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OFFICIAL REPORT
(HANSARD)

Tuesday, June 14, 2011

The Honourable NOËL A. KINSELLA
Speaker

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THE SENATE

Tuesday, June 14, 2011

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

Prayers.

[*Translation*]

BUSINESS OF THE SENATE

Hon. Claude Carignan (Deputy Leader of the Government): Honourable senators, there have been consultations among the parties, and it has been agreed that photographers may be allowed on the floor of the Senate for this afternoon's meeting, so that they may photograph the swearing-in of the new senator with as little disruption as possible.

NEW SENATOR

The Hon. the Speaker: Honourable senators, I have the honour to inform the Senate that the clerk has received a certificate from the Registrar General of Canada showing that the Honourable Josée Verner has been summoned to the Senate.

INTRODUCTION

The Hon. the Speaker having informed the Senate that there was a senator without, waiting to be introduced.

The following honourable senator was introduced; presented Her Majesty's writ of summons; took the oath prescribed by law, which was administered by the Clerk; and was seated:

Hon. Josée Verner, of Saint-Augustin-de-Desmaures, Quebec, introduced between Hon. Marjory LeBreton, P.C., and Hon. Suzanne Fortin-Duplessis.

The Hon. the Speaker informed the Senate that the honourable senator named above had made and subscribed the declaration of qualification required by the Constitution Act, 1867, in the presence of the Clerk of the Senate, the Commissioner appointed to receive and witness the said declaration.

• (1410)

[*English*]

NEW SENATORS

CONGRATULATIONS ON APPOINTMENTS

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, I rise today to mark the swearing in of three outstanding Canadians who, during this Forty-first

Parliament, will join our strong, stable majority Conservative government here in the upper chamber. In many respects, I am reintroducing these fine Canadians: Two are returning to the Senate to continue the great work they contributed to during the last Parliament, and one proudly served the constituents of Louis-Saint-Laurent from 2006 to 2011 in the other place.

I have had the pleasure of working with Senator Josée Verner for many years, dating back to her time as Quebec caucus chair, a role in which she led a provincial caucus consisting of herself and Conservative senators before her election in 2006. I have also had the pleasure of serving in Prime Minister Stephen Harper's cabinet with Josée for the last five years.

From the very beginning, I recognized her passion for her home province of Quebec, her city, Quebec City, and her true dedication to our great country. Her contributions to our government over the course of the last five years have been many, and I am proud that she is now a member of our Senate caucus, where she can continue to contribute to the many accomplishments that lie ahead for our government.

I am so very pleased to welcome you, Josée, where you will without a doubt continue to represent the people of Quebec with as much passion and devotion as you have demonstrated in the other place.

Hon. Senators: Hear, hear!

Senator LeBreton: I will also use this occasion to make comments about Senator Larry Smith who, I am very pleased to say, is back in the Senate. A tireless promoter of professional and amateur sport in Quebec and across Canada, Larry first joined us in the upper chamber in December of last year. He has a wealth of experience in the business world including holding important positions with high-profile Canadian companies like John Labatt and Ogilvie Mills Ltd. He also served as CFL commissioner, running the day-to-day operations of the Canadian Football League, an environment he was well acquainted with, having played for the Montreal Alouettes many years before. Larry was President and Publisher of the *Montreal Gazette* for two years, a position he held until he resigned in 2004 to return to his passion as President and CEO of the Montreal Alouettes.

As honourable senators know, Larry contributed his experience and dedication to the important work that we did here in the short months before this year's election. In particular, Larry was instrumental in the passage of Bill C-59, the Abolition of Early Parole Act.

Larry, I know that was a great accomplishment, one in which you played a big role.

I know that Senator Smith will continue to be a great asset to the work we do on behalf of Canadians in the upper chamber, the Senate of Canada, and I welcome him back.

Last but certainly not least, I welcome back my friend, our friend, Senator Fabian Manning. Fabian came to Ottawa in 2006 as a member of the House of Commons after our Conservative Party formed government. Fabian has a vast amount of experience as a municipal, provincial and federal politician. A staunch representative of his constituents and the issues near and dear to their hearts, he has never shied away from speaking up on behalf of the people of Newfoundland and Labrador. In fact, that is one of the things that I respect most about Fabian, and I have certainly appreciated his honesty, dedication and passion during his time in the upper chamber.

Fabian, I am delighted that you have rejoined our Senate team. By now, between you and Senator Rompkey, our interpreters have come to specialize in the mother tongue that is Newfoundland and Labradorian. I know that you will continue to be a strong voice for the people of Newfoundland and Labrador and that this will be enhanced by the fact that you are now the Chair of the Standing Senate Committee on Fisheries and Oceans, replacing the retired Senator Bill Rompkey.

Honourable senators, I hope you join me in welcoming these exceptional and passionate Canadians to this chamber. We have a unique and important role in the Parliament of Canada. The breadth of talent and experience that surrounds us today is truly admirable. I am proud to serve the citizens of Canada alongside such outstanding individuals.

The next four years will be an exciting time not only for the Canadians we represent but for all of us as parliamentarians who have a duty to represent our communities and regions with strong, decisive leadership. Each and every one of us has a unique role to play as we embark on the First Session of the Forty-first Parliament. I encourage all of you to embrace the opportunities we have in the Senate to serve Canadians and to represent their many and diverse interests.

Thank you again, honourable senators. Please welcome Josée, Larry and Fabian, better known as Senators Verner, Smith and Manning.

Hon. Senators: Hear, hear!

[*Translation*]

BUSINESS OF THE SENATE

The Hon. the Speaker: I would like to remind honourable senators that, as indicated last week, the official photograph of the Senate will be taken tomorrow, Wednesday, June 15, 2011. I would ask all honourable senators to be in their seats 15 minutes before the sitting.

[*English*]

SENATORS' STATEMENTS

THE HONOURABLE CATHERINE S. CALLBECK

CONGRATULATIONS ON APPOINTMENT TO PRINCE EDWARD ISLAND BUSINESS HALL OF FAME

Hon. Elizabeth Hubley: Honourable senators, on Thursday, June 2, 2011, Senator Callbeck was honoured by the P.E.I. business community with induction into the P.E.I. Business Hall of Fame.

Hon. Senators: Hear, hear!

Senator Hubley: This annual gala dinner and recognition ceremony celebrates the province's top, current and past business leaders, highlighting their entrepreneurial successes and contributing to their communities.

Senator Callbeck is widely recognized as a trailblazer for Canadian women's advancement. We all know about her great achievements as a woman in politics, both in Ottawa and Prince Edward Island, but perhaps fewer are aware of her accomplishments as a business leader.

When Senator Callbeck graduated from Mount Allison University with a Bachelor of Commerce degree in 1960, she was only the second woman ever to do so. She then went on to acquire a Bachelor of Education degree at Dalhousie University and to take further postgraduate business courses at Syracuse University.

When she returned to Prince Edward Island after teaching business in Ontario and New Brunswick, she quickly put her skills and knowledge to work. She joined her family furniture business, Callbeck's Limited, and proceeded to grow the company, bringing Leon's Furniture to Prince Edward Island.

She was truly a role model for young female entrepreneurs at a time when there were few women involved in business. With her energy and sharp business sense, Senator Callbeck not only found success for herself but helped to pave the way for future businesswomen of Prince Edward Island.

Honourable senators, I hope you will join me in congratulating Senator Callbeck on her induction into the P.E.I. Business Hall of Fame and her enduring legacy as a business and community leader.

CONSERVATIVE PARTY OF CANADA

Hon. Percy Mockler: Honourable senators, permit me to reminisce on the history of our today's great Conservative Party of Canada.

Since becoming leader of the Conservative Party in 2003 and leading to the 2004 election, our leader, Mr. Harper, said: "Canada must be strong and stable." In the 2006 and 2008 elections, his constant and compelling vision was that Canada must be strong and stable and become an economic force in the world.

On May 2, 2011, Canadians put their trust in the Conservative team and accepted Prime Minister Harper's vision by giving themselves and ourselves a strong, stable, national Conservative government.

Unprecedented and remarkable, the Conservative Party of Canada convention held last weekend in Ottawa was a huge success, with delegates coming from everywhere across Canada and from every walk of life. People of all ages, all origins and all regions gathered in this marvellous city for this national event. It was also truly amazing to have this convention only five weeks after our unprecedented May 2 victory.

• (1420)

[*Translation*]

Honourable senators, this convention was an opportunity for us to reflect, debate and discuss major issues and the future of our country.

Our desire to help our fellow citizens remains unchanged. To that end, we discussed our future policies and directions. The ultimate goal remains to serve and respect the citizens of our country.

Prime Minister Harper said that, together, we will continue to retain control in order to ensure that our country remains strong, stable and safe.

[*English*]

This convention was truly a great moment. With a majority mandate, our Conservative government will now be able to move ahead with a long-term strategy, acting on what is the best policy for the country instead of what the opposition parties may support.

With great resolve, we will ensure that our country remains the best place in the world in which to live, work, invest, raise our children and reach out to the most vulnerable.

Honourable senators, there is no doubt in my mind. On this side of the house, we believe that Canada must remain strong, stable and a land of opportunity for our children.

[*Translation*]

In closing, honourable senators, I will quote Prime Minister Harper:

We still have . . .

[Senator Mockler]

LA SOCIÉTÉ NATIONALE DE L'ACADIE

ONE HUNDRED AND THIRTIETH ANNUAL MEETING OF GENERAL ASSEMBLY

Hon. Rose-Marie Losier-Cool: Honourable senators, on June 3 and 4, I attended the 130th annual general meeting of the Société nationale de l'Acadie, an organization that brings together a number of provincial advocates for Acadians and promotes Acadia to our governments and abroad.

We gathered at a place that is almost mythical for Acadians: the Grand-Pré National Historic Site in Nova Scotia. One of the greatest Acadian settlements before the Deportation, Grand-Pré suffered the expulsion of its entire Acadian population and the confiscation of assets by the British during the Great Upheaval of 1755.

Grand-Pré, home of Evangéline, the subject of Henry Wadsworth Longfellow's poem, is now a Parks Canada national historic site. This site, which is unique in the world, commemorates the Deportation and is steeped in history. For this reason, its supporters, the entire population of Grand-Pré — including anglophones, Acadians and Mi'kmaq — have been working since 2004 to have the Grand-Pré site added to the UNESCO World Heritage List. By respecting the environment, it has become a sustainable development project.

The World Heritage List celebrates more than 900 extraordinary sites throughout the world, including the Rideau Canal here in eastern Ontario and the Joggins Fossil Cliffs in Nova Scotia. Once a site is placed on the list, its integrity and what makes it so special must be protected from any change or destruction. Inclusion on the list also guarantees increased tourism, which would provide attractive economic benefits for the Grand-Pré area.

UNESCO will decide whether or not to add Grand-Pré to the list in July 2012. Honourable senators, if you would like to learn more about this wonderful project, I suggest you visit the website inscriptiongrandpre.ca. Perhaps you, too, will be as enthusiastic about this project as I am, and I wish it complete success.

