



# DEBATES OF THE SENATE

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OFFICIAL REPORT  
(HANSARD)

Wednesday, February 15, 2012

The Honourable NOËL A. KINSELLA  
Speaker

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## THE SENATE

Wednesday, February 15, 2012

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

Prayers.

### BUSINESS OF THE SENATE

**The Hon. the Speaker:** Honourable senators, before calling for Senators' Statements, I wish to once again remind you that the Diamond Jubilee book that will be delivered to Her Majesty next week at Buckingham Palace will be removed from the foyer because it has to be taken to the bookbinder this afternoon. Honourable senators who have yet to sign it, please do so out in the foyer before 4 p.m. this afternoon.

## SENATORS' STATEMENTS

### CANADIAN FEDERATION OF STUDENTS

#### NATIONAL DAY OF ACTION RALLY

**Hon. Lillian Eva Dyck:** Honourable senators, on February 1, I attended the Canadian Federation of Students National Day of Action Rally, a student rally organized by the Indigenous Students Association at the First Nations University of Canada in Regina, Saskatchewan. Joined with other students at the University of Regina, First Nations University students, professors and student leaders demanded that the federal government remove the 2 per cent cap on Aboriginal post-secondary education and live up to the treaty right to education.

As honourable senators know, through the recent succession of studies on Aboriginal education, first by the Standing Senate Committee on Aboriginal Peoples, and just last week by the national panel on education, a distinct and significant funding gap exists between First Nations students on-reserve and those in the provincial school system. This gap is institutionalized in policy when it comes to post-secondary education because of the 2 per cent cap on the Post-Secondary Student Support Program. This program supports First Nations students who attend post-secondary institutions.

According to the National Education Council and the Assembly of First Nations, from 2001 to 2006, an estimated 10,500 students did not have access to post-secondary education due to the lack of funding. They were flat out denied funding for their post-secondary studies because the amount of the Post-Secondary Student Support Program funds has been capped since 1996. In Saskatchewan alone, approximately 1,000 students were denied funding for the 2009-10 academic year. The number of students this program funds has steadily declined from 22,930 students in the 1997-98 academic year to only 18,729 students in the 2009-10 academic year.

The federal government, through Aboriginal Affairs and Northern Development Canada, has in effect put a cap on the future prosperity of First Nations youth and their ability to contribute to their communities.

Honourable senators know that education is a key component in helping to solve problems that beset First Nations communities in Canada. Furthermore, investment in the education of Aboriginal youth, the fastest growing demographic in Canada, would result in a positive impact on the Canadian economy as a whole.

Honourable senators, these students demanded that the 2 per cent cap on Post-Secondary Student Support Program funding for First Nations students be removed and have sent a letter to Minister Duncan outlining their demands.

I commend the students for their actions and support their demands for the removal of the 2 per cent cap on funding for the Post-Secondary Student Support program from the federal government. As Little Black Bear First Nation Chief Perry Bellegarde stated at the rally, "We're First Nations people being treated like second-class citizens, living in Third World conditions in the fourth-best country to live in the world, and that is not acceptable in 2012."

Honourable senators, it is time for Canada to honour the treaty right to education.

### WORLD CANCER DAY

**Hon. Donald H. Oliver:** Honourable senators:

Cancer is on the minds of all Canadians. Over 80 per cent of Canadians list cancer as their greatest health concern, but they are often at a loss when it comes to knowing how to prevent it.

We know that public policies, environmental regulation, public education, healthy diet, physical activity, infection control, patient empowerment and medical advances all play critical roles in reducing the burden of cancer.

Honourable senators, those words I have just quoted are the words of the late Nova Scotia Senator Fred Dickson, who lost his battle with cancer last week. Senator Dickson was a good friend and a man of great integrity who served his country as well. He was a strong promoter of cancer awareness, research and prevention. It is therefore with a heavy heart that I rise today to call your attention to February 4, World Cancer Day. This year's theme was "Together it is Possible."

[*Translation*]

On February 4, individuals, organizations and governments met to increase public awareness of cancer. Statistics show that 600,000 people in the world die of cancer every month.

[English]

According to the *Canadian Cancer Statistics 2011* report, it is estimated that there have been 75,000 deaths from cancer and nearly 178,000 new cases of cancer in 2011. Forty per cent of women and 45 per cent of men in Canada will develop cancer in their lifetimes, and approximately one out of every four Canadians will die from it.

Among Canadian men, prostate cancer is one of the most common forms of cancer. It is estimated that 25,500 men were diagnosed with prostate cancer last year. One in seven men will develop prostate cancer during his lifetime. One in 28 will die from it.

Honourable senators, I am one of those seven men, and I am blessed to be a survivor.

According to the American Cancer Society, “cancers that can be prevented or detected early by screening account for at least half of all the new cancer cases.” This indicates just how important cancer prevention, early detection and health promotion programs are — something Senator Dickson strongly advocated.

Honourable senators may remember that the Conservative government created the Canadian Partnership Against Cancer in November 2006. Its work includes cancer prevention and screening, research and supportive care. On March 11, 2011, Prime Minister Harper renewed the government’s funding to the partnership until 2017. He said:

The funding announced today is part of our government’s commitment to keep Canadians and their families healthy, to help doctors detect cancer sooner and to give health care workers, support groups and survivors the help that they need to fight back.

• (1340)

Honourable senators, most Canadians have been affected by cancer in one way or another. In honour of Senator Dickson, please join me in stressing the importance of early cancer detection, treatment and prevention programs across Canada. We, as a society, must unite in our fight against cancer and reduce overall cancer incidence and mortality. In keeping with the theme of World Cancer Day, “Together it is possible.”

[Translation]

### HIS ROYAL HIGHNESS PRINCE KARIM AGA KHAN

#### CONGRATULATIONS ON HONORARY DEGREE

**Hon. Mobina S.B. Jaffer:** Honourable senators, on Friday, January 13, His Royal Highness Prince Karim Aga Khan, spiritual leader of the Shia Ismaili Muslims, received an honorary doctorate from the University of Ottawa for his service to humanity.

For over 50 years, His Royal Highness the Aga Khan has worked tirelessly to improve the quality of life of people living in the poorest and most disadvantaged areas of the world,

[ Senator Oliver ]

particularly Africa, Central and South Asia and the Middle East. Allan Rock, President of the University of Ottawa, said the following about the Aga Khan’s accomplishments:

His Highness speaks directly to the goodness in all people. By his words and actions, he has demonstrated that there are no divisions among us if our desire truly is to create a better world.

Honourable senators, when speaking to the people assembled at the graduation ceremony, His Highness shared several important messages, some of which pertain directly to the work that we do in this institution. In his speech, which focused mainly on governance and public policy, His Highness talked about the challenges facing many developing countries that are seeking to establish sustainable democracies and constitutional systems. He also emphasized how important it is to remember that solutions that may work in more affluent societies may not work in developing countries. This must be taken into account when we provide assistance to developing countries in the area of governance. We must adapt our solutions to individual countries, taking into account their history and the realities that define them.

Honourable senators, His Highness the Aga Khan recently selected Canada to direct a number of high-profile projects, namely an Ismaili centre, a museum and a park in Toronto, as well as the Global Centre for Pluralism located here in Ottawa.

We must remember why His Highness chose Canada to implement these very important projects. To end his speech, His Highness made this very profound statement:

In my experience, a country’s standing in our contemporary world is no longer recognized by what it can achieve for itself, but by what it can do for others. In this context, Canada has truly become a great world power.

Honourable senators, His Highness Prince Karim Aga Khan has put his trust in our country because he believes that Canada is a fair and tolerant nation that takes pride in equality. Let us continue to work hard and strengthen these values.

[English]

### CANADIAN FORCES

#### AFGHANISTAN MISSION

**Hon. Pamela Wallin:** Honourable senators, I wish to pay tribute today to our Canadian Forces who continue to do an incredible job in Afghanistan training Afghan security forces.

On Monday, the Defence Committee was briefed by Lieutenant-General Stuart Beare and Major-General Jonathan Vance, just as some 450 troops of the Second Battalion Royal Canadian Regiment in Gagetown said their goodbyes to loved ones and deployed to Afghanistan, the second Canadian rotation in the training mission there.

Soon, some 500 soldiers from across Canada will also deploy, including a good number of reservists who offer their special civilian skills to the forces.

Our recent committee report stated emphatically that reservists make a vital contribution. That report was approved by both sides, but it is now delayed here in the chamber by the opposition.

Honourable senators, our trainers are finishing the original Afghan mission, that is, to make Afghans ready and able to defend and protect themselves. Today, they number more than 310,000 on track to meet the objective of 352,000 Afghan security forces by this fall.

In just two years, there has been a tremendous increase in quantity, quality and capacity. Two years ago, there was no mandatory national literacy program for Afghans. Now, 130,000 Afghan army and police members are in or have completed full-time literacy programs. As Lieutenant-General Beare says:

Going from zero to one in reading and writing — just recognizing a number or letter — is a human capital investment beyond description.

Though our effort is centered in Kabul, there are more than 30 training centres across the country. On any given day, there are up to 25,000 army personnel and 10,000 to 15,000 police actually in training.

Canadian Forces and Canadian police officers continue to do us proud. They are not only training Afghans to be soldiers and policemen — or police woman, which is increasingly the case — but they are also training Afghan officers to lead and teachers to teach and to go on to train their own leaders and teachers. The true benefit, though, is not just that Afghans are becoming literate soldiers or police officers, but that they are becoming role models and heroes in their home communities, able to finally push aside the tyranny of the Taliban and the deep-pocketed drug lords. We thank the men and women of this country who serve the larger world.

