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Wednesday, November 21, 2012

The Honourable DONALD H. OLIVER
Speaker pro tempore

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THE SENATE

Wednesday, November 21, 2012

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

Prayers.

SAFE FOOD FOR CANADIANS BILL

MESSAGE FROM COMMONS

The Hon. the Speaker *pro tempore* informed the Senate that a message had been received from the House of Commons returning Bill S-11, An Act respecting food commodities, including their inspection, their safety, their labelling and advertising, their import, export and interprovincial trade, the establishment of standards for them, the registration or licensing of persons who perform certain activities related to them, the establishment of standards governing establishments where those activities are performed and the registration of establishments where those activities are performed, and acquainting the Senate that they had passed this bill without amendment.

SENATORS' STATEMENTS

ASSOCIATION OF UNIVERSITIES AND COLLEGES OF CANADA

OPEN DOORS, OPEN KNOWLEDGE

Hon. James S. Cowan (Leader of the Opposition): Honourable senators, Canadian universities are opening their doors this month to the public to showcase some of the extraordinary research projects under way in collaboration with the public and private sectors. These "Open Doors, Open Knowledge" events are taking place across the country, under the auspices of the Association of Universities and Colleges of Canada, AUCC.

I had the opportunity last week to attend two of these events in Nova Scotia, the first at Mount Saint Vincent and the second at Dalhousie. I found it truly inspiring.

Researchers at Mount Saint Vincent University are engaged in a three-year, nationally funded, multidisciplinary research project on long-term care for our aging population, called Care and Construction. It is looking at the experiences of residents living in nursing homes in Nova Scotia and collecting information from nursing home staff, residents and family members. The project involves four universities, a number of industry leaders and various government and health organizations.

Honourable senators, this is timely and important research. We all know the demographics. The 2011 Census counted nearly 5 million Canadians aged 65 and over. Seniors are the fastest growing age group. Providing the best care for our aging population is one of the greatest challenges we face as a nation. Dr. Janice Keefe, the Director of the Nova Scotia Centre on Aging and the holder of Mount Saint Vincent's Lena Isabel Jodrey Chair in Gerontology has said, "There is great interest in this project across the country. There are many groups who will benefit from our results."

At Dalhousie, I met with five teams of graduate students and professors. One of the projects I learned about is called ASPIRE — Applied Science in Photonics and Innovative Research in Engineering. This is also a multidisciplinary program, involving the faculties of engineering, science and medicine. Its research focuses on nanotechnology and nanophotonic-based telecommunications, energy and medical applications. The project goes from theoretical and experimental applied science and research, to engineering design, to testing and evaluation of experimental structures for devices for commercial applications. It includes national and international collaborations, bringing together researchers from 12 different universities and institutes in five countries as well as Canada and seven different companies in the private sector.

Honourable senators, this is just one of the projects. Another was BioMedic, a training program in biomedical technology, innovation and commercialization. A third project was called DREAMS, which stands for Dalhousie Research in Energy, Advanced Materials and Sustainability. That project brings together research scholars, from undergraduates through post-doctoral fellows and all levels in between, in chemistry, physics and mechanical engineering to address critical issues of energy production, storage and sustainability. The fourth was called RADIANT. That stands for Rehabilitative and Diagnostic Innovation in Applied NeuroTechnology. Finally, I learned about a project called STEWARD, or Systems Training and Education in Water Assets Research and Development.

This is just a tiny bit of the exciting research and innovation going on at Canadian universities in collaboration with the private sector. I look forward to sharing more stories and hearing others from you in the course of Senator Segal's and my inquiry on the many contributions of Canadian universities to innovation and research.

In the meantime, the AUCC's "Open Doors, Open Knowledge" events are continuing at universities across Canada this month. If you have not already done so, I encourage you to seek out the events in your region. You will be impressed and inspired by what you see and hear.

I want to take this opportunity to congratulate the AUCC for organizing these extraordinary events, and especially to recognize, congratulate and thank the many researchers, students and professors who are doing such extraordinary work.

[Translation]

QUEBEC CITY ARMOURY

Hon. Josée Verner: Honourable senators, I am pleased to speak today about an important announcement that was made by the Prime Minister of Canada on November 16, which reconfirms the government's commitment to rebuilding the Voltigeurs de Québec Armoury.

This heritage building, which is located on Quebec's Grande Allée, was built in 1887 and designated a national historic site of Canada in 1986. Quebecers have always proudly associated the armoury with the historic home of the Voltigeurs, who took up residence there in 1887.

On April 4, 2008, the armoury was seriously damaged in a fire. A few days later, we committed to exploring all options to rebuild this symbolic structure.

Honourable senators, the restoration of historic sites is always complex and unpredictable.

• (1340)

We therefore had to proceed responsibly. First, clean-up work was done, technical and environmental studies were conducted, and public consultations were held in 2008 and 2009 to assess the state of the existing structure and determine the armoury's future.

In June 2010, I announced a plan and a deadline for the rebuilding of the armoury. This plan was used to prepare the architectural designs needed to rebuild the armoury, which were unveiled by the Prime Minister last Friday.

According to these designs, the armoury will be rebuilt in such a way as to maintain its heritage designation and historical function through a museum to commemorate the history of the armoury and the Voltigeurs, while making it more accessible to the public through a multi-purpose room for military, cultural and social activities.

Honourable senators, by the time the new building officially opens, the federal government will have invested \$104 million in it. This year, the first French-Canadian regiment is celebrating its 150th anniversary, and the new armoury will keep this regiment's invaluable history and heritage alive for future generations.

Over the course of its history, the regiment successfully defended Canada against two attempted raids in 1886 and 1870 by Fenians based in the United States. It also made a name for itself abroad during the Boer War of 1899, the two world wars of the 20th century and many peacekeeping missions.

The regiment also participated in the birth of one of today's most important Canadian national symbols by performing "O Canada," which was composed by Calixa Lavallée, for the first time during the Sociétés Saint-Jean-Baptiste's national congress, which was held in Quebec City.

