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OFFICIAL REPORT
(HANSARD)

Thursday, April 30, 1998

Speaker: The Honourable Gilbert Parent

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HOUSE OF COMMONS

Thursday, April 30, 1998

The House met at 10 a.m.

Prayers

ROUTINE PROCEEDINGS

• (1005)

[*Translation*]

GOVERNEMENT RESPONSE TO PETITIONS

Mr. Peter Adams (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, pursuant to Standing Order 36(8), I have the honour to table, in both official languages, the government's response to four petitions.

* * *

CANADIAN SECURITY INTELLIGENCE SERVICE

Hon. Andy Scott (Solicitor General of Canada, Lib.): Mr. Speaker, pursuant to Standing Order 32(2), I have the honour to table, in both official languages, the public report of the Canadian Security Intelligence Service for 1997.

I ask that it be referred to the Standing Committee on Justice and Human Rights.

* * *

[*English*]

NATIONAL SECURITY

Hon. Andy Scott (Solicitor General of Canada, Lib.): Mr. Speaker, I rise to present to parliament the solicitor general's annual statement on national security, having tabled today the 1997 public report of the Canadian Security Intelligence Service.

The public report provides parliamentarians and the public with a review of the global and domestic security environment. Canadians value safety and security. Whether it is defined from the health care, environmental, consumer protection or law enforce-

ment perspective, Canadians see public safety as a key component on how we define ourselves as Canadians.

[*Translation*]

Public safety is my mission; it is the mission of the Department of the Solicitor General.

[*English*]

Whether it be pursuing the goal of more effective corrections, fighting organized crime or maintaining national security, CSIS, the RCMP, the correctional service and the National Parole Board are dedicated to public safety.

Today I want to focus on the efforts the government is making to protect Canada's interests and to safeguard our citizens from threats to their safety and security. As the CSIS public report underlines, the 1990s have been a decade of great change dominated by increased instability worldwide and the escalating use of violence for political and ideological purposes.

Terrorism, including state sponsored terrorism, is an all too frequent occurrence. CSIS has a mandate to forewarn and advise the government on such activities, providing threat assessments and helping to ensure effective consultation and information sharing with appropriate agencies.

CSIS, the RCMP and other federal departments work together to investigate and monitor the threat of international terrorist activity in a common mission to protect Canadians and Canada's interests here and abroad.

Canadians can expect to see a range of tough measures against those who abuse our democratic system and our institutions to further their deadly aims. I will outline some of the measures.

Canada is a signatory to the United Nations convention on the suppression of terrorist bombing offences and the convention on the safety of UN and associated personnel. The government plans to introduce legislation to ratify these conventions.

We want to make it much more difficult for terrorist groups to raise funds in Canada. This is a global as well as domestic problem and we are working with other G-8 countries to help develop approaches to handle this problem while not impinging upon legitimate humanitarian fundraising activities.

We also want to make it much more difficult for terrorists to enter Canada and to abuse our immigration process to avoid

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justified removal from the country. The Minister of Citizenship and Immigration is developing proposals on these issues as part of her broader reform.

• (1010)

My colleague, the Minister of Justice, has announced that she will bring major amendments to our laws on extradition to help us better meet our international commitments and to ensure that Canada is not a safe haven for criminals around the world who want to avoid justice.

I reiterate the commitment I made in this House last November to introduce legislation that would help the RCMP and other law enforcement agencies to combat money laundering. While these mechanisms are designed to counter organized crime, we anticipate there could also be benefits for counterterrorism efforts.

The RCMP and CSIS play key roles in national security. These two agencies of my portfolio are marshalling all the resources in a co-operative and integrated fight against threats to our national security. CSIS has a key role to play in exchanging information with other countries and providing relevant criminal information and strategic analysis to Canadian law enforcement.

Several countries are active in trying to steal leading edge technology from Canada. CSIS has a mandate and a responsibility to investigate these matters.

In a world driven by economic advantage we do not expect to see such activities diminish and CSIS will continue to develop co-operative arrangements with other security and intelligence services in pursuit of our security objectives.

The government is studying the issue of creating modern legislation to replace the badly outdated and overbroad official secrets act to address the threats Canada faces today.

I welcome the opportunity as well to brief the recently created special committee of the other place that will be examining our counterterrorism arrangements.

In this brief canvass of national security I have emphasized that the global situation is unsettled, often dangerous and hence has important implications for Canadian public safety. We are working hard on both the domestic and international fronts. Canada will be front and centre at the Birmingham summit of the G-8 next month to deal with threats to Canada's national security and our national interests.

Mr. Jack Ramsay (Crowfoot, Ref.): Mr. Speaker, I welcome the comments by the hon. Solicitor General of Canada.

In the four or five minutes I have I would like to touch on a number of issues. It is reported that we have a huge number of modern day war criminals in this country. The greatest threat to any nation is always the problems within a nation. The threats from

outside our nation when they become part of our nation are the greatest threats, whether criminal activity, harbouring those who are wanted for acts of genocide or other heinous crimes in their home countries and who are now living in our society, or whether it is those who are here because they want to steal the secrets we have, whether military, economic or industrial.

Until we strengthen our institutions we have designed through a democratic manner over the years to ward off these threats we are just speaking idle words.

I welcome the words of the hon. solicitor general but we must back those up by strengthening CSIS not only in numbers but also wherever it is practical and possible to give it greater legislative powers. We must strengthen the RCMP and not continue to whittle away at its budget. We are under strengthed. We must reinforce that. We must also stop allowing our military to rust out in the manner that has occurred over the last 10 or 15 years or more.

We must strengthen those institutions that protect national security, our economic security and our societal security from those external forces that once they become internal forces pose the most dire threat to the stability of this country in all these areas.

This government had better be prepared to reinforce the budgets of these institutions that we rely on to protect our security, the security of our industries and the high tech development occurring, to protect those secrets from encroachment and incursion by forces outside of our country that have almost an open door to move across our borders into our country and set up their espionage organizations to take these secrets from our very high tech society in this country and use them against us.

• (1015)

I welcome the comments of the solicitor general. Let us see some action behind those words. He can rest assured that he will receive support from the Reform Party caucus of Canada.

[Translation]

Mr. Richard Marceau (Charlesbourg, BQ): Mr. Speaker, it is a pleasure to speak today in this debate.

In tabling the 1997 public report of CSIS and delivering his annual statement on global and domestic security, the minister reflects the government's desire to remain transparent and accountable regarding the management of security intelligence issues.

Because all procedures used by CSIS cannot be disclosed, we should hope that security intelligence is gathered in a legitimate fashion. Of course, the minister stands up for his department, but troubling facts are regularly reported by the press.

In fact, how can the minister reconcile the statement he just made with the following facts?

On April 4, based on the contents of a 24-page SIRC document dated July 18, 1997, the *Toronto Star* reported that CSIS had abused and endangered a vulnerable refugee claimant by promising him asylum if he spied on fellow Tamils. While he had not yet gone through the regular immigration process, CSIS held up the possibility of his being admitted to Canada in exchange for his co-operation.

In addition, this SIRC report follows up on the fact that, in 1996, a person by the name of Thalaya Singam Sivakumar went public with his story. Mr. Sivakumar claimed that he worked for CSIS for five years because the agency promised he would be allowed to stay in Canada. But in 1994, CSIS broke off its relationship with Sivakumar and it now claims it never promised him anything.

The same SIRC report indicates that CSIS had intervened in the immigration process in other cases in order to recruit informants. A former high ranking member of CSIS, Ian Macewen, who headed the counterterrorist section for seven years said that CSIS tried to help its better informants. He added that, on four occasions during his years of service, CSIS intervened in the immigration process to obtain immigrant status for such people.

The *Toronto Star*, once again, reported on April 15 that another refugee claimant had accused CSIS of trying to force him into spying. The individual in question, Mr. Singh, comes from India, and more specifically the state of Punjab. His story is dangerously like the preceding one. He made a formal complaint against CSIS last month.

In the light of these facts, we are forced to condemn this practice of CSIS and request that these matters be studied thoroughly.

The minister announced earlier that a special Senate committee would review Canada's antiterrorist mechanisms. I would remind him that senators are appointed and do not represent the public. As they are accountable to no one, I question their ability to properly represent the concerns of Canadians.

I would ask the minister to replace the special Senate committee he wants to set up with a committee of the House of Commons.

[*English*]

Mr. Peter Mancini (Sydney—Victoria, NDP): Mr. Speaker, I too am pleased to rise to speak on behalf of the New Democratic Party.

I welcome the minister's statement on national security. I think he will recognize and agree with me that this is of importance to every single Canadian in every community of this country.

Sometimes we are left with the impression that terrorism and organized crime are problems that affect only the major urban

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centres in this country, and particularly those on the coasts where the importation of narcotics by certain groups is of real concern. In Montreal the existence of biker gangs that engage in warfare are of concern.

Many of the root causes of crime and the issues that cause people to be concerned about safety in their communities can be traced back to the influence of organized crime. It is something that every Canadian, whether they live in Ingonish, a rural community in my riding, or Winnipeg where there are concerns about gangs, or Vancouver where there are concerns about the ports, ought to take an interest in. I am sure they will watch the movements of the minister on the issue of organized crime.

• (1020)

It is an issue that requires national attention. In the last year, as I have indicated, we have realized the biker gangs and the organized crime which is present at Canada's ports. I have raised these issues in the House on many occasions. There are allegations of infiltration and involvement in the ports.

We know that Canada has been placed on the United States list of nations about which they are most concerned in terms of money laundering. This is something that this country ought to take seriously. I welcome the solicitor general looking into that because it is something that we have to be very careful of.

The increased globalization, the increased freedom of capital to flow from one nation to another, with limited checks and balances, has opened the door for organized crime to infiltrate this country. The opening of the ports, the reduction of tariffs and the cutbacks of police agencies that can properly monitor what happens in this country and what goods come in have given more power to organized crime.

I welcome the initiative. We need to allow our police agencies to become technologically advanced and ensure that they have the proper and the necessary tools to fight organized crime which is becoming increasingly technologically advanced in this country.

I welcome the comment that the Minister of Justice will bring in laws on extradition. I will not hold my breath, but I look forward to hearing them.

On behalf of the New Democratic Party I welcome the initiative. We are concerned about organized crime in this country, as are most citizens. We look forward to the dialogue.

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, I am pleased to rise on behalf of the Progressive Conservative Party of Canada in response to the solicitor general's statement on national security.

Routine Proceedings

I am also pleased that this forum is being utilized by the government and that we had the opportunity to hear a ministerial statement on such an important area. It is a very timely appearance by the solicitor general.

As has been mentioned by previous members, there has been a great deal of talk in this area. The solicitor general has repeated his pledge from last summer and again last fall to introduce new legislation on money laundering and cross-border currency controls. The fact remains that to date we have not seen that. There has been a great deal of consultation, which again I believe is a very important part of the process, but I would encourage the solicitor general to act on these initiatives.

Canadians are concerned about justice and security issues. They require more than just rhetoric. They require concrete action.

We have heard a great deal about the intention to crack down on money laundering and cross-border currency controls since September of this year. To the government's credit it did pass anti-organized crime legislation in the spring of 1997. However, like many of these initiatives, I would suggest it was not a full effort. There continue to be huge loopholes in the federal legislation, particularly when we look at what Canada has done compared to other countries.

As an example I would cite the U.S. State Department's report, "International Narcotics Control Strategy", which singled out Canada as an easy target for drug related and other types of money laundering. The report goes on to compare Canada to countries like Columbia, Brazil and the Cayman Islands as countries which are open to money laundering and places to hide illegal money.

That report identified the fact that Canada's international position is not glowing. Lack of federal legislation leaves our country open to this type of illegal activity.

This, in light of some of the other developments that have happened in this country, in particular the government's decision to disband the ports police, causes grave concern for opposition members as well as the Canadian public at large.

The problem remains. In the 10 months since the solicitor general has taken this post there have been many promises made, but we have yet to see the delivery of those promises. Canada continues to be open for business as far as organized crime is concerned.

The solicitor general did assure Canadians on Monday that he was on the job with respect to organized crime.

• (1025)

He also told us that he was going to bring biker gangs to their knees and eradicate organized crime. This is again a lot of tough

talk, but we are waiting patiently and encouraging the solicitor general to act on these initiatives.

I would also put before the House the opinion of Scott Newark, the executive director of the Canadian Police Association. He offered this statement very recently to the solicitor general: "Anyone can talk tough. Let's see some action. Here is a guy who has some power, but I have not seen him exercise it yet".

We have to be concerned when members of the policing community say those things. Mr. Newark went on to say "We are not interested in what the government says any more. We have had some very constructive and doable things that have run into a wall of indifference". I am very concerned about the confidence in the policing community when those sorts of comments are being made publicly by a gentleman like Mr. Newark.

The solicitor general outlined specifically some of the positive measures of his department and the initiatives to improve national security that would result in changes to our Immigration Act, the Extradition Act and the Official Secrets Act, among other statutes. I would certainly hope that these measures do not have a long shelf life.

I commend the solicitor general for identifying the priority area of CSIS. When this organization began a decade ago many assumed that the end of the cold war would result in a decrease in the need for international security. Sadly, this has not been the case.

Certainly in Canada we have seen a rise in the area of organized crime. This perhaps poses one of the biggest threats to national security at this time.

Page 9 of the 1997 CSIS public report states: "There are many activities in addition to the traditional threat activities which cause or have the potential to cause threats to the public safety of Canadians and the national security of Canada". Therefore, our focus may have to shift on the internal threats posed by organized crime.

In conclusion, I applaud the engagements of the solicitor general on behalf of CSIS to form intelligence activities, to enhance the protection of computer infrastructure, to review our counter-terrorism strategies and to apprise the government of foreign and domestic activities which may compromise public security. However, with that said, I am still concerned about the lack of resources to effectively implement these very laudable plans. Since the government took office in 1993 there have been more than 700 employees cut from CSIS, more than one-quarter of the total workforce.

I urge the solicitor general to engage his cabinet, in particular the finance minister, to see that this is not just talk and that these plans are going to be implemented. Like my colleagues, I look forward to working on the justice committee with the solicitor general.

*Routine Proceedings***CREDIT OMBUDSMAN ACT**

Hon. Lorne Nystrom (Qu'Appelle, NDP) moved for leave to introduce Bill C-396, an act to establish the office of Credit Ombudsman to be an advocate for the interests of consumers and small business in credit matters and to investigate and report on the provision by financial institutions of consumer and small business credit by community and by industry in order to ensure equity in the distribution of credit resources.

He said: Mr. Speaker, this bill will set up the office of a credit ombudsman to investigate and report on the availability of financial institutions to consumers and small business people throughout the country. The office will act as their representative and advocate to make sure the financial institutions are serving the communities and citizens of this country in the way financial institutions should serve Canada.

I recommend this bill to the House.

(Motions deemed adopted, bill read the first time and printed)

* * *

• (1030)

PETITIONS

GROUP CRIME

Mr. Carmen Provenzano (Sault Ste. Marie, Lib.): Mr. Speaker, pursuant to Standing Order 36, I rise to present a very important petition signed by some 5,000 concerned residents of Sault Ste. Marie.

The petitioners strongly believe, as I do, that violent group crime by teenagers is a growing problem in Canada. I join these concerned citizens in calling on parliament to conduct a nationwide study of this very serious problem and to enact tougher penalties for participation in such criminal activity.

MULTILATERAL AGREEMENT ON INVESTMENT

Mr. Rahim Jaffer (Edmonton—Strathcona, Ref.): Mr. Speaker, on behalf of the constituents of Edmonton Southwest, I have a petition to present to the House on the multilateral agreement on investment asking that public hearings be held across the country so that Canadians have the opportunity to express their opinions about the agreement before parliament ratifies it.

BIOARTIFICIAL KIDNEY

Mr. Peter Adams (Peterborough, Lib.): Mr. Speaker, I am pleased to present another petition from petitioners in support of the development of a bioartificial kidney in Canada. It is signed by Ken Sharp and 300 people from the Peterborough area.

These citizens note that there are 18,000 Canadians suffering from end-stage kidney disease. Kidney dialysis and transplants

have been a successful and important form of treatment, but they believe these services are inadequate. They call upon parliament to support the bioartificial kidney which will eventually eliminate the need for both dialysis and transplantation for those suffering from kidney disease.

* * *

[Translation]

QUESTIONS ON THE ORDER PAPER

Mr. Peter Adams (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, we will be answering Question No. 13 today.

[Text]

Question No. 13—**Mr. Greg Thompson:**

Why did the government leave out key recommendations contained in the draft report of the Review of Section 14 of the Patent Act Amendment 1992 (Chapter 2, Statutes of Canada 1993) submitted to the Ministries of Health and Industry by the Standing Committee on Industry in April 1997 and why, in particular, was recommendation N concerning the repeal of the linkage regulations left out?

Mr. Peter Adams (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): The government was not involved in finalizing the report of the Standing Committee on Industry, which completed its review of section 14 of the Patent Act Amendment Act, 1992 and presented its report to the House of Commons in April 1997.

[Translation]

Mr. Peter Adams: Mr. Speaker, I suggest all other questions be allowed to stand.

[English]

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, I rise on a point of order. Yesterday in the House I asked the parliamentary secretary again when he expects to provide an answer to Question No. 21 which was asked on October 2, 1997.

This is bordering on lunacy. It is bordering I suspect on a breach of parliamentary privilege when a person has to get up in the House and ask 10 times when the answer is going to come. Not only are we not getting the answer, we are not even being provided a timeframe as to when that answer might come.

Because of the high regard I hold for the parliamentary secretary, I do want to put him on notice that this issue is not going to go away. The case is not closed. I would like to have some idea when we might expect an answer to Question No. 21.

Mr. Peter Adams (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, as you know Routine Proceedings were in the afternoon yesterday. Following those proceedings I did follow up the member's request

S. O. 52

with respect to Question No. 21. I have not heard anything further about it this morning. I will continue to pursue the matter.

The Speaker: Shall the remaining questions stand?

Some hon. members: Agreed.

* * *

[Translation]

REQUEST FOR EMERGENCY DEBATE

HEPATITIS C

The Speaker: Today I received a letter from the leader of the Bloc Québécois requesting an emergency debate. I give him the floor.

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, pursuant to Standing Order 52, I wish to request that the House hold an emergency debate regarding federal government compensation for all contaminated blood victims.

The federal and provincial governments signed an agreement on March 27, 1998 to compensate all those who contracted the hepatitis C virus through contaminated blood between January 1, 1986 and July 1, 1990. Under this agreement, those who contracted the hepatitis C virus through contaminated blood before or after the dates mentioned in the agreement are not eligible for compensation.

Despite repeated requests from all opposition parties, the federal government still refuses to compensate victims excluded from the agreement with the provinces.

• (1035)

As justification, the federal government invoked the agreement signed with the provinces. Government members suggested, however, that the government might re-examine its position if the provinces were prepared to propose extending the compensation program to all victims.

Yesterday, one of the parties to the agreement took a stand against the federal government's position. The Quebec National Assembly unanimously passed the following motion introduced by the leader of the Quebec Liberal Party, and I quote:

That the National Assembly, subsequent to the motion passed unanimously on December 2, 1997, declare its support, on humanitarian grounds, for extending the existing compensation program to all contaminated blood victims not covered by the program.

That the costs of extending this program be funded by the federal government, since the Government of Quebec is already covering the costs of all care and services provided to these individuals.

That the Government of Quebec urge the federal government to follow up on this resolution and encourage the other provinces to make a similar request of the federal government.

In light of the Quebec National Assembly's unanimous vote, it is our view that the House of Commons should immediately and on an urgent basis consider its request. Members will understand that, for humanitarian reasons, we cannot allow those who contracted the hepatitis C virus from contaminated blood and who are ineligible for compensation to remain in uncertainty.

I therefore ask you, Mr. Speaker, to make it possible for the House to truly play its role, and for all parliamentarians to be able to express their views freely, unfettered by party politics.

I urge you, Mr. Speaker, to give favourable consideration to my request for an emergency debate on humanitarian grounds.

Hon. Don Boudria (Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I should remind all members of this House that, under Standing Order 52.(4), to which the hon. member just referred—

Mr. Michel Bellehumeur: Tell that to those who are dying.

