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(HANSARD)

Wednesday, June 27, 2012

The Honourable NOËL A. KINSELLA
Speaker

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(Daily index of proceedings appears at back of this issue).

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THE SENATE

Wednesday, June 27, 2012

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

Prayers.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, before calling for Senators' Statements, I wish to draw your attention to the presence in the gallery of Scott Mackinnon, Sean Mackinnon, Ross Mackinnon and Ryan Mackinnon, four brothers from Comox Valley, British Columbia, biking across Canada to raise awareness and funds for the Michael J. Fox Foundation for Parkinson's Research, in honour of their grandfather, Neville "Baha" Munro, a basketball Olympian diagnosed with Parkinson's who passed away at age 76. They are the guests of the Honourable Senator Raine.

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

Hon. Senators: Hear, hear!

SENATORS' STATEMENTS

BOMBER COMMAND

RECOGNITION OF CONTRIBUTIONS

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, it is a great honour for me to rise today to pay tribute to the valiant contributions of the 50,000 brave Canadian veterans who served in Bomber Command ensuring the liberation of Europe during the Second World War.

The Bomber Command's role was significant and crucial in the world's most widespread war affecting over 100 million people and involving military units from numerous countries around the globe.

During World War II, while the Royal Air Force Fighter Command defended the United Kingdom against aerial attacks, it was the role of the Bomber Command to attack the enemy's military strength by bombing key targets well inside enemy territory with the clear objective to weaken its military and industrial capabilities.

Some 125,000 members of the Allied Forces served in the Bomber Command during the Second World War, the deadliest of wars in the history of the world.

Canada's commitment to Bomber Command was 15 squadrons, with the Royal Canadian Air Force No. 6 Group flying more than 40,000 missions. Honourable senators, 50,000 brave Canadians

served in the Bomber Command operations during the Second World War, dropping over 1 million tonnes of bombs on Europe. Over 12,000 Bomber Command aircraft were shot down.

As you know, our former colleague Senator Michael Meighen introduced a motion here in the Senate in February 2008 calling on the government to recognize the sacrifices made by Bomber Command forces. Senator Meighen pointed out that the casualty rates for those serving in the Bomber Command were astonishing and, in fact, unparalleled.

I wish to take this opportunity to recognize the noble and steadfast efforts of our colleagues in this regard. Senator Michael Meighen and Senator Hugh Segal are staunch and vocal advocates far honouring the Bomber Command's bravery, courage and valiant sacrifices. They have been instrumental in urging the Government of Canada to honour the extraordinary young men and women who are members of the Bomber Command. All senators thank them for their hard work and commitment to this important initiative.

Honourable senators, shockingly and sadly, 60 per cent of airmen died, 3 per cent were seriously wounded, 12 per cent became prisoners of war, 1 per cent evaded capture and miraculously only 24 per cent were unharmed. Essentially, the survival rate for two tours of Bomber Command was only 5 per cent. It is a testament to their bravery and commitment that nearly 1,000 airmen were shot down and evaded capture and made their way back to Britain only to fly again. Nothing that we can say or do can ever thank them enough. In total, 55,573 British and Allied Forces pilots serving in Bomber Command paid the ultimate price in defending the skies over Europe so many years ago, 10,000 Canadians among these numbers.

Honourable senators, there is no doubt about it: Bomber Command played an integral role in the Allied victory in the Second World War. Through their meticulously planned operations, their sacrifices were a critical contribution to the defeat of Germany and the consequential liberation of Europe. Indeed, they gave everything so that we are free today.

In April of this year, my colleague the Honourable Steven Blaney, Minister of Veterans Affairs, announced that our government would contribute \$100,000 toward the creation of a new Bomber Command Memorial in London, United Kingdom. This memorial is being unveiled today in London's Green Park. The memorial honours all members of the Bomber Command from Allied countries including Australia, New Zealand, the United Kingdom and Canada.

Honourable senators, I believe we all agree that, as Canadians and as parliamentarians, it is our duty to remember, honour and pay tribute to the many men and women who served our country so selflessly not only during World War II but also during other conflicts. The Bomber Command is no exception, particularly considering that it has been so long — over 65 years — without proper and formal recognition for their intrepid efforts that ensured our freedom.

The Bomber Command Memorial will ultimately serve as an enduring and long-lasting tribute to the gallant service, courage and ultimate sacrifice of the many brave men and women who served our country so valiantly during the Second World War.

Honourable senators, our courageous veterans of all conflicts have fought for peace, freedom and democracy around the world and they are deserving of our tribute, honour and everlasting remembrance.

Lest we forget.

THE HONOURABLE VIVIENNE POY

RETIREMENT ANNOUNCEMENT

Hon. Vivienne Poy: Honourable senators, on September 17, I will have been in this chamber for 14 years. It has been an enriching experience, but I believe it is time for me to take on new challenges as a full-time writer and globetrotter. Neville and I have just celebrated our fiftieth anniversary, and from now on we would like to spend more time with our family.

Before I leave, I would like to thank former Prime Minister Jean Chrétien for giving me the opportunity to serve Canadians across the country. It has been a great privilege to get to know so many extraordinary Canadians over the years.

When I first arrived here in 1998, I did not know anyone on the Hill. Coming from a community background, I had difficulty adjusting initially to the political environment. Many senators were very kind to me when I first arrived. Over the years most of them have retired, but not all.

One very notable senator is Marie Charette-Poulin, who probably is not even aware of how much she helped me adjust to life in Ottawa. She kindly spoke at the luncheon when I was installed as Chancellor of the University of Toronto. She even introduced us to a contractor who renovated our condo here with efficiency and good workmanship. Thank you very much, Marie.

Another notable senator I would like to thank is our Speaker, Senator Noël Kinsella, for his encouragement and support in 2001 in getting the motion to recognize May as Asian Heritage Month adopted. I remember him telling me I should try to get it through before Christmas, which was excellent advice. This has turned out to be the single greatest motivator for all Asian Canadians to be proud of our heritage.

Last, but not least, I would like to thank my staff. The moment my appointment was announced in September 1998, letters and phone calls appealing for help started to arrive. I asked Senate Human Resources to send me someone on a temporary basis, and that was Bev Muma, who has been with me ever since. My Policy Adviser, Carol Reichert, came to work for me from the Norman Paterson School of International Affairs at Carleton University 12 years ago. They are both in the gallery. I want to thank them for keeping my office running smoothly and efficiently and for keeping me out of trouble because, after 14 years, I am still politically naive.

[Senator LeBreton]

• (1340)

Finally, I would like to wish all honourable senators continuous success and good health in your pursuit of the common good for all Canadians. Thank you.

Hon. Senators: Hear, hear!

PARKINSON'S DISEASE

MACKINNON BROTHERS' BIKING FOR BAHA

Hon. Nancy Greene Raine: Honourable senators, today I have had the pleasure of meeting four remarkable young men, the Mackinnon brothers — Scott, Sean, Ross and Ryan — from Comox, British Columbia, who are cycling across Canada to raise awareness and funds for the Michael J. Fox Foundation, which supports Parkinson's disease research.

The initiative, which is called "Biking for Baha," is in honour of their grandfather, George Neville "Baha" Munro, a basketball Olympian diagnosed with Parkinson's disease, who passed away at the age of 76.

Mr. Munro was a member of the basketball team that represented Canada at the London Olympics in 1948. He was also a successful lawyer and financial adviser. More importantly, he is a real hero to these boys and many others, as he never gave up and continued to inspire, even in the face of Parkinson's disease.

An estimated 5 million people worldwide are living with Parkinson's disease, and currently there is no known cure. The Michael J. Fox Foundation for Parkinson's Research, begun by the remarkable Canadian of the same name, is dedicated to finding a cure for the disease through an aggressively funded research agenda and to ensuring improved therapies for those living with Parkinson's today.

To date, the foundation has funded more than \$285 million in Parkinson's research, a remarkable achievement. Team Fox, the grassroots fundraising arm of the foundation, has raised over \$16 million since 2006 for Parkinson's research. Money raised by the Biking for Baha fundraising tour will add to this total.

I commend the Mackinnon brothers, and I know they are well on their way to achieving their goals. Their goal is to raise \$1 per kilometre as they make their way across Canada. Right now they are at about 65 per cent.

I will tell honourable senators a little bit about each of the Mackinnon brothers.

Scott is a graduate in physical education and history and is currently teaching at the Brent International School in Manila, Philippines.

Sean, "the life of the party," is a lifelong traveler and adventurer. When he is home now, he is based in Vancouver and works up in the oil patch.

Ross, “the comedian,” has just finished his secondary school teaching degree at Vancouver Island University in Nanaimo. He will be teaching at a B.C. offshore school close to Shanghai, China, next year.

Ryan — the other brothers call him “the golden child” — has just finished his fifth year at the University of Victoria, where he was the captain of the varsity basketball team, a Canada West All-Star, and an All-Canadian Award winner. He is looking forward to a professional career when he finishes his education.

I know that things will work out well for all of them. I know also that they would want me to mention their supporters, especially their friends here in Ottawa who have lent them the shirts and ties.

Good luck, boys.

Anyone who wants to donate can Google “Michael J. Fox Parkinson’s Research” and “Team Fox” and click through to “Biking for Baha.”

Good luck on your way to the Atlantic. Thank you for stopping here.

Hon. Senators: Hear, hear!

ROUTINE PROCEEDINGS

STUDY ON FEDERAL GOVERNMENT’S RESPONSIBILITIES TO FIRST NATIONS, INUIT AND METIS PEOPLES

EIGHTH REPORT OF ABORIGINAL PEOPLES
COMMITTEE TABLED

Hon. Gerry St. Germain: Honourable senators, I have the honour to table, in both official languages, the eighth report, interim, of the Standing Senate Committee on Aboriginal Peoples entitled: *A Commitment Worth Preserving: Reviving the British Columbia Treaty Process*.

COPYRIGHT ACT

BILL TO AMEND—FIFTH REPORT OF BANKING,
TRADE AND COMMERCE COMMITTEE PRESENTED

Hon. Irving Gerstein, Chair of the Standing Senate Committee on Banking, Trade and Commerce, presented the following report:

Wednesday, June 27, 2012

The Standing Senate Committee on Banking, Trade and Commerce has the honour to present its

FIFTH REPORT

Your committee, to which was referred Bill C-11, An Act to amend the Copyright Act, has, in obedience to the order of reference of June 21, 2012, examined the said Bill and now reports the same without amendment.

Respectfully submitted,

IRVING R. GERSTEIN
Chair

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

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

BANKING, TRADE AND COMMERCE

BUDGET AND AUTHORIZATION TO ENGAGE
SERVICES AND TRAVEL—STUDY ON THE PROCEEDS
OF CRIME (MONEY LAUNDERING) AND TERRORIST
FINANCING ACT—SIXTH REPORT
OF COMMITTEE PRESENTED

Hon. Irving Gerstein, Chair of the Standing Senate Committee on Banking, Trade and Commerce, presented the following report:

Wednesday, June 27, 2012

The Standing Senate Committee on Banking, Trade and Commerce has the honour to present its

SIXTH REPORT

Your committee, which was authorized by the Senate on Tuesday, January 31, 2012 to undertake a review of the Proceeds of Crime (Money Laundering) and Terrorist Financing Act, respectfully requests funds for the fiscal year ending March 31, 2013, and requests, for the purpose of such study, that it be empowered:

- (a) to engage the services of such counsel, technical, clerical and other personnel as may be necessary; and
- (b) to travel outside Canada.

Pursuant to Chapter 3:06, section 2(1)(c) of the *Senate Administrative Rules*, the budget submitted to the Standing Committee on Internal Economy, Budgets and Administration and the report thereon of that committee are appended to this report.

Respectfully submitted,

IRVING R. GERSTEIN
Chair

(For text of budget, see today’s Journals of the Senate, Appendix, p. 1510.)

The Hon. the Speaker: Honourable senators, when shall this report be taken into consideration?

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

[Translation]

STUDY ON CURRENT AND FUTURE STATE OF FOREST SECTOR

SECOND REPORT OF AGRICULTURE AND FORESTRY COMMITTEE—GOVERNMENT RESPONSE TABLED

Leave having been given to revert to Tabling of Documents:

Hon. Claude Carignan (Deputy Leader of the Government): Honourable senators, with leave of the Senate, I would like to revert to tabling of documents.

Honourable senators I have the honour to table, in both official languages, a government response to the final report of the Standing Senate Committee on Agriculture and Forestry entitled: *The Canadian Forest Sector: A Future Based on Innovation*.

THE SENATE

MOTION TO EXTEND TODAY'S SITTING ADOPTED

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

That, notwithstanding the order adopted by the Senate on October 18, 2011, the Senate continue its proceedings today beyond 4 p.m. and follow the normal adjournment procedure according to rule 6(1).

The Hon. the Speaker: Honourable senators, is leave granted?

Hon. Senators: Agreed.

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

Hon. Senators: Agreed.

(Motion agreed to.)

PARLAMERICAS

SIGNING CEREMONY OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE ORGANIZATION OF AMERICAN STATES AND PARLAMERICAS, FEBRUARY 9, 2012 AND BILATERAL VISIT TO HAITI, MARCH 18-24, 2012—REPORT TABLED

Hon. Pierre Hugues Boisvenu: Honourable senators, pursuant to rule 23(6), I have the honour to table, in both official languages, the report of the Canadian parliamentary delegation to the signing ceremony of a memorandum of understanding between the OAS

and ParlAmericas, held in Washington, D.C., United States of America, on February 9, 2012, and the bilateral visit to Haiti, held in Port-au-Prince, Haiti, from March 18 to 24, 2012.

• (1350)

QUESTION PERIOD

PUBLIC SAFETY

ELLIOT LAKE—ASSISTANCE FOR VICTIMS OF TRAGEDY AND COMMUNITY

Hon. Marie-P. Charette-Poulin: Honourable senators, my question is for the Leader of the Government in the Senate.

[English]

The collapse of the roof at the Algo Centre Mall in Elliot Lake is very tragic and represents a tremendous loss for the community. As the residents continue to hope and pray for the rescue of possible survivors of Saturday's tragedy, and as the family and friends of the victims grieve their personal losses, concern is now being expressed about the economic consequences of this catastrophe.

The loss of an estimated 300 jobs, along with the possible closure of many small businesses, represents a significant blow to the economy of this small community. I have been asked if the federal government will be offering any economic support to the people of Elliot Lake.

Will the Leader of the Government in the Senate take this opportunity to alleviate the community's concerns in this regard and outline how the federal government is prepared to help Elliot Lake address this devastating economic loss?

Hon. Marjory LeBreton (Leader of the Government): I thank the honourable senator for that question about a very tragic and serious situation.

Before answering the question, I will take a moment to pay tribute to Senator Poy, who is taking leave of the Senate. Senator Poy was the first senator of Asian heritage appointed to this place. She has been a bit of a trailblazer, as honourable senators can see. I would not want Senator Poy to take her leave of this place without knowing that she has been a valued member of the Senate, has made a great contribution and will be sorely missed in this place.

Hon. Senators: Hear, hear!

Senator LeBreton: With regard to the situation in Elliot Lake, honourable senators, we are all hanging on the news. I cannot imagine how those families must feel, especially when they got word that the search was to be suspended. Thankfully, the rescuers are back now and have managed to get into the area. We still hope that they will find survivors.

As honourable senators know, the Prime Minister did receive a call from the Premier of Ontario and has offered all the assistance possible from the federal government.

With regard to ongoing assistance or what the government might do, I am not in a position to say what that might be today. I will be very happy to express the senator's concern to the government and to take her question as notice.

Senator Charette-Poulin: I am very touched by the leader's kind words for our colleague. It is much appreciated.

I am also touched by her human response to the people of Elliot Lake. As part of the family of northern Ontario, when there is such a dramatic and sad disaster, we all appreciate the fact that no matter where we are from or where we are, we all close ranks, in this case around the people of Elliot Lake, its mayor and those who have the responsibility to take these decisions.

It is a human disaster of significant proportion, but I also believe that it serves to highlight the need for emergency preparedness and the importance of our front-line emergency relief teams.

In view of this, will the minister recommend to her government that it reconsider its cancellation of funding for the Joint Emergency Preparedness Program rather than abandon its responsibilities?

Senator LeBreton: As honourable senators would know, over 90 per cent of emergencies in Canada are presently managed by municipalities or at the provincial and territorial level. Our government has supplemented provincial emergency preparedness by investing in equipment and training for urban search and rescue teams, firefighters, police and other first responders.

We have obviously worked closely in collaboration with first responders. I did see that report last night. I thought perhaps it would have been more prudent and respectful to focus on the urgency at hand, but at the same time I did take note of the comments of one individual on the national news.

Again, I will provide the honourable senator with as much detail as possible on how the federal government is presently involved and what the plans are going forward.

URBAN SEARCH AND RESCUE PROGRAM

Hon. Marie-P. Charette-Poulin: In the questions to which the honourable leader will be providing answers, could she also respond to how the government will continue to offer financial support for Canada's five Heavy Urban Search and Rescue units?

Hon. Marjory LeBreton (Leader of the Government): I most certainly will do so, honourable senators.