Honourable senators, the Prime Minister's announcement gives me the opportunity to reaffirm that the Voltigeurs will soon have their historic home back again and that this structure will once again be a source of pride for Quebecers and all Canadians.

VISITORS IN THE GALLERY

The Hon. the Speaker *pro tempore*: Honourable senators, I wish to draw to your attention the presence in the gallery of Mr. Roger Martin, president of the Francophone Association of New Brunswick Seniors, and the outgoing president, Mr. Roland Gallant.

They are guests of the Honourable Senator McIntyre.

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

Hon. Senators: Hear, hear!

[English]

The Hon. the Speaker *pro tempore*: Honourable senators, I wish to draw your attention to the presence in the gallery of Mr. Ed Nielsen and Mr. Gregory Nielsen. They are the guests of the Honourable Senator Mahovlich.

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

Hon. Senators: Hear, hear!

GIFT TO THE SENATE

Hon. Francis William Mahovlich: Honourable senators, as many of you are aware, I will be retiring from the Senate in a few months. After serving this place for 14 years, I thought it was important to leave a gift that can be cherished by all those who come to the Senate.

Given that this year is the bicentennial of the start of the War of 1812, a war that helped shape Canada into the country we have today, I thought it was fitting to leave an exquisite piece of art representing a cannon that was used to defend the British Empire and its allies. It is one-sixth scale reproduction of a royal horse artillery of 1813.

The original piece of weaponry was a mobile six-foot cannon and required a crew of 15 men to manoeuvre it. The reproduction is an amazing piece that should not be missed. This cannon is the work of an excellent artist, Edward Nielsen, a silversmith who apprenticed under his father, Edward U. Nielsen, who immigrated to Canada from Denmark in 1927.

Mr. Nielsen has been devoted to his work for over 65 years and has created many beautiful pieces cast in bronze, silver and gold. His creations of historically accurate military pieces are nothing short of marvellous. His works are a labour of love and I am very pleased that his creation will have a home here in the Senate for all to enjoy.

The cannon is currently on display in the office of the Director of the Senate Protective Service, located at 56 Sparks Street. I encourage all honourable senators to see it and admire Mr. Nielsen's amazing craftsmanship. Thank you.

Hon. Senators: Hear, hear!

[Translation]

MOBILICAMPUS

PREVENTION OF VIOLENCE AGAINST WOMEN PROJECT

Hon. Suzanne Fortin-Duplessis: Honourable senators, on November 14, 2012, I was pleased to announce the Quebec results of the call for proposals issued by the Honourable Rona Ambrose for projects to prevent violence against women on university and college campuses.

One of the projects selected will be led by the YWCA Montréal. Some \$185,125 has been allocated for the MobilCampus project targeting the female student population at three CEGEPs in Montreal: Marie-Victorin, Rosemont and Vieux-Montréal. Together, they will be active partners at all stages of the project as they work to prevent violence against women on the three campuses.

During my visit, it became very clear that the staff and volunteers on the ground are very familiar with the problem of violence against women. I was also pleased to meet some people who are very passionate about their work. I would like to tell you about some of them here today.

First of all, I met the president, Chantal Laberge, who is extremely dedicated and sensitive to the cause. She explained to us why their project targets the CEGEP environment specifically. Indeed, this is the only project in Canada that will be rolled out on college campuses; all of the others are focusing on university campuses. She pointed out that young adults often leave home for the first time to attend CEGEP, and they must learn how to deal with total freedom. In addition, staff at CEGEPs expressed a desire to be better equipped to address violence against women. That is how their project came to be.

I would also like to talk about Tatyana Litovchenko, a project officer at the YWCA. A young, energetic and passionate woman, Ms. Litovchenko gave us an enthusiastic presentation on the MobilCampus project. She mentioned that this project was designed by the YWCA Leadership Department, to which I would like to extend a special thank you. Their vision has resulted in this project, which will include a literature search, youth advisory committees, a round table and a day of reflection.

I would have liked to acknowledge all the wonderful people I met. However, you know who you are, and I commend you.

Honourable senators, I remain convinced that, together, we can fight violence. We will achieve our goal thanks to the initiatives of these organizations. I know that I am also speaking on your behalf in offering them a sincere thank you.

NATIONAL CHILD DAY

Hon. Roméo Antonius Dallaire: Honourable senators, I would like to draw your attention, possibly for the second time, to National Child Day.

The reason I am highlighting this day is because yesterday, I had the opportunity to participate in a very special activity involving no less than 3,000 children in Montreal, near the Théâtre Saint-Denis. The purpose of this activity was to raise awareness of the fact that 80 per cent of humanity is affected by conflicts and poverty, which primarily affect children under the age of 15.

In many of these countries, more than 50 per cent of the population is under 15 years of age. That is a huge group of children with tremendous needs.

• (1350)

These 3,000 high school students listened to some speeches, but they also actively participated in activities to attend this meeting, either with NGOs in their region, parish or city, or with international NGOs, such as CARE and Save the Children. They not only raised money, which always seems to be the solution, but they also communicated with young people from these countries, both electronically and in person.

More and more of our young people are doing this kind of thing. Instead of going to Europe to visit major European capitals, they are visiting developing countries. They are getting their hands dirty on the ground and are gaining experience that ignites their passion. They are then able to return home with that experience under their belts. This rite of passage helps them influence other young people, to empathize with those who are suffering, to be active and to engage in helping and supporting their peers in developing countries.

Yesterday, this event took place for the third time in Montreal, and about 3,000 young people participated. The NGO Free The Children has been around for 17 years. I have spoken at these gatherings on three other occasions. On average, almost 20,000 children have spent nearly the entire day learning and participating. To do so, they had to go through this initial process to support, educate and be aware of the state of children in developing countries. These children make up the majority of these populations and represent the future of these populations that our young people want to help. We must encourage them to continue to do so.

[English]

ROUTINE PROCEEDINGS

CANADA LABOUR CODE EMPLOYMENT INSURANCE ACT

BILL TO AMEND—FIRST READING

The Hon. the Speaker *pro tempore* informed the Senate that a message had been received from the House of Commons with Bill C-44, An Act to amend the Canada Labour Code and the Employment Insurance Act and to make consequential amendments to the Income Tax Act and the Income Tax Regulations.