## BLACK HISTORY MONTH

MRS. EVELINA UPSHAW

**Hon. Wilfred P. Moore:** Honourable senators, in this Black History Month, I rise to pay tribute to Mrs. Evelina Upshaw of Halifax, Nova Scotia. Born in Windsor Plains, Hants County, Nova Scotia, she was married at 19 years of age and is a mother who brought up her six children as a single parent when her husband left home. She moved to the Mulgrave Park neighbourhood of Halifax 50 years ago. There she raised her family and lifted a Black community through food and prayer, kindness and wisdom.

Despite her humble circumstances, Mrs. Upshaw has fed children who might not otherwise eat. She has spoken out for her Black community and has been a tireless visitor of the sick and dying. She has been a proud member of Cornwallis Street Baptist church for more than 50 years, singing in its choir and

volunteering for 33 years in its hot lunch program for kids who were going without food because their parents were at work. For years, Mrs. Upshaw planned and prepared meals herself, cooking for up to 130 kids each morning while her own children were at school. Today, at a youthful 84 years, with her fellow volunteer Liz Jackson, she serves up to 80 brown bag breakfasts each weekday morning to kids in Mulgrave Park.

Mrs. Upshaw also passes out some lessons on behaviour and respect with her food. All children must wash their hands before eating and thank the Lord for the food they receive. She will not allow swearing or fighting, or throwing food or unkind words. She has thousands of kids in her extended family, and decades later those recipients of Mrs. Upshaw's kindness still call her "mom." She continues to try to put young people in the right place.

Affectionately known as the Queen of Mulgrave Park, Mrs. Evelina Upshaw is a true role model for all races, and a real heroine.

[*Translation*]

## HOOKED ON SCHOOL DAYS

**Hon. Claude Carignan:** Honourable senators, today I would like to draw to your attention Quebec's Hooked on School Days, intended to raise awareness of the high dropout rate among boys, particularly in Quebec. That is why a number of Quebec senators are wearing the school perseverance ribbon today.

The green and white ribbon symbolizes the value of staying in school and a commitment to supporting school perseverance. Green stands for youth and hope. It represents young people, who need to be recognized and acknowledged in order to stay in school. White, a blend of all colours, represents the community that contributes to the development of its young people. The intertwining of the two ribbons illustrates the ties that unite young people and the community. The loop, open-ended, holds the promise of a better future.

• (1350)

People who wear the perseverance ribbon show their commitment to supporting young people in their efforts and in their academic success.

I invite all senators to wear the green and white ribbon.

[*English*]

## NATIONAL FLAG OF CANADA DAY

**Hon. Roméo Antoinius Dallaire:** Honourable senators, 47 years ago today we witnessed the birth of our greatest national symbol. This is National Flag Day of Canada. Since then, the red and white Maple Leaf, Canada's national flag, has become a symbol of hope, tolerance and democracy as seen on flag poles, backpacks and even on combat uniforms of our brave men and women serving overseas and at home.

My dad, a veteran of World War II and a career soldier who joined the army in 1929, as well as my father-in-law who joined the army in 1928 and also served six years overseas, fought under the Red Ensign. In so doing, they had a difficult question to solve in regard to accepting the red maple leaf as the national symbol. However, they turned warmly to it and it took little to no time for them to accept that that is the symbol of Canada into the future, which we should be proud to serve under and also make the sacrifices needed to advance what we believe in: tolerance, hope, respect and democracy.

I am proud to pay specific tribute to this great flag and to one great Canadian in particular who made this possible: Lieutenant-Colonel John Ross Matheson, Judge Matheson, born in Arundel, Quebec, in 1917. John Matheson was a student when the Second World War broke out. He trained at the Royal Military College of Canada and served with the 1st Regiment Royal Canadian Horse Artillery, my old regiment, in Italy. On December 1, 1943, he was wounded by six pieces of shrapnel while crossing the Moro River.

After returning from war, Major Matheson's injuries left him paraplegic and epileptic. However, he pursued careers in law and politics. He served as a Liberal member of Parliament from 1961 to 1968. During that time, and under the leadership of Prime Minister Lester B. Pearson, Mr. Matheson was the driving force behind the committee responsible for selecting the new flag of Canada.

He was instrumental in choosing the current maple leaf design and is referred to by many as the father of the Canadian flag. The inspiration for the flag came to him while looking over MacKenzie Building at the Royal Military College and seeing the flag of that college flying. That college flag has the two red symbols on the extents and the royal military college emblem in the centre. It was from that red, the army red, that the flag built its conceptual design that was ultimately accepted as the Canadian Maple Leaf, the Canadian flag.

Judge Matheson's achievements are individually impressive — together, they are truly exceptional. Please join me in celebrating this remarkable Canadian, this decorated and injured veteran, this judge of the courts who brought enormous stability to our nation and a point of great recognition to our future and our future endeavours with his most recognizable accomplishment. We thank him and we wish him well in his continued good health.

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## ROUTINE PROCEEDINGS

### ABORIGINAL AFFAIRS AND NORTHERN DEVELOPMENT

#### ANNUAL REPORT ON IMPLEMENTATION OF WESTBANK FIRST NATION SELF-GOVERNMENT AGREEMENT FOR 2008-10 TABLED

**Hon. Claude Carignan (Deputy Leader of the Government):** Honourable senators, I have the honour to table, in both official languages, the Westbank First Nation Self-Government Agreement Annual Report on Implementation 2008-10.

[ Senator Dallaire ]

[*Translation*]

#### STATE OF INUIT CULTURE AND SOCIETY IN THE NUNAVUT SETTLEMENT AREA— 2009-10 ANNUAL 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 Annual Report on the State of Inuit Culture and Society in the Nunavut Settlement Area.

### CRIMINAL CODE CANADA EVIDENCE ACT SECURITY OF INFORMATION ACT

#### BILL TO AMEND—FIRST READING

**Hon. Claude Carignan (Deputy Leader of the Government)** introduced Bill S-7, An Act to amend the Criminal Code, the Canada Evidence Act and the Security of Information Act.

(Bill read first time.)

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

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

[*English*]

### SAFE STREETS AND COMMUNITIES BILL

#### PRESENTATION OF PETITION

**Hon. Jane Cordy:** Honourable senators, I have the honour to present a petition from the residents of Canada calling on the government to withdraw Bill C-10, the proposed Safe Streets and Communities Act, as it fails to address, among other things, the over-incarceration of First Nations people. It will cost the taxpayers billions of dollars, it will take away judges' discretion when sentencing offenders and it ignores the underlying social issues that lead to crime.

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

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[*Translation*]

## QUESTION PERIOD

### ABORIGINAL AFFAIRS AND NORTHERN DEVELOPMENT

#### FIRST NATIONS EDUCATION FUNDING

**Hon. Claudette Tardif (Deputy Leader of the Opposition):** Honourable senators, my question is for the Leader of the Government in the Senate. The national panel mandated to

evaluate First Nations elementary and secondary education, created by the federal government and the Assembly of First Nations, released a report last week recommending positive measures for First Nations education.

The panel's recommendations come in addition to several reports released over the past few years that reiterate what everyone already knows: First Nations communities lack a truly organized education system, and resources and investments earmarked for students on reserves are significantly less than those earmarked for students in provincial school systems. An earlier report calculated that First Nations schools receive between \$2,000 and \$3,000 less per student than provincially run schools.

The government has all the facts it needs to rectify the situation and develop a funding formula tailored to the needs of First Nations students and communities.

Madam leader, what is your government waiting for to eliminate the gap in funding for First Nations education?

[English]

**Hon. Marjory LeBreton (Leader of the Government):** I thank the honourable senator for the question. I hasten to add that there was also an excellent report prepared by the Standing Senate Committee on Aboriginal Peoples, which I am sure Senator Tardif would have wanted to acknowledge and support.

We have obviously received the recommendations of the panel. The government, most particularly the Minister of Aboriginal Affairs, is working now to quickly study these recommendations. As I have said before, with regard to Aboriginal education, this is something that the government will work on in partnership with our Aboriginal leaders and communities.

As honourable senators know, we have signed five education partnership agreements with the provinces and First Nations. In January, Minister Duncan was proud to sign the British Columbia First Nations Tripartite Education Framework Agreement. This was a very good program in which to participate. There is every indication that very good results will come of it. Since coming to office, the government has built 22 new schools; and last month, it tendered for a new school in Attawapiskat.

• (1400)

[Translation]

**Senator Tardif:** The panel finds that most First Nations schools clearly do not have enough resources to help their students succeed. They have fewer books and computers, classrooms are overcrowded, and there is a huge disparity in the salaries of the teachers and principals.

Given the extent of the current underfunding and the urgency of the situation, the panel is recommending immediate financial measures.

My question is simple: will the government follow through on these urgent recommendations in the next budget in order to reduce the growing gap in education funding for Aboriginal children?

[English]

**Senator LeBreton:** The government acknowledges, as did the report, that serious issues need to be addressed. The Crown-First Nations meeting held in late January focused almost exclusively on economic opportunities and education for Aboriginal youth. The government takes this matter seriously. Significant progress has been made. I assure honourable senators that the government realizes the severity of the issue. The Minister of Aboriginal Affairs and Northern Development and his parliamentary secretary will take measures as quickly as possible to address these many concerns.

**Hon. Lillian Eva Dyck:** Honourable senators, this is a critically important issue. I would like to provide a concrete example of the funding gap and how it affects teachers' salaries in Saskatchewan.

As reported in *The Globe and Mail* last week and on CBC Radio, the principal of the school on Waterhen Lake First Nation in Saskatchewan, Mr. John Walter, said that the funding is so critical that he has to choose between firing some of his teaching staff or asking them all to take a pay cut, which of course he should not have to do. Senator Tardif talked about the lack of resources. Mr. Walter has to cut programs and put together his own computers.