Hon. Terry M. Mercer: Honourable senators, we all share the concern and our prayers with the people of Elliot Lake. This is a very serious situation, and I know the minister takes it seriously. We also have to think about what lessons we should have learned in past few days and about what we are about to do in the next couple of days as we vote on the budget bill.

Senator Charette-Poulin mentioned the Heavy Urban Search and Rescue teams across the country. The teams in Vancouver, Calgary, Brandon, Toronto and Halifax are now all in danger, some of which are rumoured to be disbanded due to this funding cut.

The tragedy in Elliot Lake points out the fact that we need these teams and we need them to be close by. Toronto is not that close to Elliot Lake, but it is not that far away either, in today's world. Calgary, Brandon, Vancouver and Halifax are centres that can service tragedies that might happen in other parts of the country.

While the immediate concern is for the people in Elliot Lake and what will happen there in the next few hours and days, it is one of those moments where the government should step back and say, "Perhaps we missed this one and did not understand the importance of these teams." It would be advisable for the government to rethink cutting the funding to this plan.

Senator LeBreton: The honourable senator is making assumptions that are not so. Obviously, through emergency preparedness, the government has invested considerable resources, financially and in human resources, to assist various search and rescue operations.

As I indicated in my response to Senator Charette-Poulin, this is a very serious, sad and tragic situation in Elliot Lake. The government obviously would want to see the situation assisted in any way possible.

I suggest to honourable senators that we focus on what is happening in Elliot Lake at the moment. I will provide a written response to Senator Charette-Poulin, which I will be happy to provide to Senator Mercer as well, as to the government's plans going forward.

Hon. James S. Cowan (Leader of the Opposition): Will the leader undertake to provide that information before we are called to vote on the budget?

Senator LeBreton: Honourable senators, this government has acted extremely responsibly in dealing with all disasters and has provided millions of dollars to the provinces and territories to deal with disaster relief.

• (1400)

The budget implementation bill is before us now. Our government or any government would want to make sure that proper procedures are followed and that resources are in place to assist people who are in such dire need, as is the case right now in Elliot Lake.

Senator Cowan: I take that as a no.

An Hon. Senator: No shame at all.

Senator Cowan: Absolutely no shame at all. I am glad it is recognized.

[*Translation*]

INTERNATIONAL TRADE

TRANS-PACIFIC PARTNERSHIP

Hon. Céline Hervieux-Payette: Honourable senators, my question is for the Leader of the Government in the Senate.

Madam leader, Canada's participation in the Trans-Pacific Partnership negotiations raises a number of questions, including questions about the lack of transparency in the negotiations. Parliamentarians and Canadians are completely in the dark about the terms of this free trade agreement. Moreover, by participating in these talks, Canada has tacitly approved the terms that were negotiated before Canada became involved in the process. Canada will therefore have second-class status because the Americans have stipulated that Canada will not be entitled to veto any of the chapters that have already been included in the agreement. As you celebrate the 1812 victory against the Americans, why is your government caving in before even taking a seat at the table?

[*English*]

Hon. Marjory LeBreton (Leader of the Government): Trust the honourable senator and people on that side to always go to the lowest common denominator.

As a major Pacific nation, it is in Canada's interest to join the Trans-Pacific Partnership, which is consistent with our active and ongoing presence in the Asia-Pacific region. After all, this government has actively pursued trade agreements around the world to a degree that no government has previously done. Canada will bring, of course, a high level of ambition to the TPP negotiations. In addition to the TPP, Canada is exploring free trade with Thailand and has also begun free trade negotiations with Japan.

I believe there was a question from Senator Hervieux-Payette a few days ago, and I would point out that Canada did not give anything away in order to get to the table.

Senator Hervieux-Payette: This Conservative government has often proclaimed itself as the defender of Canadian sovereignty. However, the Trans-Pacific Partnership will effectively erode our sovereignty by allowing multinational companies to use extrajudicial tribunals to challenge laws by the government of any member country. Public citizens and American policy groups state that according to a leaked chapter of the investment chapter, the tribunals used for these lawsuits will be staffed by private sector lawyers that rotate between acting as judges and as advocates for the investors suing the governments.

The group continues by saying that Section B of the leaked text states "these tribunals would not meet standards of transparency, consistency or due process common to TPP countries' domestic legal systems or provide fair, independent or balanced venues for resolving disputes between sovereign nations and private investors."

Why is the government so intent on transforming Canada into a corporate autocracy by signing an agreement that would weaken our sovereignty and the impartiality of our judicial system?

Senator LeBreton: Honourable senators, Senator Hervieux-Payette is fixated on things that are said in the United States. It was prisons in Texas and now it is quoting some American publication with regard to our interest in the TPP.

As I pointed out in my first answer, it is in Canada's interests to be part of these negotiations, and I can only imagine the screaming and hollering from the other side had we not been invited to the table.

I do note, however, that not all Liberals think like Senator Hervieux-Payette. I noticed that Martha Hall Findlay, who has indicated she may run for the leadership of the Liberal Party, has actually taken a position opposite the position of the Liberal Party. For all of the squawking and screaming in here, if one goes back and looks at the Liberal platform in the last election, there was no mention of any of this, including the whole question of supply management.

[*Translation*]

Senator Hervieux-Payette: I think that Ms. Findlay was talking mainly about supply management, including chicken, milk and eggs — the high-quality food products produced by our Canadian farmers.

I would really like to know how dismantling organizations that ensure a decent income for our farmers is going to factor into the Trans-Pacific Partnership negotiations and what concessions your government is prepared to make. After agreeing to accept the proposal that was already on the table, now you are going to turn over much of our market and sell out our farmers.

[*English*]

Senator LeBreton: Senator Hervieux-Payette would know — she was a member of cabinet at one point — that as in all trade negotiations the Government of Canada will promote and defend the interests of Canada, all sectors of Canada's interests. The honourable senator would also know that in any negotiation nothing is agreed to until everything is agreed to. Where she is getting this information — from some U.S. publication — is a bit surprising to me.

Opening new markets is extremely important to Canada. It is extremely important to create new business opportunities for Canadians, and it is extremely important for the government's plans regarding the economy, jobs and long-term prosperity.

As I said in response to earlier questions, we have a government that is mindful and protective of Canada's sovereignty. We have done a great deal to ensure that Canada's sovereign role in the world is acknowledged and respected. However, having said all of that, I would hope that the honourable senator would know more than most that it is very important for a country the size of Canada in this global economy to be at the table. We will protect Canadian interests. We will not enter any agreement that is not in the interests of Canadians and the Canadian economy.

Senator Hervieux-Payette: If my source in the United States is not true, I am quite willing to take the government's source.

Senator LeBreton: The honourable senator is always referring to sources in the United States. I have no idea who those people are. I cannot speak for her sources in the United States. I can only try to address the issues she presents to me, representing the government in this chamber.

NATIONAL REVENUE

UNITED CHURCH OF CANADA— CHARITABLE STATUS AND POLITICAL ACTIVITIES

Hon. Jim Munson: Honourable senators, my question is to the Leader of the Government in the Senate. The Conservative government has been engaged in “charity chill.” They have been waging war on charities that work for social housing, poverty reduction and the environment.

Now comes the latest attack, this time on churches, in particular the United Church of Canada. It seems the church should be paying more attention to its religious work. It allocates only 2 per cent of its resources for political activity. That is well below the allowable 10 per cent.

This government has no place in the pews of the United Church of Canada. Why is the government attacking an organization which is following the tax rules?

Hon. Marjory LeBreton (Leader of the Government): First, the premise of Senator Munson's question is false. We are not attacking charities. As honourable senators may know, I was raised in the United Church of Canada. The church I was raised in actually did very good work helping people and helping society, and I hope they continue that good work. I just want to assure the honourable senator that we are absolutely not attacking charities.

• (1410)

Senator Munson: I guess the leader is disassociating herself from one of her colleagues, Senator Eaton. Last week, Senator Eaton on *As It Happens* was clear in her criticism of the United Church of Canada. The attacks have shades of McCarthyism and witch hunts. First it was international development organizations — the honourable senator must be a little sensitive. The United Church of Canada is not against Israel.

I am the son of a United Church minister, and this is personal. You have crossed the line. This is quite personal. My father was a United Church minister; he believed in charities and he believed in giving. This government has crossed the line, and you folks should know better.

Why do you continue to attack the United Church of Canada, other charities and other Canadians, dammit, who wants to talk on behalf of what they feel is important for the environment, social housing and or anything else, for that matter?

Senator LeBreton: That was all very interesting, but I actually did not hear a question there. I — actually, I was listening and I did not hear a question, and I do have rather big ears, both figuratively and realistically.

The fact of the matter is that, of course, the charitable sector has nothing to fear. All of the good work of charities obviously deserve our support and get our support.

With regard to the United Church of Canada, I did not realize Senator Munson's father was a United Church minister. I mentioned that I was raised in the United Church. I have my own views of some of the things the church does, which I will not share with honourable senators. In any event, I can assure the honourable senator that we are not in the business of attacking charities.

[Translation]

FISHERIES AND OCEANS

EXPLOITATION OF INTERNATIONAL WATERS

Hon. Pierre De Bané: Honourable senators, Steven Guilbeault of Équiterre cannot understand why Canada, which is bordered by three oceans and whose commercial fish species are being pillaged at the boundaries of its coastal area, has decided to oppose international negotiations for a treaty on the exploitation of international waters, which are not protected from the pillaging of the ocean floor. He said:

It makes no sense. Ottawa tenaciously defends its opposition to eliminating subsidies to oil companies. I can understand that. But to see Canada block action to end the pillaging of the sea bed, that makes absolutely no sense. Canada's opposition to this kind of treaty has blocked an agreement that would protect 74 per cent of the world's oceans, 45 per cent of its waters.

[English]

Canada, along with four other countries, has blocked the wish of 185 countries that wanted to protect the seas, and we have three oceans in Canada.

That has prompted Sir Richard Branson, the President and CEO of Virgin, to say in Rio that Canada today is unrecognizable compared to Canada in 1992, when the Mulroney government was a leader in the protection of the environment.

Senator Mercer: Where are the Progressive Conservatives?

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, it has been a long session.

I honestly do not know what treaty Senator De Bané is referring to; therefore, so as not to get up and babble on about something I have no idea about, I will take the honourable senator's question as notice.

Senator De Bané: It is quite remarkable, honourable senators, that Sir Branson, who was here in 1992 and said Canada was a beacon to the world, said today that Canada is unrecognizable in the role that it played to block the protection of the seas, and we are the country with the longest coast.

I have another question for the leader.

[*Translation*]

INFRASTRUCTURE

GREEN ENERGY FUND

Hon. Pierre de Bané: Honourable senators, in 2009, the government announced the establishment of a \$1 billion Green Infrastructure Fund for environmental projects.

Today, we learned that only 25 per cent of the money has been spent and that funds are being diverted to build gas pipelines and to maintain office buildings.

[*English*]

Why has the money from the Green Infrastructure Fund been diverted to finance other projects that have nothing to do with the environment?

Hon. Marjory LeBreton (Leader of the Government): The honourable senator must be getting his information from the same place as Senator Hervieux-Payette because our government has committed \$617 million to 17 Green Infrastructure Fund projects that will lead to cleaner air, cleaner water and lower emissions. Funding for these major, multi-year projects is ongoing and will be delivered once the work is complete.

The honourable senator is quite wrong to stand here and state that we are not fully committed to the Green Infrastructure Fund, which we announced a few years ago. Of course, this is all the more difficult for me to take when his own party in the other place voted against every measure that we advanced to fund programs such as the Green Infrastructure Fund.

[*Translation*]

DELAYED ANSWER TO ORAL QUESTION

Hon. Claude Carignan (Deputy Leader of the Government): Honourable senators, I have the honour to table a delayed answer to an oral question raised by Senator Cowan on May 1, 2012, concerning the F-35 aircraft purchase.

NATIONAL DEFENCE

F-35 AIRCRAFT PURCHASE

(*Response to question raised by Hon. James S. Cowan on May 1, 2012*)

This Government is fully committed to getting the best equipment for the Canadian Forces, at the best price for Canadians, with the best benefits for Canadian companies

and workers. The commitment to purchase a replacement for the ageing CF-18 fleet was clearly stated in the Canada First Defence Strategy.

The funding envelope allocated for the acquisition of replacement fighter jets is currently frozen. The Government of Canada has established the National Fighter Procurement Secretariat within the Department of Public Works and Government Services, and this Secretariat will play the lead coordinating role as the Government moves to replace Canada's CF-18 fleet.

The Department of National Defence, through the new Secretariat, will provide annual updates to Parliament, based on annual costing forecasts from the multinational Joint Strike Fighter Program Office. The Secretariat has recommended that the first annual update be tabled in Parliament during the fall of 2012, as the update needs to meet three conditions: it needs to be complete, it needs to provide a full project update and it needs to be independently verified. These conditions cannot be satisfactorily met prior to the fall.

This additional time will allow for the completion of the independent review that will be commissioned by the Treasury Board of Canada Secretariat and that will help set a consistent life-cycle costing framework that will be used to report costing estimates for this project. This will enable the Department of National Defence to more effectively report costs to Parliament and the public as well as ensure that the estimated life cycle costs associated with the program can be examined through an independent review process.

This government is committed to providing the Canadian Forces with the equipment they need to do what we ask of them, while getting the best value for taxpayers' dollars.

ANSWERS TO ORDER PAPER QUESTIONS TABLED

AGRICULTURE AND AGRI-FOOD— DOCUMENTATION OF DEPARTMENTAL SAVINGS

Hon. Claude Carignan (Deputy Leader of the Government) tabled the answer to Question No. 9 on the Order Paper — by Senator Callbeck.

INDUSTRY—MANDATORY LONG-FORM CENSUS

Hon. Claude Carignan (Deputy Leader of the Government) tabled the answer to Question No. 34 on the Order Paper — by Senator Callbeck.

NATIONAL DEFENCE—MILITARY HONOURS

Hon. Claude Carignan (Deputy Leader of the Government) tabled the answer to Question No. 38 on the Order Paper — by Senator Segal.

PUBLIC SAFETY—CORRECTIONAL SERVICE
OF CANADA TRANSFORMATION PROGRAM

Hon. Claude Carignan (Deputy Leader of the Government) tabled the answer to Question No. 41 on the Order Paper — by Senator Callbeck.

[*English*]

BUSINESS OF THE SENATE

Hon. Catherine S. Callbeck: Honourable senators, I rise on a matter of house business.

I would like to know the status of the government's reply to two sets of questions placed on the Order Paper on June 7, 2011; No. 8 was with regard to the Canada Pension Plan, and No. 9 related to federal strategic review.

I already asked for an update on these questions on March 28, but I have not received a reply. Neither of these questions is new. They were submitted previously in different Parliaments. In fact, questions regarding the Canada Pension Plan were first placed on the Order Paper in October 2007.

I would like to know when I can expect to receive a reply to these questions.

[*Translation*]

Hon. Claude Carignan (Deputy Leader of the Government): Honourable senators, the things that Senator Callbeck is talking about are part of the delayed answers I have tabled here today.

• (1420)

[*English*]

ORDERS OF THE DAY

JOBS, GROWTH AND LONG-TERM PROSPERITY BILL

THIRD READING—DEBATE ADJOURNED

Hon. JoAnne L. Buth moved third reading of Bill C-38, An Act to implement certain provisions of the budget tabled in Parliament on March 29, 2012 and other measures.

She said: Honourable senators, I am pleased to speak once again to Bill C-38, the jobs, growth and long-term prosperity act, at third and final reading. The legislation before us will strengthen Canada's economy to ensure economic growth, job creation and prosperity in the years ahead.

We know our economy has performed well relative to other countries, but the global economy remains uncertain. We are reminded daily of the magnitude of Europe's challenges, and in the United States, our largest trading partner, the pace of recovery has slowed.

These facts demand that Canada not be complacent. In a rapidly changing global marketplace where we face tough competition from emerging economies like Brazil and China, we cannot afford to delay action to support our economy and return to balanced budgets.

Honourable senators, the recovery both here and abroad is not complete. Bill C-38 will guide Canada's economy through the challenges ahead with a strong foundation and a steady hand.

As the challenges faced by our economy are neither small nor one-dimensional, Bill C-38 presents an ambitious strategy studied by no fewer than six Senate committees, with testimony from nearly 200 witnesses. An incredible effort was put forward by a great number of people during the passage Bill C-38 through the upper house. Fifty-two honourable senators from the Finance, Banking, Transport, Energy, National Security and Social Affairs committees convened over 40 meetings in the pre-study of Bill C-38 with the help of their staff, committee staff and support staff.

[*Translation*]

As a member of the National Finance Committee, I would like to thank the honourable senators for the countless hours they dedicated to examining this bill.

