourable senators, the chair has heard that something might be resolved with the will of the house by standing this item until later this day. Are honourable senators agreed?

Some Hon. Senators: Agreed.

Some Hon. Senators: No.

The Hon. the Speaker: Hearing a no, I will put the motion of Senator Stratton to move the adjournment of the debate on the question before honourable senators, which is the motion in amendment in the name of Senator Andreychuk.

• (2020)

Senator Stratton: Honourable senators, out of respect for Senator Andreychuk, until the question is answered clearly by her, this side must ask for 24 hours and stand the debate until then.

The Hon. the Speaker: Therefore, the motion by Senator Stratton in the name of Senator Andreychuk, is that further debate on this item be continued at the next sitting of the Senate. Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

An Hon. Senator: On division.

Motion agreed to, on division.

NATIONAL DEFENCE

CAPACITY OF CANADA TO SUPPORT ALLIES IN A MIDDLE EAST WAR—INQUIRY—DEBATE ADJOURNED

Hon. Hugh Segal rose pursuant to notice of April 10, 2008:

That he will call the attention of the Senate to

- (a) the capacity of Canada and its allies to understand, measure and contain Iranian state-sponsored preparations for war throughout the Iraq, Afghanistan and Middle East regions; and
- (b) the capacity of Canada to support allied efforts should a broad, multi-front war break out.

He said: Honourable senators, the status of Iran in our present international context impacts our own interests as Canadians, our national security, and that of our allies and friends worldwide.

I have, as do other members of this place, great respect for the history, culture and civilization of the dynamic people who make up Iranian society, both in the Islamic Republic of Iran and among the vast Iranian diaspora here in Canada and elsewhere.

That being said, one's high regard for the people of Iran, its vast Persian culture, diverse faiths and history, cannot dilute justifiable concerns about aspects of the policies and initiatives of the present Iranian administration. Iran deserves to be treated as a major power and have its legitimate interests be respected, but when it acts with aggressive intent, that, too, must be addressed.

At the end of May, the International Atomic Energy Agency — whose board of governors Canada chaired most recently — a UN organization, released a report indicating that Tehran was seriously holding back information on high explosive testing related to its nuclear program. It stated that Tehran had 3,500 uranium enrichment centrifuges working at its Natanz nuclear facility and that several more advanced centrifuges also were being tested.

According to NATO, in an interview published on May 22 by CanWest News here in Canada, NATO spokesman James Appathurai said:

... weapons from Iran have turned up in Afghanistan in significant quantities over the last two years.

Threats from inside Iran are also undermining the rebuilding efforts in Iraq.

On May 27 the People's Mujahideen, an Iranian resistance group opposed to the extreme rule of the mullahs, living as refugees in Camp Ashraf in Iraq under international protection, was the target of a Grad missile attack launched by the Islamic Republic of Iran. Under the Fourth Geneva Convention, honourable senators, attacking persons under the protection of the Geneva Convention is considered a war crime.

Although Iran possesses the fourth largest oil reserves and the second largest natural gas reserves on the planet, a majority of Iran's present population lives beneath its own version of the poverty line — despite the fact that the price of oil has risen from \$35 to \$130 a barrel since the Islamic revolution was put in place.

When the Shah's regime fell, the return of Ayatollah Khomeini was heralded as a new start. People had grown tired of the Shah's SAVAK secret police — there had been 1,000 executions under the Shah's reign. However, since the revolution more than 100,000 have been executed with particular focus on Kurds, Balochis and Baha'is. The age of execution can begin in Iran at the age of 12. On May 16, six Iranian Baha'is were arrested, and to date there has been no word on their fate, even though Iran is a signatory to the International Covenant on Civil and Political Rights that protects the rights of freedom of thought, conscience and religion.

There have been over 100,000 Iranians killed by the Iranian government since the inception of the Islamic revolution. Legitimate political opposition of any substantive kind to the administration is not tolerated. Why should this situation concern us? It should concern us because oppression that removes the right of dissent means that extremism and excess in that oppressive regime will only become worse.

With the election of President Rafsanjani in 1989, immediately after the Iraq-Iran war, which lasted from 1980 to 1988, some in the West believed we were finally dealing with a pragmatist whose policies were more moderate and centrist. However, while more modestly open to the broader range of views, he was also very much part of the traditional religious establishment.