Hon. Don Boudria: Mr. Speaker, if we have the right to rise on a point of order, we should also have the right to see that the Standing Orders are complied with. Standing Order 52.(4) reads as follows:

The Speaker shall decide, without any debate, whether or not the matter is proper to be discussed.

[English]

Further, Standing Order 52(3) states:

When requesting leave to propose such a motion, the Member shall rise in his or her place and present without argument the statement referred to in section (2) of this Standing Order.

In the future I would certainly hope that the rule being invoked by members be at least followed by the same members invoking it.

Mrs. Elsie Wayne (Saint John, PC): Mr. Speaker, in view of what happened at the National Assembly in Quebec last night, fundamental changes have taken place in the circumstances surrounding this issue. There certainly should be an emergency debate.

The Speaker: Today I did perhaps give a little extra time. I accept responsibility for that. The hon. government House leader is correct. I and other members are well aware of the regulation he is referring to.

[Translation]

I received the letter earlier this morning. I read it and I gave it careful consideration. I also paid close attention to the comments of the Bloc Québécois leader and, in my opinion, this request does not meet the requirements of our Standing Orders.

*Government Orders**[English]*

I wish to inform the House that pursuant to Standing Order 32(2)(b), because of the ministerial statement Government Orders will be extended by 21 minutes.

GOVERNMENT ORDERS

- (1040)

[English]

CANADA SHIPPING ACT

The House proceeded to the consideration of Bill C-15, an act to amend the Canada Shipping Act and to make consequential amendments to other acts, as reported (with amendments) from the committee.

Hon. Don Boudria (for the Minister of Transport, Lib.) moved that the bill, as amended, be concurred in.

(Motion agreed to)

The Deputy Speaker: When shall the bill be read the third time, by leave now?

Some hon. members: Agreed.

Hon. Don Boudria (for the Minister of Transport, Lib.) moved that the bill be read the third time and passed.

Mr. Stan Keyes (Parliamentary Secretary to Minister of Transport, Lib.): Mr. Speaker, as always, I consider it a privilege to speak about Bill C-15 on the third reading debate.

Before I discuss the bill, the Minister of Transport and I would like to acknowledge the important role that has been played by the members of this House and the Standing Committee on Transport who have undertaken an examination on the proposed legislation.

As hon. members will recall, this bill is the product of the first phase of a two track reform to overhaul the Canada Shipping Act, an act that is in serious need of major reform.

Bill C-15 will bring about change for the shipping industry, change that is recognized as necessary and highly anticipated. It is a modern statute that can only benefit the marine sector and I am pleased to see the process of the overhaul proceeding so well.

As the bill enters third reading debate, I am happy to report that provisions of the bill have been favourably accepted. Concerns have been addressed by the standing committee and minor amendments proposed to the legislation have since been included.

Changes to Bill C-15 would not have been possible without the dedicated efforts and review of the bill by industry. Industry

involvement resulted in government amendments which have improved the wording of the statute.

Key amendments to Bill C-15 include the removal of the section of the bill which updated the regulation-making authority for the licensing of small vessels.

As previously stressed, this government is sensitive to the concerns raised by my colleagues in this place. I am pleased to say that the committee was able to have a thorough discussion on the issue of small craft licensing.

The results are that the proposed section that caused concern has now been removed, while leaving the existing provisions of the act unchanged to permit continuous operation of Canada's licensing system which enables law enforcement agencies and rescue groups to locate and identify vessels. This change will provide the Department of Fisheries and Oceans with sufficient opportunity to review the regulation-making authority for the licensing of small vessels.

In addition, industry requested an amendment to clarify the government's intent regarding regulations for the control and management of ballast water in order to ensure that all ballast water was not treated as pollutant.

The statutory power to manage ballast water and to reduce harmful organisms being introduced into Canadian waters will now be available for all Canadian waters, including the Arctic. This will further strengthen environmental protection and enforcement mechanisms and will reduce the threat of harmful aquatic organisms.

I am also very pleased to see this progress. It further supports the desire to continue with the overhaul of the Canada Shipping Act to produce new legislation that is modern and which will help industry operate safely.

To recap, this proposed legislation consists of a new addition to the act that outlines the objectives and framework of the act where this previously did not exist. This will provide focus and direction for the entire statute.

As well, the modernization of the ship registration and ownership provisions coupled with the other urgent amendments included from former Bill C-73 truly helped set the government's direction. We will achieve our goals of simplified legislation that is up to date, consistent with federal regulatory policies and able to successfully contribute to the economic performance of the marine industry. Industry stands behind us as we move toward a new statute and the government stands behind its commitment to deliver.

- (1045)

As efforts are made by Transport Canada to modernize the national transportation system it is recognized that modern shipping legislation is vital to meet the demands of a global market-

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place and to prepare Canada for the upcoming century. We are mindful of the need for Canada to remain competitive internationally as this is the very essence of a successful economy.

Throughout the process of consulting and subsequent drafting of this legislation officials from the Department of Transport have spoken at great length with industry, including shipowners, ship operators, seafarers, unions and the marine legal community.

I take this opportunity to thank these industry groups for their participation in this reform and their ongoing contribution and support for the new legislation. I am thoroughly convinced and I am sure every member of this House will agree that this new legislation represents an important step toward modernizing Canadian marine legislation.

I urge all my fellow colleagues, all members of parliament, to lend their support in order to pass this bill so it can also pass through the Senate in a timely fashion.

Mr. Lee Morrison (Cypress Hills—Grasslands, Ref.): Mr. Speaker, as the hon. parliamentary secretary mentioned, Bill C-15 did not receive much attention in committee from stakeholders.

The general consensus among the people in the marine industry seems to be they would like this legislation passed in order to get it out of the way and do away with any regulatory uncertainty. I do not believe there is any debate on this side of the bill.

There are some non-commercial ramifications, however, to the marine act. As the hon. parliamentary secretary mentioned, in committee we did try to address the very well founded concerns of the millions of citizens who own small boats subject to regulation by DFO.

A section was removed from the bill during the clause by clause examination. This would have permitted the governor in council to require the registration of small boats for a fee. I am very grateful this section is no longer included but under our system almost anything is possible under orders in council, and unamended section 108 of the existing marine act could still be used to achieve that same purpose.

Section 108 has been in place since 1936 and it has not been abused, but this government, unlike any other government in my memory, loves to make regulations, loves registering things and loves to collect fees. It is a disease. It likes to collect fees on firearms, pleasure boats and, who knows, perhaps electric toothbrushes. In any event, we can only maintain an attitude of watchful caution.

A recent DFO publication entitled "Your Safety Comes First" is a classic example of what I am referring to about bureaucracy running amok, the busy work of desk sailors with nothing useful to do. I have had many expressions of concern from people who feel

the coast guard has lost its compass and is totally at sea with its intrusive, impractical lists of not dos and don'ts.

Mr. John Herron: Mr. Speaker, my sincere apologies to my hon. colleague. Fellow parliamentarians should have the opportunity to hear his words, but given that I do not see a quorum in the House at the moment, I think we should give this gentleman the opportunity to have his speech heard properly.

• (1050)

The Deputy Speaker: I do not see a quorum. Call in the members.

And the bells having rung:

The Deputy Speaker: I see a quorum. The hon. member may resume his remarks.

Mr. Lee Morrison: Mr. Speaker, I will read into the record a couple of samples from "Your Safety Comes First". These are some of the requirements for vessels up to six metres in length. This would include canoes: a buoyant heaving line of at least 15 metres or an approved throwable floating device; distress signals; a watertight flashlight and a heliograph or six Canadian approved flares, of which at least three must be of either type A, B or C and at least two of type D; navigation equipment; a sound signalling device and, if the vessel is operated between sunset and sunrise or in periods of restricted visibility, navigation lights that comply with the collision regulations. If the vessel is not power driven, navigation lights could be replaced by a watertight flashlight.

Gee, thanks. And of course all canoes must now be equipped with tow lines. The people who wrote this little guide did have some compassion, though. They said that if a boat does not have a motor it does not require fire extinguishers. It amazes me that they realize that.

I understand this little bureaucratic effort was partially prompted by concerns over the proliferation of jet skis and of overpowered nuisance craft in recreational areas. These are genuine concerns but these problems could be easily addressed by rigorously enforced local ordinances prohibiting their use in certain venues. Do not let them run the Sea Doos through the swimmers. This is why we have local law enforcement. The dead hand of federal authority is hardly necessary.

These are merely cautionary remarks since they deal with something that is possible within existing legislative constraints. We can only be vigilant and ready to respond to the wave of complaints that will inundate us when the decision is made to put licence plates on all canoes, if big nanny does everything she would like to do.

As far as the new registration and regulation regime for commercial vessels is concerned, the Reform Party has no objections and we will support the legislation.

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• (1055)

[*Translation*]

Mr. Michel Guimond (Beauport—Montmorency—Orléans, BQ): Mr. Speaker, I am pleased to address Bill C-15. My comments will be brief, if I am not interrupted.

As the parliamentary secretary and member for Hamilton West rightly pointed out, the purpose of this bill, which has the unanimous support of the Canadian and Quebec marine communities, is first and foremost to modernize an act which, if I am not mistaken, dates back to the beginning of the century.

As is always the case at report stage, the government can be assured of our party's co-operation and participation to ensure that this legislation is passed quickly and referred to the Senate which, unfortunately, is a totally useless institution. If we had only one House, as is the case in a number of democracies, we would not have to solicit the approval of a group of non-elected people rewarded for their political loyalty with patronage appointments.

So, we are in favour of this bill being passed quickly. As I said, there is unanimous support from the marine community, and there is a need to modernize the existing legislation.

In the next few minutes, I would like to insist on a specific issue. The Parliamentary Secretary to the Minister of Transport was right to express his appreciation of the co-operation of the members of this House in the steps leading up to where we are today. I will return the compliment by pointing out that he has made changes at the request of the Bloc Québécois and others by withdrawing the clauses on mandatory registration as well as the charges for small vessels.

I pointed out to him, both in private and in committee meetings, that, if the government followed through with its plans, I could guarantee that there would be widespread protests and demonstrations, since many small boat owners feel that the bill's intention to charge small vessels and require their registration is totally ridiculous.

We are not talking here about motor boats on Lac Des Deux Montagnes, but the requirement to register pedal boats, rowboats, sailboards, canoes and kayaks.

An hon. member: Life preservers will be next.

Mr. Michel Guimond: The government has shown it could be reasonable by agreeing to delete those clauses.

I urge the owners of vessels of this type, including pedal boats, rowboats, sailboards, canoes and kayaks, to watch out, because in the past the government has shown some open-mindedness and withdrawn some clauses, but then sneaked them back into an

omnibus bill on a Friday evening when there are fewer MPs in the House, since we are working hard in our ridings. This would not be the first time the government has pulled such a sneaky trick.

I therefore call upon the owners of these vessels, the people who live in the Gaspé, Lower St. Lawrence, Saguenay-Lac-Saint-Jean, Lanaudière and Charlevoix regions, where there is a lot of recreational boating, hunting and fishing and where people like to go out for a relaxing paddle and a little fishing after supper with their dogs and children, to be very vigilant.

• (1100)

People in the regions should watch out because the government may be tempted to bring these proposals back again. The 44 members of the Bloc Québécois have been warned and they too will be vigilant in looking after the interests of Quebeckers.

I have pointed this out to my colleague, the hon. member for Trois-Rivières, who is the Bloc Québécois critic for the coast guard, as well as to the hon. member for Bonaventure—Gaspé—Îles-de-la-Madeleine, who is our critic for fisheries. He will monitor legislation from Fisheries and Oceans, because the government might try to sneak something back in.

I thank the government and commend the fact it took advantage of Bill C-15 to correct an aberration and an unacceptable situation with respect to the Lower St. Lawrence pilots' pension plan. I thank the government for ensuring that the corporation in question will not be sued or suffer the inconvenience of possible lawsuits.

I thank the government for updating the provisions relating to the Lower St. Lawrence pilots' pension plan. The pilots' minds must be on what they are doing, which is first and foremost marine safety and environmental protection in our waters, and on the St. Lawrence river in particular.

Their minds must also be free to withstand the attacks of St. Lawrence ship owners who keep asking, every 18, 24, 30 or 36 months, that compulsory pilotage be abolished in Canada. We know that the ship owners' lobby is very powerful because of the contributions it makes to the Liberal campaign fund.

To conclude, our party will support this bill at third reading.

[*English*]

Ms. Bev Desjarlais (Churchill, NDP): Mr. Speaker, I rise today to speak against Bill C-15, an act to amend the Canada Shipping Act and to make consequential amendments to other acts, brought forward by the Minister of Transport.

We in the New Democratic Party agree it is time to bring some clarification and we have heard that the Canada Shipping Act is second only in size and complexity to the Income Tax Act and

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could use some updating, as could the Income Tax Act. The New Democrats believe it is time to reform the Canada Shipping Act.

Bill C-15 intends to do just that by adding a preamble to clarify its objectives, definitions and interpretations and to lay out the roles and responsibilities of the Minister of Transport and the Minister of Fisheries and Oceans. Currently there is no introductory part.

However, my party has concerns with the bill. I will not go into as much detail as I did at second reading but I do want to take the opportunity to say that it is somewhat annoying as to how we have dealt with Bill C-15. Sometimes it is difficult for MPs to find that a bill is up one day and then not, then up again and then we wait for months. For organizations and persons outside government it can be a strenuous task to follow the process of a bill, as with Bill C-15.

The bill is being presented as just a housekeeping bill and we should not worry too much about it. For the people in the maritime sector some of the changes are worrisome and critical, and these are some of the concerns.

It is common knowledge that sailors' human rights are often violated on foreign vessels. We cannot accept in Canada to lower the working conditions of sailors. We do not want a system in some countries of the third world where sailors have no rights aboard a ship, where they are at the mercy of the company they are working for. Press articles have indicated that federal fisheries observers are afraid some foreign ships they are assigned to are in such poor shape they could break apart and sink. We cannot expect it is only fishing vessels that are in bad shape. This was certainly verified by presentations at the port state control meetings in Vancouver last month.

It is worrying to think that the minister will hand over the inspections of the ships from Transport Canada inspectors. Even if the inspections were to be handed over to classification societies there is still cause for concern. It is no wonder that each year statistically 10 bulk carriers sink without a trace, usually taking a 25 person crew with them. Yet the crews are mostly from third world countries we have never heard of.

• (1105)

It is very obvious when classification societies are allowed to operate without government supervision, the market sets the standards for safety with the job always going to the cheapest, usually least safe operator.

Are we ready to accept such a system in Canada? We suffer from the cuts to airports. We suffer from the privatization of port police. Are we now going to have to suffer because ship safety goes down? We cannot put our safety or the environment in jeopardy.

As I stated at second reading, I strongly oppose the government's authorizing any person, classification society or other organizations to conduct the inspections.

This section is contrary to the stated objectives of the new act. Privatization of inspection will not encourage viable, effective and economic marine transportation. What it will do is increase bottom line pressures to cut corners and do things the cheapest way rather than the safe way. It is very worrying to think that the minister will hand over the inspections of these ships from Transport Canada.

Were this amendment to pass into law, the job of inspecting oil tankers and chemical tankers operating in Canadian waters could become patronage appointments. The classification societies include disclaimers of responsibility in all their documents and several court cases over the years have shown them immune from being sued, even where there is evidence of negligence.

A further point of concern is in section 317(1), inspections by others. The revenues generated by Transport Canada ship inspections will now be handed over to the private sector. A figure of \$12 million per annum has been stated. Canada must compete with the United States. We are at a competitive disadvantage.

We have heard concerns that ships under 15 tonnes will be exempt from mandatory registration under the act. Their registration will be optional under section 17. The department's logic is that the registration of the large number of small vessels is neither practical nor necessary. However, tow boats under 15 tonnes tow equipment and fuel barges as well as log tows competing with vessels which are registered and required to meet Transport Canada's vessel standards.

The unregistered vehicles not only undercut vessels which meet standards, they are doing work which is hazardous to the environment and to marine traffic. Often their equipment does not meet the standards and their operators are not certified.

Some of the major objectives in the Canada Shipping Act are to protect the health and well-being of individuals, including the crews of ships, promote safety in the maritime transportation system and protect the marine environment from damage due to navigation and shipping activities.

If the act is intended to provide a level playing field, then all vessels engaged in commercial activities should be registered and inspected regardless of tonnage. As well, the act should require risk assessment in standards of equipment and certification. Registration should be required for all vessels towing fuel barges or other hazardous goods. It is important for the safety of our waterways.

It has also been brought to my attention that with the downturn of the fishery on the east and west coasts, many fishermen have

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turned toward tourism as an alternative source of income. This has led to an increasing number of tour boats. These boats may be under 15 tonnes. Are we going to put our tourists at risk on boats that are not duly inspected because they are less than 15 tonnes? Let there be no misunderstanding. I am not suggesting that small pleasure craft need be inspected.

Another area of concern is the regulation respecting the control of ballast water. In a move to protect Canadian waterways from outside pollutants, ballast water must be exchanged while at sea. There was concern that by referring to products brought in by ballast water as pollutants, this would be subject to more stringent enforcement. To me that was a good thing. I have been to the Vancouver port and heard the praises of the representatives with regard to their clean water which they noted in conjunction with the exchange of ballast water.

I sincerely hope the changes in this section do not decrease Canadian standards and do not increase pollutants into Canadian waters, whether it be oil or outside water species.

To conclude, Bill C-15 is an improvement over the previous act. But there are still many areas of concern. As a result my party will not be supporting the bill.

Mr. Norman Doyle (St. John's East, PC): Mr. Speaker, I am pleased to rise today on behalf of my colleague, the member for Cumberland—Colchester, to say a few words on Bill C-15, an act to amend the Canada Shipping Act.

• (1110)

The Canada Shipping Act, as we are all aware, is one of the oldest pieces of legislation still in effect in Canada. It was enacted in 1936. It is the primary legislation today for governing Canadian ships in Canada's jurisdiction.

With the reorganization of both the Department of Fisheries and Oceans and the Department of Transport, new emphasis and a clearer outline of ministerial responsibilities of both these departments is now needed. The merger of the Canadian Coast Guard with the Department of Fisheries and Oceans was completed with the responsibility for coast guard functions being transferred to DFO with the exception of harbours, ports, ship safety, pilotage and crown corporations.

Transport Canada now has the prime responsibility for overseeing the reform of the Canada Shipping Act. However, some sections of the act will fall within the Department of Fisheries and Oceans, specifically those relating to pleasure craft, search and rescue, wrecks, and pollution preparedness and response.

The reform that is currently under way will help simplify the regulatory framework and make the shipping act more consistent with current regulatory policy. In the end, reforms should help contribute to a better economic performance in the marine industry.

The government has chosen to carry out these reforms in a two step approach. The first step takes place with Bill C-15. Under Bill C-15 there will be a new general part that will be added to the beginning of the act followed by a revision of the existing part one that will deal with ship registration, ownership and mortgages.

Part two of the reform to the act will deal with the remaining parts of the shipping act, specifically areas of safety, certification, conditions of work, accident investigation, navigation, wrecks and salvage and economic and environmental issues.

At this time it is my understanding that part two of the reform is estimated to be ready next year in 1999. We anxiously await these reforms. We look forward to reviewing and debating the issues that will emerge at that time.

Bill C-15 will enable Transport Canada to assume complete responsibility for ship registration and related activities. The Minister of Transport will be permitted through this act to appoint a chief registrar who will be responsible for the registration of ships. The registrar will deal with specific information such as the name and description of the Canadian ship, the official number and its registered tonnage, the name and address of its owner and details of all mortgages registered.

That gives Transport Canada the responsibility for ship registration currently performed by Revenue Canada, customs and excise division.

This legislation will require that every ship that exceeds 15 tonnes gross tonnage is owned only by qualified people and that those not registered in a foreign country would have to be registered. Also proposed in the bill for the first time certain foreign ships will be allowed to register in Canada.

We in this party are in favour of many of the reforms included in this bill. It is important to point out that Bill C-15 was introduced in October 1997. However, it is essentially the same bill as Bill C-73 introduced in December 1996. Unfortunately, because of the election, the bill died on the order paper.

Reforming the outdated shipping act is important and it can provide significant benefits for Canada such as more employment and business opportunities for Canadians, a rejuvenated marine infrastructure and better service for Canadian exporters.

In addition, under sections 35 and 36, the minister can appoint persons to be known as tonnage measurers who calculate a ship's tonnage.