(Bill read first time.)

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

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

CANADA-EUROPE PARLIAMENTARY ASSOCIATION

CONFERENCE OF PARLIAMENTARIANS OF THE ARCTIC REGION, SEPTEMBER 5-7, 2012— REPORT TABLED

Hon. Percy E. Downe: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian parliamentary delegation of the Canada-Europe Parliamentary Association, respecting its participation at the Tenth Conference of Parliamentarians of the Arctic Region, held in Akureyri, Iceland, from September 5 to 7, 2012.

IMPROVED MENTAL HEALTH FOR INMATES

NOTICE OF INQUIRY

Hon. Bob Runciman: Honourable senators, I give notice that, two days hence:

I will call the attention of the Senate to the need for improved mental health treatment for inmates, especially female inmates, in federal correctional institutions and the viability of providing such treatment through alternative service delivery options.

QUESTION PERIOD

TREASURY BOARD

NATIONAL FIGHTER PROCUREMENT SECRETARIAT

Hon. James S. Cowan (Leader of the Opposition): Honourable senators, my question is for the Leader of the Government in the Senate. A few weeks ago I asked her about the work of the government's fighter plane procurement secretariat, and she replied at that time, "I would not know. We have put in place a secretariat and a seven-point plan."

One of her roles as Leader of the Government in the Senate is to answer to this chamber for the work of the government. Her cabinet colleagues in the other place appear to know what the secretariat is doing and are prepared to tell members of the other place about it in answer to questions. Three weeks ago, by way of example, Treasury Board President Tony Clement replied to a question on the Order Paper in the other place stating where the secretariat will obtain the data regarding the F-35 costs it will use during its review. I assume that the Leader of the Government in the Senate is just as able here as they are there to answer questions on behalf of the government.

I will ask my question about the work of the secretariat again. Is the secretariat looking at options other than the F-35 to replace the CF-18 fighter jets for our air force?

Hon. Marjory LeBreton (Leader of the Government): I thank the honourable senator. The National Fighter Procurement Secretariat, as I have reported before, is in place to ensure transparency and due diligence in the decision to replace our aging CF-18s. It is informed by independent advice, as I explained before, of individuals, including a former Auditor General of Canada, Denis Desautels. Funding for the acquisition of the CF-18 replacement has been frozen until the due diligence process is complete and all conditions have been satisfied. Canada will not sign a contract to purchase new aircraft until all steps of this process and the seven-point action plan are completed and developmental work is sufficiently advanced.

KPMG, as Senator Cowan questioned me about before, has been hired to independently verify the costs of the F-35, and the report will be made public.

With regard to the specific question about other options, I do not believe that my colleagues in the other place have given an answer any different from what I have just given to the honourable senator.

• (1400)

Senator Cowan: I want to know if the secretariat is looking at options other than F-35 to replace the CF-18. It is a very simple question. Yes or no?

Senator LeBreton: As I said before, honourable senators, I am not part of the secretariat and, like all members of the government and the cabinet, we are awaiting the decisions of the secretariat and the outside advice they were given. Anyone who suggests that they are involved in the work of the secretariat is not a member of the cabinet.

Senator Cowan: I did not ask whether the leader was involved in the work of the secretariat. I simply asked whether the secretariat is looking at options other than the F-35.

Honourable senators, the leader has also referred in this chamber, again in non-answer to my first question, to the government's seven-point plan. The third item on that seven-point plan states:

The Department of National Defence, through the F-35 Secretariat, will provide annual updates to Parliament. These updates will be tabled within a maximum of 60 days from receipt of annual costing forecasts from the Joint Strike Fighter program office, beginning in 2012.

On November 6, Canadians learned from Australian sources that our government received its own update on the cost of these planes from the U.S. Department of Defense. In May, it was told that the cost per plane had increased to \$131.4 million.

Let us not forget, honourable senators, that the government said that these fighter jets originally would cost \$75 million apiece. The Prime Minister said there would be no increase in that amount because, and this is a quote: "... the contract we have signed shelters from us any increase in those kinds of costs."

The leader has said before and again today that there is no contract and therefore there cannot be any protection in a non-contract with respect to price increases. However, in May our DND, at the same time that the Australian authorities received their information, received new cost estimates of \$131.4 million per plane, almost double the original \$75 million.

Why are we only learning now, and not from our government but from Australian sources, about these new figures? Why did the government not release this information when it said it would within the specified period of time?

Senator LeBreton: Honourable senators, we put in place the National Fighter Procurement Secretariat and, as I have also said here before, we will not purchase a replacement for the CF-18 until the seven-point plan is completed, including the independent verification of costs. I do believe I have put this on the record here and, if I did not, I will do so now. The options analysis is a full evaluation of the choices, not simply a refresh of the work that was done before.

Clearly, honourable senators, the secretariat is in place. They have their responsibilities laid out before them. They have the benefit of independent outside analysis and advice, and the government will await the recommendations of the National Fighter Procurement Secretariat before taking the next steps.

VISITOR IN THE GALLERY

The Hon. the Speaker pro tempore: Honourable senators, I wish to draw your attention to the presence in the gallery of His Excellency Per Westerberg, Speaker of the Parliament of the Kingdom of Sweden.

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

Hon. Senators: Hear, hear!

PUBLIC SAFETY

MISSING AND MURDERED ABORIGINAL WOMEN— PROPOSED INQUIRY

Hon. Sandra Lovelace Nicholas: Honourable senators, my question is for the Leader of the Government in the Senate. The Assembly of First Nations National Chief Shawn Atleo has said:

Striking an independent and inclusive National Public Commission of Inquiry would demonstrate a clear and focused commitment to achieve positive change for and with Indigenous peoples . . .

Will the government heed this call and commit today to calling a public inquiry on the tragedy of over 600 missing, murdered Aboriginal women?

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, I thank Senator Lovelace Nicholas for the question. Of course, we all share the deep sympathy and concern of the victims and the families of these missing women. I have put on the record here before the many things the government has done to address the very important issue of missing and murdered Aboriginal women.