As the acting commander of the Iranian forces in the last year of the Iran-Iraq war, it was Rafsanjani who claimed that only with nuclear weapons could Iran prevail in these kinds of engagements. It was at this point that Iran's nuclear program truly began and where large amounts of its oil money seem to have been invested ever since. Today, Iran is a net importer of refined gasoline, there are no new refineries built and it has tightened its rationing despite its great energy resources. While we may well wish to condemn Iran's present stance, we have to ask whether this situation might have been avoided.

I want to quote from a recent publication of the International Institute of Strategic Studies from February of this year, written by Dr. Robert S. Litwak, in which he says:

In spring 2003, the Bush administration was at its point of maximum leverage vis-à-vis Iran — before Mahmoud Ahmadinejad had been elected president, and before centrifuges were spinning at the Natanz site. Within 18 months of the 11 September attacks, the United States had taken down Iran's primary regional adversary — Saddam Hussein's Iraq — and the hostile Taliban regime in Afghanistan. According to press reports, in early May 2003 Iran communicated a wide-ranging proposal to the United States via the Swiss government (which represents US interests in Iran) outlining a roadmap for the normalisation of relations. Under this so-called "grand bargain," Iran would address US concerns over proliferation and terrorism, cooperate on post-war Iraq, and consider a two-state solution to the Israeli-Palestinian issue. In return, the United States would recognize Tehran's legitimate security interests in the region, provide a security assurance and halt "hostile behaviour," and lift US economic sanctions. The Iranian proposal came from a senior official designated by Supreme Leader Sayyid Ali Khamenei to coordinate a special committee on US relations. This reported offer, made at the point of maximum US leverage . . .

Referring to the region.

... after the toppling of the Saddam Hussein regime and before the Sunni-based insurgency had erupted, was plausibly an indicator of concern in Tehran about US intentions. However, the diplomatic window abruptly shut in June 2003 when the Bush administration severed contacts it had established with Iran over Afghanistan and hardened its stance in response to Iran's refusal to hand over al-Qaeda suspects implicated in terrorist attacks in Saudi Arabia and to revelations about Iran's covert nuclear-weapons programme. Washington gave no formal response to the Iranian proposal (other than rebuking the Swiss for "overstepping" their mandate).

That is, honourable senators, the Swiss mandate in Tehran.

Iran has a young population. Fifty per cent are less than 30 years old. Despite great oil wealth, its people are suffering under high living costs and unemployment. More important, in terms of this inquiry, there is mounting evidence from diverse sources that Iran's government is engaged in the following activities.

First, they are providing rocket stocks to Syria and through Syria to Iran's client, the non-state actor Hezbollah militia, to destabilize the region, kill Israeli citizens and, up to a recent settlement, civilians in Lebanon of all faiths.

Second, they are providing similar support to Iran's client insurgent militias in Iraq — militias that kill many more Muslims than they do American, British or other coalition forces in the country.

Third, they are pursuing a strategy of nuclear weapons development, announcing new milestones regularly in violation of IAEA agreements.

• (2030)

Fourth, they are articulating a nihilist destructive threat towards regional neighbours, including non-Shia Middle Eastern moderates like Jordan, the Gulf states, Egypt, Saudi Arabia, Morocco, Tunisia and, of course, Israel.

Fifth, and most important from our perspective as Canadians, they are providing arms training and support for Taliban forces who are killing Afghans and NATO forces, who are themselves operating under UN Resolution 1444 in the Afghan Islamic Republic and at the request of its democratically elected government, the Islamic Republic of Afghanistan.

The charges being leveled against Iran and Iran's motives for its nuclear energy program are denied by President Ahmadinejad with claims that all things nuclear in Iran are for peaceful purposes only. Yet, he ignored the February 21 deadline set by the UN to stop the uranium enrichment process and, instead, it was expanded. Ahmadinejad stated there is "no reverse gear" on Iran's way to mastering the technology to make nuclear fuel.

Lawrence Freedman, the distinguished military and political strategy historian at King's College London, points out in *A Choice of Enemies* that "Iran's international problems lay not with making the case for civil nuclear power or regional deterrence but in the fact that its program had moved forward with subterfuge and deception, disregarding obligations under the nonproliferation treaty."