• (1115)

The tonnage measurer may withhold the tonnage certificate until the person requesting it pays the tonnage measurer's fees and travel expenses. The minister may set limits on the fees and expenses charged. Although tonnage measuring is obviously important, we hope that fees and expenses remain reasonable so we may limit

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possible additional costs being passed on to shippers. This is something to consider and watch for in the future.

The current Part I of the act will be replaced with a new Part I that would modernize the registration of ships. Certificate of registry will now have an expiry date. The subject of expiration is understandable in the context of the transitional period updating the registration of ships from the old act to registration under the new act.

However, section 48 outlines many sweeping changes that cabinet may make. One area of concern under this section is the issuance and renewal of certificates of registry. Although it is important to have updated registration information about all ships, we hope that future changes that may be made will not mean more bureaucracy or excessive costs associated with too frequent registration requirements. We have to be very careful of that. It was a concern of the member for Cumberland—Colchester.

Under the bill the Department of Fisheries and Oceans will be provided with greater authority to regulate pleasure craft. In this regard we are somewhat concerned that the government not go too far in the regulation of pleasure craft. If there is a safety risk we are certainly in favour of it, but let us not have regulation for regulation's sake. We would encourage caution here.

We are pleased with certain aspects of the bill. Clauses pertaining to definitions are important. Passenger safety will be enhanced by eliminating the specific reference to owner or a charterer in the current definition of passenger, which in the past possibly permitted some charterers to get around meeting specific safety regulations. Therefore we think it is a good thing.

The member for Cumberland—Colchester wishes to bring the issue of small vessels to the attention of the House. This legislation deals mostly with large vessels. It has not taken into account that small vessels are very often built by manufacturers or individual owners that may have fallen outside of regulations that apply to larger vessels. It is important that these manufacturers comply with construction and manufacturing standards just as manufacturers of larger vessels do.

We support this bill. It is long overdue. It is unfortunate the legislation was not passed when it was in the form of Bill C-73. However, it is here now and we support it, especially since it has gone through the committee process.

When one of my colleagues addressed this bill at second reading he expressed concern that the bill would apply to pleasure craft as if they were larger commercial ships. Given the millions of pleasure craft in Canada this would, at best, be a bureaucratic nightmare. At worst it would be a huge tax grab on behalf of the federal government. I am told that our point of view prevailed at committee, so the bill's application to pleasure craft will be amended.

However, we would do well to be vigilant as we have heard rumblings that DFO will try to do this through existing regulatory power. We will be watching this matter with some concern as the future unfolds.

We support this initiative and we look forward to phase two of the reform which is slated for next year.

• (1120)

Mr. Stan Keyes (Parliamentary Secretary to Minister of Transport, Lib.): Mr. Speaker, as I always do, I sat in my place and listened to all the members opposite give their representations. Therefore, I will take this opportunity to make a comment rather than to ask a question.

I want to respond to the hon. member who just spoke and, as an aside, respond to members opposite, especially the member of the New Democratic Party who addressed the issue of delegation of ship inspections to a classification society. I want to respond to her concerns and the concerns of her party, even though the NDP is the only party in this place which will oppose the bill. The hon. member had an opportunity both in committee and here today to bring forward a constructive amendment, but there was no amendment. However, the NDP is still going to oppose the bill. It is rather confusing, but I guess they can oppose for opposition's sake.

I want to make it clear to the hon. member and her party that the objectives of the Canada Shipping Act make it clear that the Minister of Transport is responsible for all matters relating to marine safety involving commercial ships. In order to achieve these objectives the minister is authorized to enter into agreements respecting the administration of any provision of the Canada Shipping Act or the regulations. The minister can authorize any person with whom an agreement or arrangement is entered into to exercise and perform such powers and duties under the act as are specified in the agreement or the arrangement.

The proposed provisions in the bill are consistent with this authority and in no way—and I speak directly to the NDP member—undermine the overall safety of the marine community. Given that the minister is delegating this authority to organizations such as classification societies which will conduct inspections on behalf of the minister, the minister must be satisfied that the delegated party is qualified to perform the assigned duties. The minister will only delegate responsibilities to qualified organizations or persons.

Classification societies are international, not for profit organizations that provide ship survey expertise around the world and, as such, Transport Canada will enter into a memorandum of understanding with every delegated organization to establish reporting mechanisms and to establish the qualifications required for personnel carrying out the delegated responsibilities.

To ensure adherence to agreements and memoranda, any delegation of authority will be subjected to Transport Canada audit and quality assurance. These organizations or persons will be audited by Transport Canada inspectors through spot checks and documented audits. The department will also conduct inspections on any shipowners suspected of contravening marine safety regulations.

I want to take this opportunity to thank the hon. member from the NDP for her interjection. It is unfortunate that while every party in the House is prepared to support the bill only members of the NDP are not. I hope this latest interjection by myself will maybe change their minds at the end of the day. If it does not and there are no amendments forthcoming, it is rather puzzling.

The Deputy Speaker: Is the House ready for the question?

Some hon. members: Question

The Deputy Speaker: The question is on the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

An hon. member: On division.

(Motion agreed to, bill read the third time and passed)

* * *

[Translation]

COASTAL FISHERIES PROTECTION ACT

The House resumed from April 29 consideration of the motion that Bill C-27, an act to amend the Coastal Fisheries Protection Act and the Canada Shipping Act to enable Canada to implement the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 Relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks and other international fisheries treaties or arrangements, be read the second time and referred to a committee.

The Deputy Speaker: The hon. member for Bonaventure—Gaspé—Îles-de-la-Madeleine—Pabok had 13 minutes remaining when this bill was considered last time.

• (1125)

Mr. Yvan Bernier (Bonaventure—Gaspé—Îles-de-la-Madeleine—Pabok, BQ): Mr. Speaker, I will try in the 13 minutes at my disposal to continue my remarks and instruct the members opposite on a potential management philosophy.

An hon. member: There aren't any.

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Mr. Yvan Bernier: There may not be many of them, but I am sure we can rouse them.

To carry on where I left off, I mentioned yesterday to them that, according to the Standing Committee on Fisheries and Oceans, which tabled a unanimous report, a consensus had to be reached on the fish stocks problem in Canada. The five parties in the House were unanimous in describing the problem as poor federal government management. This is not me speaking, it is what the House standing committee report said, unanimously.

Second, once we agree on the problem, we can start looking for solutions. The Standing Committee on Fisheries and Oceans, again unanimously, said an independent committee should look at the management methods of the Department of Fisheries and Oceans and the methods used to determine acceptable catches, that is, just how much fishers can catch.

Up to this point the recipe is fine. We can see the approach. First, we agree on a definition of the problem and, second, on how to find a solution. An independent committee is not something that works along party lines. But why go that route? This is where it gets interesting.

The standing committee is not the only one to say that the public has lost confidence. So does the advisory committee on fishery resources. I am told that it too raised the matter of the fishers' and the general public's loss of confidence in the management of Fisheries and Oceans.

I have a really big question in mind: Who will administer Bill C-27 and who will sign the United Nations Fisheries Agreement? The same gang that is responsible for depletion of the stocks. That makes no sense whatsoever.

They are being offered an opportunity to get that confidence back. First of all, the public and the fishers must be consulted, and agreement reached with them on acceptable means of management and on total catches, as well as how these will be determined.

I repeat, the same recipe that was used in the past is the one being used for the UNFA, and the same gang is still in charge. They need to put their house in order. Confidence must be restored.

I have another approach to suggest to the minister. The Constitution of Canada says that the federal government is responsible for fish catches. When the minister is questioned closely, he says he is responsible for conservation. But what is he saving, the resource, or his people's jobs? This is where it gets a bit disconcerting.

Everybody is mad at them, even the staunchest federalists are saying that this no longer makes any sense. If the minister really wants to think about conservation, let him do so. But what I want to see, as proof of his desire to do so, is fisheries plans, which are one way of preserving the resource, and agreement with the fishers.

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When we refer to a fisheries plan, we mean one relating to conservation measures.

Why has the crab fishing plan for zone 12 of the Gulf not been released yet? Have the biologists not given their opinion? Yes, they have. Have the fishers and the departmental staff not reached agreement on the Panel on Ice? Yes. What is left in connection with conservation that needs to be studied? Is it not rather the economic questions that are not settled? If it is economic questions that need to be looked at before releasing the fisheries plan, is this not exceeding the mandate? That is another good question.

If he really wants to solve economic problems, I can mention a few that come under his responsibility, TAGS for instance. It is also part of his jurisdiction to solve the AFS problem and to have an overall vision of fisheries. But this has not been resolved yet.

• (1130)

The standing committee agreed unanimously on its recommendations, including Recommendation No. 10. He was asked to extend TAGS with all those who were participating in it from the beginning until the moratoriums are lifted, or as long as no management decision has been taken regarding the size of the industry and its future direction.

In order to decide what this direction should be, the Minister of Fisheries and Oceans and the Minister of Human Resources Development should talk with the provinces. If rationalization is what they are hoping for, how are they going to persuade the provinces to go along with rationalizing their plant workers unless this is tied in with the catch?

Perhaps one approach would be to offer historic quotas. That would be one way of reassuring the provinces about the rationalization plan that they will have to come up with.

Since the minister's constant answer to our questions is that his job is protection, all he has to do is sit tight here in Ottawa and say "My job is to ensure that the number of fish taken is not greater than the number I have authorized". However, in that case, he should let the provinces, with the quota they are given, share the resource and reach an agreement with workers.

That is what should be done, particularly as there have been some changes since my arrival in Ottawa in 1993. The Minister of Human Resources Development knows very well that, as a result of constructive criticism, there are manpower training agreements with the provinces. Why would the Minister of Fisheries and Oceans not delegate quotas to his provincial counterparts?

The Minister of Human Resources Development could then say to a province "You will decide how many people you need and we will give you money to retrain the rest. But you will do it as you

see fit, in terms of what you have to offer". Everybody knows that Canada is a big country, but the problems in the Gaspé are not necessarily the same as those in St. John's or Halifax.

This is 1998. I understood this a long time ago, and I would like them to understand it as well. So I am making this suggestion. I would like the minister to tell me how he could do otherwise, and to try to answer the question as to how the provinces can agree to rationalize their fishers if the resource is not tied to the number of workers.

If we go a little further to give the minister and Canadians a chance to solve the issue, other management tools must be put in place. Once the provinces have their quotas and their traditional share, they should set up unloading facilities.

Why? This is always of interest to the Minister of Fisheries and Oceans. As we know, there are fewer fish than there used to be, at least in the case of cod, redfish and turbot. But there are other species of fish. Why are we not able to find a market for the so-called underused species? It is precisely because they are not numerous enough or because we are not used to them. We should get consumers interested in these other species.

Let me give you the example of a fisher who arrived at the port with 8,000 to 10,000 pounds of turbot, which was its main catch, 6,000 pounds of redfish and, because I put him in contact with other markets, 1,000 pounds of monkfish.

The turbot brought in between \$6,000 and \$7,000, since fishers try to make a trip that will bring in about \$10,000. The 5,000 to 6,000 pounds of redfish at 20 cents per pound were worth \$1,000. However, the 1,000 pounds of monkfish, which used to be thrown back into the water because no one knew this species in the Gaspé Peninsula at the time, found a market at \$1 per pound.

The fisher realized that his 5,000 to 6,000 pounds of redfish was taking a lot of room on his boat and was not worth more than the 1,000 pounds of monkfish, which he could handle individually when lifting his nets.

If we can concentrate on these 1,000-pound catches of monkfish, skate and other species whose names I do not know or I forget, it will allow us to develop a distribution network that will ensure the survival of our fisheries.

• (1135)

How could a province or region of Canada establish such mechanisms if they do not have the tools? I urge the minister to be very careful to stick to the existing formula. Everyone in the Gaspé, Newfoundland and New Brunswick knows that the resource is migratory, and it does not reach our shores at the same time and in the same quantities. These are things that must be considered.

Who is in a better position to take a decision and direct fishers and markets in the morning, than the person closest to the dock, who is in contact with them, someone in Newfoundland who will say "Okay, boys, in the morning I can give you such and such a contract. Everyone who finds that in their nets should bring it in".

Fishers are well aware that it will be a matter of luck, but the 20% or 25% of fish in their holds will perhaps give them their profit margin in the end. In the Canadian context, this is difficult to do because people always want wall-to-wall clauses.

I would like there to be discussion with the provinces. If I take the example of Newfoundland—and I am sure that my colleague will say the same thing in a few minutes—when Newfoundland entered Confederation, one of the conditions was that their fishing rights would be protected. In talking with representatives from Newfoundland this week, I was surprised to learn that they are not kept informed by the minister. The people in Ottawa know more about the future of the fishery than the public in their own riding, when those are the people who can see the dock from their window.

Changes are in order. I see my time is running out, but at least I was able to suggest a few solutions that are instructive for the members opposite, that let the public know solutions are possible. We must address this whole problem.

I repeat that the Bloc Québécois will be voting for Bill C-27, but with reservations. As it now stands, all the bill does is let the minister sidestep the issue. He is merely giving the illusion that he is doing something about the fisheries and that he will try to find an answer to the problem, when he could have gone to Washington to sign the UN fisheries agreement.

He should start by going down to the docks and trying to sort out the fishing plans with fishers. People are waiting. Next week will be the fourth week the crab fishery has sat idle, and the minister is still rooted to the spot. It is time he took action.

Mr. Yvon Godin (Acadie—Bathurst, NDP): Mr. Speaker, I rise today to express the support of the New Democratic Party for Bill C-27, which amends the Coastal Fisheries Protection Act and the Canada Shipping Act in order to implement the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea relating to the conservation and management of straddling fish stocks and highly migratory fish stocks, which straddle the 200-mile zone, and are also known as straddling fish stocks.

The bill amends Canadian legislation to enable Canada to ratify the United Nations agreement on the conservation and management of stocks of straddling fish and highly migratory fish.

The agreement was adopted by consensus on August 5, 1995 at the UN conference in New York. It is important because it will help

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to limit overfishing on the Grand Banks of Newfoundland and allow the signatories to formulate new provisions for control on the high seas. It will also enable authorities to monitor the signatories' intervention with foreign vessels outside their coastal zones.

Straddling fish are found on both sides of national fishing limits. They also cross them as they migrate, in the case of flounder and turbot.

● (1140)

The highly migratory fish, such as tuna and swordfish, also travel in the high seas and sometimes move through the exclusive economic zone of coastal states.

This bill is important because it will help protect both types of fish stocks, which have been the focus of unregulated overfishing in the high seas. Overfishing is a problem in a number of places around the world, as on the Grand Banks of Newfoundland, beyond the Canadian 200-mile limit.

Overfishing by foreign vessels outside and inside the 200-mile limit was a factor in the decline of straddling stocks of cod, flounder and turbot in the northwest Atlantic. Stock declines have had a very serious impact on the economy of coastal villages in Canada and forced thousands of fishers and plant workers onto unemployment.

The 1982 United Nations Convention on the Law of the Sea, which came into force in 1994, clearly authorizes coastal states, that is, those that border on the ocean, to have exclusive fisheries management jurisdiction up to 200 miles, or 370.4 kilometres, off their coast.

However, the states' legal rights and obligations with respect to straddling and highly migratory fish stocks are not clear. The agreement fills this gap left in the Convention on the Law of the Sea.

The agreement will come into force once 30 states have ratified it or acceded to it. So far, it has been signed by 59 states and ratified by 15, including the United States, Russia and Norway. Canada will be in a position to ratify the agreement once this legislation is passed.

Let us hope that the new legal framework for high sea fisheries will include control measures and effectively protect straddling and highly migratory fish stocks against overfishing on high seas. Conservation and management measures would go a long way to ensure the viability of this critical food source for future generations.

This bill is required to protect fish stocks outside the 200 mile zone against overfishing. I wonder why the Canadian government took so long to introduce a bill providing for the ratification of the agreement. I should not be surprised, though, since this govern-

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ment is one that drags its feet, and that has become a habit in the fisheries issue.

Take the Coastal Fisheries Protection Act and the Canada Shipping Act for instance. I just love that name, it sounds so convincing, just like campaign promises. If I support this recommendation, I do so mainly in the interests of the people of the Atlantic provinces, for it is obvious where the old act led us, into a fisheries crisis, as far as turbot and Atlantic groundfish, and other species, are concerned.

That crisis has cost the government and the industry thousands of dollars. When the cod fishery was shut down, we saw how the Canadian public paid for it in the loss of economic side-benefits. Canada was one of the biggest cod exporters in the world. Today, with the small amount of cod we can find along the coasts, the industry is having trouble getting back into the market. Lacking cod, buyers have opted for other accessible species from anywhere in the world, and not specifically Canada.

This represents a big loss for Canada. The hope that some day this fishery will become accessible and profitable is still both vague and far distant. In my region, it is distressing to see how many boats are tied up at wharves. People's morale is at rock bottom. Their boats end up just rotting away where they are moored. Is this normal? No, especially not in a coastal region such as mine.

• (1145)

We have known prosperity, but now we have fallen into poverty, deep poverty.

The crisis has had many consequences, the worst of which is the human cost, the lives devastated by the fisheries crisis. In a coastal area like mine, fish is the principal resource, and one which provides the local people with seasonal employment.

For the majority of the fish plant workers, cod is what puts their bread on the table. Today, however, they have no more jobs. So, the Atlantic Groundfish Strategy was created. The cod fisheries have not opened up again, yet TAGS is to end in August.

What will people do? Ask yourself that question. With no work and no income, the future looks bleak. I wonder why, given that, under the five-year agreement, the Atlantic Groundfish Strategy was to end in April of 1999. The government then moved that date up to April 1998.

Again, the government did not keep its promises. In an attempt to appease the public, it changed the date to August 1998. Since the House does not sit in August, we will not be able to rise and to criticize the government for the problems in the Atlantic provinces. In August, 26,000 Newfoundlanders and thousands of people in

New Brunswick will be out on the street. In May, 3,000 Newfoundlanders will no longer be eligible for the Atlantic Groundfish Strategy, nor will half of the New Brunswickers now benefiting from it. This is unacceptable.

We are not asking the government to throw money at the problem. We are saying that it must find a strategy to help people in the Atlantic region. It cannot leave these people high and dry.

There is an unpublished report suggesting that Atlantic residents should move. Surprise, surprise, I would never make such a recommendation. We want to stay in the Atlantic region. We have no intention of moving because of anyone. We must sit down together in this House and find solutions for Atlantic residents.

These people are not responsible for the mistake made by senior public servants, according to the report submitted by the parliamentarians who traveled to the Atlantic region. That committee was made up of Liberals, Reformers, Conservatives and New Democrats. They were unanimous in saying that fisheries had not been properly managed in the Atlantic region. Today, the government is turning around and abandoning these people. This is unacceptable.

Two days ago, I talked to fishers in Newfoundland who told me that if the program is eliminated and not replaced by another one, they would take their boats and go back out to sea. They will not have any choice. The situation will not change if the government shirks its responsibilities.

The former Minister of Fisheries and Oceans, Brian Tobin, who was instrumental in the establishment of the Atlantic Groundfish Strategy, signed letters with the premiers of New Brunswick, Newfoundland, Prince Edward Island and Nova Scotia. These premiers are asking the federal government to sit down with them and find a solution for Atlantic fisheries, for the 26,000 people who will be out on the street in August, which is most regrettable.

Again today, the Minister of Fisheries and Oceans is dragging his feet.

• (1150)

The people from our region, the people in New Brunswick, the Gaspé and zone 12, have their boats ready to head out to sea. The fish plants are set to open and employees have run out of EI. Once again, the Minister of Fisheries and Oceans is dragging his feet, at the expense of workers and ordinary folk. Today, he wonders why a member rises in the House and is frustrated.

I am expressing the frustration of the Atlantic provinces. I am expressing the frustration of people from my region. I am expressing the frustration of families who have nothing left to eat, nothing left to put on the table. They cannot survive on welfare. It is the lives of these people that the Minister of Fisheries and Oceans

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holds in his hands. He could have announced the fishing plan last week. Once again, it is not just the Minister of Fisheries and Oceans' senior officials who are dragging their feet, but the minister himself.

Last week, I rose in the House to ask if he was going to establish a fishing plan for people in my region, and all he could think of to say was that it was coming. How far has the fishing plan got? Has it reached Montreal, Quebec City, Rivière-du-Loup, Edmundston? We are sure looking forward to seeing it get as far as Caraquet, I can tell you.