[*English*]

Special mention is well deserved by a number of people: from the Standing Senate Committee on Energy, the Environment and Natural Resources, the chair, Senator David Angus, for his genuine and tireless commitment to the pre-study of this bill; Lynn Gordon, the able clerk, and analysts Sam Banks, Marc LeBlanc and Jean-Luc Bourdages; from the Standing Senate Committee on Banking, Trade and Commerce, the chair, Senator Irving Gerstein, the clerk, Adam Thompson, and analysts John Bulmer and Adriane Yong; from the Standing Committee on Transport and Communication, the chair, Senator Dennis Dawson, and Jean-Yves LeFort, the clerk, along with analysts Alexandre Lavoie, Penny Becklumb and Terry Thomas; from the committee on Social Affairs, Science and Technology, the chair, Senator Kelvin Ogilvie, the clerk, Jessica Richardson, and analysts Karin Phillips and Michel-Ange Pantal; from the committee on National Security and Defence, the chair, Senator Wallin, the clerk, Josée Thérien and analysts Martin Auger and Holly Porteous; last, but certainly not least, from the Standing Senate Committee on National Finance, the chair, Senator Joseph Day, for his exceptional work leading the committee with even-handedness and respect. He demonstrates a laudable commitment to fairness and inclusivity in his leadership. I also recognize Jodi Turner, our assiduous clerk, and analysts Sylvain Fleury and John Bulmer for their hard work throughout the pre-study of Bill C-38.

I also recognize the contribution of other essential senators and staff that, due to the restraints of time, I cannot mention individually: my fellow honourable senators, administrative assistants, communications staff, translators and stenographers, among many others.

Many witnesses appeared before these committees to share their views on the legislation and how best to safeguard our economy in an uncertain period of global financial turbulence.

We appreciate the time and effort of government officials, business leaders, academics, labour groups, industry associations, First Nations and individual Canadians.

[*Translation*]

Over the past few months, Parliament debated and examined this bill more than any other budget bill in over two decades, and I have no doubt that it has received a thorough and exhaustive examination.

[*English*]

For that reason, I am confident that the jobs, growth and long-term prosperity act will benefit all Canadians, supporting our recovery while unleashing the potential of Canadian businesses and entrepreneurs to innovate and thrive in the economy of tomorrow.

While I will not provide an exhaustive review in the short time that I will speak on the legislation before us, I want to remind honourable senators one final time of some of the objectives this bill seeks to achieve.

By eliminating the penny and introducing other efficiencies across government, we will eliminate wasteful and duplicative spending of taxpayer dollars.

By increasing the eligibility age for Old Age Security, for instance, we will keep social programs sustainable.

Through enhanced border security cooperation, for example, we will promote trade.

Through regulatory reform to support responsible resource development and other measures, we will create jobs.

Honourable senators, it is imperative that Canada realize its long-term potential as we enter another period of global economic uncertainty. There is no doubt that financial turmoil abroad will inevitably be felt at home. While we must be cautious not to underestimate the risks, Canadians can be confident that our country is well placed to meet the economic challenges of the future as we have done so successfully in the past. The measures contained in the jobs, growth and economic prosperity act will help to ensure that the Canadian economy will continue to grow. We must take these actions in order to respond to the challenges of today, while setting out a plan that our long-term goals demand.

As Minister Flaherty did on March 29, 2012, when he tabled Economic Action Plan 2012, let me quote the words of Sir George Foster, Minister of Finance under Sir John A. Macdonald:

There is especial need just now for long vision and the fine courage of statesmanship, and the warm fires of national imagination. Let us summon them all to our aid. We should not be thinking overmuch of what we are now, but more of what we may be fifty or a hundred years hence. Let us climb the heights and take the long forward look.

[Senator Buth]

I therefore urge all honourable senators to support the government in its important work to support the people of Canada and their continued prosperity.

Thank you.

[*Translation*]

Hon. Pierrette Ringuette: Honourable senators, I would like to begin by congratulating Senator Buth on her rather brief speech on Bill C-38. I must warn you that my speech will be a little longer.

Honourable senators, Bill C-38 is clearly an abuse of power on the part of the Harper government. Seventy federal acts, 750 sections and 425 pages of legislation, all without any consultation with the provincial premiers or most of the organizations affected by the changes in this legislation — this is clearly an abuse of power.

• (1430)

Francophones in Canada — at least those in my neck of the woods — have a saying about having the courage of one's convictions. I do not think that the Prime Minister has the courage of his convictions when he includes all of these bills in a single budget bill.

Listen. It is important to have an open mind.

[*English*]

Old Age Security — that will only be changed in 10 years.

[*Translation*]

Is that having the courage of one's convictions? Absolutely not.

[*English*]

Employment Insurance — that regulation will only come into force in February or March of next year. There is no courage at all.

There is fishery protection without consulting the different organizations — Environment, National Energy Board, Community Access Program, Parks Canada, the National Round Table on the Environment and the Economy, Immigration, charities, oversight, cuts to science, Aboriginal health funding cuts, health care for refugees, and the National Council of Welfare.

There is absolutely no courage and no conviction, because, if the Prime Minister and the Minister of Finance were really convinced that these issues were needed for Canadians, there would have been separate bills in the other place.

[*Translation*]

Having the courage of one's convictions means to believe strongly in something.

The Prime Minister certainly did not believe strongly in the changes to Canadians' pension plan, when he made the announcement in Davos instead of doing so in his own country and consulting Canadians.

[*English*]

I repeat, it is an abuse of power and definitely a major lack of courage, because there is no conviction. There is no conviction.

In regard to Bill C-38, I must admit there are a few clauses among the 700 and something that I do agree with, and I will let honourable senators know what they are.

Some Hon. Senators: Hear, hear.

Senator Ringuette: They are as follows: clause 6, the Registered Disability Savings Plan; clauses 27 to 44, the medical services HST exemption; clause 217, the territorial borrowing limits; clauses 468 to 472, the abolishment of the Public Appointments Commission; clauses 478 to 480, foreign takeovers on which the minister will be able to provide Canadians and Parliament some information; clause 604, with regard to the best 14 weeks in EI, an ongoing pilot project put in place by the Liberal government that these measures put in place permanently and which I support; and clause 653, with regard to the Canada Travelling Exhibitions Indemnification Act, which is kind of a guarantee of \$3 billion for expositions to help all our museums and probably help Canadians to see more of what is going on in the different cultures of the world.

The funny thing is — and my list is complete, by the way — that the title, or should I say the subtitle, of Bill C-38 is Jobs, Growth and Long-term Prosperity.

I would like to see, honourable senators, where the job creation is in Bill C-38. It first started with 19,200 public servants receiving a letter that they were out of a job.

[*Translation*]

We are talking about 19,200 public servants. This will continue because there is a series of departments that have not yet sent notices to their employees. What a good start for a 425-page document that is supposed to be about jobs, growth and prosperity. It starts out by cutting jobs.

During the committee hearings, I was very intrigued by this whole question of jobs, because Bill C-38 was supposed to promote them.

[*English*]

I asked the following questions of every department that came before the Standing Senate Committee on National Finance and the Standing Senate Committee on Banking, Trade and Commerce:

How many employees in your department got a notice of layoff letter, by province and by classification?

How many went to EXs and DMs? How many staffers in your department are not under the Public Service Employment Act and under what classification? What is the cost in your department for program management?

What are the total salaries, expenses, bonuses, et cetera, for the management level of your department and programs?

[*Translation*]

Honourable senators, you will recall that last week, when the time allocation motion was passed for Bill C-38, I listed the different departments I had put this question to, as well as the dates. The first department was the Treasury Board on May 1, nearly two months ago. To this day, none of the following departments have answered the question: Treasury Board, Agriculture, Fisheries, Justice, Finance, Revenue and Environment.

[*English*]

I will continue: HRSDC, Parks Canada, Public Safety, RCMP, Fisheries, Health, CMHC, PCO, CFIA, PWGSC, CBSA, Transport and Finance. However, after I asked my question last week and gave all these dates and all these departments, surprise, I got one answer, from Foreign Affairs, and it says that in the National Capital Region 56 letters were sent. They cannot tell me the classifications of the positions, but 56 letters have been sent in the NCR, and 31 employees at Foreign Affairs in the National Capital Region are not in the public service; they are temporary workers — 31. That is 55 per cent of the positions that are being laid off, just in one department.

Honourable senators, when I was telling you that we had a problem with regard to human resources and the issues of temporary workers on contract, particularly in the National Capital Region, out of one department, you can see that this issue is factual. This issue has to be corrected.

• (1440)

By the way, Bill C-38 removes the responsibility of Treasury Board to report on human resource planning for the Government of Canada. Parliament will no longer have a report on what is going on with regard to the public service.

An Hon. Senator: Shame!

Senator Ringuette: It is a shame.

There are three conditions that the Treasury Board has put up front, and with which I agree, in regard to the hiring of temporary workers. The first condition is that it is to be used for a vacancy during a staffing action. That means that there is an open job posting on the Public Service Commission website, and it is temporary because they need to staff that position; so there is a process. The second is when a public servant is absent for a short period of time, due to sickness or whatever. The third is when there is a temporary workload increase for which insufficient staff is available, and we have seen that in many instances, such as the passport issue or the backlog with regard to replying to EI requests.

If these three conditions were applied by Treasury Board, we would probably say that the layoffs of 19,200 public servants, who got their jobs on a fair-merit basis, would not be acceptable, but still we could say that the government is making some efforts. Yet, we see that this is certainly not the case.

However, honourable senators, while all of these people are being laid off, reducing services to Canadians from coast to coast to coast, another issue coming up in the budget year 2010-11 has cost Canadian taxpayers \$72.4 million and that is the bonus system for high-level executives.

Coming back to the answer that I got from Foreign Affairs, they did indicate in the answer they provided to me that EXs and DMs at Foreign Affairs got zero letters of notice that they were being laid off — zero. We are getting a bigger picture, are we not?

An Hon. Senator: The top guys are keeping their jobs.

Senator Ringuette: Yes, and they are getting bonuses. Absolutely.

Now, one department that has been queried in the last 12 months is the Department of National Defence, with their F-35 issues.

Senator Cordy: They will be getting a new minister.

Senator Ringuette: That could be, but meanwhile, the Department of National Defence's high-ranking officials seem to have a very hard time multiplying or dividing or adding in regard to costs for the F-35. Since they cannot do that, they get \$2 million in bonus.

Some Hon. Senators: Oh, oh.

Senator Ringuette: Is that not nice? They get \$2 million in bonuses, all the while, last March, spending an additional \$4 billion for which they are not providing any information.

This department, National Defence, is certainly something that we need to consider.

Senator Cordy: How much for photo ops?

Senator Ringuette: Photo ops are certainly not something that the taxpayers want to be deprived of. Absolutely not. It is better to cut services to Canadians than to not have pictures, yes.

When we look at all these files, and I only have a few here, there is an issue that should concern all of us. We have talked for at least two years, if not more, about this issue, actually in 2005, 2006 and 2007, and that is the issue of the Parliamentary Budget Officer. The Parliamentary Budget Officer was brought forth in this chamber via Bill C-2. Remember accountability and transparency, honourable senators?

An Hon. Senator: Whatever happened to that idea?

Senator Ringuette: Lo and behold, at National Finance, I have asked four times to enable us to understand the Old Age Security measure change and to assess the numbers, because our job is to assess the numbers. I have asked four times at the committee. The fourth time, the chair of the committee said publicly that he had made the request at steering committee, but steering committee did not want the Parliamentary Budget Officer to appear before our committee.

[Senator Ringuette]

Senator Mercer: What are they afraid of?

Senator Ringuette: So I moved a motion, with a recorded vote.

Senator Mercer: What happened?

Senator Ringuette: Well, lo and behold, all the Tory senators on our committee voted against having the Parliamentary Budget Officer appear before us.

Some Hon. Senators: No, no.

Senator Ringuette: I have all the names here, but I will not go there.

Senator Munson: Name them.

Senator Ringuette: The Parliamentary Budget Officer is a tool for all parliamentarians to be able to have access to current facts and the real numbers.

In June 2006, Senator Oliver, in this chamber, said the following:

With expert staff and legislated access to government information, the parliamentary budget officer will strengthen Parliament's ability to scrutinize government spending and to analyze economic trends.

It is too bad Senator Oliver is not on the National Finance Committee, because I am sure he would have supported my motion.

The same year, at third reading of Bill C-2, Senator Oliver said the following:

Bill C-2 makes a significant step in this direction, with the creation of the parliamentary budget officer within the Library of Parliament. This new officer and the necessary expert staff will enhance the research support on economic and financial matters for the study of estimates. . . . The effort to improve accountability embodied in this legislation will be incomplete if the key institution of public accountability, Parliament, continues to have inadequate capacity to fully hold the government and its senior officials to account.

• (1450)

I go back to the abuse of power by the current government, not only through Bill C-38 but also in refusing a Senate parliamentary committee to have as a witness the Parliamentary Budget Officer. I think that you should all be ashamed — all ashamed.

Not only are they not agreeable to having this important researcher come before our committee, but he has even been denied by departments the information that he has requested. This is a privilege that this position has acquired through an act of Parliament.

Can you imagine that right now we have a Parliamentary Budget Officer who may bring this government before the courts because they will not supply information? My goodness!

An Hon. Senator: They will not obey the law!

Senator Ringuette: My goodness; my God!

Senator Comeau: I am shaking in my boots.

Senator Ringuette: I thought you had shoes on, but anyway.

Next, with respect to Old Age Security — and the committee was not able to have factual numbers at committee because the Parliamentary Budget Officer was not allowed to appear before our committee —

Senator Cordy: They do not want the facts to get in the way.

Senator Ringuette: — the age of retirement is raised from age 65 to age 67, costing the average retiring Canadian \$12,000 and the lowest income Canadians up to \$30,000. Furthermore, 40 per cent of OAS recipients earn less than \$20,000 a year — I repeat: \$20,000 a year. Cutting OAS will hurt Canada's most vulnerable seniors. They will be hurting the most.

We also learned that the Parliamentary Budget Officer said that the OAS program was sustainable. His report states that relative to the size of the economy, the assumption that average benefits are indexed to inflation only results in an increase in the cost of the program of 0.8 per cent of GDP from 2010-11.

[*Translation*]

Honourable senators, when a government has the courage of its convictions and it wants to introduce major changes, it should do so in separate bills, out of respect for parliamentarians, for the institutions and especially for Canadians. It is fundamental. Speaking of having the courage of one's convictions, either the current Prime Minister lacks such courage or he is not convinced of the changes he is making to the pension plan.

The first witness who appeared before the Standing Senate Committee on National Finance was the Minister of Finance, Mr. Flaherty. Bill C-38 contains a provision regarding the Canadian government's commitment to restore balance to the International Monetary Fund by increasing the amount from \$6 billion to \$11 billion. It is set out in Bill C-38. However, when the committee questioned Department of Finance officials, they admitted that the Canadian government had not really committed to \$6 billion or \$11 billion but to \$24 billion. Meanwhile, for months, Minister Flaherty and Prime Minister Harper had been telling Canadians, Americans and Europeans that they would not increase this commitment. Nevertheless, in committee, the official clearly said — and it is written in the meeting minutes — that our commitment to the International Monetary Fund actually increased from \$6.2 billion to \$24 billion.

Minister Flaherty was unable to answer my question. He turned to his deputy minister who was also unable to answer. They agreed to send us an answer, which we have still not received.

Another very important issue, which is closely related to Senator Buth's speech, is the European economy. Before the Standing Senate Committee on Banking, Trade and Commerce, Mr. Carney, Governor of the Bank of Canada, said that our

foreign exchange reserves had doubled in the past year. When I asked him the value of these funds, he told me that it was the prerogative of Canada's Minister of Finance to disclose that information.

And so, I asked the Minister of Finance to tell us what type of currency we have in that reserve fund. The Minister of Finance was unable to tell us. Do we have euros? Is 50 per cent of that fund in euros? We do not know and the government does not want to tell us. We really have to ask some questions.

[*English*]

One of the other fundamental things in here is all the dumping on the provinces; that is, dumping with regard to the increase in cross-border shopping that is being allowed without consultation with the provinces and the removal of sales tax from the income of provinces, and the minister said he had not consulted with them. It will be harder to get EI and it will be for a shorter period of time, while at the same time we are creating categories of unemployed in Canada. The provinces will have to pick up the slack for these poor people. There is a verbal commitment to help the provinces, but it does not go very far.

There is absolutely no recognition for the people that work in seasonal jobs, in industries such as tourism, fisheries, agriculture, forestry or construction. There is no recognition for the 26 per cent of GDP that they provide to this country. They will be hurting quite a lot.

I would also like to remind honourable senators that the reduction, unilaterally, of the health care transfer is really not acceptable. For six years the Harper government has been in place, and I never once heard of any federal-provincial meetings of ministers. Prime Minister Harper has never called his provincial colleagues to meet and discuss issues, even in a time of financial crisis. This is really, really unacceptable. We are dumping on the provinces and we do not consult them.

• (1500)

An Hon. Senator: Shame.

Senator Ringuette: It is a shame.

I certainly would like — if the Honourable Senator Eaton wishes to talk, I need just a few minutes more and she will be able to do so.