Freedman reminds us all that it was in 1957, under President Dwight D. Eisenhower's Atoms for Peace initiative, that civil nuclear reactors were originally handed out to Iran. The United States was Iran's first source of research reactors, but Freedman goes on to point out:

If it (Iran) did acquire a real nuclear capability, then not only might it be emboldened in its foreign policy but it would also lead rival states in the region to start looking to their own nuclear option, causing the nonproliferation regime to further unravel . . .

— in, of all places, colleagues, the Middle East.

The geopolitics of Iran's positioning relative to the safe movement of vital shipping through the region are self-evident. The potential impact of Iranian efforts to radicalize Turkey, if allowed to be successful, could imperil vital pipelines moving gas and oil through the region in the future in ways that could be catastrophic.

I am sure there are colleagues here who may wonder why any of us might concern ourselves with what Mr. Chamberlain might have called a faraway land of which we know little. First of all, honourable senators, in today's world, no land is that far away. Second, rockets made in Iran are launched against civilian locales in Israel or Lebanon; in the former case, into communities well within the original pre-1947 borders established for Israel by the United Nations in a resolution supported by this country.

That may well beg and suggest retaliation. In the *New York Times* of April 13, Zvi Chafets, a former head of the government press office in Israel, wrote as follows:

... George W. Bush... hasn't been able to keep a (relatively easier) commitment to prevent Iran from developing nuclear weapons... What is the price of 100,000 dead in Tel Aviv or twice that? The cost to Iran would certainly be ghastly. ...

As to what might well ensue thereafter, as Iran itself has proclaimed, "no one in the region would be safe."

These are security issues that are larger than the region or the neighbourhood. They encompass Europe, Asia and, by definition, Canada. If President Ahmadinejad is to be taken at face value just based on statements that he has made, Iran is perfectly prepared to use its military to achieve its geopolitical goals in the region. If only half the evidence about how Iranian forces and Iranian-made arms are supplied and deployed in the region now are correct, many deaths and injuries are already due to Iranian initiatives in the region via her supply of arms and training of nihilistic forces.

On Iraq, before the U.S. Senate in April, General David Petraeus stated that Iran has fueled the violence in a particularly damaging way through its lethal support to the special groups by funding, training, arming and directing the so-called special groups with help from Lebanese Hezbollah.

It was these groups that launched Iranian rockets and mortar rounds at Iraq's seat of government two weeks ago, causing loss of innocent life and fear in the capital, and requiring Iraqi and coalition actions in response.

Honourable senators, Canada has tried to be reasonable with Iran. In the recent past, Ministers Manley and Vanciel visited when the Katami regime came into office. But Iran's consular performance and treatment of the rights of Canadians in Iran has been beyond deplorable. Our relationship now is only at the Chargé level.

As recently as this spring, the International Institute for Strategic Studies in London circulated a report that pointed out that the moderate states in the region are beginning their own nuclear pursuits in response to the Iranian nuclear threat. In speaking of the moderate Sunni countries in the region, the report said:

What they want is the human and technical infrastructure associated with nuclear energy programs in order to provide a counterbalance to Iran, both laying the ground for a possible future security hedge, and bestowing national prestige in the context of historic rivalries.

As a former chair of the Board of the International Atomic Energy Agency of the UN, Canada has a direct interest in this critical challenge of proliferation as a peaceful nuclear non-weapons state. We also have a clear position of principle which goes all the way back to the Honourable Howard Greene who, as Prime Minister Diefenbaker's foreign minister, was a leader at the UN and elsewhere on nuclear disarmament.

What general capacity do we have to engage in support of our allies in the region, allies who may well face particular risk generated by Iran? Of course, all Canadians would prefer diplomacy as long as it produces measurable progress, but if beyond the diplomacy rockets are being shipped, ordnance is being used against our allies and war is being planned, we must face that reality and engage accordingly. Are we doing enough to dialogue with Iran? Are we using the intelligence and other linkages available to us as constructively and intensely as we might or should?