[*English*]

BATTLE OF MONT SORREL

NINETY-FIFTH ANNIVERSARY

Hon. Nicole Eaton: Honourable senators, on this day, June 14, 1916, 95 years ago, the Battle of Mont Sorrel near Ypres, Belgium, ended in a decisive Allied victory. While this conflict is conceivably not as acknowledged as some of the Western Front battles such as Vimy Ridge, the Somme or Verdun, the men who fought and gave their lives for our nation were no less brave and their contribution to the cause no less valiant.

The battle began in the early morning of June 2. The German 13th Corps, trained specifically in high-ground seizures, embarked on an aggressive campaign to capture the crucially strategic area above the city of Ypres and to pull resources from the ongoing build up in the Somme.

The day began with a massive heavy-calibre artillery bombardment that pounded the Canadian front line defensive position. Mournfully, upwards of 90 per cent of the forward reconnaissance battalion, including many senior officers, would fall as casualties.

Not unexpectedly, as the German troops advanced, the resistance was leaderless and minimal. Mont Sorrel and the surrounding hills were quickly captured. However, without orders to continue to capitalize on their advancement, the German soldiers dug in their positions.

The subsequent day, a hurried counterattack was launched by the Canadian corps, yet nothing went as planned. Again, many young men would perish as they advanced in broad daylight over exposed ground.

Following this tragedy, it was determined that enhanced preparation was necessary. Major-General Arthur Currie was tasked with regaining the lost ground with success as the only option.

The Canadian assault of Mont Sorrel would begin on June 9, as powerful artillery bombardments pounded the German position for four days. The Germans lay waiting for an immediate advance to follow the artillery, yet it did not come.

However, following a 45-minute barrage on the morning of June 13, the Canadian troops sprang forward to attack behind a heavy smokescreen, catching the enemy by surprise. Minimal resistance was encountered. The Germans were caught off guard. In little more than an hour, the Canadians had swept onto Mont Sorrel, regaining their original positions and taking 200 prisoners.

Predictably, on June 14, the Germans would launch two frantic counterattacks, yet the Canadian line held firm.

As British Official History notes, “The first Canadian deliberately-planned attack in any force resulted in an unqualified success.” Mont Sorrel and the surrounding area was now securely in Allied hands.

Honourable senators, most Canadians will go through today with little awareness of what happened on this date many years ago. I urge all of you to take a moment to remember these brave young men who fought so courageously, including the many who would never return to Canada, as the heroes they are.

PERSECUTION OF BAHÁ'Í PEOPLE IN IRAN

Hon. Mobina S. B. Jaffer: Honourable senators, I rise before you today to speak about the long-standing persecution of the Baha'i people in Iran. Over the past 17 months, the human rights of the Baha'i people have been deteriorating. Although time does not permit me to describe the wide range of human rights violations that have been perpetrated by the Iranian government, I rise before you to shed light on a few developments that are particularly troubling.

Honourable senators will recall that when I last addressed the Senate on this subject, the seven Baha'is who had served on an ad hoc committee providing for the spiritual and social needs of

the Baha'i community had been held in Evin prison without charges or due process under intolerable conditions for 18 months.

In June 2010, those innocent people were sentenced to 20 years imprisonment, notwithstanding the insistence of their Nobel Peace Prize winning lawyer, Shirin Ebadi, that there was not a shred of evidence to support the charges brought against them.

On May 14, 2011, the seven began their fourth year of imprisonment. The Baha'i community remains deprived of its leadership, their family members — some of whom are in Canada — and their loved ones.

On May 21, 2011, Iranian authorities conducted a series of coordinated raids on 30 Baha'i homes, confiscated computers and papers, and arrested the 16 Baha'is most closely involved with the organization of the Baha'i Institute of Higher Education. This institute was established in 1987 by the Baha'i community of Iran to meet the needs of the Baha'i youth denied access to Iranian universities because of their faith.

We as Canadians can be proud that prestigious Canadian universities have admitted Baha'i Institute graduates into postgraduate programs where they have excelled. We also can be dismayed that Iran refuses to recognize these Canadian degrees when the graduates return to Iran.

Arbitrary arrest and imprisonment of Baha'is simply because they are Baha'is is a third element of the persecution, and that, too, has been intensified. In August 2004, four Baha'is were in Iranian prisons. Six years later, in August 2010, 308 Baha'is had been arrested and 38 were in prison. Over the past nine months, the number arrested has risen to 416 and there are 97 Baha'is in Iranian prisons.

• (1430)

These developments are not isolated incidents but are elements of Iran's official policy, which is being pursued in an attempt to eradicate the Baha'i community as a viable entity.

Honourable senators, our government has identified religious freedom as a key element of its foreign policy. The ongoing persecution of the Baha'is of Iran underlies its necessity, and I respectfully suggest that our government urgently assist the Baha'is of Iran.

[Translation]

THE LATE CLAUDE LÉVEILLÉE, O.C.

Hon. Andrée Champagne: Honourable senators, last Thursday we lost a poet, a musician and a unique voice. Fortunately, we still have his albums and lyrics. When Radio-Canada played Claude Léveillé's interpretation of Charles Aznavour's *La Bohème* from its archives, I was instantly transported back to the late fall of 1956 or possibly the winter of 1957. Several months after arriving in Montreal, I was living in a small, furnished apartment that could be described only as seedy. In these two rooms there was only one thing that was almost mine, a piano; it was rented. I have never lived without a piano. Hearing that song, I remembered one

night when Claude Léveillé, who I had met at Café des artistes, came back to my apartment and played the piano as only he could.

On Friday, a song kept coming to mind. It goes like this:

Will the meeting I missed
In your memory persist?
Never, never will you know
If it was a game or if it was love.
Do the meetings we stop expecting
Happen in a different universe
Where can one go to reclaim
Unheard words, a secret flame?

My dear Claude, after those hours we spent together that were so memorable for the girl I was still, we saw each other again on occasion, sometimes at large gatherings in your honour, but never again did we have the opportunity to even try to recapture the magic of that one special evening. Listening to your music these past few days — they have started playing it again on the radio — I made a wish. I wished that we would meet again in that great hereafter where we will all go someday. I am hoping that you will wait for me there. I promise I will be there. That is one meeting that will not be missed. Farewell Claude.

ROUTINE PROCEEDINGS

PUBLIC SECTOR INTEGRITY COMMISSIONER

2010-11 ANNUAL REPORT TABLED

The Hon. the Speaker: Honourable senators, pursuant to section 38 of the Public Servants Disclosure Act, I have the honour to table, in both official languages, the 2010-11 Annual Report of the Public Sector Integrity Commissioner.

[English]

THE ESTIMATES, 2011-12

MAIN ESTIMATES—REPORTS ON PLANS
AND PRIORITIES TABLED

Hon. Claude Carignan (Deputy Leader of the Government): Honourable senators, I have the honour to table, in both official languages the Reports on Plans and Priorities, Main Estimates, 2011-12.

PUBLIC SAFETY

CANADIAN SECURITY INTELLIGENCE SERVICE—
2009-10 PUBLIC REPORT TABLED

Hon. Claude Carignan (Deputy Leader of the Government): Honourable senators, I have the honour to table, in both official languages, the 2009-10 public report of the Canadian Security Intelligence Service.

[Senator Champagne]

[Translation]

TRANSPORT AND COMMUNICATIONS

REPORT PURSUANT TO RULE 104 TABLED

Hon. Dennis Dawson: Honourable senators, pursuant to rule 104 of the Rules of the Senate, I have the honour to present the first report of the Standing Senate Committee on Transport and Communications, which deals with the expenses incurred by the committee during the Third Session of the Fortieth Parliament.

(For text of report, see today's Journals of the Senate, p. 48.)

[English]

INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

FIRST REPORT OF COMMITTEE TABLED

Hon. David Tkachuk: Honourable senators, I have the honour to table, in both official languages, the first report of the Standing Committee on Internal Economy, Budgets and Administration, which deals with reports on international travel.

[Translation]

BUSINESS OF THE SENATE

NOTICE OF MOTION TO CHANGE COMMENCEMENT
TIME ON WEDNESDAYS AND THURSDAYS AND
TO EFFECT WEDNESDAY ADJOURNMENTS
FOR THE REMAINDER OF JUNE 2011

Hon. Claude Carignan (Deputy Leader of the Government): Honourable senators, with leave of the Senate and notwithstanding rule 58(1)(a), I give notice that later this day, I will move:

That, during the remainder of the month of June 2011,

- (a) when the Senate sits on a Wednesday or a Thursday, it shall sit at 1:30 p.m. notwithstanding rule 5(1)(a);
- (b) when the Senate sits on a Wednesday, it stand adjourned at the later of 4 p.m. or the end of Government Business, but no later than the time otherwise provided in the Rules, unless it has been suspended for the purpose of taking a deferred vote or has earlier adjourned; and
- (c) when a vote is deferred until 5:30 p.m. on a Wednesday, the Speaker shall interrupt the proceedings, if required, immediately prior to any adjournment but no later than the time provided in paragraph (b), to suspend the sitting until 5:30 p.m. for the taking of the deferred vote, and that committees be authorized to meet during the period that the sitting is suspended.

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

Hon. Senators: Agreed.

NOTICE OF MOTION TO AUTHORIZE HUMAN RIGHTS,
OFFICIAL LANGUAGES AND NATIONAL DEFENCE
COMMITTEES TO MEET ON MONDAYS
FOR REMAINDER OF CURRENT SESSION

Hon. Claude Carignan (Deputy Leader of the Government): Honourable senators, with leave of the Senate and notwithstanding rule 58(1)(i), I give notice that, later this day, I will move:

That, pursuant to rule 95(3), for the remainder of this session, the Standing Senate Committees on Human Rights, Official Languages, and National Security and Defence be authorized to meet at their approved meeting times as determined by the Government and Opposition Whips on any Monday which immediately precedes a Tuesday when the Senate is scheduled to sit, even though the Senate may then be adjourned for a period exceeding a week.

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

Hon. Senators: Agreed.

CRIMINAL CODE

BILL TO AMEND—NOTICE OF MOTION TO AUTHORIZE
LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE
TO STUDY SUBJECT MATTER OF BILL C-2

Hon. Claude Carignan (Deputy Leader of the Government): Honourable senators, with leave of the Senate and notwithstanding rule 74(3), I give notice that later this day, I will move:

That, in accordance with rule 74(1), the Standing Senate Committee on Legal and Constitutional Affairs be authorized to examine the subject-matter of Bill C-2, An Act to amend the Criminal Code (mega-trials), introduced in the House of Commons on June 13, 2011, in advance of the said bill coming before the Senate.

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

Hon. Senators: Agreed.