Despite all of that, the school program is succeeding. This year, they will graduate six students from high school, and their success rate in math has increased. Two years ago, none of the students were performing at grade level, but today, 33 per cent are meeting that standard. Mr. Walter said that if he cannot keep his teachers, in particular the experienced teachers who cost more because they have been teaching longer, then that success rate is at risk. He is truly in a dilemma. Like many other on-reserve schools and principals, he cannot match the salary that a comparable teacher would receive if they taught at the provincial level off reserve.

Mr. Walter has been told by Aboriginal Affairs and Northern Development Canada that there will not be additional funding for salary increases for his teachers. What is he to do? What will the Department of Aboriginal Affairs and Northern Development do about this funding gap, in particular for Waterhen Lake school in Saskatchewan? What will the government do? Will it fail this school and not provide the funding to retain those experienced teachers?

**Senator LeBreton:** The honourable senator has brought to the attention of this place the situation in one school. All of the things that she put on the record, and she cites one example, are reflective of the situation in many communities across the country.

There is no doubt, honourable senators, that we cannot tolerate young people in our Aboriginal communities leaving communities and not being properly educated. The honourable senator participated in and supported a Senate study, and the government has received the report and the recommendations of the national aboriginal education panel. The government takes

these recommendations very seriously. The minister is working extremely hard and realizes that there is a grave problem. The government will not sit by and watch this situation deteriorate further.

The government is committed. It was clear at the Crown-First Nations meeting at the end of January that the government and the Aboriginal leadership are one and the same on this issue. They recognize that in order to pull communities out of the existing conditions, first and foremost proper education must be provided for young people.

**Senator Dyck:** I agree with the leader that this is a critical situation and that I used only one school as an example. However, the national report also states clearly that the situation is critical and that in the meantime funding pressures should be relieved in First Nations schools through increases that are equal to those of provincial schools serving similar locations and regions with similar needs.

The question is: What will the government do in the next budget? Will it be possible to equalize, at the very least, the teachers' salaries, which are critical to the successful education of students? We are not asking for everything but can the leader at least say that the government will put aside money to equalize the teachers' salaries?

**Senator LeBreton:** As the honourable senator would understand, I am not in a position to divulge various components of the budget. The Minister of Finance and other ministers are in the consultation process to ensure that all views are incorporated in the deliberations and ultimately in the budget.

I can assure honourable senators that the Honourable John Duncan, Minister of Aboriginal Affairs and Northern Development, is fully committed and engaged and is working hard within government and with his Aboriginal partners to alleviate what up until this point has been a very unacceptable situation.

## HUMAN RESOURCES AND SKILLS DEVELOPMENT

### CANADA EMPLOYMENT INSURANCE FINANCING BOARD

**Hon. Catherine S. Callbeck:** Honourable senators, my question is for the Leader of the Government in the Senate. In 2010 the government set up the Canada Employment Insurance Financing Board, which was to oversee the financing of the EI system. It was to set the premiums, to invest any surplus, and to manage a \$2 billion contingency fund.

Well, here is the situation. The government has arbitrarily set the rates of premiums, there is no surplus, and there is no contingency fund because the government has failed to set it up. However, this board managed to spend over \$2.2 million in less than two years. They even moved into more spacious offices. Why is the government spending millions on an office that cannot fulfill its function?

[ Senator LeBreton ]

**Hon. Marjory LeBreton (Leader of the Government):** Honourable senators, this is a rather interesting question to receive from the other side considering that in the mid-1990s the previous government completely drained all of the excess funds from the Employment Insurance fund and cut the transfers to provinces to bring down the deficit.

• (1410)

With regard to the board, honourable senators, I do not have an answer to the question, so I will take it as notice.

**Senator Callbeck:** Certainly it seems to me that we have a serious problem here, because we have a government that is closing processing centres across the country. In fact, the only processing centre in Prince Edward Island will be closed. At the same time, we are hearing reports that people are waiting longer to get their EI cheques. However, even though we are closing centres, we are spending millions of dollars on this Canada Employment Insurance Financing Board; and in fact, the chair of the board, David Brown, admitted that the board is not fulfilling its mandate.

When does the government expect the Canada Employment Insurance Financing Board will begin performing its function or its intended role?

**Senator LeBreton:** Honourable senators, I already answered the honourable senator's questions in the past about the EI system and moving it from a paper-based system to an electronic system. I already indicated in this place that extra people were hired to help in this transition and also to deal with the seasonal increases with regard to EI.

With regard to the board itself, as I indicated a moment ago, I will take the question as notice.

## ABORIGINAL AFFAIRS AND NORTHERN DEVELOPMENT

### SERVICES IN ATTAWAPISKAT FIRST NATION

**Hon. Don Meredith:** As honourable senators know, in December I raised concerns about the escalating situation in Attawapiskat and the issue of our working together to ensure that we find solutions. Can the leader advise the Senate as to what improvements have been made to the lives of these First Nations people?

**Hon. Marjory LeBreton (Leader of the Government):** Honourable senators, to set the record straight, Senator Meredith asked me this question previously. Since I now have good news about Attawapiskat, people will assume it is a planted question, when it is not. I assure honourable senators that Senator Meredith asks tough questions like this all the time.

I do have good news about Attawapiskat. Recognizing the need to alleviate the housing situation, as honourable senators know, our government has been moving houses across the ice road. Of course, then there was the question of having the houses properly



installed. Minister Duncan did offer the band council additional financial and logistical help in getting the sites ready. The chief of the band has now responded very positively, and we will be working with the third-party manager to ensure that the work is done as quickly and as soon as possible.

In the meantime, as I think Minister Duncan has indicated in the other place and which has been reported on national news networks, the healing lodge has been set up and is providing warm accommodation for people who are in need. The good news — and I just received this news today — is that now the band council and the third party that has been named to oversee the project are working together to ensure that these houses are properly installed and that people move into decent housing.

**Senator Meredith:** There is still a lack of preparation for these homes. The leader is absolutely correct — I have read this as well — that Minister Duncan has indicated that he has offered them other expertise. Could the leader elaborate on how this will expedite the movement of people into their homes?

**Senator LeBreton:** I think the answer is quite clear. The chief has agreed to work collaboratively with the band council, the third-party oversight and the government. Equipment is there now preparing sites for these homes. Of course, as honourable senators know, there are only so many homes that can be moved over the ice roads. They are moving them in as quickly as possible. Now there is cooperation from all sides to prepare the sites and have the homes constructed as quickly as possible so that the families can move in.

## NATIONAL DEFENCE

### SECURITY OF F-35 AIRCRAFT TECHNOLOGY

**Hon. Wilfred P. Moore:** Honourable senators, my question is directed to the Leader of the Government in the Senate. Yesterday, I asked a question about Chinese espionage driving up the cost of the F-35 fighter jet program for all the partners. The Pentagon in the United States of America is saying they will not pick up the costs associated with that espionage and that industry is responsible for absorbing these additional costs. This sounds like a slippery slope as far as the F-35 program is concerned, already at twice the cost per unit and delayed six years.

The untendered maker of the aircraft, Lockheed Martin, confirmed that it became aware of China's hacking into the F-35 technology three years ago. Was Canada, which is an investor in that technology development, advised of that cyber-theft when its American partner became aware of it?

**Hon. Marjory LeBreton (Leader of the Government):** I thank the honourable senator for the question and will take it as notice.

**Senator Moore:** Has the Minister of National Defence or the Prime Minister been aware of the fact that the Chinese were responsible for compromising the F-35 program technology, which is, as I said yesterday, a matter of Canadian national security?

**Senator LeBreton:** Honourable senators, as with any question about security, obviously I would not be privy to such information. I cannot answer that question, honourable senators. Any questions about cyber-security or related topics would be a matter of national security, and I doubt very much that I would ever be in a position to have that kind of information. However, I will take the question as notice.

**Senator Moore:** Could the leader please find out whether Mr. Harper took issue with the Chinese leadership over this cyber-theft during his visit to China last week?

**Senator LeBreton:** Yesterday, when Senator Moore asked the question, I think he was using as the basis for his question *Aviation Week* magazine in the United States. He is asking questions based on information in a magazine. I do not think that Senator Moore can stand and ask a question with absolute certainty that these events happened. I would have no way of knowing whether such events did occur. I think the honourable senator would understand that no official and no government could possibly respond in any detail with regard to the security of our country. He could not expect me, or any of us, to have that kind of information. I certainly do not believe that any of us would want to make allegations against anyone based on a magazine story.

While the honourable senator may believe his information fervently, I think the basis of his question causes some concerns. There is nothing further I can say other than that I will simply pass on his questions. However, I cannot promise that he will get an answer.

**Senator Moore:** Honourable senators, it is not just a magazine story; it is a matter of Lockheed Martin, the producer, saying this, and it is a matter of U.S. military officials saying this.

As a country that has invested in this technology, I would have thought that we would have been apprised of the situation — and that would have been three years ago; this is not just last week — and that, if our government knew, either the Prime Minister or some of his officials would have taken it up with them, if not beforehand, then certainly upon the opportunity that presented itself last week.

Honourable senators, yesterday I mentioned that Lockheed Martin also reported that six of its subcontractors who worked on the F-35 were totally compromised due to this hacking.

• (1420)

Could the Leader of the Government in the Senate please advise whether any of these subcontractors were Canadian companies?

**Senator LeBreton:** Honourable senators, I will take that question as notice.

## FINANCE

## STATE OF ECONOMY

**Hon. Céline Hervieux-Payette:** Honourable senators, I came across an article in the *Huffington Post* stating that Moody's and Fitch both questioned the need for Canada's austerity measures, and I quote:

Steven Hess, the lead Canada analyst for Moody's, told the *Wall Street Journal* that there is a "risk to growth" if the government moves too quickly with austerity measures designed to return the country to balanced budgets.