What is the government's role with respect to the present state of the fishery? What has it done wrong? It is true that the government has taken decisions such as the one to create the Fisheries Resource Conservation Council, the FRCC. When the council was created, the government reassured the industry that it would serve as a consultant to the fishery and an adviser to the Department of Fisheries and Oceans.

Since then, the FRCC is trying to fulfil its mandate through consultations. The Department of Fisheries and Oceans receives advice from it, but is in no way implementing or considering it.

What is the point of consulting and not considering the advice and information received? The government is using initiatives such as this one to avoid reality and sidestep its responsibilities because, ultimately, it is accountable to the Canadian public. It should stop looking out for its own interests.

The problems have not gone away. That is why the government has now decided to use words like protection, conservation and processing.

This is why the government should do its job. It should take our fish and create a secondary and tertiary processing industry. It should help businesses to take our resource and develop other products from it for the good of our own people.

This is a truly important industry for our people. We can almost think of everyone on the Acadian peninsula as one people, or those along the Newfoundland coast, where fish could be caught and a secondary and tertiary processing industry developed, to create jobs.

In the Atlantic region, we would like to see those fine words translated into action, since they suit the fisheries industry well. People just want to work, and they see fishing as a way to do so.

What does resource protection mean? At what price, and which country will pay that price? Before providing work for people elsewhere, we should be providing jobs for the people here, for Canadians. Can the government impose quotas on the fishing industry and then say to the foreign fleet "Welcome, just help yourselves"? Meanwhile, our people here are going hungry, and there is not much on their plates they can help themselves to, believe me.

Let us stop for a minute and look at the fisheries situation. What we want is to see it managed, to see the fishery managed for the benefit of the Canadian public.

• (1155)

The crisis with the fisheries was not the only one. There is also the employment insurance crisis. The EI fund has \$14 billion in it. Shameful, and yet the government is shirking its responsibilities toward the entire Atlantic region and the problems of the fisheries, which are of its own doing, since it allowed foreigners to come and take our fish, while ignoring the people in our own country.

Mr. Yvan Bernier (Bonaventure—Gaspé—Îles-de-la-Madeleine—Pabok, BQ): Mr. Speaker, it is refreshing to be in this House today and hear the member for Acadie—Bathurst, 1997 version, defending the people in his riding this way. I say the 1997 version of the member for Acadie—Bathurst, because, previous to the 1997 version, we had the father of the employment insurance reform, Doug Young, the man responsible for the economic mess people are living in today.

At the time, however, I was very hopeful. I thought that if the Liberal government had chosen this person from Acadie—Bathurst, which was experiencing much the same problems as we were in Gaspé, and if this person agreed to serve as minister, perhaps he had a few cards up his sleeve. Today, we have understood—he had no trump cards. I think that is what the people of Acadie—Bathurst understood and they did some housecleaning.

To get back to the remarks by my colleague from the NDP, I would like him to tell us about what the situation looks like for all the crab fishers, currently waiting, their vessels docked and their traps all piled up. They are ready to go.

What about the plant workers, whose qualification for employment insurance, when they manage to accumulate 14 weeks—it takes a while to—

[*English*]

Mr. Norman Doyle: Mr. Speaker, I rise on a point of order. This is a very important issue we are talking about in the House today. It deals with Atlantic Canada. It deals with fisheries matters in Atlantic Canada and Quebec and we have one government member in the House of Commons today.

The Deputy Speaker: I think the hon. member is entitled to his view and I do not disagree, but I must say that it is improper to refer to the absence of members in the House.

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[Translation]

Mr. Yvan Bernier: Mr. Speaker, I will be brief.

[English]

Mr. Norman Doyle: Mr. Speaker, I rise on a point of order. There does not appear to be a quorum in the House.

The Deputy Speaker: There is no quorum. Call in the members.

• (1200)

And the bells having rung:

The Deputy Speaker: I see a quorum.

[Translation]

Mr. Yvan Bernier: Mr. Speaker, as I was saying, I find it refreshing to see the new member for Acadie—Bathurst taking to heart the interests of the people in his riding. He is fighting mad, if I can put it that way. He wants to get people the tools they need.

I would like him to have the opportunity to continue his comments, because I have heard there are other problems in his province arising from Ottawa's slowness and poor management of the fisheries. So, I would like him to continue to inform the House about this.

Mr. Yvon Godin: Mr. Speaker, I thank the hon. member for his comments. It is always nice to get praise in the House. I appreciate his comments.

I explained that there are major problems in the Atlantic provinces. I understand what Newfoundlanders are going through. Just this morning, I received calls from people back home who told me that three fish processing plants would not reopen.

We talked about groundfish, but we should also mention crab, for which quotas are down to 12,000 metric tons. Two years ago, these quotas were set at 20,000 metric tons. Can you imagine the difference in the amount of work when quotas suddenly drop from 20,000 to 12,000 metric tons? It is almost a 50% drop from two years ago. This means that the crab industry alone is already experiencing twice as many problems.

• (1205)

The same goes for the lobster industry. In past years, quotas were set. In fact, they were not quotas but total allowable catches. Some lobster fishers could catch 20,000 or 25,000 pounds of lobster. Today, they harvest about 6,000 or 7,000 pounds. It is not easy.

This is why I say that the fisheries minister should get involved. In 1997, I issued a challenge to the other side of the House, and I was prepared to get involved. I suggested that the federal government come to our region, with people who could make decisions, and organize a conference with members of Parliament, the federal and provincial fisheries ministers, fishers, and plant workers and owners, to try to come up with ideas and solutions together. We can

sit down, discuss intelligently and figure out what we can do for our community.

Whether it is in Ottawa, Toronto or Montreal, people enjoy going out to eat some nice fish or lobster, but it takes fishers to catch that fish or lobster. It takes plant workers to process it. Lobster and crab taste so good, but it takes people to harvest them.

That is why I say something can be done. I have a number of suggestions regarding, for instance, secondary and tertiary processing. Why take our fish and ship it abroad without first turning it into a finished product? The government keeps saying that it is not its responsibility to create jobs; it is however its responsibility to develop the infrastructure required to do so. I think that together we can succeed.

This is unfortunate for the people in our regions. I have meetings scheduled for the weekend with people in my region to discuss the three fish plants that had to close down and try to find solutions. Hopefully, the answer will not be the one the fisheries minister gave us last week when he said that the fisheries plan would be forthcoming.

Did he check with the people in Montreal, Quebec City, Rivière-du-Loup, Edmundston or Bathurst? In any case, he has not hit the Acadian peninsula yet. He should give us our fisheries plan so that we can put our people to work, because they want to work. He should take positive action instead of giving answers that do not make any sense.

Mr. Maurice Godin (Châteauguay, BQ): Mr. Speaker, I listened to the remarks made by my colleague from Acadie—Bathurst.

I can tell you that, in these times of economic growth, in the best country in the world, as our Prime Minister often refers to Canada with its modern technology, it is really moving to hear this heartfelt plea to fight poverty and help those who are going hungry. I cannot help but wonder if the problem with this great country is not one of mismanagement.

Given the \$14 billion sitting in the employment insurance fund, the \$50 billion being paid out in interest charges on the debt accumulated by the Liberals over the years, the \$750 million recently invested in submarines that were not good enough for England, and the \$30 million recently spent on flags, I would like to ask my hon. colleague if he could feed the people in his riding with all this money.

Mr. Yvon Godin: Mr. Speaker, I thank my hon. colleague for his question.

• (1210)

I am sure we could put this money to good use. There is however one point on which I disagree. If I were in office, you can be sure I would not use this money for patronage purposes as the Liberals do in our region and I would not be buying votes as they do on a daily

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basis. Perhaps that is the problem. They have done so in the past and they still do.

[*English*]

Mr. Steve Mahoney: Come on, be nice.

Mr. Yvon Godin: It is very hard to be nice when you know what is going on, when there is a guy like Doug Young. Our people are suffering and he is getting millions of dollars from the taxpayers. It is pretty hard to be nice to your government. The people of New Brunswick know that. The people of this country should know that it is pretty hard to be nice to your government when there are all these expenses and kids are going to school with no food in their stomachs. It is pretty hard to be nice. It is pretty hard to be nice to that party. Just look what it has been doing to the Atlantic region. It was not without reason that they voted in the NDP in Nova Scotia's last election.

I tell all Canadians today that the government can say it worries or the people can say they worry about the NDP because it spends too much. The NDP has never been in power as a national party in this country. This country is in debt like we have never seen and it is not the NDP that did it.

Mr. Bill Matthews (Burin—St. George's, PC): Mr. Speaker, I commend my colleagues from the Bloc and the NDP for their great speeches. It was nice to see them bring some concern and some passion to the debate. It is obvious they are aware of the fishery problems, the conservation problems and the enforcement problems. They are certainly well versed in the difficulties faced by their constituents in their ridings and in their provinces. Again I commend them both for the speeches they gave this morning.

I am very pleased to speak to Bill C-27, a bill relating to the conservation and management of straddling fish stocks and highly migratory fish stocks. We are talking about cod, flounder, turbot, tuna and swordfish. These fish are very important for the livelihoods of Atlantic Canadians, all Canadians and the entire world. We are talking about a renewable resource, a valuable protein source for the entire world. That is why I am pleased to participate in the debate on this bill.

I will support any piece of legislation, measure or initiative that improves conservation and improves and enhances the protection of our fishery resources. I will support any measure that provides for more effective enforcement. In my view this legislation does all three. I go on record up front as saying that I do support the initiatives of this legislation. I do support the ratification of the United Nations fishery agreement.

I agree with previous speakers that it is with regret we are so late in getting this legislation to the floor of the House of Commons. We should have dealt with it before because Canada has been a

leader in this United Nations fisheries agreement. We have led in promoting it and in getting it to this stage.

Other speakers have alluded to the fact that the agreement has 59 signatories. I believe there have been 17 ratifications and a number of other ratifications are ready to be made. We are at the point where we are almost too late because we need 30 ratifications before the agreement can come into effect.

I hope the government moves this legislation forward very quickly so that before we adjourn for the summer we will have dealt with the bill. It is so important for Atlantic Canada, all Canadians and the world.

• (1215)

It is a very important measure and there are very important conservation principles included in this legislation. There will be an exchange of information, an exchange of science and catch data. These are all very important to the conservation of our fish stocks.

We know the great problems we are experiencing in Atlantic Canada. They have been brought to the forefront of the nation in the last 48 hours by demonstrations in Newfoundland and Labrador and by the disruption of government services. That is very unfortunate.

People may say how is this connected, how does this piece of legislation, in any way, relate to what is happening in Newfoundland and Labrador and in Atlantic Canada today. It relates in this way.

The straddling stocks we are talking about, the fish that swim inside and outside our 200 mile economic zone, have been subjected to tremendous harvesting pressure inside and more so outside the 200 mile limit.

Foreigners for years and years have scooped that fish up once it went outside the 200 mile limit on the nose and tail of the Grand Banks, the Flemish cap, what is referred to as the nursery grounds for juvenile fish. They are nursery grounds, great feeding grounds where these fish feed and grow. They swim in and out.

This legislation is very important but it relates to the situation in Newfoundland and Labrador today in that these stocks have been decimated. We cannot point the finger at the foreigners. We have to take some of the blame and some of the responsibility for where we are today with our fish stocks, particularly with our groundfish stocks.

It was very discouraging and disconcerting yesterday in question period to hear the Prime Minister try to blame this crisis on the previous Conservative government, the previous Tory administration.

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This problem has been building for at least 30 years, the same number of years the Prime Minister so often boasts about in this House that he has been a member of parliament. It is about the same length of time. The Prime Minister has been in more administrations and in more cabinets and in more government departments, I would say, than any other member of this House, certainly sitting today. Therefore he must take some of this responsibility through the Trudeau years and the Turner years and now through his own administration.

The Mulroney administration and the Clark administration must take some of the responsibility as well because they made management decisions that were not in the best interests of our groundfish stocks and this very renewable resource worth billions of dollars to Atlantic Canada per year.

We brought this very rich, renewable resource into Confederation and we have very little left today. When we brought this resource into Confederation, who became the custodian of the resource? It was the Government of Canada. The government was to look out for, protect, control and manage this resource for the benefit of Atlantic Canadians and indeed for all Canadians. It has not done a very good job.

Successive federal governments have not done a very good job at managing as the custodians of our resources. That is why we find ourselves in the position we are in today.

The Department of Fisheries and Oceans decides the number of vessels that fish off our shores. It determines the size of the vessels that fish off our shores. It determines and approves the harvesting technologies that these vessels use. It determines the fish quotas, the total allowable catches, how much fish is caught and when it is caught. All those are decisions of the Department of Fisheries and Oceans of our national government.

The provincial governments of Atlantic Canada have no jurisdiction or control. The fishermen have no jurisdiction or control. The unions have no jurisdiction or control. The Government of Canada has total control over our fish resources and management of those very valuable resources.

We have been let down big time by bad decision after bad decision. That is why we have the very volatile situation in Atlantic Canada today. People do not know where they are going to turn. Their futures are very uncertain.

Some days the federal government tells them they should move to some other province in Canada to find work. Others suggest they go on welfare. These are proud, hardworking people. It is not a very pleasant thought when you have worked 25 or 30 years in an industry, working 12 months a year, and someone tells you to pack up your bags and move out or go in the welfare line. Unless the government comes up with an acceptable plan and program for those people that is exactly what they are facing.

• (1220)

I have had people call me who are 55, 56 years of age and ask me "What are we going to do? We own our home here. We are not well trained. We are not well educated. All we have done all our lives is work in the fishery. What advice can you give us?" It is a difficult question. Where are they going to find work? If they do find work how much will they be paid? At least they own their homes where they are now and they want to continue to live and work there.

That is the dilemma these thousands of people we have talked about in the last number of weeks find themselves in. This is a crisis that has been caused by mismanagement by the federal government, mismanagement of their resource, the people's resource, a common resource, a very valuable renewable resource that has been totally and grossly mismanaged by the Government of Canada, not by any other government in Canada.

The government has to admit its responsibility. It has been very devastating to those people and that is why we see what is happening in Newfoundland and Labrador today. Those people want an answer. They want a future. More and more of them are willing to accept early retirement. More fishermen are willing to sell their licences and get out of the industry, but that will not take care of all of them.

Thousands have already gone and become better educated and better trained and found employment in other professions. Thousands have left the province of Newfoundland and Labrador. There are communities with no young people left. When you go to these communities all you find are people who are in their mid fifties and sixties, basically retirement people. What are we leaving behind to continue with our rural way of life and the social fabric of those communities?

People do not understand this. It is very disturbing when you come to the House of Commons representing more of those people than any other member, which I do. I have more TAGS clients in the riding of Burin—St. George's than any other riding in this country.

I come here day after day and I try to bring the message to the federal government. I see so few members here who even want to listen or participate in this important debate, particularly those from Ontario, those who are most resisting any help to those people, the 99 or 100 who are so opposed to helping the people of Atlantic Canada, who resist in caucus week after week and heckle MPs from Atlantic Canada who get up and promote the cause of their people. That is what is happening.

An hon. member: Not true.

Mr. Bill Matthews: The member can say not true all he likes. I know full well it is true. He can have his chance when he stands in

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his place in debate. He can stand in his place and give his side of the story and we will see then what he supports for the people of Atlantic Canada.

There have been some concerns raised about Bill C-27, particularly about the procedures of boarding and what happens after our enforcement officers board a vessel. There are those who still think and are saying publicly that we must have approval of the flag state before we board a vessel.

I have been briefed by officials from foreign affairs and DFO and I comfortable and accept that this is not the case. Our enforcement officers can board those vessels if they see fit and when they desire. If they find a violation then quite naturally out of courtesy they have to notify the flag state, the state from which the vessel hails. That is only common courtesy. Then there is a three day period in which the flag state has to respond. The flag state can respond in a number of ways. It can try to contact another patrol vessel in the area, a NAFO patrol vessel, send it to the ship and then the Canadian people will move off and the NAFO vessel will take over. If the flag state does not respond in three days and that lack of response is concurrence with what has happened, then the Canadian authorities can take that vessel to port.

• (1225)

As a member of parliament and a person very concerned with this type of legislation because of all the implications for the people I represent, I feel the legislation is a move in the right direction. It will enable us to better enforce the high seas. It will enable us to better detect violations on the high seas and it will enable us to deal with those situations which for years have gone on undetected in a lot of cases but which when detected nothing has happened to the violators.

I would be remiss if I did not mention the *Estai* affair which got so much attention in this country just a few years ago. We used force on the high seas and fired a shot across the bow of the *Estai* and brought the vessel to St. John's, Newfoundland. We found juvenile turbot caught by a liner in a net of the *Estai*. It was an international incident.

What is ironic is that after all the kerfuffle and the hundreds of thousands of dollars spent in that arrest, using our military vessels and our coast guard vessels, putting the crew of the *Estai* up in the Hotel Newfoundland, an approximate cost of \$100,000, the end result was that the *Estai* was given back to the Spanish, the fish were given back to the Spanish, including the juvenile turbot, and the half a million dollar court bond that was posted by the *Estai* was given back to the company.

It cost \$100,000 of taxpayer money to wine and dine the Spaniards in the Hotel Newfoundland and the costs that were incurred in the enforcement and the actual arrest of the vessel. We all remember Captain Canada. That was the end result of the *Estai* affair.

The legislation in my view will certainly improve on those kinds of situations. By merely signing on to the agreement, the people and the countries involved in the agreement are going to concur and subject themselves to boarding and enforcement, even in NAFO regulatory areas where before they would come in and not be subjected to any kind of enforcement. Because they are a part of the agreement, when they fish in NAFO areas they will now be subject to NAFO regulations, a very important step forward.

I want to go back again to the situation we face in Newfoundland and Atlantic Canada today. I plead with the Government of Canada to move quickly in responding to the needs of those thousands of Atlantic Canadians. There is a big economic and social problem in Atlantic Canada and it has been caused by the downturn in our groundfish industry.

The fishery in Atlantic is by no ways dead. The export value of the fishery in Newfoundland and Labrador last year was \$550 million, quite significant. What has happened is that people have diversified into other species. What we once called underutilized species are no longer underutilized. There are no fish inside our 200 mile limit today that are underutilized. They are all very valuable, resources we have to value add to and create more employment and more value for our people.

I plead with the Government of Canada to deal with the very serious crisis because it is a crisis, as I have said before, that has been caused by years and years of bad management decisions. Fish given to foreigners is totally a decision of the Government of Canada. The number of vessels that fish any one particular stock of fish is decided by the Government of Canada. The size of the vessels is decided by the Government of Canada. The harvesting technology, whether it is a gill net, a cod trap or a stern trawler, is approved and concurred in by the Government of Canada. The amount of fish that has been allowed to be harvested over all these years on an annual basis has been decided by the Government of Canada.

• (1230)

All of those decisions have been decisions of successive governments of Canada. They have contributed to and caused this very serious problem. This government has to accept its responsibility to Atlantic Canadians.

Fish stocks have not regenerated as quickly as we thought they would. Some of the southern stocks are showing signs of improvement, but northern cod definitely is not. It is the responsibility of the Government of Canada to look out for those people whose lives have been ruined. It is going to take another five or ten years for this situation to improve and for fish stocks to regenerate.

People's lives have been ruined because successive governments have decimated their fish stocks. Those governments were the custodian of the fish stocks. It is the responsibility of the

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Government of Canada to look after these people until the stocks regenerate and they have a future working in the industry. In most cases it is the only job these people ever had. I plead with the government to do that.

Mr. Joe McGuire (Egmont, Lib.): Mr. Speaker, I would like to commend previous members on their speeches in support of this particular piece of legislation.

I would remind the member for St. John's East that when this government came to power in 1993 the now premier of Newfoundland was fisheries minister. He went to cabinet to find out what plans had been made to continue the support for the Conservative compensation plan and he found there was not a nickel. There was absolutely no plan to do anything with the people who were coming off the Conservative compensation package. That government, during the time of the most massive cuts in the history of this country, found \$1.9 billion to put toward the TAGS program in support of the liability which the federal government had to the people of Newfoundland and indeed Atlantic Canada.

There is blame to go around. There is a lot of blame to go around. We can spread it as thick as we want to. However, the fact is that TAGS is running out.

