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THE HONOURABLE NOËL A. KINSELLA
SPEAKER

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THE SENATE

Wednesday, February 2, 2011

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

Prayers.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, before calling for Senators' Statements, I wish to draw the attention of all honourable senators to the presence in the gallery of a group of women from Aglow International Canada, a trans-denominational organization of Christian women: Miriam Miller, Florence Pole, Edna Cammeron, Mary-Ellen Goslin, Lena Kowalski, Roberta Bell, Adele Holt, Elizabeth Cox, Diana Fiege, Linda Riske, Phyllis Habermehl, and Donna Kenner. These women are guests of the Honourable Senator Plett.

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

SENATORS' STATEMENTS

THE LATE FRANCIS PETER CUNDILL

Hon. Michael A. Meighen: Honourable senators, with the death in London on January 24, 2011, of Francis Peter Cundill, Canada lost one of its most remarkable individuals, the investment world lost one of its most distinguished and successful practitioners, and I lost a cherished friend of over 60 years.

Peter Cundill was born in Montreal and graduated with a Bachelor of Commerce degree from McGill University in 1960. He became a chartered accountant and subsequently received his designation as a chartered financial analyst.

Peter Cundill worked in the investment business initially in Montreal before moving to Vancouver where, in 1974, he established his flagship Cundill Value Fund, a fund that made him famous and richly rewarded thousands of investors, not the least of whom were those with small resources and precious savings.

Peter was a deep-value investor, a disciple of the legendary American economist and investor, Benjamin Graham. He also formed personal relationships with Sir John Templeton and Warren Buffett.

Peter's record over 35 years as a global mutual fund manager was unrivalled. In 2001, it earned him the Analysts' Choice Career Achievement Award in recognition of proven superior performance and his lifetime contribution to the financial community. His investment style was characterized by integrity and patience. At his annual meeting in 1985, he astonished a

packed hall when he cautioned them, "We are having a difficult time finding anything we want to buy. Don't send me your money!"

Peter Cundill was in no sense a one-dimensional man. Springing from his innate curiosity, his interests were eclectic. He was a voracious reader on a generous wide variety of subjects; a faithful diarist; an inveterate traveler; a generous philanthropist; and a devoted runner, who completed 22 marathons, including a "sub 3-hour" when over the age of 40. He relished sports and physical challenges. Tennis, handball, squash, rugby, skiing, mounting hiking — Peter did them all with skill and enthusiasm.

The iron discipline employed in his investment career was generally replicated in his personal habits. Cigars? Yes, but only on Thursdays. Martinis? Yes, but only on Fridays. However, that discipline did not extend to junk food and ice cream for which he had an irrepressible craving.

Peter had an abiding interest in history, arising, some would say, from an examination he failed at McGill in 1959. Traumatic though this experience was, the more likely cause was his belief that it was only possible to comprehend the present and arrive at a measured perspective about the future if we understand the past. As a result, in 2008, he founded the Cundill International Prize in History at McGill University, the largest in the world and designed to encourage the writing of history for a general audience.

In a cruel twist of fate for one who was a physical fitness devotee for over 50 years, Peter was diagnosed in 2006 with an untreatable neurological condition known as Fragile X. Not surprisingly, he never once complained or wallowed in self-pity. Rather, he embraced the challenge of his condition with unwavering cheerfulness and a determination to lead as full a life as possible.

His book, entitled: *There's Always Something to Do: The Peter Cundill Investment Approach*, will stand as his enduring legacy. To his immense delight, he received the first copy just two days before his death. When asked recently in his last interview if he had any advice for ordinary investors, Peter replied:

Pick some first-rate money managers with whom you feel comfortable because you have done your homework on them. Then stick with them. The mantra is patience, patience and more patience. Think long-term and remember that the big rewards accrue with compound annual rates of return.

While Peter Cundill has left us, his influence will continue to be felt for many years through his contributions to the financial world, to philanthropy and to the broader community. In the words of one of his long-time associates, "he was a true global person and a renaissance man."

I feel fortunate to have known this unusual and extraordinary individual for as long and as well as I did. Peter is survived by his step-daughter Evelyn, step-son Roger, as well as his brother Grier to whom I offer my most sincere sympathy.

2011 CANADA WINTER GAMES

Hon. Terry M. Mercer: Honourable senators, beginning February 11, 2011, thousands of athletes, coaches, volunteers and spectators will gather in Halifax for the Canada Winter Games, the largest multi-sport competition for young athletes in Canada.

Much participation has gone into these games, including the building of new complexes and the upgrading of current infrastructure around the Halifax Regional Municipality, such as the \$40-million Canada Games Centre. The governments of Canada, Nova Scotia and Halifax, along with the private sector and the Canada Games Council, have worked hard to prepare Halifax for what will be a memorable two weeks of competition and camaraderie.

Honourable senators, it is interesting to note that Halifax/Dartmouth was host to the very first Canada Summer Games in 1969, which left behind such lasting memories as the Centennial Pool and Husky Stadium. I am sure this year's games will have just as strong an impact on the Halifax Regional Municipality.

In fact, one of the greatest venues is the speed skating oval, which is built on the North Common. The oval has already been available to thousands of skaters since December. The Halifax Regional Municipality website tells us the oval is the largest outdoor artificially-refrigerated ice surface east of Quebec City, with approximately 55,000 square feet of ice area, more than three full-sized NHL ice rinks. In fact, there has been a large push by the public that the oval become a permanent feature for Haligonians, Nova Scotians and visitors to enjoy in the future.

Halifax is already one of the most unique cities in Canada and at any time throughout the year one can enjoy music, fine food and a culture that stands apart from many other cities. I am sure the Canada Winter Games will provide a fantastic addition to an already vibrant city, including the oval. It certainly reveals the uniqueness of the City of Halifax and provides a venue to enjoy in the future.

• (1340)

Honourable senators, the mission of the Halifax 2011 Canada Games Host Society is:

To deliver an exceptional national sporting event that celebrates sport, engages community, and embraces diversity. The Games will support the dreams of athletes, thereby building national pride and creating lasting legacies.

I know these goals will be achieved.

I take this opportunity to congratulate the 2011 Games management team, board of directors, Games operations committee, sponsors and government support and the hundreds of volunteers on a job well done, and I wish all of the athletes

and coaches good luck in their sports. I look forward to seeing first-hand the tremendous success of these 2011 Canada Winter Games.

MS. MARIE-LINDA LORD

CONGRATULATIONS ON APPOINTMENT AS CHAIR OF TV5

Hon. Percy Mockler: Honourable senators, it is quite an occasion to recognize a person from New Brunswick.

[*Translation*]

Honourable senators, today I would like to congratulate Marie-Linda Lord on her new position as President of the Board of Directors of TV5 Québec-Canada. Her appointment was announced on January 3.

[*English*]

Honourable senators, I am sure that Ms. Lord's experience and knowledge will ensure the quality and diversity of the programming within TV5.

[*Translation*]

Honourable senators, this network, which is known and appreciated around the world and reaches over 185 million viewers, will benefit from her expertise and many skills. Ms. Lord will also be able to carry out TV5's mission to promote La Francophonie in all its diversity.

She is impressive, indeed. After graduating with a social sciences degree from the University of Ottawa, Ms. Lord went on to earn a master's degree in comparative Canadian literature from the Université de Sherbrooke and a doctorate in French studies from the Université de Moncton.

Honourable senators, her professional experience is just as impressive. Ms. Lord had a long career as a broadcaster for Radio-Canada Atlantique before becoming a professor of information and communications at the Université de Moncton. She also holds the Chair in Acadian Studies at that university.

Her work as a journalist and academic make her an authority on Acadian culture and identity. That is why all francophones in New Brunswick were overjoyed to hear of her appointment.

I have no doubt that, under her leadership, TV5 will continue to surprise us with the quality and the richness of its programming for everyone. It is an honour to wish Marie-Linda Lord all the best in her new position as President of the Board of TV5.

Yes, New Brunswick, Acadia and all francophones are proud of you, Marie-Linda. Hats off to you!

THE LATE FRANCIS PETER CUNDILL

Hon. Serge Joyal: Honourable senators, I join our colleague, Senator Michael Meighen, in highlighting the exceptional contribution made by the late Peter Cundill, who recently passed away.

Peter Cundill, born in Montreal, educated at McGill University and very involved in the world of financial institutions, has left us his unique perspective based on his experience as an investor and financial advisor.