The Minister of Justice and the Minister of Public Safety met in Regina just a few short weeks ago, at the end of October, with their provincial counterparts and this issue was a major topic of discussion.

Honourable senators, I believe that all governments are working together, and the federal government is working with our provincial counterparts to further develop strategies, coordinate efforts and share expertise and information on this very serious issue. We know the extent of the problem. We know there are missing and murdered Aboriginal women. In January of this year, as the honourable senator knows, we released the comprehensive report on missing women and that report provided 52 specific recommendations. The provinces recently acknowledged that our government has already implemented a great many of these recommendations and I believe calls for a public inquiry would only be repetitive of the work that has already been done.

Senator Lovelace Nicholas: Honourable senators, I think the inquiry involved the RCMP and people involved in this situation being asked questions.

Honourable senators, instead of calling for a national inquiry, as requested by the Assembly of First Nations, the Native Women's Association of Canada, Amnesty International, thousands of Aboriginal Canadians and even Conservative Senator Patrick Brazeau, this government has turned a blind

eye to this issue. Why does the government ignore these voices and why has it not called a fully funded national inquiry on the missing and murdered Aboriginal girls and women?

Senator LeBreton: Honourable senators, from experience in past governments, I know of the amounts of money expended on public inquiries to provide much the same information that we already are very well aware of. Would it not be better to expend our resources on dealing with the problem instead of talking about the problem?

In that regard, the government, as honourable senators know, is investing \$25 million over five years, from 2010 to 2015. New procedures and tools are being provided for law enforcement officials, improvements are being made to help the various justice systems, and improvements are being made to assist the victim services organizations. Of course, a significant amount of this funding is being provided directly to the Aboriginal communities and organizations to better support their efforts for the victims, the awareness programs and community support.

Is it not better to take the resources that we have and put them toward concrete action as we are doing, rather than having yet another inquiry?

Hon. Terry M. Mercer: Honourable senators, the job of the government is to help protect women and to change what is happening.

• (1410)

My colleague Senator Lovelace Nicholas, Chief Atleo and the Assembly of First Nations, Senator Brazeau, Amnesty International and the National Aboriginal Women's Summit asked for an inquiry into how this happened and how we can prevent this from happening again. Yes, changes need to be made to ensure that Aboriginal women are being protected today and tomorrow, but this is a national tragedy and a terrible mark on our record as Canadians and how we treat each other, particularly how we allow others to be treated, in this case Aboriginal women.

This is not to take away from the changes that need to be made now. We need to know what happened, why it happened and why it has taken so long for us to wake up to the fact we have a problem that needs to be fixed. Those women, their families and their relatives deserve an answer.

Senator LeBreton: Honourable senators, I appreciate Senator Mercer getting up and explaining what Senator Lovelace Nicholas was asking me. I very clearly understood what Senator Lovelace Nicholas was asking me. I think she enunciated it very well. She did not need his assistance.

The fact is, and I think the honourable senator can acknowledge this, having been part of a government previously, rather holding public inquiries and spending great sums of money in an effort to try to figure out what happened in the past, while we would all like to know exactly how many of these things happened, would we not be better to take the resources we have and put concrete actions and procedures in place to ensure it never happens again?

[Senator Lovelace Nicholas]

Hon. Jim Munson: Honourable senators, to the Leader of the Government in the Senate, is she saying no to a public inquiry?

Senator LeBreton: I am simply saying, honourable senators, that the government has worked extremely hard with our provincial and territorial counterparts and with our Aboriginal partners. We have expended significant amounts of money and will be spending more. We have given our police officials more tools to address this very serious issue. This is an unacceptable circumstance. Unfortunately, we are dealing with the reality that we have hundreds of missing and murdered Aboriginal women, and the government is moving forward with our counterparts and the Aboriginal communities to try to do something to assist the families of the victims, bring those responsible to justice and prevent this from happening again.

Senator Munson: Honourable senators, on a further supplementary to the leader: Yes or no to a public inquiry?

Senator LeBreton: Honourable senators, many people have suggested a public inquiry. I am simply making the argument that the monies the government has available to it would be much better spent, going forward, dealing with the issue and doing all the things we are doing, such as working with Aboriginal leaders. The honourable senator can determine for himself whether my answer is yes or no.

Senator Munson: Honourable senators, I did not quite get the last part of what the leader said, but on a further supplementary, on a public inquiry, yes or no?

Senator LeBreton: I am again going to repeat, honourable senators, that I believe the government has taken this issue very seriously. I believe we have worked very diligently. Our ministers, the Minister of Public Safety and the Minister of Justice, met with their counterparts in Regina just a few weeks ago. I do believe that the actions we are taking now are the appropriate actions in dealing with this very serious issue.

Hon. Joan Fraser (Acting Deputy Leader of the Opposition): Honourable senators, I would like to ask a supplementary question to the Leader of the Government in the Senate.

The Hon. the Speaker *pro tempore*: Honourable Senator Fraser, were you rising on a supplementary?

Senator Fraser: I was. I said "supplementary" quite loudly. You may not have heard it, but I did say it.

The Hon. the Speaker *pro tempore*: I did not hear it.

Senator Fraser: I apologize. I guess I did not shout loudly enough.

To the leader, I take it from her answer that the answer to a public inquiry is no and that the principal ground upon which she hangs that is that she does not think the money would be well spent.

Well, this is the government that is spending \$25 million commemorating a minor 200-year-old war in which very few Canadians actually fought. This is the government that spent all that money on gazebos and associated frivolities in connection with the G8 summit.

Could the leader provide us with a list of the criteria the government uses to set its priorities on where money will be well spent?

Senator LeBreton: Honourable senators, as I have said before, I do not know what it is about our great Canadian history that so offends people on that side.

Leading up to Canada's one hundred and fiftieth birthday, the government is participating in many events to educate Canadians and make them aware of very important milestone periods in our history. The honourable senator may not appreciate the significance of the War of 1812, but a person with her background would know and should know that this was a major event in establishing what we now know as Canada and that makes us so different from our good neighbours to the south.