In deference to my colleagues from Ontario, if the hon. member had been at Liberal caucus meetings—and perhaps some day he might be—he would have heard the report of the Ontario caucus. The number two concern in that report was for the government to address as quickly as possible the problems with TAGS in Newfoundland.

I think the hon. member owes the members of parliament from Ontario an apology for the accusations he made that they are doing everything they can not to help the fishermen from Newfoundland who are suffering because of the groundfish collapse.

It is okay to pass the blame. We will take the blame and past governments will take the blame. John Crosbie stated in his book that when he was the minister of fisheries his problems occurred when he was dealing with the provincial premiers. The provincial premiers put on the pressure. The unions put on pressure to keep the quota as high as possible for the people in order to get qualified for work during the fishing season.

With that I would ask the member for Burin—St. George's to address the comments he made to the members of parliament from Ontario who, indeed, support, in every way possible, the government moving on a new TAGS. The old TAGS, as I am sure he will agree, was far from perfect. The new TAGS must address the shortcomings of the old program.

• (1235)

Mr. Bill Matthews: Mr. Speaker, I appreciate the hon. member's comments and his questions.

Just let me say that before TAGS there was NCARP which was brought in by John Crosbie, the same man who had the unenviable task of imposing a moratorium on northern cod stocks in Atlantic Canada. It was a very difficult decision, but he did what he had to do.

TAGS was not perfect. One of the big problems that we experienced with TAGS was the underestimation by HRDC even after NCARP had expired. There was a couple of years of NCARP and then TAGS was brought in. However HRDC underestimated the number of people who would be eligible for TAGS income benefits by 50%. It then took money out of the early retirement and licence buy out components to put into income support because that was what was needed to put bread and butter on the table for thousands of Atlantic Canadians.

The bungling and mistakes with TAGS goes back to the Department of Human Resources Development Canada. It underestimated, after all of this crisis and those years of involvement with NCARP, the number of people who would be involved.

There are some success stories with TAGS. There are hundreds and hundreds of success stories of people who went on to other professions and to post-secondary institutions to become better educated, better trained, who found new jobs. These are the stories that are not told often enough.

With respect to the Ontario caucus, I am very pleased to hear that it is supporting a new program for Atlantic Canadians. I welcome the support of those members and I thank them.

[Translation]

Mr. Yvan Bernier (Bonaventure—Gaspé—Îles-de-la-Madeleine—Pabok, BQ): Mr. Speaker, you see how practical it is that my riding's name lists four RCMs; now, everyone in Canada will know the names of the RCMs around the Gaspé peninsula.

I too would like to congratulate the member for Burin—St. George's. Clearly this is someone who really looks out for the people in his riding and who has a deep interest in the fisheries sector.

I worked with him on the Standing Committee on Fisheries and Oceans and I must say that I was impressed with the way we worked together, with the fact that we came up with points on which nobody toed the party line. I am also impressed that a group of Conservative, New Democratic and Liberal parliamentarians from Newfoundland has come to get its views across to the various caucuses here in the House. I know that my colleague has met with them.

Bill C-27 contains certain management measures. Having worked with me on the standing committee, the member for Burin—St. George's knows that there are serious problems. We

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agreed that the main one is the poor management by the federal government, irrespective of the parties.

The member for Egmont, on Prince Edward Island, referred just now to John Crosbie, who said that decisions were difficult because the provinces and unions put pressure on them to maintain the TAC, the total allowable catch.

The question I want to ask my colleague is as follows. Does he still mean to recommend, even to the people from his province, that the department's management methods and the methods for setting the TAC be reviewed and does he still mean to encourage the provinces to take part in this exercise?

In in the standing committee's report, we urged the government to have this review done by an independent committee. If we want to restore confidence, that is where we should start. Once again, Bill C-27 is a red herring, but if an independent committee were struck, at least we would be able to get down to some serious talk.

[*English*]

Mr. Bill Matthews: Mr. Speaker, I thank the hon. member for his compliments.

I think the hon. member is referring to the FRCC, the Fisheries Resource Conservation Council, but I am not sure. When he talks about management decisions and quotas, I think he must be referring to the FRCC which on an annual basis makes recommendations to the Minister of Fisheries and Oceans.

There was some concern raised in the standing committee, and by people who appeared before the standing committee, which held 15 public meetings and heard from 5,000 to 6,000 people. Concerns were raised about the independence of the FRCC. People thought it was not far enough removed from the Department of Fisheries and Oceans.

• (1240)

They felt that it should be totally removed from the Department of Fisheries and Oceans, that it should be more independent. There was a feeling that it was being influenced by people in the Department of Fisheries and Oceans.

I do not know if that is what the hon. member is referring to or not. I had difficulty understanding the question.

In the setting of quotas, with harvesting practices and management practices, we have to consult more and more with those involved in the fishing industry. For too many years we went through the process of saying that we were consulting, but we really did not listen. That is why we have this big mess today. We did not consult enough and listen to those directly involved in the industry.

Mr. Steve Mahoney (Mississauga West, Lib.): Mr. Speaker, I am pleased to have an opportunity to respond to some of the comments, but also to put on the record my personal feelings and, I believe, the feelings of the vast majority of my constituents and the feelings of the Ontario caucus.

As the member for Egmont pointed out, I do not know where the member for Burin—St. George's gets his information, but the Ontario caucus is solidly behind the efforts and the concerns in looking for an opportunity to provide assistance to the people of Newfoundland and Labrador and, indeed, all of Atlantic Canada.

This is an issue that really defines the country of Canada. I say that because we are a country that wants to share from sea to sea to sea all the benefits, windfalls and financial strengths. We want to share all the good things about Canada with one another.

There are many examples of what I often refer to as gate-equalization. In 1949 when Newfoundland joined Confederation there was a pact. There was a reason for doing it. The hon. Joey Smallwood spoke about the strength in unifying and joining Canada, becoming part of this great nation, and the benefits that would be attributed to the people of Newfoundland and Labrador.

The member for Burin—St. George's made some excellent points. It is interesting that the member for Acadie—Bathurst as well as the previous speaker spoke in support of the bill, and yet the games continue to be played. Why do we not get on with it? The opposition members insist on calling quorum. For what purpose? To delay the passage of the bill? They know full well, and the people at home know, that members do not sit all day in this chamber. They are in committee. They are in meetings. They are in their offices. They are phoning their constituents. Furthermore, it is against the rules in this place for people to make reference to members being absent.

I understand that members opposite have a strategy. They are upset. They like to win certain votes and they have not won, so they have developed a strategy to be disruptive. Frankly, that is not going to solve this problem, as the member of the New Democratic Party and the member of the Conservative want to do.

There is support. Strong support. Many of us, myself included, are urging members of cabinet to come up with a solution. I believe that the solution should not just be the son of TAGS. The solution has to be sustainable growth. The solution has to be new opportunities for Atlantic Canada. Why would a guy from central Ontario, Mississauga West, even care about this kind of issue? I can tell members that I honestly believe my constituents care.

• (1245)

When I was in the Ontario legislature I had the opportunity to travel to Newfoundland on a couple of occasions. One of the best

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experiences my wife and I have ever had was after our public accounts committee had finished its meetings in St. John's, we rented a car and we drove through the Avalon Peninsula. We did the bed and breakfast routine and we got to know the people of the Avalon Peninsula.

Kitty Sullivan's Kitchen is a very famous stop down the coast of the Avalon. We stayed overnight. We talked with Kitty Sullivan about her past, about her husband's life as a fisherman. He had passed away and her two sons were carrying on the family tradition. She has flaming red hair. With tears in her green eyes she talked about growing up in that spectacular part of the world.

I do not know what it was but it created an affinity. Maybe it is my Irish roots. They say on a clear day from Kitty Sullivan's Kitchen you can actually see Ireland. I do not know, maybe you can. It was not a clear day. As we all know, there are not a lot of clear days in that part of the world, but it is a wonderful part of the world.

It is an absolute human tragedy, what has happened in Newfoundland and Labrador with the fisheries. Other members have said there is enough blame to go around. Obviously there is. We have to accept our share.

We are the government and we have to come up with a plan. I believe we will. I believe that this government cares about what happens there, but as I said, just making it a son of TAGS is not the solution. There has to be a long term plan.

People in Newfoundland are demonstrating right now. On tax day they have taken over the Revenue Canada building. They know how to make a point in that part of the world. They are making a point. It is a valid point and a real concern.

I want members to know that this member from Ontario cares about what happens in Atlantic Canada. As a national government we have a responsibility to make sure that we look out for Canadians right across this land.

We went around the bottom of the peninsula and up to the top to beautiful communities, Heart's Desire, Heart's Delight, Heart's Content. They are absolutely amazing places. Canadians should go and see Newfoundland and Labrador.

In fact, I was scheduled in the March break to go with the member for Labrador on a snowmobile trip in Labrador. Unfortunately he took ill. He is back with us now, but he took very seriously ill and we had to postpone the trip.

The reason he asked me to join him was that I had spoken out on an issue that was very important to the people of Newfoundland and Labrador. It was the lobby campaign headed up by the

International Fund for Animal Welfare against the seal hunt which was trying to close down the seal hunt.

Aside from the fact that in a community like mine in Mississauga there are a lot of transplants from Newfoundland and Labrador, I spoke up because of what I saw as misleading information, a lobby campaign funded by American money, a lobby campaign designed to mislead the Canadian public. I received probably 400 phone calls all of them computer generated into my voice mail. That kind of trickery, that kind of deceit, no matter what part of Canada we are from, no matter what party we represent, is not something we should be willing to tolerate.

I spoke out. I wrote a letter to the editor saying that I was astounded. I did it in anger because I was fed up with the misinformation. We talk about the damage to the cod, the damage to the fisheries. Premier Tobin was quoted today. He said in a speech last night at a fundraiser "You know, the seals don't eat at McDonald's or Burger King; they eat fish. They eat a lot of fish".

• (1250)

There is a seal hunt with five million seals in the herd. There can be no doubt when we have a quota set at 283,000 seals to be harvested out of a herd of five million, seals have to be part of the problem. It does not take a rocket scientist to understand. I wrote a letter to the editor which was published in a couple of newspapers. I will read part of it:

I take strong exception to any group that spreads lies and misinformation to the Canadian people to further its own, somewhat myopic view of the world. The seal hunt is highly regulated and anyone who breaks the law, and I admit there will naturally be some who do, will be charged and dealt with under the full extent of the law. Other law-abiding citizens, who rely on these animals for food, survival and jobs, should be allowed to work at their trade without harassment.

I believe my constituents would agree with that sentiment.

One of the members mentioned in the House that nothing came of the *Estai* affair. I want to correct the record on a few things.

One of the speakers yesterday made remarks, which I will get to in a moment. Frankly he should know better because the area he represents is Saanich—Gulf Islands. He represents the other end of the country from Newfoundland but definitely represents an area where there is concern about overfishing and everything that goes with that.

The member for Burin—St. George's said that nothing came of the *Estai* affair. He ridiculed Premier Tobin, called "Captain Canada" by people around the world for his crusade.

I am in the middle of reading the Michael Harris book *Lament for an Ocean*. It is an interesting book. It details at some length the events which took place when Brian Tobin, then the minister of fisheries for the national government, stood up to the overfishing trawlers from Spain. It details the courage. The book details what

went on in cabinet in getting the support which allowed Mr. Tobin to actually use force.

I understand that the member for Burin—St. George's is an opposition politician. I understand he is not of the same party provincially or nationally as Mr. Tobin, but let us give some credit where it is due. He claims nothing came as a result of that effort. The fact is we became an internationally respected nation willing to stand up for the protection of the fishery, willing to stand up to foreign ships taking baby fish in very tiny nets and adding to the destruction of the fish stock. We did stand up and we should be proud of that.

It is most unfortunate that a member in this place from Newfoundland would actually stand up and denigrate those efforts. Did they solve all the problems? Obviously not. This bill will not solve all the problems either but it will go a long way toward putting in place the enforcement mechanism the Canadian Coast Guard needs to be able to board trawlers where it is suspected there have been violations.

I want to correct the record from a debate yesterday by the member for Saanich—Gulf Islands. I will quote what he said from the *Evening Telegram*: "During debate in the House of Commons Wednesday, Saanich—Gulf Islands MP"—I will not name him since I cannot—said Bill C-27 that implements the provisions on straddling stocks is actually more restrictive than current measures in Canadian and international law".

An official with the department has corrected him in this article. I want to do so on the record in this place. The official said: "There is nothing in the bill that limits our right to board vessels. The powers that are in it are the same powers that are in the agreement. We are only giving ourselves the powers the UN agreement says we can do".

● (1255)

Bill C-27 is the legislation Canada needs to implement the United Nations agreement on straddling and highly migratory fish stocks. Some members mentioned that this agreement could apply to salmon. That was another issue put forward yesterday. I do not have a problem with opposition members disagreeing with the government. All I hear is opposition members saying that they support this bill but then they put forward statements that are simply not correct, and they need to be corrected.

Some have said that this could apply to salmon. The intent of this agreement was to strengthen sections of the UN Convention on the Law of the Sea, UNCLOS, that apply to straddling stocks and highly migratory stocks. As an anadromous species, salmon is not covered by these definitions. These people know that, so why would they put out information that they know is false? I guess they are just desperately looking for something negative to say about the government even though they support the bill.

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Canada cannot unilaterally change internationally negotiated agreements and add stocks that were not covered by the agreement. As Bill C-27 is an implementation bill, it can only reflect what is in the UNFA.

Some members, including the member for Saanich—Gulf Islands, have also raised concerns about the procedural requirements in Bill C-27 for boarding vessels. I will set the facts straight. The member should know better than to make those comments in this place.

Under Bill C-27 Canadian enforcement officers can board and inspect vessels of states party to the UNFA agreement without first obtaining consent of any foreign state. If a violation to the fishing measures is found, the enforcement officers must notify the flag state. As some members have said, the flag state then has three days to respond to such a notice. During that time period, the enforcement officers remain onboard the ship. They may search and seize, secure, conduct an investigation to obtain any evidence they may need to prove the accusation of a violation.

After the flag state has been notified and given 72 hours, there are three possible scenarios. The member opposite knows it and should have said it.

First, the flag state may respond by consenting to Canada taking additional enforcement action against the vessel. This could include, as occurred in the case of the *Estai*, bringing the vessel to port to continue the investigation.

Second, if the flag state responds with appropriate measures to investigate and take enforcement action, then the enforcement officer would turn over that vessel to the flag state for further action. If they agree with the allegations or charges, then it only makes sense. The member for Burin—St. George's complained about the cost of putting up the Spanish sailors in Hotel Newfoundland. The second option means that we would not have to do that.

Third, if the flag state does not respond within the three day period, the enforcement officers could take the vessel to port and continue their investigations. We have seen that happen. Canada has the hard-nosed attitude to deal with this. This bill now gives us the teeth to deal with problems on the high seas.

● (1300)

All these procedures apply only to vessels from states that are party to the UNFA and are listed under the CFP regulations. I want that on the record. For vessels from states that are not party to this agreement, the current provisions of the Coastal Fisheries Protection Act will continue to be applied. It is very important to remind this House that Bill C-27 must be read with this together. It does not stand on its own.

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With the Coastal Fisheries Protection Act, this bill is not replacing what we already have. It is an additional tool that Canada can use to stop foreign overfishing of straddling and highly migratory stocks on the high seas.

While I appreciate that there is tremendous passion in their concern for constituents in Newfoundland and Labrador, I would hope opposition members would stop playing games, support this bill and let us get on with the solution.

Mr. Bill Gilmour (Nanaimo—Alberni, Ref.): Mr. Speaker, it gives me great pleasure to address the House on behalf of the member for Vancouver Island North.

If the train leaves the station and you are not on it, it is particularly difficult to be the tour guide. The train I am talking about carries Canada's interest in fishing on the high seas. It seems that, with the exception of the half hearted introduction of Bill C-27, nobody from Canada is on that train, nor do they have any interest in trying to catch it.

Sixteen years have now gone by and this government has still not ratified the United Nations Convention on the Law of the Sea. Canada was very much in favour of this convention from its inception in 1973 until 1982 when it was adopted at the UN. The law of the sea was negotiated with leadership from both Canada and the United States but to date neither country has ratified it.

I have been in this House when the member for Davenport, a member on the Liberal side, a former environment minister in the Trudeau government, asked this government to ratify the law of the sea, and yet it has still not been done. This is one of the government's own members, a longstanding member in this House.

Why is Canada dragging its feet? Perhaps it says something about this government and past Liberal and Conservative governments that a convention so heavily favoured still has not been ratified by Canada.

If it takes 16 years to ratify something with which the government agrees, it is not hard to imagine how difficult it is to move the agenda with this government on issues that are not so straightforward.

The law of the sea is an umbrella agreement that deals with many topics other than fisheries. It deals with the preservation of marine living resources, offshore oil and gas, shipping, maritime boundaries and the resolution of marine disputes, among other issues.

It required the ratification of 60 nations before it could come into effect. This threshold was reached in November 1994 and now, in 1998, over 100 nations have signed on. Sadly, Canada is not one of those members. The United States still has not ratified the law of

the sea because it has issues with deep sea mining provisions. What is Canada's excuse?

The subject of the legislation before us today, Bill C-27, which enables the government to ratify UNFA, includes the subject of straddling fish stocks and highly migratory fish stocks. These fish stocks were not considered in detail during the law of the sea discussions but because the law of the sea is an umbrella agreement, it allows for subsidiary agreements like UNFA to expand on topics such as straddling and highly migratory fish stocks.

Unfortunately Canada now finds itself in the unpleasant situation of looking at the straddling and highly migratory fish stocks agreement, UNFA, which we signed in 1994, and the law of the sea agreement, which we signed in 1982, knowing we have not ratified either one even though we agreed to them when they were introduced. We still agree with them.

• (1305)

Why has the government been so slow to move on both the law of the sea and the UNFA? One reason might be that Canada has a case pending in the International Court of Justice in The Hague. This case arose from the action when Canada unilaterally seized the Spanish trawler *Estai* back in 1995.

Canada might be concerned that we could be liable for the action taken under former Bill C-29 amendments to the Coastal Fisheries Protection Act passed in May 1994 and which allegedly allowed Canada to take this unilateral international action.

However, this argument does not make sense with respect to the law of the sea. It does not make sense because in 1982, when there was no *Estai* incident, Canada took no actions to ratify the law of the sea. Some experts even say that ratification of the UNFA will not make any difference to the *Estai* international court case.

However, let us just take the worst case scenario. If Canada were to lose in the international court there might be some small embarrassment to the minister of the day but certainly it would not put Canada in any great jeopardy. In fact, the *Estai* is still out there fishing today. The *Estai* is Spanish and Spain ratified the law of the sea in January 1997 and is a signatory to the UNFA.

The real issue may be that Bill C-27 might get blown out of the water. How might this happen? It flows from the ratification of UNFA that signatory states are then subject to all the enforcement provisions. Spain and Canada are both signatory nations. The real concern may therefore be that a loss at the international court could jeopardize Bill C-27 amendments to the Coast Fisheries Protection Act which allowed Canada to take unilateral action outside the 200 mile limit on behalf of straddling stocks. If our actions are held to have been illegal then Bill C-27 would also be illegal.

If that is the real concern then why is this government playing games by pretending all is well and entering into the second

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reading of this bill if it has no intention of carrying it forward until proceedings at The Hague are adjudicated?

We know that when the *Estai* case comes up again in the international court in June of this year, Canada will merely be arguing that the ICJ has no jurisdiction to try the case.

We know from the briefing we received from DFO on the bill we are debating today that it is the federal position that once UNFA is ratified the enforcement provisions of the Coastal Fisheries Protection Act will continue to apply to those vessels that belong to non-signatory nations or flags of convenience.

One thing we know for sure is that during the *Estai* incident, Canada did demonstrate an interest in pursuing Canada's interests aggressively in the international arena. Other than that singular time, Canada's international posture on fisheries issues is extremely weak.

All evidence demonstrates that we consistently drop the ball into the international arena. In fact, we wonder why Bill C-27 has been drafted so that a new section of the Coastal Fisheries Protection Act, section 7.01, states that Canada has to get the consent of a signatory state before it can take enforcement action against one of these vessels. Imagine, we have to get consent before we go after it.