[English]

However, Peter Cundill was not only a successful businessman, he was also a humanist. He held the strong conviction that in an ever-changing world where technologies command continuous adjustments, where diversity of population accelerates through the steady flow of immigration and where various ideologies may appear to be in conflict, the knowledge and mastery of history is fundamental to peace and respect of others.

Canadians generally do not even know the basic tenets of their own history. Our fragmented education system does not teach history as a compulsory subject but more as an optional choice. At the end of their school curricula, Canadian students may graduate from a specialized school or even a university without knowing anything, for instance, of the history of the 20th century — one of the most violent.

According to a survey conducted in 2009 for the Dominion Institute, only four Canadians out of ten can recognize Sir John A. Macdonald as the first Prime Minister of Canada, even though his picture and name appear on the \$10 bill.

Peter Cundill was deeply convinced that Canadians had to be better aware of the importance of history and that it must be made more accessible to them. To that end, he proposed an initiative to establish an annual prize in history at the level of the well-known prestigious Nobel Prize.

He spoke to his longstanding friend from McGill University, Senator Michael Meighen, who shared his interest. Senator Meighen took the initiative to the dean of the political science faculty at McGill, Mr. Christopher Manfredi, to establish the Cundill International Prize and Lecture in History. Thanks to the Cundill Foundation, the Cundill Prize in History was financed at the level of an annual grand prize of US\$75,000 and two Recognition of Excellence prizes of US\$10,000 each, making the Cundill Prize the world's richest prize in history.

The winning historians are selected by an independent jury of at least five members selected by McGill University, drawn either from well-known professional historians — for instance, from Germany, France, England, United States or Canada — and from qualified persons having expressed, through their past activities or publications, a genuine interest in history.

I served as a member of the jury for the first two years of Cundill Prize and can testify to the enthusiasm of the contestants. The first year of the prize, there were more than 190 different book submissions from six countries around the world. The first recipient of the Cundill Prize in 2008 was the historian Stuart B. Schwartz from Yale University for his work entitled: *All Can Be Saved: Religious Tolerance and Salvation in the Iberian Atlantic World*.

In 2009, the American historian David Hackett Fischer from Brandeis University received the second prize for his book entitled: *Champlain's Dream*, on the life and thoughts of the first French explorer, Samuel de Champlain, so important for

his explorations and his writing on Canada, Quebec and the U.S. The book is a library success and will be translated into French this year.

Thanks to the vision of Peter Cundill and the dedication of Senator Meighen, history is now elevated to the level of knowledge essential to peace and respect of others. As Peter Cundill reminded us:

You have to study the past to understand the present and predict the future.

Canadians will always remember Peter Cundill for his deeply held conviction of the strategic importance of world history and the history of Canada.

THE LATE JOYCE THOMPSON

Hon. Vim Kochhar: Honourable senators, I feel honoured to have had the opportunity to be the friend of an extraordinary Canadian woman, Joyce Thompson, who passed away on January 3, 2011, at the age of 77.

A long-time advocate and friend to the deaf-blind community, her contributions and career spanned more than 35 years.

Deafness and blindness together represent a total darkness and isolation. She was immensely moved by this dual disability when she first met a deaf-blind person in 1976. She soon realized that most deaf-blind persons lived in unsafe and inappropriate housing in severe isolation, with little or no access to an intervener trained to act as the eyes and ears of a person who is deaf-blind.

In 1985, the Rotary Club of Toronto Don Valley raised sufficient funds to help local organizations build an accessible home for the disabled. After a compelling proposal from Joyce Thompson, Rotarians unanimously agreed to support this little-known community.

Rotary Cheshire Homes, the world's only independent-living apartment building for people who are deaf-blind, officially opened on May 1, 1992, and Joyce was appointed the first executive director.

• (1350)

This was only the beginning. In 1998, Joyce assisted in opening the Canadian Helen Keller Centre, Canada's only training centre for people who are deaf-blind. Two years later, her efforts resulted in the Ontario government declaring the month of June Deaf-Blind Awareness Month.

In 2003, Joyce founded JuneFest, an annual one-day festival that promotes awareness of this dual disability. That same year, Joyce successfully supported a human rights complaint against the Ontario government for inequity of resource allocation.

Last year, Joyce was awarded the one and only JuneFest award of excellence. The award was named in her honour to be given annually to recognize Canadians who demonstrate Joyce's vision and determination.

Joyce Thompson's passion is an inspiration for all Canadians. Her legacy will continue to make a very real difference in the lives of Canada's deaf-blind community.

THE LATE JOSE KUSUGAK

Hon. Patrick Brazeau: Honourable senators, I rise today to pay tribute to the legacy of a most memorable Canadian whose recent passing has left Canada's North in deep mourning.

Old wisdom suggests that if your actions inspire others to dream more, learn more, do more and become more, you are a leader.

Honourable senators, Jose Kusugak describes perfectly that definition of a leader. His is a legacy of a man whose contributions to build the true North were as great and significant as those made by any leader throughout Canadian history.

[Translation]

As one of Canada's key Inuit leaders, Jose served on two separate occasions as president of Inuit Tapiriit Kanatami, one of five national Aboriginal organizations recognized by the Government of Canada.

[English]

It was a pleasure to work with him at the time, as we both led our respective Aboriginal organizations that served as national voices for our constituencies.

[Translation]

Thanks to Jose Kusugak, the Inuit of Canada could rest assured that their environmental, social, cultural and political concerns and aspirations were always at the forefront in Ottawa, both in Parliament and within the entire machinery of government. Jose brought a certain distinction, humility and charm to the Aboriginal political scene, and he will be sadly missed.

[English]

I experienced that first-hand time and again, and it left an indelible impression upon me.

Jose Kusugak had a unique gift of always ensuring that the human element of political endeavour was never forgotten, always emphasized and positively positioned. However, the application of his many gifts was not only confined to the political arena. He was an equally skilled teacher, linguist and broadcaster. This was indeed a man for all seasons.

Honourable senators, Jose Kusugak was truly a northern light. He helped define the identity of the Inuit people. He informed Canadians at large about his people, their land and promise and, in so doing, made an immeasurable contribution to the building of Canada's North and its socioeconomic sustainability.

We owe a debt of gratitude to Jose Kusugak, and today we honour and give thanks in his memory.

[Translation]

ROUTINE PROCEEDINGS

CRIMINAL CODE NATIONAL DEFENCE ACT

BILL TO AMEND—FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-48, An Act to amend the Criminal Code and to make consequential amendments to the National Defence Act.

(Bill read first time.)

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

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

CANADA ELECTIONS ACT

BILL TO AMEND—FIRST READING

Hon. Dennis Dawson presented Bill S-227, An Act to amend the Canada Elections Act (election expenses).

(Bill read first time.)

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

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

[English]

QUESTION PERIOD

PUBLIC SAFETY

ABORIGINAL WOMEN IN PRISONS

Hon. Lillian Eva Dyck: Honourable senators, my question is for the Leader of the Government in the Senate.

The state of Aboriginal women in Canada's prisons is very troubling. It is appalling. Aboriginal women are significantly overrepresented in Canada's prisons and they now account for one third of all federally incarcerated women. This number has increased by 91 per cent since 2001. Additionally, about 80 per cent of female Aboriginal inmates are held in maximum- to medium-security prisons, while only about 20 per cent are in minimum-security prisons. In my home province of Saskatchewan, which has one of the largest provincial

[Senator Kochhar]

Aboriginal populations in Canada, Aboriginal women make up 87 per cent of the female inmate population. In neighbouring Manitoba, the number is 83 per cent.

To compound the problem, about 30 per cent of incarcerated Aboriginal women are said to have mental health problems at the time of imprisonment and cannot access treatment programs. Of the Aboriginal women who are incarcerated, 90 per cent have been victims of sexual, physical and/or emotional abuse. Experts agree that the proposed crime legislation from this government will significantly increase these numbers. More Aboriginal women will be incarcerated.

Aboriginal women are at a higher risk of reoffending because culturally appropriate programs and services that are mandated by Correctional Service Canada are not made available to most Aboriginal women.

We cannot sit by and watch an already vulnerable population continue in a cycle of offending and reoffending without the necessary help in Aboriginal communities to reintegrate them and in prisons nationwide to rehabilitate them.

Could the Leader of the Government in the Senate explain why the government continues to ignore the underlying issues of poverty, abuse, violence, homelessness and drug abuse in Aboriginal communities that perpetuate a cycle of offenders, and why the programs that are specifically for Aboriginal women have not been made more widely available?

