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**Thursday, November 5, 2009**



THE HONOURABLE NOËL A. KINSELLA  
SPEAKER

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## THE SENATE

Thursday, November 5, 2009

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

Prayers.

### SENATORS' STATEMENTS

#### NATIONAL SENIORS SAFETY WEEK

**Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)):** Honourable senators, next week is National Seniors Safety Week.

As the Minister of State for Seniors and on behalf of our government, I am deeply committed to this issue and welcome the opportunity to focus on the safety of older Canadians.

For all Canadians, safety means more than protection from physical harm or injury. It means financial safety, protection from abuse or neglect, building communities that are age-friendly, and encouraging physical activity and healthy lifestyles. The safety and security of Canada's seniors contribute to their overall well-being and quality of life so they are better able to lead positive and active lives.

The Government of Canada is steadfast in its commitment to improve the well-being of Canada's growing and diverse seniors population, as demonstrated through many federal initiatives and policies. For example, the Minister of Human Resources and Skills Development, the Honourable Diane Finley, and I have been leading an elder abuse awareness campaign. As part of that campaign, we recently launched a national advertising campaign entitled, *Elder Abuse: It's Time to Face the Reality*. The campaign is helping to shed light on the issue of elder abuse, which has remained hidden for too long.

Our seniors have contributed much to building this country and they deserve to live with dignity and respect. Our government is committed to helping seniors live in safety, free from fear of physical, financial and emotional violence. They should have a quality of life that is not tarnished by abuse of any kind.

Older Canadians are valuable members of society. They contribute a diversity of skills, knowledge and experience to their families and their communities. As we shine a light on seniors' safety, I encourage all honourable senators to consider how we might continue to support seniors to lead safe, productive and meaningful lives.

#### THE LATE HONOURABLE GEORGE ISAAC SMITH, M.B.E.

**Hon. James S. Cowan (Leader of the Opposition):** Honourable senators, I am pleased to join my friend, Senator Dickson, in remembering the late Honourable George Isaac Smith on the

occasion of the exhibit in his honour which opens this Saturday, November 7, in Truro, Nova Scotia. That date will be the one-hundredth anniversary of Senator Smith's birth.

Ike Smith is somewhat of a legend in Nova Scotia for his achievements and lifelong devotion to his province and his country. Senator Al Graham accurately described him as one of the modern-day political giants of Nova Scotia.

Senator Smith was, as Senator Dickson has said, a man of many accomplishments — a lawyer, a soldier and a politician. As a soldier, he served his country with great distinction before, during and after the Second World War earning, amongst other honours, the Order of the British Empire. As a lawyer, together with the late Justice Frank H. Patterson, he established the firm of Patterson and Smith, now known as Patterson Law, one of the leading law firms in Nova Scotia.

Senator Jacques Flynn, then the Leader of the Opposition in the Senate and a former federal Minister of Justice, said in his tribute after Senator Smith's death in 1982 that law was his first love. That is what he prepared for as a young man and where his heart really was.

However, it is as a politician that most remember him today. He was a staunch Progressive Conservative, beginning in the days when the party did not have a single seat in the Nova Scotia legislature. He and Robert Stanfield basically rebuilt the Progressive Conservative Party in Nova Scotia.

G.I. Smith served for 25 years as a member of the Nova Scotia legislature, including over a decade as a senior cabinet minister in the government of Premier Stanfield. He then succeeded Premier Stanfield as leader and premier when Mr. Stanfield turned from provincial politics to the federal arena. Senator Smith left electoral politics shortly after his government was defeated in 1970.

His time as premier was relatively brief but was marked by a number of accomplishments. He introduced medicare in Nova Scotia; established the Nova Scotia Human Rights Commission; and, when Hawker Siddeley announced that it would close the Sydney steel plant — then employing 4,000 people in Cape Breton — Premier Smith decided the government would take over the plant, establishing the Sydney Steel Corporation.

In 1975, Prime Minister Trudeau appointed him to the Senate, where he served with distinction until his death in 1982. When Senator Smith spoke for the first time in this chamber on November 20, 1975, he observed that his was the first instance of a prime minister appointing a senator from an opposition party, which Senator Smith pronounced to be a very wise policy.

While he was unquestionably and passionately partisan, he was equally respectful of his opponents and, as one senator described, he left behind him neither resentment nor enemies but, rather, a gracious memory of a fine person, one of high character who served his country well. After his sudden death, senators on both

sides of the chamber spoke at length about his remarkable life. I was struck by the number of Liberal senators who proudly described him as a great friend.

I wanted to speak here today, in part because I believe that this tradition exemplified by Senator Smith, of partisanship with respect, is crucial to real success and achievement in Parliament generally and perhaps especially so here in the Senate.

I also wanted to speak because of a personal connection my family had to Senator Smith. He and my father were classmates at Dalhousie Law School. They sat opposite each other in the Nova Scotia legislature for a time. I know that Senator Smith later appeared before my father in court. My father always had great respect for G.I. Smith, even as they disagreed over policy and political issues. That is a tradition I am proud to follow.

I am delighted that the Colchester Historical Society in Truro has chosen to honour Senator Smith's memory with this exhibit. My very best wishes go out to his family, his widow Sally and his three children, Alison, Rob and George, of whom he was so very proud. Their father's life is an example to all Canadians.

**Hon. Fred J. Dickson:** Honourable senators, allow me to continue where I left off on Tuesday in my tribute to the late Honourable George Isaac Smith. I will be quick today, as I have only a few paragraphs.

Senator Smith was adamant that regional disparity and equalization should be addressed in the Constitution, and that there should be a provision that would oblige the federal government to make equalization payments to the provinces in order to keep public services, which are rendered by the provinces, up to a standard approaching the national average.

After much negotiation, the addition of section 36(2) of the Constitution was achieved to address the commitment of the Government of Canada respecting public services offered by the provinces.

Legal scholars generally agree that it is hard to predict the legal enforceability of section 36, but the chances seem good. I am sure that as Senator Smith looks upon us today — I hope so — that section 36 will be accorded some legal significance.

This tribute for the multi-faceted accomplishments of the Honourable G.I. Smith as a builder of Canada, innovator and creator of public policy, would only have been achievable with the support of his beloved wife, Sally, whom he cherished so much, and his three children, Alison, Robert and George, all of whom made sacrifices so that he, husband and father, could serve his Canada and Nova Scotia.

For that, honourable senators, we say thank you.

• (1340)

## VETERANS' WEEK

**Hon. Yonah Martin:** Honourable senators, I rise today during this Veterans' Week to pay tribute to the courageous men and women of our Canadian military, both past and present. There

[ Senator Cowan ]

are no words to express the depth and breadth of a nation's gratitude and indebtedness to our Canadian soldiers over the course of our nation's history. We must never forget the sacrifices made or take for granted the freedoms we have today. That freedom did not come without a price but their sacrifices were not in vain. We must remember. Lest we forget.

I owe my existence to the 26,971 unsung Canadian heroes, as does every survivor of the Korean War, including my parents. My father was a 17-year-old teen who had to escape to safety in the middle of the night, leaving behind his nine-months-pregnant eldest sister and my grandmother, who stayed to take care of her. My mother, only 12, remembers all too vividly her constant hunger, her fear of losing everything and the kind foreign soldiers who came to help them. From 1950 to 1953, the bloody civil war tore apart a nation, separating families, flattening cities and killing tens of thousands of civilians and soldiers. In that war, 516 Canadians made the ultimate sacrifice.

In 1950, at a time when Canada was populated by a mere 13 million people, 26,971 of our nation's young men answered a call to action, to fight for foreign people in a faraway land, thousands of miles across an ocean, far from home. Canada was the third-largest contributor to the United Nations Allied Forces. These Canadians went to Korea, not because the Canadian government had sent them, but because they chose to answer a call to action. In essence, these 26,971 soldiers volunteered to fight a war that was not their own. The Korean War has been called the Forgotten War, for when the soldiers returned, Canada did not give them the heroes' welcome they deserved. However, they are heroes to me and all the people of Korean descent around the world.

Honourable senators, I stand here today with the deepest respect and gratitude to these unsung heroes of the Korean War. As the first Canadian of Korean descent to serve in the upper chamber, I stand here today as a part of their legacy, as does the Republic of Korea, which in only one generation, has risen from the ashes of war to stand now among the G20 nations, next to Canada.

I speak these words of remembrance so that all people of Korean descent — my grandparents, my parents, my generation and all generations hereafter — will never forget the selflessness, the courage and the ultimate sacrifices of the Canadian Forces and all Allied Forces of the Korean War.

Our brave men and women are presently in another foreign land, thousands of miles across an ocean, far from home, alongside Allied Forces to help the people of Afghanistan. They are families and children — as my parents once were — who want nothing more than to play and go to school. They are people with dreams of peace, freedom and democracy for their country. Perhaps the Republic of Korea stands as a beacon of hope for the people of Afghanistan.

May those of us blessed with peace, freedom and democracy remember with pride and gratitude the incredible contributions and sacrifices of our Canadian military, past and present.

We must remember. Lest we forget.

[*Translation*]

**Hon. Lucie Pépin:** Honourable senators, today marks the start of Veterans' Week. I am pleased to take this opportunity to speak about the extraordinary contributions made by our veterans.

I would like to pay tribute to our brave fellow citizens who lost their lives on the battlefields during armed conflicts or while keeping the peace. We will always remember those soldiers who gave their lives for Canada.

I would especially like to mention the young Canadians who have fallen in Afghanistan. These brave men and women made the ultimate sacrifice in fulfilling their mission. The loved ones they have left behind can rest assured that Canada will be forever grateful for their contribution.

I would also like to mention the military nurses who have played a role in all Canadian Forces missions. These nurses have always served their country well, and many of them unfortunately gave their lives in their effort to bring comfort to others. We must honour their dedication and recall their great feats.

The veterans' ceremony that will be held tomorrow in this chamber will give us the opportunity to thank the men and women who have served this country. I thank them at every chance I get. Our military personnel have accomplished and continue to accomplish extraordinary things.

The Canadian Forces have brought peace and sowed the seeds of freedom across the world. Leaving the comfort and security of their homes behind, our military personnel help Canada in its commitment to building a safe world. For that, we honour them and thank them. I believe that our young military personnel, galvanized and inspired by the military feats of veterans, will continue to make us proud.

Honourable senators, please join me in offering our veterans and military nurses our enduring gratitude.

[*English*]

#### INTERNATIONAL INUIT DAY

**Hon. Charlie Watt:** Honourable senators, we have a translator who will translate Inuktitut into English. I will speak Inuktitut.

[*Editor's Note: Senator Watt spoke in Inuktitut — translation follows.*]

Today, I am pleased to recognize International Inuit Day, which falls on Saturday, November 7 this year. This celebration started with the Inuit Circumpolar Council, ICC, as a reminder of the importance of Inuit unity and combined determination.

The ICC held the first Inuit Circumpolar Conference in 1977, and we have come a long way since then.

We can be proud that we settled all our land claims with the federal government and we have some form of self-government in each of these regions. It was my honour to participate in

formulating the Canadian Charter of Rights and Freedoms with Mark R. Gordon, on behalf of Inuit in Canada. I also want to remember and recognize that, although Mark R. Gordon of Canada is no longer here with us, he helped us a great deal in formulating the Charter.

Today, I take this opportunity to mention also some of the great Inuit leaders who encouraged us all to preserve our culture and language, which provides the foundation for our identity and for our future. I especially thank Ollie Ittinuar. He has spoken to many young people on the radio for many years, teaching about good life.

I also want to recognize Rhoda Karetak from Rankin Inlet. She is the mother of Nancy Karetak-Lindell, who served as member of Parliament for Nunavut for 10 years. I also greatly appreciate what she has contributed to the Inuit. I thank these people for their dedication to the Inuit and for their support for all Canadians.

Honourable senators, in the spirit of this day, information kits about the Inuit are available in the reading room.

• (1350)

[*English*]

#### HEALTH CARE WORKERS

**Hon. Carolyn Stewart Olsen:** Honourable senators, I rise today to pay tribute to our health care workers on the front lines of Canada's massive program to immunize Canadians against the H1N1 virus. Right across the country, these dedicated personnel are breaking new ground as we work together to fight this disease.

We have never done this before, and most Canadians understand there will be bumps along the way; but each day, the clinics get smoother, more people are vaccinated and wait times are shortening as we learn and adapt.

I have nothing but praise for these front-line workers who deserve our unqualified support. They do not deserve politicians who discredit our expert public health officials and who promote confusion and fear.

As a former health care worker, I found myself critiquing the program as it got started. I certainly knew how to do it better. Then I realized how those on the front lines and those waiting for shots must feel when politicians questioned everything, from wait times to vaccine availability, and even which or when to administer the vaccine. I would have been devastated, confused and upset. I would not have known whom to trust.

Honourable senators, a little knowledge is a dangerous thing. Our front-line workers do not deserve armchair quarterbacks in Ottawa who undermine their efforts. What they do deserve is our trust, our gratitude and our support.

It is passing strange that we have all levels of government — federal, provincial and municipal — working together to get the job done, and then we have federal opposition parties who are not able to put politics aside and work together for all Canadians.

I urge all politicians to join in the efforts to fight H1N1. The public needs to know we trust our public health officials and experts. We must not be in the business of second-guessing the World Health Organization and our officials.

Please join me in supporting the efforts of all those at the forefront of this massive initiative.

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

**An Hon. Senator:** You forgot your red mitts!

[*Translation*]

### REMEMBRANCE DAY

**Hon. Roméo Antonius Dallaire:** Honourable senators, November 11 is Remembrance Day, the day we reflect on the sacrifices made by Canadians during the First and Second World Wars and the Korean War.

[*English*]

Since the end of the Cold War, now 20 years ago, the Canadian Armed Forces have been in war zones and have taken casualties to the extent that we now have a number of Canadian Forces who have more combat time than those who served in the Second World War. We now have more veterans of the new generation who have served in combat zones, UN peacekeeping missions and other missions around the world than we have Korean veterans.

We find ourselves at a time when we address those who are committed to the sacrifices of the conflict zones in our name and recognize them fully at those opportunities of remembrance.

Major Luc Racine was one of the 12 reinforcements who came to me in 1994 and, within the span of 42 hours, had saved an orphanage full of children. The only casualty was the journalist who was attached to him — and he was shot in one unspeakable place.

Major Racine subsequently took command of a small battalion of unequipped Canadians and took over the humanitarian protection zone, which had within it 1.6 million internal refugees. He coordinated the humanitarian protection, support and, ultimately, the transfer to the Rwandan government.

Major Racine continued to serve in the Armed Forces in peacekeeping and peacekeeping training and suffered the injury of post-traumatic stress disorder. A few months ago, Major Racine committed suicide.

Major Luc Racine is a veteran and he is one of my heroes.

### VISITOR IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of Rhoda Innuksuk, President of the Pauktuutit, The National Voice of Inuit Women. She is a guest of the Honourable Senator Patterson.

[ Senator Stewart Olsen ]

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

## ROUTINE PROCEEDINGS

### THE ESTIMATES, 2009-10

#### SUPPLEMENTARY ESTIMATES (B) TABLED

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** Honourable senators, I have the honour to table, in both official languages, the Supplementary Estimates (B) 2009-10, for the fiscal year ending March 31, 2010.

[*Translation*]

### TREASURY BOARD

#### 2008-09 DEPARTMENTAL PERFORMANCE REPORTS TABLED

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** Honourable senators, I have the honour to table, in both official languages, the departmental performance reports for 2008-09.

### EMPLOYMENT INSURANCE ACT

#### BILL TO AMEND—TENTH REPORT OF NATIONAL FINANCE COMMITTEE PRESENTED

**Hon. Joseph A. Day,** Chair of the Standing Senate Committee on National Finance, presented the following report:

Thursday, November 5, 2009

The Standing Senate Committee on National Finance has the honour to present its

#### TENTH REPORT

Your committee, to which was referred Bill C-50, An Act to amend the Employment Insurance Act and to increase benefits, has, in obedience to its order of reference of November 4, 2009, examined the said Bill and now reports the same without amendment.

Respectfully submitted,

JOSEPH A. DAY  
*Chair*

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

(On motion of Senator Comeau, bill placed on Orders of the Day for third reading later this day.)

• (1400)

### THE ESTIMATES, 2009-10

#### NOTICE OF MOTION TO REFER VOTE 10 TO STANDING JOINT COMMITTEE ON LIBRARY OF PARLIAMENT

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

That the Standing Joint Committee on the Library of Parliament be authorized to examine and report upon the expenditures set out in Parliament Vote 10 of Supplementary Estimates (B) for the fiscal year ending March 31, 2010; and

That a message be sent to the House of Commons to acquaint that House accordingly.

#### NOTICE OF MOTION TO AUTHORIZE NATIONAL FINANCE COMMITTEE TO STUDY SUPPLEMENTARY ESTIMATES (B)

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

That the Standing Senate Committee on National Finance be authorized to examine and report upon the expenditures set out in Supplementary Estimates (B) for the fiscal year ending March 31, 2010, with the exception of Parliament Vote 10.