With a budget deficit that amounts to about two per cent of GDP, there is "no rush" for Canada to address the problem, Hess said.

"You don't have to swallow an extremely bitter pill if you are not sick," Fitch Ratings analyst Shelly Shetty told the *Journal*. She suggested any acceleration of spending cuts to beat the 2016 deadline was "not required."

The government has often sung praises of these two rating agencies when they evaluated Canada's finances. They have now proven that the government is too incompetent to deal with the economy. They may think that they are tough on crime, but they are definitely soft on the economy. When will the government take concrete measures aimed at strengthening the economy instead of sending us down the path of Southern European countries?

**Hon. Marjory LeBreton (Leader of the Government):** Honourable senators, she is so predictable, is she not?

The fact of the matter is that our government was elected with a strong mandate. We campaigned on several issues, and one was jobs and the economy. We are working very hard. The minister is consulting widely with various organizations, businesses, provinces and territories on the budget, which will come in due course.

Of course the other area where the government campaigned very vigorously, as was well understood by everyone, was cracking down on criminals and ensuring that Canadians could live safely in their communities.

We are simply following through, honourable senators, on our commitments. It was clearly understood that this is what we were going to do. It was all out there for people to digest. We were given a very strong mandate and will continue to work to build the economy, create jobs, create an environment for industry and business to flourish in this country, and we will also pay attention to those victimized by crimes and not the criminals.

**Senator Hervieux-Payette:** Honourable senators, if there was a competition for predictability, I think the leader would win for sure.

I would like to ask my question this time in French.

[*Translation*]

Honourable senators, the government's economic action plan claims that its top priority is the economy and jobs. So far, the only thing the Reform government has given Canadians is expensive and unnecessary bills, new prisons, Internet spying without a warrant, exorbitantly expensive F-35s, the elimination of the firearms registry, use of information obtained through torture, a lost seat on the UN Security Council, and our withdrawal from the Kyoto Protocol, with shameful partisanship on parliamentary committees to boot, and the list goes on.

What specifically will the government do, apart from building prisons and buying planes that will not be built in Canada? When will the government do what it claims it wants to do and put the economy at the top of its priority list?

[*English*]

**Senator LeBreton:** Honourable senators, that is the usual litany, and that kind of attitude is the reason the honourable senator's party is sitting in third position in the other place.

The fact is the government is operating very clearly on a jobs and economy strategy. Since the economic downturn in 2009-10, 610,000 new jobs have been created. With regard to our crime legislation, the senator knows full well, and the statistics bear it out, that in terms of dealing with criminals we were supported by Canadians. The honourable senator may find that difficult. Of course she would have the "Trudeaupian" view of Canada. The arrogance of her colleague in the other place is quite remarkable. This was Justin Trudeau, who was coming to restore the nobility of Parliament, by the way.

That kind of attitude and the preamble to the question is indicative of why what we are doing — which we were honest about and put out in the election campaign — won the election. I would suggest to her that she accept the judgment of the Canadian public and if she wishes to challenge any of these that she come up with proposals of her own.

Many of the things that Senator Hervieux-Payette is now criticizing she either voted against in the other place or supported.

## HUMAN RESOURCES AND SKILLS DEVELOPMENT

## EMPLOYMENT

**Hon. Céline Hervieux-Payette:** I am sorry, but the leader seems to have a short memory. I will remind her that at some point in our history they had only two members of Parliament sitting, and now they form the government. I think history will teach the honourable senator to be a little more modest.

What is the government doing to give jobs to those they are firing in departments like Environment Canada, Statistics Canada and in all the other departments? They are prepared to send these individuals into unemployment. Where will the government find jobs for these people?

**Hon. Marjory LeBreton (Leader of the Government):** First, I am very humble and modest about the hard work put in on this side to regain the confidence of the Canadian public. Everyone worked extremely hard, and the Canadian public rewarded us. I would suggest to the honourable senator that her party will probably have to go through a similar exercise.

With regard to the rumoured savings that the government will be making throughout the various departments, all departments, as honourable senators know, have presented areas to the government where they think savings can take place.

I think it is acknowledged throughout the government, and certainly supported in the country, that we work our way through the economic downturn. Many of the programs that the government initiated in the stimulus package were widely supported and urged upon us by all.

Everyone has to do their bit, honourable senators, and I think everyone is prepared to do so. I hasten to add that in this country we have many areas where there are labour shortages. There is a lack of trained and skilled workers. When we go through this process of bringing down the deficit, I do believe that there will be many opportunities available for all Canadians. The important thing is to get the economy back on solid footing, which creates jobs.

[Translation]

#### DELAYED ANSWERS TO ORAL QUESTIONS

**Hon. Claude Carignan (Deputy Leader of the Government):** Honourable senators, I have the honour to present, in both official languages, the answers to two oral questions. The first was asked by the Honourable Senator Munson on November 22, 2011, concerning the creation of the position of a federal Children's Commissioner, and the second was asked by the Honourable Senator Callbeck on December 13, 2011, concerning civil legal aid.

#### CANADIAN HERITAGE

##### PROTECTION OF CHILDREN'S RIGHTS

(Response to question raised by Hon. Jim Munson on November 22, 2011)

On December 9, 2009, the Minister of Justice and Attorney General of Canada appeared before the Standing Senate Committee on Human Rights to discuss the implementation of recommendations contained in the Committee's report entitled *Children: The Silenced Citizens: Effective Implementation of Canada's International Obligations with Respect to the Rights of Children*. During his appearance, the minister undertook to provide a written response to questions regarding the creation of a federal Children's Commissioner. In June 2010, a written response was sent to the Honourable Janis G. Johnson, then Chair of the Committee.

The minister wants to reiterate that the Government of Canada recognizes the importance of protecting the rights of children and youth in Canada. The protection of children against all forms of sexual exploitation remains a continuing priority for the Government of Canada.

Bill C-10, the *Safe Streets and Communities Act*, introduced on September 20, 2011, proposes criminal law reforms to uniformly and clearly condemn all acts of child sexual abuse and exploitation through the imposition of mandatory sentences of imprisonment that clearly reflect the serious nature of these crimes; and to prevent the commission of sexual offences against children. These reforms include increasing the mandatory minimum penalties for nine existing child sexual offences including for making and distributing child pornography on summary conviction, imposing seven new mandatory minimum sentences for other sexual offences involving child victims, and creating two new related offences that will also carry mandatory minimum sentences.

On December 8, 2011, the *Protecting Children from Online Sexual Exploitation Act* came into force. It creates a new national statutory requirement for those who provide Internet services to the public to report online child pornography to designated authorities where it is brought to their attention or where they discover it themselves on their service. This new mandatory reporting requirement will enhance law enforcement's ability to detect potential child pornography offences, thereby helping to reduce the availability of online child pornography and facilitate the identification and rescue of child victims, as well as the identification of offenders for the purpose of investigation and prosecution.

Many issues relating to children fall within the jurisdiction of the provinces and territories. Most provinces have already established independent children's commissioners, advocates or ombudspersons. The Government of Canada places a high value on their work.

Mechanisms are in place to make sure that all orders of government — federal, provincial and territorial — coordinate their efforts in an effective way so Canada meets its obligations to safeguard children's rights.

The Government of Canada endeavours to strengthen coordination and monitoring of children's rights through interdepartmental and intergovernmental initiatives, such as the Continuing Committee of Officials on Human Rights and the federal Interdepartmental Working Group on Children's Rights. The Interdepartmental Working Group on Children's Rights was created in 2007 to promote a whole-of-government approach to children's rights and to encourage collaboration among federal departments.

Cooperation among jurisdictions is essential to ensure that children are a priority. Federal, provincial, and territorial governments will continue to consult on issues related to children.

#### JUSTICE

##### CIVIL LEGAL AID

(Response to question raised by Hon. Catherine S. Callbeck on December 13, 2011)

The Minister of Justice and Attorney General of Canada is in regular communication with his provincial and territorial counterparts on a number of issues related to Canada's

justice system, including legal aid. Furthermore, federal/provincial/territorial Ministers of Justice gather annually to exchange ideas, suggestions and best practices. The most recent of these meetings took place in Charlottetown, Prince Edward Island, January 24 to 26, 2012. Legal aid remains an important issue for all levels of government and will continue to be discussed at every appropriate opportunity.

[*Translation*]

## THE SENATE

### MOTION TO URGE THE GOVERNMENT TO MODERNIZE AND STANDARDIZE THE LAWS THAT REGULATE THE MAPLE SYRUP INDUSTRY—MOTION IN AMENDMENT— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Raine, seconded by the Honourable Senator Andreychuk:

That the Senate call upon the Government of Canada to modernize and standardize the laws that regulate Canada's maple syrup industry, which is poised for market growth in North America and overseas, and which provides consumers with a natural and nutritious agricultural product that has become a symbol of Canada;

That the Government of Canada should do this by amending the Maple Products Regulations, in accordance with the September 2011 recommendations of the International Maple Syrup Institute in its document entitled "Regulatory Proposal to Standardize the Grades and Nomenclature for Pure Maple Syrup in the North American and World Marketplace", for the purpose of

- (a) adopting a uniform definition as to what constitutes pure maple syrup;
- (b) contributing toward the development of an international standard for maple syrup, as it has become very apparent that the timing for the introduction of such a standard is ideal;
- (c) eliminating non-tariff measures that are not found in the international standard that may be used as a barrier to trade such as container sizes and shapes;
- (d) modernizing and standardizing the grading and classification system for pure maple syrup sold in domestic, import and export markets and through interprovincial trade, thereby eliminating the current patchwork system of grades that is confusing and fails to explain to consumers in meaningful terms important differences between grades and colour classes;
- (e) benefiting both marketing and sales for an industry that is mature, highly organized and well positioned for growth;
- (f) enhancing Canadian production and sales, which annually constitutes in excess of 80% of the world's annual maple products output; and
- (g) upholding and enhancing quality and safety standards as they pertain to maple products;

And on the motion in amendment of the Honourable Senator Nolin, seconded by the Honourable Senator Lang, that the motion be amended as follows:

[*English*]

## ORDERS OF THE DAY

### POINT OF ORDER

**Hon. Grant Mitchell:** Honourable senators, I rise on a point of order. Earlier today in her excellent statement, Senator Wallin made one point that caught me up. She suggested that members of the opposition were delaying the progress of the Defence Committee's recent report on the militia called *Answering the Call: The Future Role of Canada's Primary Reserve*. I just wanted to address that and set the record straight.