Hon. Marjory LeBreton (Leader of the Government): I thank the honourable senator for the question. This is, of course, a serious concern to all people in government and society. The number of Aboriginal women in our prison system, of course, is high. It is a very disturbing figure.

- (1400)

I must report to honourable senators that it is not only through Correctional Service Canada and the Minister of Public Safety, but also through the Department of Indian and Northern Affairs and Status of Women Canada, that a significant number of programs are in place. We are working with the Native Women's Association and a number of other organizations to get out into the Aboriginal communities and offer all the assistance possible to the various groups directly affected by the many factors the honourable senator pointed out.

With regard to Aboriginal women with mental health issues in prisons, as I mentioned yesterday when I was asked a similar question about mental health and the treatment of same, we are continuing to take significant action on the entire issue of mental health. We have invested more than \$50 million in funding to Correctional Service Canada over the past five years. Correctional Service Canada has increased access to services for inmates and invested significantly in the training and retraining of staff so that they can better recognize and treat mental health issues.

I must point out, honourable senators, that the resources we have provided to deal with this serious issue have only been provided by our government; they were not in place under any previous government.

Senator Dyck: In Maple Creek, Saskatchewan, near the Nekaneet First Nation reserve, the Okimaw Ohci Healing Lodge provides culturally appropriate programs for female Aboriginal offenders. This type of rehabilitation has been successful; however, this is the only Aboriginal women's healing centre run through Correctional Service Canada.

Does the government have plans to open more of these types of centres given the effectiveness of such a program to reduce reoffending, which of course will keep Canadian and Aboriginal communities safer?

Senator LeBreton: That is a good question. The government is always interested in having programs that prove to be successful, such as the one that Senator Dyck just mentioned.

Through Status of Women Canada and also the Department of Indian and Northern Affairs, there are many programs. Specifically with regard to women, Correctional Service Canada, as I mentioned a moment ago, has programs in place. However, I would be happy, honourable senators, to ask my colleagues, the Honourable Vic Toews and the Honourable Rona Ambrose, whether or not this very successful project is being looked at with the possible conclusion of having other similar programs.

Senator Dyck: According to the material from Correctional Service Canada, there are plans under way to develop culturally appropriate interventions that address the specific needs of First Nations, Metis and Inuit men and women.

In particular, would the Leader of the Government in the Senate provide this chamber with an update on what the government has done to, first, develop and implement culturally sensitive classification and assessment tools for women; second, develop and implement culturally sensitive programs for Aboriginal women; third, develop and implement targeted interventions for Aboriginal women; and, fourth, enhance the knowledge of Aboriginal women and effective corrections for that specific population? Could we get an update on what the government has done, what programs they have funded and where they are?

Senator LeBreton: Absolutely, honourable senators, I would be happy to ask for updated information on the questions posed by Senator Dyck.

Hon. Sharon Carstairs: Honourable senators, while the Honourable Leader of the Government in the Senate is gathering that information, would she also gather the information as to how many incarcerated Aboriginal women received culturally sensitive programs in the fiscal year 2010-11?

Senator LeBreton: I certainly will, honourable senators. I can say one thing, that the figure will be higher than that of the previous government.

Senator Cowan: That is very helpful.

ATLANTIC CANADA OPPORTUNITIES AGENCY

ATLANTIC GATEWAY STRATEGY

Hon. Terry M. Mercer: Honourable senators, prior to my question, I wish to take a moment to welcome back colleagues who have been ill: Senator Nolin, Senator Finley and Senator Gerstein. Welcome back. We are glad they are here and hope they are feeling much better.

Honourable senators, in October 2007, Ottawa made a commitment to all four Atlantic provinces with respect to developing the Atlantic Gateway through the \$2.1 billion national Gateways and Border Crossings Fund. The plan was to be completed by October 2009. Here we are today, in 2011; where is the plan?

In a recent article in *The Chronicle Herald* of Halifax, it was revealed that Nova Scotia has received \$86 million for seven projects and that New Brunswick has received \$111 million for three projects. P.E.I. and Newfoundland and Labrador, in comparison, have received nothing.

Could the Leader of the Government in the Senate provide us with a list of projects that have been approved for Nova Scotia and New Brunswick? Has any of the money actually been spent, or has it just been promised?

Hon. Marjory LeBreton (Leader of the Government): I was wondering if the honourable senator was intending to ask me a question about dredging Sydney Harbour. However, I kind of knew he would not ask a question on that subject because, of course, the government delivered.

Honourable senators, the government believes that the Atlantic region is uniquely positioned to play a vital role in the Canadian economy. Our officials have had extremely successful meetings with international partners, and they continue to work with international partners and the various provinces on the Atlantic Gateway Strategy. There has been no greater supporter of Atlantic Canada than this government. We have committed tremendous resources and worked to help Atlantic Canada create and save jobs, build key infrastructure, and invest in vitally important areas such as education and health care.

Other than that, all I have to say, honourable senators, is that Senator Mercer and I both know that Atlantic Canada has no better friend than this government.

Senator Mercer: I am trying to keep a straight face here, honourable senators.

The leader brought up the dredging of the Sydney Harbour, which was in response to pressure from Senator Cordy; myself; the member for Sydney—Victoria, Mark Eyking; and the member for Cape Breton—Canso, Rodger Cuzner. That is what happened. The honourable leader should not relate the dredging of Sydney Harbour to the Atlantic Gateway, because the money did not come from the Atlantic Gateway fund; it came from an old Devco fund.

Senator Cordy: No questions came from that side.

Senator Mercer: Not a single question came from that side worrying about the good people of Nova Scotia and Cape Breton.

The article in *The Chronicle Herald* goes on to say that apparently half of the \$2 billion national fund has been committed, which includes, by the way, \$500 million for Ontario border crossings. However, again, where is the plan they promised? A lot of money is apparently being promised and/or spent without a plan.

Let us do the math here. The three numbers that I have mentioned total \$697 million. That leaves \$1.4 billion remaining in the fund. It all seems very confusing. Would the leader provide a complete list of the money already promised that is coming from the Gateways and Border Crossings Fund?

Senator LeBreton: Honourable senators, I did not link the dredging of Sydney Harbour to the Atlantic Gateway Strategy. Senator Mercer has overlooked an individual who was crucial in supporting the dredging of Sydney Harbour; he sits in this chamber in the person of Senator Michael MacDonald. He worked with Minister MacKay; the member of Parliament for South Shore—St. Margaret's, Gerald Keddy; Senator Comeau; and all the other representatives of Atlantic Canada who made the case.

The fact is that we quietly get to work and get the job done; we do not shout about it.

• (1410)

The amount of money spent on the various infrastructure programs in Atlantic Canada not connected with the gateway is well known.

Honourable senators, regarding the honourable senator's specific question about the plan and the results of the deliberations with our international partners and provincial officials with whom we have been working, I will be happy to provide a written response.

ENVIRONMENT

CLIMATE CHANGE POLICY

Hon. Grant Mitchell: Honourable senators, it is becoming increasingly apparent that many business groups, from the Canadian Council of Chief Executives to the Canadian Association of Petroleum Producers, are now urging Ottawa to implement a carbon-pricing mechanism, a market mechanism to deal with climate change, rather than using a heavy-handed regulatory approach.

Ironically, in spite of that input from these powerful business groups that, one would think, would know about the markets, the government's new rookie Minister of the Environment has just announced that he is going to regulate. Of course, he is not the real Minister of the Environment; Mr. Harper is the real Minister of the Environment, making this all the more paradoxical.

Could the Leader of the Government in the Senate tell us why we should not be absolutely shocked that this hard-nosed, market-worshipping, business-friendly Conservative government

is turning around and imposing the regulatory, big-government, command-and-control government approach over and above the market-driven mechanism that business wants?

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, I think the honourable senator is misrepresenting what business actually said.

Minister Kent, the Minister of the Environment, has discussed the regulatory approach. Minister Kent has just taken over this portfolio and he has obviously gotten off to a great start. He is working hard and has a good understanding of all the issues on the environmental front. I will pass on Senator Mitchell's comments about what he thinks the minister should be doing in his position as Minister of the Environment.

Senator Mitchell: Honourable senators, perhaps the leader could also pass this along this information to the new minister. The Cement Association of Canada, Suncor Energy, Inc., Encana Corporation, the Canadian Association of Petroleum Producers, and The Mining Association of Canada, among many other business groups, business people and companies, are saying they do not want heavy-handed, command-and-control regulation because it will cost much more than a market mechanism.