[*Translation*]

MOTION IN AMENDMENT

Hon. Pierrette Ringuette: Honourable senators, I move:

That Bill C-38 be not now read a third time but that it be amended

(a) on pages 306 to 311, by deleting clause 447;

(b) in clause 608, on page 373, by replacing line 1 with the following:

“(k.1) subject to section 54.1, establishing criteria for defining or”;

(c) on page 373, by adding after line 21 the following:

“608.1 The Act is amended by adding the following after section 54:

54.1 (1) Before a regulation is made under paragraph 54(*k.1*), the Minister shall cause the proposed regulation to be laid before each House of Parliament.

(2) The proposed regulation shall be laid before each House of Parliament on the same day.

(3) A proposed regulation that is laid before a House of Parliament shall, on the day it is laid, be referred to an appropriate committee of that House, as determined by the rules of that House, and the committee may conduct inquiries or public hearings with respect to the proposed regulation and report its findings to that House.

(4) A regulation may not be made under paragraph 54(*k.1*) before the earlier of

(a) 30 sitting days after the proposed regulation is laid before the Houses of Parliament; and

(b) the day after the appropriate committee of each House has reported its findings with respect to the proposed regulation.

(5) The Minister shall take into account any report of the committee of either House and, if a regulation does not incorporate a recommendation of the committee of either House, the Minister shall cause to be laid before that House a statement of the reasons for not incorporating it.

(6) A proposed regulation that has been laid before Parliament need not again be so laid prior to the making of the regulation, whether it has been altered or not.

(7) A regulation may be made under paragraph 54(*k.1*) without being laid before either House of Parliament if the Minister is of the opinion that the changes made by the regulation to an existing regulation are so immaterial or insubstantial that subsections (1) to (6) should not apply in the circumstances.

(8) If the regulation is made without being laid before the Houses of Parliament, the Minister shall cause to be laid before each House a statement of the Minister's reasons.

(9) For the purpose of this section, “sitting day” means a day on which either House of Parliament sits.”; and

(d) in clause 703, on page 402, by adding after line 36 the following:

“(1.1) Before an instruction is given under subsection (1), the Minister shall cause the proposed instruction to be laid before each House of Parliament.

(1.2) The proposed instruction shall be laid before each House of Parliament on the same day.

(1.3) A proposed instruction that is laid before a House of Parliament shall, on the day it is laid, be referred to an appropriate committee of that House, as determined by the rules of that House, and the committee may conduct inquiries or public hearings with respect to the proposed instruction and report its findings to that House.

(1.4) An instruction may not be given under subsection (1) before the earlier of

(a) 30 sitting days after the proposed instruction is laid before the Houses of Parliament; and

(b) the day after the appropriate committee of each House has reported its findings with respect to the proposed instruction.

(1.5) The Minister shall take into account any report of the committee of either House and, if an instruction does not incorporate a recommendation of the committee of either House, the Minister shall cause to be laid before that House a statement of the reasons for not incorporating it.

(1.6) A proposed instruction that has been laid before Parliament need not again be so laid prior to the giving of the instruction, whether it has been altered or not.

(1.7) An instruction may be given under subsection (1) without being laid before either House of Parliament if the Minister is of the opinion that the changes made by the instruction to an existing instruction are so immaterial or insubstantial that subsections (1.1) to (1.6) should not apply in the circumstances.

(1.8) If the instruction is given without being laid before the Houses of Parliament, the Minister shall cause to be laid before each House a statement of the Minister's reasons.

(1.9) For the purpose of this section, “sitting day” means a day on which either House of Parliament sits.”;

(e) on page 150, in clause 133, by replacing line 21 with the following:

“ the fish as food or for subsistence or earning a moderate livelihood or for social”;

(f) on page 151, in clause 133, by replacing line 5 with the following:

“to fish includes any permanent or recurring”;

(g) on pages 340 and 341, by deleting clause 525;

(h) on page 369, by deleting clause 602; and

(i) on page 395, in clause 682, by replacing line 8 with the following:

“or a veteran’s spouse, common-law partner or survivor if the veteran or the veteran’s spouse, common-law partner or survivor meets”.

[English]

The Hon. the Speaker: It has been moved by the Honourable Senator Ringuette, seconded by the Honourable Senator Cordy, that Bill C-38 be not now read a third time but that it be amended, (a) on pages 306 to 311, by deleting clause 447 — shall I dispense?

Hon. Senators: Dispense.

The Hon. the Speaker: On debate.

Hon. Catherine S. Callbeck: Will the honourable senator take a question?

Senator Ringuette: Yes, sure, if I have five minutes.

Senator Callbeck: First, I want to thank the honourable senator for the very informative speech on Bill C-38 and for the amendments. I want to ask particularly about the OAS, Old Age Security.

I agree with the honourable senator when she says that the OAS should be taken out of this bill and put in stand-alone legislation, because it is really important, and what is the rush? That provision will not come into effect until 2023, so it does not make any sense for the government to be putting it in a bill that is 400-plus pages and trying to ram it through Parliament. I know the honourable senator agrees with that.

With regard to sustainability, I find that to be a very confusing issue. The government says OAS is not sustainable as it is, but they refuse to give us any figures. We have asked time and time again for the analysis. They must have an analysis, because they came to that conclusion. Why did they come to that conclusion? We have continued to ask that at the Finance Committee and we never get an answer.

They say it is not sustainable. As the honourable senator mentioned, the Parliamentary Budget Officer has said it is sustainable. Also, the Chief Actuary has stated that it is sustainable. He has indicated that in 2012, it will be 2.43 per cent of the GDP. It does go up, but then it goes back down again. In 2060, it is lower than it is this year; it is 2.35.

Here we have the Parliamentary Budget Officer and the Chief Actuary saying it is sustainable. The government says it is not sustainable, but they are refusing to give us any information. I am

just absolutely floored with this, and I would like to hear the honourable senator’s reaction to that.

• (1510)

Senator Ringuette: I thank the honourable senator. I must say that I have a tendency to believe the numbers of the Parliamentary Budget Officer in regard to this. In relation to OECD countries, I have looked at the analysis they have done. They also clearly indicate that the program is sustainable.

One of the funny things about all of this is that the government, Mr. Harper, is saying that Canadians are living longer so therefore they should be working longer. This is this year, without any facts.

Honourable senators will remember that last year in the budget bill there was a measure in regard to the Canadian Pension Plan. The measure made it possible for Canadians, instead of waiting until they were 65 to apply for CPP, to apply at age 60. That was based on the fact that Minister Flaherty was saying to our committee that they had done research and Canadians wanted to work only until the age of 62. Last year Canadians wanted to retire at age 62, but this year it seems that they are supposed to retire at age 67.

Honourable senators, I certainly believe the numbers that have been proposed in the research by both the Parliamentary Budget Officer and the Chief Actuary, because otherwise the government has not supplied any substantive facts to justify the measures they have taken in regard to OAS.

Hon. Jane Cordy: Honourable senators, I would also like to ask a question about OAS. When Senator Buth was speaking, I was going to ask her a question, and I thought Senator Ringuette was rising to ask her a question but then she started her speech.

She made reference to the fact that increasing the OAS from 65 to 67 — I am not sure if she used the word “safeguard” — would protect or safeguard social programs for years to come. My understanding from listening to Senator Ringuette speak is that we do not know yet if this will save any money. No one was able to give her the information. The Parliamentary Budget Officer said the program was sustainable. We have not been able to get any numbers for many things in this budget when it comes to expenditures or savings.

How will this safeguard social programs if we do not know if it saves any money, and it appears that it will not, particularly if it will not take effect for 10 years and because we have not heard anything?

Also, Senator Ringuette mentioned that 40 per cent of those collecting OAS earn less than \$20,000. The Standing Senate Committee on Social Affairs, Science and Technology, on another issue, heard from Mr. Tony Dolan from Prince Edward Island, the head of the PEI Council of the Disabled. He was fearful about what raising the age from 65 to 67 would do for people who are disabled because they have been living in below-poverty situations and have been waiting until they reach the age of 65 so they can collect OAS and GIS. It would mean a substantially increased standard of living for them.

Did the honourable senator hear at committee the effect that this measure will have on those who are disabled?

Senator Ringuette: May I have five more minutes?

The Hon. the Speaker: Is it agreed, honourable senators?

Hon. Senators: Agreed.

Senator Ringuette: At our last meeting, we heard from a group that was very concerned about the effect. We must realize that if the government has made an impact assessment of this measure, it is not being made publicly. There will be an impact in regard to all the services being provided, whether it is housing, medication or home care, based on the fact that people on OAS live in all the provinces. This measure would all have an impact on provincial costs, notwithstanding the fact that these seniors will not be getting any income.

One of the impacts that I truly believe will result is the negative effect it will have on youth unemployment. We know that right now in Canada the largest group of unemployed workers is our youth. It does not seem that this trend is in reduction mode. Therefore, when we look at the fact that seniors will be working two more years, from 65 to 67, those are two years that younger Canadians who have student loans to pay, perhaps with a young family, will not have access to these jobs. The rate of unemployment in our youth population will also grow.

There are so many different impacts, whether it is with the disabled population or our native population that will be seriously affected by these measures. There is also the cost to provincial coffers.

I truly believe that having the OAS in Bill C-38, the budget bill, demonstrates an abuse of power and a definite lack of courage on the part of the Prime Minister of Canada for a measure that he only wants to implement 10 years from now. Canadians are reasonable people. They are very intelligent. They can sit down and look at the facts and make their own assessment of the situation. Unfortunately, the facts have not been given to us, not to mention the Canadian people, to look at and rationalize and see for themselves.

I certainly think that this particular measure shows a lack of courage in relation to the Prime Minister of Canada.

Hon. Art Eggleton: I have a question in what time there is left, and then I wish to speak.

Senator Ringuette has proposed an amendment. Could she give us the effect of that amendment? Amendments, by their nature, are legalese in terms of their composition.

Senator Ringuette: In regard to OAS, which is the major one, from my perspective for the time being, it removes the schedule from 65 to 67.

In regard to Employment Insurance, it creates an obligation on the minister responsible for HRSDC to establish criteria in order to determine "reasonable employment." There are also measures in regard to the fisheries that need to be corrected.

[Senator Cordy]

There is an issue with the preamble in the Bank Act that completely removes the responsibility and obligation of the Province of Quebec to introduce legislation in relation to laws they currently have to protect consumers in regard to banks and financial institutions, i.e., credit cards.

• (1520)

As well, there is a major issue with relation to payments to veterans and Canadian Armed Forces retirees. That is the bulk.

(On motion of Senator Eggleton, debate adjourned.)

[*Translation*]

ALLOTMENT OF TIME FOR DEBATE— NOTICE OF MOTION

Hon. Claude Carignan (Deputy Leader of the Government): Honourable senators, I have been unable to reach an agreement with the Deputy Leader of the Opposition about the time to be allocated to this debate, so I give notice that, at the next sitting of the Senate, I will move:

That, pursuant to rule 39, not more than a further six hours of debate be allocated for consideration at third reading stage of Bill C-38, An Act to implement certain provisions of the budget tabled in Parliament on March 29, 2012 and other measures;

That when debate comes to an end or when the time provided for the debate has expired, the Speaker shall interrupt, if required, any proceedings then before the Senate and put forthwith and successively every question necessary to dispose of the third reading stage of the said Bill; and

That any recorded vote or votes on the said question shall be taken in accordance with rule 39(4).

[*English*]

CANADA—JORDAN ECONOMIC GROWTH AND PROSPERITY BILL

SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Nolin, seconded by the Honourable Senator Angus, for the second reading of Bill C-23, An Act to implement the Free Trade Agreement between Canada and the Hashemite Kingdom of Jordan, the Agreement on the Environment between Canada and the Hashemite Kingdom of Jordan and the Agreement on Labour Cooperation between Canada and the Hashemite Kingdom of Jordan.

Hon. Percy E. Downe: Honourable senators, I wish to join the debate about Bill C-23, an act to implement the free trade agreement between Canada and the Kingdom of Jordan.

Senator Nolin pointed out that the objectives of Canada-Jordan trade extend beyond economics and that this agreement should be seen as part of a broader effort to promote security and development in a troubled part of the world.

I concur in this view for two reasons. First, any effort, however small, to promote peace and stability in the Middle East is to be applauded and will naturally find support from this side of the chamber, and second, because, frankly, the economic impact of this agreement is not likely to be major.

As is its habit, the government has chosen to attach some talking point lines and spin to the title. In this case, it takes the form of the subtitle, “Canada-Jordan Economic Growth and Prosperity Act.” Given the scale of Canada-Jordan trade, I would say that prosperity might be a tall promise, but there is certainly room for growth. It could have just as easily been called the “Nowhere to Go But Up Act” given that Jordan is our eighty-eighth most important export market, to the extent that the term “eighty-eighth most important” has any meaning. Indeed, if our exports to Jordan were to double overnight, it would make that country as important a market for Canada as the Dominican Republic.

In fact, studies have indicated that Canada’s exports to countries with which we have free trade agreements have grown more slowly than our exports to other nations. For example, balance of trade statistics from Industry Canada indicate that in 1996, the year before a free trade agreement with Israel, we had a trade deficit of just under \$27 million. By last year our trade deficit with Israel had grown to \$580 million. Our trade with Chile went from a surplus of \$73 million in 1996 to a deficit of over \$1 billion in 2011.

It goes on. The year free trade with Costa Rica began, in 2003, our trade deficit was almost \$226 million. Last year it was over \$315 million. In the two years since we entered into free trade with Peru, our trade deficit has gone from under \$2.5 billion to almost \$3.9 billion.

I said earlier that Canada’s trade with Jordan is minor. Last year, for every dollar’s worth of goods we exported to Jordan, we sent over \$4,700 to the United States. Our total bilateral trade with Jordan totaled \$88 million in 2011 while our trade with the European Union totaled more than \$92 billion.

As honourable senators know, Canada has undertaken negotiations toward a trade agreement with the European Union, a serious trading partner and a serious negotiator. Why, when discussions have been ongoing with the European Union since 2008, have we undertaken so many deals like this — minor, one-off deals that do not significantly impact Canadian trade?

The stakes are high, and there is great cause for concern. This government has presided over a 7.5 per cent decline in the values of goods and services exported to other countries while our trade deficit quadrupled. Exports as a proportion of our gross domestic product now hover around 30 per cent. When this government came to power, it was 38 per cent. These are disturbing trends.

Michael Hart, the Simon Reisman Chair in Trade Policy at Carleton University, has written about Canadian trade negotiation and has criticized the federal government for

spending time negotiating deals that “provide the illusion of engagement but that lead, at best, to marginal results.”

Instead of securing free trade agreements with minor markets and pursuing the Doha Development Round of World Trade Organization negotiations, Professor Hart argues that Canada’s focus should be on the promotion of more diversified trade patterns with new emerging markets, such as India and China. Professor Hart sums up the problem with this government’s current approach:

Free trade agreements with minor trading partners . . . are marginal in their economic and commercial impact but large in their ability to gobble up political and financial resources.

Don Stephenson, an official from Foreign Affairs and International Trade, said before a House of Commons committee in 2010:

The reasons that we entered into trade agreement talks were largely political, but the discussion itself focused . . . on trade and tariff issues.

Canada needs to engage with political and trade partners and build new relationships, but the question is this: Are these minor trade agreements the most effective tool at our disposal? For example, Canadian officials on the ground are needed in trade development and promotion, whereas this government is cutting back at the Department of Foreign Affairs and International Trade. This spring, the government announced it is eliminating 35 commerce officers, public servants specifically tasked with trade promotion, and cutting trade offices across Canada. Seven of the 18 offices are on the chopping block, as are similar facilities in the United States with closures stretching from Arizona to Alaska.

Canadians have a right to wonder whether this government is making the best use of its diplomatic resources and is paying attention to larger trading relationships. The minor trade agreement before us takes time and resources away from our major trade partners and the many other details vital to trade but outside free trade agreements.

For example, last week honourable senators might have seen an article in the publication *Embassy* about the problems Canadian businesses have with potential customers and investors trying to secure visas to visit Canada. The Standing Senate Committee on Foreign Affairs and International Trade has heard this many times before. It is worth quoting our recent report on relations with Brazil.

The Committee believes strongly that the status quo about how Canadian visas are issued is not acceptable. The long-term impact of the situation includes limiting how far and how quickly Canadian-Brazil relations can go. Indeed, the situation amplifies the growing but unintentional disconnect between the more globalised world and the primary function of visas. Whereas the Canadian government is identifying markets such as Brazil as priorities for expanding commercial exchanges, it maintains a procedure that ultimately restricts the movement of the people who are at the heart of these relations.

• (1530)

I dare say, honourable senators, that fixing our current visa system would do as much and more for international trade than the agreement we have before us today.

However, even within the restriction of trade negotiations, there are limits to our capacity and resources, particularly at this time of restraint, and it is clear that our negotiators face challenges negotiating with the European Union.

Over the years, we have heard repeated claims of rapid progress. Indeed, we were told that the deal would be finalized in 2011. The reality is that repeated delays and postponements mean that much remains to be done. In response to official claims that negotiations are 75 per cent complete, one analyst stated that may be the case, but warned that the last 25 per cent is going to be the hard part.