The honourable senator may not think it was a worthwhile initiative, but I can say that thousands and thousands of Canadians all across the country from coast to coast to coast have participated in ceremonies surrounding the War of 1812 and now have a better understanding — they are happy to have an understanding — of what this meant in terms of our beginnings and our history of Canada.

Of course, none of us fought in the War of 1812; that is obvious.

Senator Fraser: I did not say we did.

Senator LeBreton: However, some of us actually have ancestors who fought in the War of 1812, including me; Captain John LeBreton from LeBreton Flats fame fought for the British at Lundy's Lane and was injured.

In any event, with regard to this specific question on a public inquiry, I do believe, honourable senators, that the government has put significant resources towards this issue by dealing with Aboriginal communities, dealing with the police and dealing with our counterparts, and surely monies that are expended in this regard are much better spent dealing with the situation we are faced with and going forward to prevent this from happening again.

Hon. Wilfred P. Moore: Honourable senators, further to the question of Senator Fraser, what is the exact amount of funding that the government has set aside for this investigation that the Leader of the Government in the Senate mentioned earlier?

Senator LeBreton: I actually read it into the record a few moments ago, but it is significantly more than that, and I will take that question as notice.

[*Translation*]

FOREIGN AFFAIRS

GOVERNMENT POLICY ON AFRICA

Hon. Jean-Claude Rivest: Honourable senators, last week, an internal cabinet document on foreign affairs was released by the CBC. We know that in many circles, Canadians are extremely critical of the current government's foreign policy. Among other

things, the unexplained and inexplicable shift to the Americas, to the detriment of Asia and Africa, has been strongly criticized, not to mention the unequivocal policy on the Middle East, of course.

I have a question for the minister regarding Africa in particular. The cabinet document that was released suggests there is a possibility of renewed engagement by the Canadian government in Africa.

• (1420)

We know that one of the finest achievements of the Right Honourable Brian Mulroney — and the minister will no doubt agree — was to work with Africa on developing an ongoing relationship. It paid off in terms of development in Africa and Canadian interests and showcased Canada's level of development and what it could bring to the people of Africa, especially politically, by playing two cards in Canada's hand: it has neither a colonial past nor colonial ambitions and it is a member of the Commonwealth and La Francophonie, just as many African countries are.

Can the minister tell us whether, in this welcome re-evaluation that many Canadians are calling for, the government intends to put Africa at the heart of Canada's foreign policy?

[*English*]

Hon. Marjory LeBreton (Leader of the Government): I thank the honourable senator for the question. I will answer it by referring to the document Senator Rivest referred to. That is not government policy. The wonderful so-called big leap that Radio-Canada and CBC had was rather interesting, but it is not government policy.

With regard to Africa, honourable senators, the government, under the child and maternal health initiative, has made significant inroads in Africa.

To answer the first part of the senator's question when he said many are critical of the government's foreign policy, I can find as many, if not more, who are very laudatory of everything that this government has done in the foreign policy area.

HEALTH

GENERIC OXYCONTIN

Hon. Jane Cordy: Honourable senators, the Minister of Health has made the decision not to block the generic versions of OxyContin from entering the market. Why was this decision made?

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, there is no capacity in the Food and Drugs Act for a minister to withhold approval of a drug where a drug is otherwise considered safe and effective for its recommended use. Obviously, the law does not permit approval to be withheld on the basis of misuse. As well, a lot of responsibility falls upon the shoulders of our medical professionals to do everything possible to ensure that drugs do not fall into the wrong hands. This is just one drug of many that could be potentially dangerous.

Senator Cordy: Honourable senators, Minister Aglukkaq is abdicating her responsibility. She is downloading the responsibility and the cost to the provinces, territories and medical personnel.

She does have a choice. She is the federal Minister of Health. The Conservatives have the majority in the house, and they have the majority in the Senate. As David Juurlink, the head of clinical pharmacology at Sunnybrook Health Sciences Centre, said, if the minister is compelled by the Food and Drugs Act to approve the generic version of OxyContin, then the law should be changed.

She is the minister. She should not be abdicating her responsibility. She should not be downloading to the provinces and territories. This will put out a cheaper version of a very addictive drug. In fact, it has been referred to as “hillbilly heroin.”

Why will Minister Aglukkaq at least not delay the introduction of generic OxyContin until the effects of it can be examined by the Department of Health?

Senator LeBreton: Honourable senators, the fact is that the minister is not downloading responsibility. Both the senator and I know that the responsibility for delivering health care in this country falls to the provinces. I already explained that there is no basis within the Food and Drugs Act for a minister to withhold approval of a drug on the basis of misuse.

Senator Cordy: Honourable senators, the federal government is the fifth largest provider of health care in the country. Minister of Health Aglukkaq told Ontario Minister Deb Matthews, who, like the other provincial health ministers, has serious concerns about the introduction of generic OxyContin, that, and I quote Minister Aglukkaq, “She” — meaning Minister Deb Matthews — “has the levers to stop using this product in her jurisdiction.”

Since we are the fifth largest provider federally of health care, will Minister Aglukkaq use her so-called “levers” to stop the abuse of generic OxyContin for those areas under federal jurisdiction?

Senator LeBreton: Honourable senators, the issue is not one specific drug. In my own community, we have serious drug problems with Fentanyl patches that young people are melting down. It is an opiate and extremely dangerous when it falls into the wrong hands.

The federal government has announced that we are bringing in tough new licensing rules that will help prevent drugs like OxyContin from being illegally distributed. We are taking action, but, again, this is one drug among many that are extremely dangerous. Obviously, people in the medical profession and people who have the responsibility for the distribution of these drugs must be very careful about how they are prescribed. However, as the minister said, and as I pointed out, there is no specific capacity within the Food and Drugs Act for the minister to block this drug.

Senator Cordy: Then the minister should change it. You have the majority in the House of Commons; you have the majority in the Senate. I would bet that there would be all-party support if the minister were to make changes regarding that.

The federal government is the fifth largest provider of health care services in Canada. The issue that I am talking about today is the minister allowing generic versions of OxyContin to enter the market. Has the government done a study to determine the usage of OxyContin among the groups for which the federal government is responsible, namely, the veterans, the military, the RCMP and First Nations?

