



# DEBATES OF THE SENATE

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OFFICIAL REPORT  
(HANSARD)

Tuesday, March 13, 2012

The Honourable NOËL A. KINSELLA  
Speaker

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*Debates Services:* D'Arcy McPherson, National Press Building, Room 906, Tel. 613-995-5756  
*Publications Centre:* David Reeves, National Press Building, Room 926, Tel. 613-947-0609

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## THE SENATE

Tuesday, March 13, 2012

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

[English]

Prayers.

The study was conducted by Ryerson University's Diversity Institute and its findings were published on March 8 in honour of International Women's Day.

### SENATORS' STATEMENTS

#### OUTSTANDING YOUNG FARMERS OF CANADA

##### CONGRATULATIONS TO ATLANTIC REGION WINNERS MR. AND MRS. MARK AND SALLY BERNARD

**Hon. Elizabeth Hubley:** Honourable senators, it is my pleasure to rise today to recognize and congratulate the 2012 Atlantic Outstanding Young Farmers, Mark and Sally Bernard of Freetown, Prince Edward Island.

The Outstanding Young Farmers Program is a national annual award that recognizes farmers exemplifying excellence in their profession and promoting the contribution of agriculture. As this year's Atlantic regional winners, Mark and Sally Bernard will compete for the national award to be held this November in Charlottetown.

The Bernards own and operate Barnyard Organics, an organic, self-sustaining mixed farm that combines the best of traditional farming methods with the latest technology. Their business model has so far proven very successful, and they have managed to grow and diversify.

Mark and Sally and their children are exactly the kind of passionate and entrepreneurial young farmers who are having a positive impact not only on the agricultural industry of P.E.I., but also in their local community. Both are involved with the Summerside Presbyterian Church and Sally sits on a number of boards, including the executive of the board for the Atlantic Canadian Organic Regional Network.

I invite all honourable senators to join me in congratulating the Bernards on their wonderful achievement and to wish them the best as they compete at the national level later this year.

[Translation]

#### VISIBLE MINORITY WOMEN IN SENIOR MANAGEMENT POSITIONS IN TORONTO

**Hon. Donald H. Oliver:** Honourable senators, today I wish to draw your attention to the results of a recent study on the number of visible minority women occupying senior management positions in the Greater Toronto Area. The results show that they are seriously under-represented.

The report, entitled *Women in Senior Leadership Positions: A Profile of the Greater Toronto Area*, measured the representation of women, including visible minorities, in leadership positions in seven sectors, including elected and public office.

The study is based on data collected in 5,081 senior leadership roles in the GTA. The results show us that women account for 51.3 per cent of residents in the GTA, but occupy only 28 per cent of these more than 5,000 positions.

Honourable senators, I am concerned about the neglect of our visible minority women. The statistics are even more troubling when looking at the representation of female visible minorities. They account for only 2.6 per cent of all leaders in the GTA. This means that there are only 131 visible minority women in senior positions in the GTA. Meanwhile, they represent more than 25 per cent of the overall population. What is worse, they represent less than 1 per cent of corporate sector leaders and only 6.6 per cent of elected officials.

Honourable senators, Canada's banks are leading the way around the world. Why are our financial institutions and corporations not fully representative of Canada's cultural mosaic? Why are women of Indian, African, and Asian descent not sitting on more boards and occupying more corner offices on Bay Street? I may not have the answer to these questions, but what I do know is that our major Canadian corporations need to be more proactive in finding ways to increase the representation of female visible minorities.

There are hundreds of highly qualified visible minority women who deserve equal opportunities. Organizations need to find ways to recruit within this vast pool of talent and to promote more visible minorities to senior and executive positions.

The Royal Bank of Canada, Canada's largest bank, understands the business case for diversity. In 2010, it received the prestigious Catalyst Award for Diversity because of its exceptional track record for diversity and inclusion practices. Gordon Nixon, RBC CEO, acknowledges that his diverse workforce makes his company better because it can effectively serve its diverse clients and recruit the best talent.

Women represent 67 per cent of RBC's workforce, 54 per cent of its management and 37 per cent of its executives. Visible minority women in management positions account for 28 per cent and 14 per cent of its executive roles. The Royal Bank is on the right track.

Honourable senators, in conclusion, the results published by Ryerson University's Diversity Institute confirm what I have always argued: Visible minorities are under-represented in senior management and executive positions.

Please join me, honourable senators, in helping both women and particularly visible minority women shatter the glass ceiling, and encourage Canada's leading corporations to accept and promote diversity and inclusion at all levels.

[Translation]

## INTERNATIONAL DAY OF LA FRANCOPHONIE

**Hon. Claudette Tardif (Deputy Leader of the Opposition):** Honourable senators, on Tuesday, March 20, francophones in over 50 countries where French is spoken will celebrate International Day of La Francophonie.

It is interesting to note that the official celebration of la Francophonie will be held in Trafalgar Square in London, where a series of concerts featuring francophone artists will be held. The shows will be part of the festivities surrounding the Olympic and Paralympic Games taking place in London this summer. Michaëlle Jean, Canada's former Governor General, will attend the celebration in her capacity as Grand Témoin de la Francophonie for the London 2012 Olympic Games.

The Rendez-vous de la Francophonie, our own national celebration of French language and culture, will take place from March 9 to 25. This year's theme is "Understanding builds a better future." Across Canada, various events including flag-raising ceremonies, shows, concerts and educational activities will attract many francophones and francophiles who care about promoting French-language culture.

In my province of Alberta, 23 communities raised the Franco-Albertan flag on March 2 to kick off the Rendez-vous de la Francophonie. The flag's design was selected for its power to bring people together. Edmonton's mayor, Stephen Mandell, took the opportunity to salute the francophone community's significant efforts to preserve its history and language and the integrity of French-Canadian culture across the country. He said that the community is doing an outstanding job.

• (1410)

Honourable senators, Canada's Francophonie represents an invaluable quality and asset that distinguish us around the world. We must always focus on strengthening and enhancing relationships between our francophone communities in order to promote French in the business world, across the digital universe and in our international exchanges.

According to the Secretary General of La Francophonie, Abdou Diouf, francophones in Canada, who are surrounded by a nearly entirely anglophone majority, provide the heartbeat of the global Francophonie. The unique situation of Canada's francophones and their unwavering determination to defend the French language are extremely motivational to francophones around the globe.

[ Senator Oliver ]

I hope our elected officials never stop recognizing their responsibilities towards francophone communities to assert and demonstrate their leadership, while developing and implementing policies that show respect for our language rights.

I wish to pay tribute to everyone who works on promoting and enhancing la Francophonie, while keeping the French language alive and flourishing. We must demonstrate our attachment to la Francophonie by celebrating its wealth and diversity.

[English]

## THE HONOURABLE SALMA ATAULLAHJAN

### CONGRATULATIONS ON WINNING 2012 WONDER WOMEN OF THE YEAR AWARD

**Hon. Yonah Martin:** Honourable senators, in light of last week's International Women's Day, I rise today to celebrate the achievement of one of our own formidable women, Senator Salma Ataullahjan. On March 8, International Women's Day, Senator Ataullahjan received a Wonder Women of the Year Award on behalf of the National Hero Foundation, a non-profit organization ordained by the government of Pakistan.

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

**Senator Martin:** With more than 300 nominations in 19 countries, Senator Salma Ataullahjan was named as one of Pakistan's top 23 inspirational women, receiving her award under the title of Women's Icon. Past recipients of this award include the late Benazir Bhutto.

[Translation]

Senator Ataullahjan has been recognized as a remarkable Pakistani living overseas, given her distinction as the first Canadian senator of Pakistani descent and for her dedicated service to the Pakistani-Canadian community. She compassionately defends Pakistan and does everything she can to strengthen Canada's relations with Pakistan, particularly during difficult times.

[English]

Senator Ataullahjan has met with internally displaced persons in the Swat Valley, has participated in flood relief efforts here in Canada, and has personally visited flood-damaged regions in Pakistan. A natural consensus builder, she has also been an active participant in several community-based associations in the GTA, including as a long-time member of the Canadian chapter of The Citizens Foundation, an international organization that has built and funded over 730 schools for Pakistan's poorest children.

I also know that as a working mother of two beautiful daughters and as a wife, a sister, a friend to many and as a representative of the Pakistani-Canadian community, she also does work nationally and internationally. She is most deserving of this award.