What will Minister Kent tell all these business groups and business people? How will he explain to them why he wants to cost them more money, when clearly the solution is to rely upon a clean, simple, straightforward, market-driven solution to climate change action?

Senator LeBreton: Honourable senators, our government has worked harder than any other government to address the concerns of all businesses. Obviously, these businesses are major employers and provide jobs for Canadians. This government, unlike the promises of the party opposite, will not do anything to hinder Canada's growth or our ability to create jobs and strengthen the economy.

Honourable senators, concerning Minister Kent's response to the business leaders, I will take the question as notice.

Senator Mitchell: Honourable senators, perhaps the leader could take this comment back to Mr. Harper. On January 13, when he announced his Red Tape Reduction Commission, Prime Minister Harper said that he would fight regulation and red tape and that he would make a no- or low-regulation nirvana for business in this country. Mr. Harper said that Canadian businesses spend billions of dollars each year adhering to regulations.

Honourable senators, barely two weeks later, the Minister of the Environment turned around and said that their government will do something on climate change. I thank Minister Kent for saying that his government will do something; however, it will be regulation. What is this? Is this just a case of Minister Kent not really going to do anything at all, or is this a case of him not listening to Mr. Harper? Is this a case of the right hand not knowing what the proverbial left hand is doing?

Senator LeBreton: Honourable senators, the approach of the government has not changed concerning climate change. We will align ourselves with the United States and take a regulatory

approach that will deliver results without threatening Canada's economic recovery. We have already started this process in the transportation sector, and we are continuing this process in terms of regulating coal-fired electrical generation.

All these measures, honourable senators, will be taken with our focus clearly trained on Canada's economic recovery and, through that recovery, we will create jobs for Canadians.

Senator Mitchell: The approach of the government has not changed. Five years ago, the government cancelled everything that the Liberals had put in place. Then the government said it would put a made-in-Canada policy in place. Then the government said it would do what the U.S. does, which is cap and trade. Then, when the U.S. said it would regulate, the government said it would not regulate, and now the government is saying it will regulate. What part of "nothing has changed in your approach" does the government not understand?

Senator LeBreton: Honourable senators, the litany that Senator Mitchell just cited is all within the confines of his own skull.

An Hon. Senator: That is not unusual.

Senator LeBreton: Honourable senators, Senator Mitchell makes the statements and then he asks the questions; and somehow, miraculously, he transfers them over as if they were the programs of the government. Of course, the honourable senator knows that is not true.

We have had a consistent environmental plan from the beginning of our mandate. We have made significant progress on the environment. What we did not do, and would not do, was to sign on to accords to do things that we had no intention of delivering on.

Senator Cordy: What is your plan? No plan.

Senator LeBreton: It is better than your plan.

[*Translation*]

HERITAGE

FUNDING FOR LINGUISTIC MINORITIES PROGRAMS

Hon. Claudette Tardif (Deputy Leader of the Opposition): Honourable senators, my question is for the Leader of the Government in the Senate. Yesterday, we learned that the Department of Canadian Heritage deprived linguistic minorities of much-needed funds because of a backlog of unprocessed funding requests.

The Commissioner of Official Languages has confirmed that these delays in renewing funding are having a negative impact on the development and vitality of a number of official language minority communities, which leads him to believe that the department has failed to meet its obligations under Part VII of the Official Languages Act.

These delays have had a severe impact on the operation and activities of many organizations that provide services to linguistic minorities. How does the Department of Canadian Heritage explain this unequal treatment of Canada's linguistic minorities?

[English]

Hon. Marjory LeBreton (Leader of the Government): I thank the honourable senator for her question. First, the report to which Senator Tardif refers is a report as to what transpired in the past. The Commissioner of Official Languages, himself, stated in that very same report that he is satisfied with the measures our government has taken to improve the situation.

Honourable senators, we have already taken steps. Community groups are receiving more stability and encountering less red tape. For example, for 2010-11, 90 per cent of the official languages groups received confirmation of funding before the fiscal year began on April 1. For 2010-11, approximately one half of official languages groups are receiving funding through multi-year grants, and a 24-week service standard has been implemented, as well as shorter processing times and a single application deadline for all groups.

If honourable senators read the report, they will find that the Commissioner of Official Languages, himself, stated that he is well satisfied with the measures we have taken to address these concerns.

Senator Tardif: Honourable senators, for a number of years, the Commissioner of Official Languages has noted the delays at Canadian Heritage. These delays affect English- and French-language minority communities alike. For example, the Quebec Community Groups Network has expressed its disappointment and frustration for experiencing delays in signing accords, as well as other francophone minority groups across the country.

The Commissioner of Official Languages has recommended that Canadian Heritage report by March 31, 2011 the measures it will take under its action plan to speed up the signing and implementation of financing for organizations representing official language minorities.

Will Canadian Heritage accept these recommendations and execute them?

• (1420)

Senator LeBreton: I thank the senator for the question, but I think I answered it in my first response when I said that the Commissioner of Official Languages expressed satisfaction with the measures that the government has taken in order to ensure that community groups are receiving more stable funding.

To repeat, for 2010-11, 90 per cent of official language groups received confirmation of funding before the fiscal year began on April 1. For 2010-11, approximately one half of official languages groups are receiving funding through multi-year grants. One of the complaints in the past was that they would have to reapply each year. In addition, a 24-week service standard has been implemented as well as shorter processing times and a single application deadline for all groups, which reduces red tape and ensures fairness across the board.

As the Commissioner of Official Languages stated in that same report, he is satisfied that the government is taking measures to improve the situation.

Senator Tardif: The Leader of the Government in the Senate indicated that 90 per cent of the groups have received notification. However, I think that is different from the recommendation of the Official Languages Commissioner, who asks that the department indicate what action it will take. That is quite different from saying that some people will be notified. What actions will the government take to ensure that this does not occur in the future? What is the plan?

Senator LeBreton: I thank Senator Tardif for the question. I will seek further clarification from my colleague, the Honourable James Moore, the Minister of Canadian Heritage.

ORDERS OF THE DAY

ELECTRICITY AND GAS INSPECTION ACT WEIGHTS AND MEASURES ACT

BILL TO AMEND—SECOND READING—
DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Greene, seconded by the Honourable Senator MacDonald, for the second reading of Bill C-14, An Act to amend the Electricity and Gas Inspection Act and the Weights and Measures Act.

Hon. Tommy Banks: Honourable senators, I hope that someone will take the adjournment of this debate. I know that senators are on tenterhooks waiting to hear what I have to say about this bill because the bill contains the word “inspector.” I am happy to say that this bill does what all of those other bills about which I have complained in the past should have done. This bill says that the minister shall appoint inspectors, but then says in clause 16:

(1.1) The Minister shall ensure that, for each particular sector, all persons designated under subsection (1) are trained and qualified in the same manner and that all examinations made by these persons are conducted consistently.

The bill goes on to demonstrate the qualifications of those inspectors who will work under this act. That is exactly what all of those other acts ought to have done and did not.

Further, in clause 17:

(2) The Minister shall provide the inspector with a certificate of their designation, and on entering the place, the inspector shall . . .

— present it, et cetera. These are all good things that ought to have been in all the other bills that give inspectors unreasonable powers of search and seizure.

I will leave it to others to look at clause 17 of Bill C-14 to determine whether the powers of search and seizure under it are appropriate. Otherwise, this is a good piece of legislation.

(On motion of Senator Cowan, debate adjourned.)

CONTROLLED DRUGS AND SUBSTANCES ACT

BILL TO AMEND—SECOND READING— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Lang, seconded by the Honourable Senator Brown, for the second reading of Bill C-475, An Act to amend the Controlled Drugs and Substances Act (methamphetamine and ecstasy).

Hon. Larry W. Campbell: Honourable senators, I am pleased to speak today as the critic on Bill C-475, An Act to amend the Controlled Drugs and Substances Act (methamphetamine and ecstasy).

This bill establishes the distinct offence of possessing, producing, selling or importing anything if the person involved knows that it will be used to produce or traffic crystal meth or ecstasy. Generally speaking, the “anything” refers to those substances that are called “precursors.” Precursor chemicals are chemicals that are essential to the production of the controlled substance. Precursor chemicals also have a wide legitimate use in the production of consumer goods such as pharmaceuticals, fragrances, flavouring, petroleum products, fertilizers and paints. For example, ephedrine and pseudoephedrine, commonly used in cold and decongestant medications, are precursor chemicals that are used to produce methamphetamines. Another precursor is P2P, which is used primarily in the production of ecstasy, also known as MDMA, as well as methamphetamines.