Senator LeBreton: Honourable senators, I will just briefly say that obviously the senator has very strong views on this. I will ensure that the minister is aware of them.

ORDERS OF THE DAY

CANADA—PANAMA ECONOMIC GROWTH AND PROSPERITY BILL

SECOND READING

Hon. Doug Finley moved second reading of Bill C-24, An Act to implement the Free Trade Agreement between Canada and the Republic of Panama, the Agreement on the Environment between Canada and the Republic of Panama and the Agreement on Labour Cooperation between Canada and the Republic of Panama.

He said: Honourable senators, it is with great pride that I introduce Bill C-24 to the Senate, the Canada-Panama growth and prosperity act, which will implement the Canada-Panama free trade agreement and parallel agreements on labour cooperation and the environment.

I applaud Minister Fast for his excellent work in advancing Canada’s free trade agenda around the world. However, I would be remiss if I did not also recognize the contributions of Minister Van Loan and Minister Day for their prior work on this file, as this particular agreement was signed in 2009.

I would also like to congratulate both the Conservative and Liberal members of Parliament who both stated their support for this free trade agreement and then actually voted that way as well. As the saying goes, actions speak louder than words.

• (1430)

Free trade agreements are a crucial part of our government’s broad economic agenda to strengthen our economy, increase access to international markets for Canadians, and diversify our committee.

Thomas Mulcair and his socialist colleagues oppose the very principle of free trade, despite what some media puff pieces might tell you about their so-called sudden change of heart.

The NDP will spout off lines about the government rushing this agreement through Parliament, yet it has been before Parliament for two and a half years. They will stomp their feet and rant and

rave about this not being an important enough agreement, but, in reality, their opposition to this goes to the very core of who Thomas Mulcair is. He does not care about the economic or development benefits of this or any other agreement. He is a one-trick pony who is fully prepared to bring the Canadian economy to a screeching halt for his radical agenda.

In the words of Ronald Reagan, “. . . free and fair trade brings growth and opportunity and creates jobs,” none of which, apparently, particularly interest the NDP.

Since 2006, our government has signed free trade agreements with Colombia, Jordan, Peru, the European Free Trade Association — which consists of Iceland, Liechtenstein, Norway, Switzerland — Honduras and Panama, and we are negotiating several other agreements, including with the European Union.

Why is this important? The number one issue on the minds of Canadians is the economy. Free trade is a vital part of our broader economic agenda. Free trade agreements are a key tool to expand opportunities for Canadian businesses and to attract new jobs.

We have worked to open up markets around the world through trade agreements. This has made Canada an even better place to do business. We have finished in the top five in *Forbes Magazine's* “best countries to do business in” list in each of the last four years, with trade freedom being a key element. In the era of globalization, enabling trade is essential to make the Canadian business environment more competitive.

In addition to expanding trade opportunities for Canadian business, we have reduced the tax burden on Canadians. Our government has cut taxes for individuals and families and for job creators. We have cut the sales tax by 2 per cent, and we have opposed any form of carbon tax. These reductions make our economy more competitive. Contrary to the NDP scare tactics, an article in *The Globe and Mail* in October states:

Corporate tax revenues coming in to Ottawa were up slightly last year, even as the Conservative government was in the midst of an aggressive plan to lower the corporate tax rate.

During the 2012 U.S. election, Governor Romney, also a stellar businessman, highlighted how Canada has become more competitive by reducing taxes when he said:

Canada's tax rate on companies is now 15 percent. Ours is 35 percent. So if you're starting a business, where would you rather start it? We have to be competitive if we're going to create more jobs here.

The private sector has responded to these measures. Over 90 per cent of the new jobs created in Canada during the recovery have been generated by the private sector. In order to remain competitive and continue creating jobs, we must continue to keep taxes low and, perhaps more important, continue to expand access to markets for Canadians.

I agree with the words of the great Liberal Prime Minister Sir Wilfrid Laurier, when he said:

Our policy has been, is and will be, so long as the Canadian people continue to place in us the confidence they have

shown us . . . and that policy is to seek markets wherever markets are to be found.

Panama is one of those markets with an enormous potential. The NDP may view Panama and other Latin American countries as not being “key economies with any kind of strategic value for Canada,” a direct quote from the NDP international trade critic Don Davies, but, as per usual, they just do not get it.

Our largest trading partner, the United States, has a massive debt with no clear current plan to get out of it, and they are facing a fiscal cliff at some point in the near future. Meanwhile, the Eurozone debt crisis is extremely concerning. It is important for Canada to increase access to expanding markets, especially considering the challenges that our traditional markets are currently facing.

Panama is a like-minded partner that is often referred to as the gateway to Latin America. By virtue of its geographic location, Panama has a unique competitive advantage. According to the Panamanian estimates, 5 per cent of world trade passed through the Panama Canal in 2010. As such, Panama has long been considered a logistics hub and international connection point in the Latin American region.

In addition, Panama's unique and influential position serves as an entry point to neighbouring markets. Therefore, a free trade agreement with this strategically positioned partner will serve as a springboard for an increased Canadian commercial presence in both the Caribbean and Latin America.

As the president of the Canadian Association of Importers and Exporters stated in her testimony to the House of Commons Standing Committee on International Trade:

Given Panama's strategic location, it can serve as a jumping off point for Canadian companies wishing to access markets throughout Latin America.

A free trade agreement with Panama will give Canadian exporters, investors and service providers preferential access to an economy that recorded real GDP growth of 10.6 per cent in 2011. That makes Panama the fastest growing economy in Latin America and, according to the IMF, it is forecast to grow by over 6 per cent a year over the next five years.

Two-way merchandise trade between Canada and Panama reached \$235 million in 2011, a figure that has increased nearly 105 per cent over the past five years. For my good friend Senator Downe, I am pleased to report that trade between Panama and P.E.I. totalled \$1.1 million last year, somewhat more than two lobster tails.

Clearly, Canadian businesses have been very active in the Panamanian market, but there remains significant untapped potential.