**BILL TO IMPLEMENT CERTAIN
PROVISIONS OF BUDGET 2011**

NOTICE OF MOTION TO AUTHORIZE
NATIONAL FINANCE COMMITTEE TO STUDY
SUBJECT MATTER OF BILL C-3

Hon. Claude Carignan (Deputy Leader of the Government): Honourable senators, with leave of the Senate and notwithstanding rule 74(3), I give notice that later this day, I will move:

That, in accordance with rule 74(1), the Standing Senate Committee on National Finance be authorized to examine the subject-matter of Bill C-3, An Act to implement certain provisions of the 2011 budget as updated on June 6, 2011, introduced in the House of Commons on June 14, 2011, in advance of the said bill coming before the Senate.

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

Hon. Senators: Agreed.

• (1440)

MEDICAL DEVICES REGISTRY BILL

FIRST READING

Hon. Marc Harb presented Bill S-202, An Act to establish and maintain a national registry of medical devices.

(Bill read first time.)

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

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

[English]

TRANSPORT AND COMMUNICATIONS

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO
STUDY EMERGING ISSUES RELATED TO CANADIAN
AIRLINE INDUSTRY AND REFER PAPERS AND
EVIDENCE FROM PREVIOUS SESSION

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

That the Standing Senate Committee on Transport and Communications be authorized to examine and report on emerging issues related to the Canadian airline industry, including but not limited to:

- (a) its performance and long-term viability in the changing global market;
- (b) its place within Canada;
- (c) its business relationship with their passengers; and
- (d) its important economic effect in the Canadian communities where airports are located.

That the papers and evidence received and taken and work accomplished by the committee on this subject since the beginning of the Third Session of the Fortieth Parliament be referred to the committee; and

That the committee report to the Senate from time to time, with a final report no later than June 28, 2012 and that the committee retain all powers necessary to publicize its findings until 180 days after the tabling of the final report.

BUSINESS OF THE SENATE

NOTICE OF MOTION TO PERMIT ELECTRONIC COVERAGE OF ALL SELECT AND JOINT COMMITTEES FOR REMAINDER OF CURRENT SESSION

Hon. Claude Carignan (Deputy Leader of the Government): Honourable senators, with leave of the Senate and notwithstanding rule 58(1)(i), I give notice that, later today, I will move:

That, for the remainder of the current session, all select and joint committees be authorized to permit coverage by electronic media of their public proceedings with the least possible disruption of their hearings.

The Hon. the Speaker: Is it agreed, honourable senators, that we consider this motion later today?

Hon. Senators: Agreed.

The Hon. the Speaker: So ordered.

[Translation]

NOTICE OF MOTION TO ENGAGE SERVICES OF ALL SELECT COMMITTEES FOR REMAINDER OF CURRENT SESSION

Hon. Claude Carignan (Deputy Leader of the Government): Honourable senators, with leave of the Senate and notwithstanding rule 58(1)(i), I give notice that, later this day, I will move:

That, pursuant to section 1(2) of chapter 3:06 of the *Senate Administrative Rules*, all select committees have power, for the remainder of the current session, to engage the services of such counsel and technical, clerical, and other personnel as may be necessary for the purpose of their examination and consideration of such bills, subject-matters of bills and estimates as are referred to them.

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

Hon. Senators: Agreed.

[English]

EMPLOYMENT INSURANCE

MATERNITY AND PARENTAL BENEFITS— NOTICE OF INQUIRY

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

I will draw 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.

[Senator Dawson]

QUESTION PERIOD

PUBLIC SAFETY

CONTRABAND TOBACCO

Hon. James S. Cowan (Leader of the Opposition): Honourable senators, my question is for the Leader of the Government in the Senate.

Last week the government finally tabled its revised tobacco labelling requirements in the other place — something we on this side pressed hard to have done last fall.

At that time there were reports that the government had stopped progress on the new cigarette package labels that were prepared and ready to go. The government had apparently told the provinces that it had decided to focus on contraband tobacco rather than tobacco labelling.

Canadians were rightly outraged at that. The government backed down and said that it would be announcing its new labels.

Regrettably, some further months have passed. While they have now been promulgated, the labels are not yet on the shelves. It now seems that this government cannot do two things at the same time. It tabled the regulations, but that is only part of the story. The other pressing problem is contraband cigarettes finding their way into the hands and lungs of young Canadians. Where is the government's action on contraband tobacco?

Hon. Marjory LeBreton (Leader of the Government): I wish to thank the Honourable Senator Cowan for his question. The premise of the preamble to the question — that is, where the honourable senator indicated that the government had backed down from its position — remains as incorrect as it was when it was dealt with in the last Parliament. The reports that the government was going to do anything other than what it did with regard to labelling were incorrect.

With regard to illicit manufacturing and sale of illegal cigarettes, this has detrimental effects not only on health, but also on public safety and on our economy. That is why we, as a government, launched the RCMP Contraband Tobacco Enforcement Strategy. This strategy will help reduce the availability and demand for contraband tobacco by dismantling manufacturing facilities, disrupting distribution supply lines, and seizing illicit tobacco and related proceeds generated by organized crime who are primarily the people who are involved in this activity.

Senator Cowan: In January, honourable senators, the National Coalition Against Contraband Tobacco issued a report card on the Harper government and it got an F, for “fail.” It failed on public education; it failed on keeping contraband cigarettes from kids on border security and on fiscal responsibility.

In 2008, Minister Day said he would act. In 2009, Minister Blackburn said they were acting. In 2010, two days after the first National Coalition Against Contraband Tobacco report card was issued, Ministers Toews and Ashfield promised a strategy. Here we are in 2011 and we have nothing but an exploding illegal trade. Just two months ago the RCMP seized 350,000 contraband cigarettes in New Brunswick that were destined for my city of Halifax.

When will this government take action to stop the millions of contraband cigarettes that are flowing into the hands of our children?

Senator LeBreton: I wish to thank the honourable senator for making note of the fact that the RCMP seized a significant amount of contraband tobacco, because the Canada Revenue Agency, the RCMP and the Canada Border Services Agency are working together to crack down on this illegal activity. They are also working closely with their provincial counterparts.

This is, and has been, a serious and difficult issue with which to deal. We have taken some action, such as introducing changes to the Excise Tax Act for a new and more advanced stamp to be placed on legal tobacco products.

Again, honourable senators, it is important to note, as the Honourable Senator Cowan did, that there is increased activity on the part of our police, the Canada Revenue Agency and the Canada Border Services Agency to confiscate large amounts of contraband tobacco. In my own community a month and half ago, there was the largest ever seizure of contraband tobacco in Ontario.

• (1450)

Senator Cowan: I am not disputing the fact that there are some seizures and that the police are trying to do the best they can. However, your government promised action, and there has been nothing but talk for the last three or four years. The fact that there have been seizures does not get us past the fact that the flow of contraband tobacco in this country is increasing; it is not decreasing.

Senator LeBreton: I agree that this is a serious problem. However, I do not agree that we are not stepping up and taking action against this serious crime. All levels of government have had difficulty dealing with this particular issue, but I believe there has been considerable progress in the last year, and particularly in the last six months, in terms of cracking down on this illegal activity.

PUBLIC WORKS AND GOVERNMENT SERVICES

PROCUREMENT

Hon. Terry M. Mercer: Honourable senators, my question is for the Leader of the Government in the Senate.

Honourable senators, on that fateful night when the election results were decided, Mr. Harper took the stage and mused that they were going to govern for all Canadians, “even those who did not vote for us.” He went on to say, “Our government will defend the interests of all the regions and all Canadians.”

These are both very commendable statements. However, at the same time, in discussing the National Shipbuilding Procurement Strategy, our friend Senator Duffy was heard on a talk radio show in Halifax saying, “It’s interesting that Halifax thinks it can have all the cream without ever voting Tory.”

Some Hon. Senators: Oh, oh!

Senator Mercer: Now we have federal cabinet ministers warning against political interference when it comes to the new shipbuilding procurement program. Can the honourable leader tell us who speaks for this government when it comes to national programs? Is it the Prime Minister, Senator Duffy, or is it cabinet?

Hon. Marjory LeBreton (Leader of the Government): As usual, Senator Mercer is misinformed. Senator Duffy never discussed shipbuilding. The Minister of Public Works has made it clear that there is a rigorous arm’s-length process involved and we plan to follow that instruction vigorously.

I was very happy, honourable senators, to be standing on the floor of the Calgary TELUS Convention Centre on May 2, watching the Prime Minister deliver his address. The Prime Minister did indeed say this and does intend to govern for all Canadians.

Senator Mercer: It is shocking that Senator Duffy claims he was misquoted by his former colleagues in the media. This is something that I am sure in his years in journalism he never did, of course.

Honourable senators, the \$35 billion National Shipbuilding Procurement Strategy is a big deal. It is a huge deal in the communities that are potential players. If the leader thinks there would not be politics involved, it would be the first time in the history of Canada where something was built without someone asking to build it.

Of course, being from Halifax, I would like to see the Irving Shipyard win the bid to build the new fleet. However, I also want a fair and transparent bidding process, one that involves politicians, industry and stakeholders, so that we know who can do the best job.

Can the leader tell us that the government’s own ministers, those responsible to represent their provinces, are doing their job in advocating on behalf of their provinces at the same time as respecting the bidding process? Premier Dexter of Nova Scotia is early on in this process. He said he fully expected Minister MacKay to defend Nova Scotia’s interests at the cabinet table, and those interests would be the awarding of the major part of the shipbuilding initiative to the Irving Shipyard in Halifax.

Senator LeBreton: Honourable senators, I can only say what I said a moment ago, that this project will be run in an open, transparent and thorough manner, where the decisions will be based on the ability to provide the government with the proper

equipment. This process will be completely transparent, and it is under the auspices of the Minister of Public Works. Everyone has an interest in this project, but the fact of the matter remains that the decision is being handled by an arm's-length process and is ultimately the responsibility of the Minister of Public Works.

Senator Mercer: Honourable senators, we in Atlantic Canada, and particularly in Nova Scotia, are concerned and want to ensure that this is a fair process. We feel that, if this is a fair and open process, the Irving Shipyard and Halifax will indeed win the contract because they have the ability to do so.

As a matter of fact, for honourable senators' information, the Halifax yard currently employs 300 apprentices. Today they are training the shipbuilders of tomorrow in the yard in Halifax, preparing for the future. They are also refitting the frigates that were built a number of years ago. Halifax is where the contract should be.

However, we do have problems in this country when it comes to the regions and the services they offer. Too many of the services are centrally located in places like Ottawa — not that Ottawa can build ships. If Halifax is awarded the contract, there will be more business for the shipbuilding yards in Prince Edward Island and in Newfoundland. The major part of the work would be happening, of course, in Halifax.

The difficulty with regional offices and regional distribution of government programs was emphasized by my colleague Senator Callbeck last week when she asked yet again another question about a passport office in Prince Edward Island. Do they not have a passport office in Prince Edward Island because they consistently do not vote Conservative? Is that the issue? One would have to ask the question.

If the Prime Minister is serious about representing all Canadians, can the leader assure us that the process for procurement will be fair and open, and that the placement of programs and offices across the country will also be fair and transparent?

Senator LeBreton: The honourable senator's comment with regard to how people voted was totally inappropriate. That may have been the way the honourable senator operated when he was the National Director of the Liberal Party of Canada, but that is not the way we operate.