[English]

### CANADA-AFRICA PARLIAMENTARY ASSOCIATION

#### BILATERAL VISITS, AUGUST 16-21, 2009— REPORT TABLED

**Hon. A. Raynell Andreychuk:** Honourable senators, pursuant to rule 23(6), I have the honour to table, in both official languages, the report of the Canadian parliamentary delegation of the Canada-Africa Parliamentary Association on the Bilateral Visits to Angola and Namibia, held in Luanda, Angola and Windhoek, Namibia, from August 16 to 21, 2009.

## QUESTION PERIOD

### SPORT

#### OLYMPIC TORCH RELAY

**Hon. Lorna Milne:** Honourable senators, in my question yesterday to the Leader of the Government in the Senate about the Olympic torch relay, I wondered why the torch was going to spend only one day travelling through Toronto while it will spend

four days traveling through Calgary. My supplementary question is this: What on earth did those poor 20 Conservative MPs do to displease the Prime Minister so much that the Olympic torch relay will go nowhere near their ridings?

**Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)):** Interestingly, the honourable senator had better put the Prime Minister at the head of that list because the torch relay will not go through his riding.

**Senator Milne:** Honourable senators, it is difficult to understand how the torch could be in Calgary for four days and not go through the Prime Minister's riding.

Why will the torch spend only one day in Toronto? Toronto is the capital of Ontario, to the surprise of Senator Tkachuk; and the most populous city in this country.

**Senator LeBreton:** My short answer is that the honourable senator's allegations yesterday were ridiculous. To set the record straight, the Vancouver Organizing Committee, VANOC, organized the torch relay without any political interference. VANOC's CEO, John Furlong, has said:

At no time did anybody in any government, or any political party offer one iota of counsel or influence about that . . . We did our jobs the way we should have done them.

[Translation]

### CANADIAN HERITAGE

#### MUSEUM WORKERS' JOB ACTION

**Hon. Jean Lapointe:** Honourable senators, my question is for the Leader of the Government in the Senate. Are she and the Minister of Heritage, James Moore, aware that the employees of the largest museums in the country, the Canadian Museum of Civilization and the Canadian War Museum, have been on strike since September 21, 2009; that is, for the past seven weeks? Would they not agree that this has gone on long enough and that the minister should assume his responsibilities and exercise his influence to force the parties back to the bargaining table?

[English]

**Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)):** I thank the honourable senator for the question. I am aware of the strike by the museum workers. I saw the PSAC demonstration on the Hill earlier today.

As the honourable senator knows, a mediator is in negotiation with both sides, including the unions representing the museum workers. It is hoped that they will reach an agreement as quickly as possible.

[Translation]

**Senator Lapointe:** Do the Leader of the Government in the Senate and Minister Moore realize how disappointed parents and children are by the fact that the staff of those museums cannot perform their duties, their main duty being to provide services

that the public is entitled to receive? Do they know how many schools have cancelled their visits and the number of special events that have also been cancelled? Do they know how many children have not been able to enjoy the wealth of Canada's heritage and history offered by those two institutions, which fall directly under Minister Moore's responsibility? Why penalize our children, the public and tourists, just to name a few? Is the minister simply crazy or completely incompetent?

[English]

**Senator LeBreton:** Obviously, honourable senators, no one takes any joy from the difficulties caused by the museum workers' strike. That is why Minister Moore supports the federal mediator who is working with the unions to try to resolve this dispute as quickly as possible.

[Translation]

**Senator Lapointe:** I have another question for the Leader of the Government in the Senate. Is she aware — does she know or did she know — that most Canadian Museum of Civilization and Canadian War Museum employees' salaries can be up to 40 per cent lower than salaries in comparable positions at other museums in the National Capital Region? Would she not agree that this issue needs to be examined?

[English]

**Senator LeBreton:** I will not comment on wages or wage negotiations of any public employee. In this particular dispute, a federal mediator is working with both parties. It is hoped that they will come to an agreement as quickly as possible so that these museums can be fully operational and people can avail themselves of the wonderful treasures they have to offer.

## ENVIRONMENT

### CLIMATE CHANGE

**Hon. Grant Mitchell:** Honourable senators, Minister Prentice recently lamented the TD report on climate change action by underlining that taking such action would have certain costs to our economic growth. His overall message was encouraging because he said that we do not have to experience these costs if we take action on climate change in some kind of an orderly way.

For him to make such a definitive argument would imply that he must know what that orderly way is and that he must have an orderly plan. Can the leader tell the house what that plan is, when we will see it and when her government will get started?

• (1410)

**Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)):** I am sure that Minister Prentice will be happy when I tell him that Senator Mitchell is an expert at putting words in his mouth, too.

I reiterate that our plan is clear and has been all along. We will reduce greenhouse gas emissions by 20 per cent by 2020. Canada must continue to work on this target with our North American allies. We are making progress on tailpipe emission standards,

[ Senator Lapointe ]

aviation standards, carbon capture and storage and a North American integrated approach to cap-and-trade. Our government strives to make Canada a clean energy superpower, and that clean energy includes clean oil. We are working to achieve that goal domestically through new technologies such as carbon capture and storage and continentally through the clean energy dialogue.

Our Economic Action Plan takes steps to stimulate Canada's economy through investments in clean green energy. In addition to the Clean Energy Fund, there is help for Canadian homeowners to make their houses more energy efficient. Many Canadians have participated in this important program.

**Senator Mitchell:** Honourable senators, the government has been throwing out a whole lot of symbolic things, apart from all the programs that were working that the government cancelled.

However, rather than listing all these symbolic gestures, does the minister have facts and figures to show how much each initiative will reduce carbon emissions and how that reduction relates to the 20 per cent of 2006 levels that the government says it will achieve by 2020? The leader and her government are, after all, hard-nosed, economically driven Conservatives. Give us some specifics.

**Senator LeBreton:** Honourable senators, Minister Prentice has been in the media frequently in the lead-up to Copenhagen and has been clear that he and the government believe that major initiatives in this area cannot be achieved without the full participation of the leading emitters, which include China, India and the United States. That participation is why it is so important that Minister Prentice works with our colleagues in the United States on the clean energy dialogue.

As Minister Prentice prepares to participate on behalf of the Government of Canada in Copenhagen, he said:

We will not negotiate from a position of weakness the way the Liberals did —

Here he is referring to when the Liberals were in government. He continued:

We will not be the Boy Scouts at the table.

**Senator Mitchell:** What does the leader have against Boy Scouts? She should quit being so critical of Boy Scouts.

It is interesting that, in defending the work of Minister Prentice, the Leader of the Government in the Senate said the minister has been working hard and that he has been in the media. Is it not interesting that the Conservatives think that being in the media is running a government and working hard? Spinning may feel like hard work, but it is not.

The government frequently talks about how much climate change action will cost the economy, but never once have I heard them talk about, or present a study on, how much it will cost if we do nothing about climate change.

Does the Leader of the Government, the minister or the Prime Minister have some form of data or research on what climate inaction will cost us?



**Senator LeBreton:** Honourable senators, Minister Prentice has published papers, given interviews and communicated within Parliament and with the public about his work with our colleagues in the United States and around the world. He has been laying out his approach as he prepares for Copenhagen.

I think we all agree that Canada has an energy-driven economy in many ways. There is a way to approach this matter so that the environmental goals of Canada, particularly in the North American context with our neighbours to the south, can be presented in such a way as to take positive steps toward a green economy with the use of emerging technologies without causing serious repercussions for our economy and the jobs upon which Canadians rely. We do not want to proceed without considering the entire issue.

Minister Prentice is respected and credible. He will represent Canada well in Copenhagen, but he will not go there and sign, on behalf of the Government of Canada, a document that we have no intention of living up to.

## FOREIGN AFFAIRS

### DARFUR COMMITMENT

**Hon. Roméo Antonius Dallaire:** Honourable senators, my question is directed to the Leader of the Government in the Senate. In 2005, I was given the responsibility by then Prime Minister Martin to lead a team into Darfur and Sudan to look at how Canada could support the nascent African Mission in Sudan — AMIS, created by the African Union — to stop the slaughter, displacement and ultimately the destruction of nearly 2.5 million Darfurians as they were attacked by the police and government forces from Sudan. We deployed armoured vehicles, thousands of pieces of equipment, training capabilities and about \$200 million worth of aid.

Now that that United Nations force is building, we are pulling out the armoured vehicles. We do not want to maintain the vehicles or replace them, and thus we are reducing the capability of the force.

I received word directly from the Prime Minister's Office that the Minister of Foreign Affairs was replacing us because we are no longer needed. Can the leader explain why we are reducing our capabilities in an effort that has been ongoing for nearly seven years?

**Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)):** Honourable senators, I will take the honourable senator's question as notice because he has asked specific questions about our efforts in Darfur. The government has commitments all over the continent of Africa. I am well aware of the mission in which Senator Dallaire participated on behalf of the previous government. He is to be commended for his work.

However, this government has other ways of doing things. As I have said before, because something was in place when we came into government does not necessarily mean it will continue in that form. That is not to take away in any way from the great work of the honourable senator.

**Senator Dallaire:** Honourable senators, although we have sent funds for humanitarian aid and have a small group of officers assisting there, I hear directly from the commanders in the field of the UN force that Canada has demonstrated no desire or will to provide leadership or to enhance the capability to stop the ongoing killing. Canada has no desire to assist the UN and the forces on the ground through political or military capability to stop the catastrophe.

• (1420)

**Senator LeBreton:** Honourable senators, I will take Senator Dallaire's question with regard to what the UN officials are saying in Darfur as notice.

However, it is quite obvious that Canada's military role is being stretched to the limits in our efforts in Afghanistan. With regard to the UN side of things, I will have to seek further information before I can properly answer the honourable senator's question.

## ARMED FORCES

### PERSONNEL STRUCTURE

**Hon. Roméo Antonius Dallaire:** Honourable senators, with regard to getting information about our military capabilities, which are limited, I have recently seen as a witness in front of one of our committees the Chief of Military Personnel, who is responsible for human resources of over 80,000 military personnel. I noticed that he is a two-star general, which is the equivalent of an EX-03. Other witnesses in attendance, those who are responsible for looking after veterans' dossiers and matters of post-traumatic stress disorder and so on, were ADMs or EX-05s.

Previously, the Liberal government chopped the general officer corps in half. Knowing full well the increased demands on our personnel, why would the Conservative government not consider increasing the number of generals to meet the incredible demands, even providing more to the UN, let alone providing the right rank structure in order to be responsibly capable of competing in the discussions with civilian equivalents on human resources and the demands in this town?

**Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)):** Honourable senators, far be it from me to in any way involve myself in a discussion about the structure and rank of the Armed Forces. We have a hierarchy in place under the Chief of Defence Staff, General Natynczyk. I will be happy to pass on the honourable senator's concerns about the distribution of command and his view that there are more people on the civilian side than on the military side. I might have misunderstood what Senator Dallaire was saying but, in any event, I will get back with an answer in written form.

**Senator Dallaire:** Honourable senators, it is just that the civilian side of the house has a rank structure that seems so vastly superior to the rank structure of the military for people doing equivalent jobs and with even more responsibility. Part of that is because we simply reduced the number of generals or EXs, their equivalents in the civilian world. I believe that disparity has a negative impact on the capability of the Forces to do its job in this town, which is incredibly rank conscious, particularly in the civil service.

**Senator LeBreton:** I hope when the honourable senator used the term “superior,” he meant in number, not in talent. I am sure there will be many people in the Canadian Armed Forces who would be very concerned about that term. I am assuming the senator meant in terms of numbers but, again, I will be happy to provide a written answer.

## NATIONAL CAPITAL COMMISSION

### LAND USE IN GATINEAU PARK

**Hon. Tommy Banks:** Honourable senators, my questions are for the Leader of the Government in the Senate. I have two questions. They both have to do with land use in Gatineau Park.

First, the law firm of Gowlings wrote a report in 2008, I believe, about the lack of authority of the National Capital Commission to make bylaws and other impositions and impediments to private development in Gatineau Park. Is that report available and, if so, could it be made available in this place?

Second, in a meeting of the National Capital Commission some time ago, a member of the National Capital Commission recused themselves from that meeting which, I understand, was dealing with questions of the acquisition of private land in Gatineau Park. Could the leader inform us, without getting into details of whom, of the nature of the reason for which that member might have recused himself or herself from that consideration?

**Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)):** Honourable senators, the National Capital Commission did engage a law firm to provide a legal opinion, which was the law firm that Senator Banks mentioned, but not a study per se regarding the commission’s authorities in respect to Gatineau Park. The opinion was sought by the National Capital Commission and provided to them, and it is not publicly available due to solicitor-client privilege.

Regarding the question of conflict of interest, indeed, a member of the National Capital Commission’s board of directors did recuse themselves from an item of discussion during a board meeting due to a conflict of interest. The nature of the conflict of interest is not available, but obviously this individual board member did the proper thing by recusing themselves from the discussion on the table at that time.

**Senator Banks:** Honourable senators, I understand that if it was a legal opinion that was sought from Gowlings, then that would be susceptible to an argument of solicitor-client privilege.

Could the leader tell us if it is the view of the government that the National Capital Commission has the authority to make bylaws and other regulations with respect to the acquisition and maintenance of private land and the sale of park land for private land use within Gatineau Park?

I understand the leader might want to take that as a question on notice.

**Senator LeBreton:** Honourable senators, the legal opinion that they sought would be subject to solicitor-client privilege.

With regard to the specific question about bylaws, as the honourable senator anticipated, I will be happy to refer that to the ministerial officials and seek a written answer for him.

## PUBLIC SERVICE COMMISSION

### ACCELERATED ECONOMIST TRAINING PROGRAM— RECRUITMENT PROCESS

**Hon. Terry M. Mercer:** Honourable senators, today in *The Canadian Press* there is a story that disturbs me greatly. It states:

An elite federal program to recruit the cream of new graduates suddenly wants to know the applicants’ views on the government’s vaunted Economic Action Plan before they get a job interview.

The Accelerated Economist Training Program invites highly educated people to develop careers in the federal public service, starting at a senior level . . .

But this year, for the first time, candidates need to provide more than a list of qualifications and good marks. They also must write 1,000 words on the federal government’s last budget, promoted widely as the Economic Action Plan. . . .

Applications need to be submitted by Monday. It’s the first time recruits have to submit an essay. It’s also the first time recruiting has been led by the Privy Council Office. Treasury Board spearheaded the program in previous years.

Let me quote Les Pal, a professor of public policy at Carleton University:

It smells a little bit. . . . of inviting people to write glowing things about the economic recovery plan.

Could the Leader of the Government in the Senate tell me whether this is a change to politicize the public service and to ensure that only people who are politically in tune with Stephen Harper’s Conservatives get hired?

**Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)):** Honourable senators, I am somewhat ahead of Senator Mercer on that because I saw that same story and knew for sure he would be asking me this question.

The situation is that the public service decided to administer a written exam for the Accelerated Economist Training Program.

• (1430)

Written exams are routinely employed in selection processes across the public service. The essay seeks to measure an applicant’s analytical capacity and does not necessarily have a right or wrong answer.

The annual report of the Public Service Commission, I hasten to add, tabled in October, confirmed that the values of merit and non-partisanship are being respected across the public service. We continue to take steps to address recruitment, retention, learning and development issues across the public service.

The Public Service Commission used this as a test example for the Accelerated Economist Training Program. It is nothing more or nothing less, honourable senators. It is simply a function of the public service.

**Senator Mercer:** Honourable senators, the article, written by Heather Scoffield, continues:

. . . some senior public servants have quietly raised concerns about what they see as the politicization of the bureaucracy and the Prime Minister's penchant for using the Privy Council Office for political purposes rather than just policy.

Further:

The Public Service Commission prides itself for upholding a strictly non-partisan workforce. . . .

Ms. Scoffield continues:

In a recent paper on impartiality, the commission warns that partisan hiring could undermine the legitimacy of government practices, erode public trust, cause turmoil and high turnover and even threaten the essence of functioning democracy.

I ask the Leader of the Government in the Senate again: Will the government only hire true believers? Are the members of this independent, public committee the same people who may have decided on the route of the Olympic torch?

**Senator LeBreton:** Honourable senators, the fact is that the public service has nothing to do with the government. The individual that Senator Mercer quoted obviously thinks otherwise.

People can misinterpret many things, but there was nothing untoward about this testing. This is a standard measure. There was no right or wrong answer. They were just using this as an example for the Accelerated Economist Training Program.

I return to the annual report of the Public Service Commission where it was confirmed that the values of merit and non-partisanship are being respected across the public service. In fact, if Senator Mercer delves into the report, the commission addresses people who came into the public service before we came into government.

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## ORDERS OF THE DAY

### EMPLOYMENT INSURANCE ACT

#### BILL TO AMEND—THIRD READING

**Hon. Richard Neufeld** moved third reading of Bill C-50, An Act to amend the Employment Insurance Act and to increase benefits.

He said: Honourable senators, it is with great pleasure that I rise today in the Senate to address Bill C-50 at third reading and to thank the members of the Standing Senate Committee on National Finance who have worked diligently and cordially on the pre-study of this important bill.

The economic downturn originated outside of Canada but nonetheless affected Canadians. People, through no fault of their own, lost their jobs. As a result, the government had to act, and Bill C-50 was an important part of the response to this crisis in helping those workers who found themselves jobless and in need of help.

I would like to thank the members of the National Finance Committee who studied the bill and who, this morning, dealt with it expeditiously so that these long-tenured workers can get the help they need. I would especially like to thank the Chair of the Standing Senate Committee on National Finance, Senator Day, for his work on that committee and his judiciousness in reviewing all matters relating to our nation's finances.