Quoting from Wikipedia:

Chemicals critical to the production of . . . synthetic drugs are produced in many countries throughout the world. Many manufacturers and suppliers exist in Europe, China, India, the United States, and a host of other countries.

One of those countries is, of course, Canada.

Historically, chemicals critical to the synthesis or manufacture of illicit drugs are introduced into various venues by legitimate purchases by companies that are registered and licensed to do business as a chemical importer or handler. Once in the country or state, the chemicals are diverted by rogue importers or chemical companies, by criminal organizations and individual violators, or, more typically seen in an overseas environment, acquired as a result of coercion on the part of drug traffickers.

In response to stricter international controls, drug traffickers have increasingly been forced to divert chemicals by mislabeling the containers, forging documents, establishing front companies, using circuitous routing, hijacking shipments, bribing officials, or smuggling products across international borders.

In the news in the past year we have heard that Canadian officials, both police and border guards, have made numerous seizures of precursors coming into Canada. For the most part, these chemicals were either mislabeled or hidden to avoid detection.

This bill will serve to restrict the availability of ecstasy and methamphetamines by giving police agencies the opportunity to bring charges against the manufacturers themselves.

Coming from a law enforcement background, I recognize the importance of giving our police agencies across the country better tools to target individuals and organized crime groups who have profited greatly from drug production in the past. By limiting the ability to manufacture highly addictive drugs that are targeted toward our youth, this bill will assist us in ensuring that this dangerous and potentially lethal drug is controlled.

I remember when the drug MDA was made illegal in the United States. Cookers, those who make speed, simply changed the molecules and came up with a drug called MDMA. This was the start of what we came to know as designer drugs. We know that simply listing a drug as illegal does not take care of the problem, because good cooks can simply change the formula and put it back into the system in a different format.

Lawmakers realized that there was an infinite number of ways to make speed-type drugs and moved to control the precursors.

• (1430)

In some quarters, there is a fear that innocent citizens could find themselves under investigation as a result of this bill. While it is true that many of the precursors can be found in a household, for example ephedrine and pseudoephedrine in cold tablets, it is also true that for a charge to be laid, there must be evidence that the substances were collected with the intent to manufacture drugs.

In many investigations, precursors are kept separate from one another. In and of itself, each precursor does not indicate any type of offence. However, through surveillance and the gathering of evidence, one is often able to pull all those precursors together to show that they will be used to make methamphetamines and ecstasy.

Honourable senators, I support this bill. However, we must not lose sight of the fact that, while law enforcement is one of the tools in our arsenal to prevent the use of drugs, prevention is the best tool. Education, factual information and honesty must be used to ensure that our citizens, young and old, realize the dangers of drug use. My views on drug policy are well known. I will not bore honourable senators with yet another dissertation on the advantages of the four-pillar approach. Time and again, however, we are presented with evidence that a dollar spent on prevention is incrementally more effective than a dollar spent on any other action to lessen drug use.

Honourable senators, the changes proposed by Bill C-475 are an important step toward reducing the production of crystal meth and ecstasy in Canada. For this reason, I support this bill.

(On motion of Senator Carstairs, debate adjourned.)

[Translation]

**STUDY ON RISE OF CHINA, INDIA AND RUSSIA
IN THE GLOBAL ECONOMY AND THE IMPLICATIONS
FOR CANADIAN POLICY**

SEVENTH REPORT OF FOREIGN AFFAIRS AND
INTERNATIONAL TRADE COMMITTEE—
DEBATE CONTINUED

On the Order:

Resuming debate on the consideration of the seventh report (interim) of the Standing Senate Committee on Foreign Affairs and International Trade entitled: *A Workplan for Canada in the New Global Economy: Responding to the Rise of Russia, India and China*, tabled in the Senate on June 28, 2010.

Hon. Suzanne Fortin-Duplessis: Honourable senators, the Standing Senate Committee on Foreign Affairs and International Trade produced this report after three years of hearings in Ottawa and fact-finding missions to Russia, China and India.

In November 2007, we undertook a study that was motivated by an interest in how and to what extent Canada could benefit from the impressive economic growth of these three countries. Their rise in the new global economy holds significant domestic, bilateral and global implications for Canada's prosperity.

My remarks today concern the report on the rise of Russia, India and China, but more particularly the latter two countries, which I had the pleasure of visiting as a member of the committee. In order to fulfil our mandate, our committee met 49 times, heard 87 witnesses and took three trips, visiting the following cities: Khanty-Mansiysk and Moscow in Russia; Beijing, Shanghai, Guangzhou, Shenzhen and Hong Kong in China; and New Delhi, Hyderabad and Mumbai in India.

Three reports were tabled as part of this study: the first in March 2010, the second in June and the third in December, completing the study.

First, I would like to thank those who worked so hard to make our report a success. I would like to thank the chair, the Honourable Raynell Andreychuk, her predecessor, the Honourable Consiglio Di Nino, and the former deputy chair, the Honourable Peter A. Stollery, and all the members, for their dedication to this committee and especially to this study.

I also want to thank members of our staff and the Library of Parliament's Parliamentary Information and Research Service for its help, particularly Natalie Mychajlyszyn and her former colleague Jennifer Paul. We also need to thank the dedicated committee clerk, Denis Robert, who has just retired, and the support staff and team of translators who have all helped us see this study through.

Our report underscores to what extent Southeast Asia is both a major geographic crossroads and a unique crossroads of civilizations. After centuries of one population wave after another, a unique mosaic of ethnicities, cultures and religions has formed that is both the wealth and weakness of this region. Among these many currents, two major influences have

intersected in Southeast Asia and have progressively adapted to one another. China and India have laid the foundation for the Southeast Asian identity which continues to take shape over the decades despite the very significant differences between these two peoples.

India and China were global economic superpowers in the 1720s. India's development, like China's, has been complicated over the past two centuries. With one-fifth of the world's population, India now wants to reclaim what it considers to be its rightful place. Over the next 25 years, India will be an economic giant and Canada will have to deal with it.

Our trip to India helped us understand just how complex its domestic politics are. We discovered that, with the last general election in the spring of 2009, the visibility of social minorities in India's public arena has increased. This change is seen in the growing number of political parties and has led the Congress to focus more on social justice issues.

China's political agenda in 2010 was dominated by economic issues and in particular by the tension between the desire to develop a new growth model — based on domestic growth — and the goal of stability, more likely to be achieved in the short term through an export-based model. The 2008 Olympic Games were a great success and were followed by the 2010 World Expo in Shanghai. During that international event, the Canadian pavilion welcomed and entertained no less than 6.4 million visitors.

And as an aside, I should say that rediscovering China after a few years was a pleasant surprise for me. The first shock was arriving in Shanghai and feeling the boundless energy and the terrific drive that carries you along. In many ways, that drive reminds me of New York.

During our meetings with the Chinese authorities, I noticed that the Politburo Standing Committee of the Communist Party of China also includes younger members who have gained considerable economic management experience in the provinces where they were based.

If China is the "workshop of the world," as one of the many witnesses in our report stated, then India has become its laboratory. Honourable senators know that the Indian economy is experiencing strong growth that has reached record levels in the past 10 years. India already represents a key market for Canadian businesses and should, within the next 20 years, become one of the top four global economies.

However, this study shows that India remains a developing country in many ways.

• (1440)

The GDP per capita remains low, and despite the emergence of a dynamic middle class, a large part of the population still lives below the poverty line, facing unsanitary conditions and often social structures linked to the caste system. One out of three Indians lives on less than \$1 a day.

In that context, the government has committed to reforms that would support growth, modernize economic structures and fight poverty by implementing major flagship programs.

In China, the situation is rather similar, and while most economies in 2010 were slowly recovering from the global financial crisis, the Chinese economy appeared to be strong. This strength does not diminish the major challenges facing the authorities, who must develop the growth model in a country that is experiencing significant internal unrest.

China's development method is consciously focused on exports and driven by investments, which in turn have spurred domestic activities. The experts who testified in committee agreed that, although China opened up to the market economy, this was combined with state control over important sectors of the economy. This growth model has a positive track record: the average income increased eight-fold, poverty decreased and life expectancy increased.