Back to the shipbuilding issue, as I mentioned a moment ago, we have created a process that is completely transparent. The process we created includes independent oversight provided by a fairness monitor that is engaging international third-party marine experts to ensure fairness, openness and transparency.

I appreciate the honourable senator's representations on behalf of his province, and I am sure the powers that be will take into account his representations. However, I must report to the honourable senator that the independent fairness monitor has reported that the process to date has been conducted in a fair manner, stating: "... decisions are made objectively, free from

personal favouritism and political influence, and encompasses the elements of openness, competitiveness, transparency and compliance."

That is from the independent fairness monitor. I think that would be an "A" in terms of how we are proceeding with this shipbuilding contract.

PUBLIC SAFETY

RCMP—REPORT OF AUDITOR GENERAL

Hon. Joan Fraser: Honourable senators, my question is for the Leader of the Government in the Senate.

I am going back to the Auditor General's report, which, as the leader will recall, included some distressing news about the RCMP and the difficulties that the police force is facing. It talked, in particular, about serious backlogs.

• (1500)

Under the ironically named Canadian Criminal Real Time Identification Services, the backlog for criminal record updates has more than quadrupled since 2006. The estimated time to process a criminal record update is now 14 months for English updates and 36 months for French updates. For a new record, the average time to process was 27 working days, which the Auditor General observes, with understatement, is significantly higher than the optimal response time of two hours that the RCMP expects to achieve one of these days.

The response of the government to the various comments in this section of the Auditor General's report consisted of a lot of promises to think about things. My very favourite says that once two ongoing studies are concluded, they "will provide the foundation for future deliberations and discussions surrounding possible delivery options."

Apart from pushing paper around, what will the government actually do to solve these backlogs, which, as the Auditor General says, have a deleterious impact on investigations and costs?

Hon. Marjory LeBreton (Leader of the Government): I thank the honourable senator for the question. I do not know who Senator Fraser is quoting.

Senator Fraser: The Auditor General.

Senator LeBreton: She mentioned that our responses said we would take our time and "push paper around," I think were the words she used.

The Minister of Public Safety has read this part of the Auditor General's report with some interest, obviously. The minister fully accepts the conclusions and recommendations made by the Auditor General and has asked the RCMP to work with the Department of Public Safety to immediately prepare a management action plan to address these recommendations. This is a serious concern. A lot of these have to do with requests in the provinces.

However, this is not an acceptable situation. The Minister of Public Safety has indicated that he fully accepts the Auditor General's recommendations and will put into place an action plan to address these issues.

Senator Fraser: The words "pushing paper" were mine. All the rest were direct quotes from the Auditor General's report.

Continuing the instructive reading of the Auditor General's report, it is apparent that for years now the RCMP has been short of money to meet the ever-expanding demands on the very important services it provides not just for itself but for police forces across Canada. For quite a long time, the RCMP managed to go on funding those services by cutting back on the amount of money it was spending on recruits, which strikes me — and these are my words — a bit like eating your seed corn.

More recently, however, in 2009-10, and again in 2010-11, the RCMP just cut the budgets for its own programs. In 2010-11, "the RCMP reduced the initial budgets for its programs by 10.4 percent to cover funding gaps." This meant that RCMP programs, primarily federal policing, had to cut back. The report states:

In particular, the RCMP's Federal and International Operations Directorate — which has responsibility for organized crime investigations, border integrity, drug enforcement, and money laundering — has had to reduce its budget by more than \$47.7 million or 8.4 percent in the 2010-11 fiscal year.

That is almost enough to pay for the gazebos under the G8 Legacy Infrastructure Fund.

Does this government plan to reorganize its spending priorities to put the money where it is needed? This government purports to be opposed to crime, but it is crippling the police force that could prevent that crime and could see that crimes that are committed are more speedily tackled and resolved.

Senator LeBreton: As the honourable senator well knows, the RCMP has been allocated considerable resources, as have other agencies of government. All agencies of government that are allocated funds live within the allocation given to them.

As the honourable senator says, those were her words. I will grant that she does have a way with words. I will make sure that her concerns are passed on to the minister.

[*Translation*]

THE SENATE

PARLIAMENTARY REFORM

Hon. Jean-Claude Rivest: Honourable senators, in the Speech from the Throne, the government talked about Senate reform and I imagine that the government will soon be introducing legislation on the matter. However, yesterday Quebec's premier reiterated his province's objection to the steps the current government has taken concerning Senate reform proposals.

I understand that this is not technically a constitutional issue, but would it not be appropriate, before introducing this legislation, to consult with the premiers of Canada's provinces about the nature of the reform the Canadian government is envisioning for the Senate? This would keep the Canadian government from giving the impression, rightly or wrongly, that it is indirectly trying to alter Canada's constitutional balance.

[*English*]

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, the government is well aware of the objections to the government's planned Senate reform legislation. They made that very clear when legislation was tabled in the last Parliament. That is precisely why the Senate reform legislation is drafted in such a way as to allow the debate to go forward without opening up the Constitution. Clearly, opening up the Constitution is not something the government intends to do.

When we table legislation on Senate reform, there will be much opportunity for all senators to participate in the debate. Clearly, Senate reform legislation has been drafted precisely within the parameters of what is doable. One thing that is not doable is to open up the Constitution.

[*Translation*]

Senator Rivest: The government claims that its legislation is constitutional, but Quebec's premier does not agree. Given the objections, would it not be prudent of the government to ask the Supreme Court for a ruling on the constitutional validity of the steps it wishes to take?

[*English*]

Senator LeBreton: That is something that was advanced in the past. That is precisely why the legislation tabled in the last Parliament was worded the way it was. It was designed so as not to tamper with the Constitution. It was designed so that we would not have to open up the Constitution. The legislation tabled in the last Parliament was designed as a voluntary road map for provinces to have a process for selecting senators, if they so wished. Those provinces that did not participate were in no way impacted by the bill.

Let us await the tabling of the legislation. I am quite sure that we will have much advice on both sides of the debate, and from constitutional experts, as to whether the bill meets the requirements the government wishes to achieve.

• (1510)

Hon. James S. Cowan (Leader of the Opposition): Honourable senators, I understand what the leader is saying about election selection, but with respect to the imposition of term limits, is she suggesting that does not involve a change to the Constitution?

Senator LeBreton: Honourable senators, I would have the same advice for Senator Cowan as I did for Senator Rivest: Let us wait until we have the legislation before us, and at that time we can debate the merits of it.

[Translation]

CANADIAN HERITAGE

ARTS AND CULTURE

Hon. Rose-Marie Losier-Cool: Honourable senators, in March, the Fédération culturelle canadienne-française expressed its profound disappointment with the Conservative government's budget. According to the federation, the budget does not acknowledge the importance the creative economy plays in the economic recovery despite the fact that investment in this sector pays off, particularly in terms of job creation. This cultural federation is part of the Canadian Arts Coalition and participated in Arts Day on Parliament Hill on November 4, 2010, which informed parliamentarians about two key recommendations from the arts sector: increasing the budget of the Canada Council for the Arts by an additional \$30 million per year in each of the next four years; and investing \$25 million in strategic international market access and development initiatives.

Clearly the government's budget does not respond to the sector's demands. Could the Leader of the Government in the Senate tell us what message this budget is sending to the arts and culture sector?

[English]

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, the budget was presented on March 22 and of course was not proceeded with because of the insistence of the honourable senator's party and others that we go into a federal election. I will never understand why the honourable senator's government was so insistent, but that is another matter. The Minister of Finance tabled virtually the same budget last Monday.

With regard to arts and culture, honourable senators, our government supports arts and culture more than any government has ever supported arts and culture in the history of the country. We have reviewed spending to ensure maximum benefit goes to artists, cultural groups and taxpayers. Instead of giving to advocacy groups but to people who actually benefit directly, the results have meant that there has been more support for festivals, theatres, museums, children's programs and training programs. We have also increased direct support to the arts and cultural organizations by spending a record amount under the Canada Council for the Arts, and we have put record levels of support into our artists' programs on the world stage. Of course, as honourable senators know, as a result of the budget, the next phase of our Economic Action Plan includes a new children's art tax credit and supports the Canadian Periodical Fund, the Royal Conservatory of Music and, of course, the CBC.

[Translation]

Senator Losier-Cool: As she already mentioned, the leader's response will be the subject of discussion during a major forum on French Canadian arts that will take place in Ottawa from June 19 to 21. The announced tax credits for art classes will be put under the microscope.

Could the leader tell us why, according to what artists are telling us, investment in the arts and culture — an undoubtedly strategic investment that is beneficial for the Canadian public in many ways — is not a priority for her government?

[English]

Senator LeBreton: I vehemently disagree with the honourable senator's statement. I will be happy to take her question as notice in order to provide a list of the organizations that have received funding, especially francophone and Acadian arts and cultural groups.

ORDERS OF THE DAY

BUDGET 2011

INQUIRY—DEBATE ADJOURNED

Hon. Daniel Lang rose pursuant to notice of Senator Carignan on June 7, 2011:

That he will call the attention of the Senate to the budget entitled, *A Low-Tax Plan for Jobs and Growth*, tabled in the House of Commons on June 6, 2011, by the Minister of Finance, the Honourable James M. Flaherty, P.C., M.P., and in the Senate on June 7, 2011.

He said: Honourable senators, I rise to speak on measures contained in the 2011-12 budget that we will be requested to vote on later in the month.

Obviously, this is a budget that has few surprises since it is essentially the same budget that the opposition parties said they could not support, which in large part precipitated the May 2 election. Since then, the people of Canada have spoken and Canada can now look forward to four years of political stability from their national government.

As honourable senators know, the results of the election changed the political landscape dramatically in many parts of the country, and Yukon was no exception. We were one of those regions that decided that a majority government was in Canada's best interest. Our riding election success was based largely on the promise of the spring budget and why it was in Yukoners' best interest to support it.

The question that should be asked is: Why would Canadians in our part of the country vote to support the spring budget that all the opposition parties said was not good for Canada? Simply put, many Yukoners felt that the federal government did meet their needs and voted accordingly. The budget was a continuation of the financial principles and framework that has been contained in the past five federal budgets and has helped bring prosperity to our part of the country. It was only 10 years ago when Yukon had one of the highest unemployment rates in the country and was witnessing an exodus of its workforce from the territory. With the combined efforts of the Yukon government and the federal

government, this sad state of affairs has been reversed. Canada's commitment to a low, fair taxation policy and a commitment to encouraging international trade has Yukon now experiencing a period of prosperity, which some are referring to as the "Second Gold Rush." Our population has increased dramatically, as we welcome Canadians from all parts of our country to share in our good fortune — and we now have one of the lowest unemployment rates in the country.

Yukoners came to the realization that for us to continue down this road of prosperity, we needed to support the federal budget. The budget provides for an additional 6 per cent in transfer payments to the Yukon government, which will allow our territorial government to continue to provide Yukoners with health and education programs comparable to the rest of the country. The commitment by the federal government to maintain and increase transfer payments to the provinces and territories is essential if we want to maintain Canadians' standard of living.