[Translation]

Honourable senators, I am also happy to tell you that Senator Ataullahjan was one of three Pakistani-Canadian women honoured as the most distinguished women from Pakistan. Oscar winner Sharmeen Obaid Chinoy and medical pioneer Dr. Shahnaz Dar were also honoured at the Wonder Women of the Year Awards last week.

[English]

Honourable senators, I am sure we can all agree that it is wonderful to see such accomplished Canadian women recognized on the world stage. I hope honourable senators will join me in congratulating Senator Ataullahjan and the award winners on this prestigious honour.

My dear colleague and friend, we are so proud of you.

#### THE LATE HERBERT H. CARNEGIE, C.M., O. ONT.

**Hon. Don Meredith:** Honourable senators, on Friday, March 9, 2012, Canada and the world lost a great hero with the unfortunate passing of Dr. Herbert H. Carnegie.

As honourable senators may remember, last November I made a statement in this place in celebration of Dr. Carnegie's 92nd birthday, making mention of his many contributions to Canadian society. I noted that Dr. Carnegie made history in 1948 as the first Black person to be offered an NHL minor-league contract to play for the New York Rangers. Unfortunately, he was forced to decline due to family and financial obligations. Nevertheless, he paved the way for future Black hockey players, including his grandson, Rane Carnegie, who played in the Ontario Hockey League, the American Hockey League, and overseas in France.

Off the ice, Dr. Carnegie would have a greater reach, inspiring the next generation by founding the Future Aces Hockey School, one of the first hockey schools in Canada, and the Herbert H. Carnegie Future Aces Foundation. He penned the popular Future Aces Creed designed to help youth develop self-knowledge and self-confidence. This creed has been embraced by many schools in Ontario and beyond.

Dr. Carnegie was named to the Order of Ontario in 1996 and to the Order of Canada in 2003. He received an Honorary Doctor of Laws degree from York University for his work as a community leader.

In the fall of 2008, I attended the opening of the school named in his honour — Herbert H. Carnegie Public School — in Maple, Ontario, where I had the opportunity to personally spend time with this iconic figure.

He was a kind and warm Canadian, loved by the world over. As the first Jamaican to be appointed to this place, I am especially proud of Dr. Carnegie as a man of Jamaican heritage. He was able to turn his adversities into opportunities and he is an inspiration for young people experiencing similar challenges today.

On May 5 last year, I hosted a group of grade 8 students from Herbert H. Carnegie Public School in the Senate as they visited Parliament Hill. My wife, Michelle, a teacher at the school, knows he will be missed by both students and teachers, as the school is in mourning.

I would like to express my heartfelt condolences to the family of this Canadian legend, including his children Goldie, Bernice, Rochelle and Dale; his nine grandchildren; and seven great-grandchildren. May they find comfort knowing that Dr. Carnegie's dream will continue to be fulfilled for years to come as our youth strive to be the best they can be through the Future Aces Foundation and creed.

Please join me, honourable senators, in remembering a great Canadian who has left his fingerprint on the next generation of our youth and athletes of colour. May his legacy of positive attitude, confidence, education and service continue to shape the next generation of young leaders across this great country.

#### VISITORS IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, before calling for Tabling of Documents, I wish to draw your attention to the presence in the gallery of Ms. Madge Munday, the recipient of the National Association of Career Colleges Graduate of the Year Award. She is accompanied by the chair of the association, Dr. Michael McAllister, and other members of the board of the association.

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

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

### ROUTINE PROCEEDINGS

#### FIRST NATIONS ELECTIONS BILL

##### FOURTH REPORT OF ABORIGINAL PEOPLES COMMITTEE PRESENTED

**Hon. Gerry St. Germain,** Chair of the Standing Senate Committee on Aboriginal Peoples, presented the following report:

Tuesday, March 13, 2012

The Standing Senate Committee on Aboriginal Peoples has the honour to present its

#### FOURTH REPORT

Your committee, to which was referred Bill S-6, An Act respecting the election and term of office of chiefs and councillors of certain First Nations and the composition of council of those First Nations, has, in obedience to the order of reference of Thursday, February 2, 2012, examined the said Bill and now reports the same without amendment.

Your committee has also made certain observations, which are appended to this report.

Respectfully submitted,

GERRY ST. GERMAIN,  
*Chair*

(For text of observations, see today's Journals of the Senate, Appendix, p. 960.)

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

(On motion of Senator St. Germain, bill placed on the Orders of the Day for third reading at the next sitting of the Senate.)

• (1420)

[Translation]

### STUDY ON AIR CANADA'S OBLIGATIONS UNDER THE OFFICIAL LANGUAGES ACT

#### THIRD REPORT OF OFFICIAL LANGUAGES COMMITTEE TABLED

**Hon. Maria Chaput:** Honourable senators, I have the honour to table, in both official languages, the final report on Air Canada's obligations under the Official Languages Act, entitled *Air Canada's Obligations under the Official Languages Act: Towards Substantive Equality*.

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

[English]

### PURPLE DAY BILL

#### FIRST READING

**The Hon. the Speaker** informed the Senate that a message had been received from the House of Commons with Bill C-278, An Act respecting a day to increase public awareness about epilepsy.

(Bill read first time.)

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

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

### LEGAL AND CONSTITUTIONAL AFFAIRS

#### NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO MEET DURING SITTING OF THE SENATE

**Hon. John D. Wallace:** Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

[ Senator St. Germain ]

That, on Thursday March 15, 2012 and on Thursday March 29, 2012, for the purposes of its consideration of Bill C-19, An Act to amend the Criminal Code and the Firearms Act, the Standing Senate Committee on Legal and Constitutional Affairs have the power to sit even though the Senate may then be sitting, with the application of rule 95(4) being suspended in relation thereto.

### HUMAN RIGHTS

#### NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO STUDY ISSUES PERTAINING TO HUMAN RIGHTS OF FIRST NATIONS BAND MEMBERS WHO RESIDE OFF-RESERVE

**Hon. Patrick Brazeau:** Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Human Rights be authorized to examine and report on issues pertaining to the human rights of First Nations band members who reside off-reserve, with an emphasis on the current federal policy framework. In particular, the committee will examine:

- (a) Rights relating to residency;
- (b) Access to rights;
- (c) Participation in community-based decision-making processes;
- (d) Portability of rights;
- (e) Existing Remedies; and

That the committee submit its final report no later than February 28, 2013 and that the committee retain all powers necessary to publicize its findings until 30 days after the tabling of the final report.

[Translation]

### QUESTION PERIOD

#### JUSTICE

#### APPOINTMENT OF WOMEN TO JUDICIARY

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

In her reply to Senator Fraser's question last week, the leader stated that the government is making every effort to increase the number of women in the judiciary. However, statistics on judicial appointments indicate that the percentage of women appointed to the federal judiciary by the Minister of Justice has decreased significantly since 2006.

In 2005, 40 per cent of judges were women. However, since 2006, only 30 per cent of the justices appointed have been women and the trend seems to be heading downward.

In 2010 and 2011, for example, just 25 per cent of the justices appointed were women. Could you describe the efforts you said are being made to increase the number of women in the judicial system and why there has been a decrease, as shown by the statistics, even though the number of women in the legal profession continues to increase?

[English]

**Hon. Marjory LeBreton (Leader of the Government):** Honourable senators, as I have said, we are extremely proud of the judicial appointments we have made, and this includes the appointment of Chief Justice Nicole Duval Hesler, the first woman in Canada's history ever to be appointed as Chief Justice to the Quebec Court of Appeal. The appointment of qualified women to Canada's judiciary is a priority for our government, and we are making progress.

We recently appointed Justice Karakatsanis to the Supreme Court, which means that now four of the nine judges of the Supreme Court are women. Five of the eleven judges at the Federal Court of Appeal are also women and our government is extremely proud of the fact that we appointed four of those women.

[Translation]

**Senator Tardif:** Indeed, honourable senators, those are good appointments. However, facts are facts and the statistics show a decline.

The leader also said last week that the government is ensuring that women are well represented in the appointment process. However, as Senator Losier-Cool pointed out in a question in December, women are also under-represented on the committees charged by the Minister of Justice to make federal judicial appointments. In all, women hold just 28 of the 133 positions on those committees. The government's guidelines require the federal Minister of Justice to consider representation of the public in the composition of the advisory committees.

How does the government plan to adjust the composition of these committees in order to ensure that they better reflect the population, including women?