The Canada-Panama free trade agreement represents a major step forward in the growing economic partnership between our two countries. This agreement will serve to further deepen

and strengthen the commercial and economic relationships between our two countries and enable our nations to take this mutually beneficial partnership to new heights. It will provide a comprehensive legal framework for a more stable, open and transparent rules-based trading relationship between Canada and Panama.

A major benefit to Canadian businesses will be the elimination of tariffs they currently face when exporting to Panama. Upon implementation of the FTA, Panama will immediately eliminate tariffs on 95 per cent of recent non-agricultural imports from Canada and 78 per cent of all agricultural imports. Most of the remaining tariffs will be eliminated over a period of 5 to 15 years. Canadian companies, for example, those that export products such as pharmaceutical equipment, machinery, vehicles, pulses and frozen potato products, will also directly benefit from this agreement.

Canadian service providers will also benefit from the Canada-Panama free trade agreement. Canada has expertise in sectors such as financial, engineering, marine, mining and petroleum extractive services, construction and environmental services, all areas of growing opportunity in the Panamanian market. The FTA will ensure the secure, predictable and equitable treatment of service providers in both countries.

Canadian investors, too, will benefit from this agreement. Canadian companies have demonstrated a strong interest in Panama as an investment destination. Scotiabank established itself in Panama in 1973 and has expanded to become the fifth largest commercial bank in that country.

However, it is in the mining sector where Canada is now poised to play its most visible role as a commercial partner for Panama. The most vivid example is the recent, widely reported \$6.2 billion development project that Toronto-based Inmet Mining Corporation is pursuing in Panama. The development of this copper deposit represents Canada's largest single project in Central America.

• (1440)

In fact, when the president and chief executive officer of Inmet Mining Corporation testified before the Standing House Committee on International Trade on September 25, 2012, he not only voiced his support for the Canada-Panama FTA but also indicated that the decision to proceed with the \$6.2-billion project was made with the anticipation that the Canada-Panama free trade agreement would enter into force.

Inmet and other Canadian investors support the Canada-Panama free trade agreement because they know it will provide them with greater stability, transparency and protection for their investments. The agreement will also ensure the free transfer of capital related to investment, protection against expropriation without adequate and prompt compensation, and non-discriminatory treatment of Canadian investments.

Under this free trade agreement, all forms of investment will be protected, including enterprises, debt, concessions and similar contracts. These reciprocal commitments will serve to promote bilateral investment flow, which is crucial in linking Canada to global value chains.

Among the most important benefits of this agreement will be the increased ability of Canadian companies to participate in large-scale infrastructure projects funded by the Panamanian government.

Indeed, with the Panamanian government investing heavily to develop the country to support economic growth and to reinforce the country's strategic importance, accessing government procurement opportunities was a key Canadian objective during the negotiations.

It has been widely reported that Panama is undertaking an ambitious \$5.3-billion project to expand the Panama Canal. The ongoing operation and maintenance of the canal is expected to generate opportunities for Canadian companies for years to come. In addition, the Panamanian government is implementing a five-year infrastructure plan valued at \$13.6 billion.

Numerous infrastructure projects to build and improve roads, hospitals, social housing and bridges are either already in progress or under consideration. Looking ahead, tendering processes for projects such as airport improvement and the construction of the fourth rail bridge over the Panama Canal are expected in the coming months.

As honourable senators can see, the Canada-Panama free trade agreement is a comprehensive agreement covering everything from market access for goods, to cross-border trade in services, to investment and government procurement. It also includes substantive provisions covering a range of other areas, such as telecommunications, e-commerce and financial services.

It is also important to note that this agreement is accompanied by parallel agreements on labour cooperation and the environment. These side agreements complement our FTA by demonstrating our joint commitment to corporate social responsibility, the rights of workers and preserving the natural environment.

The Labour Cooperation Agreement commits Canada and Panama to ensuring that the laws respect the International Labour Organization's 1998 Declaration on Fundamental Principles and Rights at Work. This declaration covers a wide range of workers' rights, such as the right of freedom of association, the right to collective bargaining, the abolition of child labour, the elimination of forced or compulsory labour, and the elimination of discrimination. To ensure the highest possible compliance, the agreement also provides for an open and transparent compliance and dispute resolution process.

With respect to the Environment Agreement, Canada and Panama have committed to ensuring high levels of environmental protection. Both countries are obligated to effectively enforce these domestic environmental laws and to not relax or weaken those laws to encourage trade or investment. It is clear that the Canada-Panama free trade agreement and the parallel agreements on the environment and labour cooperation are good deals for both countries. Taken together, these agreements mark a new chapter in the Canada-Panama relationship, one that will forge an even stronger bond between our nations in the years ahead.

In order for this happen, Canada must ratify the agreements, and we must do so quickly because Canada is not the only country with which Panama has negotiated a free trade agreement. I would ask all honourable senators to support this bill.

Hon. Percy E. Downe: Honourable senators, I wish to join the debate on Bill C-24. After a speech in which Senator Finley attacked the NDP, quoted Prime Minister Laurier and noted the trade statistics between Prince Edward Island and Panama, there is not much more to say, but I will try my best.

More than two years ago, and after a year and a half of negotiations, the Government of Canada and the Republic of Panama signed the agreement we have before us today. This agreement, like so many before, promises great things for Canada. I look forward to its study in committee, where we will hear about these promises and what various groups and individuals think of them.

Honourable senators, trade is the root cause of our prosperity, and international trade is a vital element of our economy. According to Statistics Canada, exports account for 31 per cent of this country's GDP, with a heavy emphasis on commodities.

Think of that: Almost a third of our economy is directly dependent on what we sell abroad. One job in five in this country is directly or indirectly dependent upon exports. With figures like that, it is merely stating the obvious to say that, all things being equal, more trade is better than less. However, let us make sure things are equal. Let it not be more free trade agreements regardless of the cost.

Will this free trade agreement, reached without improvements in other areas, entrench problems into our relationship with Panama and expose Canada to liabilities in the future?

My remarks today will be of a more general nature. Any specific concerns that arise can be discussed in committee, where we will get down to the nuts and bolts of this agreement and hear from all those who have a stake in whether this deal goes forward.