• (1430)

It is ironic in two ways that she would have done that. The first irony is, in fact, I had prepared comments and I was going to present those in that debate on Tuesday or Wednesday, but because of the nature of the meeting that she ran on Monday night, I determined that I needed to change my comments. That meeting was an excellent meeting. She ran it very, very effectively. She showed respect to both sides of the committee, and I congratulate her on doing so. For that very reason, I had to change and shift the comments that I was going to present, and I am just in the process of preparing those.

The other irony, of course, is that if anybody were to suggest that that report has been delayed and dug down for the reasons for that, of course it is that she could have presented her speech on December 16 when Senator Dallaire did. In fact, the Senate was good enough to give him the permission to do that ahead of the mover, but in fact she did not do it at that time. She did not do it until six weeks later. If there has been a delay, it certainly was a six-week delay at least incurred because of her inattention to speaking to it immediately.

Finally, I will say just as a matter of respect for the rules, the mores and the traditions of this Senate, asking to have a motion, a bill or an inquiry stand while a member has adjourned in his or her name is absolutely, fundamentally within our rights and has nothing to do with any kind of accusation that somebody is in fact delaying. I am not delaying; I am considering, and I will present when I am perfectly ready to do so.

**The Hon. the Speaker:** Honourable senators, the Honourable Senator Mitchell raised a question as to a point of order. I think the explication given by the honourable senator has clarified the matter, and therefore I rule the matter as now settled.

[ Senator Carignan ]

- 1) By replacing the words “which is poised for market growth” by the words “which wants to pursue its dynamic development”; and
- 2) By replacing paragraph (d) in the motion by the following:

“Modernizing and standardizing the grading of pure Maple syrup sold in domestic, import and export markets and through interprovincial trade which would explain more clearly to the consumer the classification and the grading system;”.

**Hon. Percy Mockler:** Honourable senators, I have the honour today to speak in this chamber to the motion calling on the Government of Canada to modernize and standardize the laws that regulate Canada’s maple syrup industry.

Allow me to begin, honourable senators, by congratulating Senator Nancy Greene Raine on her leadership in presenting the notice of motion on maple products. I would be remiss if I did not acknowledge Yvon Poitras, the General Manager of the Maple Syrup Association, for his dedication and leadership with regard to maple syrup production in my home province of New Brunswick.

As we heard yesterday from Senator Runciman, Senator Ogilvie and others, there is no doubt in my mind that Canada is a model in maple syrup production in terms of quality and penetrating new markets.

I would like to share some information about New Brunswick in particular. With more than 200 maple syrup producers and over 2 million taps, we are the world’s third-largest maple syrup producer. New Brunswick produces 1.8 million kilograms of maple syrup, and the value of maple products, including syrup, sugar and candy, exceeds \$12 million per year.

Furthermore, the world’s largest maple syrup producer, with over 200,000 taps, is located in Saint-Quentin, which is in the Madawaska-Restigouche region of New Brunswick. This industry directly employs over 2,200 people in both year-round and seasonal jobs in the province.

Honourable senators, the question is: what should we do? We should support the marketing and sale of value-added maple syrup products. We should also boost Canadian production and sales, which represent 80 per cent of worldwide annual maple products output. We should also uphold and enhance quality and safety standards for maple products.

We should also be at the forefront of technological innovation to modernize and standardize the grading and classification system for pure maple syrup to be sold domestically and in import and export markets.

Honourable senators, I would like to take this opportunity to talk about Quebec. This province is the largest producer of maple products, with over 13,500 people producing maple syrup for 7,357 businesses with a quota in 2011. I am sure that other senators from Quebec will participate in this important and necessary debate that we cannot postpone. We must maintain high standards for maple syrup products and develop other world markets.

According to the Federation of Quebec Maple Syrup Producers, 43 million taps were operating in 2011. That year, Quebec produced 91 per cent of Canada’s maple syrup. I would like to congratulate Quebec’s producers on demonstrating leadership and encourage them to show the whole world that, with Quebec’s leadership, people across Canada can produce quality products.

[English]

Honourable senators, this is an important motion that I believe is in the interests of the maple syrup industry, consumers of maple products and government regulators, both in Canada and in the United States.

I believe we should be partners with the producers and the industry in order to modernize and also to standardize the laws of the industry. To regulate Canada’s maple syrup industry would simplify life for consumers, reduce duplication for government regulators and potentially open the door to new markets for the industry, both in North America and worldwide.

Honourable senators, let me begin by examining how the amendment of the Maple Products Regulations would benefit consumers and would also benefit our industry.

Many honourable senators may be surprised to learn that there is no single legal definition of what we can call pure maple syrup. As a result, it is up to the consumer to distinguish between maple syrup and other forms of natural and/or artificial sweeteners, which is no easy task. However, we must put in place standardization for a stable and a strong industry.

• (1440)

What would a uniform definition of pure maple syrup do? It would create a single reference point for consumers, producers, packers, retailers and regulators. In so doing, it would also allow consumers to compare maple syrup more easily to other sweeteners, enhancing consumer awareness of the purity of the best product in the world — maple syrup.

Compared to other common sweeteners, maple syrup has other major benefits, as supported by our health care system, but it is not only the definition of maple syrup that is in question; it is also how maple syrup is graded and classified.

The current system of grades is very confusing, to say the least. For example, Canada uses colours and numbers while our partner to the south, the United States of America, uses letters.

Honourable senators, not only do these systems fail to describe the taste of the best industry in the world, maple syrup, they can also be misleading.

The label of Grade B or Amber #2 for darker syrups, for example, can suggest an inferior quality in the minds of consumers worldwide.

The amendments would create a single grade for pure maple syrup in Canada. Whether it is light or dark, pure maple syrup would simply become known as “Grade A.” Anything less than pure, which includes syrup with any number of defects, would and should be kept out of retail markets to protect the integrity of the maple syrup industry. These off-labelled syrups could be used, instead, by the food processing industry.

Honourable senators should all believe that a new system would put all colours of maple syrup on an equal footing in the marketplace, provided they meet taste and quality standards. This is all well and good, but even a single grade does not help consumers identify the taste of this product.

Do we have an indication of the flavour? Currently, there is no indication of product flavour. This is not so much a problem for consumers who are familiar with maple syrup. However, it is an obstacle for attracting new customers worldwide who may be uncertain about what they are buying and from where it comes.

Generally speaking, honourable senators, there is insufficient emphasis on assessing the taste of syrup within the current grade system in Canada and the U.S. As a result, there is a high risk that off-flavoured or otherwise inferior syrups can find their way into the retail market. That is not acceptable. Let us imagine someone buying maple syrup for the first time confronted with labels that suggest nothing about taste. They may still take a chance and buy a bottle or a can. If they have a bad experience, they may never try it again, and so they will never know that maple syrup has a variety of tastes and they may not discover one that they can enjoy.

Honourable senators, I would call this a most unfortunate turn of events for a want of descriptive labels. We are turning people away from a true Canadian delicacy, a true Canadian product, the best product in the world, and of course, the industry is losing out on potential return from customers and continuing to create real jobs in Canada.

Research has shown that when it comes to their maple syrup, consumers have definite preferences. Some consumers prefer mild varieties, others prefer medium and still others prefer strong.

Research has also shown that consumers like the idea of four distinct kinds of syrup based on colour and taste. In response to those findings, the proposed amendments would introduce four classes of Grade A maple syrup: “Golden Colour and Delicate Taste,” “Amber Colour and Rich Taste,” “Dark Colour and Robust Taste,” and “Very Dark Colour and Strong Taste.”

I have outlined the benefits of these proposed changes to the consumers, but let us look at what the industry will gain. Currently, for example, table syrups on grocery shelves often indicate that they contain some pure maple syrup. This can entice consumers, even though the actual amount of pure syrup in these products may be quite small, and there is no doubt consumers are reaching for table syrups more often because the pure product represents less than 1 per cent of the market share of common sweetener sales in all of North America.

For these reasons, I believe that a uniform definition, standard grading and nomenclature would be very advantageous to the maple syrup industry. It would allow 100 per cent pure maple syrup to stand out from other sweeteners. In so doing, it could boost market share for producers and also strengthen this vibrant industry to penetrate other markets.

Similarly, standardization could open doors to markets outside North America. Uniform grades and labels would simplify communication with potential trading partners, and it would set the stage for a possible application to the Codex Alimentarius Commission for an international food standard, which would give

further assurance of the quality and safety of the best in the market, Canadian syrup.

Government, too, stands to benefit from the proposed changes and would play an important role in regulation. It is not enough for the industry to adopt these proposed changes on its own. By the industry’s own admission, a purely voluntary and self-regulated approach would lead to inconsistent application at both producer and packer levels, as well as at provincial and state levels in the U.S. and in Canada. While the International Maple Syrup Institute has done important work — may I have five more minutes?