The budget also contains many other significant initiatives that will assist northerners in becoming more self-sufficient. I speak of a number of them, such as the \$3.2 million that have been committed to help improve housing in the Yukon. I refer to the millions of dollars that have been committed over the next two years to expand the North's three territorial colleges' adult-based educational programs. One must highlight the \$150 million commitment that has been made to complete and fulfill former Prime Minister Diefenbaker's dream, "Road to Resources," the Dempster Highway from Inuvik to Tuktoyaktuk.

We must also refer to the new family caregiver tax credit and the children's arts tax credit, which will help decrease the tax loads for families just like the Child Fitness Tax Credit and the 2 per cent decrease in the GST that were implemented in the last mandate. The fact that the average Canadian family now has an additional \$3,000 to spend on its own needs is a huge success story demonstrating how government policy can affect Canadians' daily lives.

• (1520)

I should also refer to the commitment to post-secondary education, with the expansion of Canada student loans and grants for part-time and full-time post-secondary students, which totals \$34 million. Many of our northerners, First Nations and northern students will benefit from that initiative.

I must also refer to the 15 per cent non-refundable Volunteer Firefighters Tax Credit, which recognizes those volunteers in all our communities in rural Canada who put in so much time to bring us peace and security.

In addition, the initiative to bring in loan forgiveness to attract doctors and nurses to rural Canada will be of long-term social benefit to our citizens in rural Canada, which includes our Yukon.

I am also very pleased to see the initiatives that the federal government is taking to meet our obligations to combat climate change. I can report today that the 160-plus million dollar cost-shared hydro grid expansion in Yukon that was announced through the Economic Action Plan is coming in on budget and on

time. This federal-territorial commitment to renewable energy will help Yukon enjoy a dramatic drop in greenhouse gas emissions and, at the same time, add to our energy supply as well as our distribution system.

Honourable senators, the budget does have the concern for the environment as a priority, and the \$870,000,000 identified to address climate change, air quality and retrofitting of Canadian housing will assist Canada to meet our environmental objectives.

Honourable senators, another initiative in this budget is the allowance for the continuation of the amnesty for the much hated long-gun registry. This will be the last time this initiative will have to be considered as it is the federal government's commitment to bring in legislation later in the year to remove the long-gun registry once and for all. Yukoners are almost unanimous in their opposition to the long-gun registry and are looking forward to the time when our newly elected MP, Ryan Leef, coming from the riding of Yukon, can stand in his place and vote for the rescinding of this unworkable and costly legislation.

Yes, honourable senators, the budget before you deserves your support. It is a balanced financial approach to meet the needs of Canadian families, the needs of our students, the needs of Canadians who cannot fend for themselves, and the needs of our senior citizens. At the same time, it maintains a fair yet low tax system for our citizens and corporations, so they can continue to help our country's economy expand.

The Hon. the Speaker *pro tempore*: Is there further debate?

It has been moved by the Honourable Senator Carignan, seconded by the Honourable Senator Meighen, that further debate in this matter be adjourned until the next sitting of the Senate. Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

(On motion of Senator Carignan, debate adjourned.)

[*Translation*]

LIBYA

INQUIRY—DEBATE ADJOURNED

Hon. Suzanne Fortin-Duplessis rose pursuant to notice of Senator Claude Carignan on June 7, 2011:

That he will call the attention of the Senate to the deplorable use of violence by the Libyan regime against the Libyan people as well as the actions the Canadian Government is undertaking alongside our allies, partners and the United Nations, in order to promote and support United Nations Security Council Resolution 1973.

She said: Honourable senators, I would like to thank the Honourable Josée Verner for asking me to be her sponsor. I was proud to accept because I admire her greatly.

Honourable senators, the House of Commons is currently debating NATO's military intervention in Libya, and it will be followed tomorrow by a vote on extending Canada's involvement. As you know, our government has requested an extension of three and a half months.

Until now, we have looked at the situation in Libya from a military and diplomatic angle, with a view to finding a solution to the conflict. However, today I would like to talk about the crisis in Libya and the way it has been handled internationally, with a focus on the problem of human rights and international justice, by discussing some dynamics and important points.

The conflict in Libya has included a huge number of human rights violations and an especially worrisome humanitarian situation. For months now, regional organizations and UN agencies have been highlighting the humanitarian emergency and the health care, food, water and housing needs of the thousands of refugees on the country's eastern and western borders. The Libyan authorities have been called upon to authorize immediate, free and secure access in order to better assess the humanitarian needs and respond accordingly.

Aside from the Libyan civilian population, foreign nationals, mostly immigrants, are suffering as a result of the situation in the country. The United Nations High Commissioner for Refugees has expressed concerns about the increasing violence and discrimination against sub-Saharan Africans, and called on everyone involved to recognize the vulnerability of sub-Saharan refugees and migrants and to take the necessary action to ensure their safety.

The UNHCR spokesman spoke about a group of Sudanese who arrived at the Tunisian border with eastern Libya:

They reported that many people had their documents confiscated or destroyed. We heard similar accounts from a group of Chadians who fled Benghazi, Al Bayda and Brega in the past few days.

Foreign nationals who arrive at the eastern and western borders are living in precarious conditions as they wait to go home. More than 212,000 have apparently fled the violence in Libya.

The Libyan crisis illustrates other problems such as the use of mercenaries and the fear that they may be involved in serious human rights violations. Another problem is the use of landmines and anti-tank mines by Moammar Gadhafi's forces, as reported by the NGO Human Rights Watch.

The situation in Libya is on the radar of a number of institutions that promote and protect human rights such as the African Court on Human and Peoples' Rights, the UN Human Rights Council, as well as the General Assembly, not to mention, of course, the UN Security Council.

During the Ninth Extra-Ordinary Session of the African Commission on Human and Peoples' Rights held from February 23 to March 3, 2011, the Commission said it was:

... deeply concerned about the alarming human rights situation that these events have engendered, characterized

by serious and massive human rights violations resulting from the blind and indiscriminate use of force, in particular through aerial bombings, *the* recourse to mercenaries to suppress peaceful demonstrations and the legitimate protests of the citizens.

It also condemned:

... the divisionist speeches of the Head of State, Mouammar El Kadhafi, *and the bloody reprisal by the Government . . . against its own population.*

And it invited an immediate end to:

... acts of violence and to all the forms of suppression. . .

It also called upon the African Union and the international community to assume its responsibility by taking:

... all the necessary political and legal measures for the protection of the Libyan population and for the establishment of genuine democratic governance in the State Party.

The African Court on Human and Peoples' Rights, in relation to an application received from the African Commission on Human and Peoples' Rights, also examined the situation in Libya regarding allegations of serious and widespread human rights violations committed by the Libyan government, and in view of the:

... situation of extreme gravity and urgency, as well as a risk of irreparable harm to persons . . .

At the conclusion of its 20th Ordinary Session, held March 14 to 25, 2011, the Court issued an order for provisional measures.

• (1530)

Thus, on March 25, the court ordered the Libyan authorities to:

... immediately refrain from any action that would result in loss of life or violation of physical integrity of persons. . .

and to:

... respect African and international human rights instruments.

On an international level, on March 2, 2011, the UN General Assembly adopted a consensus resolution described as unprecedented, suspending Libya and expressing through this decision its "deep concern about the situation in that country." That was the first time since the Council's creation five years ago that a member country has been removed from this UN body. During the meeting, delegation after delegation called for an end to the bloodshed and the violent repression of the protests that had, at first, been peaceful. The African Group, represented by Mauritius, said it was in favour of the resolution recalling the statement of the African Union Peace and Security Council condemning the violence and acknowledging that the struggle of the Libyan people was legitimate.

At the opening of the 16th session, on February 28, a number of members spoke before the Human Rights Council calling for action against Libya. The High Commissioner for Human Rights urged member states to evaluate all the “realistic options” for defending human rights in the country. The President of the UN General Assembly and the President of the Council also made appeals to turn words into action. The President of the UN General Assembly said that “the situation in Libya is deeply shocking,” adding that:

. . . failure to act would mean a great loss of credibility for both the Council and the United Nations.

The President of the Council said that the Council needs:

. . . to ensure that our pronouncement in this chamber, however eloquent, the resolutions that we pass, regardless of the number, will be translated into concrete actions that have meaningful impacts on the ground and make real differences on the lives of peoples.

On March 11 the Council also announced the composition of its independent, international Commission of Inquiry it had resolved to establish at the end of its Special Session on February 25. The Commission’s mandate was:

to investigate all alleged human rights violations in Libya, to establish the facts and circumstances of such violations and of the crimes perpetrated, and, where possible identify those responsible . . . with a view to ensuring that those individuals responsible are held accountable.

The Commission filed its report on June 1.

I would like to take the opportunity to commend this international commission of inquiry for the remarkable work it has done in Libya where it met with representatives of the Gadhafi regime in Tripoli, representatives of the National Transitional Council, members of civil society, medical personnel from 10 different hospitals, prisoners, internally displaced people and refugees.

This report confirms the extremely serious nature of the violations of human rights and basic freedoms committed by Moammar Gadhafi’s regime. It condemns the indiscriminate attacks against civilians, the use of heavy weapons in urban areas, the use of torture, arbitrary arrests and detentions, and enforced disappearances.

Based on estimates from Tripoli, Benghazi and NGOs, the Commission estimates that the violence has resulted in 10,000 to 15,000 deaths since the uprising began in mid-February. In addition to the deaths and injuries, the conflict has forced 893,000 people, mostly migrant workers, to flee the country.

I also noted the Commission of Inquiry’s concerns with regard to the human rights violations that may have been committed by the opposition forces, particularly against sub-Saharan African immigrants living in Libya.

In this regard, I point out our government’s commitment to ensure that all parties respect human rights. I am addressing this message to the members of the National Transitional Council, whose willingness to apply the basic principles of human rights is clearly set out in their governing charter.

I fully subscribe to the recommendations made by the Commission of Inquiry.

Along similar lines, the UN Working Group on Enforced or Involuntary Disappearances, one of the special procedures of the Human Rights Council, raised the alarm about the allegations of enforced disappearances and, on March 24, “voiced deep concern about hundreds of alleged enforced disappearances that have taken place in recent months in Libya . . .” These people have allegedly been taken to undisclosed locations where they may have been subjected to torture or other cruel, inhuman or degrading treatments or executed. According to the working group:

Enforced disappearances may amount to a crime against humanity when perpetrated in certain circumstances.

What exactly is the Gadhafi regime’s situation in terms of international justice? With the unanimous adoption of Resolution 1970, the UN Security Council referred the situation in Libya to the International Criminal Court as of February 15. The office of Prosecutor Luis Moreno-Ocampo has already stated that he has obtained information to the effect that “forces loyal to President Moammar Gadhafi are attacking civilians” and specified that this “could constitute crimes against humanity.”