All senators of the Standing Senate Committee on National Finance should be congratulated for their efforts on the study of this bill. This is truly an important measure to help Canadians weather the economic crisis as we move forward toward recovery.

**Hon. Joseph A. Day:** Honourable senators, I, too, would like to thank the members of the National Finance Committee for meeting out of their normal time to handle this bill, Bill C-50, and for demonstrating their diligence and good work of this chamber.

I would also like to compliment Senator Neufeld on his second opportunity to sponsor a bill and congratulate him on a job well done on this particular piece of legislation.

As indicated, honourable senators, we met today with Human Resources and Skills Development Canada and Service Canada to understand the amendments to this particular bill. As I anticipated yesterday in my comments, the government made three amendments at the end of the committee hearing process in the House of Commons. Two of the amendments removed the nine-month backdating provision.

Honourable senators will recall that the bill provided that those who established their entitlement period January 4 of 2009 forward would be entitled to the provisions of Bill C-50. However, there was a qualification that it was the later of January 4 or nine months plus another qualifier of the Sunday two weeks before.

I will not get into the details, but it made it roughly mid-October that, if the bill received Royal Assent after that, then the January 4 date would be moved.

The government has taken out the nine-month restriction in the amendment. On questioning, it was indicated that they went back to January 4 because of an analysis of those who were in receipt of Employment Insurance claims. They went back to January 4 to ensure that they included that large group.

I asked about the nine-month restriction, and the answer given was that, well, we did not want to leave this open-ended; it could get to be quite a number if the bill did not receive Royal Assent for a period of time. On reflection, it was more important to try to capture that group of individuals from January 4, so the nine months has been taken out. Honourable senators, I believe that was a wise amendment.

The only other amendment is one that I wish I could say that we found was necessary. We had looked at this earlier on. The government proposed this amendment to ensure that the extra weeks of benefit provided for in this bill could, in fact, be received. The difficulty is that the way the Employment Insurance Act is worded, there is a period of time called the benefit period and it is during that benefit period that those who qualify can receive benefits. Benefits and the benefit period are out of sync by two weeks because of the delay time.

This bill extended, from 50 weeks maximum, 20 weeks more, up to 70 weeks that certain individuals can claim Employment Insurance benefits now; however, they had not extended the benefit period. Even though they were entitled under this legislation to receive 70 weeks, their benefit period was only 52 weeks; they could only receive the 50 to 52 weeks as opposed to the 70 weeks that was the intent of this legislation.

• (1440)

For that reason, the amendment extends the benefit period so individuals can take full advantage if they are entitled under the rules of receiving benefits for the entire 70 weeks. That period is 50 weeks plus 20.

Honourable senators, 20 weeks is the maximum number of extra weeks that can be received. There is a reducing scale. The first test is unemployed individuals cannot have claimed more than 35 weeks in the last five years. They must have paid 30 per cent of the maximum of the annual premiums on an annual basis for 12 of 15 years to fit under this framework. As I indicated, they cannot have drawn more EI benefits over five years than 35 weeks.

Honourable senators, those restrictions create a restricted group. The concern that was expressed was that there will now be good unemployed and bad unemployed. The good unemployed will be able to receive these benefits, and the bad unemployed — the lower income workers or those who have received more than 35 weeks over the last five years — are not entitled to fit into this framework. The restrictions create two classes, and that was one of the concerns — I think it is a serious concern — at a philosophical level. We look at this legislation from a policy level, and we look at it from how that policy is implemented. We will talk more on Bill C-6 about how the policy is great, but how it will be implemented causes concerns. With this bill, I am concerned at the policy level that we are creating these different categories of individuals. That concern is the biggest one that was expressed.

I failed to make one other point yesterday that should go on the record, and that is with respect to the cost. We asked today if the cost for this initiative remains unchanged, and the

government indicated \$935 million is the government estimate and 180,000 to 190,000 people, maximum, will benefit from this bill.

The concern is the cost. The government will create a separate board that is supposed to be somewhat at arm's length from government and that is supposed to set the premiums to break even with the benefits that are paid out. That work is intended to happen within the next year or so.

The board has now been created, and the concern is that the board has only \$2 billion in their fund. Certain of our witnesses, including the Atlantic Institute for Market Studies, AIMS, the think tank from Halifax, expressed concern about the funding. AIMS said that the \$935 million for this special program, which exists only for a year and a half and then it is over, should be paid out of the Consolidated Revenue Fund into the trust fund for future Employment Insurance, as opposed to taking it out of the \$2 billion amount that had been transferred. Now the money for the program will start with \$1 billion. There is no way they will be able to function on a break-even basis without setting premiums that are so high that absolutely no one can afford to pay them.

A problem is brewing in that regard, honourable senators, and I am confident we will need to deal with that problem at another time. It is there and it remains there.

The other concern is one expressed by honourable senators yesterday. I think it is important to indicate on the record that this situation is extraordinary. If someone looked at this situation on its face and determined that Bill C-50 came into this chamber 24 hours ago, and we are now leaning towards passing the bill at third reading, a 24-hour bill must not be looked upon as a precedent. I appreciate the words of Senator Cools and Senator Carstairs, and I endorse their words.

However, it is important to remember that we conducted a partial pre-study with respect to this particular matter. We were familiar with the bill, and we recognized how important this bill is in the economic downturn. For that reason, I encourage honourable senators to consider this legislation as a one-off and the way we have handled it here as a one-off. I think people will understand that the Senate has done its job in passing this legislation, on division, as it was passed on division at our committee.

**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:** On division.

**The Hon. the Speaker:** On division.

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

[ Senator Day ]

[Translation]

## TREASURY BOARD

2008-09 ANNUAL REPORT TO PARLIAMENT TABLED

Leave having been given to revert to Tabling of Documents:

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** Honourable senators, I have the honour to table, in both official languages, the 2009 annual report to Parliament, entitled: *Canada's Performance*.

## PUBLIC ACCOUNTS OF CANADA

2009 REPORT TABLED

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** Honourable senators, I have the honour to table, in both official languages, the 2009 Public Accounts of Canada.

[English]

## CANADA'S ECONOMIC ACTION PLAN

THIRD REPORT—INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Comeau calling the attention of the Senate to *Canada's Economic Action Plan — A Third Report to Canadians*, tabled in the House of Commons on September 28, 2009, by the Minister of Transport, Infrastructure and Communities, the Honourable John Baird, P.C., M.P., and in the Senate on September 29, 2009.

**Hon. Dennis Glen Patterson:** Honourable senators, I will begin my first address in this chamber speaking Inuktitut, the first language of the majority of the residents of Nunavut.

[Editor's Note: Senator Patterson spoke in Inuktitut — translation follows]

I am happy to be making my inaugural speech in the Senate as Senator for Nunavut on International Inuit Day. I begin with a tribute to my predecessor, the Honourable Willie Adams, who is my longtime friend.

Willie helped us in the struggle for the creation of Nunavut. He sent out letters to every resident of the Northwest Territories urging residents to vote yes to the first territorial plebiscite on division of the territories in 1982. Senator Adams and Senator Watt were standing by our side as we fought for the restoration of Aboriginal rights in the Constitution in 1982.

I know that many honourable senators in this chamber know Senator Willie Adams as Nunavut's elder statesman, a gentleman and a man passionately dedicated to the advancement of Inuit.

• (1450)

I am very happy today to be able to speak Inuktitut and it feels good to have an opportunity to speak here at the Senate.

Premier Eva Aariak told me that the Inuktitut interpretation of "senator", *etuk*, means an old man. I told Madame Premier that I would look for a new name since I do not feel old yet, and neither do I see any people in this house who are acting like they are old.

[English]

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

**Senator Patterson:** I need more practice, honourable senators, but thank you.

I would like to take a moment to tell you a bit about myself and events in my life which were pivotal in leading me to the honour of sitting and speaking in this chamber.

I have always been fascinated by politics. I can vividly remember the election of 1957 when John Diefenbaker was running on his campaign of a northern vision for Canada, *Roads to Resources*. I remember following the footprints painted everywhere on the sidewalk, exhorting us to follow John. What is notable to me in hindsight was that I was nine years old that year. Years later, I was there at his feet when Diefenbaker made a speech, a thrilling moment for a teenage kid, sitting right below those quivering jowls.

In Grande Prairie, where I went to high school and junior college, our MP was Ged Baldwin, a friend of our family and a man who was renowned as a parliamentarian. Like Diefenbaker, Ged Baldwin was a rural lawyer who championed causes of the little people, a man revered by his constituents in the Peace River country and his parliamentary colleagues from all parties. Mr. Baldwin inspired me to pursue my interest in politics so that I got involved in the Progressive Conservative Student Federation and helped Peter Lougheed's provincial Conservative Party turn over the Socred dynasty in Alberta with six seats at first and then a very strong mandate. Peter Lougheed was yet another inspiring politician in my life.

I was in students' council in high school, college and at the university level, and then went to Dalhousie Law School to take law. There, with law student friends, we established the Dalhousie Student Legal Aid Service in the north end of Halifax and watched it lead to an accredited course in poverty law at Dal and later become a model for change for Nova Scotia legal aid store-front clinics.

After law school, I had the honour of articling with Senator Oliver's esteemed former law firm, Stewart MacKeen & Covert, when Senator Oliver was there and also while the Honourable James Cowan was there, and I think he is still there. I then articulated with Shrum, Liddle & Heberton in Vancouver in my home province of B.C.

It was while I was in Vancouver that I got a call from a former Dalhousie law professor that changed my life. A job had come up on Baffin Island as the first director of a pilot program to establish a new store-front legal aid clinic there, with myself being a year-round resident lawyer in what was then Frobisher Bay. This was an alternative to fly-in/fly-out circuit legal aid lawyers

from faraway Yellowknife. I wanted to jump at the chance, but not really knowing what I was getting into, I persuaded my firm to give me a leave of absence so I could come back in a year after helping to set up the new legal aid clinic. I ended up staying for 25 years.

That experience taught me a lot. I was mandated to train and work with Inuit paralegals and support staff, to help people in conflict with the law in criminal or family areas, to provide legal education and to recommend law reform.

After working with elders to recommend changes to a proposed new wildlife ordinance, as NWT statutes were then called, and having difficulties getting our amendments to the attention of the territorial council of the day through our elected representative, I proclaimed my dissatisfaction with the representation we were getting by our MLA. Before I knew it, I had been nominated as a candidate. So began a wonderful 16-year term in the NWT Legislative Assembly and government, including 12 years in cabinet in a variety of portfolios. Most of you probably heard, when I was appointed, that I served four years as premier, but by far my favourite portfolio was eight years as minister of education when I worked at major reforms to the education system, including the creation of school boards and the establishment of the Arctic College.

I was privileged to be a member of the executive council of the NWT when the Honourable Nick Sibbeston was premier. Under Senator Sibbeston's leadership, the Ottawa-appointed commissioner, who was chair of the executive council, surrendered his gavel to an elected first minister and became, in effect, the territorial Lieutenant-Governor and Queen's representative. All this was done with the full cooperation of Commissioner John Parker and without a rancorous word.

Later, when Prime Minister Trudeau repatriated Canada's Constitution in 1982, the recognition of Aboriginal rights in the Constitution was eliminated from the draft Constitution after a late-night meeting of nine premiers in a kitchen, and the rules for the creation of a new province were changed from requiring only an act of Parliament to needing the consent of 7 provinces with an aggregate of 50 per cent of the population. That same amending formula even invidiously allowed for the extension of provincial boundaries into the territories.

Our legislature formed a special Committee of the Whole on the Constitution. We decided to travel en masse to Parliament Hill to lobby every senator, MP and cabinet minister who would meet with us. I remember our making a presentation to the Honourable Serge Joyal, now my colleague in this chamber, at which Nellie Cournoyea, known as a tough, strong woman, wept tears of despair over the unfairness of these changes. George Braden, also a fellow MLA and co-chair of the committee at the time, is now working in my office as my policy adviser.

That same intense week we met with the Right Honourable Pierre Trudeau who gave us the joyous news that Aboriginal rights would be reinstated as section 35 of the Constitution. There were tears of joy in our group when that dramatic news was delivered to us.

[ Senator Patterson ]

Later, I participated in the Meech Lake constitutional rounds led by Prime Minister Mulroney. Senator Lowell Murray was Minister of State for Federal and Provincial Relations and I am grateful that during that time the territories were shown respect and invited to sit at the table with other First Ministers. We were no longer sitting in the peanut gallery as part of the federal delegation. Respect for the NWT, however, did not go so far as the removal of the invidious sections 42(1)(e) and (f).

Then I was privileged to be part of the NWT government at a time when major comprehensive land claim agreements were settled and when consensus was shaped, worked at and realized in the bold project of division of the Northwest Territories and the creation of Nunavut. Prime Minister Brian Mulroney and his capable Indian and Northern Affairs Minister Tom Siddon responded with the bold step of agreeing that, alongside the settlement of the massive Nunavut land claim — which, by the way, has made the Inuit the biggest private landholders in North America — the new territory of Nunavut would be created simultaneously. The new public government, with its strong Inuit majority, would reflect the Inuit population, its language and culture. I was very privileged to have been involved in that orderly decision-making process over a period of 20 years or so. This was accomplished without bloodshed, by cooperation, collaboration and no fewer than two territory-wide plebiscites.

We helped change the map of Canada. Not since Newfoundland entered Confederation has anything like this happened in this country.

These historic events only happened through the enormous goodwill and collaboration among the diverse peoples of the NWT: seven major Dene nations, Metis nations, the Inuvialuit, Inuit and non-Native populations, and with the critical support of Dene leaders like Honourable Nick Sibbeston and Mr. George Erasmus, Dene Nation Chief at the time, who urged his people to support the Inuit desire to establish their own homeland.

Working together, we forged agreement without partisan politics, always seeking ways to find and build on common interests. It was not always easy, especially determining a fair boundary. So I am approaching this wonderful new job in the Senate with a firm background in what I proudly call consensus government, somewhat inexperienced in the intrigues of party politics at the parliamentary level.

I am privileged to be a member of the Senate representing the vast region of Nunavut, with 20 per cent of the land mass of Canada and Canada's longest coastline. When we talk of Arctic sovereignty in this house — and I welcome this focus of our national government — I will always remind others that, as the Inuit land claim agreement recognizes in Article 15, Canada's sovereignty over the waters of the Arctic archipelago is supported by Inuit use and occupancy.

• (1500)

Honourable senators, I have the humbling honour of representing a region which is 85 per cent Inuit — not that I will overlook the interests of the non-Inuit — including the francophone residents of Nunavut and, yes, some First Nations people. I will not hesitate to advance the interests of the Inuit of Nunavut. In this, I will have common cause with Senator Watt,

who represents the neighbouring region of Nunavik; with Senator Sibbeston, my former Legislative Assembly and cabinet colleague in the NWT who also represents Inuvialuit in the MacKenzie Delta and the Beaufort Sea; and with my colleagues in the Senate who represent Newfoundland and Labrador and their Inuit population.

My experience in politics is with the so-called consensus system in the North which does not have the party system, although politics in the North can require bridging diverse geopolitical interests. The watchword, when consensus government is working well, is respect and collaboration. To my delight, even though the party system is amply evident in this chamber — something I am still adapting to — I have taken my place on the Aboriginal People's Committee, whose chair, and my old friend Senator St. Germain, delighted me by stating openly that “our committee operates in a non-partisan way” — undoubtedly the key to them having done such good work in this challenging field. The other standing committee on which I am privileged to sit, the Standing Senate Committee on Fisheries and Oceans, seems to operate the same way, with an equally wise and experienced chair, Senator Rompkey.

While I understand my duties as part of the Conservative caucus, I pledge to reach across the house, whenever I can, when we have common cause. I want to work with Senator Dallaire to bring respect and status to the Canadian Rangers, who I know he greatly admires and respects. I want to work with Senator Sibbeston and Senator Lang on the creation of a university of the Arctic. I want to work with Senator Watt to improve the justice and corrections system for Inuit. Furthermore, I do appreciate the procedural advice I get from Senator Cools, Senator Segal and Senator Wallin, who help me understand what is going on every day in this corner.

I also want to work closely with our MP in that other place, the Honourable Leona Aglukkaq, who first came to my attention as an outstanding leader when she was a high school student participating in a model Parliament organized in the NWT legislature in 1981. She stood out then as she stands out now. I have followed her career in the NWT public service, working her way up in the ranks of my Department of Education, then as an ADM, DM and Minister of Health and Finance in the Government of Nunavut. She is also a symbol of a good news story in Nunavut. Minister Aglukkaq; the Honourable Eva Aariak, our MP and senior cabinet minister; and the mayor of our capital city, Elisapee Sheutiapiik, are all very impressive women.

Honourable senators, I want to express my gratitude for the efforts of His Honour and his capable staff in the Senate, who have introduced me to the intricacies and sometimes seemingly arcane ways of the Senate — I have a real sense of camaraderie and esprit de corps in these professional people. I express my gratitude to Senator LeBreton, Senator Comeau, Senator Stratton and Senator Tkachuk for welcoming me to the Conservative team.

I feel honoured to have been appointed to this chamber by yet another Canadian Prime Minister.

**The Hon. the Speaker:** Honourable senators, I am sorry to interrupt, but I must advise that the honourable senator's time has expired. Is the honourable senator requesting leave for five minutes?