I would like to support the intent of Bill C-27. However, I do not agree with the clause in section 7.01 which reads "with the consent of the participating state". If there are obligations imposed on the states ratifying UNFA to comply with agreed conservation measures then why should a coastal state need the permission of another signatory to enforce those conservation measures?

Is Canada pursuing the best interests of Canadians in the international arena when it comes to Canadian issues? The evidence clearly demonstrates this government continues to drop the ball on these issues.

For example, there is a growing number of fishermen on the west coast who have determined that there is a better future in fishing outside the 200 mile limit than fishing inside.

• (1310)

They have realized that there is a large biomass to be harvested. They have the opportunity, the expertise and the boats. They have invested in high seas fisheries. They have joined vessel owner associations along with boat owners from other nations.

There is an international fishery in the mid Pacific. Many countries that fish there have a vital interest in highly migratory stocks. Highly migratory stocks are one of those two fish stocks along with straddling stocks which are the subject of UNFA legislation.

There are approximately 100 west coast Canadian fishing vessel owners represented by the Western Fishboat Owners Association, some of whom are Canada's distant water ocean going fishing fleet owners. These boat owners fish primarily for albacore tuna but are also licensed for yellowfin, bluefin and skipjack tuna as well as other species. Some of the members' vessels operate in the north Pacific all the way to the Japanese 200 mile limit, the whole north Pacific. Some operate in both the north and the south Pacific albacore tuna fisheries.

In addition to the Canadian vessel owners who have approximately 20% of the ownership, the majority of membership in the WFOA is American. The Canadian government is not actively representing Canadian interests in this international fishery. However, the United States government is an active participant in what will be the third set of talks coming up in June about the management issues of this high seas fishery.

Previous talks have been held in the Solomon Islands and the Marshall Islands. The U.S. state department is there as is the Western Fishboat Owners Association.

Where is the Canadian government in all this? Is our government representing Canadian interests in the Pacific Ocean? Apparently not. Canadian boat owners have been asking where are we, where is our government. The legal counsel for the WFOA is puzzled by our lack of interest. The U.S. state department is certainly pursuing American interests, yet the Canadian department of fisheries is absent. Canada needs to get its act together and quickly.

I ask the minister, if we are going to have representatives from DFO and foreign affairs at the next meeting in Tokyo in June, to make sure Canada's public interest and fishermen's rights are not forgotten in the discussion during the creation of new rules to govern the Pacific international fishery.

Our fishing interests deserve better representation. Our nation deserves better representation and our fishermen deserve better representation. One of the issues which we vigorously championed in the development of the law of the sea and UNFA was the management of highly migratory stocks. This issue is being debated in the Pacific and we are not there.

Canadians are out fishing on the high seas for tuna and other large migratory fish. A portion of these Canadian licensed boats can fish tuna in U.S. waters between the 12 and 200 mile limit in the U.S. as well as international waters but they cannot fish within Canada's 200 mile limit because of restrictions on their Canadian licence. That is a paradox. They can fish in U.S. waters but not in Canadian waters.

American boats have no such restrictions in Canada or the U.S. because of the bilateral tuna treaty and because the U.S. does not prevent American boats from fishing within American waters. We have the bureaucratically driven nonsensical situation where some Canadian tuna boats with DFO licensing are the only boats

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excluded from fishing in Canadian waters. Only in Canada, you say. Of course this policy continues to be under review by DFO but it does not make any sense. Can we hope for a quick resolution?

For this reason and others it is estimated that 80% of Canadian fish landings from the tuna fleet are in U.S. ports. Unfortunately when Canadian boats do this there is an under reporting of Canadian fish landings. According to the statistics I have seen it looks like Canada does not catch many fish in the north Pacific and none at all in the south Pacific. This is simply not the case. The problem is with the reporting system.

DFO does not keep track of what Canadians catch on the high seas. That is a fact. It will quote statistic but they are totally meaningless because they are not accurate. If a Canadian boat lands its catch in the U.S. there is no mechanism for counting it as Canadian. We are totally reliant on others for the statistics. The majority of Canadian vessel catches are currently recorded as U.S. landings by their national marine service and this bolsters the U.S. catch at the cost of the Canadian catch.

• (1315)

When it looks like Canadian fishermen are not fishing in the Pacific and when the Canadian government does not represent its people at international meetings, then the result will very likely be that Canada will get left out entirely in allocation and conservation decisions. The government should be looking at what the U.S. is doing on the issue because according to our own fishermen, they are doing a good job.

The Canadian government is displaying absolute blindness on this issue. The Pacific resource for tuna and other species is being increasingly exploited. So far there are no conservation concerns and with some species we are only scratching the surface in terms of sustainable harvest. There is a lot out there. There is immense potential and Canada must be a player.

What invariably occurs in these circumstances, and we have only to look at the bluefin tuna in the Atlantic as an example, is that as conservation concerns develop, countries negotiate allocations based on historical catches. This is the key, historical catches. We are rapidly going to arrive at this situation in the Pacific and Canada is simply ill prepared.

Without historical data that Canadians have been catching fish on the high seas, and we do not have that, we will not obtain our allocations. Without the allocations we also become non-players in terms of management and conservation issues. Here we are a major player and we are going to be the Switzerland of fishing because of our DFO and because we have not managed this issue correctly.

There are two things that Canada must do immediately to address this issue. Canada needs to invoke a protocol to establish

data collection. Canada must immediately commit to be an active participant in the high level Pacific migratory fish discussions at the next meeting in Tokyo in June. We cannot stand on the station any longer; we have to be on the train.

I would like to point out some gaps in the UN fish agreement, noting that Bill C-27 is merely the enabling legislation that will allow Canada to ratify UNFA whenever it so chooses. UNFA cannot be used with respect to fish other than highly migratory and straddling stocks. It cannot be used to help with the Pacific salmon treaty. This is not a reason not to ratify, but it certainly is a limitation.

Even though salmon do not fall into categories of fish contemplated by UNFA, Canada's international position with respect to international fisheries issues will be enhanced once we ratify.

Another gap in UNFA relates to quotas and to allocations. Although UNFA is a multilateral agreement, ratifying it will not avoid the necessity of entering into separate treaties or subsidiary agreements with foreign nations. The terms of reference in UNFA are very broad and do not address quotas and catches. We know from our experience with the Pacific salmon treaty that these specifics have to be addressed in separate negotiations.

What plan does the minister have to act decisively? This government has been unable to get the United States to agree on smaller catches of salmon on the west coast. The minister states that conservation is his first priority, yet some species of salmon are simply disappearing. What assurances do we have that this government will be any more effective when discussing other species of fish on a multilateral basis with more nations than just the U.S.?

Many people may be surprised to learn that Canada is not in the top 10 list of fishing nations. On the international scene there are powerful interests at work and if we snooze, we lose. We have a rightful place in the world fishery. We also have obligations with respect to conservation and it will not help us if we do not sign on to these international agreements.

In conclusion, if we do not have a presence, we will not have a voice. By its inaction the Canadian government is contributing to Canada's weak position. Now is the time for commitment. Now is the time for action. Hopefully the government will take heed and do the right thing.

Mr. Joe McGuire (Egmont, Lib.): Mr. Speaker, first I would like to commend the member for Mississauga West who spoke previously for his support for the TAGS program and the support of his caucus for the Newfoundland fishery. He mentioned there were a lot of Newfoundlanders in his riding. I am sure they are enjoying themselves there, but they would prefer to be in the communities where they were born and grew up in.

• (1320)

The past speaker reminded us that we are talking about two oceans when we pass fisheries legislation, and also the fish committee that is in the north, and there are three oceans that this bill impinges upon and that is why it is so necessary to have it. He raised the matter of the *Estai*. The member for Burin—St. George's was saying why it cost us \$100,000 to prosecute in that particular event and why we had to return to Spain the various bonds that were required. That is why we have this bill today. We knew that in an international court we would have lost those cases because the legislation that we have before us today was not in force. We are here today to take care of that and to make sure that a predator or a pirate ship will be prosecuted if it is caught ravaging our stocks on the nose and tail of the Grand Banks or the Flemish Cap.

Even as we debate this bill today, massive fishing power is being deployed on the high seas. Large vessels armed with the latest technology are zeroing in on the world's dwindling fish stocks on the high seas. There are flags of convenience vessels that can and do plunder the oceans of the world. They are getting away with it because they operate in the global commons, that is, they fish the high seas that belong to no one and lie outside the authority of any single state.

The legislation before us today amends the Coastal Fisheries Protection Act and the Canada Shipping Act. When they are amended, Canada will be in a legal position to implement the UN fisheries agreement. That agreement will provide a needed step to deal with the world's fish pirates.

The Brundtland commission, or more properly, the World Commission on Environment and Development, made the following comment about the global commons. I quote directly from the commission's report written more than 10 years ago, in 1986:

Without agreed, equitable and enforceable rules governing the rights and duties of states in respect of the global commons, the pressure of demands on finite resources will [eventually] destroy their ecological integrity.

In other words, unless we move to stop the plundering, we face destruction of many fish stocks around the world. Time is running out.

That was only one of many similar warnings. The United Nations Food and Agriculture Organization reported that disastrous social and economic consequences await the worldwide fishing industry unless fleets are reduced in size, subsidies are eliminated, and fishing activity on the high seas is regulated.

The legislation before the House today represents those agreed to equitable and enforceable rules that are needed for the conservation and management of straddling fish stocks and highly migratory fish stocks in the global commons.

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When we pass this legislation and prepare the necessary regulations, Canada will be in a position to join that handful of nations that have ratified the United Nations fisheries agreement, UNFA. A total of more than 59 have signed the agreement and 17, including the United States and Russia, have ratified it so far. We will build the momentum needed to get the 30 ratifications required for entry into force.

When Canada ratifies the UN fisheries agreement, Canada will underline its commitment to settling fisheries disputes with other nations through negotiation and co-operation.

In 1994 Canada was the first nation to sign the UN Food and Agriculture Compliance Agreement for vessels fishing in the high seas. The agreement committed us to exercising licensing control over any Canadian vessel fishing the high seas.

Canada was the prime mover and is among the strongest supporters of the UN fisheries agreement. That is one reason why we should support this bill, so that we can add Canada's name to the list of those who have agreed to work toward a sustainable harvest of protein from the high seas.

• (1325)

The UN fisheries agreement rests on three pillars. First, the agreement sets out the principles on which conservation and management must be based for straddling fish stocks and highly migratory fish stocks. One of these principles is the precautionary approach. That means when it comes to setting catch limits, net and mesh sizes and so forth we agree with the UN fisheries agreement to err not on the side of high hopes or greed but on the side of caution. Conservation measures on the high seas must be similar to the measures enforced within national waters. That means we cannot have incompatible regimes for straddling or migratory fish inside the 200 mile limit of coastal states and outside the 200 mile limit.

Also in setting up the conservation regime, we agree to use the best available scientific information. That is an important point. Under this principle, states will not wait for so-called better information to come along before they limit their catch.

We will not be swayed by those who argue that we do not have enough information to set limits accurately. We will not listen to those who say "let us study the problem some more and then decide". That is an old dodge. It has been used from time immemorial to delay action and maintain the status quo. If we maintain the status quo we will not have to worry about setting limits because there will not be any fish left to conserve.

No one should think I am suggesting that we should stop or cut out our research programs. We should increase them. Indeed the

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UN fisheries agreement calls for the parties to commit themselves to continued and increased research. That applies especially to the collection of high quality data, for it is on the basis of this information that we set fishing limits.

The second pillar of the UN fisheries agreement is credible enforcement. Unenforced conservation and management measures are not worth the paper they are written on. We will enforce our conservation and management decisions co-operatively along with other parties to the agreement.

The primary responsibility for enforcement will continue to be with the flag state, the nation that, like Canada, licenses and regulates fishing activities. But the agreement enables states concerned about conservation on the high seas to take effective enforcement measures.

The agreement sets out a framework for action against vessels that break the rules by states other than the flag state, but there are clear safeguards against the abuse of these powers.

Canada has no wish to deprive those who fish on the high seas of their right to do so. I am referring to vessels from those countries known as distant water fishing states. We do not want to end their legitimate use of the high seas, but we do insist on an end to the abuse of the high seas by them or anyone else.

Regional and subregional fisheries management organizations will play the major role in conserving and managing straddling fish stocks and highly migratory fish stocks. In fact it is groups such as these, and the Northwest Atlantic Fisheries Organization, NAFO, is one example, that establish the specific measures we must take to conserve and manage fish stocks. NAFO sets measures for the conservation and management of stocks that straddle our 200 mile limit. ICCAT, the International Commission for the Conservation of Atlantic Tuna, sets them for highly migratory stocks, specifically swordfish and tuna, that move through the high seas and through the exclusive economic zones of many countries.

The third pillar of the agreement is a commitment to settle disputes peacefully. The UN fisheries agreement provides for a number of methods to settle fisheries disputes. Some of these are non-binding, but if these methods fail to resolve the dispute, there is provision for compulsory and binding procedures. My colleagues will have more to say about these particular provisions.

In the little time left to me I would like to return to the enforcement issue. What will happen under this legislation in those cases where fisheries inspectors know that a serious violation has taken place in the international waters within our 200 mile zone?

First of all, what is a serious violation? Some are listed in the legislation and some are brought in through regulations which incorporate by reference the relevant provisions of regional or subregional fisheries management organizations. The agreement specifies fishing in a closed area or during a closed season,

exceeding a quota, fishing without a licence, using prohibited gear, or fishing for a stock under moratorium.

• (1330)

As well, a vessel may commit minor violations that cumulatively can be regarded as a serious disregard for conservation and management measures. Here is what the agreement allows. Canadian officers may board and inspect fishing vessels of any other state to verify compliance with conservation and management measures; that is, any other state whether it is or is not a party to the agreement.

Where there are clear grounds to believe a violation has been committed, the protection officer will notify the flag state which is then expected to take appropriate action against the vessel. If it does not respond or if it does not begin to fulfil its obligations to fully investigate and does not take appropriate action within three days, our officers can search and seize evidence and bring the vessel to port.

Actually, the legislation goes beyond this. We can take action when any fishing vessel from a state that is party to the UN fisheries agreement contravenes conservation measures adopted by a local fisheries management organization and we can do that whether or not the state in question is also a member of the organization. This is a breakthrough in the development of the International Law of the Sea.

Under the United Nations fisheries agreement our protection officers may take charge of a vessel until the flag state fulfils its obligation to investigate fully and promptly and then take follow up action. As it stands now, under NAFO for example, if the flag state cannot be contacted our inspectors must leave the vessel even if they discover a serious violation.

The United Nations fisheries agreement procedure is another significant breakthrough.

Enforcement is vital if we are to properly conserve and manage straddling stocks and highly migratory fish stocks. However, we cannot rely exclusively on these provisions. The real goal of the agreement is to create an atmosphere of mutual trust coupled with effective enforcement to ensure the sustainable exploitation of these many important living resources of the sea.

I would like to conclude by quoting Ambassador Satya Nandan of Fiji. It was Ambassador Nandan who chaired the conference that produced the UN agreement. He said:

In essence, this agreement provides for the conservation and sustainable use of the fish resources of the oceans. In place of conflict, it provides a framework for co-operation.

That is something that Canada has always sought. I urge all hon. members to pass this bill and thus permit Canada to ratify this important agreement.

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[Translation]

Mr. Yvan Bernier (Bonaventure—Gaspé—Îles-de-la-Madeleine—Pabok, BQ): Mr. Speaker, I take this opportunity to give my regards to the hon. member for Egmont, who was the chair of the Standing Committee on Fisheries and Oceans in the last parliament. I understand the hon. member is familiar with the issue, but I would like to see if he will be more progressive than his party, he who had such progressive ideas regarding Bill C-27.

First of all, I would like to ask him a question. The Bloc Québécois has indicated its intention to support the principle of Bill C-27, adding however that we have much to do this spring, and this week in particular, besides debating Bill C-27.

Regarding the rationale for this bill, the government claims it will enable it to implement the agreement, which is not true since it can do so without our consent.

If it takes the time to ask for our consent, then we should be able to take the time to go into the details. I say details because the UNFA is not wishful thinking nor a collection of generalities.

I would like to know if the hon. member plans to put pressure on his minister to ensure, in return for the favour we are doing him this week by discussing Bill C-27, that the Atlantic groundfish strategy is renewed as soon as possible and that work on the crab management plan for zone 12 is progressing so that it can be tabled by the end of the week. Finally, I would like the hon. member to tell me if his government has started giving some thought to what type of fisheries and vision of the future it will put forward.

• (1335)

Does he at least plan to put pressure on his minister to hold consultations in this respect? The hon. member opposite, who is a good man, listed and described the various penalties but I am still waiting for him to talk about policy thrusts. For example, what fishing gear and vessel should be favoured in view of the size of the fish that will be allowed to be caught in the future, since there is a decline in fish stocks, as we know.

I would like to hear the hon. member for Egmont on this point.

[English]

Mr. Joe McGuire: Mr. Speaker, I want to thank the hon. member for his question. I know he stayed in Ottawa to debate this bill. His committee is travelling in the Northwest Territories at the present time and I am sure his presence will be missed. I am sure I would miss him if I was there.

He has a number of questions and I think some of them have already been answered this morning. One of his questions concerns TAGS, about which considerable pressure is coming to bear on the government. We know that the old TAGS was far from perfect.

There were a lot of holes in it. We intended to help a lot of people with that \$1.9 billion, but many are still in need of assistance.

The reason is because part-way through the process we took money allocated for the buy back program and for training and put it into personal support because of the underestimation of the number of people that would be included in TAGS. The program was running out of money very rapidly, so money was taken out of two vital sectors and used for income support when it probably should have been used to take fishermen out of the program altogether.

The new program must be designed to take people out of the fishery, but also to ensure that there are enough fishermen left to have a sustainable groundfish fishery off the Atlantic coast.

The member also mentioned zone 12 crab. I think he is aware that probably this week the zone 12 management plan for crab will be announced by the minister.

The only way a fishery can be continued in Canada, whether it is on the Pacific, on the north or on the Atlantic coast, and the only way for small fishing villages to survive is to have a sustainable fishing industry. If we continue to overfish, as we have done in the past, we will continue to have the same attitude and pressures that were prevalent when some of our fish plant workers did not get enough work and pressure was put on for them to continue to work so they could collect EI. That created a reliance on the EI system.

This type of thinking has to change. We have to think of the resource first. If there are not enough fish, there are not enough fish. It takes a while. I know we are dealing with families. We are dealing with the ability of individuals to put food on their table, but at the same time if we continue in this way there will come a time when no one will have any weeks in the fish plants in Atlantic Canada. We have to look at managing the resource in a sustainable way so that it will be there not only for the present but for the future.

Mr. Mac Harb (Ottawa Centre, Lib.): Mr. Speaker, it is quite ironic that we have a situation where too many people are chasing too few fish and relying on this resource to support themselves and their families.

This is not new. We experienced the same thing a few years ago in the forestry industry. The same thing has happened in other natural resource industries.

I think the message which we have to give clearly and unequivocally is that we have to work on the renewal of the resource. We have to diversify our economy so that we do not rely on one source of revenue coming from one natural resource. We have to have a renewal mechanism which will help it to grow.

I want to commend the government on its initiative.

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• (1340)

Frankly, whether we like it or not, were it not for the actions of this government I would be surprised if we had an international agreement that deals with fish stocks.

I want to ask my colleague to enlighten us a little on the program established by the provincial governments of Atlantic Canada to diversify their economies so they can deal with some of the difficult situations which the people of Atlantic Canada are facing.

Mr. Joe McGuire: Mr. Speaker, I thank the member for Ottawa Centre for his question and for his concern on this topic.

I think it is vital for any part of Canada not to lose its greatest natural resource, that is, the people who live in those areas, including those on the coast of British Columbia who have been displaced because of the decisions taken regarding salmon stocks. They no longer were able to earn a living for themselves. Therefore, they had to sell their licences and move on to something else.

The most devastating part of the mismanagement of any resource is the displacement and uprooting of people, whether it is on the west coast, in the forestry industry or in Atlantic Canada.

What we should keep in mind above all else is that in order to retain the health of our coastal communities the resource has to be in a healthy state to provide a living and work for people so they can stay there, bring up their families and educate their children so they can contribute to the area when they mature.