[English]

**Senator LeBreton:** As the honourable senator knows, there are 17 judicial advisory committees that work on a volunteer basis to identify and recommend qualified candidates for Canada's judiciary. The honourable senator is mistaken if she believes that these advisory committees are set up by the federal Department of Justice.

I have some experience and knowledge in this area. These judicial advisory committees are set up across the country. They are made up primarily of the justices of the various provinces and territories, plus the Chief Justice of the court and others. These

advisory committees, of course, are responsible for making recommendations to the Department of Justice for judicial appointments, and we will continue to seek out, select and recommend for appointment women and men of undisputable merit and legal excellence, with input from a broad range of stakeholders.

The judicial appointments process is one that has stood the test of time. We started this process back under the Mulroney government. It was carried on by the Chrétien and Martin governments. It has produced high-quality people to serve in the judiciary, and we are constantly seeking out appointments of highly qualified women. I just put on the record the names of some of the women we have appointed recently.

## PUBLIC SAFETY

### ROYAL CANADIAN MOUNTED POLICE

**Hon. Grant Mitchell:** Honourable senators, did I actually hear the leader compliment the Liberals? Fantastic. What a way to start my question.

There is a case that is public now in which a male RCMP sergeant and a female constable had sex in an RCMP car on RCMP time. The male sergeant was docked ten days' pay and the female constable was fired.

• (1430)

What is it about the culture of the RCMP that a man would be given a slap on the wrist for that and the woman would be fired?

**Hon. Marjory LeBreton (Leader of the Government):** Senator Mitchell started off okay.

I would I not comment on a situation that I have very little knowledge of. I will simply take the senator's question as notice.

**Senator Mitchell:** Let me ask another question for the leader to consider on notice.

They both lied about the affair, and then they both admitted it. The female constable, in her tribunal, was actually convicted of lying. The sergeant's lying could not be considered because the terms of reference for his tribunal were designed in such a way that the lying was excluded. What does it say about the culture of the RCMP that the male would not be considered for lying and therefore would skate even being demoted, that was a point made by the tribunal, whereas the female's lying would be considered in the fact that she was fired from her job?

**Senator LeBreton:** I thank the honourable senator for the question. He raises a valid and excellent question, and I am happy to take it as notice.

**Senator Mitchell:** The third consideration here was the tribunal actually ruled to fire her and at the same time insisted somehow, I do not know how, that she would have to undertake psychological care. How is it that there would be this kind of arrogance in the RCMP culture where someone could be fired and then the RCMP could consider that they could still order her around?

**Senator LeBreton:** These are very good and valid questions, and as a woman I am looking forward to what kind of an answer they give us. I thank the honourable senator very much.

**Senator Mitchell:** Finally, while the leader is considering this, could she consider the litany of this kind of issue that is now emerging and ask the question of herself and of her colleagues how many of these kinds of cases have to emerge, how much of this has to be going on, before this government will step in and do something about changing the culture of the RCMP so that women, among other people, can feel safe in this iconic institution reflecting iconic Canadian values?

**Senator LeBreton:** I hope the honourable senator was not suggesting that this is the kind of activity we participate in over on this side. In any event, I will take the question as notice, honourable senators.

## FISHERIES AND OCEANS

### MANAGEMENT OF ATLANTIC FISHERIES

**Hon. Elizabeth Hubley:** Honourable senators, for over 30 years the backbone of the management of the Atlantic fisheries has been based on fleet separation and owner-operator policies. These policies have ensured that the inshore and midshore fishers along our Atlantic shores have a fair opportunity to operate independent fishing businesses free from the outside influence of large processors and corporations.

These policies have been critical components behind an industry that comprises Atlantic Canada's single largest private sector employer, providing over 20,000 jobs in one of the regions of this country with high unemployment.

Now the Department of Fisheries and Oceans is apparently moving towards eliminating these policies and allowing large corporate entities to move in and take control of this fishery that is so critical to the economic well-being of our Atlantic coast. Can the minister assure us that the Department of Fisheries and Oceans will not abandon the 20,000 workers in this industry by eliminating these policies that have been so important for the whole region of the country?

**Hon. Marjory LeBreton (Leader of the Government):** I thank the honourable senator for the question. All I can say at the moment, and some of these are from very speculative news stories, I believe, is that the Minister of Fisheries is at the moment listening to fishermen and not advocating for any particular position. Of course, our government, as all governments naturally would be, is fully committed to the economic vitality of fishermen and their communities.

**Senator Hubley:** Supplementary, please. Surely the federal government can acknowledge that a change of this magnitude will impact the lives of thousands of Atlantic Canadians along our East Coast. Will the government commit to an extensive and meaningful consultation process that includes taking hearings directly to the affected communities to give those affected by this decision the ability to contribute to this policy decision?

**Senator LeBreton:** I think I answered that question. The Minister of Fisheries is currently listening to fishermen and the various communities where this is a major industry. He is not advocating for any particular position. He is in listening mode at the moment, and I can only state what I stated before: We are fully committed to the economic vitality of fishermen and the communities in which they live.

**Senator Hubley:** Further supplementary, please. On the consultation process, I am wondering if the leader would confirm for me when she takes this back to the minister if in fact he is visiting the areas in the Atlantic region that are most affected by this policy, and if she could also share with us the communities and the fishing organizations that he speaks to.

**Senator LeBreton:** Honourable senators, I will be certainly happy to make that request of the minister.

**Hon. Terry M. Mercer:** Minister, you say the Minister of Fisheries is listening. We went through this not too long ago. Minister Ritz, the Minister of Agriculture, said he was listening to farmers. He was going to follow the law and consult with farmers before making any changes to the Canadian Wheat Board. During that debate, both here in this chamber and in the Agriculture and Forestry Committee, I made the point that this was just the tip of the iceberg. The Wheat Board was first, and I predicted supply management would be next. I guess I was a little off. I think supply management is still on the block, according to articles in the paper, but now we will talk about the fisheries industry. We will decimate areas of Atlantic Canada and eastern Quebec.

To quote one of my colleagues in the other place, this government is treating our independent Atlantic Canadian and Quebec owner-operator fleets with nothing but contempt and disrespect by even considering changes that will wipe out independent fishers and make wealthy companies even wealthier on the backs of Atlantic Canadians and coastal Quebec communities.

This is similar to what we predict will happen in Western Canada with the consolidation of those who own the grain and those who control the sale and marketing of grain, which we think will happen after the August 1 date when the Wheat Board officially changes to its new entity.

Senator LeBreton says Minister Ritz is listening, but who is he listening to?

**Senator LeBreton:** First, with regard to the Wheat Board, we have been around the block on this before. Through a number of election campaigns, the government's commitment was very clear to Western Canadian grain producers to give them the same marketing freedom that producers in other parts of the country have, and farmers in Western Canada do still have the option of selling their wheat through the Wheat Board.

With regard to the Minister of Fisheries, I can only tell you what I know to be the case, honourable senators, and that is that he is listening very intently to the people in the fishing industry and has not taken a position or advocated for any particular position. Unlike the Wheat Board where we did advocate very



clearly and delivered on our promise to Western farmers, in this case the minister is listening very carefully. He is discussing the various options with the people in the fishing industry, and I cannot offer Senator Mercer anything more than I offered to Senator Hubley, that I will be happy to, as I indicated to her, get further information from the minister as to the extent of his consultations.

**Senator Mercer:** Minister Ritz a month before the election was called indicated that he was going to follow the law as it was at that time and go through a consultation process with farmers. We know what the policy of the government had been through the elections, but he said this to farmers, and that was not worth much. The Atlantic Fisheries Policy Review then states that fishers are to be given a direct say in policy decision-making. The Department of Fisheries and Oceans gave independent fleet operators little or no notice of consultation and very short times to respond.

• (1440)

Is this another example of rushing this thing through so that no one has an opportunity to understand the ramifications? This is bad public policy. If the government proceeds down this road, it will close down hundreds of fishing villages all across Atlantic Canada and Eastern Quebec. It will be dealing with the social problems that will fall out from that.

The Atlantic Fisheries Policy Review says that fishers are to be consulted. Is there a formal plan for that consultation?

**Senator LeBreton:** Honourable senators, the honourable senator used the word “if.” “If” is a small word that can be used and abused in many ways. I can only state what I said to Senator Hubley and that is that the Minister of Fisheries, Mr. Ashfield, is listening at the moment to fishermen and is not advocating any particular position. We are firmly committed as a government to the vitality of the various communities in Atlantic Canada that depend on the fishery for their livelihood.