On March 3, the Prosecutor announced his “decision to launch an investigation into crimes against humanity allegedly committed in Libya since February 15, at which time people were attacked by security forces during peaceful demonstrations.” Similarly, he specified that “persons having formal or de facto command over the forces that may have committed such crimes” could also be held responsible for alleged actions.

A few weeks later, on March 25, during a visit to Cairo, the Prosecutor stated that he would request arrest warrants on the grounds of crimes against humanity.

[English]

The Hon. the Speaker *pro tempore*: I regret to inform the Honourable Senator Fortin-Duplessis that her time is up.

Does she wish to ask the chamber for more time?

Senator Fortin-Duplessis: Yes, honourable senators, I need only two minutes.

Some Hon. Senators: Five minutes.

The Hon. the Speaker *pro tempore*: Please proceed.

[*Translation*]

Senator Fortin-Duplessis: That is why, on May 4, the prosecutor informed the United Nations Security Council of measures taken and steps begun by his office to determine the competency of the International Criminal Court to establish responsibilities and begin legal proceedings.

On May 16, the prosecutor asked ICC judges to issue international arrest warrants against three high-ranking Libyan officials: Colonel Moammar Gadhafi, his son, de facto Prime Minister Seif Al-Islam, and head of Libyan intelligence, Abdullah Al Sanousi.

• (1540)

In light of this request from prosecutor Moreno-Ocampo, the Libyan leader is boxed in, both from the military and legal standpoint. This result does not leave him many choices of potential outcomes.

Honourable senators, every day, Libya falls deeper into the depths of murderous rampages and general barbarism. In fact, recently, the International Criminal Court indicated that it had evidence that the Libyan leader had ordered mass rapes. At the express demand of Gadhafi, “conscientious” Libyan authorities allegedly distributed Viagra-type sex aids to the troops. In light of this new information, a new charge could be made against the Libyan leader; a charge of crimes against humanity is already being deliberated.

I will quote prosecutor Luis Moreno-Ocampo:

That is why we had doubts at the beginning, but now we are more convinced that he decided to punish using rape. The rape is a new aspect of the repression. . . We have information to confirm that it was a policy in Libya to rape. There was evidence that Libya was buying containers of these drugs to enhance the possibility to rape women.

Accusations of rape of opponents in Libya are nothing new. In April, the United States Ambassador to the United Nations, Susan Rice, confirmed that Gadhafi’s men were armed with Viagra.

Today, the Canadian government committed \$2 million in humanitarian aid to Libya, part of which is allocated to rape victims.

In conclusion, the absence of a ceasefire, despite the international diplomatic efforts and NATO’s military intervention to weaken pro-Gadhafi troops, does not bode well for an improvement of the humanitarian and human rights situation in Libya. Furthermore, in the likely event that the judges of the International Criminal Court find in favour of issuing arrest warrants against the individuals responsible, we will still be left with the issue of whether they can be effectively carried out.

[*English*]

Hon. Don Meredith: Honourable senators, I rise today to discuss a topic that is quite upsetting. It deals with human rights, the right to free speech and the right for democracy, or the lack

thereof of all three. I am talking about a country that lacks the basic rights for people to live the way they choose. I am talking about Libya. It is a country that has been ruled by many people because of its strategic position in Northern Africa on the Mediterranean. Whether it was the Phoenician, the Greek, the Roman, the Islamic or the Ottoman Empires that held Libya under their control, this land was always seen as a historically rich country with much to offer. Countless battles were fought to conquer this land over many centuries. As we can see today, this is nothing new, since the fighting persists to this day.

During the 20th century, the modern era, this area was, for a short period in its long history, an Italian colony, with the British and the French controlling particular tracts of its land. By 1951, the United Nations General Assembly decided to create an independent country and installed a constitutional and hereditary monarchy under King Idris, a resistance leader during the period between the two world wars. He was the first and last king that Libya would have during the modern times. This monarchy was short lived. In less than 20 years, a revolution took place to install a new way of governing Libya.

On September 1, 1969, a young 27-year-old army officer who was passionate about his country staged a coup d’état against the king. He was to be referred to as the “Brother Leader and Guide of the Revolution.” He was none other than Moammar Muhammad al-Gadhafi. His idealistic conduct carried through not in any democratic way, but through fear and through surveillance of the communities within Libya. It was said that his surveillance methods were far-reaching — not just through the government but also through the manufacturing and education sectors; basically through all aspects of society. Executions of political dissenters were broadcast on state television. The fear that was instilled in the Libyan citizens must have been horrifying at this time.

As we know, honourable senators, this nightmare continues today. We can see that Gadhafi’s government directives throughout the decades and his aggressive modus operandi to rule Libya are off kilter. His brazen artillery strike in 1977 on Egypt was fuelled simply by discontent with his neighbour’s decision to sign a peace treaty with Israel. This four-day border war turned into a farce as Libya was easily defeated, leaving 400 Libyans dead.

In the early seventies, there were reports that Gadhafi was trying to get his hands on a nuclear weapon through China. This deal fell through; so did another attempt with Pakistan. He did, though, successfully amass stockpiles of nerve gas. Why he would want to use such weapons and on whom is unknown.

During the 1980s, Amnesty International reported that at least 25 assassinations were carried out internationally, directed by Gadhafi and his henchmen to get rid of any critics of his regime. Honourable senators, this was done on foreign soil! The most noteworthy incident happened in 1984, when Yvonne Fletcher, a young London police officer, was shot and killed during a protest that went violent in front of the embassy in London. Ten protesters were also shot. The United Kingdom broke off relations with Gadhafi’s government at that time.

Gadhafi asserted that dissidents against his regime were considered targets even if they were on a pilgrimage to Mecca. As recently as 2004, there was a Libyan bounty for the heads of critics to Gadhafi's regime, including \$1 million for Ashur Shamis, a Libyan-British journalist. Is this the correct way to run a country?

Now, the infamous Arab Spring has been spreading through the various countries in the Middle East and Northern Africa. The Libyan government was waving its finger, stating that civil unrest does not happen in their "democratic" country. Most tyrannical leaders believe that their form of rule is always a democracy. The way they lead their country or their kingdom is always fair and just in their minds alone.

As soon as there were murmurings of protests in Libya, as it was spreading throughout the neighbouring countries, namely Tunisia, Gadhafi's plan of attack was to buy off the demonstrators and overturn the protests through handouts and bribery. This may have quashed the initial rumblings, but eventually all the money that was being offered could not stop the wave of vocal discontent on the streets. There was soon a sea of people on the streets who were seen to reject the Gadhafi regime. The only way to deal with the Libyan citizens, in the eyes of a dictator, was through. This meant brute force coupled with violence and bloodshed.

Certain of Gadhafi's soldiers may have felt a sense of compassion and a conflict between their marching orders and their moral conscience. Their direct orders to shoot at fellow Libyans soon turned to remorse. How can someone kill innocent citizens of their own country? It became apparent that some of the Libyan military units were not willing to shoot at defenceless protesters.

Now, remember that this is no lesson from the history books, but something that only happened a few months ago. This is recent! This is now!

For this act of reluctance to kill and acts of compassion, Gadhafi circumvented his dilemma by hiring mercenaries from neighbouring countries to kill at will. There were reports that Nigerian, Malian, Chadian and Kenyan mercenaries were hired to help fight the uprising on behalf of Gadhafi. These mercenaries' sense of allegiance only came in the form of payment, being handsomely rewarded to do the unconscionable and shoot at will — simply at human targets.

Honourable senators, the world did not sit by idly, simply watching what horrific conclusion would come of this. Canada has condemned these brutal attacks and has called on the Libyan regime to cease the use of force against its own citizens.

• (1550)

Our country has decided to help the helpless and attempt to contain the civil unrest and violent demonstrations held in many cities around Libya between civilian protestors and security forces loyal to Moammar Gadhafi.

Canada is one of 17 countries that make up the coalition. Twelve European countries, along with the United Arab Emirates, Turkey, Qatar, and of course the United States, make up this NATO-led force.

The unanimous passing of the United Nations Security Council resolution sends a very clear message: The murder of its own citizens by the Libyan regime and the gross violations of the population's human rights will not be tolerated by the international community and will carry serious consequences.

On February 26 of this year, the United Nations Security Council adopted a resolution imposing sanctions against Libya in response to the actions of Libya that involved violence and the use of force against its civilians.

Under the United Nations Act, measures imposed against Libya include: an arms embargo requiring all states to prevent the sale or supply of arms into Libya or the export of arms from Libya; the inspection of cargo going into Libya; a travel ban on Moammar Gadhafi and 15 individuals closely associated with him; and an asset freeze against Moammar Gadhafi and members of his family.

In March of this year, Canada participated in various coalition strikes against the regime in Libya with no-fly-zone operations.

In the early morning hours of March 23, four Canadian CF-18 jets, accompanied by two CC-150 Polaris tankers, bombed a government ammunition depot in Misrata, marking the first time Canadian jets bombed Libya since the campaign began.

On March 27, Canadian jets destroyed ammunition bunkers south of Misrata. These acts were done in a concerted effort with other coalition countries to stop the violence and put this regime to an end.

Canada continues to work with our key allies and the international community to increase pressure on the Libyan regime and compel its leaders to respect the human rights of the Libyan people. Anyone from this regime that is found to be violating these international laws on human rights should and will be held criminally responsible.

We now are getting reports of media manipulation, where the Libyan forces loyal to Gadhafi are sending international journalists on escorted tours of areas devastated by the coalition to show the world what is happening. The problem is that these international journalists know when they smell rats and recognize a manipulated tragedy when they see one. The scenes and victims are being staged for the journalists to report back to their home countries of the devastation that may have, in all likelihood, been perpetrated by Gadhafi's own people but blamed on coalition forces.

In a recent BBC online report, a journalist discovered that Gadhafi's government passed off a young girl who was injured in a car accident as a victim of a foreign air raid. One of the doctors had slipped a note to a journalist, tipping them off to the

deception. Moreover, government employees loyal to Gadhafi pretended to be family members of victims during tightly controlled official media tours.

I understand that with today's technology we expect to see news reported faster and more graphically, but there is a code of moral conduct that calls for the truth to be released rather than manufacturing it for the world to see. Is Gadhafi's Libya trying to obfuscate the truth so blatantly?

There is also another form of terror which is even more reprehensible, if that is possible. It is the raping of women in Libya. There are a great many verified allegations that sexual violence is being used as a tool of war in Libya. Shocking accounts of gang raping young women and girls have been reported by many journalists.

In one account from the BBC, a reporter interviewed two young prisoners, 17 and 20 years old, who were captured by the rebels. These two young men were part of a pro-Gadhafi unit that was sent into Misrata to terrorize the community there. According to these two young prisoners, they were forced to tie up the men and boys in Misrata and shoot them in the legs. Further, the young men told the reporter that they were forced to rape the women and girls or suffer beatings or worse.

The tragic and senseless killing of innocents is one thing, but the permanent scarring and stigmatization of a culture is worse. These surviving victims must relive the horrors in their minds every day of their lives.