The diversification issue is something that Atlantic Canada has been grappling with since Confederation. At Confederation the Atlantic provinces had one of the healthiest, most vibrant economies in the new nation. The economy was very diversified.

Through various actions taken by the national government, especially on tariffs, the free trade that we had with a lot of countries in the Caribbean, in the New England states and in Great Britain was diverted into high tariff policies which made our industries very unsustainable.

In order to build up the country, Atlantic Canada had to get into something new and diversify because it was competing on the north-south axis in a very inequitable manner.

It is only now, since the free trade agreements, that we are in a position to restart our economic engines in Atlantic Canada and to renew our connections with the Caribbean, which we had for centuries, with the eastern United States, which have approximately 175 million people, and with western Europe.

With that and with time I think the hopes are great for Atlantic Canada and the future is very bright.

[Translation]

Mr. Daniel Turp (Beauharnois—Salaberry, BQ): Mr. Speaker, I thank my colleague, the hon. member for Bonaventure—Gaspé—Îles-de-la-Madeleine—Pabok, for getting me involved in the debate on Bill C-27, which is aimed at implementing the United Nations Fisheries Agreement and thus ensuring that Canada can ratify this convention by bringing its internal legislation in line with the convention.

I would, moreover, like to start by mentioning the worthwhile contribution of one of my friends in negotiating that convention. Paul Fauteux, who has been at the Department of External Affairs for some years, was one of the key negotiators for Canada when the convention was being negotiated under the auspices of the UN.

My comments will focus on two matters that need to be raised during the debate at second reading of this bill and could also be the subject of more thorough debate when it is examined in committee. I will also address the international aspects of the bill and the convention it implements.

• (1345)

The first question I wish to raise today in the House is the connection between this bill and the prior bill, C-29, passed in 1995, which also amended the Coastal Fisheries Protection Act, authorized Canada to extend its jurisdiction beyond the 200-mile fishing zone, and allowed it to board ships in order to ensure compliance where straddling stocks were concerned.

It must be kept in mind that, at that time, the debate addressed whether or not these new legislative powers were legal according to international law. The Government of Canada, and the Bloc Québécois was in agreement, considered such measures licit. Consequently, the bill gave the government jurisdiction, power that had not previously been accorded in international treaties, which the United Nations fishing agreement has just rectified.

However, debate continues, because a case is pending before the International Court of Justice, that of the *Estai*, which raises the question of the compliance of the 1995 legislation with international law in both extraterritorial and penal terms, since this legislation provided for the boarding of vessels, something that will be permitted in future under the treaty adopted by the United Nations.

The question remains, however. What is Canada's attitude to countries that are or are not signatories to the UN fisheries agreement? Will Canada keep its legislation? Will it want to apply legislation to countries that have not signed the UN fisheries agreement or will it simply ensure that the Coastal Fisheries Protection Act, as amended by Bill C-26, remains the only law to apply in the matter?

This question is all the more important because it could influence the International Court of Justice's understanding of the matter before it and in the light of the arguments adduced, if it considers it has jurisdiction in the matter.

Another question needs to be asked and answered. Will Canada, which, in 1995, made the bill conditional on its acceptance of the jurisdiction of the International Court of Justice, want to go another route and remove this condition so that the International Court of Justice could have jurisdiction on these matters, which had been outside its jurisdiction?

In my opinion, these questions warrant reflection and have not, up to now, been thoroughly debated, but should be, and, I hope, will be in committee. This also raises the general issue of the value, under international law, of unilateral legal documents drafted by states. In the past, Canada has at times insisted on drafting such documents, including for the Arctic, on the grounds that while certain unilateral documents may not necessarily comply with international law, they should be drafted to promote changes to it.

There is unquestionably a degree of success here, and we will not criticize a party for drafting unilateral documents that do not necessarily comply with international law, when this is done to ensure that the law will adjust to facts that are real and material.

• (1350)

The second issue of an international nature which I want to raise in this debate has to do with the powers that the governor in council would have to adopt delegated legislation and adapt regulations to implement the provisions of other international fisheries agreements or treaties to which Canada is a party.

I am referring in particular to clause 3(2) of the bill, which amends sections 6(e) and 6(f) of the Coastal Fisheries Protection Act. It seems that this clause will give the governor in council what is probably an excessive power under common law, to the extent that he can exercise this power without any involvement of the House of Commons, Parliament or parliamentary committees regarding the implementation of international treaties.

We should certainly take a close look at this provision, to ensure that the implementation of international treaties is not even further removed from the control of democratic and parliamentary institutions which, in our opinion, already do not have the powers they should have.

I therefore urge that this provision, and the issue of the role of the House of Commons and of Parliament generally in implementing, and even signing, treaties be examined as part of the debate on this bill.

Other issues can certainly be addressed in committee. I would like to assist my colleague, the member for Bonaventure—Gas-

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pé—Îles-de-la-Madeleine—Pabok, and will be at the committee's disposal to look at ways of improving this implementing legislation so that the UN fisheries agreement is incorporated into domestic law in accordance with the international obligations that will arise from Canada's ratification.

Canada played an important role in negotiating this convention. It is regrettable that only now, in April 1998, is this issue finally being debated in the House of Commons, since the idea of introducing and passing implementing legislation for the purpose of ratifying the UN fisheries agreement had already been mentioned in the February 1996 throne speech.

I would hope, as would my party, that the government will be more diligent in these matters and move much more quickly than in this instance to introduce a bill in the House of Commons for the purpose of implementing international treaties.

[*English*]

Mr. Gary Lunn (Saanich—Gulf Islands, Ref.): Mr. Speaker, I spoke yesterday on this and I understand some members from the government side were quoting me earlier today. They said I was wrong. We are talking about the two provisions which have been debated at length in the House. I said that an officer or an enforcement person would have to get permission to board a vessel. I went on to say that I agreed that was arguable. My point was that this legislation is vague. One section states they can board and then advise the flag state while the next section states that before they can do that they have to get permission. I wanted to put those comments on record.

The Acting Speaker (Mr. McClelland): With respect, it was questions and comments and not another opportunity to be on record. If the hon. member for Beauharnois—Salaberry wishes to respond, feel free.

[*Translation*]

Mr. Daniel Turp: Mr. Speaker, I have no comment.

[*English*]

Mr. Gary Lunn: Mr. Speaker, I am going in the same vein and I was speaking on a point. My friend just alluded that this bill has no teeth. This government has argued that it had to follow the UN convention. That is what this legislation is all about.

• (1355)

Last April just before the government called the election, it tabled enabling legislation for the same bill, but ironically these same clauses were not there. The minister at the time did put some teeth into it, the very same legislation. I notice some of the members on the opposite side are shaking their heads. I would offer that legislation to them. They are welcome to contact me and I will give them a copy.

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This was negotiated in 1995. They brought in the enabling legislation in 1996 and it died on the order paper when the election was called. I remind members that we can put some teeth in the legislation and it is beyond me why the current minister has watered it down so it has no effect. It is supposed to allow our enforcement officials to have the ability to act when foreign nations are fishing illegally and breaking our rules. UN conventions allow them to act.

We all know when the *Estai* was fishing illegally in 1995 that is what they did under the Coastal Fisheries Protection Act. The new legislation takes all the teeth out of it. They have to get permission from the flag state before they can lay a charge.

The Speaker: I hate to interrupt the member in full flight. It does my old heart good. I know that. As it is almost 2 o'clock I wonder if we could proceed to Statements by Members.

STATEMENTS BY MEMBERS

[Translation]

ROAD TRANSPORT

Mr. Guy St-Julien (Abitibi, Lib.): Mr. Speaker, once again this week, the Government of Quebec, through its acting premier and transport minister, was afraid to tell the whole truth about truck accidents on Quebec's highways.

It did not publish the complete report on serious and minor injuries sustained in truck accidents, as opposed to those sustained in accidents involving cars and other road vehicles.

Why was there a 32.5% increase in serious injuries to occupants of trucks? Why was there a 16.5% increase in minor injuries to occupants of trucks?

We are calling on the Government of Quebec to tell the whole truth about truck accidents in Quebec, including the real figures, in the next two weeks.

* * *

[English]

GOVERNMENT COMPENSATION

Mr. Peter Goldring (Edmonton East, Ref.): Mr. Speaker, in Cuba the Prime Minister spoke of the winds of change. Tuesday evening a bitter cold wind cut through the House; innocent blood victims dismissed by the whip. The vote closed the file on lives destroyed before 1986.

Yesterday a frosty wind of change chilled Hong Kong war veterans to their souls. Brutally enslaved by Japan, now dismissed

by Canada, Hong Kong veterans too are left without hope. "A dollar a day is more than enough for the victims of slavery by Japan". That is the minister's chilling retort.

The winds of change come from hearts of ice against the will of most. Who is next on the Liberal deep freeze list of the winds of change?

* * *

[Translation]

MICHEL LACHANCE

Mr. Hec Clouthier (Renfrew—Nippissing—Pembroke, Lib.): Mr. Speaker, I am pleased to salute a super star of the horse racing world.

Michel Lachance was born on a farm, close to the small village of Saint-Augustin, in Quebec. He has won over 8,000 races, and he is the only Quebec horseman to have won more than \$100 million in purses, which is a tremendous accomplishment.

I know him personally, since I had the privilege of racing against him. Michel Lachance is also a man of great qualities, who has worked very hard to reach the pinnacle of his profession.

Thank you Michel Lachance for representing your family, your province and your country so well. We wish you all the best in the future.

* * *

[English]

JOHN BASSETT

Mr. David Price (Compton—Stanstead, PC): Mr. Speaker, the flag over the Peace Tower flies at half mast today in honour of a great Canadian.

• (1400)

John Bassett passed away Monday after a lengthy illness. He left an indelible mark on the Canadian landscape. John Bassett served as major in the Black Watch Regiment during World War II. He was a media pioneer, a sports enthusiast, a businessman and a Tory.

When I was 11 years old John Bassett, who was a friend of the family, gave me my first job bundling inserts for his first newspaper, the daily Sherbrooke *Record*.

A graduate of Bishop's University in Lennoxville, Quebec, my hometown, John Bassett ran for office for the Progressive Conservative Party of Canada on two occasions.

He was once a proud owner of interests in both the Toronto Maple Leafs and the Toronto Argonauts. John was a member of the privy council, a companion of the Order of Canada and the Order of Ontario.

On the behalf of the Progressive Conservative Party of Canada I convey my condolences to his wife Isabelle and their family.

* * *

[Translation]

THE LATE CARLO ROSSI

Mr. Denis Coderre (Bourassa, Lib.): Mr. Speaker, last Monday, the House paid tribute to Carlo Rossi, a man who played an important role in the riding of Bourassa. Since I was not here, I would now like to pay homage to him.

Our former colleague, Carlo Rossi, died on April 11, after a lengthy illness.

Mr. Rossi was first elected as the member for Bourassa in 1979. He had joined the Montreal urban community's police force in 1948, and was a criminal investigator with the rank of lieutenant from 1971 to 1979. He had a reputation as one of the best negotiators in hostage-taking incidents.

Mr. Rossi was awarded the silver medal by the Queen, and he received the gold medal of the Canadian Bankers Association, in addition to being the recipient of the merit award of the Kiwanis and Rotary clubs.

The former member for Bourassa, who was also vice-president of Carrefour Jeunesse Rosemont, was first elected to the House of Commons in 1979, and re-elected in 1980 and 1984. He was appointed parliamentary secretary to the Minister of State for Multiculturalism on March 1, 1982, and became acting whip in 1984.

Carlo Rossi will be remembered as a tireless worker who was very involved in his community. We offer our sincere condolences to his family and friends.

So long, Carlo.

* * *

THE LATE MAURICE TREMBLAY

Mr. Bernard Patry (Pierrefonds—Dollard, Lib.): Mr. Speaker, Saguenay-Lac-Saint-Jean has just lost an eminent physician, Dr. Maurice Tremblay.

This very humane, humble and generous man has left his mark on many. In 1954, after completing his studies in Boston and Paris, the young pediatrician devoted himself body and soul to the care of his young patients, at a time when there were many dangerous childhood diseases, including polio, scarlet fever and meningitis.

He was also very concerned about the children in the Chicoutimi orphanage, and visited it regularly, free of charge.

Along with several colleagues, Dr. Tremblay founded the Institut médical de Chicoutimi, and was also instrumental in the creation of family centres.

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I speak for all the patients and friends of Dr. Tremblay in offering my most sincere condolences to the family in their great loss.

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[English]

CANADIAN CANCER SOCIETY

Mr. Reed Elley (Nanaimo—Cowichan, Ref.): Mr. Speaker, this year the Canadian Cancer Society celebrates its 60th anniversary and April is also cancer campaign month.

I call on all Canadians to answer the knock at their door and donate generously to a worthy cause. The cancer society is an organization which is dedicated to ending the pain and suffering of an illness that has touched the life of each and every Canadian in one way or another.

I also call on this government to end its two tier approach to funding of cancer research in Canada. Although the incidence and fatality rates for prostate cancer and breast cancer among Canadian men and women are virtually identical, the federal government will give the National Cancer Institute over \$4 million for breast cancer research but it will not give them it red cent to help find a cure for prostate cancer.

Like hepatitis C, this is yet another example of a Liberal government which puts power and politics ahead of people and principles.

During cancer awareness month let Canadians be aware that this federal government will not cough up a dime to help find a cure for disease which will—

The Speaker: The hon. member for Toronto Centre—Rosedale.

* * *

UMUGENZI FOR REFUGEES.

Mr. Bill Graham (Toronto Centre—Rosedale, Lib.): Mr. Speaker, I rise in the House today to bring to your attention an organization that provides invaluable experiences for refugees in my riding called Umugenzi for Refugees. Umugenzi when translated from Burundi means friends of refugees.

When refugees arrive in Toronto after fleeing war and persecution in their homeland they are faced with an overwhelming challenge to adjust to their new surroundings. Umugenzi for Refugees is a non-profit organization that provides role models, community contacts, volunteer work experiences and skills to new Canadians as they begin their new lives in Toronto.

Three years ago members of Umugenzi for Refugees launched the Rukundo project to provide volunteer opportunities for new Canadians. Rukundo when translated means helping someone in need.

S. O. 31

● (1405)

The Rukundo project connects its participants with an agency in the community that will provide them with training and experience in their chosen field. It has reached some 400 seniors, 200 people living with mental illnesses and 500 refugees.

I wish to thank Umugenzi for Refugees for all its hard work with refugees in Toronto and its contribution to the vibrant multicultural society of our city.

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CANADIAN NAVAL RESERVE

Mr. Mac Harb (Ottawa Centre, Lib.): Mr. Speaker, 1998 marks the 75th anniversary of the naval reserve in Canada. Located in 24 cities, the naval reserve is made up of individuals who have chosen to dedicate a few hours every week and a few weeks every year in the interest of serving their country.

These part time military volunteers represent more than one-third of the navy's total strength. HMCS Carleton located in my riding of Ottawa Centre is the second largest naval reserve in Canada and includes 264 volunteers who perform extraordinary deeds in difficult situations.

Naval reserves from across Canada are always ready to help in emergencies, like with the floods in the Saguenay and Manitoba and recently during the ice storm in Ontario and Quebec.

I would like to thank these dedicated men and women of the naval reserve for their commitment to helping others and for their service to this country. They have demonstrated what it truly means to be Canadian.

* * *

JUSTICE

Mr. Jason Kenney (Calgary Southeast, Ref.): Mr. Speaker, this week one of Canada's leading crime fighters became the latest victim of the infamous Young Offenders Act.

Bob Runciman resigned as Ontario solicitor general on Monday because his government quoted the mother of a young offender in its throne speech, thanking Premier Mike Harris' boot camp initiative for "giving us back our son".

Bob Runciman is a man of unimpeachable integrity who has distinguished himself through his tireless campaign for law and order and his determination to put young offenders back on the right track.

It is a bizarre irony that the same Liberal Young Offenders Act which allows many young criminals to go unpunished has marked the reputation of an honourable man such as Bob Runciman.

If any minister should resign over the debacle of the Young Offenders Act it should be the federal Minister of Justice for her failure to introduce amendments which would reintroduce justice into the concept of the youth justice system.

* * *

ISRAEL

Hon. Sheila Finestone (Mount Royal, Lib.): Mr. Speaker, it is Israel's 50th birthday, Hag Sameach.

Euphoria greeted the UN vote declaring the state of Israel. Finally, out of the ashes of the Holocaust, the rebirth of the Jewish homeland arose. It is this century's success story. This land of great diversity reflects differing cultures and languages and has reclaimed green pastures from desert land, lifted rocks, terraced land, utilized every drop of water, learned and developed new technologies to once again make this desert bloom.

The vision, the end goal, is to ensure that the fundamental principles of justice, fairness and equality that have been the pillars of this people would find life and reality in this new emerging democracy. And yet within this diversity of land and people we find extreme contrasts and challenges. As the state of Israel matures, its people will learn to live in peace and prosperity with its many neighbours.

The people of Israel will achieve this goal. Am Yisrael Chai.

* * *

HUMAN RIGHTS

Ms. Louise Hardy (Yukon, NDP): Mr. Speaker, on Sunday, April 26, 1998 Guatemalan Bishop Juan Gerardi was murdered. His crime was to release a report on human rights abuse under a former military regime.

Guatemala participated in the summit of the Americas where the Prime Minister of Canada indicated that leaders of 34 democratically elected governments in the hemisphere committed themselves to respect human rights everywhere in the Americas.

But unfettered globalization is bringing the clashes between trade and human rights to the centre of international activities. Sadly our country is taking the position that trade is ahead of democratic development and human rights.

We wish to alert this government that its foreign policy of constructive engagement is not fostering human rights with our trading partners but is bringing the social values of repressive regimes into our own country as expressed by the autocratic attitude of the Prime Minister and evidenced by the attack on University of British Columbia students during APEC.

The citizens of this country are demanding that our deeper obligations are to promote and defend international human rights, not to support the abusers.

* * *

ISRAEL

Ms. Elinor Caplan (Thornhill, Lib.): Mr. Speaker, today from Metulla to Eilat, the Jordan River to the Mediterranean Sea, Israel is celebrating her 50th anniversary.

This year Israelis and Jews from around the world gather to celebrate our collective past, question the present and propose solutions for the future.

Israel, a rare democracy in the Middle East, is the homeland of the Jewish people. For the past five decades with the incredible immigration of nearly 750,000 Russian Jews, the miraculous immigration of the Ethiopian Jews and of course the World War II European Shoah survivors, many Diaspora Jews now call Israel home.

• (1410)

Starting as a dream in the desert by a handful of people through sweat and determination, Israel has blossomed into a modern day nation with close to six million people living within its borders.

As people celebrate in Israel and around the world, on behalf of my constituents in the riding of Thornhill, I extend a hearty Mazel Tov to the state of Israel. May your borders be safe and may all your people live in harmony. Shalom.

* * *

[Translation]

ISRAELI PEOPLE

Mr. Daniel Turp (Beauharnois—Salaberry, BQ): Mr. Speaker, the Bloc Québécois wishes to extend its best wishes to the people of Israel on the occasion of the 50th anniversary of the creation of the State of Israel.

After centuries of statelessness and victimization at the hands of tyrants, the most ghastly instance of which was the Holocaust, the Israelis have seen the fulfillment of their dream, a dream shared by many peoples, to live in their own country,

The legitimate dream of living in one's own country has too often been overshadowed by wars and conflict which endure to this day. The signature of the Oslo accords created real hope among the international community and opened the door to negotiations which might encourage lasting peace in the region.

Today, the peace is still fragile and we hope the numerous efforts invested in democracy and lasting peace in the Middle East will soon bear fruit.

S. O. 31

The May 1999 deadline on the question of the definitive status of the occupied territories and the Gaza Strip is coming up fast. We are hoping for an agreement on this matter, so that all—

The Speaker: The hon. member for West Nova.

* * *

[English]

CORNWALLIS NAVAL MUSEUM

Mr. Mark Muise (West Nova, PC): Mr. Speaker, on May 3 the residents of Cornwallis will celebrate the official opening of their new naval museum.

Sadly, stained glass windows that were donated to the former base by our naval personnel to commemorate the battle of the Atlantic, have not been returned.

The Department of National Defence removed these windows following the closure of the base, choosing to transfer them to its Halifax base chapel. The minister appears to be sympathetic to returning these windows to the new naval museum, yet a final decision is still pending.