## HEALTH

### MENTAL HEALTH

**Hon. Jane Cordy:** Honourable senators, my question is for the Leader of the Government in the Senate. I had the privilege yesterday of speaking at Dalhousie University to a class who are studying health promotion specifically related to mental health and mental illness. They asked me to speak about the Kirby report, which was published six years ago this May. I know the leader was a part of that committee. It is always interesting to know that people are still studying the Kirby report on mental health and mental illness, which was called *Out of the Shadows at Last: Transforming Mental Health, Mental Illness and Addiction Services in Canada*, and that students at university are now studying it.

The students were asking me questions. There was one question that the leader may not be able to answer today, but I would appreciate it if she would take it as notice. We got into a discussion about the fact that we tend to think that only the

provinces and territories deliver health care, but we do know that the federal government is the fifth-largest provider of health care in Canada because it deals specifically with the RCMP, the military, First Nations, Aboriginals and inmates in the prison system.

The question asked of me by a student was: How much money is spent by the Canadian government on healthcare for those particular groups that the federal government is specifically responsible for? Out of that amount of money that is spent on healthcare for those groups, how much is spent dealing with mental health issues? What percentage of the total amount deals specifically with mental health issues?

**Hon. Marjory LeBreton (Leader of the Government):** I thank the honourable senator for the question. In the Department of National Defence, there has been a large increase in programs with regard to mental health. I will be happy to take the question as notice.

The honourable senator will recall, because we were both on the committee, the whole issue of mental health and mental illness was described as the last frontier; that is, the study of illnesses of the brain. I know our former colleague the Honourable Michael Kirby is doing an outstanding job with the Mental Health Commission.

The honourable senator is quite right. She asked for a lot of details with regard to the amount of money that is expended on mental illness and I will be very happy to take the question as notice and provide a written response.

**Senator Cordy:** I would also like the total amount of money and the percentage of the whole pot that is specifically spent on mental health and mental illness, if the leader could do that as well.

**Senator LeBreton:** Yes; I understood that to be the question.

## ANSWER TO ORDER PAPER QUESTION TABLED

### HEALTH—COMPENSATION TO VETERANS FOR EXPOSURE TO AGENT ORANGE

**Hon. Claude Carignan (Deputy Leader of the Government)** tabled the answer to Question No. 19 appearing on the Order Paper by Senator Downe.

## ORDERS OF THE DAY

### SAFE STREETS AND COMMUNITIES BILL

#### MESSAGE FROM COMMONS— SENATE AMENDMENTS CONCURRED IN

**The Hon. the Speaker** informed the Senate that a message had been received from the House of Commons returning 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, and acquainting the Senate that they have agreed to the amendments made by the Senate to this bill without further amendment.

[Translation]

## INCOME TAX ACT

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

On the Order:

Resuming debate on the motion of the Honourable Senator Mitchell, seconded by the Honourable Senator Banks, for the second reading of Bill S-205, An Act to amend the Income Tax Act (carbon offset tax credit).

**Hon. Claude Carignan (Deputy Leader of the Government):** Honourable senators, please allow me to take part in the debate and join the opponents of Bill S-205.

The purpose of this bill is to establish a new, costly, ineffective tax credit for investments in approved offset projects. These non-refundable credits could be up to 15 per cent of one person's total eligible investments for one year.

[English]

While I oppose this costly proposal, I am pleased to say that protecting the health and environment of Canadians has been and continues to be a key priority for our government.

[Translation]

With regard to fiscal policy, the government has presented many measures to support the environment, in particular, the public transit tax credit and the expansion of eligibility for accelerated capital cost allowance for clean energy generation equipment.

Last year in Budget 2011, the government announced that equipment that generates electricity using waste heat would be eligible for the accelerated capital cost allowance.

Moreover, the government renewed its funding for the Clean Air Agenda to support regulatory activities to address climate change, the cornerstone of Canada's policy in this regard. This program will make it possible to achieve real reductions in greenhouse gas emissions, while maintaining Canada's economic advantage and its ability to create jobs for Canadians.

[English]

Building on work to date, the government has renewed the Next Phase of Canada's Economic Action Plan, funding to reduce greenhouse gas emissions, improve air quality and help Canadians and businesses adapt to a changing climate.

[The Hon. the Speaker]

[Translation]

For example, the plan allocates \$252 million to supporting regulatory activities that address climate change and air quality, and \$86 million to supporting clean energy regulatory actions, focusing on energy efficiency.

In addition, the next phase of Canada's Economic Action Plan allocates \$48 million over two years to develop transportation sector regulations and next-generation clean transportation initiatives, \$58 million for projects to improve Canadians' understanding of climate change impacts, and \$25 million over two years to advance Canada's engagement in international negotiations and support the Canada-United States Clean Energy Dialogue.

[English]

Honourable senators, I trust you will agree that these actions demonstrate the government's commitment to protect the environment and pave the way to a cleaner energy economy.

[Translation]

Unfortunately, the proposal that we are debating today has many shortcomings, including the cost involved. One of the main problems with Bill S-205 is that it fails to define what constitutes an "approved offset project" and remains vague as to the possibility and ease of developing such a definition.

• (1450)

In order for the government to administer the proposed tax credit, clear criteria would have to be established to determine whether a given offset project is eligible for the credit. What type of project would be eligible, and for each type of project, what would be the specific eligibility criteria? Would eligibility be limited to projects carried out in Canada? How and by whom would projects be evaluated?

[English]

The bill's solution to address this lack of clarity is to let the Minister of National Revenue figure it out, without offering any guidelines that would allow the minister to determine which projects will be eligible.

[Translation]

There are no nationally recognized standards to define offset projects or providers on whom the minister can call to administer the provisions of the bill. Without standardized rules for the allocation of carbon offset tax credits, it would be impossible to validate credits correctly. As such, the quality of the credits could vary substantially from one provider to the next, not to mention that implementing the provisions of Bill S-205 would be an enormous undertaking requiring a new field of expertise within the Canada Revenue Agency. There is simply no national consensus on the eligibility criteria for offset projects. It is not reasonable to expect the Minister of National Revenue to give a taxpayer a carbon offset tax credit if the minister is not even in a position to identify eligible investments.

Honourable senators, implementing Bill S-205 would be totally unrealistic. Asking the Minister of National Revenue to administer this tax credit without key definitions or a regulatory framework is putting the cart before the horse.

[English]

In addition, there is no clear evaluation mechanism and no clear standards in place to ensure that the public subsidies for the carbon offset investment would result in cost-effective reductions in carbon emissions. In other words, the purpose of the bill will not meet its goals, because it does not ensure a reasonable correlation between the amounts spent and the environmental benefits achieved.

[Translation]

It would likely be very difficult to assess the implementation costs and the direct costs. Our examination of the bill revealed that the costs would be open-ended, because there are no limits in the bill on the amount of credits that could be claimed by an individual investor. At the very least, the Canada Revenue Agency would be burdened with significant administrative costs associated with the approval and monitoring of offset projects.

Honourable senators, let us not forget that the personal income tax system already provides incentives to individuals who wish to reduce greenhouse gas emissions. When a taxpayer makes a donation to an organization dedicated to protecting the environment, he or she can ask for a generous tax credit if it is a registered charity. The Government of Canada offers a non-refundable tax credit worth 15 per cent for every dollar donated to a maximum of \$200, and 29 per cent for every dollar over that amount. If we take into account the tax breaks also given by the provinces, Canadians recoup about 46 cents for every dollar donated up to \$200. Given the generosity of the tax credit for charitable donations, it is difficult to believe that individual taxpayers, if given a choice, would opt for the tax credit for the purchase of carbon offsets.

In closing, I would like to reiterate that the bill before us today presents an onerous and unrealistic plan. I respectfully urge all honourable senators to vote against this bill.