**Senator Patterson:** Yes.

**The Hon. the Speaker:** So ordered.

**Senator Patterson:** Thank you very much.

Honourable senators, the Arctic strategy of the Right Honourable Stephen Harper has four pillars: Exercising our Arctic sovereignty, protecting our environmental heritage, promoting social and economic development and improving and evolving northern governance.

I want to pledge my wholehearted support to the implementation of the Arctic strategy in Nunavut, including improving and evolving northern governance. I will encourage our government to approve a mandate to begin devolution negotiations for the transfer of lands and resource management from the Northern Program of the Department of Indian and Northern Affairs to the duly elected Government of Nunavut. Yukon has shown how well this can work. There should be a capacity building plan developed and implemented alongside these negotiations. Yes, Nunavut lacks human resource capacity, but instead of bemoaning that challenge, let us do something about it by investing and developing indigenous human resource capacity. In the process, we can also improve the efficiency and effectiveness of Nunavut's regulatory regime while at the same time fulfilling the commitments of the land claim to employ Inuit in the North.

The people of Nunavut no longer need the federal government, no matter how well-intentioned, to make critical decisions about the management of lands and resources in Nunavut. We deserve the same involvement in developing our significant natural resources as southern Canadians. The Inuit of Nunavut have constitutionally protected rights, through their land claim, to participate in the responsible development of our resources. Working alongside the Inuit, it is only right that the elected government of the people of Nunavut should also have the primary say in development decisions.

This is what I call constitutional development by the back door. We do not need to amend the Constitution to advance constitutional development in the North — to shed the trappings of colonialism and take on province-like responsibilities. Our constitution already provides the potential, through creativity and goodwill, to create more democratic forms of governance in the North. That is how we created Nunavut.

Your Honour, I only have some minutes left in my remarks. I am famous for making two- or three-hour speeches in the NWT legislature. I will have more to say in this chamber, but I wish to state that I have been dismayed by the negative stories that have been circulating about the social and health problems in Nunavut. The Nunavut government is well aware of these challenges, but I would like to give a positive view of the potential for Nunavut.

We have staggering resources in our territory. We have amazing mineral potential in Nunavut that can be developed and is in the near horizon for development. This will benefit not only Nunavut but also Canada. Growth of the GDP in Nunavut also contributes to the GDP in Canada because we do not manufacture steel; we do not have lumber in the North. When these projects get under way, it is an investment in the economy of southern Canada as well.

Honourable senators, there is hope and optimism in Nunavut. I want to challenge the media naysayers to look at the positive and look at the amazing, enormous potential for growth in Nunavut. The Inuit have a share in these resources and they have a responsibility for managing and determining development decisions through the land claim. Everyone is involved and everyone will benefit.

I will say more about the resource potential in Nunavut and how I think the Government of Canada can help at another time, but, in closing, I want to say how privileged I feel to have this position. I am proud to be wearing a seal skin vest today.

**An Hon. Senator:** Good.

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

**Senator Patterson:** Thank you. The seal is a traditional and valued resource for the Inuit of Nunavut, which has helped them survive for tens of thousands of years. It is unfortunate that people do not provide the same respect for Inuit who eat seal as they do for Europeans who eat veal and pâté.

Honourable senators, I thank you for the honour of making this first address in this Senate chamber. I look forward to working in this chamber and with its committees and advancing the interests of the people of Nunavut and Canada.

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

(On motion of Senator Plett, debate adjourned).

• (1510)

### CANADA ELECTIONS ACT

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

On the Order:

Resuming debate on the motion by the Honourable Senator Murray, P.C., seconded by the Honourable Senator Atkins, for the second reading of Bill S-202, An Act to amend the Canada Elections Act (repeal of fixed election dates).

**Hon. Lowell Murray:** Honourable senators, Moving quickly here, did we put off second reading of Bill S-202, Item No. 21? If that is where we are, I want to be sure that my honourable friend, the Deputy Leader of the Government, has not overlooked the fact that we are now on the fourteenth day and that he will take the appropriate steps to ensure this item does not fall off the Order Paper prematurely.

[ Senator Patterson ]

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** I can categorically assure the honourable senator that this item will not fall off the Order Paper.

**The Hon. the Speaker:** It is my understanding that Senator Comeau has moved the adjournment of the debate for the remainder of his time. Is it agreed, honourable senators?

**Hon. Senators:** Agreed.

(On motion of Senator Comeau, debate adjourned.)

### CANADA PENSION PLAN

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

On the Order:

Resuming debate on the motion of the Honourable Senator Callbeck, seconded by the Honourable Senator Dallaire, for the second reading of Bill S-234, An Act to amend the Canada Pension Plan (retroactivity of retirement and survivor's pensions).

**Hon. Marcel Prud'homme:** Honourable senators, using the same speech as Senator Murray, and having the assurance that Senator Comeau will agree, I would hate to see this item disappear, because Senator Callbeck has done considerable work on the item. I move adjournment of the debate.

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** I note that Senator Callbeck has not completed her comments on this bill. By virtue of Senator Prud'homme taking the adjournment of the debate, will this preclude Senator Callbeck from finishing her comments? We still have one day left, so I suggest to honourable senators that we might want to check with Senator Callbeck. She might wish to keep the remainder of her time.

**Hon. Claudette Tardif (Deputy Leader of the Opposition):** I thank the honourable senator for his concern. Senator Callbeck has indicated to me that she will say a few words on day 15.

(Order stands.)

### INDUSTRIAL HEMP INDUSTRY

#### INQUIRY—ORDER STANDS

On the Order:

Resuming debate on the inquiry of the Honourable Senator Milne calling the attention of the Senate to recent developments concerning the Canadian industrial hemp industry.

**Hon. Lorna Milne:** Honourable senators, I can assure everyone that I will speak to this inquiry the week that we return after the break for the remainder of my time.

(Order stands.)



[Translation]

## CONFERENCE ON COMBATING ANTISEMITISM

### MOTION TO SUPPORT LONDON DECLARATION— ORDER STANDS

On the Order:

Resuming debate on the motion of the Honourable Senator Grafstein, seconded by the Honourable Senator Fairbairn, P.C.:

That the Senate endorse the following Declaration, adopted by the Conference on Combating Antisemitism, held at London, United Kingdom, from February 15 to 17, 2009:

### THE LONDON DECLARATION ON COMBATING ANTISEMITISM

#### Preamble

We, Representatives of our respective Parliaments from across the world, convening in London for the founding Conference and Summit of the Inter-parliamentary Coalition for Combating Antisemitism, draw the democratic world's attention to the resurgence of antisemitism as a potent force in politics, international affairs and society.

We note the dramatic increase in recorded antisemitic hate crimes and attacks targeting Jewish persons and property, and Jewish religious, educational and communal institutions.

We are alarmed at the resurrection of the old language of prejudice and its modern manifestations — in rhetoric and political action — against Jews, Jewish belief and practice and the State of Israel.

We are alarmed by Government-backed antisemitism in general, and state-backed genocidal antisemitism, in particular.

We, as Parliamentarians, affirm our commitment to a comprehensive programme of action to meet this challenge.

We call upon national governments, parliaments, international institutions, political and civic leaders, NGOs, and civil society to affirm democratic and human values, build societies based on respect and citizenship and combat any manifestations of antisemitism and discrimination.

**We today in London resolve that;**

#### Challenging Antisemitism

1. **Parliamentarians** shall expose, challenge, and isolate political actors who engage in hate against Jews and target the State of Israel as a Jewish collectivity;

2. **Parliamentarians** should speak out against antisemitism and discrimination directed against any minority, and guard against equivocation, hesitation and justification in the face of expressions of hatred;
3. **Governments** must challenge any foreign leader, politician or public figure who denies, denigrates or trivialises the Holocaust and must encourage civil society to be vigilant to this phenomenon and to openly condemn it;
4. **Parliamentarians** should campaign for their Government to uphold international commitments on combating antisemitism — including the OSCE Berlin Declaration and its eight main principles;
5. **The UN** should reaffirm its call for every member state to commit itself to the principles laid out in the Holocaust Remembrance initiative including specific and targeted policies to eradicate Holocaust denial and trivialisation;
6. **Governments and the UN** should resolve that never again will the institutions of the international community and the dialogue of nation states be abused to try to establish any legitimacy for antisemitism, including the singling out of Israel for discriminatory treatment in the international arena, and we will never witness — or be party to — another gathering like Durban in 2001;
7. **The OSCE** should encourage its member states to fulfil their commitments under the 2004 Berlin Declaration and to fully utilise programmes to combat antisemitism including the Law Enforcement programme LEOP;
8. **The European Union**, inter-state institutions and multilateral fora and religious communities must make a concerted effort to combat antisemitism and lead their member states to adopt proven and best practice methods of countering antisemitism;
9. **Leaders of all religious faiths** should be called upon to use all the means possible to combat antisemitism and all types of discriminatory hostilities among believers and society at large;
10. **The EU Council of Ministers** should convene a session on combating antisemitism relying on the outcomes of the London Conference on Combating Antisemitism and using the London Declaration as a basis.

#### Prohibitions

11. **Governments** should take appropriate and necessary action to prevent the broadcast of explicitly antisemitic programmes on satellite television channels, and to apply pressure on the host broadcast nation to take action to prevent the transmission of explicitly antisemitic programmes;

12. **Governments** should fully reaffirm and actively uphold the Genocide Convention, recognising that where there is incitement to genocide signatories automatically have an obligation to act. This may include sanctions against countries involved in or threatening to commit genocide or referral of the matter to the UN Security Council or initiate an inter-state complaint at the International Court of Justice;
13. **Parliamentarians** should legislate effective Hate Crime legislation recognising “hate aggravated crimes” and, where consistent with local legal standards, “incitement to hatred” offences and empower law enforcement agencies to convict;
14. **Governments** that are signatories to the Hate Speech Protocol of the Council of Europe ‘Convention on Cybercrime’ (and the ‘Additional Protocol to the Convention on cybercrime, concerning the criminalisation of acts of a racist and xenophobic nature committed through computer systems’) should enact domestic enabling legislation;

#### Identifying the threat

15. **Parliamentarians** should return to their legislature, Parliament or Assembly and establish inquiry scrutiny panels that are tasked with determining the existing nature and state of antisemitism in their countries and developing recommendations for government and civil society action;
16. **Parliamentarians** should engage with their governments in order to measure the effectiveness of existing policies and mechanisms in place and to recommend proven and best practice methods of countering antisemitism;
17. **Governments** should ensure they have publicly accessible incident reporting systems, and that statistics collected on antisemitism should be the subject of regular review and action by government and state prosecutors and that an adequate legislative framework is in place to tackle hate crime.
18. **Governments** must expand the use of the EUMC ‘working definition’ of antisemitism to inform policy of national and international organisations and as a basis for training material for use by Criminal Justice Agencies;
19. **Police services** should record allegations of hate crimes and incidents — including antisemitism — as routine part of reporting crimes;
20. **The OSCE** should work with member states to seek consistent data collection systems for antisemitism and hate crime.

#### Education, awareness and training

21. **Governments** should train Police, prosecutors and judges comprehensively. The training is essential if perpetrators of antisemitic hate crime are to be successfully apprehended, prosecuted, convicted and sentenced. The OSCE’s Law enforcement Programme LEOP is a model initiative consisting of an international cadre of expert police officers training police in several countries;
22. **Governments** should develop teaching materials on the subjects of the Holocaust, racism, antisemitism and discrimination which are incorporated into the national school curriculum. All teaching materials ought to be based on values of comprehensiveness, inclusiveness, acceptance and respect and should be designed to assist students to recognise and counter antisemitism and all forms of hate speech;
23. **The OSCE** should encourage their member states to fulfill their commitments under the 2004 Berlin Declaration and to fully utilise programmes to combat antisemitism including the Law Enforcement programme LEOP;
24. **Governments** should include a comprehensive training programme across the Criminal Justice System using programmes such as the LEOP programme;
25. **Education Authorities** should ensure that freedom of speech is upheld within the law and to protect students and staff from illegal antisemitic discourse and a hostile environment in whatever form it takes including calls for boycotts;

#### Community Support

26. **The Criminal Justice System** should publicly notify local communities when antisemitic hate crimes are prosecuted by the courts to build community confidence in reporting and pursuing convictions through the Criminal Justice system;
27. **Parliamentarians** should engage with civil society institutions and leading NGOs to create partnerships that bring about change locally, domestically and globally, and support efforts that encourage Holocaust education, inter-religious dialogue and cultural exchange;

#### Media and the Internet

28. **Governments** should acknowledge the challenge and opportunity of the growing new forms of communication;
29. **Media Regulatory Bodies** should utilise the EUMC ‘Working Definition of antisemitism’ to inform media standards;

30. **Governments** should take appropriate and necessary action to prevent the broadcast of antisemitic programmes on satellite television channels, and to apply pressure on the host broadcast nation to take action to prevent the transmission of antisemitic programmes;
31. **The OSCE** should seek ways to coordinate the response of member states to combat the use of the internet to promote incitement to hatred;
32. **Law enforcement authorities** should use domestic “hate crime”, “incitement to hatred” and other legislation as well as other means to mitigate and, where permissible, to prosecute “Hate on the Internet” where racist and antisemitic content is hosted, published and written;
33. **An international task force** of Internet specialists comprised of parliamentarians and experts should be established to create common metrics to measure antisemitism and other manifestations of hate online and to develop policy recommendations and practical instruments for Governments and international frameworks to tackle these problems.

#### **Inter-parliamentary Coalition for Combating Antisemitism**

34. **Participants** will endeavour to maintain contact with fellow delegates through working group framework; communicating successes or requesting further support where required;
35. **Delegates** should reconvene for the next ICCA Conference in Canada in 2010, become an active member of the Inter-parliamentary Coalition and promote and prioritise the London Declaration on Combating Antisemitism.—(*Honourable Senator Grafstein*)

**Hon. Marcel Prud'homme:** Honourable senators, I wanted to give a long speech about this issue. I assume the Honourable Senator Claudette Tardif will resume the debate.

**Hon. Claudette Tardif (Deputy Leader of the Opposition):** Senator Grafstein has not completed his remarks. If Senator Prud'homme takes the floor, the debate should be adjourned in Senator Grafstein's name for the remainder of his time.

**Senator Prud'homme:** I agree. The honourable senator is usually the one to adjourn debates. Here is what I have to say today on this important resolution.

[*English*]

**Hon. Sharon Carstairs:** Honourable senators, if Senator Grafstein has not completed his remarks, and if Senator Prud'homme speaks now, he will eliminate the possibility for Senator Grafstein to complete his remarks, and I do not think that is appropriate.

**Senator Prud'homme:** I have been waiting, and my time is running out. I have indicated for a long time that I want to speak on all these motions. I have no objection. We will have time later on. There are other items under the name of Senator Tardif, others under the name of Senator Joyal, others again for Senator Tardif and others.

Senator Grafstein recently spoke. I can adjourn on his behalf. I have no objection to that. However, I know that it will not preclude him from participating since he has another motion on the same issue that has not yet been introduced to the Senate.

If honourable senators look to the end of the *Order Paper and Notice Paper*, they will see that Senator Grafstein has a similar motion. If the Honourable Senator Carstairs looks at the motion, she will see that is what is happening, but Senator Grafstein has not yet participated in the debate. Therefore, I think I should proceed.

**Senator Carstairs:** If Senator Prud'homme will allow, I think he has raised a good point, that Senator Grafstein had better complete his remarks because Senator Prud'homme is reaching the end of his mandate. However, we must maintain that if Senator Prud'homme speaks today, he will in fact prevent Senator Grafstein from completing. If the honourable senator will give us one more day, I think we can meet with Senator Grafstein and ensure he puts his remarks on the record so that Senator Prud'homme can speak at the next sitting of the Senate.

**Senator Prud'homme:** Does the honourable senator have the assurance that Senator Grafstein will speak next week? Usually we do not proceed in that way. We do not push our colleagues to say they will speak unless they indicate that they will speak. I do not understand why we should delay.

**Senator Tardif:** Honourable senators, I want to indicate that if Senator Prud'homme wishes to speak on a motion on which I have the adjournment, I am willing to let Senator Prud'homme speak to that motion. However, in regard to this particular motion, I know that Senator Grafstein has time left and he has indicated that he wishes to speak to it. In that case, I think it is preferable to wait until his return for that item.

**Hon. Terry M. Mercer:** Honourable senators, Senator Grafstein has had a death in the family, so his absence today was unavoidable. I beg everyone's forgiveness. I am sure that Senator Grafstein will be able to address this item upon his return, and Senator Prud'homme will have all the time in the world if he wants to speak on this item.

**The Hon. the Speaker:** Is it agreed, honourable senators, that we will stand this item?

**Hon. Senators:** Agreed.

(Order stands.)