If the media front was not being manipulated enough in Libya itself, there were reports that in February of this year international Libyan students in the United States were instructed to participate in pro-Gadhafi rallies. The Libyan government would pay for all the expenses associated with attending the rally in Washington, D.C., including a plane ticket, hotel room and food. If they chose not to go, threats were made to cut their bursaries. Is this any way to treat your own citizens?

This is a gross act of blackmail, forcing Libyan students studying abroad to do the dirty work of a government regime, in front of the American media and on American soil.

Something similar happened in Canada last month right here in Ottawa. A news release was sent out by the Canadian government on May 17 of this year. It read, "Canada Expels Five Libyan Diplomats." The official reason was that they were carrying out activities that were considered inappropriate and inconsistent with normal diplomatic functions. What could this be about?

Four days before this release, on May 13, there was a protest close to the Libyan Embassy right in downtown Ottawa. It was not a large crowd, but a boisterous one nonetheless, with protesters for and against Gadhafi on either side of the street. One news article stated that a man in a suit who appeared to be an embassy worker crossed the street to confront the anti-Gadhafi protesters, inciting violence. This is not the path to be taken when resolving any conflict, especially in Canada.

Today, in the other place, members are debating the motion to extend the resolution passed in the Fortieth Parliament, on March 11, 2011. Extending the motion for another three and a half months will involve the actions of the Canadian Forces in accordance with United Nations Security Council Resolution 1973.

My honourable colleague Senator Wallin and the Prime Minister have both pointed out in recent public statements that there are costs associated in deploying troops and equipment. However, they reiterated that the cost is part of our international obligation as members of alliances such as NATO and as citizens of the world. Further, the Prime Minister has asked this critical question:

Do we believe in freedom, or do we just say we believe in freedom?

The Hon. the Speaker pro tempore: I regret to inform the honourable senator that his time is up. Does he wish to ask for more time?

Senator Meredith: I ask for three more minutes, please.

Hon. Senators: Agreed.

The Hon. the Speaker pro tempore: Five minutes has been granted.

Senator Meredith: Thank you.

As much as our obligations as world citizens come into play here, our strong belief in human rights must also be stated with unmistakable clarity. That is why I identify so firmly with that additional part of the resolution now being debated in which we deplore "the ongoing use of violence by the Libyan regime against the Libyan people, including the alleged use of rape as a weapon of war by the Libyan regime."

The Minister of Foreign Affairs has pointed out that our intervention in Libya is non-partisan. I agree and urge the government and opposition parties to reach out with a united front to the world beyond our borders. We have tried to keep in mind the views of those in all parties with respect to costs and the need for both diplomacy and humanitarian need.

Libya's deep history and richly diverse population need to continue to contribute to the building of democracy and freedom for all peoples in the Middle East. Our efforts to support these objectives are sorely needed and strategically significant.

Honourable senators, I call on us all to stand firmly for freedom and democracy and against the violence of oppression in Libya at this critical time.

(On motion of Senator Jaffer, debate adjourned.)

• (1600)

SPEECH FROM THE THRONE

MOTION FOR ADDRESS IN REPLY—
DEBATE CONTINUED

On the Order:

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

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

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

MAY IT PLEASE YOUR EXCELLENCY:

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

Hon. Mobina S.B. Jaffer: Honourable senators, I begin by congratulating His Excellency the Governor General on his inaugural Speech from the Throne.

I also take this opportunity to thank Senator Cowan for his incisive response to the Speech from the Throne. As Senator Cowan mentioned, Canada is currently confronted with several very issues, and how we address these issues will indeed shape our nation for years to come. I look forward to working with all honourable senators on these issues, as I am of the opinion that together we can usher in change that will benefit all Canadians regardless of their political affiliations.

Honourable senators, I am rising before you today to respond to the Speech from the Throne. Although several new priorities were mentioned in the Speech from the Throne, there are some I find to be of particular importance. Today, I will be focusing on matrimonial real property on reserve, Canada's new role in Afghanistan, fraudulent and forced marriage, human smuggling and violence against women.

With respect to matrimonial real property, last June, Bill S-4, the Family Homes on Reserves and Matrimonial Interests or Rights Act, came to the Standing Senate Committee on Human Rights. This legislation sought to ensure that women on reserve were provided with the same matrimonial real property rights as the rest of Canadian women. Unfortunately, after hearing testimony offered by several leaders in the Aboriginal community and reading a report advanced by ministerial representative Wendy Grant-John, it quickly became clear that this legislation was inherently flawed. Most of these flaws

stemmed from the fact that the government had failed to uphold its duty to consult. I urge our government to ensure that it consults with Aboriginal communities and with the ministerial representative's recommendations when it reintroduces legislation on this important issue.

[*Translation*]

In December 2010, the Standing Senate Committee on Human Rights published its report, *Training in Afghanistan: Include Women*. We pointed out the important role played by our troops in recent years in Afghanistan. With the change in the mission, the presence of our troops is still required in Afghanistan. However, our government must ensure that gender-specific training for our troops working in Afghanistan is given priority.

[*English*]

On the topic of fraudulent marriage, I wish to thank our government and Minister Kenney for listening to the most marginalized women and wanting to introduce a bill on fraudulent marriage.

Honourable senators, since 1978, which was the year I started practising in British Columbia, I have worked with many women who were victims of marriage fraud. Today, I first want to take a minute to state to all of those women who have been victims of fraudulent marriage and who have suffered in silence that their suffering was not in vain. The government will take action to ensure that other women are not subjected to a similar fate.

Honourable senators, although I could share many stories of suffering with you today, I will focus on two. The others I will share when this bill is formally introduced.

The first story is that of a Canadian woman who was deceived, leaving her life in ruins, and the other is that of an unsuspecting Indian woman whose life was turned upside down, leaving her and her family destitute.

Sanjeet's relatives introduced her to a man from her parents' village. Everyone told her that he was a kind man and would make a very good husband. She believed her relatives. She and her family went to India. As is the custom, her family gave a big dowry to his family. Sanjeet's family had an elaborate wedding and then Sanjeet and her husband went on a honeymoon.

Believing her relatives, Sanjeet thought she had found her Prince Charming. She returned to Canada and sponsored her husband. In the meantime, she visited him twice in India and was very content.

The sponsorship application took one year, and then her husband arrived at the airport. At the airport, she noticed that her husband did not seem as warm as he had been in India. However, she blamed that on jet lag.

When they arrived at her parents' home where she was living, her husband found fault with everything. He did not like their bedroom. He complained that her parents' home was too small. He complained that Sanjeet's cooking was lacking. Sanjeet was at her wit's end. No matter what she did, she could not please her husband.

After seven days of very unacceptable behaviour, Sanjeet's husband informed her that he never intended to stay with her. He had a girlfriend in India and intended to sponsor her. He left Sanjeet and applied for financial support from her. The authorities informed Sanjeet that she had to support him financially as she had signed a sponsorship agreement in which she had agreed to support him for 10 years.

When I met Sanjeet and her family, I was saddened to tell her that she could not withdraw her sponsorship application, as it was too late.

In drafting the legislation, I urge the minister to include a section that would fast track the deportation of men like Sanjeet's husband. I will also urge the minister to set up a crisis number so that women who are living in circumstances like those to which Sanjeet was subjected receive the support they require.

As I already stated, I am very happy that the legislation on fraudulent marriage will be introduced.

I am also aware that people who are taking advantage of Canadians will try to circumvent this legislation, leaving women in particularly vulnerable positions. We need to ensure that women get the support and access to the resources they require to deal with their predicament.

Honourable senators, I have now known Sanjeet for 15 years. She was never able to remarry because of the stigma attached to being married once before. Her parents have died, as have most of her siblings. She now lives with her nephew. When I see her in the Gurdwara, she is half the woman I first saw in my office. Life has been sucked out of her.

Honourable senators, I have come across several cases where non-Canadian women are defrauded by Canadian men. I find this both very embarrassing and shameful.

Let me share with you the experience of Surjeet. Surjeet's family was approached by a matchmaker. The family agreed to have Surjeet marry Jaspal, a Canadian. Jaspal asked for an exorbitant dowry. To meet his expectations of a dowry, the family sold their farm and many of their assets, as they were willing to make such significant sacrifices if it meant that their daughter would have a good life in Canada.

When Jaspal and his family arrived, they made many demands of the family. The family tried to meet most of those demands. After the wedding, Jaspal left, telling Surjeet he did not have any more vacation days. One month passed, two months passed, and Surjeet did not hear from Jaspal. He would not take her calls. One year passed, and Surjeet did not hear from Jaspal.

When I was approached by Surjeet's relatives, I had to tell them there was nothing I could do to help Surjeet. Today, Surjeet's family is destitute. Her father has died, her mother is very sick and all her siblings blame her for their sufferings.

When this bill is drafted, I ask our government to find a way to also help non-Canadian women who are defrauded by Canadian men. We need to find a way to allow women in Surjeet's position

to have the protection they deserve. We have a moral duty to help vulnerable women like Surjeet. I ask our government that, with the introduction of legislation on fraudulent marriage, a bill also be introduced on forced marriage, as the two issues go hand in hand.

[Translation]

These days, forcing a daughter to marry is a common practice in certain societies. Often, a young girl's vacation turns into a wedding, despite her tender age and against her will.

[English]

For many years, I have been working with young girls from the age 14 to 18 who have been forcibly taken by their parents to the country of their birth and married. It is not just a Canadian problem but also a global problem. For many years, I have been working with foreign office officials from Britain. They have amazing outreach programs to help British girls return to Britain. France, too, has a similar program in place. I urge our government to build on the successes of both France and Britain and introduce legislation that will make it clear to parents that forced marriages are, in fact, child abuse, and there will be severe criminal penalties for those who carry out this practice.

Honourable senators, thousands of Canadians are in vulnerable positions and face several challenges. I thank the government for taking the first step. You have given dignity to many young women and girls, and I now urge you to take this initiative one step further and include those girls who become victims of forced marriage.

• (1610)

[Translation]

In the Speech from the Throne, the government made a straightforward commitment, and I quote:

Our Government is committed to protecting the integrity of our immigration system. It will introduce measures to address marriage fraud — an abuse of our system that can victimize unsuspecting Canadians and vulnerable immigrants.

When the bills are introduced, we can model them after current legislation in such countries as England and France, or others such as Germany, Belgium, Denmark or even Spain and Italy. These countries are advanced in such matters, and in some, fraudulent marriages are even punished under their criminal code.

In France, the March 1, 2007, consolidated version of statute 1376 of November 14, 2006, overseeing the validity of marriages, establishes a mechanism to prevent fraudulent marriages and seeks to fight marriages of convenience.

[English]

Legislation needs to be supported with the resources necessary to ensure that it is properly implemented. My experience has taught me that simply passing legislation criminalizing activities is

often inadequate. If we are to deal with the issue of fraudulent marriage, then we need to ensure that the resulting piece of legislation is supported by frameworks that will help ensure that these issues are appropriately addressed.