[English]

**Hon. Nancy Greene Raine:** Honourable senators, I rise to address Bill S-205, an Act to amend the Income Tax Act. If passed, this amendment would give tax credits to Canadians who invest in so-called carbon offsets. While I have no objection to citizens spending their own money in any way they choose, I do not support the government's giving tax credits for carbon offsets. I say this for several reasons. First and foremost, I consider it an unnecessary and undesirable expense at a time when we should be looking for ways to reduce the tax burden on Canadians. While it is true that the amendment would benefit those who invest in carbon offsets, it would be an expense that would have to be covered by all other taxpayers. I say it is unnecessary because, contrary to the assertions of the honourable senator sponsoring the bill, it addresses an issue that is more and more being questioned by

new scientific evidence. We simply do not know that our actions have a significant impact on the global climate, let alone that "the consequences of not acting can be catastrophic," to quote Senator Mitchell.

I do not pretend to be a climate expert, but I have spent a lot of time over the past decade reading about this topic and listening to those scientists who are true experts. This, I believe, puts me in a good position to apply a common sense approach to the issue.

Before I outline what I think would be a logical, "no regrets" approach to climate change, I need to clear up some misconceptions about so-called carbon emissions, a term erroneously used by the honourable senator sponsoring this bill in his speech in this chamber on November 23. In Canada and in the United States and, indeed, in many industrialized countries, about 85 per cent of the greenhouse gas we release, other than water vapour, is carbon dioxide. This is not carbon, but a compound of one carbon atom and two oxygen atoms, yielding a molecule that has the chemical formula CO<sub>2</sub>. This is not merely an academic point. Ignoring the oxygen atoms and calling CO<sub>2</sub> emissions carbon emissions is as appropriate as ignoring oxygen in water vapour or H<sub>2</sub>O and calling it hydrogen. Most Canadians would regard it ridiculous to have their water bill labelled a hydrogen bill.

The "CO<sub>2</sub> is carbon" mistake is a common misconception, and it unjustifiably encourages people to view this benign gas as dirty, which indeed it is not.

Unlike carbon monoxide, sulphur dioxide, nitrogen dioxide and other pollutants, carbon dioxide is not toxic. In fact, it is an essential ingredient in plant photosynthesis, without which there would be no life on earth. For the past century, greenhouse operators have been adding CO<sub>2</sub> to the air inside greenhouses to enhance plant growth.

This is because plants are somewhat undernourished in CO<sub>2</sub> at today's atmospheric levels. We are closer to low CO<sub>2</sub> levels, at which plants die, than we are to any dangerous upper limit. Throughout most of earth's history, CO<sub>2</sub> levels have been significantly higher than they are now, and life flourished.

Unlike a decade ago, when few scientists dared express doubt that humanity's CO<sub>2</sub> emissions are causing dangerous global warming, it seems now that not a week goes by without some leading expert condemning the hypothesis. On January 27, *The Wall Street Journal* published an open letter from 16 leading scientists in which they told politicians that they must, and I quote:

... understand that the oft-repeated claim that nearly all scientists demand that something dramatic be done to stop global warming is not true. In fact, a large and growing number of distinguished scientists and engineers do not agree that drastic actions on global warming are needed.

Signatories to the letter included such eminent scientists as Claude Allegre, former director of the Institute for the Study of Earth at the University of Paris, and Antonio Zichichi, president of the World Federation of Scientists, in Geneva.

Open letters and petitions like this have been circulating for years, several of which were sent to the three most recent Canadian prime ministers. The best known of all of these documents is the Global Warming Petition Project, which now claims over 31,000 U.S. scientists and technically qualified professionals. They assert, in the petition:

There is no convincing scientific evidence that human release of carbon dioxide, methane or other greenhouse gases is causing, or will, in the foreseeable future, cause catastrophic heating of the Earth's atmosphere and disruption of the Earth's climate.

• (1500)

Honourable senators, if carbon dioxide and other greenhouse gases are not causing climate change, what is causing it? In December, the Standing Senate Committee on Energy, the Environment and Natural Resources heard from leading climate experts whose research indicates that the primary driver of climate change is the sun. They maintain that the greenhouse gas reduction recommendations of the United Nations Intergovernmental Panel on Climate Change, the IPCC, are simply in error and that humanity does not control our planet's climate.

I cannot judge whether they are right, but I do think that we must carefully consider well-substantiated alternative theories in a field as immature as climate change science. After all, if governments are to base policies on real science and not become bogged down in mere rhetoric and politically correct dogma, we must hear from experts who follow the scientific method, even, and perhaps especially, when they come to conclusions that are not currently in vogue.

The scientific method lays out how we must first observe nature, then create possible hypotheses to explain the observations, then test those hypotheses and then change our ideas to fit observed facts, all the while encouraging open, science-based discussion and questioning. Yet today, unfortunately, many environmentalists become indignant if one dares question politically correct ideas about climate change. Clearly, this is not constructive.

In his working paper just submitted to Dutch authorities, leading scientist Arthur Rorsch critiqued the UN IPCC, the body whose reports constitute the foundation for many of the government's climate policies. He shows that their methods at times strongly deviate from the scientific method. In the December Senate hearing, we heard about many of the other problems of the IPCC and how they simply can no longer be trusted as an unbiased source of scientific information.

Consequently, I recommend to the Standing Senate Committee on Energy, the Environment and Natural Resources that they consider doing a thorough study into the current state of climate change science, carefully considering all reputable points of view on the issue. In addition, the committee should consider whether the reports of the IPCC should be relied upon by the Government of Canada for policy formulation. To give members a quick overview of the many problems with the IPCC, I suggest that you read the well-documented review by Canadian investigative journalist

Donna Laframboise. Her book is entitled *The Delinquent Teenager Who Was Mistaken for the World's Top Climate Expert*. After reading the book, you may no longer consider her book title to be mere humour.

It has often been suggested that to "fight climate change" Canada can easily make a conversion from conventional energy sources to low-carbon-dioxide emitting wind, solar and other power sources. In his speech supporting Bill S-205, the honourable senator promoted these energy sources as job and wealth creators for Canada. However, honourable senators, the experience in Europe tells a very different story.

For example, researchers at the Instituto Bruno Leoni in Italy found that for every so-called "green job" created by subsidies, nearly five times as many ordinary jobs could have been created in the general economy at the same cost. The Italian researchers add:

What's often ignored is that the creation of green jobs through subsidies or regulation inherently leads to the destruction of job opportunities in other industries. That's because any resource forcibly taken out of one sector and politically allocated in favour of renewable energy cannot be invested elsewhere.

A November 2009 German economic paper from the Ruhr University Bochum and RWI, a publicly funded research institute, concluded:

It is most likely that whatever jobs are created by renewable energy promotion would vanish as soon as government support is terminated.

University of Guelph economics professor Ross McKittrick, sums it up best by saying:

If spending money on greenhouse gas reduction is profitable and makes people better off then there is no need for government to force it to happen.

I wish to make it clear that I believe that the Government of Canada must indeed continue to protect our natural environment, but we must concentrate our energy and financial resources on tackling environmental problems we know to be real, such as cleaning up toxic waste dumps and reducing agricultural and urban runoff that pollutes lakes and rivers. The climate always changes and there may well be nothing we can do to stop it.

In summary, I believe that the real focus of Canada's climate policy, the no-regrets approach that yields benefits no matter what causes climate change, must be to help vulnerable people and communities prepare for and adapt to inevitable climate change. We should also continue to support scientific research in the field so that some day we may be able to forecast climate to help us get ready for whatever nature throws at us next.

[Translation]

**Senator Carignan:** Senator Raine gave us some quotes. I would therefore like to cite two excerpts from an article published in the *Tocqueville Review* in 2011.

[ Senator Raine ]

Here is the first citation:

Even if Canada took dramatic action and managed to reduce its GHG emissions by half, such efforts, by themselves, would not have a noticeable impact on the climate disturbances that threaten the country, because Canada accounts for only 1.88% of global emissions.

The second citation speaks about Albertans and the oil sands:

But the oil sands are responsible for only 0.1% of global GHG emissions and therefore only 0.1% of the melting of Western Canada's glaciers.

Who is the author of this quote?

[English]

**Senator Raine:** I am sorry; I do not know who the author of that quote is. Perhaps the honourable senator could tell us.

**Senator Carignan:** Stéphane Dion.

**Senator Raine:** Honourable senators, I am in receipt of an email sent to the Honourable Senator Mitchell on January 10 in 2012. I decided that it would not be good use of our time here in the Senate to read some of the quotes, but it is literally page after page of quotes by eminent scientists talking about the uncertainty of the climate science. I will circulate this to all honourable senators so they can read it for themselves. I would encourage everyone to remember that it is very difficult for public policy to get out in front of public opinion. We should be asking ourselves this question: How did the opinion that man is causing dangerous climate warming get where it is today?