In the summer of 2008, a decrease in economic activity led the Chinese authorities to abandon the tight monetary policy in favour of a "prudent and active" macroeconomic policy. In November 2008, a \$541 billion budgetary support plan was announced. Government investments were the primary component of this plan, although an effort was made to support the social system.

The increase in economic activity was surprisingly quick and strong.

In India, according to the testimony of the Minister of Road Transport and Highways and of the Indian High Commissioner to Canada, New Delhi's foreign policy priority is to maintain stability and regional peace, in order to provide the right conditions for its development.

The second priority is to position India as part of East and Southeast Asia, the regional driving force for economic growth, under the "Look East Policy" begun in the 1990s. This will translate into strengthened ties with Japan, normalized relations with China and the development of relationships with other Southeast Asian countries and regional organizations focused on cooperation and dialogue.

The attacks in Mumbai in November 2008 only increased tensions in the already difficult relations between India and Pakistan. This has been a constant source of concern for India since partition in 1947.

As for China's foreign policy, our study has shown that Chinese diplomacy is becoming more active every day. While its priorities continue to be regional stability and support for the country's economic growth, its actions are taking on an increasingly global dimension. When faced with questions about the consequences of its increasing strength, China continues to emphasize its status as a developing country and its desire for "peaceful development," although it remains determined to defend its interests.

China is the most populous country in the world, a permanent member of the UN Security Council, a nuclear power and soon the second largest economy in the world, ahead of Japan. China is asserting itself as an essential partner in meeting the major global challenges in a multilateral framework.

Canada and India have longstanding bilateral relations, built upon shared traditions of democracy and pluralism and strong interpersonal connections. The bilateral relationship is supported by a wide range of bilateral agreements in fields such as agriculture, energy, mutual legal assistance, and air services.

In November 2009, Prime Minister Stephen Harper visited India and met with Prime Minister Manmohan Singh.

In November 2009, the Prime Ministers of Canada and India announced the conclusion of negotiations on a Nuclear Cooperation Agreement. They agreed to intensify the economic and trade relationship by announcing the setting up of a joint study group to explore the possibility of a Comprehensive Economic Partnership Agreement between India and Canada. They set a combined annual trade target of \$15 billion to be reached in the next five years.

Prime Minister Singh visited Canada in June 2010 and attended the G20 Summit in Toronto.

As in the case of India, bilateral cooperation with China is strong: many Canadian government departments have productive cooperation programs and memoranda of understanding with their Chinese counterparts, and hold regular exchanges at various levels. Both countries enjoy an active working relationship in international forums.

Our committee heard many times that strong ties exist between the people of the two countries: over 1.3 million Canadian residents are of Chinese origin. Mandarin is Canada's third most spoken language, and immigrants born in China, including Hong Kong, form one of the largest groups within Canada's immigrant population.

I would like to emphasize the vital importance of Prime Minister Harper's visit to China in December 2009, which contributed to strengthening bilateral ties and enhancing dialogue between Canada and China. The Canada-China Joint Statement signed on this occasion identified the priorities of the Canada-China relationship. During the visit, the opening of a new Chinese Consulate General in Montreal and China's granting of Approved Destination Status for Canada were announced, which together will allow for an increased flow of tourists, students and business people between the two countries. This visit also resulted in the signing of bilateral agreements on climate change, mineral resources, culture and agricultural education. Both sides concurred on the importance of frequent exchanges and therefore agreed to enhance the role of the strategic working group, a bilateral mechanism established in 2005 to facilitate high-level bilateral exchange.

During his visit to Canada in June 2010, President Hu Jintao reaffirmed China's commitment to developing a strategic partnership with Canada and strengthening economic and trade cooperation between our two countries.

Will the Honourable Speaker grant me an additional five minutes?

The Hon. the Speaker: Yes.

Senator Fortin-Duplessis: As described in detail in our report, these success stories are the result of genuine reform in China and India. The two countries have chosen a progressive development approach, as opposed to the shock approach taken by Russia after the collapse of the Soviet Union in 1991. In contrast with India, China's development has been led by a strong State and has involved tiered implementation. Most of these reforms are the result of experience and, as Deng Xiaoping said, "We must cross the river by feeling the stones."

Our report indicates that the long-term goal for China's economy remains the reduction of its dependence on exports and investment. For the well-being of its people, China must also focus on the reform of health, education, labour law and environmental protection, as well as on job creation.

Recovery of growth in China has been driven by strong stimulus policy and bank loans to counterbalance the decrease in exports last year. Despite excess capacity in the steel and concrete industry, for example, China still has great growth potential and there are many opportunities on the horizon for Canadian companies.

Both countries rely heavily on imported energy and seek to invest in other countries to secure additional sources of energy.

In this period of recovery, it will be interesting to see how China and India will invest in economic, business and social structures characteristic of more mature and advanced economies. Will India one day catch up to China? It may be just a matter of time.

• (1450)

To conclude, I would like to highlight some recommendations that I believe to be of particular importance. In my view, the first priority is to continue to strengthen our political and economic co-operation. To benefit from the momentum established by recent high-level visits, especially that of the Prime Minister, the Government of Canada should increase such visits.

Given that the future lies in education, the second priority is to promote university exchanges. According to the figures submitted, by 2025, India and China will account for 50 per cent of the demand for higher education abroad, or some 3.6 million students. Despite this vast pool of potential applicants, there are currently only 6,000 Indian students attending Canadian colleges and universities. In 2009, Canada accepted approximately 50,000 Chinese students who chose to come to Canada for their education. To improve Canadian education services, our government should adopt an international recruitment strategy for foreign students in order to increase the number of Chinese, Indian and Russian students in post-secondary institutions by emphasizing Canada's scholastic and vocational expertise and other comparative advantages.

Thus, when students return to their own countries, they become ambassadors for Canada. They are our best representatives. They are our best salespeople, because they understand Canada and are proud of the time they have spent here.

(On motion of Senator Tardif, debate adjourned.)

[English]

STUDY ON CURRENT STATE AND FUTURE OF ENERGY SECTOR

EIGHTH REPORT OF ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES COMMITTEE—
DEBATE CONTINUED

On the Order:

Resuming debate on the consideration of the eighth report (interim) of the Standing Senate Committee on Energy, the Environment and Natural Resources entitled: *Facts Do Not Justify Banning Canada's Current Offshore Drilling Operations: A Senate Review In the Wake of BP's Deepwater Horizon Incident*, deposited with the Clerk of the Senate on August 18, 2010.

Hon. Daniel Lang: Honourable senators, I move the adjournment of this item in my name as I intend to speak another day.

(On motion of Senator Lang, debate adjourned.)

[Translation]

STUDY ON CANADIAN SAVINGS VEHICLES

FOURTH REPORT OF BANKING, TRADE AND COMMERCE COMMITTEE—DEBATE CONTINUED

On the Order:

Resuming debate on the consideration of the fourth report of the Standing Senate Committee on Banking, Trade and Commerce, entitled: *Canadians Saving for their Future: A Secure Retirement*, tabled in the Senate on October 19, 2010.

Hon. Céline Hervieux-Payette: Honourable senators, I intend to move adoption of the report of the Standing Senate Committee on Banking, Trade and Commerce, entitled *Canadians Saving for their Future: A Secure Retirement*.

A number of expert witnesses testified and greatly helped our committee's work. It was enriching, and I think I can speak for my colleagues when I say that we were pleased to have input that will help the provinces as well as the federal government. This issue touches both jurisdictions.

I would like to make a few comments on our recommendations because my honourable colleagues may not have an opportunity to read the entire report.

The Hon. the Speaker: Honourable senators, the honourable Senator Hervieux-Payette indicated that she intended to move a motion. Perhaps that motion should be moved now.

Senator Hervieux-Payette: Honourable senators, I believed we were going to vote after I had made my comments. However, if the vote must take place immediately, so be it.

The Hon. the Speaker: You may continue, but the question will be on the motion.

Senator Hervieux-Payette: We may vote right away.

The Hon. the Speaker: It was moved by the Honourable Senator Hervieux-Payette, seconded by the Honourable Senator Pépin, that this report be adopted. The Honourable Senator Hervieux-Payette has the floor.

Senator Hervieux-Payette: Honourable senators, I asked the advice of the Speaker's experts and I will follow his rules.

Honourable senators, I wanted to make a few comments on our recommendations: low-income Canadians and high-income Canadians are nonetheless well protected. It is middle-class Canadians who will have to make an effort when they retire.