For example, in 1997, Bill C-27, An Act to amend the Criminal Code, received Royal Assent, making the practice of female genital mutilation a criminal offence. When this legislation came into effect, I was involved in the process of drafting training manuals that were created in an effort to help ensure that this practice no longer occurred in Canada. Unfortunately, the sufficient resources necessary to ensure the implementation of this bill were not allocated. Since this bill came into effect, not one charge has been laid, even though I know that young Canadian girls are still victimized by this practice. This is largely due to the fact that this bill was not supported with appropriate resources.

Just last month, my office participated in a symposium on female genital cutting led by the Sexuality Education Resource Centre based in Winnipeg. During this symposium, we received further confirmation from health care officials, midwives and academics that this practice indeed still exists in Canada. It was here that we also learned that, although there are laws set out to protect our vulnerable girls from cultural practices that will harm them, simply making the practice of female genital mutilation a crime would not achieve this end.

Honourable senators, this is but one example of how essential it is to ensure that pieces of legislation are accompanied by the necessary resources and framework.

The same is true of the sex tourism bill that was introduced. To my knowledge, there have only been two people prosecuted, and these cases were discovered not as a result of efforts by the authorities. This is another example of why we need to ensure that legislation is supported by necessary resources.

When drafting legislation to deal with the issues of fraudulent marriage, I urge our government to ensure that the proper resources and frameworks are in place so that the respective pieces of legislation can be enforced.

Human smuggling. In the Throne Speech, it was also stated that legislation would be introduced that would address human smuggling. Canada has a history of turning away boats of desperate people. To this day, we regret this. I urge our government, when drafting this legislation, to balance the needs of desperate and often persecuted people who arrive on our shores with the need that our country has to protect our borders.

In the Throne Speech, it was stated:

It will address the problem of violence against women and girls.

I commend our government for this initiative. Having worked on this issue for many years, I believe that we can all address the root causes of violence against women and girls.

Over the last few years, I have visited a number of family violence courts located across the country. Unfortunately, not all provinces have family violence courts. Sadly, my province of

British Columbia is among those provinces that do not have a court in place to deal specifically with family violence. I have, however, urged successive Attorneys General in British Columbia to start a pilot project regarding the establishment of family violence courts and will continue to do so. I believe that establishing such a court would reduce the number of women who are abused. I urge the Minister of Justice, Minister Nicholson, and the Minister of the Status of Women, Minister Rona Ambrose, to work with the provinces and have them introduce family violence courts in all provinces.

In my experience, some of the best family violence courts are located in Calgary. I commend the Government of Alberta for this initiative. These courts are particularly designed to help women deal with the after-effects of abuse. The women get the help they require from one place. When speaking to the Calgary court officials, I was particularly impressed by their work in identifying serial abusers. These are men who have, over the years, abused many women. When these men realize that they will have to deal with the same court officials every time they are arrested for assaulting their partners, they are less likely to reoffend.

These courts are dealing with the root causes of the abuse and changing the behaviour of routine offenders in the process. Not only do they protect women who have been victims of abuse, they also require men to attend anger management courses that are run by the court, giving them the help they require to deal with their anger.

Honourable senators, I look forward to working with you on these issues addressed in the Throne Speech, particularly those issues that are aimed at assisting some of the most marginalized women in Canada.

(On motion of Senator Tardif, debate adjourned.)

[*Translation*]

BUSINESS OF THE SENATE

MOTION TO CHANGE COMMENCEMENT TIME ON WEDNESDAYS AND THURSDAYS AND TO EFFECT WEDNESDAY ADJOURNMENTS FOR THE REMAINDER OF JUNE 2011 ADOPTED

Hon. Claude Carignan (Deputy Leader of the Government),
pursuant to notice of June 14, 2011, moved:

That, during the remainder of the month of June 2011,

- (a) when the Senate sits on a Wednesday or a Thursday, it shall sit at 1:30 p.m. notwithstanding rule 5(1)(a);
- (b) when the Senate sits on a Wednesday, it stand adjourned at the later of 4 p.m. or the end of Government Business, but no later than the time otherwise provided in the Rules, unless it has been suspended for the purpose of taking a deferred vote or has earlier adjourned; and

(c) when a vote is deferred until 5:30 p.m. on a Wednesday, the Speaker shall interrupt the proceedings, if required, immediately prior to any adjournment but no later than the time provided in paragraph (b), to suspend the sitting until 5:30 p.m. for the taking of the deferred vote, and that committees be authorized to meet during the period that the sitting is suspended.

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

Hon. Senators: Agreed.

(Motion agreed to.)

MOTION TO AUTHORIZE HUMAN RIGHTS, OFFICIAL LANGUAGES AND NATIONAL DEFENCE COMMITTEES TO MEET ON MONDAYS FOR REMAINDER OF CURRENT SESSION ADOPTED

Hon. Claude Carignan (Deputy Leader of the Government), pursuant to notice of June 14, 2011, moved:

That, pursuant to rule 95(3), for the remainder of this session, the Standing Senate Committees on Human Rights, Official Languages, and National Security and Defence be authorized to meet at their approved meeting times as determined by the Government and Opposition Whips on any Monday which immediately precedes a Tuesday when the Senate is scheduled to sit, even though the Senate may then be adjourned for a period exceeding a week.

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

Hon. Senators: Agreed.

(Motion agreed to.)

• (1620)

CRIMINAL CODE

BILL TO AMEND—LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE AUTHORIZED TO STUDY SUBJECT MATTER OF BILL C-2

Hon. Claude Carignan (Deputy Leader of the Government), pursuant to notice of June 14, 2011, moved:

That, in accordance with rule 74(1), the Standing Senate Committee on Legal and Constitutional Affairs be authorized to examine the subject-matter of Bill C-2, An Act to amend the Criminal Code (mega-trials), introduced in the House of Commons on June 13, 2011, in advance of the said bill coming before the Senate.

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

[Senator Carignan]

Hon. Senators: Agreed.

(Motion agreed to.)

BILL TO IMPLEMENT CERTAIN PROVISIONS OF BUDGET 2011

NATIONAL FINANCE COMMITTEE AUTHORIZED TO STUDY SUBJECT MATTER OF BILL C-3

Hon. Claude Carignan (Deputy Leader of the Government), pursuant to notice of June 14, 2011, moved:

That, in accordance with rule 74(1), the Standing Senate Committee on National Finance be authorized to examine the subject-matter of Bill C-3, An Act to implement certain provisions of the 2011 budget as updated on June 6, 2011, introduced in the House of Commons on June 14, 2011, in advance of the said bill coming before the Senate.

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

Hon. Senators: Agreed.

(Motion agreed to.)

[*English*]

NATIONAL PHILANTHROPY DAY BILL

SECOND READING—DEBATE ADJOURNED

Hon. Terry M. Mercer moved second reading of Bill S-201, An Act respecting a National Philanthropy Day.

He said: Honourable senators, it is a pleasure for me to rise today to again move second reading of An Act respecting National Philanthropy Day, this time Bill S-201. Previous versions include Bill S-203, Bill S-217, Bill S-210, Bill S-204 and Bill S-46, all introduced in the Senate since October 2004 by myself or by our former colleague Senator Grafstein. All have proceeded through this place at least three times, have gone to the House of Commons and have been interrupted by prorogation and/or elections as we have gone along, as life would have it.

I and many others keep at this because it is a worthwhile effort. It is something we need to do and should do.

I do not want to take up too much time, honourable senators, because you all know where my heart lies when it comes to philanthropy. For most of my career, I have been a fundraiser for various organizations across a number of fields of interest and in various parts of the country. The joy of helping and working with others is very dear to me and it is something that I know is dear to all of you.

I have read into the record several times now the good works that senators do for their communities and for their country. I commend you, honourable senators, for that and I say thank you for that.

National Philanthropy Day occurs annually on November 15, when we all pay tribute to hundreds of thousands of volunteers across Canada who make our lives better. Thousands of people, at hundreds of events across North America, participate in celebrations each year and it keeps growing.

Indeed, honourable senators, last Friday I was in Nova Scotia where I met with a group of fundraisers from New Brunswick who were planning a celebration of National Philanthropy Day this fall in New Brunswick. For the first time, there will be a celebration in your home province, Your Honour, and I am looking forward to helping them pull that off.

Again, the statistics bear out the impact of the voluntary sector. In Canada, over two billion volunteer hours are given, which is the equivalent of over one million full-time jobs. What better way to say thank you to those volunteers and those in the charitable sector than by having the federal government officially recognize, by enshrining it in legislation, the tremendous impact this has on our society? I can think of no better way to say thank you.

Honourable senators, this bill has gone through the legislative process before, has been amended before and has gone to the House of Commons before, as I mentioned. Let us come together across party politics again to support this bill. In doing so, we will be saying thank you to our neighbours, our friends and the thousands of strangers who work hard every day to make life better for someone they have not even met.

Honourable senators, for many years, I have been a member of the Association of Fundraising Professionals. We have worked hard to ensure that philanthropy is fair and ethical and that, most important, philanthropy continues to encourage our society to do better. This bill will do just that as well.

Thank you, honourable senators. I encourage you all to support this bill.

Hon. Consiglio Di Nino: Unless someone wishes to ask a question, honourable senators, I will propose the adjournment, but before doing so I will make a couple of quick comments.

The honourable senator and I have talked about this. I have two comments on his presentation. First, I am delighted that he actually admits that he has a heart. I know some people do not believe that, but I know that he has a heart.

Senator Mercer: I have a bleeding heart!

Senator Di Nino: If it is bleeding, then you have to plug it up because you will not last long.

Second, I have been referred to as a “professional beggar.” I have been doing that for 40 years, so I have a great deal of sympathy for what my colleague is saying.

I now propose adjournment of the debate.

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

Hon. Senators: Agreed.

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

[*Translation*]

BUSINESS OF THE SENATE

MOTION TO PERMIT ELECTRONIC COVERAGE OF ALL SELECT AND JOINT COMMITTEES FOR REMAINDER OF CURRENT SESSION ADOPTED

Hon. Claude Carignan (Deputy Leader of the Government), pursuant to notice of June 14, 2011, moved:

That, for the remainder of the current session, all select and joint committees be authorized to permit coverage by electronic media of their public proceedings with the least possible disruption of their hearings.

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

Hon. Senators: Agreed.

(Motion agreed to.)

[*English*]

MOTION TO ENGAGE SERVICES FOR ALL SELECT COMMITTEES FOR REMAINDER OF CURRENT SESSION ADOPTED

Hon. Claude Carignan (Deputy Leader of the Government), pursuant to notice earlier this day, moved:

That, pursuant to section 1(2) of chapter 3:06 of the *Senate Administrative Rules*, all select committees have power, for the remainder of the current session, to engage the services of such counsel and technical, clerical, and other personnel as may be necessary for the purpose of their examination and consideration of such bills, subject matters of bills and estimates as are referred to them.

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

Hon. Senators: Agreed.

(Motion agreed to.)

(The Senate adjourned until Wednesday, June 15, 2011, at 1:30 p.m.)

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