**Senator Mercer:** Through science.

**Senator Cowan:** Is Senator Raine making a second speech? I thought she had concluded her speech and Senator Carignan asked her a question and now she is up speaking again.

[Translation]

**Senator Carignan:** I do appreciate receiving a complete answer to the question posed by the Honourable Senator Raine.

(On motion of Senator Mockler, debate adjourned)

• (1510)

[English]

## INVOLVEMENT OF FOREIGN FOUNDATIONS IN CANADA'S DOMESTIC AFFAIRS

### INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Eaton calling the attention of the Senate to the interference of foreign foundations in Canada's domestic affairs and their abuse of Canada's existing Revenue Canada Charitable status.

**Hon. Donald Neil Plett:** Honourable senators, I am pleased to rise today to speak to Senator Eaton's inquiry on the involvement of foreign foundations in Canada's domestic affairs. I am further happy to be part of what Senator Mitchell calls the Finley-Eaton tag team. As was shown on May 2, 2011, indeed, it is a tag team championship.

Senators on both sides of this chamber would agree that Canadians have a duty to protect their land and people and to keep our country strong, sovereign and free. However, right now Canada's sovereignty is being challenged in a veiled threat through foreign charities. More than 4,300 foreign-funded environmentalists have signed up to appear before a panel vetting the proposed Northern Gateway pipeline from Alberta to the B.C. coast, despite the fact that a Nanos survey conducted at the end of January found that nearly 75 per cent of respondents believe that Canada should diversify its energy export markets beyond the United States.

Prime Minister Stephen Harper recently stated:

... just because certain people in the United States would like to see Canada be one giant national park for the northern half of North America, I don't think that's part of what our review process is all about. Our process is there to determine what the needs and desires of Canadians are.

Mr. Harper also said:

And I think ultimately because it's Canadian jobs that are at stake, that Canadians have to be the ones who make the decisions.

It is about balance between the environment and the economy. It seems that Senator Mitchell shares the view that Canada should be one big tourist park. If Senator Mitchell had his way, he would impose a carbon tax on Canadians — a tax on absolutely everything. Canadians would be paying substantially more for gas for their cars, electricity for their homes and everything else they buy.

Ezra Levant recently stated about Senator Mitchell, "He's a bizarrely anti-Alberta, anti-oilsands senator." I certainly know why Senator Mitchell would oppose Senate elections, especially if he would need to run.

National Resources Minister Joe Oliver recently stated in an open letter:

Unfortunately, there are environmental and other radical groups that would seek to block this opportunity to diversify our trade. Their goal is to stop any major project no matter what the cost to Canadian families in lost jobs and economic growth. No forestry. No mining. No oil. No gas. No more hydro-electric dams.

These groups threaten to hijack our regulatory system to achieve their radical ideological agenda. They seek to exploit any loophole they can find, stacking public hearings with bodies to ensure that delays kill good projects. . . . They

attract jet-setting celebrities with some of the largest personal carbon footprints in the world to lecture Canadians not to develop our natural resources.

A number of senators have previously cited contributions through charitable organizations, but they bear repeating.

Vivian Krause showed evidence in the *Financial Post* that since 2000 U.S. foundations have granted at least \$300 million to various environmental organizations and campaigns in Canada. For instance, the San Francisco-based Gordon and Betty Moore Foundation has granted \$92 million. Gordon Moore is one of the founders of Intel Corporation. The William and Flora Hewlett Foundation and the David and Lucile Packard Foundation have granted a combined total of \$90 million, mostly to environmental groups in British Columbia. The Pew Charitable Trusts, based in Philadelphia and created by the founder of Sun Oil, has granted at least \$82 million over the past decade; and at least \$40 million has been granted by other U.S. foundations.

Of the \$300 million, at least \$150 million was specifically for the Great Bear Rainforest initiative, the Pacific North Coast Integrated Management Area and the Canadian Boreal Initiative. The Great Bear Rainforest is a 21 million-hectare zone that extends from the northern tip of Vancouver Island to the southern tip of Alaska. Environmentalists now claim that oil tanker traffic must not be allowed in the Great Bear Rainforest in order to protect the Kermode bear, also called the spirit bear. North coast B.C. First Nations groups have received at least \$50 million from U.S. foundations — \$27 million from Moore, \$19 million from Hewlett and Packard, and several million more from other U.S. foundations. The Pew Trusts also granted \$57 million to the Boreal Forest Initiative which seeks to place half of Canada's Boreal forest, nearly two thirds of the area of Canada, into protected status.

The main aim of the Great Bear Rainforest initiative and the Canadian Boreal Initiative is to destroy Canada's oil industry. The industry employs upwards of 800,000 Canadians, contributes \$65 billion to Canada's GDP, as well as \$9 billion in corporate and personal taxes to federal, provincial and municipal governments. U.S. foundations have granted at least \$30 million specifically for campaigns to impede this Canadian industry and Canada's economy.

Honourable senators, when we speak of Canada's Boreal forest, I would like to note that over the past 40 years, only 0.02 per cent of Canada's Boreal forests has been disturbed by the oil sands mining operations and that 94 per cent of the Lower Athabasca region's living resources have been left intact. As well, in Alberta alone, 90,000 square kilometres, or approximately 24 per cent of the Boreal forest, is protected from development.

What strategic plan does Hewlett-funded Tides Canada have? Does it involve funding a large number of politically motivated parties or individuals under the guise of charities? Tides U.S.A. and sister organization Tides Canada have paid a total of \$10.2 million to 44 organizations that campaign against Canadian oil.

Honourable senators, let me quote from Senator Finley's speech from last Tuesday. He said:

Canadians need to march with their phones and computers to tell Carol Larson of the David and Lucile Packard Foundation, Melissa Bradley of the Tides Foundation and Peter Robinson of the David Suzuki Foundation that they will not stand for this.

Canadians are rightfully concerned that an oil spill similar to the *Exxon Valdez* oil disaster could devastate the B.C. coast for years to come. They are every bit as Canadian as you or I, but their billionaire funders are not. U.S. billionaires and their billion-dollar charitable foundations are fighting the oil companies on Canadian soil.

Canada is indeed a sovereign nation, which is why foreign entities should simply not be allowed to meddle in the Canadian regulatory process under the guise of charities.

• (1520)

As Ethical Oil spokesperson Kathryn Marshall stated:

Letting foreign money buy its way into our regulatory processes is wrong. It opens doors to foreign interests that have no concern for our jobs and our economy. When a foreign-funded, anti-pipeline activist admits, as Eric Swanson of the Dogwood Initiative did on CTV, that "if I got duffel bags of money delivered from Martians from outer space, I would still take that money," Canadians should take him at his word.

Let me ask you this, honourable senators: If environmentalists are willing to accept money from Martians, where would they draw the line on where they receive money from? Would they take money from al Qaeda, the Hamas or the Taliban? Who is really making the decisions in Canada if we allow foreign money to lobby against what should be Canadian-made decisions?

Prime Minister Harper and our Conservative government have been a strong voice for Canadian sovereignty. Through rebuilding our Canadian Forces and adopting a new, values-based foreign policy, our government is ensuring Canada's autonomy while advancing our national interests on the world stage.

Our government is making sure that values that Canadians hold dear — freedom, democracy, human rights and the rule of law — are being promoted on the world stage. Canada is now asserting its sovereignty in the Arctic, pursuing new international free trade agreements and strengthening our contributions to global security, most notably through the UN-NATO missions in Afghanistan and Libya.

By promoting free trade globally, Canada is providing a foundation for expanded exports and, ultimately, strengthening our national economy. Currently, one in five jobs in Canada are linked to international trade and almost 60 per cent of Canada's GDP is connected to trade. Since our government came to office in 2006, Canada has completed new free trade agreements with nine countries.

As Minister of International Trade, Ed Fast, recently stated:

The global economic recovery remains fragile, and many threats remain. Jobs and economic growth to benefit Canadians are our government's key focus. That is why we are committed to aggressively pursuing bilateral and regional trade talks and making more effective use of Canada's diplomatic assets.

Our government continues to focus on growing Canada's economy and creating jobs with our pro-trade plan. Free trade creates a foundation of ongoing competitiveness, innovation and strength.