[*Translation*]

**The Hon. the Speaker:** Honourable senators, is leave granted for an extra five minutes?

**Hon. Senators:** Agreed.

**Senator Mockler:** Honourable senators, thank you for your cooperation.

[*English*]

It is not enough for an industry to adopt the proposed changes on its own. That is why it is so important for the government to give changes the force of law by amending the Maple Products Regulations. Consider that in some jurisdictions the grading of maple syrup is entirely voluntary. However, it is not uncommon to see pure maple syrup sold without any indication of grade or colour class. This even occurs in jurisdictions that have regulations.

• (1450)

Regulators would have several important key roles. What will happen with sound, proper regulation and enforcement? First, they would help ensure that off-flavoured or otherwise defective syrups are not offered for sale in the retail marketplace. This is vital because when defective syrups find their way to retail markets, they damage our reputation.

Second, regulators would ensure that all maple syrup available in retail markets is batch-coded. Batch-coding enables producers to easily recall a product if there is a problem with quality and safety.

What is more, standard grades would make it easy for provinces with no current regulations to adopt the new system, and they would be strongly encouraged to do so. There is no doubt in my mind the successful visit to China by Prime Minister Harper will create another market opportunity for the best syrup in the world.

Honourable senators, there are clear benefits to amending the Maple Products Regulations for consumers, industry and government alike.

It has to be noted, in concluding, that Canada’s maple syrup industry represents more than 80 per cent of sales worldwide. Even with this level of success, however, the industry could scale greater heights through a standardized mechanism. It is on the cusp of further market growth in North America as well as overseas. It is in everyone’s interests that we support the industry’s effort. We must stand together to help create a strong, stable maple syrup industry for Canada.

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

**Hon. Roméo Antonius Dallaire:** I wonder if our colleague from the Republic of Madawaska would accept a question on such a sticky subject.

[*Translation*]

My question is twofold. First, I want to ask about production. Given the vacuum method used, do we currently have access to scientific data that show that this method of superproduction does not endanger our maple trees and, as a result, the maple syrup industry?

Second, at one time or another, we have all been in a restaurant that has offered imitation syrup rather than the real thing. During your study, did you make sure that all of Canada's federal institutions that purchase food products are actually purchasing Canadian maple syrup and not imitation syrup?

**Senator Mockler:** I am certain that Senator Dallaire's question is an important one. I am also certain that Senator Dallaire cannot prove to the Canadian public or consumers in Canada, the United States or other parts of the world that they are buying imitation syrup.

It is true that maple syrup is sticky, but it is so good. The reason why it is so sticky and good is because it is the best syrup in the world. It is maple syrup from Quebec, New Brunswick and other Canadian provinces. As soon as we have implemented a mechanism to standardize quality, we will be able to show the entire world, whether it be France, Africa, China, the United States or any part of Canada, that we offer a high-quality product and not a cheap imitation.

(On motion of Senator Hervieux-Payette, debate adjourned.)

[*English*]

## HUMAN RIGHTS IN IRAN

### INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Frum, calling the attention of the Senate to egregious human rights abuses in Iran, particularly the use of torture and the cruel and inhuman treatment of unlawfully incarcerated political prisoners.

**Hon. Mobina S.B. Jaffer:** Honourable senators, I rise today to speak on the motion on the conditions of Iranian prisoners. I want to thank Senator Frum for initiating this motion. As she and you all are aware, I have raised these issues on the situation of prisoners in Iran on a number of occasions, and I had also commenced an inquiry in which Senator Segal and Senator Dallaire participated.

I rise today to join my colleagues in the Senate in denouncing the unjustifiable imprisonment of prisoners of conscience in Iran and their detention in unspeakable conditions.

It is common for prisoners of conscience in Iran to be placed in prolonged solitary confinement and subjected to deprivations, intimidation and torture in an attempt to extract false confessions from them.

From arrests without warrant to the courts' refusal to issue written judgment, the legal process makes a mockery of justice. Prisoners are held in crowded conditions, lacking adequate sanitation, daylight, clean water, exercise and fresh air, and also may be denied access to the necessary level of medical care.

Some have no beds and must sleep on concrete floors. Prisoners who complain about the conditions are beaten. Routinely, prisoners are separated from their parents, spouses and/or children by a glass partition during their infrequent and very short family visits. Some are transferred to the general ward where they must live alongside the most hardened and violent criminals.

In the words of Abdolkarim Lahiji, the Paris-based vice-president of the International Federation for Human Rights, the condition in Iranian prisons are "catastrophic."

These conditions are intolerable for any human being, but are particularly so for women, whose additional needs are not met and whose children are deprived of their care.

Some of the prisoners of conscience unjustly detained in Iranian prisons are women who launched the One Million Signatures Campaign for Equality that inspired ordinary Iranians to call for the repeal of laws discriminating against women.

Others are women who hope to contribute to the development of their country by promoting respect for human rights. Still others are political activists who were working peacefully to bring about change in the way their country is governed. All are unjustly denied rights enshrined in international human rights instruments to which Iran is a signatory.

For over 25 years I had represented many Iranians who had fled Iran. Today, I want to voice their pain and suffering as well. They lost their property; they lost their loved ones; they forever lost their peace of mind from the terrible torture they suffered in Iran. There were many days after representing Iranian asylum seekers I would dream of the situation at Evin Prison — Evin Prison being the most despicable prison on earth. Some Iranians have survived from Evin Prison. They have because of their sheer inner strength, as the Iranian government tried very hard to break them.

Honourable senators, I stand before you to state that there is no fear worse in this world than the knock of authorities who come to take your loved ones — loved ones who want to change conditions of their citizens.

My mother worked in the prisons in 1970 in Uganda and was one of the first people to speak of Idi Amin's tortures in jails. She would describe how when the prison guards ran out of bullets, they bludgeoned people to death. She would describe the unbearable pain and screams of Ugandans wrongly detained. At her funeral, many people told us how many lives she saved.

Many of my father's friends have also disappeared in Uganda. Then the knock came at my father's home. Luckily, my father had just escaped, but we did not know that, and the pain of not knowing for days where my father was was unbearable. We did not know where he was for many days. It did not end there. There was yet another knock at our house. The authorities brutally took my husband, Nuralla. The fear in his eyes, the fear in my father-in-law's eyes, the fear in my mother-in-law's eyes, and the fear in the eyes of my husband's siblings still haunts me. Happily for me, my husband did survive this brutal experience. Every story that each one of you have related brought back flashbacks to me of what happened to people, what happened to us.

• (1500)

Sadly, every day many people are taken prisoner all around the world. To name a few, the women in Zimbabwe, the priests in Tibet, the children in Syria — and the list goes on.

Our Canadian government has always played and continues to play a very important part all around the world. Exactly 40 years ago, Asian Ugandans were rescued, and at another time I will speak of the brave Canadians who saved us.

Today, I also want to remember a Canadian, Zahra Kazemi, who also lost her life at the hands of Iranian authorities. As a member of the Canadian Senate, I condemn the deplorable abuse of human rights by the Iranian regime and call upon the Government of Canada — the only government that I can call upon — to work hard to ensure the immediate release of all prisoners of conscience, not only in Iran, but also around the world. As I stated earlier in my statement today, I would like to repeat the words of His Highness the Aga Khan, an honorary Canadian, as his words will describe better than whatever I say. When he was conferred a doctorate by the University of Ottawa recently, His Highness said something incredibly profound. He stated:

In my experience, a country's standing in our contemporary world is no longer recognized by what it can achieve for itself, but by what it can do for others. In this context, Canada has truly become a great world power.

**Hon. Roméo Antonius Dallaire:** Honourable senators, I would also like to speak to this inquiry and bring my perspective to the situation in Iran.

I would like to take a few moments to recognize those who have given a voice to the ongoing human rights situation in Iran, and particularly in this chamber. To put it succinctly, the growing list of men and women who have been subjected to harassment, imprisonment and torture is startling. Last week in the chamber we had the opportunity to hear many detailed accounts of these human rights abuses.

Four stories in particular stood out. First, we heard from Senator Ataulhjan who spoke of the Iranian social worker who was fired from his job and sentenced to 20 years in prison. Then we heard from Senator Finley, who shared a story of a long-time human rights lawyer and activist arrested not once but four times for defending his fellow countrymen from unjust arrests. We heard from Senator Mockler, who recalled the ordeal of former

teacher and school principal now sentenced to 20 years in prison. Finally, we heard from Senator MacDonald, who drew our attention to an internationally recognized prisoner of conscience sentenced to 10 years in jail.

Senators, these individuals know all too well what it is like to live under the heavy boot of tyranny. What these individuals also have in common is that they are all members, or have defended members, of the Baha'i faith. We here are not unfamiliar with the oppression of the Baha'i in Iran. We know, thanks in part to the inquiry of Senator Jaffer last year, that its members have historically suffered discrimination, including the denial of employment, the denial of higher education, and a long-standing media campaign of vilification, an item I will expand upon later. The Baha'is have been and continue to be subjected to brutal raids, arbitrary arrests and torture. Most alarming is the exponential level of incarceration rates among this group.

Iran has a particularly troubled record when it comes to protecting the rights of minorities. That the regime not only tolerates but also actively supports this behaviour is truly unconscionable.

Just under a year ago, the UN Human Rights Council agreed to appoint a special rapporteur on the situation of human rights in Iran. Four months ago, the office released a damning report on the issues facing this community. In the report, it was noted that the majority of incarcerated Baha'is have "undergone judicial proceedings that lack due process and fair trial standards."