In the past, governments used to draw far beyond the public service to fill the ranks of its trade negotiators, because negotiations of this importance warrant the maximum effort by those working on Canada's side of the table. Probably the best known example of this is Simon Reisman, who had been retired from the public service for a decade when Prime Minister Mulroney called on him to head the negotiations with the United States over free trade. Prime Minister Mulroney appreciated that, when important issues are at stake, the best people must be employed, whether they come from the ranks of the public service, academia or the corporate world.

By contrast, we recently learned that this government has chosen not to follow that example and instead employed no outside negotiators for the Canada-EU agreement. Private sector professionals in fields such as law, trade, business and accounting should have been retained to work on this important file. Instead, these people are being ignored and their skills untapped.

As the Standing Senate Committee on Foreign Affairs and International Trade recommended in its report on free trade with Peru in 2009:

Given the importance of trade for the prosperity of Canadians, it is also recommended that the Government of Canada ensure that our best negotiators, either inside or outside of the federal government, represent Canada in trade proceedings to obtain stronger and more effective trade agreements.

If this government keeps running around the world signing agreements for its own sake, then the men and women of our public service will be stretched to their limits, to the detriment of our international trade.

Not only are the one-off trade agreements like the one we have before us lacking vision and cohesion, they take time and valuable resources away from other efforts. We have not focused our resources on our negotiations with the European Union, a tremendously important market. We are negotiating all around

the world with minor trading partners, and all the protocols and all the conventions in the world will not turn them into major trading partners.

The government has declared that they want the European Union deal to be the most ambitious trade agreement we have ever had and that they are looking for something that is deeper and broader than even NAFTA. It comes down to priorities and focus.

Derek Burney was Brian Mulroney's Chief of Staff during the negotiations for the Canada-United States Free Trade Agreement. Speaking earlier this year about this current government's scattershot approach to trade negotiations, he said:

These are all encouraging moves. . . . But what the government needs now is a sense of priorities. Mr. Harper needs to take charge and give negotiators the authority to get results. They haven't put anything in the window yet.

This free trade agreement between Canada and Jordan will not drastically affect our future trade, but our duty in the Upper Chamber is to consider this agreement carefully for Canadians. In committee, we can have a full discussion about this agreement. We can question why our government failed to negotiate a stronger deal, and we can hear directly from stakeholders how this deal will work for Canadians.

As I mentioned, Jordan is a minor trading partner with Canada. Our two-way trade totaled under \$89 million last year. Exports of my home province, Prince Edward Island, to Jordan amounted to \$67 last year. That is \$67, maybe a couple lobster take-out dinners. However, it must be said that it is a marked improvement over the previous year, when there was no trade whatsoever. As I said at the start of my remarks, room for growth.

I hope that this bill is given careful consideration before the Foreign Affairs and International Trade committee over the next few weeks.

I note that the former Chair of the Foreign Affairs and International Trade Committee, Senator Di Nino, unfortunately is not a member of that committee any longer, but I wanted to mention the tremendous assistance he has been to me in the past in that committee and in my years in the Senate. He is a very good colleague and, whenever he eventually leaves this place, I will miss him very much.

The Hon. the Speaker *pro tempore*: Further debate? Are honourable senators ready for the question?

Some Hon. Senators: Question.

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

Hon. Senators: Agreed.

(Motion agreed to and bill read second time.)

[Senator Downe]

REFERRED TO COMMITTEE

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

(On motion of Senator Nolin, bill referred to the Standing Senate Committee on Foreign Affairs and International Trade.)

CANADIAN HUMAN RIGHTS ACT

BILL TO AMEND—SECOND READING—
DEBATE ADJOURNED

Hon. Doug Finley moved second reading of Bill C-304, An Act to amend the Canadian Human Rights Act (protecting freedom).

He said: Honourable senators, I rise today once again to bring your attention to the critical issue of freedom of speech. I first raised this issue in 2010 when I called for an inquiry into the state of free speech in Canada and a debate of section 13 of the Canadian Human Rights Act.

Today I raise it with regard to a bill presented by MP Brian Storseth to repeal section 13. I applaud Brian Storseth for putting this much-needed bill forward, and it is a great honour to be the sponsor of this bill in the Senate.

Freedom of speech is a right we cannot and must not take for granted. It is a fundamental foundation of a democratic society. All of our other rights and freedoms depend upon our ability to express ourselves freely without reprisals from the state. It is, as Alan Borovoy refers to it, a “strategic freedom.”

Speech is the freedom that we must jealously guard. We must protect its integrity and contributions to public debate, because if we were to be stripped of every other right, we could earn them back with this one.

It is with this in mind that the House of Commons has passed this bill to repeal section 13. It received support from Liberal MP Scott Simms and, in past Parliaments, had received support from former Liberal MP Keith Martin.

• (1540)

It is a response to the decrepit state of free speech in Canada that is a consequence in large part of the malpractices and censorship of human rights commissions.

Freedom of speech has been jeopardized by section 13. The broad scope of this section and the wide investigative powers and quasi-judicial independence granted to human rights commissions places too much power in the hands of unelected officials. These commissions have, in the last decade at least, run roughshod over the civil liberties of Canadians. Political correctness has run amok.

The abuses of both provincial and federal human rights commissions cannot be allowed to continue unabated. The censorship of politically incorrect statements in publications is not only wrong but also contrary to our democratic principles.

Comedian Tommy Smothers, for those of you old enough to remember, once remarked that “the only valid censorship of ideas is the right of people not to listen” to them.

If you find an idea stupid, it is your right to ignore it. If you find a joke offensive, it is your right to disregard it. Even statements one might find intolerable or heinously out of line with reality deserve the opportunity to be heard and ignored.

According to former Supreme Court Chief Justice Dickson, “hatred or contempt” refers to only “unusually strong and deep-felt emotions of detestation, calumny and vilification.”

Words that are vehemently hate-filled and full of contempt can be dealt with under the existing provisions of the Criminal Code of Canada. Controversial speech has the ability to generate wider public discourse on varying issues that range from religion, to censorship, to tolerance, for instance.

Mandated political correctness has the unfortunate side effect of limiting the scope of possible debate.

Our principles are those of Westminster’s traditions, which include tolerance of a wide array of viewpoints, however nonsensical or critical they may be. The Canadian Civil Liberties Association says that the “proper response to speech that is offensive, distasteful, or upsetting is counter-speech.”

We do not censor people in Canada based on religion, and we certainly do not censor people based on their hurt feelings. There is a clear difference between being harmed or threatened and being offended. Physical harm, calling for genocide, hate crimes or inciting others to commit violence against identifiable groups clearly are handled within the justice system by existing provisions in the Criminal Code.

Hurt feelings and what one considers to be blasphemy fall under that latter category of being offended. We have no right not to be offended in Canada.

The purpose of human rights commissions and their legislation is not to protect people’s feelings or impose their religious beliefs on others; rather, their apparently noble purpose is to prevent the discrimination of Canadians in employment, residential accommodation and wage situations.

Section 13 and its provincial counterparts are well out of line when it comes to meeting the original purpose of these ordinances. Shimon Fogel of the Centre for Israel and Jewish Affairs wrote:

Section 13 of the Canadian Human Rights Act was created as a shield to protect the most vulnerable members of society from heinous messages of hatred. Historically, it provided an effective tool for Canadians, particularly in the fight against Holocaust denial. Unfortunately, Section 13 and its provincial counterparts have increasingly been used as a sword, brandished to stifle valid criticism and chill legitimate expression.

The opportunity for exploitation is too great for these flawed acts to stand without reparation. Anyone can instigate a human rights commission investigation at no cost to their person. They stand to gain in awarded damages of up to \$10,000.

Defendants too poor to afford legal advice or unwilling to spend years in a quasi-legal fight are more likely to roll over and acquiesce to a bureaucrat-mandated penalty. Even if they buck the trend of a 96 per cent conviction rate and win, they do not have their costs covered by the complainant or the government. This no-risk, high-reward system promotes its own exploitation.

Ezra Levant faced a gruelling 900 days of investigations by the Alberta Human Rights Commission. He was interrogated in a kangaroo court by a public servant, not by a judge in an actual court of law. He was embroiled in a process so at odds with the rule of law that it in fact appears to violate the Charter rights of Canadians.

Section 11 of the Charter provides Canadians due process rights, yet the Canadian Human Rights Act flouts this significantly. It ignores the legal rules of evidence, allowing for hearsay to be heard and considered as fact before a human rights tribunal.

Further, the CHRA specifically prohibits the defendants from retaliating by suing a complainant for frivolous or malicious actions.

In order to share his ordeal and other Canadians' run-ins with censorship crusaders of human rights commissions across Canada, Levant published a book called *Shakedown* that became a bestseller almost instantly, and I will note that this piece was recently proclaimed as the best political book of the last 25 years.

There are many Canadians who have faced human rights commissions in obscurity, charged under section 13, or its equivalents, but without the resources and determination that Levant had. How many of them were and are unfairly silenced, guilty of nothing more than offending someone? How many were targeted by malicious or frivolous complaints? How many more Canadians will be silenced in this manner before human rights legislation is fixed?

Respected civil rights activist Alan Borovoy has said in the past of section 13:

Despite my considerable involvement in pressuring the Ontario government, many years ago, to create Canada's first human rights commission, I regret this use of the law.

Even after winning a case, accused Canadians are not compensated for their legal fees as would occur in a real court of law. The complainants are not forced to pay a single cent from their own pocket throughout the entire process, as might occur in a real court of justice.

Let us not also forget the freedom of the press case concerning Mark Steyn and *Maclean's* magazine. *Maclean's* and Steyn were investigated by the B.C. Human Rights Tribunal for their publishing of an excerpt from Steyn's book *America Alone*, which criticized radical Islam and its growing influence in many Western nations.

This censorship controversy incited the Canadian Association of Journalists, PEN Canada and news organizations across Canada to criticize section 13 and its provincial equivalents as undue assaults on free speech, calling for their repeal. Though the B.C. Human Rights Tribunal eventually found in favour of *Maclean's* and Steyn, I think it quite obvious they were compelled to do so only because of *Maclean's* considerable pockets, legal team and an outpouring of public sympathy for the embattled defendants.

- (1550)

Our former colleague in this chamber, Senator Jerry Grafstein, once remarked of Ezra Levant and Mark Steyn that both should receive the Order of Canada. He said of human rights commissions that "sometimes agencies in a free society are taken hostage by extremists." I must agree that this appears to be exactly what is going on with these commissions.

Since the conclusion of these two high-profile cases, public discussion regarding censorship and human rights commissions has ebbed. Politicians of many stripes who, during the height of these kangaroo court proceedings, called for abolition of commissions or amendments of certain sections of the human rights acts across Canada, have now gone relatively silent.

The *Lemire* case demonstrated the abuse of section 13 by public employees. A CHRC commissioner, Richard Warman, was discovered to have used Internet forums to incite and goad others into writing hate messages so that they could be charged under section 13. Warman, himself, wrote hate messages in the process, violating section 13. Despite this, he has never been charged under section 13.

When this was learned by the media, the public at large was beside itself. The majority opinion at the time was clearly to rid Canada of these thought police. I now ask, where has that outrage gone? Where has the will to reform a broken system gone?

Make no mistake: human rights commissions across Canada remain deeply flawed government agencies for some of the reasons I have outlined already. Further, the leadership and officers of some commissions act as political activists hell-bent on censoring those who do not conform to political correctness or their grand visions of how society should behave.

Language found acutely intolerable should be, and is, roundly condemned by society at large. Nothing is more powerful a tool of rejecting a bad idea than that of the community as a whole marginalizing it on its own volition.

Echoing this sentiment admirably is a famous quote oft attributed to Voltaire: "I disapprove of what you say, but I will defend to the death your right to say it."

Just because we might find an opinion or statement disagreeable or reprehensible to our senses does not mean that we should deny it the opportunity to be heard.

John Stuart Mill wrote:

If all mankind minus one were of one opinion, and only one person were of the contrary opinion, mankind would be no more justified in silencing that one person than he, if he had the power, would be justified in silencing mankind.

We must be mindful when the state seeks to squelch ideas that aim to provoke discussion. When we willingly limit one freedom of ours in the name of placating one group, it becomes easier to limit other freedoms for a similar basis.

We can never underestimate the rationality of individuals to decide what is best for themselves. When presented with a free market economy, individuals generally purchase the best goods and not the worst goods. In a marketplace of free ideas, the better ideas will prosper and gain traction; the poorer ideas will be left by the wayside.

With all of the controversy in regard to section 13, Canadians, I feel, have shown that they want to eliminate this clause. We must stand as a bulwark against the perilous creep of censorship and beat back the troubling gains that it has made. Let us lead by example and protect the most sacred freedom of all Canadians. Let us move to fix the Canadian Human Rights Act by repealing the erroneous section 13.

Let us leave it to the courts and to the Criminal Code, where due process and fair trials reign, to discern what speech is hateful and contemptuous.

I urge all senators and provincial representatives across this nation to stand up for freedom of speech, to stand up for Canadians. We live in the greatest nation on earth, the true north strong and free. Let us live up to that mantra of freedom and lead by example by repealing section 13.

(On motion of Senator Munson, debate adjourned.)

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I take this occasion to draw your attention to the presence in the gallery of a special group. The group includes Karen Di Nino, Georges Lamy, Tanina Lamy, Étienne Lamy, David Di Nino and Jennifer MacDonald. They are family and an assistant of our colleague the Honourable Senator Di Nino.

Hon. Senators: Hear, hear!

ROYAL CANADIAN MOUNTED POLICE

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Mitchell, calling the attention of the Senate to how the allegations of sexual harassment and harassment generally can be better handled in the RCMP.

Hon. Pamela Wallin: Honourable senators, I rise to speak on the inquiry and the motion regarding the RCMP, a national institution near and dear to most Canadians, which has been providing law and order since Confederation.

The RCMP has grown enormously in size and in the vital role it plays. In 1974, women proudly joined the ranks. Today, the RCMP is a municipal, provincial, federal and international police force. It has been and remains an enduring part of our Canadian national character, in which we quite rightly take pride.

I do not know what the experience of the senators opposite is, but I knew many RCMP officers who served in my home town of Wadena over the years. They were fair and very good at their job, but they were also valuable and generous members of the community. I am a proud supporter of the RCMP and I do not want to see the institution maligned or undermined unfairly.

In speaking on the RCMP, I would also like to say a word about the proposed new order of reference by Senator Mitchell for the committee that I chair. This is a troubling precedent. First, he should propose any new order of reference through his voice on the steering committee, the deputy chair, and, failing that, one would think that as a show of respect for his fellow committee members and for this chamber he would propose the issue there, debate it and seek agreement.

It is not just those on this side who should be troubled about allowing one lone member to try to hijack a long-respected committee process. I reject Senator Mitchell's purpose and intent fundamentally when he seeks to turn the committee into some kind of kangaroo court, what he would call a truth and reconciliation commission.

It is completely inappropriate to try to distort the role of committees for partisan gain. Furthermore, it is irresponsible in the extreme to parade the personal details of people's lives for the pure shock value.

I have become convinced that Senator Mitchell, while saying he wants to see the RCMP fixed, seems intent, through his rhetoric and his actions, on actually making reforms harder to achieve. Those I have consulted inside the RCMP, as well as legal and parliamentary experts, agree.

I simply do not know why he persists in smearing the RCMP, its new commissioner and a tough new piece of legislation designed to deal with some of the more troubling members of the force, and which will actually assist the commissioner in getting rid of them.

• (1600)

Currently, within the RCMP, there is a series of disjointed processes to establish whether to proceed by either a code of conduct investigation or a Criminal Code violation. Complainants are offered no privacy protection, and neither are the accused.

The commissioner has explained repeatedly that the workplace is a complex environment. For the many complaints that are real and justified, there are also some that may be launched for other reasons — punishment, retribution or as an attempt to distract as

cover for one's own bad work habits. As in any workplace, there can also be instances of substance abuse or psychological or anger issues. Some even suffer from PTSD. There are those in need of help, not punishment — all the more reason why a proper internal complaints system is so desperately needed and why it would be totally irresponsible to allow the Senate committee to become a venue for anecdotal allegations.

These important incidents need a proper response, but that should not be some contrived forum that, unlike the courts, is not equipped or designed to weigh the truth or otherwise of testimony, nor to adjudicate on it.

Senator Mitchell's approach tarnishes the reputation of the entire national police force rather than finding ways to weed out the wrongdoers and, in the process, diminishes the correct and legal avenues that are the best option for women who were harassed sexually or in other ways by male colleagues to find the justice they actually deserve.

His approach is a false promise that offers false hope, and it would diminish the commissions that have been mounted under the same name, as was the case in South Africa and here in Canada with residential schools. In this case, it is nothing more than a demand designed to create a forum to continue besmirching the reputation of the RCMP. That is not truth and it is not reconciliation.

What the senator really wants is a venue where his comments are protected by parliamentary privilege, where he could carry out a trial by innuendo against the RCMP — just another opportunity to make allegations he cannot necessarily support, allegations that cannot be refuted.

I think this is unethical, nasty and unfair. Where is his moral outrage about people's rights when he is prepared to ride roughshod over the right to be considered innocent until proven guilty?