Prime Minister Harper recently stated on his trip to China:

Canada is not just a great trading nation; we are an emerging energy superpower. It has abundant supplies of virtually every form of energy, and you know, we want to sell our energy to people who want to buy our energy, it's that simple. Currently, 99 per cent of Canada's energy exports go to one country — the United States. And it is increasingly clear that Canada's commercial interests are best served through diversification of our energy markets. To this end, our government is committed to ensuring that Canada has the infrastructure necessary to move our energy resources to those diversified markets. Yes, we will continue to develop these resources in an environmentally responsible manner, but so too will we uphold our responsibility to put the interests of Canadians ahead of foreign money and influence that seek to obstruct development in Canada in favour of energy imported from other, less stable parts of the world.

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

**Senator Plett:** A respected climate scientist and modeller from the University of Victoria, Andrew Weaver, recently calculated that emissions from the Alberta oil sands do not make a big difference to global warming. Weaver's research shows even if all the possible products that could ever come from the oil sands were used, the global mean temperature would rise only about 0.36 degrees Celsius. Weaver's study also showed that if the proven oil sands reserves were used between 2012 and 2062, it would raise the global temperature by just 0.03 degrees Celsius.

**An Hon. Senator:** How much?

**Senator Plett:** By 0.03 degrees Celsius.

This is a stark contrast from oil sands opponents like Senator Grant Mitchell, who has suggested that the carbon emissions from the oil sands will make the Earth uninhabitable. Unfortunately, the oil sands have been labelled by environmentalists as the largest threat to the world's climate. However, research now shows that other energy sources, such as coal, have been shown to have a much bigger environmental impact. Weaver's study claims that if the global coal supply was burned, the global temperature could rise up to 15 degrees Celsius.

Honourable senators, may I have five minutes?

**The Hon. the Speaker:** Is five minutes granted, honourable senators?

**Some Hon. Senators:** Agreed.

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

**Senator Plett:** Total greenhouse gas emissions from the oil sands in 2009 were 45 megatonnes. This is approximately the equivalent of 3.5 per cent of 2009 emissions from the U.S. coal-fired power generation section.

Nuclear energy is known to be one of the lowest greenhouse gas emitters in power generation. In spite of this, the first new nuclear plant built in the United States in more than 30 years was recently approved by U.S. regulators.

It is not my intention, honourable senators, to pit one country against another with our use of our energy resources. However, countries and lobbyists should look in their own backyards first before interfering in policies and regulations of other countries, especially when lobbying against them is masked under the guise of charities.

I would like to note Senator Mitchell's offensive claim from last Tuesday's debate:

... this government that says, "We do not even want to talk about the environmental side of things. We do not even want to demonstrate that we are open to public discussion and policy debate about the environmental side of things."

In answer to Senator Mitchell, in fact the federal Conservative government and the Alberta provincial Conservative governments have invested approximately \$3 billion to make Canada a leader in carbon capture.

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

**Senator Plett:** Also, in 2007, the Alberta government implemented greenhouse gas regulations requiring a mandatory 12 per cent reduction in greenhouse gas emissions for all large industrial sectors, including existing oil sands facilities.

Since 2007, these regulations have resulted in greenhouse gas reductions of 23 megatonnes, which is the equivalent of taking 4,800,000 cars off the road.

As Vivian Krause eloquently states:

Canadians can take care of Canada. The Rockefellers and other billionaire philanthropists should spend their money reducing poverty in the U.S. and around the world, not on manipulating markets, swaying investment capital and protecting trade interests.

Honourable senators, Canadians should be the decision makers of Canadian policies and regulations. We need to ensure that we protect our sovereignty from the manipulation of foreign interests and lobbyists who wish to exploit our regulatory processes for their own agendas, agendas that are clearly against Canada and Canadian sovereignty. Thank you very much.

• (1530)

**Hon. Terry M. Mercer:** Would the honourable senator take a question?

**Senator Plett:** I guess that is the downside of asking for the extra time.

**Senator Mercer:** Honourable senators, as the spokesman for the flat earth society over there, I wanted to know whether this money the honourable senator is talking about — by the way, honourable senators should look at the work some of these foundations do everywhere; they do absolutely fabulous work in different areas. Senator Plett does not have to particularly care what they are doing, so he will trash them.

What about the National Rifle Association? When it came to Canada, it spent untold amounts of money in opposition to the gun control legislation brought in by the Chrétien government. Does Senator Plett think that was okay?

**Senator Plett:** Let me simply state, when the honourable senator says that these organizations do some good work, a motivational speaker that I enjoy listening to, a man by the name of Zig Ziglar, once said that you can occasionally find a good biscuit in a garbage can, but that is not the place to look for it.

**The Hon. the Speaker *pro tempore*:** Further debate?

[Translation]

**Hon. Percy Mockler:** Honourable senators, I am pleased to speak today to Senator Eaton's inquiry, one that is very important to all Canadians across the country.

There is no doubt in my mind that the people of Canada have the right to know about foreign foundations' involvement in our country's domestic affairs. It is important to draw Canadians' attention to the mean-spiritedness of some charitable organizations, organizations that are beyond the reach of the Canada Revenue Agency Act. Honourable senators, such practices should not be tolerated. Revenue Canada should immediately reassure Canadians about these practices, which I would call Machiavellian. These practices must be brought out into the open.

[English]

Honourable senators, where I come from, without a doubt we would call Senator Eaton's inquiry a trailblazer. We must together put a stop to the interference of foreign foundations in Canada's domestic affairs. We have many examples of those foundations muddling in the business of our country. I believe they abuse the laws of Revenue Canada. Yes, honourable senators, we must together — I say "together," but I have been here for a little over three years and I know that although they say our chamber is apolitical, it is not — we must together put an end to this unfair practice that impacts every area of Canada.

I want to take this opportunity to inform honourable senators about some of the practices used by some foreign foundations now operating in Canada. There is no doubt in my mind that they are masking the truth about who we are as Canadians, and they contribute to seeding doubt in the minds of our people.

One must remember — and I will have the opportunity to share information with Senator Mercer.

One must remember and be reminded. I want to acknowledge what President Obama said in 2010 at the State of the Union address. He warned that the existence of super PACs would "open the floodgates for special interests — including foreign companies — to spend without limits." He went on to state, "I don't think American elections should be bankrolled by America's most powerful interests, and worse, by foreign entities."

We must be reminded of the psychology of those charities and foundations that are commonly referred to as PACs, political action committees, a psychology that I understand, and a psychology that I have seen — the good, the bad and the ugly. While PACs are legal in the United States, they are illegal in Canada, and we must not sanction their mischievous and malicious messages in our country. If so, they will put in jeopardy — and I say "if so" — they will put in jeopardy our sovereignty.

Nevertheless, we have in North America some foundations that have had an impact on the quality of life of Canadians. Some foundations that have done so I will label as "good foundations." We can look at these foundations and see they have actually helped move the vision of North America, let alone globally.

One of these great foundations is the Bill & Melinda Gates Foundation. I want to share with you that their mission is about health, from HIV/AIDS to malaria, nutrition, polio and vaccine-preventable disease. Thumbs up for that foundation.

There is the Ford Foundation, which believes that all people should have the opportunity to reach their fullest potential, contribute to society and have a voice in the decisions that affect them.

There is the Rockefeller Foundation, which is an outstanding foundation. It supports work that expands opportunity and strengthens resilience to social, economic, health and environmental challenges since 1913.

There is also the Canadian Tire Foundation for Families, another good foundation, which has a clear and precise mission to provide a helping hand to families in need by ensuring life's basic needs are met.

There is the Baxter International Foundation. Their primary mission and purpose is to make a positive and lasting impact on health care and the health of communities around the world.

Honourable senators, I could go on and on, but time does not permit me. However, I want to bring to your attention some of the qualified bad, not to mention ugly, foundations, namely the David Suzuki Foundation, the Packard Foundation, the Mott Foundation, the Sierra Club Foundation, the Hewlett Foundation, the Ecojustice Canada Bullitt Foundation, the Gordon and Betty Moore Foundation and Tides Canada. Yes, honourable senators, there is also the Greenpeace International foundation.



**Senator Duffy:** They are all anti-Canadian.

**An Hon. Senator:** Oh, oh.

**Senator Mockler:** That is not what we are saying, Senator Munson. What we are saying is they should stand up and believe in the Canadian vision with a Canadian objective, that we are entitled to make our own decisions.