Today, then, I would like to reflect upon Canada's recent experiences with free trade agreements and discuss what lessons we might learn from them.

This is a government that likes spinning the news, and so it is that once again, as was the case this past June, we find before us another growth and prosperity act, and once again it involves a country no one would describe as a key trading partner.

In June we were discussing trade with Jordan, our eighty-eighth most important export market. Panama is our seventy-fifth. While Jordan is our one hundred and twelfth most important source of imports, Panama ranks number 89. If our exports to Panama were to triple overnight, it would make that country as important a market for Canada as Vietnam.

This government continues to try again and again in the hope that this will be the free trade deal that actually does lead to a prosperous future. It is indeed understandable that they would focus on the future, for the experience of the past is not particularly encouraging.

Honourable senators, balance of trade statistics from Industry Canada indicate that in 1996, the year before our free trade agreement with Israel, we had a trade deficit of just under \$27 million. Last year, our trade deficit with Israel grew to over \$580 million. Our trade with Chile, with whom we began a free trade agreement in 1997, went from a surplus of \$73 million in 1996 to a deficit of over \$1 billion in 2011. It goes on and on.

The year free trade with Costa Rica began — 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 went from under \$2.5 billion to almost \$3.9 billion.

Honourable senators, the numbers speak for themselves, and what they say is not a ringing endorsement of our current globe-trotting pursuit of free trade agreements.

If trade balances were not important, we would not have to negotiate trade deals. We could simply open up our markets to imports of all kinds and from all places, without demanding anything in return. Of course, we do not do that. What makes these agreements free trade "deals" is reciprocity. We may have achieved market access through these agreements — otherwise what was their purpose?

• (1450)

It is part of a disturbing trend. 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 increased from \$37.8 billion in 2006 to \$143.8 billion in 2011.

Exports as a proportion of the GDP now hover around 30 per cent. When this government came to power it was 38 per cent. As we have seen, Canada's exports to countries with which we have free trade agreements have grown more slowly than our exports to other nations, and, on average, our balance of trade with those countries has actually declined. This is surely not the desired effect.

Perhaps, honourable senators, that is what we should be examining: Why have Canadian businesses, not to mention Canadians in general, not benefited more from these agreements?

There have been individual success stories, but the overall numbers suggest that we are missing something. Maybe it is that too many people regard these free trade agreements as an end in themselves rather than as only one part of our trading relationship. To put it another way, using the words "growth and prosperity" does not automatically make it so.

If we are going to open our borders to another country's products, the least we can do is make sure that our own businesses have all the assistance and support they need from the Government of Canada to take advantage of the trade and investment opportunities the other country has offered in return. We need to be constantly examining the evidence and always be willing to look at new approaches, because whatever this government has been trying has not been working.

The problem with this current approach is summed up in what Carleton University professor and former Canadian trade official Michael Hart writes:

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.

The issue is one of focus. Honourable senators, put simply, the world is big and our international trade department is small. The resources of our Department of Foreign Affairs and International Trade are not unlimited, and when they are working on agreements like this they are not working on others.

It does not help matters that, as this government announced this past spring, 35 commerce officers — public servants specifically tasked with trade promotion — were eliminated and almost half of the associated trade offices were cut nationally.

To cut back on trade promotion is to cut back on the ability for business to do trade abroad, and it is a short-sighted measure, to say the least. I am concerned that this government is placing undue emphasis on free trade agreements with minor trading partners at a time when the attention and resources of our national government should be directed toward our priority markets.

Any discussion of priority markets must begin with our neighbour and our great friend to the south, the destination of 74 per cent of our exports, the United States of America. Trade with the United States will continue to be the dominant factor in our international trade. Why does this government keep closing consular and trade offices in the U.S. — five this year alone? It serves no purpose and lacks focus.

To ignore the reality of the United States as our number one trading partner is off the focus of what we should be doing. To put it another way, if we are to diversify away from our number one market, let us at least focus on the top 20, not on number 75.

In recent years the Standing Senate Committee on Foreign Affairs and International Trade conducted a three-year study of our current and potential trade with the BRIC countries: Brazil, Russia, India and China.

These four countries, which constitute over 40 per cent of the world's population and a quarter of its GDP, represent important future markets for Canada. Combined with Europe and our major trading partner, the United States, they will dominate our trading relationships for decades to come. Not even the most enthusiastic supporter of trade with Panama is going to suggest that this agreement will change that fact.

Perhaps, honourable senators, rather than focusing on each individual free trade agreement that comes down the pike, the Senate should look at the concept of free trade agreements and see if they do indeed live up to their reputation, and also what assistance Canadian businesses need to take advantage of the new opportunities.

[Senator Downe]

In the meantime, let us look at this deal with Panama, examine the details, hear the testimony and judge for ourselves whether it is in the best interests of this country. Naturally, if we can offer advice on how to improve it, by all means let us do so. I look forward to a thorough study.

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

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.)

REFERRED TO COMMITTEE

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

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

• (1500)

MULTIPLE SCLEROSIS AND CHRONIC CEREBROSPINAL VENOUS INSUFFICIENCY

INQUIRY—DEBATE CONTINUED

On the Order:

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

Hon. Pana Merchant: Honourable senators, I intend to speak on this matter, but I have not quite put all my notes together, so I would like to adjourn the debate for the remainder of my time.

(On motion of Senator Merchant, debate adjourned.)

[*Translation*]

FRENCH EDUCATION IN NEW BRUNSWICK

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Losier-Cool, calling the attention of the Senate to the current state of French language education in New Brunswick.

Hon. Fernand Robichaud: Honourable senators, I am in the process of reviewing my notes, and Senator Comeau can tell you that it is a very good speech. I would like to propose that the debate on this item on the Order Paper stand until the next sitting of the Senate for the time I have remaining.

Hon. Gerald J. Comeau: One of your best speeches.

Hon. Roméo Antonius Dallaire: The Acadian alliance.

(On motion of Senator Robichaud, debate adjourned.)

(The Senate adjourned to Thursday, November 22, 2012, at 1:30 p.m.)

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