At some point in the fall, perhaps the Senate Foreign Affairs Committee or the National Defence Committee might see fit in their wisdom to take on a series of thoughtful hearings on this issue. There are many Canadians and other experts on Iran from around the world from which we might hear, and even from within Iran itself. There are perspectives from other Middle Eastern countries, Sunni and Shia, we might canvass, as well as the Jordanian, Egyptian, Gulf state and Israeli partners we have in the region.

The Hon. the Speaker: I regret to advise that the honourable senator's 15 minutes has expired. Is he asking for another five minutes?

Hon. Senators: Agreed.

Senator Segal: Thank you, honourable senators. I appreciate very much the indulgence.

We owe Canada and Canadians a well-researched and constructive discussion of the issues, threats, options and choices we face in Iran. We must also get beyond the issue of the nuclear deadline and look at the balance in the region brought about by these difficulties.

The chain of command, should Iran decide to launch an attack, ends with Supreme Leader Ayatollah Ali Khomeini, who controls the Islamic Guard Revolutionary Corps and whose air force controls the long-range SSM missiles as part of their duties. President Ahmadinejad is not directly part of that chain of command, but the rhetoric the president has chosen is, in and of itself, a destabilizing force.

I do not contest, Canadians have never contested, Iran's right to the peaceful development of nuclear technology. I do not contest in any way Iran's right to sustain and embrace the Islamic

Revolution. Iran does not have the right, however, as no government does, to oppress its own people, to arrest, murder and execute Baha'i, Kurdish, Azari and Balochi democratic and student dissidents with impunity.

We ignore reality at our own peril. According to Israeli assessments, Iran is one year away from nuclear weaponry; according to Germany, she is nine years away; and according to the United States, two or three years away. If we split the difference, we have precious little time to shape a new option.

We cannot do away with the risk of another 1939 — a nuclear 1939 — without addressing the issue in the most upfront and direct way.

I hope that the core questions that have been touched upon — namely, the internal dynamic in Iran; the likely state of their military preparations; and a balance between Shia and Sunni states in the region — can be addressed by one of our committees. We can, of course, divert our eyes; we can pretend the IAEA, the UN Security Council, the Vienna process and our own diplomats have nothing whatever to worry about.

• (2040)

Nothing would make me happier than a Libyan solution, where sovereignty and independence are maintained but the nuclear option is set aside. Wishful thinking and prayer, while comforting and uplifting, are no replacement for preparation and clarity. There is still time for creativity and courage. There is no excuse for complacency, when the consequences of miscalculation could well be too serious to imagine.

Hon. Jeremiah S. Grafstein: Honourable senators, I thank the senator for that elucidating exposé. What is the Government of Canada's position respecting Iran's refusal to abide by repeated UN resolutions and the recent reports of the UN nuclear inspection chief?

Senator Segal: Honourable senators, my understanding is that the Government of Canada and the Minister of Foreign Affairs have issued strong critical statements with respect to Iran. They have supported strong coalition action, and continue to be actively engaged in looking for diplomatic solutions to this problem, but have spoken out directly and precisely every time an agreed-to date has been passed or more evidence has emerged of activity which, by any definition, is in violation of the non-proliferation treaty.

Senator Grafstein: It is clear that the UN resolutions are porous. The economic blockade is not working. There are members of NATO who still support elements of the nuclear program in Iran, according to press reports. What is the Canadian government doing about that?

Senator Segal: The senator will know I do not speak on behalf of the Canadian government. However, it has my total and complete support at all times.

The United States, the United Kingdom, our NATO allies and Europe continue to look for other ways and solutions to create a regime of sanctions that will have substantive impact without running out of peaceful opportunities for the purpose of advancing the cause. The hope is that at some point the internal dynamic within Iran will not turn away from peaceful nuclear

development, but turn away from the kind of development that could, by sending out the wrong signals, put the entire region in a catastrophic context.

On motion of Senator Tardif, debate adjourned.

CANADIAN HUMAN RIGHTS ACT

BILL TO AMEND—REPORT OF COMMITTEE

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

Hon. A. Raynell Andreychuk, Chair of the Standing Senate Committee on Human Rights, presented the following report:

Monday, June 16, 2008

The Standing Senate Committee on Human Rights has the honour to present its

TWELFTH REPORT

Your committee, to which was referred Bill C-21, An Act to amend the Canadian Human Rights Act, has, in obedience to the Order of Reference of Thursday, June 12, 2008, examined the said bill and now reports the same without amendment.