• (1520)

[Translation]

**ORGANIZATION FOR SECURITY AND CO-OPERATION  
IN EUROPE PARLIAMENTARY ASSEMBLY**

**MOTION TO SUPPORT RESOLUTION  
ON WATER MANAGEMENT IN THE OSCE AREA—  
DEBATE CONTINUED**

On the Order:

Resuming debate on the motion of the Honourable Senator Grafstein, seconded by the Honourable Senator Banks:

That the Senate endorse the following Resolution, adopted by the OSCE Parliamentary Assembly at its 17th Annual Session, held at Astana, Kazakhstan, from June 29 to July 3, 2008:

**RESOLUTION ON WATER MANAGEMENT  
IN THE OSCE AREA**

1. Reiterating the fundamental importance of the environmental aspects of the OSCE concept of security,
2. Recognizing the link between natural resource problems and disputes or conflicts within and between states,
3. Noting the opportunities presented by resource management initiatives that address common environmental problems, including local ownership and sub-regional programmes and co-operation amongst governments, and which promote peace-building processes,
4. Recalling the OSCE's role in encouraging sustainable environmental policies that promote peace and stability, specifically the *1975 Helsinki Final Act*, the *1990 Concluding Document of the CSCE Conference on Economic Co-operation in Europe* (Bonn Document), the *1999 Charter for European Security* adopted at the Istanbul Summit, the *2003 OSCE Strategy Document for the Economic and Environmental Dimension* (Maastricht Strategy), other OSCE relevant documents and decisions regarding environmental issues, and the outcome of all previous Economic and Environmental Fora, which have established a basis for the OSCE's work in the area of environment and security,
5. Recognizing that water is of vital importance to human life and that it is an element of the human right to life and dignity,
6. Noting the severity of water management issues and the scarcity of water resources faced by many states in the OSCE region, affected in particular by unregulated social and economic activities, including urban development, industry, and agriculture,
7. Concerned by the impact of poor water management systems on human health, the environment, the sustainability of biodiversity and aquatic and land-based eco-systems, affecting political and socio-economic development,
8. Concerned by the more than 100 million people in the pan-European region who continue to lack access to safe drinking water and adequate sanitation,
9. Concerned by those areas and people in the North American region of the OSCE space without access to safe drinking water and sanitation,
10. Concerned by the potential for water management issues to escalate if options to address and reverse the problem are not duly considered and implemented,
11. Recognizing the importance of good environmental governance and responsible water management for the governments of participating States,
12. Applauding the work of the Preparatory Seminar for the Tenth OSCE Economic Forum which took place in 2001 in Belgrade and which focused on water resource management and the promotion of regional environmental co-operation in South-Eastern Europe,
13. Applauding the work of the 15th OSCE Economic and Environmental Forum and its preparatory meetings, "Key challenges to ensure environmental security and sustainable development in the OSCE area: Water Management," held in Zaragoza, Spain,
14. Applauding the OSCE's *Madrid Declaration on Environment and Security* adopted at the 2007 Ministerial Council which draws attention to water management as an environmental risk which may have a substantial impact on security in the OSCE region and which might be more effectively addressed within the framework of multilateral co-operation,
15. Expressing support for the efforts made to date by several participating States of the OSCE to deal with the problem, including the workshop on water management organized by the OSCE Centre in Almaty in May 2007 for experts from Central Asia and the Caucasus,

The OSCE Parliamentary Assembly:

16. Calls on the OSCE participating States to undertake sound water management to support sustainable environmental policies;

17. Recommends that the OSCE participating States pursue and apply the measures necessary to implement the 2007 *Madrid Declaration on Environment and Security*;
18. Recommends that such water management and oversight activities include national, regional and local co-operative initiatives that share best practices and provide support and assistance amongst each other;
19. Recommends that the OSCE participating States adopt the multiple barrier approach to drinking water protection, with particular attention to water tables, in their national, regional and local regulations to ensure that people living throughout the OSCE space have access to safe drinking water;
20. Recommends that the OSCE participating States consider developing more effective national, sub-national and local results-based, action-oriented and differentiated approaches to sound water management policies;
21. Encourages the OSCE participating States to continue their work with other regional and international institutions and organizations with respect to water management solutions, providing for the establishment of supranational arbitral commissions with decision-making powers delegated by the States.

**Hon. Marcel Prud'homme:** Honourable senators, as always, in the spirit of reconciliation, I would like to congratulate the Honourable Senator Grafstein and stress the important work he does. He regularly draws the attention of this chamber to various resolutions of the OSCE parliamentary assemblies, the G20 summits and various international summits. For example, there was the summit held in London from February 15 to 17, about which I was supposed to speak, although there were some objections, in order to draw Senator Carstairs' attention to some points.

The reports submitted to us by Senator Grafstein in the form of a motion are most informative and useful. I thank him for bringing these important issues to our attention. I encourage the honourable senators to read them carefully; they will see the enormous effort required to understand each paragraph. This is like a roman-fleuve about resolutions adopted at sessions attended by none of our colleagues.

Senator Grafstein is asking for a vote on the motion to endorse the resolution on water management in the OSCE area, adopted by the OSCE Parliamentary Assembly at its eighteenth annual session, held in Vilnius, Lithuania, from June 29 to July 3, 2009. I acknowledge the senator's legitimate and admirable work on the important issue of water in the OSCE area. Senator Oliver took a very active interest in these issues, which were discussed in depth at the International Parliamentary Union, water being a fundamental issue.

From a practical point of view, the Senate of Canada cannot constantly endorse resolutions adopted at international conferences where, very often, no honourable senators were present.

Regarding conferences held by organizations funded in part by Canada and in which we take part, our delegation's vote is enough to express Canada's voice without the Senate having to duplicate the learned debates held by the delegates at these conferences — delegates representing only some political parties.

This motion on water management in the OSCE area, in its general wording, raises a significant number of problems. We would need to debate them for days and examine them very carefully before even considering supporting it. No one here is against motherhood and apple pie or against states managing their water cautiously, in keeping with sustainable development policies. We know that the future of the planet depends on it. However, each state, including Canada, is sovereign and determines its own course of action in terms of water management.

By adopting Senator Grafstein's motion, we would be putting an unnecessary burden on our government, be it to amend our water regulations, to devise more efficient approaches nationally, subnationally and locally, or to set up arbitral commissions. In addition, we do not know what impact the measures contained in the motion in question would have on the budget.

On the face of it, as I said, the motion seems to be very worthwhile. I commend our colleague's hard work once again and move the following amendment, seconded by Senator Comeau.

#### MOTION IN AMENDMENT

**Hon. Marcel Prud'homme** moved:

That the words "That the Senate endorse" at the beginning of the motion be replaced by the words "That the Senate take note of."

[*English*]

**Hon. Sharon Carstairs:** Honourable senators, I am becoming increasingly concerned with these motions coming forward from organizations. For example, Senator Oliver could come before us and present the emergency resolution at the recent Inter-Parliamentary Union assembly or three resolutions from various working groups from the spring assembly. We could have an Order Paper an inch thick if every one of us who goes to an international conference comes back and places the motions that have been passed at that particular conference on the Order Paper. Senator Prud'homme's amendment is certainly one way of dealing with it. We can take notice of the fact that this particular resolution was passed. Personally, I prefer not to deal with these motions at all.

Perhaps another suggestion is to refer this matter to the Standing Committee on Rules, Procedures and the Rights of Parliament to see whether it is appropriate to come back from these conferences and put large, complicated resolutions before the Senate of Canada. I have no objections to someone coming forward in this chamber with a motion on water or with a motion on anti-Semitism. I have difficulty with taking en masse a resolution from a conference to which we may or may not have been official delegates and placing the resolution on our Order Paper. I do not think it is appropriate.

I support the motion of Senator Prud'homme in this case, that we take note, but I also recommend to the leadership on both sides that perhaps we should have discussion as to whether this chamber is an appropriate venue for this type of resolution.

**Hon. Anne C. Cools:** Honourable senators, I think what Senator Carstairs and Senator Prud'homme have said bears serious consideration. I agree totally with Senator Carstairs that these motions and resolutions are not appropriate. As a matter of fact, I would go so far as to argue that they are out of order. They seem to be a phenomenon of the most recent times, and they seem to violate the basic principle that each assembly is sovereign and that no one should ever ask one assembly for a judgment on another assembly.

• (1530)

I did not mean to speak to this today. I know it is Thursday afternoon and all eyes are on the clock. I would like to see the Senate, if necessary, move to where we study this, or that some of us should come back to the house with serious opinions about it. Obviously, this phenomenon cannot continue. Whether it is this Parliament, the European Parliament or whichever, frankly, it is unnecessary. The same purpose could be achieved if the individual senator who was so taken with the magnificence of the resolution in the other assembly would simply give a speech here and tell us how wonderful it was and how marvellous it would be if we did something like it. However, no motion in this place should be seeking an endorsement, support or assent of this place to a resolution from another assembly. That is what is wrong with these motions.

Maybe I should simply take the adjournment of the motion. The item is extremely out of order.

(On motion of Senator Cools, debate adjourned.)

[Translation]

MOTION TO SUPPORT RESOLUTION ON COMBATING  
ANTI-SEMITISM—DEBATE CONTINUED

On the Order:

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

That the Senate endorse the following Resolution, adopted by the OSCE Parliamentary Assembly at its 17th Annual Session, held at Astana, Kazakhstan, from June 29 to July 3, 2008:

RESOLUTION ON COMBATING ANTI-SEMITISM,  
ESPECIALLY ITS MANIFESTATIONS IN THE  
MEDIA AND IN ACADEMIA

1. Recalling the Parliamentary Assembly's leadership in increasing the focus and attention of the participating States since the 2002 Annual Session in Berlin on issues related to manifestations of anti-Semitism,

2. Reaffirming especially the 2002 Porto Ministerial Decision condemning "anti-Semitic incidents in the OSCE area, recognizing the role that the existence of anti-Semitism has played throughout history as a major threat to freedom",
3. Referring to the commitments made by the participating States in the previous OSCE conferences in Vienna (2003), Berlin (2004), Brussels (2004) and Cordoba (2005) regarding legal, political and educational efforts to fight anti-Semitism,
4. Welcoming all efforts of the parliaments of the OSCE participating States on combating anti-Semitism, especially the All-Party Parliamentary Inquiry on anti-Semitism in the United Kingdom,
5. Noting with satisfaction all initiatives of the civil society organizations which are active in the field of combating anti-Semitism,
6. Acknowledging that incidents of anti-Semitism occur throughout the OSCE region and are not unique to any one country, which necessitates unwavering steadfastness by all participating States to erase this black mark on human history,

The OSCE Parliamentary Assembly:

7. Appreciates the ongoing work undertaken by the OSCE and ODIHR through its Programme on Tolerance and Non-discrimination and supports the continued organisation of expert meetings on anti-Semitism and other forms of intolerance aimed at enhancing the implementation of relevant OSCE commitments;
8. Appreciates the initiative by Mr John Mann MP (United Kingdom) to create a world-wide Inter-Parliamentary Coalition for Combating Anti-Semitism and encourages the parliaments of the OSCE participating States to support this initiative;
9. Urges participating States to present written reports on their activities to combat anti-Semitism and other forms of discrimination at the 2009 Annual Session;
10. Reminds participating States to improve methods of monitoring and to report anti-Semitic incidents and other hate crimes to the Office for Democratic Institutions and Human Rights (ODIHR) in a timely manner;
11. Recognizes the importance of the ODIHR tools in improving the effectiveness of States' response to anti-Semitism, such as teaching materials on anti-Semitism, the OSCE/ODIHR Law Enforcement Officers Programme (LEOP), which helps police forces within participating States better to identify and combat incitement to anti-Semitism and other hate crimes, and civil society capacity-building to combat anti-Semitism and hate crimes, including through the development of networks and coalitions

[ Senator Carstairs ]

- with Muslim, Roma, African descendent and other communities combating intolerance; and recommends that other States make use of these tools;
12. Expresses appreciation of the commitment by 10 countries — Croatia, Denmark, Germany, Lithuania, the Netherlands, Poland, the Russian Federation, Slovakia, Spain and Ukraine — in co-developing with ODIHR and the Anne Frank House teaching materials on the history of Jews and anti-Semitism in Europe, and encourages all other OSCE participating States to adopt these teaching materials in their respective national languages and put them into practice;
  13. Encourages participating States to adopt the guide for educators entitled *Addressing Anti-Semitism — WHY and HOW*, developed by ODIHR in co-operation with Yad Vashem, in their respective national languages and put them into practice;
  14. Urges governments to create and employ curricula that go beyond Holocaust education in dealing with Jewish life, history and culture;
  15. Condemns continued incidents of anti-Semitic stereotypes appearing in the media, including news reports, news commentaries, as well as published commentaries by readers;
  16. Condemns the use of double standards in media coverage of Israel and its role in the Middle East conflict;
  17. Calls upon the media to have discussions on the impact of language and imagery on Judaism, anti-Zionism and Israel and its consequences on the interaction between communities in the OSCE participating States;
  18. Deplores the continued dissemination of anti-Semitic content via the Internet, including through websites, blogs and email;
  19. Urges participating States to increase their efforts to counter the spread of anti-Semitic content, including its dissemination through the Internet, within the framework of their respective national legislation;
  20. Urges editors to refrain from publishing anti-Semitic material and to develop a self-regulated code of ethics for dealing with anti-Semitism in media;
  21. Calls upon participating States to prevent the distribution of television programmes and other media which promote anti-Semitic views and incite anti-Semitic crimes, including, but not limited to, satellite broadcasting;
  22. Reminds participating States of measures to combat the dissemination of racist and anti-Semitic material via the Internet suggested at the 2004 OSCE Meeting on the Relationship between Racist, Xenophobic and Anti-Semitic Propaganda on the Internet and Hate Crimes, that include calls to:
    - pursue complementary parallel strategies,
    - train investigators and prosecutors on how to address bias-motivated crimes on the Internet,
    - support the establishment of programmes to educate children about bias-motivated expression they may encounter on the Internet,
    - promote industry codes of conduct,
    - gather data on the full extent of the distribution of anti-Semitic hate messages on the Internet;
  23. Deplores the continued intellectualization of anti-Semitism in academic spheres, particularly through publications and public events at universities;
  24. Suggests the preparation of standards and guidelines on academic responsibility to ensure the protection of Jewish and other minority students from harassment, discrimination and abuse in the academic environment;
  25. Urges all participants of the upcoming Durban Review Conference in Geneva to make sure that pressing issues of racism around the world will be properly assessed and that the conference will not be misused as a platform for promoting anti-Semitism;
  26. Suggests that the delegations of the OSCE participating States hold a meeting on the eve of the Durban Review Conference to discuss and evaluate the Durban Review process.
- Hon. Marcel Prud'homme:** Honourable senators, in the same vein, as this motion was reserved for Senator Tardif, I will participate briefly. I would like to give notice — which I should not do — for the first Tuesday after we return. I want to draw something to the attention of Senator Carstairs, who really loves procedure and is strong in that area.
- [English]
- I would like to bring to the attention of honourable senators that I could have raised a question of privilege saying that, in the case of Senator Grafstein, there is an exception because he has a right of reply. Ultimately, whatever is said in the debate, at the very end, before we decide to dispose of the motion, Senator Grafstein would have the ultimate right of reply. The Speaker must inform senators that if Senator X speaks at that point, then it is the end of the debate.
- This is an argument I would have liked to make earlier. I did not do it because, as I told honourable senators, I am in a good mood. I want to leave the Senate on a good tone, but not before I put on record certain facts.
- Now the motion is about the media and universities, and it was adjourned by the honourable senator. Therefore, I will be very brief.

[*Translation*]

Honourable senators, I would like to highlight the importance of the work done by Senator Grafstein.

[*English*]

He is extremely busy. We know that. He is active on Canada-U.S. issues like no one before has ever been. He claims, and I think rightly so, to know the hundred senators of the United States of America, the 50 governors and a multiplicity of others. I see that Senator Tkachuk is smiling, but Senator Grafstein sends them all his speeches and interventions, including sending them to His Holiness the Pope in Rome. That is okay; it is his style.

[*Translation*]

I want to congratulate him for regularly bringing to the attention of this chamber various resolutions of the OSCE Parliamentary Assembly, the G20 summits and other international summits.

The reports that Senator Grafstein presents in the form of motions are informative and useful. I thank him for bringing these important issues to our attention. Now, some colleagues may want to take a Valium or two because the next paragraph will be somewhat controversial.

Regarding the motion entitled *Resolution on Combating Anti-Semitism, Especially its Manifestations in the Media and in Academia*, the honourable senator is asking that the Senate vote to endorse this resolution that was passed at a conference some time ago, and that has come up again at other conferences and in other countries.

The Senate is being asked to endorse it. Honourable senators have read it. It is very difficult to understand all the ramifications of each of these paragraphs. I have tried to understand them because I am interested.

In general terms, the Senate of Canada cannot continually endorse resolutions adopted at international conferences where, quite often, we do not have official representation. I am encouraged after listening to Senator Carstairs, whom I respect immensely, as she knows, for her active role in the International Parliamentary Union. She has never returned to the Senate to ask for our support for the hundreds of resolutions that are adopted at various conferences.

As for the organizational conferences funded in part by Canada and in which we participate, the vote by our attending delegation is sufficient to express Canada's position without this chamber having to repeat the enlightened discussions of the delegates at these conferences.

The general wording of the motion we are debating today raises a considerable number of problems that would have to be debated, as I stated earlier, for days and days with a series of experts to fully understand the implications of our support.

I submit, honourable senators, that, once we have given our support, that is the end of it. What has always concerned me over these 40 years is what happens on the international stage once we

have given our support? In that regard, Canada lags behind everyone: they supported the Senate, but I am not sure that it is in Canada's best interests.