It goes on to note that approximately 100 members of the Baha'i community are currently behind bars, and more than 200 have been executed over the past 30 years. I shall do my best not to repeat all of what has been already said, except insofar as to tell you that there is a term for this systematic behaviour. It is called ideological genocide, with the intent to destroy the community as a religious entity. Allow me to explain.

[Translation]

I have here a report entitled *Inciting Hatred*, which was published in October 2011. The report details Iran's increasingly fierce propaganda war against Baha'is. For example, the report reveals that over the previous 16 months, Iran issued more than 400 press and media items demonizing Baha'is, accusing them of attempting to overthrow Islam and of being Zionist conspirators and Satanists.

Many of the articles include images of the Grim Reaper and other images intended to create a climate of fear, distrust and hatred toward the Baha'i faith.

The message is clear. The intentions and actions of Baha'is show that they are enemies of the Iranian state. Together with demonizing images, this propaganda fuels intolerance in the most fundamentalist segments of Iranian society. Extremism exists.

As many of you know, according to the U.S. Secretary of Defense, an Israeli attack on Iran could be an option. The Israeli Minister of Defense went one step further, saying:

If it isn't stopped within months, redundant facilities in the Iranian nuclear program will render an attack ineffectual.

[ Senator Jaffer ]



This intensifies pressure for a strike.

After hundreds of articles accusing Baha'is of being Zionist spies, imagine what would happen to them if this went ahead. If Israel were to attack Iran tomorrow, 300,000 civilians would be in danger of extermination. I know from experience that these kinds of stories never end well. On the contrary, they end in a massive humanitarian catastrophe.

• (1510)

This is the same strategy that has been used many times by repressive societies determined to eliminate an enemy population, a population that they consider subversive. History has shown that the incessant and systematic repetition of lies and the creation of myths can instil hatred in the majority and that this hatred can translate into violence against a visible minority. Rwanda is just one example where this concept was put into practice; Darfur is another, where this is still happening.

As Friedrich Affolter has pointed out, the Iranian regime is prepared to partially or completely destroy the Baha'i community as a unique religious group. That is the very definition of ideological genocide. This is particularly true when a society finds itself in a tumultuous, volatile situation, as is the case in Iran right now.

Like an outcast, Iran does not trust its neighbours, near or far. Constantly at war against Israel, its accusations of Zionist conspiracies constitute a mortal sin against the Baha'i people. As a repressive state, Iran must deal with particularly sharp internal divisions in the context of the revolutions that have taken place in Tunisia, Egypt, Libya and Syria.

Uncertainty reigns. Iran is ranked 35th on the 2011 Failed States Index, which means that it is at risk of becoming a failed state. In these circumstances, the Baha'i community could be used as a scapegoat by state agencies and fundamentalist groups for the problems the Iranian government has perpetuated. This was the subject of some of the articles that appeared in the report entitled *Inciting Hatred*, which I mentioned earlier. According to these articles, if the Iranian government is threatened by secular forces wanting to subvert Islam, by Zionists or by Western forces, the Baha'is of Iran are to blame. Everything has been organized to target that community. The implicit message is this: in order to save the Islamic Republic of Iran, the Baha'i community must be eliminated.

As Canadians, we must stand up and defend the basic human rights of the Baha'i people, with whom we have had a positive relationship for quite some time.

As the honourable senator pointed out, all Canadian governments, going back decades, have asserted that principle through multilateral, bilateral and even regional initiatives. We therefore must pursue that path. We simply cannot leave the Iranian regime to its own devices, especially at such a crucial time, because if we do, that would put the lives of some 300,000 Baha'is in Iran at risk.

[English]

Honourable senators, as a member of the Senate of Canada, I, too, join my colleagues to condemn these human rights abuses, but as Canadians we must do more than condemn; we must take the leadership role that so many places in the world expect of this leading middle power. We can do this by offering remedies.

First, we must ensure not to close our doors to the Baha'is and other Iranian Human Rights Activists who seek refugee status in Canada. I cannot stress this point enough, and I call upon the government to demonstrate that will to these oppressed people.

Over the past 50 years, we have established a reputation for openness to those facing persecution worldwide. In the 1970s we opened our doors to the Vietnamese, the Cambodians and the Laotians. In the 1980s and 1990s, we opened our doors to Sri Lankans, and we continue to practise this today. We should offer nothing less to the Baha'is of Iran in an overt fashion and not simply hope that they ask the question.

Second, as we have heard from Senators Jaffer and Segal, we must take advantage of the Office for Religious Freedom, a creation of this government, ensuring the case of the Baha'is is at the top of the agenda when it comes to fruition and takes that cause by the government to the Iranians.

Finally, we must ensure our overall foreign affairs approach in dealing with Iran remains comprehensive. I have made this argument in the past but it bears repeating. While the nations of the world focus on the nuclear ambitions of Tehran — and as a member of the Pugwash movement, there is nothing that I feel more strongly against than the continued explosion, if I may use that term, of the use and possible use of nuclear weapons, an absolutely totally useless weapon system that is an affront to our human right to security.

We must not overlook, however, the ongoing human rights abuses in this country and the impact it can have on a very specific group of that nation. On this note, I wish to thank Senator Frum for pursuing this inquiry. Honourable senators, as former Canadian ambassador to the United Nations Paul Heinbecker has said, the question is not whether Iranian policies should be opposed but what is the most effective way to oppose them. Let us get into the debate. Let us get into the field. Let us get our hands dirty and attempt to move the yardsticks diplomatically and certainly continue the economic blockade that I hope will increase.

In dealing with world powers, we have had a great deal of success when it comes to employing sanctions, diplomacy and deterrence. Canada has been a leader in that moral position. We should continue to use these tools at every opportunity, lest the human rights situation deteriorate for the Baha'is and we face an ideological genocide that will ultimately destroy the lives of potentially up to 300,000 innocent human beings.

I close by sharing a few words by an Iranian poet Sheema Kalbasi, who said:

It is absurd to close your eyes and pretend that the Baha'is have never been slaughtered or forced to convert to Islam, as if the execution of political prisoners or the Kurds were just part of a game, an unwritten law in a lawless land.

Honourable senators, let us pledge to keep our eyes wide open and trained on Tehran during this difficult time so that we may stand with the Baha'i community and all those who are denied the right to liberty, life and security; to those who are oppressed; to those who are destroyed for their belief. Let us use all diplomatic, political and economic means available to steer Iran towards greater respect for human rights so that we may finally bring this ideological genocide to an end and ultimately solve the terrible problem of nuclear proliferation in that region.

**Hon. Art Eggleton:** Honourable senators, I rise today to condemn the Iranian regime's appalling abuse of human rights and particularly to call for the immediate release of Hamid Ghassemi-Shall. This is a case that I personally became involved with over a year ago in making representations and inquiring of our consular officials as to what the Canadian government could do to help this particular man.

Hamid Ghassemi-Shall is 42-year-old Toronto businessman who escaped to Canada from Iran after the 1979 revolution which brought the clerical regime to power. He made several trips back to Iran to visit family members over the subsequent 29 years without any trouble. However, in 2008, he was arrested by Iranian authorities while visiting his ailing mother. He was reportedly charged with espionage-related offences, which he flatly denied. There is speculation that his arrest was part of a reprisal against his brother. His brother was a former naval officer who was a sympathizer of the opposition movement in Iran and who was subsequently arrested and died after interrogation, illness and 20 months in prison, undoubtedly under torturous conditions.

• (1520)

The Iranian court system is weighted against people accused of crimes. According to a recent Amnesty International report, political suspects receive grossly unfair trials in which they often face vaguely worded charges. They are frequently convicted without a defence lawyer on the basis of confessions or other information allegedly obtained under torture. Since the 1979 Islamic revolution, those found guilty of these charges are often killed in mass executions designed to create fear among suspected enemies of the regime.

Iran refuses to recognize dual citizenship and has repeatedly denied Hamid access to Canadian consular officials. He has spent much of his imprisonment in solitary confinement at the notorious Evan Prison in Tehran, and there is grave concern that he has been subject to torture and ill treatment, which Amnesty International has documented to be very widespread in that prison.

In November 2009, Iranian authorities announced that he would be put to death. Honourable senators, Hamid's situation is made even more urgent by the escalating number of people being executed in Iran, which has been estimated at around 600 in the past year. As a member of the Senate of Canada and a Canadian citizen, I condemn the Iranian regime's systemic abuse of human rights, and I urge them to immediately release our fellow Canadian, Hamid Ghassemi-Shall.

[*Translation*]

**Hon. Grant Mitchell:** Honourable senators, I would like to begin my speech by congratulating Senator Frum on her good work on a very important issue. I would also like to acknowledge

[ Senator Dallaire ]

the work of my two colleagues, who spoke before me this afternoon, because they are both leaders in this chamber when it comes to these important issues.

[*English*]

I rise to draw the attention of honourable senators to the case of Zeynab Jalalian of Iran, a young Kurdish civil rights activist who was arrested in Kermanshah in 2007 and incarcerated in Sanandaj Prison.

In 2009, the Iranian judiciary sentenced Ms. Jalalian to death without the presence of her lawyer, in a trial that lasted but a few minutes. Her only crime is peacefully defending civil rights. She has endured months in solitary confinement and has been subjected to severe physical and psychological torture. Fortunately, in 2011, her execution sentence was changed to life in prison. She has been suffering immensely for the last five years as a result of the physical and psychological torture she has endured.

As a member of the Senate of Canada, I condemn the Iranian regime's deplorable abuse of human rights and call for the immediate release of the unlawfully held prisoner, Zeynab Jalalian.

(On motion of Senator Chaput, debate adjourned.)