Despite all the finger wagging and the yelling, his attacks achieve nothing except to perpetuate the Liberals' long-standing war with the RCMP — and a note: saying something louder does not make it true.

In fact, it seems his behaviour is part and parcel of a pattern by the Liberals in this place with respect to the RCMP. It started with Senator Kenny, the former Chair of the Standing Senate Committee on National Security and Defence, who drafted a report that was, as far as we could see, essentially based on his own opinions instead of actual testimony. Senator Mitchell, it appears, seeks to become a kind of Mini-Me of the former chair. Fortunately, that report on the RCMP was never approved by the committee. My Conservative colleagues fought hard to make sure that never happened.

However, that did not stop the Liberals. They used privileged testimony and papers gathered by the taxpayer-funded committee. They then, once this chamber had recessed, unilaterally produced their own so-called "position paper."

That did not grab all the headlines they wanted. They had been missing what they consider their rightful place on the front pages since falling to third party status. They had been looking for an

issue to propel them back into the media spotlight, so now a phrase they can hype and distort and hope the TV cameras will once again come looking. It is a desperate move, but it is also a dangerous proposition.

In fact, one former senator opposite actually spelled out the scenario when he suggested to me a few months back — and I think he meant it quite genuinely — that I could really make a name for myself as committee chair and put the committee on the map if we turned the committee into a forum for those who had been harassed or had become disgruntled with the RCMP, to actually parade the horror stories and feed the media machine.

I think that fundamentally sums up the profound difference in our approach to matters of national security and defence. They want the spotlight. It is about making a name for themselves. They crave attention. They do not want a serious approach to solving real problems for real people, the people who risk their lives for us every single day.

Let me be clear: I share the commissioner's view that there are issues inside the force that must be resolved. Not everything can be resolved with a rule or a regulation, but when those rules and regulations are breached, there must be a consequence. Those who engage in illegal or offensive behaviour should be fired, not docked 10 days' pay.

The leadership must be working every single day to create a culture where outrageous acts do not even occur, where training and assessments are so rigorous as to ensure only the fit are hired and promoted and that those who need help are given that help or training or an exit strategy. Leadership will be key as the force works through this process.

That is why Commissioner Paulson is in the job, the man who is prepared to name the problem, because until we do, we cannot begin to solve it. The commissioner worked very closely with government to design the new legislation so that it might truly become the kind of tool he needs to solve the problems.

As a woman, as a human being, the testimony heard by internal tribunals is appalling. No woman in any workplace should have to put up with this kind of conduct, or any form of harassment, nor accept the slap on the wrist so-called "punishment" that is meted out to some proven offenders. That is exactly why we need the new legislation, to give the commissioner the tools not only to punish or fire the guilty but to set up a system that will be seen as credible and fair and understood by all members of the force, men and women, to be credible and fair.

I will repeat what I have said before: The committee, while I am chair, will not serve as a forum for people to anecdotally share their experiences without proper legal defence or advice, and by the same token our committee will not try people in the court of public opinion, with Senator Mitchell trying to live out some Perry Mason or Jack McCoy fantasy.

How many ways can we say this? These matters are for the courts. There is actually a class action before the court in British Columbia.

At the same time, the Commission for Public Complaints Against the RCMP has launched an investigation into workplace harassment. The new RCMP commanding officer in B.C. has trained 100 investigators to clear the backlog of harassment complaints. He has also set up a consultative process that, in 10 weeks, heard the views of more than 400 female members about the inadequacies of the current reporting system. A comprehensive action plan is now being prepared.

We will not support a new order of reference from the Senate to study allegations of RCMP workplace harassment in the manner that Senator Mitchell proposes, but what we will do in the Senate committee is continue to invite Commissioner Paulson to provide us with updates on the progress he is making in reforms, reforms that include but go well beyond workplace harassment.

Parliament will also be considering Bill C-42 in committee in both chambers. Commissioner Paulson thinks this bill will strike the balance between giving him tools to deal with bad apples and ensuring that he can work with his members to correct bad behaviour. If the conduct is clearly criminal and there is sufficient evidence to proceed with laying criminal charges, he will do that.

The commissioner rightly pointed out that he cannot be seen nor does he think anyone wants the commissioner to be able to influence people who are being asked to apply their discretion in their review of evidence. Otherwise, there is no process.

Bill C-42 would allow the commissioner to appeal decisions by the new conduct boards if he disagrees with them. At present, no officer in the RCMP can seek a greater penalty than whatever a discipline adjudication board imposes.

Bill C-42 would also streamline the current discipline and grievance processes within the RCMP to ensure faster resolution of problems by giving front-line managers, such as detachment commanders, more power to act instead of always having to kick matters upstairs. Rather than taking up to five years, as is now the case, these matters would be dealt with in one year or less.

If dismissal were required, the matter would be referred to a conduct board considerably different than the current adjudication boards that the senator complains about. The conduct boards would be able to consider and resolve cases in the fastest, most informal way possible.

The commissioner would be authorized to discharge members for non-disciplinary reasons such as absenteeism or poor performance.

• (1610)

Bill C-42 would create a new civilian review and complaints commission to replace the Commission for Public Complaints. Among its new powers, this commission would have broader access to RCMP information and enhanced investigative powers including the power to summon and compel witnesses to give evidence.

Bill C-42 would provide the statutory framework to improve the transparency and public accountability of criminal investigations of serious incidents involving RCMP members. The provinces would

be able to appoint an investigative body or other police force to look into such incidents. If the province chose not to, the RCMP would refer the investigation to another police force, and this would virtually eliminate the RCMP investigating itself.

Commissioner Paulson added that aside from the legislation, “We are also building the supporting mechanisms, policies and statutory instruments, such as commissioner’s standing orders, that will have to give life to these systems.” As for the matter of cultural change, which he said is his goal, Commissioner Paulson explained it this way:

You can’t just go down to Costco and buy a new culture. You have to concentrate on doing your core duties and then the culture flows from that.

Amen to that. The Liberal Party might take a page from his book.

This is what Commissioner Paulson is actually doing. The government is assisting by providing new legislation to make the process work better and more effectively. So instead of holding some trumped-up truth and reconciliation committee, the Standing Senate Committee on National Security and Defence will get at the truth and will reconcile the differences by constructively helping management to fix the problems.

Procedural tricks to try to force the committee to engage in irresponsible behaviour will not work. Committees are their own masters. Common sense will prevail, and we will save you from the embarrassment you so richly deserve for proposing this.

Hon. Roméo Antonius Dallaire: Honourable senators, I consider it my duty, as the deputy chair of this same committee and as someone who is also a member of the steering committee that will be participating in deciding what the committee will and will not study, to take the adjournment in my name.

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

(On motion of Senator Dallaire, debate adjourned.)

POINT OF ORDER

SPEAKER’S RULING RESERVED

Hon. Claudette Tardif (Deputy Leader of the Opposition): Honourable senators, I wish to rise on a point of order in relation to rule 51 of the Senate, which states that in the Senate it is forbidden to raise matters in a way that is personal, sharp, or taxing.

I find the comments made by the honourable senator to be beneath this chamber. Comments such as saying that an honourable colleague on this side “is trying to live out some fantasy,” and that a colleague on this side “is deliberately trying to make things worse rather than better” — surely these types of accusations are, as I have said, beneath any member of this chamber.

As His Honour has often said in previous rulings, the carpet is red in this chamber, and the carpet is red in this chamber because we are invited to act in a manner that is courteous, dignified and

speaks to the status that this chamber always has had. I believe that as members in this chamber, we can contribute to this by avoiding deliberately provocative remarks, thus better serving our purpose here.

Hon. Gerald J. Comeau: Honourable senators, I, for one, would certainly like to get involved in this debate. I am probably as guilty as everyone else on occasion, and in the enthusiasm of listening to the other side, I do make comments directed to the other side. If ever I have offended anyone, by all means I regret it.

I think the Honourable Senator Tardif has raised an interesting point. I could name a number of individuals on her side in the past few days referring, for example, to the Prime Minister as a liar.

An Hon. Senator: Oh; that is what he said.

Senator Comeau: Also, an individual was calling our Prime Minister of Canada Mr. Harper. Why not call him Prime Minister Harper?

In the many years I served in both Parliaments — in the House of Commons and in this chamber — never once did I refer to Prime Minister Chrétien as Mr. Chrétien or to Prime Minister Martin as Mr. Martin. I said Prime Minister as a sign of dignity and courtesy, but it was directed toward the office. I always respected the office.

One need only to listen to Senator Mitchell to find out how negative and how nasty a debate can become.

I happen to agree with Senator Tardif. If both sides — and I repeat, both sides — were to respect the suggestion that she has just made, I think this place would be a far better place. I refer to both sides. I encourage us all to listen to the comments that she has made. It is up to His Honour to determine whether or not there is a point of order, but I would respectfully suggest that it is up to us and not to His Honour to start debating whether certain individuals have overstepped the bounds. This one is certainly not the case.

Hon. James S. Cowan (Leader of the Opposition): Honourable senators, picking up on the points made by my friend Senator Comeau, I think all of us, sometimes in the heat of debate, throw something across the aisle we rather wish we had not said. On the one incident that he mentioned, at one point I talked about Mr. Harper and he took, as did Senator LeBreton, great offence at it. I checked and went to see him the next morning and said I did not mean any offence by it, and I think he accepted that. I did point out that on several occasions honourable colleagues, including Senator LeBreton, had referred to previous Prime Ministers without their full title. That is, as Mr. Chrétien, Mr. Mulroney, Mr. Martin. I am sure the leader did not intend any disrespect when she used those phrases; neither did I.

However, I think there is a difference here that I wish to bring to His Honour's attention. It is one thing to be provoked or to allow oneself to be provoked into saying something that is unparliamentary and that one regrets saying. It is another thing to stand in this house with a prepared text and to deliver what are, I

would suggest with the greatest of respect to the Honourable Senator Wallin, nothing more than calculated insults. I think that is beneath her. I would not have expected her to deliver those kinds of words in a prepared text in this chamber; I would not have expected any of us to do that. I ask Your Honour to take that into consideration when considering this point.

Honourable senators, it is unfortunate that, as we draw near the end of this session, anyone would try to inflame both the debate and the feelings in this chamber. All of us have been here a long time. All of us are trying to do the best we can do in trying circumstances. I think it is unfortunate at the very least, and perhaps unparliamentary, for the Honourable Senator Wallin to have delivered a prepared text with these observations, as opposed to a casual comment across the aisle. I fully accept what Senator Comeau said in that respect. I support strongly the points that the deputy leader has said.

Hon. David Tkachuk: Honourable senators, this is not some modern-day church basement debating club here; we are in the Senate of Canada. I have been here 17 years. This is mild compared to what I have heard from the other side, both when they were government and now that they are in opposition. I have heard Prime Ministers on my side called criminals. I am sorry; if you cannot take the heat get out of the kitchen.

• (1620)

What I am offended about is that one of our senators decided to take on something that Senator Mitchell over there spent a whole lot of time talking about; she took it on, and she takes this matter really seriously. She may have been tough on them, but I do not see anything wrong with that. She did not call the Liberals anything that we have not heard from our side. We have been called crooks. I have heard that language here from many senators on the opposite side. I have sat on committees where the Liberals were the majority and I have been totally abused. I did not sit here and complain about it; I tried to get my little bit of revenge.

Nonetheless, I think we are grown ups here. I think we are picking on Ms. Wallin over what I thought was a terrific speech, and I told her that right after she finished speaking. I think she meant what she said, and senators opposite should take it upon themselves to have a good look in the mirror before they start throwing stones in this direction; I will say that.

Hon. Joan Fraser: Honourable senators, I just want to say a few words in support of Senator Tardif's point of order. I would repeat one of the points made by Senator Cowan, that there are differences in the way a speech may be deemed acceptable according to what is going on. Question Period is perhaps the time when we are most accepting of very free rein in speech. A written, prepared text on a matter of general debate, and on a matter of considerable gravity, is a different matter.

The rules address personal, sharp and taxing remarks. There has been, over the years, considerable debate about precisely what those words mean, but I think the intent is quite clear. I think, furthermore, that the traditions of the Senate, at their best, will avoid on most occasions irrelevantly partisan remarks, and will avoid — I cannot think of a better word than “nastily” personal remarks.

To go to a couple of examples cited by my friends on the other side, that it is no more an indication of disrespect to call the Prime Minister of Canada — and he is the Prime Minister of Canada — “Mr. Harper” than it was for my long-standing friend and colleague Senator Tkachuk to refer admiringly, just a moment ago, to his colleague “Ms. Wallin.” He did not say “Senator Wallin,” but he was being very complimentary about her.

It is a fact that the Prime Minister of Canada is a man. I have always objected to what my own leader, Mr. Bob Rae, calls “titleitis,” the insistence on always using titles at every possible opportunity. I do not think we need to get all involved about that. I do not think there is anything wrong with referring to a prime minister as “mister” or I hope one day again “Ms. Smith,” or Jones or Tremblay.

I do, however, think that we go down a very dangerous road — and Senator Comeau alluded to this, I think — when on both sides we allow ourselves, at the end of a long and often difficult session, to slip into gratuitous insult. I think gratuitous insult is what we heard today, and I think it is covered by the prohibition on personal, sharp and taxing remarks.

Hon. Michael Duffy: Honourable senators, I take what our friends on the other side have said about the end of the session and people being hot under the collar. However, I think it is important for senators to remember that there is a context here and I believe this is what motivated Senator Wallin’s passionate response.

It was not that long ago that we had the first civilian director of the RCMP subjected to what was, in effect, a public lynching because of the way he managed his senior management and told them they were not up to the job.

Every day, as we walk in and out of here, we see members of the RCMP. What other national police force is there in the world where the people who are policed by these members line up to have their pictures taken with them? These are 26,000 honourable men and women. When the government decided that there needed to be reform — and that has since been followed — some people who were dissidents and rebels in the RCMP colluded with political figures, some of whom gave television interviews and wrote op-ed pieces, stirring the pot, so that the first civilian director of the RCMP was brought down as he tried to bring about the much-needed reforms we are now seeing in that national institution.

I suspect, knowing Senator Wallin — who comes from Saskatchewan, the home of the training depot of the RCMP — and having gone through what we have seen for the last year of what I believe is unwarranted political interference in the management of Canada’s national police, which came not from the government side of the house, I think she then saw what Senator Mitchell was all about.

Honourable senators, when we sit down to consider who is right and who is wrong in this case, I think we had all better take a long, hard look in the mirror and put the RCMP back where they belong, which is on top, and stop trying to use them for political gain.

An Hon. Senator: Oh, oh.

Hon. Donald Neil Plett: Honourable senators, I have certainly not been in the chamber as long as the honourable senators who have spoken before me on this issue. I was hoping that Senator Lang or Senator Manning would speak on this, but they are not in the chamber. Therefore, I, as a member of the committee, will defend my friend Ms. Wallin, Senator Wallin. I will defend her here.

I have had the privilege of serving on this committee with Senator Wallin, and the privilege of serving with honourable senators opposite. My friend Senator Dallaire and I get along fine on the Veterans Affairs Committee.

However, in my time as a member of this committee, Senator Mitchell has, in my opinion, done nothing but try to undermine the chair of our committee, whether it is during committee meetings or when we have travelled. We recently went to Washington. The best part about the trip to Washington is that Senator Mitchell could not make it. I have gone to Washington before, and Senator Mitchell was on that trip. Throughout the trip, he tried to undermine what our committee was doing.

That is what Senator Mitchell did the other day when the Commissioner of the RCMP appeared before our committee. He attacked the commissioner at that committee meeting. I do not believe Senator Wallin is out of place.

The Hon. the Speaker: Honourable senators, it will be helpful to the chair if very specific focus is given to the point of order as raised; otherwise, comments are not helpful to the chair.

Senator Plett.

Senator Plett: Thank you. I will try to contain myself.

I simply want to say on this point of order that I think Senator Wallin made a terrific speech. She said what was on her mind. She said what many of us believe was on her mind. This is a partisan house. This is not, as Senator Tkachuk said, a church basement. Many of us — and I will say certainly I — have been appointed to this chamber because of our partisan involvement.

I have good friends opposite. That does not mean that we cannot make partisan comments. That is what Senator Wallin did today. I certainly support what she did. I think she had every reason to say what she said. I want to echo what Senator Duffy said: Let us focus on the issues at hand, and let us focus on bringing the RCMP back up to where they belong. That is something that Senator Wallin has tried to do and will continue to do.

Hon. Percy E. Downe: Honourable senators, that is not the issue at all. We are not talking about the RCMP here. We are not talking about partisan comments. We are talking about rule 51. If senators do not like rule 51, change it. Rule 51 reads: “All personal, sharp or taxing speeches are forbidden” — not frowned upon or called into question — “are forbidden.”

• (1630)

What we heard today, in the view of many of us here, was a personal, sharp and taxing speech. That is the issue.

We all have our opinions about the RCMP and the current pressures they are under. We know this is a partisan chamber, but either this rule is in the rule book or we take it out. We can have a debate about that, but the rules must be enforced.