Senator Grafstein's resolution on fighting anti-Semitism in the media and academia has merit. However, it would require lengthy debate and in-depth study before we could support or reject it.

Universities and even the media are the best forums for healthy debate. I will repeat this for the former journalists who have been appointed senators: universities and even the media are the best forums for healthy debate, and it is there that freedom of expression is and must be exercised. The motion deplores what is described as the continued intellectualization of anti-Semitism in academic spheres.

This is a viewpoint that should be debated but it is also a criticism that could lead us down a slippery slope, namely that of censure. Universities are where our youth learn to think and to express themselves. They must not become temples of the one true way of thinking. We must not go too far and restrict freedom of speech.

I am sharing these thoughts with you because certain passages in the motion elicit legitimate fears in me that we do not have the time to examine in detail and to substantiate. All governments of Canada, and I will insist on this, have always fought all forms of anti-Semitism.

[*English*]

I hope every honourable senator is listening. Some were talking while I spoke, and I will repeat this expressly for them.

I have always fought this but been misunderstood. I took it on the chin, politically and otherwise. I have always fought anti-Semitism. I am quoted in the House of Commons time and time again as having said anti-Semitism is a sickness that eats your heart and eats your mind. That is anti-Semitism.

• (1540)

[*Translation*]

It is a fatal disease that destroys you from the inside, with the result that colleagues often end up not speaking to each other. That is regrettable and unfortunate. I will not insist. It was my first debate that Senator Carstairs cut short somewhat, even though she agrees with me now.

The motion calls on the government to create curricula on Jewish life, history and culture. The government would have to be crazy not to agree. Any caring, intellectually curious individual wants to know about the history of all cultures.

The motion calls on states to amend their legislation and translate a guide on anti-Semitism. It even states that the media use a double standard in their coverage of Israel and its role in the Middle East conflict.

I am not the one saying this. All these demands and statements would require clarification and even thorough debate, as I said before. Some of these demands are commendable but do not apply to Canada, which has well-established, effective legislation against hate crimes and discrimination.

[ Senator Prud'homme ]



As for our police forces and our judicial system, they have all the tools they need to deal with any such crimes. The same goes for our education systems.

I repeat: we must combat anti-Semitism. I will repeat it even though some may think I would never dare say so, but I have always said so. Misunderstood? It does not matter; I will keep on saying so, but that should not prevent us from talking. We are free men and women, and that should not cause us to keep silent about the current situation in the Middle East.

As I predicted more than 40 years ago in the House of Commons, until we solve the Palestinian question, it will continue to spread dangerously around the world, like a cancer.

I have no problem saying that because that is what the Right Honourable Pierre Elliott Trudeau believed. I have plenty of quotations and documentation. I am not saying that any statements in the resolution are false. I am saying that our responsibilities as parliamentarians do not allow us to endorse the resolution as a whole without debating each of its parts, if that is the case.

[English]

If such is the wish, but I feel so much stronger in my views having listened to not the first intervention but the second intervention of my friend, Senator Carstairs. She knows I feel very strongly with her on this point. It makes no sense.

[Translation]

Honourable senators, that is why I suggest we pass the amendment to the motion moved by that old warhorse, Senator Grafstein.

[English]

Honourable senators must be made aware that Senator Grafstein, Senator Smith and I go back a long time, to the young Liberals in 1960 at the Hilton Hotel in Montreal. That is 1960, with Michel Robert and Jean Chrétien. That was a long time ago. I have always admired his guts because he knows I cannot take it. However, he is gracious, more so than another honourable senator who was not so gracious towards me recently. I will not name him.

[Translation]

Senator Grafstein is asking us to support an amendment that preserves our freedom of thought and action, an amendment that I believe is acceptable to all and that takes into account the undoubtedly legitimate concerns not only of my colleague but of all right-thinking people. That is why I am proposing a very simple amendment.

[English]

#### MOTION IN AMENDMENT

**Hon. Marcel Prud'homme:** Honourable senators, I move:

That the words "That the Senate endorse" at the beginning of the motion be replaced by the words "That the Senate take note of".

**Hon. Anne C. Cools:** I would like to join this debate in a serious way, so I would like to take the adjournment.

(On motion of Senator Cools, debate adjourned.)

#### MOTION TO SUPPORT RESOLUTION ON MEDITERRANEAN FREE TRADE AREA— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Grafstein, seconded by the Honourable Senator Baker, P.C.:

That the Senate endorse the following Resolution, adopted by the OSCE Parliamentary Assembly at its 17th Annual Session, held at Astana, Kazakhstan, from June 29 to July 3, 2008:

#### RESOLUTION ON A MEDITERRANEAN FREE TRADE AREA

1. Reiterating the fundamental importance of the economic and environmental aspects of the OSCE concept of security,
2. Recognizing that without economic growth there can be no peace or stability,
3. Recalling the importance that the OSCE Parliamentary Assembly accords to the development of international trade, as underlined by the Assembly's fifth economic conference on the theme of *Strengthening Stability and Co-operation through International Trade*, which was held in Andorra, in May 2007,
4. Maintaining that creating a free trade area will, inter alia, contribute significantly to the efforts to achieve peace,
5. Recalling that the European Union itself was made possible by the establishment of free-trade areas, first the European Coal and Steel Community in 1951 and then the European Economic Community in 1957,
6. Recalling the Helsinki Final Act of 1975, in which OSCE participating States expressed their intention "to encourage with the non-participating Mediterranean States the development of mutually beneficial co-operation in the various fields of economic activity" and to "contribute to a diversified development of the economies of the non-participating Mediterranean countries",

7. Recalling the Helsinki Final Act, in which OSCE participating States recognized “the importance of bilateral and multilateral intergovernmental and other agreements for the long-term development of trade” and undertook “to reduce or progressively eliminate all kinds of obstacles to the development of trade”,
8. Celebrating the decision made at the OSCE Summit in Budapest in 1994 to create a Contact Group with Mediterranean Partners for Cooperation,
9. Expressing support for the Barcelona Declaration of 1995 regarding the establishment of a free trade area between the members of the European Union and all Mediterranean states by 2010,
10. Saluting the American Middle East Free Trade Area Initiative (MEFTA) launched in 2003,
11. Concerned by the slow pace of economic development in the Middle East, especially in the agriculture sector and the knowledge-based economy, where two-thirds of the population is under the age of 35,
12. Considering the obstacles to economic growth posed by agricultural trade and tariff barriers, as discussed at the OSCE Parliamentary Assembly meeting in Rhodes in 2004,
13. Considering the lack of direct foreign investment in Middle Eastern Arab countries and the concentration of such investment in a small number of these countries,
14. Noting that despite the efforts made in the Middle East to stimulate free trade, economic growth in Mediterranean countries is markedly stronger in the Israel-Europe-North America axis than among countries in the region, and
15. Encouraged by the increased literacy rate and the increased participation of women in the domestic economies of countries in the Mediterranean basin,

The OSCE Parliamentary Assembly:

16. Recommends the creation of a Mediterranean Economic Commission whose objective would be to quickly reduce trade barriers and facilitate the transition to a knowledge-based economy in countries in the region;
17. Recommends the creation of a Mediterranean Agricultural Marketing Board whose objective would be to create jobs in the agriculture sector for young people in the region;
18. Invites OSCE participating countries and partner states for co-operation to intensify their efforts under the Barcelona Process and to more fully benefit from the MEFTA Initiative in order to expedite the establishment of a free-trade area among all Mediterranean countries.

**Hon. Marcel Prud'homme:** Honourable senators, I speak especially for the new honourable senators whom I would have loved to know so much better. Look at Senator Frum, for instance, whose mother I had so much respect for and I knew very well. She interviewed me in the old days. I did not have time to meet Senator Seidman, nor all the other new honourable senators. It is sad for me because I am a good boy and I am emotional. I am emotional, but do not ever push me around. Emotional people can be different if pushed too much.

I would say the same thing for this resolution. It is only a page and a half so, again, I will do it in English using French text.

I wish again to underline the importance of the work accomplished by my colleague. As an aside, be patient with him and me. He will have the last word because we are leaving together, with only a few days difference. I am sure the Order Paper will be half the size by the time we leave.

I want to congratulate him on bringing to our attention the multiplicity of a resolution in a multiplicity of a parliamentary association. Mind you, this one is from 2008. They upgrade them, but it is the same stuff. Therefore, he goes around and does good work. You all know when he is there; you know it. He is a mover and shaker. Then he brings things back and makes statements. That is his style. He comes back, makes commitments: Do not worry, the Senate will support you. That is where I stop.

[*Translation*]

The informative reports that the senator tables as motions are very useful. I thank him.

Basically, the motion we are debating today raises a significant number of issues that we would have to debate at length. Senator Carstairs emphasized the fact that we need to debate with experts.

• (1550)

[*English*]

Each paragraph is recalling something that took place somewhere else.

She knows what she is talking about, except for the first section; I am not sure about the first one.

[*Translation*]

The motion before us today raises a considerable number of problems that could be debated for days with any number of experts. For instance, it may be very praiseworthy for the OSCE Parliamentary Assembly to recommend what is written in the resolution, specifically, “the creation of a Mediterranean Economic Commission whose objective would be to quickly reduce trade barriers. . .”.

Honourable senators, I see it is time for you to leave. I would not want to be the one responsible for anyone missing their flights.

I therefore move the following amendment to the motion of our colleague, Senator Grafstein, who is calling for endorsement by the Senate, and who usually defends our freedom of action and thought, an amendment that I think we can all accept and one that takes into account my colleague's concerns.

Accordingly, I ask honourable senators to consider the following amendment.

[English]

#### MOTION IN AMENDMENT

**The Hon. Marcel Prud'homme:** Honourable senators, I move, seconded by the Honourable Senator Comeau:

That the words "That the Senate endorse" at the beginning of the motion be replaced by the words "That the Senate take note of".

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

(On motion of Senator Cools, debate adjourned.)

#### DECLARATION ON STRENGTHENING THE FINANCIAL SYSTEM ADOPTED BY THE G20

##### INQUIRY—ORDER STANDS

On the Order:

Resuming debate on the inquiry of the Honourable Senator Grafstein calling the attention of the Senate to the following Declaration on Strengthening the Financial System, adopted by the G20 on April 2, 2009, at the London Summit:

#### DECLARATION ON STRENGTHENING THE FINANCIAL SYSTEM

LONDON SUMMIT, 2 APRIL 2009

We, the Leaders of the G20, have taken, and will continue to take, action to strengthen regulation and supervision in line with the commitments we made in Washington to reform the regulation of the financial sector. Our principles are strengthening transparency and accountability, enhancing sound regulation, promoting integrity in financial markets and reinforcing international cooperation. The material in this declaration expands and provides further detail on the commitments in our statement. We published today a full progress report against each of the 47 actions set out in the Washington Action Plan. In particular, we have agreed the following major reforms.

#### Financial Stability Board

We have agreed that the Financial Stability Forum should be expanded, given a broadened mandate to promote financial stability, and re-established with a stronger institutional basis and enhanced capacity as the Financial Stability Board (FSB). The FSB will:

- assess vulnerabilities affecting the financial system, identify and oversee action needed to address them;
- promote co-ordination and information exchange among authorities responsible for financial stability;
- monitor and advise on market developments and their implications for regulatory policy;
- advise on and monitor best practice in meeting regulatory standards;
- undertake joint strategic reviews of the policy development work of the international Standard Setting Bodies to ensure their work is timely, coordinated, focused on priorities, and addressing gaps;
- set guidelines for, and support the establishment, functioning of, and participation in, supervisory colleges, including through ongoing identification of the most systemically important cross-border firms;
- support contingency planning for cross-border crisis management, particularly with respect to systemically important firms; and
- collaborate with the IMF to conduct Early Warning Exercises to identify and report to the IMFC and the G20 Finance Ministers and Central Bank Governors on the build up of macroeconomic and financial risks and the actions needed to address them.

Members of the FSB commit to pursue the maintenance of financial stability, enhance the openness and transparency of the financial sector, and implement international financial standards (including the 12 key International Standards and Codes), and agree to undergo periodic peer reviews, using among other evidence IMF / World Bank public Financial Sector Assessment Program reports. The FSB will elaborate and report on these commitments and the evaluation process.

We welcome the FSB's and IMF's commitment to intensify their collaboration, each complementing the other's role and mandate.

#### International cooperation

To strengthen international cooperation we have agreed:

- to establish the remaining supervisory colleges for significant cross-border firms by June 2009, building on the 28 already in place;
- to implement the FSF principles for cross-border crisis management immediately, and that home authorities of each major international financial institution should ensure that the group of authorities with a common interest in that financial institution meet at least annually;

- to support continued efforts by the IMF, FSB, World Bank, and BCBS to develop an international framework for cross-border bank resolution arrangements;
- the importance of further work and international cooperation on the subject of exit strategies;
- that the IMF and FSB should together launch an Early Warning Exercise at the 2009 Spring Meetings.

### Prudential regulation

We have agreed to strengthen international frameworks for prudential regulation:

- until recovery is assured the international standard for the minimum level of capital should remain unchanged;
- where appropriate, capital buffers above the required minima should be allowed to decline to facilitate lending in deteriorating economic conditions;
- once recovery is assured, prudential regulatory standards should be strengthened. Buffers above regulatory minima should be increased and the quality of capital should be enhanced. Guidelines for harmonisation of the definition of capital should be produced by end 2009. The BCBS should review minimum levels of capital and develop recommendations in 2010;
- the FSB, BCBS, and CGFS, working with accounting standard setters, should take forward, with a deadline of end 2009, implementation of the recommendations published today to mitigate procyclicality, including a requirement for banks to build buffers of resources in good times that they can draw down when conditions deteriorate;
- risk-based capital requirements should be supplemented with a simple, transparent, non-risk based measure which is internationally comparable, properly takes into account off-balance sheet exposures, and can help contain the build-up of leverage in the banking system;
- the BCBS and authorities should take forward work on improving incentives for risk management of securitisation, including considering due diligence and quantitative retention requirements, by 2010;
- all G20 countries should progressively adopt the Basel II capital framework; and
- the BCBS and national authorities should develop and agree by 2010 a global framework for promoting stronger liquidity buffers at financial institutions, including cross-border institutions.

### The scope of regulation

We have agreed that all systemically important financial institutions, markets, and instruments should be subject to an appropriate degree of regulation and oversight. In particular:

- we will amend our regulatory systems to ensure authorities are able to identify and take account of macro-prudential risks across the financial system including in the case of regulated banks, shadow banks, and private pools of capital to limit the build up of systemic risk. We call on the FSB to work with the BIS and international standard setters to develop macro-prudential tools and provide a report by autumn 2009;
- large and complex financial institutions require particularly careful oversight given their systemic importance;
- we will ensure that our national regulators possess the powers for gathering relevant information on all material financial institutions, markets, and instruments in order to assess the potential for their failure or severe stress to contribute to systemic risk. This will be done in close coordination at international level in order to achieve as much consistency as possible across jurisdictions;
- in order to prevent regulatory arbitrage, the IMF and the FSB will produce guidelines for national authorities to assess whether a financial institution, market, or an instrument is systemically important by the next meeting of our Finance Ministers and Central Bank Governors. These guidelines should focus on what institutions do rather than their legal form;
- hedge funds or their managers will be registered and will be required to disclose appropriate information on an ongoing basis to supervisors or regulators, including on their leverage, necessary for assessment of the systemic risks that they pose individually or collectively. Where appropriate, registration should be subject to a minimum size. They will be subject to oversight to ensure that they have adequate risk management. We ask the FSB to develop mechanisms for cooperation and information sharing between relevant authorities in order to ensure that effective oversight is maintained where a fund is located in a different jurisdiction from the manager. We will, cooperating through the FSB, develop measures that implement these principles by the end of 2009. We call on the FSB to report to the next meeting of our Finance Ministers and Central Bank Governors;
- supervisors should require that institutions which have hedge funds as their counterparties have effective risk management. This should include mechanisms to monitor the funds' leverage and set limits for single counterparty exposures;

- we will promote the standardisation and resilience of credit derivatives markets, in particular through the establishment of central clearing counterparties subject to effective regulation and supervision. We call on the industry to develop an action plan on standardisation by autumn 2009; and
- we will each review and adapt the boundaries of the regulatory framework regularly to keep pace with developments in the financial system and promote good practices and consistent approaches at the international level.

### **Compensation**

We have endorsed the principles on pay and compensation in significant financial institutions developed by the FSF to ensure compensation structures are consistent with firms' long-term goals and prudent risk taking. We have agreed that our national supervisors should ensure significant progress in the implementation of these principles by the 2009 remuneration round. The BCBS should integrate these principles into their risk management guidance by autumn 2009. The principles, which have today been published, require:

- firms' boards of directors to play an active role in the design, operation, and evaluation of compensation schemes;
- compensation arrangements, including bonuses, to properly reflect risk and the timing and composition of payments to be sensitive to the time horizon of risks. Payments should not be finalised over short periods where risks are realised over long periods; and
- firms to publicly disclose clear, comprehensive, and timely information about compensation. Stakeholders, including shareholders, should be adequately informed on a timely basis on compensation policies to exercise effective monitoring.

Supervisors will assess firms' compensation policies as part of their overall assessment of their soundness. Where necessary they will intervene with responses that can include increased capital requirements.