[*Translation*]

## THE SENATE

### MOTION TO ESTABLISH NATIONAL SUICIDE PREVENTION STRATEGY ADOPTED

On the Order:

Resuming debate on the motion of the Honourable Senator Dawson, seconded by the Honourable Senator Day:

That the Senate agree that suicide is more than a personal tragedy, but is also a serious public health issue and public policy priority; and, further, that the Senate urge the government to work cooperatively with the provinces, territories, representative organizations from First Nations, Inuit, and Métis people, and other stakeholders to establish and fund a National Suicide Prevention Strategy, which among other measures would promote a comprehensive and evidence-driven approach to deal with this terrible loss of life.

**Hon. Claude Carignan (Deputy Leader of the Government):** Honourable senators, last week was Quebec's Suicide Prevention Week, under the auspices of the Association québécoise pour la prévention du suicide, Quebec's suicide prevention association. As a Quebecer and a Canadian, I am particularly aware of this issue.

From the outset, we have to recognize that death is not an easy subject to address or face, whether it is our own death or that of our family members and loved ones. It is nonetheless unavoidable, as we all know.

However, when death can be avoided, we must do everything we can to prevent it. Suicide is one cause of early death that we should have real power to act on and prevent.

Senator Dawson's motion states that suicide is more than a personal tragedy, that it is also a serious public health issue. I would say that in addition to being a personal tragedy, suicide is also a family, community and societal tragedy.

[English]

In 2008, 3,705 Canadians took their own lives. Quebecers represented one third of this number, even though the province of Quebec makes up only 23 per cent of Canada's population. This, among other things, explains why I am so concerned about this issue.

[Translation]

We are talking here about people who actually committed suicide, who killed themselves. It is also important to take into account people who have attempted suicide but did not succeed, people who are having suicidal thoughts, and the friends, loved ones and acquaintances of these people. Too often, we address the issue of suicide from a statistical perspective; however, I think we can all agree that statistics do not show the human tragedy behind each suicide. Statistics do not show the suffering experienced prior to suicide attempts, whether they were successful or not. Statistics do not show the feelings of powerlessness experienced by the people who care about an individual who is having suicidal thoughts, and statistics do not show the severe turmoil experienced by the loved ones of someone who has committed suicide. It is an extremely violent internal tsunami.

Honourable senators, when we talk about suicide, we have to really look at the issue and the ripple effect it has. In order to convince you, I would like to share a personal example. A good friend of mine who worked in the field of suicide prevention roomed with a young man who was 24 years old. The young man was tall and good-looking. He had a good job and a large circle of friends. He did not seem to have any particular problems. In the summer of 1998, while my friend was on vacation outside the city for a week, he received a call informing him that his roommate had hung himself in their home. I repeat: my friend, the young man's roommate, worked in the field of suicide prevention. Can you imagine, honourable senators, the shock, the distress, the incomprehension, the anger and the guilt that my friend must have felt?

Can you also imagine the shock wave that this must have created not only in the young man's social circle, but also in that of his friend?

Despite the fact that I did not know the young man who committed suicide, I was shaken by this tragedy because his roommate was a close friend of mine. I was troubled by my friend's great distress and by the death of such a young man who seemed to have his whole life ahead of him. I was also touched by the sadness of the children and I was worried that such a tragedy could one day happen to someone in my family.

When a person commits suicide, it has far-reaching effects. It is like when a giant rock falls in the water and creates waves that spread in all directions. The suicide of this young man easily affected about 200 people.

For every person who commits suicide, approximately 10 people are left bereaved and many more are left shaken and upset.

• (1530)

[English]

Another tragic situation, which I witnessed, was the result of the suicide pact of two 14-year-old teenagers from St. Eustache in the 1990s. Without going into too many details, our entire community was affected, especially the students and staff of the school attended by the two young people. Post-traumatic sessions were held to allow the people affected by the tragedy to talk about their distress, their sadness and about how such an event could happen.

[Translation]

Yes, suicide is a personal tragedy, but as I mentioned in my introduction, it is also a family, community and societal tragedy. We must consider this a priority issue and deal with it aggressively. We have to take action on several fronts because suicide is a phenomenon involving a host of factors.

It is impossible to isolate a single factor that leads to suicide. In the vast majority of cases, various factors combine and interact, pushing people to end their lives. Every case is different. Nevertheless, there is a common denominator in every case: suffering. Those who attempt suicide are not, first and foremost, seeking death. Nobody knows what death is. People who attempt suicide want, above all, to end intolerable suffering. These people can see no other solution. They tend to isolate themselves rather than look for help and communicate their distress. In general, people who commit suicide are seeking a permanent solution to a temporary problem.

[English]

For us to make a real difference, we must act on several fronts. These include providing scientific research and promoting well-being in order to automatically prevent these tragedies. Higher-risk groups, in particular, include men, who represented 80 per cent of all suicides; aging Canadians; and specific groups, like Native communities, where suicide rates are four times higher than the Canadian average.

[Translation]

Naturally, we also need to focus on prevention measures to help people contemplating suicide. Furthermore, as a national suicide prevention strategy is developed, it will be crucial to work in partnership with all stakeholders, particularly the provinces, since they are responsible for health care and social services.

Our government has already begun working diligently on this important issue. The Government of Canada contributes to various activities related to suicide prevention, developing knowledge in the area of best practices, delivering programs to strengthen protective factors linked to positive mental health and reduce the risk of suicide, and monitoring mental health and mental illness within the population.

We also invested \$130 million to establish and support the Mental Health Commission of Canada, which is working to develop a national mental health strategy that will be completed

in 2012. The strategy will likely set out guidelines and priorities for suicide prevention, and as a result, it will play an instrumental role in guiding future measures in that area.

What is more, the government is investing \$140 million in implementing a national Aboriginal youth suicide prevention strategy that aims to strengthen protective factors and reduce risk factors in First Nations and Inuit communities.

Some \$20 million has been invested in suicide-related research on mental health and addiction through the Canadian Institutes of Health Research. All of these actions have to be viewed as the essential beginning of a much broader action plan, like the one that was created in Quebec in 1998.

In closing, in no way and at no time can or should a person's suicide be acceptable or accepted. Suicide must not be an option. Suicide is not an option.

I move that we immediately adopt the motion.

[English]

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

(Motion agreed to.)

#### MULTIPLE SCLEROSIS AND CHRONIC CEREBROSPINAL VENOUS INSUFFICIENCY

##### INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Cordy, calling the attention of the Senate to those Canadians living with multiple sclerosis (MS) and chronic cerebrospinal venous insufficiency (CCSVI), who lack access to the "liberation" procedure.

**Hon. Jane Cordy:** Honourable senators, I have my speech ready for today. However, a briefing was given to members of the House of Commons by Health Canada on this issue. Perhaps the same briefing will be offered to honourable senators before I proceed with my speech. Therefore, I adjourn the debate in my name for the remainder of my time.

(On motion of Senator Cordy, debate adjourned.)

#### LEGAL AND CONSTITUTIONAL AFFAIRS

##### COMMITTEE AUTHORIZED TO MEET DURING SITTING OF THE SENATE

**Hon. John D. Wallace,** pursuant to notice of February 14, 2012, moved:

That on Thursday, February 16, 2012, the Standing Senate Committee on Legal and Constitutional Affairs have the power to sit even though the Senate may then be sitting, for the purpose of its consideration of Bill C-10, An Act to enact the Justice for Victims of Terrorism Act and to amend

the State Immunity Act, the Criminal Code, the Controlled Drugs and Substances Act, the Corrections and Conditional Release Act, the Youth Criminal Justice Act, the Immigration and Refugee Protection Act and other Acts, with the application of rule 95(4) being suspended in relation thereto.

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

**Hon. Senators:** Agreed.

(Motion agreed to.)

##### COMMITTEE AUTHORIZED TO REFER DOCUMENTS FROM STUDIES ON BILL C-15 DURING SECOND SESSION OF FORTIETH PARLIAMENT, BILL S-7 AND S-10 DURING THIRD SESSION OF FORTIETH PARLIAMENT AND BILL S-225 DURING SECOND SESSION OF THIRTY-NINTH PARLIAMENT TO CURRENT STUDY ON BILL C-10

**Hon. John D. Wallace,** pursuant to notice of February 14, 2012, moved:

That the papers and evidence received and taken and work accomplished by the Standing Senate Committee on Legal and Constitutional Affairs during its study of Bill C-15, An Act to amend the Controlled Drugs and Substances Act and to make related and consequential amendments to other Acts, during the Second Session of the Fortieth Parliament, and Bill S-10, An Act to amend the Controlled Drugs and Substances Act and to make related and consequential amendments to other Acts, during the Third Session of the Fortieth Parliament; and that the papers and evidence received and taken by the Special Senate Committee on Anti-Terrorism, during its study of Bill S-7, An Act to deter terrorism and to amend the State Immunity Act during the Third Session of the Fortieth Parliament and by the Standing Senate Committee on Legal and Constitutional Affairs, during its study of Bill S-225, An Act to amend the State Immunity Act and the Criminal Code (detering terrorism by providing a civil right of action against perpetrators and sponsors of terrorism), during the Second Session of the Thirty-Ninth Parliament, be referred to the Standing Senate Committee on Legal and Constitutional Affairs for the purposes of its study on Bill C-10, An Act to enact the Justice for Victims of Terrorism Act and to amend the State Immunity Act, the Criminal Code, the Controlled Drugs and Substances Act, the Corrections and Conditional Release Act, the Youth Criminal Justice Act, the Immigration and Refugee Protection Act and other Acts, during the current session.

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

**Hon. Senators:** Agreed.

(Motion agreed to.)

(The Senate adjourned until Thursday, February 16, 2012, at 1:30 p.m.)

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