Senator Wallin: Honourable senators, I will just endeavour to present to the Speaker for his consideration — I cannot do it now because I will have to research Hansard — that I addressed very specifically some statements made by Senator Mitchell about my beliefs, my feelings about the RCMP, my feelings about sexual harassment in the RCMP, and my stand on how we should best deal with that as a chamber and as a country.

Those statements that he made about my beliefs and my behaviour were untrue and needed to be responded to. Thank you.

The Hon. the Speaker: Honourable senators, first and foremost, I want to thank the honourable senator for raising the point of order, because the issue of order and decorum is fundamental to the good functioning of this honourable house.

I will take the matter under advisement and will, in the fall sitting, come back and deal in a fulsome way with this general question of order and decorum, which is so critical to the good functioning of the house, and any other observation I make based upon the Hansard.

[*Translation*]

THE SENATE

MOTION TO URGE GOVERNMENT TO MAKE SPORTING FACILITIES AVAILABLE ONE DAY ANNUALLY AT A REDUCED OR COMPLIMENTARY RATE ADOPTED

On the Order:

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

That the Senate of Canada urge the Government of Canada to encourage local governments from coast to coast to collaborate in choosing one day annually to make their health, recreational sports, and fitness facilities available to citizens at a reduced or complimentary rate, with the goals of promoting the use of those facilities and improving the overall health and well-being of Canadians for the reasons that:

- (a) although Canada's mountains, oceans, lakes, forests, and parks offer abundant opportunities for physical activities outdoors, an equally effective alternative opportunity to take part in physical activities is offered by indoor health, recreational sports, and fitness facilities;

[Senator Downe]

- (b) despite its capacity to be a healthy and fit nation, Canada is experiencing a decline in participation rates in physical activities, with this decline having a direct consequence to health and fitness;

- (c) local governments operate many public facilities that promote health and fitness, and those facilities could be better utilized by their citizenry;

- (d) there is a growing concern in Canada over the rise in chronic diseases, which are attributable, in part, to inactivity and in turn can cause other impediments to achieving and maintaining a healthy lifestyle;

- (e) health and fitness should be promoted and encouraged by all levels of government, to Canadians of all ages and abilities; and

- (f) we aspire to increase participation by Canadians in activities that promote health, recreational sports, and fitness.

Hon. Claude Carignan (Deputy Leader of the Government): Honourable senators, I move adoption of the motion.

(Motion agreed to.)

ACCESS TO JUSTICE IN FRENCH

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Tardif, calling the attention of the Senate to Justice in French in Francophone Minority Communities.

Hon. Maria Chaput: Honourable senators, I would like to participate in the debate on this inquiry, but my speech is not ready. I therefore ask to be allowed to participate later for the rest of my time.

(On motion of Senator Chaput, debate adjourned.)

[*English*]

FOOD BANKS

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Robichaud, P.C., calling the attention of the Senate to the importance of food banks to families and the working poor.

Hon. Elizabeth Hubley: Honourable senators, I would like to speak to this inquiry and I, therefore, adjourn the debate in my name for the remainder of my time.

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

Hon. Senators: Agreed.

(On motion of Senator Hubley, debate adjourned.)

BENEFITS OF IMMIGRATION

INQUIRY—DEBATE CONCLUDED

Hon. Consiglio Di Nino rose pursuant to notice of June 13, 2012:

That he will call the attention of the Senate to the benefits of immigration in our past, our present and our future.

He said: Honourable senators, this a big surprise for all of you, right?

I would like to say a few things about the actual inquiry itself, if I may, because it is something that I have been giving some thought to, and I think my comments will hopefully bring a different perspective to what I think the value of immigration is.

Immigration has been a critical factor in the development of Canada and many other nations. I do not believe there is any disagreement in this chamber on that. Immigration brings many benefits to the host country. These benefits span all facets of the nation. Economically, socially and culturally, immigration has enriched the nations in which people have settled.

As a trading nation, Canada constantly assesses its trading relationships. However, we must also focus on the incomparable value of immigration. Countries that welcome immigrants benefit in many ways. Their prosperity is directly related to those who choose to build their futures in the host country.

There is another side of the coin, however. Europe is facing very serious economic challenges and, in my opinion, these economic difficulties, to a large degree, relate to immigrants. The countries where the problems seem to be most serious — Greece, Portugal, Spain, Italy, Ireland and others — are those whose human capital drain over long periods and in large numbers has certainly impacted their prosperity. They lost generations of their best. They lost their most precious asset at an enormous cost to their economy and social fabric.

Whether in the past or today, immigrants bring with them courage, determination and focus, and they are strong willed. They are risk takers and entrepreneurs: the people a country least needs to lose. When they leave in large numbers, they weaken the fabric of a nation. The benefits to the host countries are enormous and last forever.

Examples of this are, of course, countries of the New World like Canada. Everywhere immigrants have gone, they have contributed to creating prosperity. The results are undeniable. In the past few years I have made similar comments a number of times, particularly in Europe, and the response, much to my surprise, has been quite accepting.

Obviously, I do not have that much time to continue on this, but some day this may be a great topic for an inquiry. I would suggest one of my colleagues may want to think about that.

As I suspect most honourable senators know, I rise today to inform you that officially, on June 30, I will be leaving the Senate. I suspect some are saying “good riddance” and “it’s about time,” — probably more on this side because they know me better.

Honourable senators, I never expected to be here this long, but life is very unpredictable. Over Christmas of 1999, Sheila, my wife of 40 years, and I, were sitting by a roaring fire enjoying a couple of glasses of great red wine and planning the next phase of our life together, which did not include the Senate. Some three months later, the word “cancer” changed our lives. Less than a year later, she left this world, as she proudly said, to join her idol, Mother Teresa, with whom she had spent several months assisting the Sisters of Charity in Calcutta in their wonderful work. I do not doubt they are both in heaven doing whatever it is that angels do.

For a number of years the Senate became my refuge, a place of transition, which a number of colleagues who have shared similar tragedies, I believe, understand well. What followed is a long, complex story, but the challenge of reuniting my political family became a major focus and preoccupation. Some will recall that shortly after the 1993 election, former senator Ron Ghitter and I, both from this side, started an informal dialogue on this issue with Ian McClelland and Jim Silye of the Reform Party. That dialogue continued and expanded throughout the years. In fact, what I am saying is my focus changed.

• (1640)

Sheila left a valuable legacy — our son Frank and daughter Karen, both of whom I am very proud of, but I must admit the most wonderful legacy of our marriage is our four grandchildren, Kristin, Tanina, David and Étienne. As a matter of fact, Kristin is actually working. She got a new job a few months ago and she says, “Nonno, I do not know if I can come,” and I said, “Look after earning some money first and then we worry about it. You can buy me dinner when I come home.”

I enjoy these kids so much. I was telling Senator Wallace last night, if I knew that before, I would have skipped the kids part all together.

Knowing them as well as I do, honourable senators, I know all four will help change the world for the better in their own unique way.

[*Translation*]

Honourable senators, my letter of resignation to the Governor General said, in part, “the special honour bestowed on those of us chosen to serve Canadians in the Senate of Canada is a rare, cherished privilege.”

This privilege was extended to me by a man who was instrumental in putting Canada on the road to prosperity and international respect. His environmental accomplishments; his recognition of international trade’s critical importance to Canada; his courage and vision in the introduction of the GST; his principled stand, sometimes alone, in the promotion and protection of fundamental human rights and values, particularly his fight against apartheid in South Africa and, on a more personal note, his genuine and clear apology, on behalf of the Government of Canada, to the Italian-Canadian community for

the internment of Canadians of Italian descent during World War II, against the advice of many, if not most of his advisors, are trademarks of the man. He is a man who has accomplished much, and yet, like the rest of us, he is a mere human, but one with that rare ability to do extraordinary things. Thank you, Brian Mulroney.

[*English*]

Honourable senators, allow me to reflect on a few of my Senate memories. When I first arrived, such a long time ago, I became a member and eventually vice-chair of the Committee on Aboriginal Affairs, as it was then called. It did not take long for me to understand and be shocked by the harm done to the First Nations by the conquering hordes. Our first citizens, who had built their lives for centuries in the lands we now call Canada, were subjected to horrendous treatment, inhumane treatment by God-fearing visitors from faraway lands. These visitors took their land, enslaved the locals, raped their wives and children and broke up families. They created residential schools to educate the savages, and most horrific, they tried to destroy the human spirit; they tried to take away their dignity. The scars will likely never heal, or at least will take a very long time.

I am proud that Canada has finally started the process of reconciliation and restitution. Much needs to be done yet, and I hope we have the political will to finish the job honourably and justly. I was honoured to have been a member of the committee during the creation of Nunavut, which is a model to improve on and adapt.

Honourable senators, one of our many privileges is to enhance important causes and promote issues that we believe are of benefit to Canadians and indeed humanity. From Scouts Canada to the Canadian Crime Victim Foundation, from Operation Springboard to Villa Charities, the causes I have supported and promoted are many. I hope my passion for the Arctic was visible when I initiated debate in this chamber a number of years ago on the expansion and protection of the Nahanni National Park Reserve. Much opposition existed, and the debate never reached a conclusion, but a number of years later I was very happy when Prime Minister Harper's government finally made this happen.

Some of you may remember my public campaign for electoral financing reform. As I said then, money dirties politics. Some colleagues on this side may also remember the strong discussions on this issue during one of our party's annual general meetings. I was truly delighted when Prime Minister Chrétien introduced major reforms to political financing and when Prime Minister Harper subsequently introduced additional reforms to further tighten potential abuses.

Also, if I had not been a member of the Senate, I would never have been able to effectively advance the Tibetan cause. I genuinely express my gratitude to Prime Minister Harper for his support for the Dalai Lama and Tibet's struggle.

One of my most memorable moments in this chamber is the defeat of the Pearson Airport bill which would have denied Canadians the right to due process. When Liberal Senator Sparrow rose with our side, his vote carried the day for us. We defeated the bill. That was a courageous thing to do. I had a

[Senator Di Nino]

similar experience when on a vote I, too, stood alone from this side with the opposition, and it is a pretty lonely feeling, but one I suspect all of us will or should experience from time to time.

[*Translation*]

Honourable senators, Senator Meighen's excellent retirement speech, which I urge everyone to read, referred to the founding cornerstone of our country, "the partnership between English and French." Although I agree that this is a central tenet to build on, we must also acknowledge the legacy of our First Nations. When the Europeans first landed in the new world, they did not come to an empty, uninhabited place. They found peoples who, for centuries, had built cultures based on strong values that contributed to building the nation of Canada and that continue to shape and edify our country today.

As well, I must remind honourable senators that the beautiful face of Canada today and that of the future now strongly reflect the faces of the millions of Canadians, the women, men and children who came from every corner of the world, from every shade of color, from every creed, from every race, who have contributed to making Canada the envy of the world. They came with their values, their customs, their vision, their hopes and their fears to build a place for their families and build their future — Canada's future.

Yes, thanks to the legacy of the first peoples, joined by the French and the English and later by the more recent arrivals, including my family and those of many other senators, together we are building a unique culture, a Canadian culture which will include the best of us all. The world is envious, and if we continue to do this right, the world can watch and learn, because it only takes understanding, respect, commitment and patience.

[*English*]

On this institution, the Senate of Canada, my opinion is little changed from my comments in this chamber in March 1998. My view then, as now, is that unless seriously reformed, the Senate should be abolished. For our new colleagues, yes, the debate has been going on for 150 years.

During the last few years, I have become skeptical about achieving a fully reformed Senate and have come to accept that any changes will have to be piecemeal. Term limits are a good first step. Honourable senators, Sir John A. Said, "There would be no use of an Upper House, if it did not exercise, when it thought proper, the right of opposing or postponing the legislation of the Lower House."

Sadly, by the time I arrived here, it was too late. The Senate had abdicated that privilege and had become a version of the other place. As long as we are playing this role, I believe an elected Senate is the better option. What I would like to see one day is parliamentary reform that would create a governance structure more in line with the reality of the 21st century. I applaud Prime Minister Harper for his persistence on this subject.

• (1650)

I would like to conclude by acknowledging the privilege of getting to know and working with some truly extraordinary Canadians on both sides of this chamber, men and women with great abilities and vision. You have taught me much, and I thank you all for your friendship.

I also wish to express my thanks to the Senate Administration. Gary O'Brien and his staff serve us very well. The Senate Page Program has introduced us to some wonderful young Canadians who I am sure are destined to be future leaders of our country. Then there are the men and women who have toiled in my office and kept me out of trouble and made me look good. A particular thanks to Jennifer MacDonald, who is in the gallery, my assistant for the past eight years; she is competent, smart, scarily efficient, totally loyal and a great horn player with the Ottawa Symphony Orchestra.

Honourable senators, we take the bows, but more often than not, the credit belongs to those who support us in our work.

To colleagues opposite, I remind you that I have been there. Hang on. Keep the faith. It may be a little while, but your turn will come again.

I close with a message to my grandchildren. First, be inspired by Elie Wiesel's words, and I paraphrase: When you witness an injustice and you just stand by, you are also culpable. As well, remember that to have lived a successful life is when you leave this place a little better than you found it. Thank you very much.

Hon. Senators: Hear, hear.

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, I was tempted to ask Senator Di Nino if he would take a question, and that question would be: Would you change your mind?

I want to say that it is fitting for Senator Di Nino — and we have discussed this many times. Senator Di Nino has made it very clear that when he left this place, he did not want long tributes, as was the case with Senator Meighen, and certainly I share that view with Senator Di Nino.

While his family is here and on behalf of all senators, I want to say, Con, you have been an absolute treasure. You have contributed greatly to the Senate. I remember when you came here; you represented your community and many other communities extremely well, and you will be missed in the Senate. Thank you very much, Con, for all that you have done.

Hon. James S. Cowan (Leader of the Opposition): Honourable senators, as Senator LeBreton said, Senator Di Nino would not want tributes in the traditional sense, and I certainly respect his view on that. However, I did want to say, on behalf of those of us on this side of the house who are here now and those who have been in the house while you have been here, that you have been an excellent senator and a model for all of us as to how one can use this position to advance so many good causes.

I think it is a shame sometimes when we see colleagues who do not take full advantage of the opportunity of the platform, of the privileges that we have here as senators to work for good causes of our choice in this country. Sometimes when the Senate and individual senators are criticized, it is nice to be able to point to people like you who have really made a difference for causes that are true to your heart.

On that line, I want to again, as I did at the time, thank you for the work you did to make Pier 21 a reality. I know through my own efforts, before there was the change of government, that bureaucratic obstacles were put up against the political will to make Pier 21 the national museum it is now. You and I spoke about that, and you said, "Let me have a try," and you tried and you succeeded, where some of the rest of us had tried and did not succeed. I was pleased to support you when the legislation on Pier 21 came to the Senate.

I want honourable senators who were not here at the time to know how much Senator Di Nino's personal involvement meant, and now Pier 21 has emerged and is growing as a national institution and museum. I know that it was his personal intervention that made the difference. That is important.

Hon. Senators: Hear, hear.

Senator Cowan: It has been a pleasure for us to work with you here in the Senate. I know that as you leave, in addition to the occasional glass of red wine, there will be opportunities for us to meet and for you to continue to contribute to those causes that are dear to your heart. I know we will see you from time to time here, and we look forward to that. Good luck and best wishes.

Hon. Senators: Hear, hear.

(Debate concluded.)

KOREAN WAR

INQUIRY—DEBATE SUSPENDED

Hon. Yonah Martin rose pursuant to notice of June 14, 2012:

That she will call the attention of the Senate to:

- (a) the importance of the Korean War, the third bloodiest war in Canadian History but often called "The Forgotten War"; and
- (b) Canada's contribution to the three-year war on the Korean Peninsula, including the 26,791 Canadians who came to the aid of South Korea, 516 of whom gave the ultimate sacrifice, and the 7,000 Canadian peacekeepers who arrived following the signing of the Korea Armistice Agreement in Panmunjom 59 years ago this July 27.

She said: Honourable senators, Senator Di Nino, I am inspired by the words you spoke and the quotes you ended with. If you and your family will permit me, I would like to take this opportunity to make a statement on this inquiry. Timing is not great in that we have such an important occasion for our honourable colleague, but inspired by those words, I am even more convinced that we cannot make the mistakes of the past and forget a very important commemoration that has occurred and will be happening this summer.

If honourable senators will permit me, I will speak to this inquiry about the Korean War, which is often called "The Forgotten War."

[*Translation*]

Two days ago, June 25, was the 62nd anniversary of the beginning of the war, and July 27, 2012, will mark the 59th anniversary of the signing of the Korean Armistice Agreement.

[*English*]

Therefore, if not now, when? If not us, whom? Who better to put on record than senators of Canada that the Korean War is not and will not be forgotten, not on our watch?

I ask honourable senators to see the war through the eyes of a Korean War veteran by the name of Vince Courtenay. He said that in South Korea, they called the Korean War the 6-25 Incident. It was something so horrible that it is not logged in the annals as “another war.” It has its own special reference.

When we remember our Canadian volunteers who served in that war, we should bear in mind what the Koreans know; it was beyond horror, beyond the definition of war. Those who went, many very young as well as a strong cadre of not so young veterans of World War II, sustained and ingested and carried that horror, that nightmare with them, for the rest of their days.