### **Tax havens and non-cooperative jurisdictions**

It is essential to protect public finances and international standards against the risks posed by non-cooperative jurisdictions. We call on all jurisdictions to adhere to the international standards in the prudential, tax, and AML/CFT areas. To this end, we call on the appropriate bodies to conduct and strengthen objective peer reviews, based on existing processes, including through the FSAP process.

We call on countries to adopt the international standard for information exchange endorsed by the G20 in 2004 and reflected in the UN Model Tax Convention. We note that the OECD has today published a list of countries assessed by the Global Forum against the international standard

for exchange of information. We welcome the new commitments made by a number of jurisdictions and encourage them to proceed swiftly with implementation.

We stand ready to take agreed action against those jurisdictions which do not meet international standards in relation to tax transparency. To this end we have agreed to develop a toolbox of effective counter measures for countries to consider, such as:

- increased disclosure requirements on the part of taxpayers and financial institutions to report transactions involving non-cooperative jurisdictions;
- withholding taxes in respect of a wide variety of payments;
- denying deductions in respect of expense payments to payees resident in a non-cooperative jurisdiction;
- reviewing tax treaty policy;
- asking international institutions and regional development banks to review their investment policies; and,
- giving extra weight to the principles of tax transparency and information exchange when designing bilateral aid programs.

We also agreed that consideration should be given to further options relating to financial relations with these jurisdictions.

We are committed to developing proposals, by end 2009, to make it easier for developing countries to secure the benefits of a new cooperative tax environment.

We are also committed to strengthened adherence to international prudential regulatory and supervisory standards. The IMF and the FSB in cooperation with international standard-setters will provide an assessment of implementation by relevant jurisdictions, building on existing FSAPs where they exist. We call on the FSB to develop a toolbox of measures to promote adherence to prudential standards and cooperation with jurisdictions.

We agreed that the FATF should revise and reinvigorate the review process for assessing compliance by jurisdictions with AML/CFT standards, using agreed evaluation reports where available.

We call upon the FSB and the FATF to report to the next G20 Finance Ministers and Central Bank Governors' meeting on adoption and implementation by countries.

### **Accounting standards**

We have agreed that the accounting standard setters should improve standards for the valuation of financial instruments based on their liquidity and investors' holding horizons, while reaffirming the framework of fair value accounting.

We also welcome the FSF recommendations on procyclicality that address accounting issues. We have agreed that accounting standard setters should take action by the end of 2009 to:

- reduce the complexity of accounting standards for financial instruments;
- strengthen accounting recognition of loan-loss provisions by incorporating a broader range of credit information;
- improve accounting standards for provisioning, off-balance sheet exposures and valuation uncertainty;
- achieve clarity and consistency in the application of valuation standards internationally, working with supervisors;
- make significant progress towards a single set of high quality global accounting standards; and,
- within the framework of the independent accounting standard setting process, improve involvement of stakeholders, including prudential regulators and emerging markets, through the IASB's constitutional review.

#### Credit Rating Agencies

We have agreed on more effective oversight of the activities of Credit Rating Agencies, as they are essential market participants. In particular, we have agreed that:

- all Credit Rating Agencies whose ratings are used for regulatory purposes should be subject to a regulatory oversight regime that includes registration. The regulatory oversight regime should be established by end 2009 and should be consistent with the IOSCO Code of Conduct Fundamentals. IOSCO should coordinate full compliance;
- national authorities will enforce compliance and require changes to a rating agency's practices and procedures for managing conflicts of interest and assuring the transparency and quality of the rating process. In particular, Credit Rating Agencies should differentiate ratings for structured products and provide full disclosure of their ratings track record and the information and assumptions that underpin the ratings process. The oversight framework should be consistent across jurisdictions with appropriate sharing of information between national authorities, including through IOSCO; and,
- the Basel Committee should take forward its review on the role of external ratings in prudential regulation and determine whether there are any adverse incentives that need to be addressed.

#### Next Steps

We instruct our Finance Ministers to complete the implementation of these decisions and the attached action plan. We have asked the FSB and the IMF to monitor progress, working with the FATF and the Global Forum, and to provide a report to the next meeting of our Finance Ministers and Central Bank Governors.

**Hon. Marcel Prud'homme:** Very shortly on this one, very shortly, you will see that —

**The Hon. the Speaker *pro tempore*:** Senator Tardif.

**Hon. Claudette Tardif (Deputy Leader of the Opposition):** Honourable senators, I was willing to concede my place to Senator Prud'homme on the adjournment order, but this item, again, is in Senator Grafstein's name and he has not completed his remarks. I request that the item be put off until Senator Grafstein speaks to it on our return.

[*Translation*]

**Senator Prud'homme:** Honourable senators, I would like to raise a point of order. I did not think I would be asked to do so. The point of order I should have raised after Senator Carstairs' speech, I would like to raise now. I would have preferred not to raise it. As you know, this inquiry stands in the name of Senator Grafstein. According to Senate rules, as we all know — I will repeat it at least until Tuesday, when we resume — Senator Grafstein will have the opportunity to talk about it, to draw our attention to the matter.

[*English*]

As the one who is calling the attention, it seems like my views are getting to him. This time he is only calling our attention; that is what I want.

However, he is Senator Grafstein. Following that, he will have the last word. Her Honour must, by the rules, inform senators that anyone who wants to speak must know that if they do not, Senator Grafstein will have the ultimate say.

He cannot have, in my view, but we will see the rules. I will accept Her Honour's views for the moment.

I did not expect to speak on that item. I only wanted to show support, and now he is bringing it to our attention.

Therefore, I will erase that; I will do something else. Your Honour has plenty of time with your staff to see if I am right or wrong. He has ultimately a right of reply, but he cannot stop a debate if he has also at the same time the right of reply.

That is what I will try to describe when I speak on Tuesday.

**The Hon. the Speaker *pro tempore*:** This item is an inquiry, and according to our rules, there is no right of reply to an inquiry. This is why the debate must stay under Senator Grafstein so that he will speak on it when he comes back.

(Order stands.)

## REMEMBRANCE DAY

## INQUIRY—DEBATE CONCLUDED

**Hon. Anne C. Cools** rose pursuant to notice of November 3, 2009:

That she will call the attention of the Senate to:

- (a) this year's Remembrance Day on November 11, 2009, when we shall remember, celebrate and honour the veterans of Canada, those who served, and those who fell in active combat in their assigned theatres of war particularly in World War II, in defence of God, King, and Country, Canada, the British Commonwealth and the Allied countries; and
- (b) to Canadian airmen in World War II, particularly those who served with Royal Air Force Bomber Command, being both those with 6 Group R.C.A.F., and those with the other Bomber Command Squadrons, including Squadron Leader Ian Bazalgette, and some Canadian Senators, to those Canadian airmen in arms who faced many thousands of German anti-aircraft guns nightly; and
- (c) to the Nanton Lancaster Society Air Museum in Nanton, Alberta, and its own *Canada's Bomber Command Memorial*, being a wall of remembrance wherein are inscribed the names of the 10,643 fallen Canadian airmen as a monument to their sacrifice; and
- (d) to the August 15, 2009 Nanton Lancaster Society Air Museum's remembrance ceremony which also celebrated the twinning of the towns Nanton, Alberta and Senantes, France, and which ceremony was attended by the Mayors of these two towns; and
- (e) to Squadron Leader Ian Bazalgette, an Albertan raised in England, who received the Victoria Cross for his courage in landing his crippled, enflamed Lancaster Bomber, with its injured crew, while successfully avoiding the destruction of Senantes, a village of 200 people, whose residents retrieved his body, hid it from the Germans and later buried him in their church yard where he now rests, fully adopted by the people of Senantes; and
- (f) to the numerous volunteers and concerned individuals whose tireless efforts preserve and maintain their Lancaster Society Air Museum, their Lancaster Bomber, and their wall of remembrance dedicated to the 10,643 Canadian airmen who fell in Bomber Command, that Command which for many years was the only Allied offensive against Fortress Europe; and
- (g) to honour, to celebrate, to uphold and to thank all the remarkable Canadian veterans for their incalculable contributions to humanity during World War II.

She said: Honourable senators, I rise today to speak in remembrance of Canadian airmen in arms in Bomber Command during the Second World War, particularly 6 Group, the Canadian Bomber Group created in October 1942 to be entirely manned by Canadian officers and men; and which, by the end of the war, consisted of 14 squadrons.

However, first, I wish to remember all the Canadian men and women in arms who served Canada, risking their lives, their persons and their psychological well-being. In the last week, Canadian families have received yet another grim blow as two more precious young men have lost their lives in Afghanistan. Today I uphold these two young men, both from Alberta, Lieutenant Justin Boyes and Sapper Steven Marshall, and the other 131 Canadians who have fallen in this war in Afghanistan. Let us remember them, all of them, in all the wars in which they have fought.

Honourable senators, war is the failure of politics and the failure of human beings to reach reconciliation and accommodation. In the history of human existence, war is a grim tale, as human beings resort to arms as only human beings can do, as human beings apply their intelligence and their genius to destroying life as only human beings can do. The muses are eloquent in expressing the paucity of the human condition. The Scottish poet Robert Burns called it "Man's inhumanity to man." In his poem, *Man Was Made to Mourn*, he mused on the capacity of human beings' will and desire to inflict pain and suffering on their fellow humans. He wrote:

Man's inhumanity to man  
Makes countless thousands mourn!

Honourable senators, man's inhumanity to man makes countless millions mourn.

Honourable senators, war robs families of their beloved young sons, brothers, fathers and husbands. War robs young men and women of their lives, their youths, their loves and all their dreams. War is one of the Four Horsemen of the Apocalypse. It is a terrible, awful and omnipotent master. This fierce horseman is a grim rider and a grim reaper.

The First World War had set new definitions of war, employing previously unknown forms of warfare. By the Second World War, these had been expanded by scientific and technological advances, combining to create a highly industrialized, highly complex type of warfare, a warfare that is totally consuming and totally unforgiving in its sweep. This modern horseman of the Apocalypse is cataclysmic, devouring everything in its path. This grim rider will destroy combatants, civilians, adults, children, whole villages, whole cities, food supplies and drinking water at speeds that are too rapid and on a scale that is too vast for our human comprehension.

Honourable senators, during the Second World War, Canadian airmen with Royal Air Force Bomber Command, both with 6 Group's 14 squadrons, and those with the other Royal Air Force Bomber Command squadrons night after night confronted the then heights of technologically advanced warfare. Canadian airmen, young men in their bomber planes, Lancasters and Halifaxes, et cetera, faced great perils. Night after night,

Canadian airmen in their bomber planes took off from U.K. airbases, one a minute, 60 an hour, for many hours, to strike enemy targets in Europe. These brave young men on their bombing operations, bomb ops night after night, faced the German night fighters in the air and the plentiful and powerful German anti-aircraft guns from the ground, reportedly 100,000 of them. Canadian airmen, young men, night after night, faced a then deadly enemy, a highly disciplined, highly organized and well-equipped enemy that was committed to its own victory, a victory that was within the enemy's reach at certain critical moments during World War II.

• (1600)

Honourable senators, to grasp the great contribution of Canadian 6 Group and Bomber Command, let us look to what Albert Speer, the German Minister of Armaments and War Production, had to say about it. He was a practical man in the practical business of making a brutal and aggressive war. About Bomber Command's air war, in his book *Spandau: The Secret Diaries*, published by Macmillan in 1976, he said at page 339:

The real importance of the air war consisted in the fact that it opened a second front long before the invasion of Europe. That front was the skies over Germany. The fleets of bombers might appear at any time over any large German city or important factory. The unpredictability of the attacks made this front gigantic; every square meter of the territory we controlled was a kind of front line. Defense against air attacks required the production of thousands of anti-aircraft guns, the stockpiling of tremendous quantities of ammunition all over the country, and holding in readiness hundreds of thousands of soldiers, who in addition had to stay in position by their guns, often totally inactive, for months at a time.

Bomber Command's air war front was "the skies over Germany." For a long time, that is, until D-Day, June 6, 1944, Bomber Command's air war had been the only offensive action of the Allied forces. In fact, it was the only possible action against Nazi Germany and Fortress Europe, occupied Europe.

Honourable senators, Bomber Command's air war had been paralyzing the German armaments industry at its core. Albert Speer, as noted before, was a practical man in the practical business of war. In another book by him, *Inside the Third Reich*, he said at page 284:

Hamburg had put the fear of God in me . . . I informed Hitler that armaments production was collapsing and threw in the further warning that a series of attacks of this sort, extended to six more major cities, would bring Germany's armaments production to a total halt.

Bomber Command's efforts had tied up vast German resources that otherwise would have been directed against the Allied forces elsewhere.

Honourable senators, on August 15, 2009, I had the honour to join Bomber Command veterans in Nanton, Alberta, where I was invited by the Nanton Lancaster Society Air Museum. This museum, founded and created by thousands of hours of volunteer work, commemorates the brave Canadian men who fought in

Bomber Command. In fact, the Nanton Lancaster Society Air Museum has built a wall of remembrance called *Canada's Bomber Command Memorial*, wherein are inscribed the names of the 10,643 fallen Canadians in Bomber Command. The museum also owns a Lancaster bomber used by many 6 Group Squadrons. That day, I spoke at the sixty-fifth anniversary celebration of the 1944 heroic feat of Bomber Command Squadron Leader Ian Bazalgette. Squadron Leader Bazalgette was born in Alberta, raised in England, and he now rests in the churchyard at Senantes, France. He was not in 6 Group, but he was in another RAF Bomber Command Group. Bazalgette's courage was remarkable and his selflessness unparalleled. Despite damage to his Lancaster Bomber and a near crash, he had been able to complete his Bomb Ops. After additional damage, he asked those of his crewmembers who could to parachute out. Wanting to deliver the injured crew safely to the ground, he endeavoured to land his enflamed Lancaster Bomber. He did so successfully, but it exploded, killing him.

One must understand the atmosphere in Europe at the time. The people of Senantes rescued his body, hid it from the Germans and later gave it a burial in the churchyard. They adopted him as a hero.

Honourable senators, amidst these Herculean difficulties in landing his plane, any one of which was daunting, Bazalgette was deeply concerned for the safety of the people and the village of Senantes, a small village of a few hundred people. God alone knows how his mind and heart could fathom to attempt such humane and self-sacrificing generosity. On August 17, 1945, King George VI conferred upon him the highest military honour of all: the Victoria Cross. Squadron Leader Bazalgette's actions represent the human being in its finest expression of humanity. The words "valour, honour, service" are poignant. They express and epitomize human behaviour in its highest and finest form. Honourable senators, let us remember him as he rests in the churchyard at Senantes, France, and all the others wherever they rest.

Honourable senators, in 1998 the late Senator Orville Phillips, from Prince Edward Island, himself a veteran of Bomber Command, served as Chairman of the Senate Subcommittee on Veterans Affairs, of which I was a member and its Deputy Chair. En passant, I also honour two other senators who also served in Bomber Command; Senator Johnstone and Senator Doyle.

The Senate Subcommittee on Veterans Affairs had studied the Canadian War Museum and its then pressing issues. Its report was entitled, *Guarding History: A Study into the Future, Funding, and Independence of the Canadian War Museum*. In the report's foreword, Chairman Senator Phillips wrote at page *i*:

The Canadian War Museum is a very special place, not just for Veterans and Historians, but for all Canadians. It is the place our sons and daughters can visit and see for themselves the horrors of war their parents and grandparents knew but could never share.

Senator Phillips understood the psychic assault and injuries to men and women who have engaged in active combat in the theatres of war — a psychological and emotional damage that for



too long has received too little attention and too little care. In Senator Phillips, the veterans of Canada had a true and faithful friend. He was their comrade in arms.

Like the Canadian War Museum, the Nanton Lancaster Society Air Museum is a very special place made possible by the efforts of so many generous people. Let us remember all these airmen, many who came from places in small-town Canada such as Nanton.

Honourable senators, the losses and casualties in Bomber Command were high. A Director of Nanton Lancaster Society Air Museum, Karl Kjarsgaard, himself a pilot who is involved in the Halifax 57 Rescue Project which is trying to salvage the Halifax Bomber LW-170 from the ocean floor off Ireland, spoke of these losses. In *Remembering Canadians in Bomber Command*, my video recording of last August's event in Nanton, Alberta, he told me about these losses. He said:

. . . only one in four airmen that was in Bombers survived their tour. 76 percent were either killed or injured or prisoner of war, so 76 percent did not make it. Only 24 percent did.

Mr. Kjarsgaard continued and spoke about 6 Group, the Canadian Bomber Group. He said:

But let me tell you this, and most Canadians don't know this, when the war was over, and they went and looked at the combat records of all of the Bomber Groups of all of the British Bomber Command, 6 Group the Canadian Bomber Group was number one for lowest loss rate in combat, most efficient and the most aircraft ready to go every night to go out on combat. They were number one in all of Bomber Command.

• (1610)

Let us remember them.

Honourable senators, today I celebrate, commemorate and honour the Canadians who served. I shall cite the Scriptures, the Old Testament Book, Ecclesiasticus Chapter 44, Verses 1, 7, 8, 9, 10 and 14. Ecclesiasticus says:

Let us now praise famous men, and our fathers that begat us . . .

All these were honoured in their generations, and were the glory of their times.

There be of them, that have left a name behind them, that their praises might be reported.