Our committee had a very specific, very narrow mandate. We looked at two measures: the Registered Retirement Savings Plan (RRSP) and the recently established Tax-Free Savings Account (TFSA). Obviously it takes more than just those two measures to ensure a comfortable retirement for all Canadians and it was not our intention to suggest otherwise.

However, we have gone beyond those two measures. We have made comments about Canadians' knowledge of the financial sector, which is fairly closely regulated, and their knowledge of the profession of financial adviser. As we have seen in the past few years, the financial advisers may have failed in their duties, through a lack of skill or experience in certain areas.

The first recommendation was that the government should keep the ceiling on the annual contribution to registered retirement savings plans at 18 per cent. Our committee had no intention of increasing the ceiling, which is \$22,000.

However, we should ensure that employees who have contributed have access to multi-employer pension plans. There was a time when we started working for a company at 18 and did not leave it until we retired. Today, not only do we change companies throughout our lives, but quite often we change careers and roles. It is important to have the flexibility to change jobs while keeping any money that has been set aside and ensuring that the employer's contribution follows us.

We have proposed legislative changes to ensure that withdrawals from RRSPs remain taxable and that the withdrawal can be paid back in full.

The third recommendation was to increase the age from 71, as is currently stipulated, to 75, which would be phased in over an eight-year period. We will see in the next budget whether the Minister of Finance makes that possible. One of the reasons this issue was examined was that there are more and more people who do not retire at the age of 70, but who keep working, and this measure would help with the transition.

The fourth recommendation is interesting. It has to do with young people and TFSAs. The maximum amount in such an account would be \$100,000, which would be indexed as time goes on. We decided on this amount to take into account the

possibility of an inheritance or a windfall that an individual would want to put into savings for retirement. This account could reach a maximum of \$100,000 and the interest would be tax-free.

With respect to financial education for Canadians, we believe that the government could do more when it comes to educating the public about choosing a financial advisor. How can people make that choice and make sure they are fully aware of the risks?

• (1500)

Every expert on the matter says that we should not make the same investments at age 50 as we did at 25. During the recent financial crisis we saw pension funds melting like spring snow and people taking a much less comfortable retirement even though they had saved during their entire working lives. It is important for this sector to be examined closely.

Another concern is that management fees for certain funds are much higher than those in other countries, the United States in particular. It is good for the fund managers, but unfair to the people who will be retiring and do not earn the same lucrative salaries as the managers.

We think the Financial Consumer Agency of Canada should provide indicators that people could verify.

As far as education is concerned this is a matter for the federal government, which administers the Canada Pension Plan, and Quebec, which has its own plan, the Quebec Pension Plan. We will have to ensure that there is monitoring, supervision and innovation. We proposed that funds be supervised by the federal government but managed by the private sector, while respecting very strict limits and rules in order to ensure that people get a good return and are given the flexibility to change jobs.

For those following this debate, we hope the provinces and the federal government will reach an agreement very soon. In the coming years, we must take precautions to ensure that the measures recommended by all the working groups are implemented as soon as possible. Supporting this impartial committee report would be a positive outcome for a Senate committee.

(On motion of Senator Comeau, debated adjourned.)

[English]

EMPLOYMENT INSURANCE

MATERNITY AND PARENTAL BENEFITS— INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Callbeck, calling the attention of the Senate to the need to adequately support new mothers and fathers by eliminating the Employment Insurance two-week waiting period for maternity and parental benefits.

Hon. Pamela Wallin: Honourable senators, I want to thank the opposition for their agreement to allow me to sit temporarily in this spot and to be allowed to speak. The broken foot and trying

to get around in the wheelchair has meant the time in my office has been very limited. I have not done the necessary work to respond to this inquiry. Thus, I would ask that the debate be adjourned in my name for the remainder of my time.

(On motion of Senator Wallin, debate adjourned.)

EROSION OF FREEDOM OF SPEECH

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Finley calling the attention of the Senate to the issue of the erosion of Freedom of Speech in our country.

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, given that Senator Cools does not intend to speak to this inquiry, which would essentially remove it from the Order Paper, I wish to adjourn the debate in my name.

(On motion of Senator Comeau, debate adjourned.)

RIGHTS OF MINORITIES AND INDIGENOUS PEOPLE

CHIAPAS DECLARATION—INQUIRY— DEBATE ADJOURNED

Hon. Donald H. Oliver rose pursuant to notice of November 30, 2010:

That he will call the attention of the Senate to the “Chiapas Declaration” which was adopted by consensus at the International Parliamentary Conference on “Parliaments, Minorities and Indigenous Peoples: Effective participation in politics” in Mexico on November 3rd, which urges every parliament to:

- Hold a special debate on the situation of minorities and indigenous peoples in their country;
- Recognize the diversity in society; and
- Adopt a Plan of Action to make the right to equal participation and non-discrimination a reality for minorities and indigenous peoples.

He said: Honourable senators, in my capacity as the head of the Canadian delegation of the Inter-Parliamentary Union, IPU, and as an elected member of its executive committee, I recently attended the International Parliamentary Conference in Chiapas, Mexico. The conference brought together parliamentarians from 34 member states of the IPU, including Australia and New Zealand, to discuss issues surrounding the effective participation of minorities and indigenous peoples in parliaments and national decision-making processes.

The conference was organized jointly by the Inter-Parliamentary Union, the Mexican Congress of the Union, the Government of the State of Chiapas in partnership with the United Nations

Development Programme, the United Nations Office of the High Commissioner for Human Rights, and the United Nations Independent Expert on Minority Issues and the Minority Rights Group International.

Participants at this conference adopted by consensus the Chiapas Declaration, an important document that calls for action by parliaments around the globe. This declaration puts forth the rights of minorities and indigenous peoples to equal participation in parliamentary and regional decision-making processes, and encourages parliaments and political parties to support those rights through a variety of potential legal and policy initiatives. By engaging in dialogue on this important subject in the Senate chamber, honourable senators have already taken positive action towards the implementation of the principles brought forward in the Chiapas Declaration.

This dialogue is an important first step that will hopefully generate more thought and discussion around the issue both within and outside of the Senate chamber. We should begin this endeavour by asking important questions about the potential factors affecting equal participation of minorities and indigenous people in the political decision-making processes, and our role as senators in generating solutions to address problems and remove barriers.

In particular, we must ask: What can the Senate do to facilitate the equal participation of minorities and indigenous peoples in the democratic process? What are the current barriers to equal participation? What needs and concerns in this regard do visible minorities and Aboriginal communities themselves articulate? What tools do the Senate and senators have to address these challenges?

In my remarks, I wish to provide information on international developments relating to the effective participation of minorities and indigenous peoples in democratic processes. I will next speak about Canada’s experience with diversity, followed by an overview of mechanisms for the political participation and representation of indigenous people and minorities in this country. Lastly, I will speak to the potential for greater innovation on these issues within our parliamentary system and throughout the system of Canadian democracy.

The right of minorities and indigenous peoples to participate in decision making is enshrined in numerous international instruments. Success stories from around the world demonstrate that adequate representation of minorities and indigenous peoples in societal decision making is instrumental to breaking the cycle of discrimination and exclusion suffered by members of these groups in sharing disproportionate levels of poverty and related impediments to the full enjoyment of many cultural, economic, political, social and civil rights.

• (1510)

The Chiapas Declaration articulates the right of minorities and indigenous people to “full and equal membership of our nations.” The exercise of this right, in turn, requires the effective participation of minorities and indigenous peoples at all levels of government and, in particular, in regional and national parliaments.

The declaration notes that public policies must be sensitive to the situation, needs and aspirations of indigenous peoples. In addition, measures to ensure the effective participation of minorities and indigenous people should include prior consultation on public policies.

The articulation of rights entails responsibilities to ensure their protection and implementation. In this regard, the Chiapas Declaration calls on both political parties and parliaments to promote the effective participation of minorities and indigenous peoples. The declaration notes that it is the responsibility of political parties to reflect the concerns of these groups in their party programs. The declaration urges parliaments to take specific steps within the next two years towards ensuring the effective participation of minorities and indigenous peoples.

In particular, parliaments are encouraged, first, to hold special debates on the situation of minorities and indigenous people nationally; second, to adopt the plan of action on the right to equal participation and non-discrimination for minorities and indigenous peoples; and third, the declaration equally urges parliaments to adopt and implement laws, or evaluate existing laws, to end discrimination and provide for effective participation of indigenous people and minorities in decision making. Parliaments are also encouraged to take positive steps to ensure that the legislative process is transparent and accessible to minorities and indigenous peoples.