Respectfully submitted,

A. RAYNELL ANDREYCHUK
Chair

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

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

FOREIGN AFFAIRS AND INTERNATIONAL TRADE

STUDY ON AFRICA—*OVERCOMING 40 YEARS OF FAILURE: A NEW ROAD MAP FOR SUB-SAHARAN AFRICA*—MOTION TO PLACE COMMITTEE REPORT TABLED DURING PREVIOUS SESSION ON ORDER PAPER—DEBATE CONTINUED

Leave having been given to revert to Other, Other Business, Motion No. 76:

On the Order:

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

That the seventh report of the Standing Senate Committee on Foreign Affairs and International Trade entitled *Overcoming 40 Years Of Failure: A New Road Map For Sub-Saharan Africa*, tabled in the Senate on February 15, 2007, during the First Session of the Thirty-ninth Parliament, be placed on the Orders of the Day for consideration at the next sitting of the Senate;

And on the motion of the Honourable Senator Cools, seconded by the Honourable Senator McCoy, that the question now before the Senate be referred to the Standing Senate Committee on Foreign Affairs and International Trade for examination and report.—(*Honourable Senator Di Nino*)

Hon. Claudette Tardif (Deputy Leader of the Opposition): Question!

Hon. Pierre Claude Nolin: The question is on the amendment.

The Hon. the Speaker: Honourable senators, the question is on the motion in amendment moved by the Honourable Senator Cools, seconded by the Honourable Senator McCoy, that the question now before the Senate be referred to the Standing Senate Committee on Foreign Affairs and International Trade for examination and report.

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

Some Hon. Senators: Yes.

Some Hon. Senators: No.

The Hon. the Speaker: It is clear to me that the motion has been defeated.

We are now on the main motion. I will remind honourable senators what the question is on. It was moved by the Honourable Senator Di Nino, seconded by the Honourable Senator Nolin:

That the seventh report of the Standing Senate Committee on Foreign Affairs and International Trade, entitled *Overcoming 40 Years Of Failure: A New Road Map for Sub-Saharan Africa*, tabled in the Senate on February 15, 2007, during the First Session of the Thirty-ninth Parliament, be placed on the Orders of the Day for consideration at the next sitting of the Senate.

That is the question before the house.

On motion of Senator Andreychuk, debate adjourned.

STUDY ON FEDERAL GOVERNMENT RESPONSIBILITIES AND MATTERS GENERALLY RELATING TO ABORIGINAL PEOPLES

MOTION TO REQUEST GOVERNMENT RESPONSE TO INTERIM REPORT ADOPTED

Hon. Gerry St. Germain, pursuant to notice of June 11, 2008, moved:

That, pursuant to rule 131(2), the Senate request a complete and detailed response from the government to the fifth report of the Standing Senate Committee on

Aboriginal Peoples, entitled *Honouring the Spirit of Modern Treaties: Closing the Loopholes*, tabled in the Senate on May 15, 2008 and adopted by the Senate on May 27, 2008, with the Minister of Indian Affairs and Northern Development and Federal Interlocutor for Metis and Non-Status Indians, and the Minister of Intergovernmental Affairs and President of the Queen's Privy Council for Canada being identified as Ministers responsible for responding.

Hon. Hugh Segal: Honourable senators, I move the motion standing in the name of Senator St. Germain.

The Hon. the Speaker: Is there debate on the motion?

Senator Comeau: Question!

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

Motion agreed to.

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

COMMITTEE AUTHORIZED TO MEET DURING ADJOURNMENT OF THE SENATE

Hon. Art Eggleton, pursuant to notice earlier this day, moved:

That, pursuant to rule 95(3)(a), the Standing Senate Committee on Social Affairs, Science and Technology be authorized to sit from August 10 to August 14, 2008, inclusive, in St. John's, Newfoundland and Halifax, Nova Scotia, for the purposes of its study on cities, even though the Senate may then be adjourned for a period exceeding one week.

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

Hon. Senators: Question!

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

Motion agreed to.

The Senate adjourned until tomorrow at 2 p.m.

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