And some there be, which have no memorial; who are perished, as though they had never been; and are become as though they had never been born . . .

But these were merciful men, whose righteousness hath not been forgotten . . .

Their bodies are buried in peace; but their name liveth for evermore.

Let us remember them. Let us honour them and their families and our country, Canada, for their incalculable sacrifices and contributions to Allied victory in 1945.

**The Hon. the Speaker *pro tempore*:** If no other senator wishes to speak, this item is considered debated.

## BUSINESS OF THE SENATE

**The Hon. the Speaker *pro tempore*:** Honourable senators, before I call the next item, I will read rule 35 on the right of final reply:

35. A Senator shall have the right of final reply if:

(a) the Senator has moved the second reading of a bill or made a substantive motion, other than a motion to adopt a committee report on the *Conflict of Interest for Senators*, pertaining to the conduct of a Senator, or an inquiry;

The word "inquiry" had eluded me. I simply wanted to put it on the record.

[*Translation*]

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** Honourable senators, with leave of the Senate and notwithstanding rule 58(1), I move that the sitting be suspended to await the announcement of Royal Assent, to reassemble at the call of the Chair with a fifteen minute bell.

[*English*]

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

**Hon. Senators:** Agreed.

**The Hon. the Speaker *pro tempore*:** Do I have permission to leave the chair?

**Hon. Senators:** Agreed.

(The sitting of the Senate was suspended.)

• (1700)

[*Translation*]

(The sitting was resumed.)

**ROYAL ASSENT**

**Hon. Donald H. Oliver (The Hon. the Acting Speaker)** informed the Senate that the following communication had been received:

RIDEAU HALL

November 5, 2009

Mr Speaker,

I have the honour to inform you that the Right Honourable Michaëlle Jean, Governor General of Canada, signified royal assent by written declaration to the bill listed in the Schedule to this letter on the 5th day of November, 2009, at 4:19 p.m.

Yours sincerely,

Sheila-Marie Cook  
*Secretary to the Governor General*

The Honourable  
The Speaker of the Senate  
Ottawa

Bill assented to Thursday, November 5, 2009:

An Act to amend the Employment Insurance Act and to increase benefits (*Bill C-50, Chapter 30, 2009*)

**ADJOURNMENT**

Leave having been given to revert to Government Notices of Motions:

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** Honourable senators, with leave of the Senate and notwithstanding rule 58(1)(h), I move:

That when the Senate adjourns today, it do stand adjourned until Tuesday, November 17, 2009, at 2 p.m.

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

**Hon. Senators:** Agreed.

(Motion agreed to.)

(The Senate adjourned until Tuesday, November 17, at 2 p.m.)

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**THE SENATE OF CANADA  
PROGRESS OF LEGISLATION**

*(indicates the status of a bill by showing the date on which each stage has been completed)*

**(2nd Session, 40th Parliament)**

**Thursday, November 5, 2009**

*(\*Where royal assent is signified by written declaration, the Act is deemed to be assented to on the day on which the two Houses of Parliament have been notified of the declaration.)*

**GOVERNMENT BILLS  
(SENATE)**

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
S-2	An Act to amend the Customs Act	09/01/29	09/03/03	National Security and Defence	09/03/31	1	09/04/23	09/06/11*	10/09
S-3	An Act to amend the Energy Efficiency Act	09/01/29	09/02/24	Energy, the Environment and Natural Resources	09/03/11	0	09/03/12	09/05/14*	8/09
S-4	An Act to amend the Criminal Code (identity theft and related misconduct)	09/03/31	09/05/05	Legal and Constitutional Affairs	09/06/09	5	09/06/11	09/10/22*	28/09
S-5	An Act to amend the Criminal Code and another Act	09/04/01							
S-6	An Act to amend the Canada Elections Act (accountability with respect to political loans)	09/04/28							
S-7	An Act to amend the Constitution Act, 1867 (Senate term limits)	09/05/28							

**GOVERNMENT BILLS  
(HOUSE OF COMMONS)**

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
C-2	An Act to implement the Free Trade Agreement between Canada and the States of the European Free Trade Association (Iceland, Liechtenstein, Norway, Switzerland), the Agreement on Agriculture between Canada and the Republic of Iceland, the Agreement on Agriculture between Canada and the Kingdom of Norway and the Agreement on Agriculture between Canada and the Swiss Confederation	09/03/31	09/04/22	Foreign Affairs and International Trade	09/04/23	0	09/04/28	09/04/29*	6/09
C-3	An Act to amend the Arctic Waters Pollution Prevention Act	09/05/05	09/05/13	Transport and Communications	09/05/28	0	09/06/02	09/06/11*	11/09
C-4	An Act respecting not-for-profit corporations and certain other corporations	09/05/05	09/06/10	Banking, Trade and Commerce	09/06/22	0 observations	09/06/23	09/06/23*	23/09
C-5	An Act to amend the Indian Oil and Gas Act	09/04/21	09/04/23	Aboriginal Peoples	09/05/05	0	09/05/06	09/05/14*	7/09

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
C-6	An Act respecting the safety of consumer products	09/06/16	09/10/07	Social Affairs, Science and Technology					
C-7	An Act to amend the Marine Liability Act and the Federal Courts Act and to make consequential amendments to other Acts	09/05/14	09/06/03	Transport and Communications	09/06/18	0 observations	09/06/22	09/06/23*	21/09
C-9	An Act to amend the Transportation of Dangerous Goods Act, 1992	09/03/26	09/04/28	Transport and Communications	09/05/07	1	09/05/13 Message from Commons-agree with Senate amendment 09/05/14	09/05/14*	9/09
C-10	An Act to implement certain provisions of the budget tabled in Parliament on January 27, 2009 and related fiscal measures	09/03/04	09/03/05	National Finance	09/03/12	0	09/03/12	09/03/12*	2/09
C-11	An Act to promote safety and security with respect to human pathogens and toxins	09/05/06	09/06/02	Social Affairs, Science and Technology	09/06/22	0 observations	09/06/23	09/06/23*	24/09
C-12	An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2009 ( <i>Appropriation Act No. 4, 2008-2009</i> )	09/02/12	09/02/24	—	—	—	09/02/26	09/02/26	1/09
C-14	An Act to amend the Criminal Code (organized crime and protection of justice system participants)	09/04/28	09/05/27	Legal and Constitutional Affairs	09/06/18	0	09/06/22	09/06/23*	22/09
C-15	An Act to amend the Controlled Drugs and Substances Act and to make related and consequential amendments to other Acts	09/06/09	09/09/17	Legal and Constitutional Affairs					
C-16	An Act to amend certain Acts that relate to the environment and to enact provisions respecting the enforcement of certain Acts that relate to the environment	09/05/14	09/05/27	Energy, the Environment and Natural Resources	09/06/11	0 observations	09/06/16	09/06/18	14/09
C-17	An Act to recognize Beechwood Cemetery as the national cemetery of Canada	09/03/10	09/03/12	Social Affairs, Science and Technology	09/04/02	0	09/04/02	09/04/23*	5/09
C-18	An Act to amend the Royal Canadian Mounted Police Superannuation Act, to validate certain calculations and to amend other Acts	09/05/12	09/05/28	National Finance	09/06/11	0 observations	09/06/16	09/06/18	13/09
C-21	An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2009 ( <i>Appropriation Act No. 5, 2008-2009</i> )	09/03/24	09/03/25	—	—	—	09/03/26	09/03/26*	3/09
C-22	An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2010 ( <i>Appropriation Act No. 1, 2009-2010</i> )	09/03/24	09/03/25	—	—	—	09/03/26	09/03/26*	4/09

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
C-24	An Act to implement the Free Trade Agreement between Canada and the Republic of Peru, the Agreement on the Environment between Canada and the Republic of Peru and the Agreement on Labour Cooperation between Canada and the Republic of Peru	09/06/04	09/06/09	Foreign Affairs and International Trade	09/06/16	0 observations	09/06/17	09/06/18	16/09
C-25	An Act to amend the Criminal Code (limiting credit for time spent in pre-sentencing custody)	09/06/09	09/06/16	Legal and Constitutional Affairs	09/10/08 Report defeated 09/10/20	2 (defeated)	09/10/21	09/10/22*	29/09
C-26	An Act to amend the Criminal Code (auto theft and trafficking in property obtained by crime)	09/06/16	09/10/29	Legal and Constitutional Affairs					
C-28	An Act to amend the Cree-Naskapi (of Quebec) Act	09/05/27	09/06/04	Aboriginal Peoples	09/06/09	0	09/06/10	09/06/11*	12/09
C-29	An Act to increase the availability of agricultural loans and to repeal the Farm Improvement Loans Act	09/05/27	09/06/09	Agriculture and Forestry	09/06/11	0	09/06/16	09/06/18	15/09
C-32	An Act to amend the Tobacco Act	09/06/17	09/09/16	Social Affairs, Science and Technology	09/10/01	0	09/10/06	09/10/08*	27/09
C-33	An Act to amend the War Veterans Allowance Act	09/06/04	09/06/09	National Security and Defence	09/06/17	0	09/06/18	09/06/18	20/09
C-38	An Act to amend the Canada National Parks Act to enlarge Nahanni National Park Reserve of Canada	09/06/17	09/06/17	Energy, the Environment and Natural Resources	09/06/18	0	09/06/18	09/06/18	17/09
C-39	An Act to amend the Judges Act	09/06/10	09/06/11	Legal and Constitutional Affairs	09/06/18	0	09/06/18	09/06/18	19/09
C-41	An Act to give effect to the Maanulth First Nations Final Agreement and to make consequential amendments to other Acts	09/06/16	09/06/17	Aboriginal Peoples	09/06/18	0	09/06/18	09/06/18	18/09
C-48	An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2010 ( <i>Appropriation Act No. 2, 2009-2010</i> )	09/06/22	09/06/22	—	—	—	09/06/23	09/06/23*	25/09
C-49	An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2010 ( <i>Appropriation Act No. 3, 2009-2010</i> )	09/06/22	09/06/22	—	—	—	09/06/23	09/06/23*	26/09
C-50	An Act to amend the Employment Insurance Act and to increase benefits	09/11/04	09/11/04	Pursuant to rule 74(1) subject-matter 09/09/30 National Finance  Bill 09/11/04 National Finance	Report on Bill 09/11/05	0	09/11/05	09/11/05*	30/09

**COMMONS PUBLIC BILLS**

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
C-268	An Act to amend the Criminal Code (minimum sentence for offences involving trafficking of persons under the age of eighteen years)	09/10/01							

**SENATE PUBLIC BILLS**

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
S-201	An Act to amend the Library and Archives of Canada Act (National Portrait Gallery) (Sen. Grafstein)	09/01/27							
S-202	An Act to amend the Canada Elections Act (repeal of fixed election dates) (Sen. Murray, P.C.)	09/01/27							
S-203	An Act to amend the Business Development Bank of Canada Act (municipal infrastructure bonds) and to make a consequential amendment to another Act (Sen. Grafstein)	09/01/27	09/05/06	Banking, Trade and Commerce					
S-204	An Act to amend the National Capital Act (establishment and protection of Gatineau Park) (Sen. Spivak)	09/01/27							
S-205	An Act to amend the Criminal Code (suicide bombings) (Sen. Grafstein)	09/01/27	09/03/31	Legal and Constitutional Affairs	09/06/04	1	09/06/10		
S-206	An Act respecting the office of the Commissioner of the Environment and Sustainable Development (Sen. McCoy)	09/01/27							
S-207	An Act to amend the Employment Insurance Act (foreign postings) (Sen. Carstairs, P.C.)	09/01/27	Bill withdrawn pursuant to Speaker's Ruling 09/02/24						
S-208	An Act to amend the Food and Drugs Act (clean drinking water) (Sen. Grafstein)	09/01/27	09/04/29	Energy, the Environment and Natural Resources	09/06/18	0	09/06/18		
S-209	An Act to amend the Criminal Code (protection of children) (Sen. Hervieux-Payette, P.C.)	09/01/27	09/06/22	Legal and Constitutional Affairs					
S-210	An Act respecting World Autism Awareness Day (Sen. Munson)	09/01/27	09/03/03	Social Affairs, Science and Technology	09/05/14	0	09/05/26		
S-211	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 (Sen. Grafstein)	09/01/27	09/06/10	Legal and Constitutional Affairs					
S-212	An Act to amend the Canadian Environmental Protection Act, 1999 (Sen. Banks)	09/01/27	09/10/29	Energy, the Environment and Natural Resources					

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
S-213	An Act to amend the Income Tax Act (carbon offset tax credit) (Sen. Mitchell)	09/01/27							
S-214	An Act to regulate securities and to provide for a single securities commission for Canada (Sen. Grafstein)	09/01/27							
S-215	An Act to amend the Constitution Act, 1867 (Property qualifications of Senators) (Sen. Banks)	09/01/27	09/03/24	Legal and Constitutional Affairs					
S-216	An Act to amend the Federal Sustainable Development Act and the Auditor General Act (Involvement of Parliament) (Sen. Banks)	09/01/27	09/03/11	Energy, the Environment and Natural Resources	09/04/02	0	09/04/23		
S-217	An Act respecting a National Philanthropy Day (Sen. Grafstein)	09/01/27	09/05/05	Social Affairs, Science and Technology	09/05/14	2	09/06/02		
S-218	An Act to amend the Parliamentary Employment and Staff Relations Act (Sen. Joyal, P.C.)	09/01/29							
S-219	An Act to amend the Bankruptcy and Insolvency Act (student loans) (Sen. Goldstein)	09/02/03	Bill withdrawn pursuant to Speaker's Ruling 09/05/05						
S-220	An Act respecting commercial electronic messages (Sen. Goldstein)	09/02/03	09/04/02	Transport and Communications					
S-221	An Act to amend the Financial Administration Act (borrowing of money) (Sen. Murray, P.C.)	09/02/04							
S-222	An Act to amend the International Boundary Waters Treaty Act (bulk water removal) (Sen. Murray, P.C.)	09/02/04		Subject matter 09/06/17 Energy, the Environment and Natural Resources					
S-223	An Act to amend the Immigration and Refugee Protection Act and to enact certain other measures in order to provide assistance and protection to victims of human trafficking (Sen. Phalen)	09/02/04	09/09/29	Human Rights					
S-224	An Act to amend the Canada Elections Act and the Parliament of Canada Act (vacancies) (Sen. Moore)	09/02/05	09/05/14	Legal and Constitutional Affairs					
S-225	An Act to amend the Citizenship Act (oath of citizenship) (Sen. Segal)	09/02/10							
S-226	An Act to amend the Criminal Code (lottery schemes) (Sen. Lapointe)	09/02/11	09/09/29	Legal and Constitutional Affairs					
S-227	An Act to amend the Income Tax Act and the Excise Tax Act (tax relief for Nunavik) (Sen. Watt)	09/02/11	09/06/16	National Finance					

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
S-228	An Act to amend the Financial Administration Act and the Bank of Canada Act (quarterly financial reports) (Sen. Segal)	09/03/03	Dropped from Order Paper pursuant to rule 27(3) 09/11/04						
S-229	An Act to amend the Fisheries Act (commercial seal fishing) (Sen. Harb)	09/03/03							
S-230	An Act to amend the Bank of Canada Act (credit rating agency) (Sen. Grafstein)	09/03/10							
S-231	An Act to amend the Investment Canada Act (human rights violations) (Sen. Goldstein)	09/03/31							
S-232	An Act to amend the Patent Act (drugs for international humanitarian purposes) and to make a consequential amendment to another Act (Sen. Goldstein)	09/03/31	09/06/16	Banking, Trade and Commerce					
S-233	An Act to amend the State Immunity Act and the Criminal Code (detering terrorism by providing a civil right of action against perpetrators and sponsors of terrorism) (Sen. Tkachuk)	09/04/28							
S-234	An Act to amend the Canada Pension Plan (retroactivity of retirement and survivor's pensions) (Sen. Callbeck)	09/05/06							
S-235	An Act to provide the means to rationalize the governance of Canadian businesses during the period of national emergency resulting from the global financial crisis that is undermining Canada's economic stability (Sen. Hervieux-Payette, P.C.)	09/05/12							
S-236	An Act to amend the Canada Elections Act (election expenses) (Sen. Dawson)	09/05/26							
S-237	An Act for the advancement of the aboriginal languages of Canada and to recognize and respect aboriginal language rights (Sen. Joyal, P.C.)	09/05/28							
S-238	An Act to establish gender parity on the board of directors of certain corporations, financial institutions and parent Crown corporations (Sen. Hervieux-Payette, P.C.)	09/06/02							
S-239	An Act to amend the Conflict of Interest Act (gifts) (Sen. Cowan)	09/06/23							
S-240	An Act respecting a national day of service to honour the courage and sacrifice of Canadians in the face of terrorism, particularly the events of September 11, 2001 (Sen. Tkachuk)	09/06/23							
S-241	An Act to amend the Office of the Superintendent of Financial Institutions Act (credit and debit cards) (Sen. Ringuette)	09/10/06							



No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
S-242	An Act to amend the Canadian Payments Act (debit card payment systems) (Sen. Ringuette)	09/10/06							
S-243	An Act to establish and maintain a national registry of medical devices (Sen. Harb)	09/10/27							

**PRIVATE BILLS**

No.	Title	1st	2nd	Committee	Report	Amend	3rd	R.A.	Chap.

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