The Chiapas Declaration builds on other international instruments that call on national governments to implement rights to political participation for minorities and indigenous peoples. The Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities was adopted by the United Nations General Assembly in 1992. Article 2 of the declaration articulates the right on the part of minorities to “participate effectively in cultural, religious, social, economic and public life.”

I am proud to state that, on November 12, 2010, the Government of Canada endorsed the United Nations Declaration on the Rights of Indigenous Peoples. This declaration contains several statements on the right of indigenous people to participate in decision-making processes. For example, Article 5 of the declaration states:

Indigenous peoples have the right to maintain and strengthen their distinct political, legal, economic, social and cultural institutions, while retaining their right to participate fully, if they so choose, in the political, economic, social and cultural life of the State.

Another statement of indigenous peoples’ rights to participate in the decision-making process is found in Article 18:

Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions.

The Assembly of First Nations, AFN, in particular has spoken in support of Canada’s endorsement of this declaration. The AFN National Chief has stated that:

The Declaration provides a guide and framework for First Nations, the federal government and all Canadians to continue our work together in ways that respect and implement Aboriginal and Treaty rights in the relationship between First Nations and Canada.

The national chief also noted that the endorsement of the declaration “presents an opportunity to press the ‘reset’ button on the relationship between Indigenous peoples and the rest of Canada.”

Australia and New Zealand, both members of the Inter-Parliamentary Union, have also taken steps to strengthen the participation of their indigenous population in the electoral systems and the affairs of the state. For example, the Government of Australia in 1990 established various forums for the political participation of indigenous Australians. The Aboriginal and Torres Strait Islander Commission, in operation since 1990 to 2005, was authorized to allocate budgetary resources for Aboriginal affairs and to play a role in policy development and implementation.

The Government of Australia later created a National Indigenous Council, which was in operation from 2005 to 2007. The council, comprised of indigenous members appointed by government, was an advisory body with no representative role.

In 2008, the Government of Australia undertook consultations on a national indigenous representative body to provide a voice at the national level for Aboriginal and Torres Strait Islander people.

In May 2010, the National Congress of Australia’s First Peoples was incorporated. Comprising 120 individuals elected by indigenous Australians, the Congress will advocate for the rights and interests of Aboriginal and Torres Strait Islander peoples in Australia. In addition, in November of last year, the Government of Australia announced a process to frame a referendum question to recognize constitutionally Aboriginals and Torres Strait Islander peoples.

New Zealand has made strides in ensuring the representation of their country’s indigenous population through a legislated system of guaranteed seats in the national parliament. The legislative framework in respect to national elections, which includes the 1867 Maori Representation Act, guarantees separate electoral seats to represent Maori ridings that span the entire country. The number of these guaranteed seats may vary depending on the number of Maori voters registered in the Maori electoral roll. For example, the number of guaranteed Maori seats was set to five in the 1995 general election and seven in the 2008 general election.

What is the Canadian experience? In brief, honourable senators, Canada, as you know, is one of the most ethnically diverse and multicultural countries in the world. Diversity is a fact of life in Canada and has become a basic cultural value and a characteristic by which we define ourselves as a nation.

Canada was originally home to the Aboriginal peoples — First Nations, the Metis and the Inuit people. Great cultural, linguistic and spiritual diversity is evident among the myriad Aboriginal nations in Canada. We also owe our diversity to a relatively long history of immigration. European settlement began in the 17th century, and several waves of immigrants have since come to Canada from all corners of the globe. The 2006 Census data show that Canadians represent more than 200 different ethnic groups.

Legal rights to political participation for Aboriginal and minorities have been strengthened over time. Across Canada, governments have taken many steps towards promoting effective participation of minorities and indigenous peoples in governmental decision-making processes. Visible minorities have constitutional and legislative protection from discrimination in all facets of our public life. Aboriginal peoples also have the rights, enshrined in constitution, to be consulted on matters that might affect them, including legislation proposed by Parliament. All Canadians are invited to participate in the democratic process by, for example, exercising their democratic right to vote or by seeking election to the House of Commons.

In my time remaining before honourable senators today, I will speak of two important aspects for the rights of minorities and indigenous people to full membership in our democracy. The first aspect is political participation in the democratic process and the second is political representation in all levels of government.

I will skip the first part and say that over the course of the last decade, it is clear that special care has been taken to ensure that more visible minorities were appointed to important roles in our parliamentary system. For example, the role of Governor General, the Queen's representative in Canada, was filled by Adrienne Clarkson, followed by Michaëlle Jean, both visible minority women who came to Canada as children. Additionally, several lieutenant, governors of our provinces are, or have been, visible minorities and Aboriginal persons.

More recently, in my home province of Nova Scotia, the Conservative government of Premier John Hamm passed legislation in 2000 that set aside on provincial school boards a number of seats for Afro-Canadians in electoral districts with a high percentage of Blacks. The Province of Nova Scotia has also conducted numerous studies and consultations to look into the creation of an Aboriginal or Black seat in the legislature.

Most recently, the Mayor of Halifax has agreed to meet with Black residents to discuss the creation of a seat for blacks on the Halifax Regional Council. There are currently 24 members of the council, none of which are either an Aboriginal or a visible minority.

There is also an opportunity to participate in the legislative process as an elected official. Canadians have elected three provincial premiers of non-European descent: two in Prince Edward Island and one in British Columbia. Since 1991, every premier of Nunavut and the Northwest Territories has been of Aboriginal descent. At the municipal level, the first visible minority and the first Muslim mayor of a major Canadian city was recently elected in Calgary.

[Senator Oliver]

• (1520)

Honourable senators, I do not want to give the impression, however, that the situation in the country is without blemish; certainly, problems remain. Racism is a fact of life and immigrants to Canada and Canada's Aboriginal peoples do not always have all the chances to which they should be entitled.

Our Parliament still does not adequately reflect the diversity in Canadian society. For example, although Aboriginal peoples in Canada account for about 4 per cent of the population, only five members of the House of Commons are of Aboriginal descent, about 1.5 per cent of the total seats in the House of Commons. Aboriginal representation in the Senate is more balanced. Currently, six senators are of Aboriginal descent, accounting for about 5 per cent in this chamber.

Visible minorities are also seriously under-represented in Parliament. As I noted previously, visible minorities represent 16 per cent to 20 per cent of the total Canadian population; however, 22 visible minority candidates were elected in Parliament in 2004, representing only 7 per cent of the total seats in the House of Commons. The figures from the 2008 election were reportedly similar. In addition, visible minority senators represent some 5 per cent in this chamber.

Political parties also play a part in the political representation of visible minorities and Aboriginal peoples through their choice of candidates.

Honourable senators, could I have two or three more minutes?

Senator Comeau: Five minutes.

Senator Munson: Five minutes.

Senator Oliver: Another topical example of engaging minorities in the political process is the participation of non-resident citizens — new immigrants to Canada who have not yet received their citizenship and do not have the right to vote — in Canada's major political parties through official membership in the party and participation in the selection process to choose candidates for electoral office.

Karen Bird, professor of political science at McMaster University in Ontario, wrote:

... the openness of the candidate selection procedures in Canada arguably allows for significant input from ethnic minorities. ...

Political parties in Canada have made efforts and inroads into increasing the representation of minorities on their rosters of candidates. However, if a truly representative Parliament of Canada is to become a reality, all political parties must do a better job at recruiting and retaining candidates to run for elected office.

Honourable senators, in countries with citizens of diverse ethnic backgrounds such as Canada, it becomes all the more important that all citizens are able to contribute to and benefit from society's

growth. We must work to avoid some citizens being prevented from full participation because of their ethnic origin, their religion, or the colour of their skin, and strive to ensure that all members of society benefit from the same access to education, employment, promotion and justice. It also means that we must strive for truly inclusive parliaments with greater civic engagement. That is to say all groups, regardless of gender, language, creed, heritage or ethnicity must have equal chances of participating in the political decision, making process.

Honourable senators, in conclusion, let me say that I hope that the special inquiry on the issues raised by the Chiapas Declaration will be the basis for further discussion and action by the Senate of Canada — indeed, by the entire parliamentary system.

(On motion of Senator Di Nino, debate adjourned.)

(The Senate adjourned until, Thursday, February 3, 2011, at 1:30 p.m.)

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