The main purpose is too often seen as hijacking our Canadian agenda. We have seen them many a time on television and heard them on our radios, and I believe that a charity should not take part in an illegal or a partisan, political activity. There is, honourable senators — and I ask the Honourable Senators Mercer and Munson to please listen and they will learn.

What are prohibited activities? One should be reminded as to what prohibited activities are. Charities should not directly or indirectly support a political party or candidate for public office with the main purpose of having its own views or its own agenda and disregarding our sovereignty in Canada.

[Translation]

Honourable senators, we are aware of many examples of interference by certain foundations and their questionable practices.

• (1540)

We have seen a number of activities that demonstrate the efforts made by charitable organizations to influence the government's main concern, Canada. Let us look at some of their activities.

There are so many examples, but I would like to share with you today some activities that will allow us to discern and recognize that, most of the time, they consist of dirty tricks, which cannot be tolerated here, in Canada.

You will certainly remember when Paul McCartney went to Newfoundland and Labrador to protest against the seal hunt. The former premier, Danny Williams, proved beyond a doubt that Mr. McCartney and his accomplice had incorrect information.

[English]

Without a doubt, Canadians, regardless of where we live in this country of ours, are known for our fairness, our respect and our sense of responsibility towards our communities. Therefore, there is no doubt in my mind that foreign interests have their own agenda. Let us remind ourselves of the fierce opposition to the Northern Gateway Pipeline.

Many groups in Canada receive funds from American foundations to oppose economic development in our own country. That is not acceptable.

**An Hon. Senator:** They want our people unemployed.

**Senator Mockler:** Let us be reminded of the Keystone XL pipeline as another prime example. Even the David Suzuki Foundation, in collaboration with Greenpeace, did its best to

confuse and oppose energy projects from coast to coast to coast. We saw them in New Brunswick, we saw them in Nova Scotia, we saw them in Quebec, we saw them in Ontario, and we also saw them in Western Canada.

**An Hon. Senator:** They want to keep us poor.

**Senator Mockler:** Honourable senators, I want to spare you the long list of projects that the bad and the ugly foundations oppose in our country. Many previous speakers have touched on this and others will.

However, I strongly believe that, as Canadians, decisions regarding our sovereignty must and should be made by Canadians.

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

**Senator Mockler:** The future of Canada belongs to Canadians, with the main objective of keeping in mind our priorities and our values.

Honourable senators, some people will dislike some decisions; however, the majority of Canadians on May 2, 2011, entrusted Prime Minister Stephen Harper with a strong, stable, majority with Canadian values and a mandate to govern based on Canadian interests and not on the interests of foreign foundations or people supporting foreign foundations.

**An Hon. Senator:** Well said.

**Senator Mockler:** We are on the right track. One only has to read this article stating overwhelmingly that over 80 per cent of the world would love to be Canadian. Why? The answer is very simple. Because of our friendliness, we are welcoming people. Our rights and freedoms are respected and we have the best quality of life in the world. Last, but not least, Canadians are tolerant people from coast to coast to coast, from different racial and cultural backgrounds.

Honourable senators, the time has come for the Canada Revenue Agency to close that gap, to close the loopholes for those foreign foundations with their sole purpose of making Canada look unpleasant and undesirable in other parts of the world.

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

**Senator Mockler:** Honourable senators, let us stand together to make sure that Canada will continue to be the envy of the world. We must be resolved and firm in order to ensure that we will continue to develop our natural resources based on scientific data rather than personal foreign agendas. By doing so, Canada will stand strong and stable, and it will remain a country to be envied globally. I hear senators on the left side of the speaker laughing, but to do nothing will be a setback.

We believe that, in being steadfast, unwavering, firm and committed, we will reassure Canadians that our country will continue to be the best country in the world in which to live, work, raise our children and reach out to the most vulnerable.

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

**Senator Mockler:** Since 2008, even with the worst economic meltdown Canada and other countries have seen, we Canadians have outshone and still outshine the other global leaders. Canada is being hailed by other world leaders. That is directly linked to Canada's present, far-seeing leadership under our Prime Minister.

I would ask my honourable colleagues on the other side to come with me, to knock on the doors and we will, honourable senators, go to Tim Hortons and McDonald's, and Canadians will tell us what they think about the leadership of Canada right now.

**The Hon. the Speaker *pro tempore*:** I regret to inform the honourable senator that his time has expired. Is he asking the chamber for more time?

**Senator Mockler:** I would ask for five more minutes.

**The Hon. the Speaker *pro tempore*:** Is five minutes granted?

**Senator Mockler:** With the cooperation of everyone, I would ask for the five minutes.

**Hon. Senators:** Agreed.

**Senator Duffy:** We have just arrived at Tim Hortons. We cannot leave now.

**Some Hon. Senators:** Oh, oh.

**Senator Mockler:** We can share a laugh on both sides. I believe that we should. As a senator from New Brunswick, I believe we will not let any foundation hijack our agenda because the people, regardless of where they live, must defend Canadian values. We have created wealth and quality jobs since 2006. We will continue being focused on the economy and we will always keep in mind our democratic values.

In closing, there is no doubt in my mind that people do not care who we are until they know what we care for. Honourable senators, on the right side of the Speaker, we care for the people of Canada, and I will also include the ones immediately to the left of the Speaker.

**Hon. James S. Cowan (Leader of the Opposition):** Would Senator Mockler entertain a question?

**Senator Mockler:** Yes.

**Senator Cowan:** In his comments, the honourable senator spoke of the bad and the ugly, and he talked about illegal activities. Would the honourable senator please identify some specific examples of illegal activities and which bad and ugly foundation he is speaking of?

**Senator Mockler:** I will remind the honourable senator to reread my speech. On this, I would remind him to basically take time to read the quote of President Obama which I read. Thank you.

**Senator Cowan:** He is the one? President Obama?

**Hon. Wilfred P. Moore:** I am wondering in which category the Federal Reserve Bank of the United States fits in the honourable senator's listing?

**Senator Mockler:** With regard to his question, I would ask the honourable senator to read the list in my speech.

• (1550)

**Senator Moore:** That was not much of an answer, but with reference to the good senator's remarks about preserving Canadian autonomy, sovereignty and the Canadian agenda, what does he have to say about the hundreds of billions of dollars given by the Federal Reserve Bank under the TARP funds to the Canadian chartered banks?

**Senator Mockler:** Honourable senators, I must admit that I believe the comment made and the question asked by the honourable senator does not reflect the tone of my speech and does not reflect what I said on foreign foundations.

**Senator Moore:** Let me remind the honourable senator that he was talking about the Canadian agenda. He was talking about foreign influence of a few million dollars by some corporations, but I am talking about hundreds of billions of dollars by the U.S. Federal Reserve Bank with respect to our chartered banks.

**Senator Mockler:** Honourable senators, I have always fought for the most vulnerable. I will also share with you that when I see any foundation or groups trying to dictate what will be the agenda of Canadians, I will not accept that. I will always strive, honourable senators, to make my province and our Canada, coast to coast to coast, a better place to live, a better place to work, a better place to raise our children and a better place to reach out to the most vulnerable. The leader that we have today is being hailed by all global leaders because Canada is on the right track and we will continue to do that.

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

**The Hon. the Speaker *pro tempore*:** Further debate?

(On motion of Senator Cowan, debate adjourned.)

## BUSINESS OF THE SENATE

**The Hon. the Speaker *pro tempore*:** Honourable senators, the Senate will now suspend pending a report from His Excellency the Governor General of Canada and honourable senators will be called back to a 15-minute bell.

Honourable senators, do I have permission to leave the chair?

**Hon. Senators:** Agreed.

(The sitting of the Senate was suspended.)

[*Translation*]

• (1610)

(The sitting of the Senate was resumed.)

**ROYAL ASSENT**

**The Hon. the Speaker** informed the Senate that the following communication had been received:

RIDEAU HALL

March 13, 2012

Mr Speaker:

I have the honour to inform you that the Right Honourable David Johnston, Governor General of Canada, signified royal assent by written declaration to

the bill listed in the Schedule to this letter on the 13th day of March, 2012, at 3:32 p.m.

Yours sincerely,

Stephen Wallace  
*Secretary to the Governor General*

The Honourable  
The Speaker of the Senate  
Ottawa

Bill Assented to Tuesday, March 13, 2012:

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 (*Bill C-10, Chapter 1, 2012*)

(The Senate adjourned until Wednesday, March 14, 2012, at 1:30 p.m.)

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