One would have to have been there to begin to understand, and even those who were do not understand. The horror of battle, yes, but horror all around: the people starving; the homeless children; the utter deprivation in a land with no paved roads, save inner roads in the big cities; the horrid remains of the enemy blasted to pieces, charred by the fire bombs; and the legions of innocent Koreans executed by the enemy and killed and maimed accidentally by fire from both enemy and allied units.

[*Translation*]

Indeed, horror is the best way to describe it. It was a horror that became all too familiar to our young Canadians and that marked them for life. It ruined countless lives, changed the course of their existence for all time, and replaced the happiness that they would have otherwise known with a loneliness and a sadness that many would never recover from.

• (1700)

[*English*]

The 6-25 Incident was theirs, as well as the victimized people of South Korea.

South Koreans understand this. That is why every year they invite nearly 1,000 veterans back to Korea and welcome them. As any who have been there will attest, the South Koreans treat them like royalty. They know the cost. They know the burdens they took away with them. They know that 516 Canadians made the ultimate sacrifice.

[*Translation*]

Honourable senators, some people in Canada might wonder who asked them to go to Korea. If they volunteered, should they not bear their burdens alone? Why should they deserve special

[Senator Martin]

treatment or why should the country comfort them or even remember them in a special way? Of course, these people do not know about Canada's involvement in the June 25 incident.

[*English*]

South Korea was invaded on June 25, 1950, by armoured columns from North Korea which swept through the lightly armed Republic of Korea army with relative ease, despite the desperate defensive battles. Contrary to world assumptions, there were no American troops in Korea at that time. The post-World War II American occupation of South Korea had ended. Only a very small advisory cadre was still in the country, fewer than 500 officers and staff, and they were actually withdrawing when the attacks came.

The United Nations went into action in emergency session and ordered the aggressors to withdraw. They quickly asked member nations to contribute troops to a United Nations force that would drive the invaders of South Korea out by force.

Canada's Prime Minister, the Right Honourable Louis St. Laurent, went on national television and national radio, preempting all programming, to announce Canada was raising a special force brigade to fight in the United Nations force in Korea. Further, Canada immediately dispatched three destroyers of the Royal Canadian Navy to Korea and placed a squadron of transport planes into service with the U.S. Air Force to provide an airlift to Korea and Japan.

[*Translation*]

The day after the Prime Minister's urgent speech to the nation, all of the major newspapers published a full-page advertisement calling for Canadian volunteers to join the Special Force.

[*English*]

They came and they flooded the personnel depots. They signed on in St. John's, Newfoundland, and in every depot across Canada, all the way to Vancouver. On the island of Cape Breton, a platoon of young men left the mines and the fisheries and signed up. It was so all across Canada.

In the Province of Quebec, an entire battalion of the famed Royal 22nd Regiment was recruited within days, and hundreds of other French-speaking Canadians volunteered to serve in the English-speaking units based in other provinces.

In one week, more than 8,000 Canadians, 70 per cent of whom had never been in service before, enlisted in the 25th Canadian Infantry Brigade. They formed three battalions of infantry, an artillery regiment, an armoured squadron, a service corps transport company, a medical corps field hospital, engineering units — all of the necessary support units. It was virtually a small division, a very worthy force from a small nation with a population of only 13 million.

The war was not won in a matter of months. The Canadian Special Force was committed to battle piecemeal over several months. There was no great Canadian push to victory.

The 2nd Battalion of the Princess Patricia's Canadian Light Infantry sailed for Korea in November 1950. It looked like the North Korean army had been defeated and the war was near its end. The remainder of the Canadian Special Force Brigade was held back at Fort Lewis, Washington.

[*Translation*]

But the Chinese forces joined the war in December 1950, in order to support the defeated North Korean army, which was scattering and gradually retreating. Initially, there was interest in the actions of the Canadian battalion when it arrived in Korea and started to fight. But that did not last long.

[*English*]

News reports out of Korea were not about places like Dieppe, Sicily, Ortona or Normandy, but were of battles in rugged, open country, with little villages of strange names referenced, which were meaningless to Canadian readers. Indeed, most Canadians did not even know where Korea was located.

The Canadians fought bitter battles, lived in deplorable conditions and moved by foot through freezing mountains. They fought in company-scale actions, not grandiose Canadian assaults or defences, for their fights were in mountains. They fought hand to hand sometimes, death always hovering. They served as part of a larger force made up of Australian, British and New Zealand troops, and it was a force that was part of an American division or corps.

[*Translation*]

Proportionally, Canada's participation seemed minimal and was difficult to assess. But the situation was dire, and it was thanks to Canada's achievements that the larger brigades and divisions were able to win the fight.

[*English*]

Even when the remainder of the Canadian Special Force Brigade landed in Korea in May 1951, there was little news interest in Canada. Yet Brigadier John Rockingham had arrived with two full infantry battalions, a full artillery regiment, an armoured squadron, a full field hospital, all support units and six great shiploads of men and equipment. It was a small armada from the great country of Canada, which had so few people, and they were volunteers to a man.

The commanding general of the United Nations force gave Rockingham orders on landing to commit immediately his infantry soldiers to battle. They arrived at the time when a great allied offensive was starting. The war was still horrible and would remain so for another two years and three months.

Every place the Canadians went and fought and bled looked the same: hills, no cities, no large villages, rugged country that taxed their muscles, and the horrors of shells, mortar bombs and machine gun bullets sickened their minds and hearts. They kept on. They did not flag even when reports from family and friends in Canada told them that few in Canada knew what they were suffering or achieving, or that they were even there.

Newspaper editors quit using stories or reports from the Korean front. They were lacklustre, repetitious and the names of villages where actions took place were meaningless in Canada. While always 7,000 or 8,000 in number and with always three Canadian destroyers patrolling and fighting against land artillery units or strategic targets on the Korean coast, and always with a Royal Canadian Air Force pilot in the sky in a high altitude fighter plane over North Korea, attached to the United States Air Force, the Canadian public knew little about them, or seemingly cared, and the Canadian government of the day seemed to care even less.

The Department of National Defence was worried about its budget. Though the war was being fought on the cheap with old weapons from World War II, old clothing, vehicles rented, borrowed or stolen from American forces in Korea, rations purchased at cut-rate prices from American stores, there was grave concern that so many replacements had to be constantly sent to Korea at a cost of some \$700 per soldier.

Indeed, in the last six months of the war, DND issued instructions that every replacement soldier had to be certified as vitally needed in order to conserve manpower and cost. In compliance with this disgraceful policy, Canadian units at the front served often at only 60 or 70 per cent of the regulation complement and some, at times, even less.

Disgracefully, DND authorized under-strength battalions to serve at the front, even though commanding officers had reported and cautioned that they did not have enough men to possibly do the job required of them. DND gambled that the enemy action was not intense and that a few men could hold positions that should have been held by twice their number, as though they believed the war had wound down.

DND did not understand what kind of war was waged in Korea and their senior officers in the field, though frustrated and in some cases outraged, did not destroy their own careers by rebelling and protesting publicly that their men were being exhausted and placed at greater risk by such absurd orders from the Canadian headquarters.

It is of note that the grave markers of Canadian soldiers buried in the United Nations Memorial Cemetery in Busan bear the dates that the soldiers fell, and record them from December 1950 through to the last soldier to fall before the armistice was signed.

• (1710)

Another 7,000 Canadian soldiers served in the defence of Korea for more than one year following the signing of the armistice agreement.

Those who had fought and suffered and sacrificed and came home to Canada bearing the 6-25 Incident deep within received no welcome when they arrived. They received train tickets to go to their homes. No one would care about the war that was so horrible that it is specially defined in Korea. No one would care about their service to Canada.

There was a tacit pact among soldiers and their officers and their commanders that none would comment publicly on the deplorable, outrageous deficiencies of support from those who

had sent them to Korea. When they met among themselves formally and said prayers for their fallen and for themselves, and the *Last Post* was played on bugles, tears rolled down onto their cheeks. They stood brave and still and quiet, keeping locked inside the hurt and the pity that they had been ill-served by their country, that their courageous, heroic deeds were lost to the Canadian people and that to their country, and to all the countries that sent troops and sailors and airmen to Korea, the Korean War was indeed “the forgotten war.”

However, to them it was regarded as the Korean people regard it, so hard to explain, but to them it was also the 6-25 Incident and will be until the last one of them is gone, which will occur shortly.

Now in their eighties, these brave young men from Canada still feel the sorrow in their hearts that their nation asked them to serve in a most horrible war, yet treated them as orphans when they returned, as orphans like the pitiful children of the streets of the cities of Korea, as it had been in those years.

Can I have five more minutes?

The Hon. the Speaker: Is it agreed?

Hon. Senators: Agreed.

[*Translation*]

The ties that exist between many Canadians who served in Korea and the memory of those they defended, even saved from the horrors and the harshness of the regime in North Korea, which still exists six decades later, are stronger than the ties between these same veterans and Canadians of the same age.

[*English*]

No sailor, soldier, airman of Canada should have to stand in respect of his fallen comrades and of the bravery and deeds and achievements of his comrades and at the same time feel shame for the government that had asked them to go to battle under the flag of their nation. Such a sad, sorrowful pity cannot be undone. Every Korean War veteran was witness to it. Most have not publicly expressed this but have kept it hidden in the secret places of their hearts.

I rise today in memory of the fallen and to honour the Korean War veterans who served so valiantly and courageously in defence of a people they did not even know. I ask all honourable senators to remember them each and every year. July 27 is the signing of the armistice. There is a ceremony at Brampton, Ontario, every year. As well, in the fall, the Honourable Senator Day and I look forward to co-sponsoring a bill that will honour the veterans and enact a day for them so that they will never be forgotten in Canada.

[*Translation*]

We will remember them.

[*English*]

May we forever remember them.

[Senator Martin]

Hon. Roméo Antonius Dallaire: Senator Martin is aware, of course, that the Korean campaign was the first UN mission under the UN flag that we were engaged in and the first Chapter VII mission, and that those who served there are considered also peacekeepers. Would she agree with that?

Senator Martin: Yes, absolutely. As I mentioned, 7,000 Canadians were peacekeepers after the signing of the armistice, although some of them did also face major conflict as well as death. Thank you, senator, for that added note.

Senator Dallaire: I would like to take the adjournment of this inquiry.

[*Translation*]

Hon. Claude Carignan (Deputy Leader of the Government): Honourable senators, I believe that other senators on our side wish to speak to this inquiry.

[*English*]

The Hon. the Speaker: Honourable senators, other senators wish to participate in the debate on this inquiry now. If the honourable senator agrees, we will come back to his adjournment motion.

(Debate suspended.)

BUSINESS OF THE SENATE

The Hon. the Speaker: I advise the house that we must interrupt our sitting. The bells will ring for 15 minutes for the deferred vote at 5:30. After we deal with that vote, we will come back to this item.

Call in the senators.

• (1730)

IMMIGRATION AND REFUGEE PROTECTION ACT BALANCED REFUGEE REFORM ACT MARINE TRANSPORTATION SECURITY ACT DEPARTMENT OF CITIZENSHIP AND IMMIGRATION ACT

BILL TO AMEND—THIRD READING

The Hon. the Speaker: Honourable senators, it was moved by the Honourable Senator Martin, seconded by the Honourable Senator Unger:

That Bill C-31, An Act to amend the Immigration and Refugee Protection Act, the Balanced Refugee Reform Act, the Maritime Transportation Security Act and the Department of Citizenship and Immigration Act, be read the third time.

Motion agreed to and bill read third time and passed on the following division:

YEAS
THE HONOURABLE SENATORS

Andreychuk	Marshall
Angus	Martin
Ataullahjan	Meredith
Boisvenu	Mockler
Braley	Nancy Ruth
Brown	Nolin
Buth	Ogilvie
Carignan	Oliver
Comeau	Patterson
Dagenais	Plett
Di Nino	Poirier
Doyle	Raine
Duffy	Rivard
Eaton	Runciman
Finley	Seidman
Fortin-Duplessis	Seth
Frum	Smith (<i>Saurel</i>)
Gerstein	St. Germain
Greene	Stewart Olsen
Housakos	Stratton
Johnson	Tkachuk
Lang	Unger
LeBreton	Verner
Macdonald	Wallace
Maltais	Wallin
Manning	White—52

NAYS
THE HONOURABLE SENATORS

Callbeck	Kenny
Campbell	Mahovich
Chaput	Massicotte
Cordy	Mercer
Cowan	Merchant
Dallaire	Mitchell
Dawson	Moore
De Bané	Munson
Downe	Peterson
Dyck	Ringuette
Eggleton	Rivest
Fairbairn	Robichaud
Fraser	Smith (<i>Cobourg</i>)
Furey	Tardif
Hervieux-Payette	Watt
Huble	Zimmer—33

ABSTENTIONS
THE HONOURABLE SENATORS

Nil

KOREAN WAR

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Martin calling the attention of the Senate to:

- (a) the importance of the Korean War, the third bloodiest war in Canadian History but often called “The Forgotten War”; and
- (b) Canada’s contribution to the three-year war on the Korean Peninsula, including the 26,791 Canadians who came to the aid of South Korea, 516 of whom gave the ultimate sacrifice, and the 7,000 Canadian peacekeepers who arrived following the signing of the Korea Armistice Agreement in Panmunjom 59 years ago this July 27.

The Hon. the Speaker: Honourable senators, I think we have now the motion of the honourable Senator Dallaire.

Hon. Donald H. Oliver: Honourable senators, I would like to take the adjournment, if I could, so that I could speak after Senator Martin, if that were agreeable with Honourable Senator Dallaire.

Hon. Roméo Antonius Dallaire: I would like to take the adjournment, but I am quite happy to have Senator Oliver speak in lieu of my speaking.

Senator Oliver: At the next opportunity? Thank you very much for that accommodation.

The Hon. the Speaker: Honourable senators, my understanding is that Senator Oliver will speak not this evening but at another time, so I think it is appropriate that the adjournment goes to the other side. That does not obviate Senator Oliver’s participating in the debate at the next sitting.

To conclude the matter, it is moved by the Honourable Senator Dallaire, seconded by the Honourable Senator Dawson, that further debate on this item be continued at the next sitting of the Senate.

(On motion of Senator Dallaire, debate adjourned.)

HUMAN RIGHTS

COMMITTEE AUTHORIZED TO EXTEND DATE
OF FINAL REPORT ON STUDY OF ISSUES RELATED
TO INTERNATIONAL AND NATIONAL
HUMAN RIGHTS OBLIGATIONS

Hon. Mobina S. B. Jaffer, pursuant to notice of June 18, 2012, moved:

That notwithstanding the Order of the Senate adopted on June 22, 2011, the date for the final report of the Standing Senate Committee on Human Rights on issues relating to human rights and, inter alia, to review the machinery of government dealing with Canada’s international and national human rights obligations be extended from June 30, 2012 to June 28, 2013.

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

Hon. Senators: Agreed.

(Motion agreed to.)

COMMITTEE AUTHORIZED TO EXTEND DATE
OF FINAL REPORT ON STUDY OF ISSUES
OF DISCRIMINATION IN HIRING AND PROMOTION
PRACTICES OF FEDERAL PUBLIC SERVICE
AND LABOUR MARKET OUTCOMES
FOR MINORITY GROUPS IN PRIVATE SECTOR

Hon. Mobina S. B. Jaffer, pursuant to notice of June 21, 2012, moved:

That notwithstanding the Order of the Senate adopted on October 26, 2011, the date for the final report of the Standing Senate Committee on Human Rights on issues of discrimination in the hiring and promotion practices of the Federal Public Service, to study the extent to which targets to achieve employment equity are being met, and to examine labour market outcomes for minority groups in the private sector be extended from June 30, 2012 to June 28, 2013.

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

Hon. Senators: Agreed.

(Motion agreed to.)

COMMITTEE AUTHORIZED TO EXTEND DATE
OF FINAL REPORT ON MONITORING
THE IMPLEMENTATION OF RECOMMENDATIONS
CONTAINED IN A REPORT ON THE STUDY
OF INTERNATIONAL OBLIGATIONS REGARDING
CHILDREN'S RIGHTS AND FREEDOMS

Hon. Mobina S. B. Jaffer, pursuant to notice of June 21, 2012, moved:

That notwithstanding the Order of the Senate adopted on November 2, 2011, the date for the final report of the Standing Senate Committee on Human Rights on the monitoring of 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* be extended from June 30, 2012 to June 28, 2013.

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

Hon. Senators: Agreed.

(Motion agreed to.)

COMMITTEE AUTHORIZED TO EXTEND DATE
OF FINAL REPORT ON STUDY OF ISSUE
OF CYBERBULLYING

Hon. Mobina S. B. Jaffer, pursuant to notice of June 21, 2012, moved:

That notwithstanding the Order of the Senate adopted on November 30, 2011, the date for the final report of the Standing Senate Committee on Human Rights on cyberbullying in Canada be extended from October 31, 2012 to December 14, 2012.

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, June 28, 2012, at 1:30 p.m.)

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