Our veterans presented the gift to the Cornwallis base with the understanding that they would be proudly displayed for all to see. On Friday I went to our military base in Shannon Park, Halifax to get a glimpse of these windows. My entry was met with resistance. I do not think this was the intent of our veterans when they donated these windows.

These windows mean a lot to the residents of Cornwallis. I ask the minister to give these people something to really celebrate on May 3 by returning the windows to their rightful owners.

* * *

[Translation]

QUEBEC ECONOMY

Mr. Yvan Loubier (Saint-Hyacinthe—Bagot, BQ): Mr. Speaker, the Mouvement Desjardins expects that, within two years, Quebec will have nearly overcome its historic economic lag behind the rest of Canada. This will be expressed in terms of a level of unemployment under 10%, something that has not been seen for 10 years.

Quebec's remarkable performance is due in large part to large scale investment. Nearly \$3 billion in private investments have been made in our regions.

Quebec is preparing to enjoy a period of economic prosperity not seen since the quiet revolution and which is also thanks to the good government of the Parti Québécois under Lucien Bouchard, who got us out of the financial and economic quagmire inherited from nine years of Liberal rule.

Oral Questions

I therefore encourage this House to delight in this good news and to denounce the charlatans who are trying to make political hay by denigrating Quebec with their lies.

* * *

FORESTRY

Mr. Gerry Byrne (Humber—St.-Barbe—Baie Verte, Lib.): Mr. Speaker, Canadians own 10% of the world's forests. We take this responsibility very seriously. Forests are vital to our health, our well-being, our environment and our economy.

[*English*]

That is why I wish to inform hon. members of this House that the eighth national forest congress is taking place this week in Ottawa from April 29 to May 1. Some 350 of the most influential members of Canada's forest community will convene at the Ottawa Congress Centre where a new national forest strategy will be presented and the second Canada forest accord will be signed.

Together they will form a progressive agenda for continuing action toward the goal of sustainable forest management across Canada over the next five years. I welcome this event.

* * *

JUSTICE

Mr. Gary Lunn (Saanich—Gulf Islands, Ref.): Mr. Speaker, a witness stated that there was a party atmosphere among the boys who watched the assault on a 16 year old boy that left him lying unconscious in a pool of blood.

"They were just having a good time, they were laughing it up". These are the words of Rob Parsons, the youth co-ordinator for Lambrick Park church. The youth was assaulted while on his way home from a church youth group in my riding of Saanich—Gulf Islands.

• (1415)

My constituents are still trying to deal with the similar incident of Reena Virk. These are just two examples of why the Minister of Justice must deal with changes to the Young Offenders Act today.

I will be holding a Young Offenders Act forum in my riding on May 11 where students, legal professionals and the general public will tackle the growing problem of youth violence in our communities.

Canadians are working together to resolve this crisis. The minister has the power to put teeth into the Young Offenders Act. She has the power to be part of the solution not just for my riding but for all of Canada. Until this happens she is the problem.

ORAL QUESTION PERIOD

[*English*]

HEPATITIS C

Mr. Preston Manning (Leader of the Opposition, Ref.): Mr. Speaker, the Prime Minister's last defence against the government's shameful treatment of hepatitis C victims is crumbling away.

Last night the Quebec assembly unanimously agreed that compensation should be paid to all victims of tainted blood.

This morning the Ontario health minister endorsed the same position. Quebec and Ontario governments have changed their position on this issue.

Will the federal government now admit that its original position was wrong and change its position as well?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, there was absolutely no change in their position.

They said if the federal government will pay they will be happy. If they want to pay we will be happy too. Responsible government is you put your money where your mouth is.

For example, Ontario has reduced taxes by \$5 billion and it does not want to have more money to help the people it wants us to help. It should be a responsible government and not play cheap politics.

Mr. Preston Manning (Leader of the Opposition, Ref.): Mr. Speaker, the Prime Minister avoids the central issue. Daniel Johnson, the Liberal leader in Quebec, persuaded the Quebec assembly to support the principle that all the victims should be compensated.

It is the principle. If you accept the principle you can deal with the money question, the cost sharing, afterwards. Will the Prime Minister endorse the principle that all the victims of tainted blood should be fairly compensated?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, make a decision and ask for the price later. Is that responsible government? Yes, there are a lot of people in our society who are suffering. Should we take responsibility for everybody who has a permanent difficult disease when there is no government responsibility?

Some members of parliament are always complaining because we want to put more money in social and economic programs. They tell the nation the money should go to the reduction of taxes and the reduction of the debt. It is just pure simple hypocrisy.

Oral Questions

The Speaker: Colleagues, I urge all of us to be very cautious in our use of words and I ask all of us to stay away from the word hypocrisy.

Mr. Preston Manning (Leader of the Opposition, Ref.): Mr. Speaker, the Prime Minister has run out of excuses. Justice Krever presented the medical and legal evidence for compensating the victims.

Now there are two provincial governments endorsing the principle that all the victims should be compensated.

Will the Prime Minister now acknowledge that the only obstacle to a fair and compassionate settlement for these victims is his own ego, his own pride and his own stubbornness?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, we met with the provincial governments. We were the ones who initiated the program. They were not interested.

The Minister of Health had meeting after meeting, trying to persuade them to put up money. Health is a provincial responsibility. We put up \$800 million. They put up only \$300 million. We had to fight with them.

Today we have the very courageous Mr. Bouchard and Mr. Harris. Let the government pay. Intervention in provincial affairs. Running the health care system for them.

The Speaker: The hon. member for Macleod.

• (1420)

Mr. Grant Hill (Macleod, Ref.): Mr. Speaker, Joey Haché is 15 and hepatitis C infected. He is here with us today.

He has some questions for the Prime Minister who said that he would rather spend money on pensions for young Canadians that might not get one when they retire rather than compensate hepatitis C victims.

Joey's question: "Did it ever occur to the Prime Minister that some young Canadians, like myself, might not make it to retirement age because of hepatitis C?"

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, there are people who unfortunately are facing a difficult situation. I know some very young people who have MS and who will have a very tough life. I can name a lot of people in this nation who have all sorts of diseases. We have established a system of welfare in Canada to help these people. We have free medicare to help these people. These are the very programs the Reform Party always wants to cut when there are votes in the House of Commons.

Mr. Grant Hill (Macleod, Ref.): Mr. Speaker, the Prime Minister forgets that MS did not come from the federal regulators.

Joey goes on: "The Prime Minister made mention yesterday in the House to the effect that even though we might not be

compensated, we will still have the health care system to fall back on. I went to that health care system for a life saving transfusion and look where that got me". He ends by saying: "I am the Prime Minister's conscience". Joey says that he will not go away until the Prime Minister compensates all the victims of hepatitis C.

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, it was the responsibility of the government from 1986 to 1990. At that time when the problem existed a commission was created. We have received the results. The report said that it was for that period of time that the government was responsible. We took that file and went to the provincial governments. None of them wanted to do anything until pressured by the Government of Canada. Today, they said nicely to do something, and we will not do it.

Mr. Harris cut taxes by \$5 billion. He does not have a cent for Joey Haché who is in the gallery today.

[Translation]

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, yesterday, the Quebec National Assembly unanimously passed a motion calling on the federal government to show compassion and compensate all victims of hepatitis C.

This motion was put forward by the Quebec Liberal Party, which, starting this evening, will be led by a person whom the Prime Minister referred to as "reasonable man".

Today, the Government of Ontario gave its support to this motion. Will the Prime Minister reconsider his position and act on the Quebec government motion, supported by—

The Speaker: The right hon. Prime Minister.

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I would like to know if the leader of the Bloc Québécois will ask the leader of the Quebec government, who is so compassionate, whether he plans to pay his share of any compensation paid out to these people.

These are the people who, on Monday, Tuesday and Wednesday, were refusing to contribute and defending their position. Today, they are showing so much courage that they are asking the federal government to do their job, since the provincial government will not do it itself.

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, did I hear correctly what was said by the Prime Minister, the man who reduced his deficit by taking money away from the provinces and the poorest of the poor in our society, the sick and the young?

Should he not be fair and equitable, instead of prancing about in the House, to the applause of a bunch of subservient members? I am not asking him to be generous, just human, if he can.

Oral Questions

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I would ask of the Quebec government to be human too. The Quebec health minister, who made certain statements and has just been disavowed by his leader and his party, should do the honourable thing.

We for our part stand behind our health minister and do not pull the rug out from under his feet. That is the essence of a responsible government, one that assumes its responsibilities and does not pass the buck on to others.

• (1425)

Mrs. Pauline Picard (Drummond, BQ): Mr. Speaker, the government cannot deny it is in a better financial position than most of the provinces, because it took billions of dollars away from them in the area of health care and continues to do so.

Will the Prime Minister acknowledge that, if he wanted to act responsibly, he could compensate all victims of hepatitis C from the \$4 billion budget surplus?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I would just like to quote what Mr. Bouchard said barely 48 hours ago “Are we going to go beyond the fault and force governments, even where there is no fault, to compensate injury? If that is to be the case, we must remember that taxes will go up and the quality and breadth of services are likely to be reduced. There are extremely profound consequences” he is afraid to face.

Mrs. Pauline Picard (Drummond, BQ): Mr. Speaker, how can the Prime Minister justify spending millions on legal costs rather than on compensation for victims? What sort of choice is that?

Hon. Allan Rock (Minister of Health, Lib.): Mr. Speaker, what we witnessed yesterday in the National Assembly was a totally cynical act—

Some hon. members: Oh, oh.

The Speaker: My dear colleagues, it is becoming increasingly difficult to hear you.

[*English*]

Some hon. members: Oh, oh.

The Speaker: I am sure we want to hear the questions and the answers. I encourage all of us to listen when a member is on his or her feet speaking. The hon. leader of the New Democratic Party.

[*Translation*]

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, the government keeps telling us it has the support on hepatitis C. But the common front is cracking everywhere. Quebec and Ontario are calling on the federal government to compensate all victims.

Does the government intend to review the compensation program? Will the Prime Minister use Canadians' money to compensate all victims?

It is not a question of generosity, but a question of justice.

[*English*]

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I will quote the NDP Saskatchewan health minister, Clay Serby, who said on April 23, 1998: “This in my opinion is not a political issue”. This has never been a political issue and we should not be making it into a political issue. This is not Saskatchewan's opinion only. This is the collective wisdom of all the provincial health ministers across the country whether the provincial governments are Liberal, Conservative or NDP.

I know it is the responsible thing to do. I repeat that—

The Speaker: The hon. leader of the New Democratic Party.

• (1430)

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, the health minister's flimsy defence is collapsing like a house of cards. The Manitoba health minister has made it clear that the federal government was never prepared to consider full compensation. It turns out that the bogus talk about principles was merely to mask the real issue, money.

Will the health minister go back to the provinces to put more money on the table and negotiate fair compensation for all of the victims of hepatitis C? Yes or no?

Hon. Allan Rock (Minister of Health, Lib.): Mr. Speaker, what has collapsed is the integrity and position taken by Ontario and Quebec. What has collapsed is the position they took with us that all victims during a period when governments were at fault should be compensated and beyond that there is no basis for doing so.

It is clear from what the hon. member said that she is not aware of what her own party members have said and done in Saskatchewan. They favour this approach. They favour this agreement because it is the right thing to do.

[*Translation*]

Ms. Diane St-Jacques (Shefford, PC): Mr. Speaker, the Minister of Citizenship and Immigration criticized her former premier on the grounds that his demonstration of humanity and flexibility comes too late and that he should have taken action when she was in his cabinet.

The minister also says that political courage and principles come at a price.

Where is this government's humanity? Where is the political courage of the Prime Minister and the Minister of Health to listen to the provinces and to reopen the agreement in order to include all hepatitis C victims?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, almost all of the provinces did not want to do anything at all. And it was because the Minister of Health put pressure on them

Oral Questions

that they backtracked and agreed to pay \$300 million, while we are paying \$800 million.

[*English*]

Mr. Scott Brison (Kings—Hants, PC): Mr. Speaker, this government is running out of provinces to hide behind.

Canadians were unable to bank their own blood before 1986 and had no control over whether they were infected with tainted blood. But the health minister and the Prime Minister do not care about that. They care more about class action suits. It is not the first time they have dragged innocent people through the mud for class action suits. They should be doing the right thing and they refuse to.

I ask the Prime Minister, the next time he appoints a Minister of Health, will he appoint a doctor instead of a lawyer?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, when I make someone a minister it is not because of his profession but because of his intelligence and his human qualities. This Minister of Health was the first one to try to do something with this file.

I see all these people now who did not want to do anything at all who signed very reluctantly are now dropping crocodile tears stating that the feds should pay and not them. They should be responsible. That is what people—

The Speaker: The hon. member for Nanaimo—Cowichan.

Mr. Reed Elley (Nanaimo—Cowichan, Ref.): Mr. Speaker, I cannot believe this. Yesterday we asked the discredited health minister to prove how many Canadians were infected with hep C before 1986. He refused. We will do what he will not. Recent provincial surveys in both British Columbia and Nova Scotia indicate there could be as few as 15,000 nationwide. That is 15,000 too many.

Will the Prime Minister stop pitting Canadians against hepatitis C victims, admit he is wrong about the numbers and compensate all victims who contracted this disease from tainted blood in the supply?

Hon. Allan Rock (Minister of Health, Lib.): Mr. Speaker, the hon. member should know that Mr. Justice Krever himself accepted the numbers that were produced by the director of our laboratory centre for disease control. If the hon. member would read the Krever Report, which he likely has not, he would see that Dr. Paul Gully's numbers for the number of people infected in the relevant period was accepted by the Krever commission.

In any event this decision was not made on the basis of numbers. It was made on the basis of a proper principle that these members apparently do not understand. That is, you do not pay cash to

people because they have become sick; you pay cash as damages because you did something wrong.

As for those who are sick, this country has the best medicare system.

● (1435)

Mr. Reed Elley (Nanaimo—Cowichan, Ref.): Mr. Speaker, quite frankly I do not think Canadians want to hear any more from this discredited health minister.

Fearmongering about the total number of victims is not working. Liberals in Quebec and B.C. know the Prime Minister is playing some bogus numbers game and now so does Ontario. Wait and see who else is going to come on board.

Why is the government refusing to produce the real numbers of those who became infected with hep C before 1986?

Hon. Allan Rock (Minister of Health, Lib.): Mr. Speaker, Mr. Justice Krever accepted the number estimate prepared by the director of the laboratory centre for disease control of the Department of Health. He was prepared to proceed on the basis of that analysis.

This decision was not made on the basis of numbers. Perhaps that is the way the member would approach it, by calculating numbers. We approach this on the basis of principle and we developed a proper public policy.

[*Translation*]

Mr. Michel Guimond (Beauport—Montmorency—Orléans, BQ): Mr. Speaker, my question is for the Prime Minister.

A number of government members have said that the fight to compensate hepatitis C victims would continue. Some even added that if the provinces were to reconsider their initial position, the issue would have to be revisited.

Now that the situation has changed, with the resolution passed by the Quebec National Assembly and the position adopted by Ontario, should the Prime Minister not go beyond partisan politics, as the Quebec government did yesterday, reconsider his position and agree—

The Speaker: I am sorry to interrupt. The Right Hon. Prime Minister.

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, it would have been nice if, yesterday, Quebec's premier and its health minister had said that, because they are compassionate, they are going to give money. Instead, they passed the buck to the federal government.

Whenever we take action, they blame us for getting involved. Now that there is a problem, they are burying their heads in the sand and trying to blame others, instead of assuming their responsibilities.

Oral Questions

Mr. Michel Guimond (Beauport—Montmorency—Orléans, BQ): Mr. Speaker, the Prime Minister wants to make history by beginning the third millennium with all sorts of festivities and projects, but how can he end the second millennium on such a tragic note as the hepatitis C issue?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, we provided \$800 million for hepatitis C victims, while the provinces only contributed \$300 million.

Quebec was among the provinces that did not want to pay. For days on end, it tried to take cover. Now, in a show of bravery, it is passing the buck to the federal government.

[*English*]

Mr. Monte Solberg (Medicine Hat, Ref.): Mr. Speaker, I have listened to this debate for a week now. I can only conclude that what this is all about is the Prime Minister's precious little ego.

We know that the public wants to compensate hepatitis C victims. We know that the provinces want to compensate the victims. We know that the backbenchers want to compensate victims even though they could not find the courage to vote in favour of compensation.

Why will the Prime Minister not admit that he will not compensate victims because of his ego? Why will he not admit that he made a mistake?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, those people have a great social conscience. Where was their courage when they voted against the human rights act amendment in the House of Commons? Where was their courage when they voted against employment equity legislation? Where was their courage when they expelled Jan Brown and Jim Silye because they had too much compassion?

Mr. Monte Solberg (Medicine Hat, Ref.): Mr. Speaker, it looks like the little guy from Shawinigan is really the big ego from Shawinigan. That is what it boils down to.

The fact is that the government did not have to bring in a confidence motion on this vote. The Prime Minister did not have to pummel his backbenchers into submission. Why will he not admit that he has made a mistake? Why is he letting his big ego stand in the way of doing the right thing? Why will he not help hep C victims?

• (1440)

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, we are helping the hep C victims for the period when it was clearly determined that the government had responsibility. Between 1986 and 1990 it could have tested properly. It did not do its job. When it was confronted with the problem it created a commission to postpone the solution.

We took on that problem and we are doing what a responsible government has to do, which is to compensate when it has

responsibility. Otherwise it will have, to be equitable, to compensate everybody who is handicapped in life because of some sickness.

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[*Translation*]

TREASURY BOARD

Mr. René Laurin (Joliette, BQ): Mr. Speaker, to give the Prime Minister time to examine his conscience, I will address my question to the President of the Treasury Board.

Under our parliamentary system, each minister is fully responsible for his officials and, more importantly, his political assistants, who act in his name daily.

How can the President of the Treasury Board think the Corbeil matter is closed, when he himself is responsible, through a political assistant, for providing for solicitation purposes lists of businesses awaiting financial assistance?

Hon. Marcel Massé (President of the Treasury Board and Minister responsible for Infrastructure, Lib.): Mr. Speaker, the Royal Canadian Mounted Police was informed of certain actions by a minister of this government as soon as the accusations were made. An investigation was made of all the facts, including those referred to by my colleague.

The RCMP laid only one charge. The decision has been handed down now in the case of the individual charged.

Mr. René Laurin (Joliette, BQ): Mr. Speaker, it is all very well for the minister to say his lists are available to certain individuals for consultation. In his view, what interest could a Liberal fundraiser have in these lists other than for soliciting funds with the blessing of the office of the President of the Treasury Board, under his responsibility?

Hon. Marcel Massé (President of the Treasury Board and Minister responsible for Infrastructure, Lib.): Mr. Speaker, once again, all these issues were discussed last fall. A full RCMP investigation was held at our request. It was completed and led to only one charge. The RCMP has all the facts, and now a judgment has been rendered.

* * *

[*English*]

HEPATITIS C

Mr. Chuck Strahl (Fraser Valley, Ref.): Mr. Speaker, Liberal backbenchers have been waking up lately in the morning having a little bit of trouble looking in the mirror. Some of them feel used and some of them feel dirty. If they do not they should.

My question is for the Prime Minister. He keeps saying that the provinces are the problem, that the provinces will not buy into a compensation package for all victims.

Oral Questions

Ontario and Quebec have agreed to the principle that all hep C victims should be compensated.

Will he enter into negotiations with those provinces to see how we can compensate all hep C victims? Will he do that?

Hon. Allan Rock (Minister of Health, Lib.): Mr. Speaker, what a cynical political position: the Government of Quebec and the Government of Ontario reportedly saying they really should be paid something to raise the hopes of the victims, and then they say "We are not going to contribute a nickel". What a cynical political position.

The government had the courage to say to Canadians and to those with hepatitis C that it would accept responsibility for that period during which governments should have acted. Those governments of Quebec and Ontario should also have the courage to be frank.

Mr. Chuck Strahl (Fraser Valley, Ref.): Mr. Speaker, the governments of Ontario and Quebec have the decency to be compassionate and that is something this minister has not got anything left of.

I do not believe this minister any more. I do not believe him when he says that he could—

Some hon. members: Oh, oh.

The Speaker: The hon. member for Fraser Valley.

Mr. Chuck Strahl: Mr. Speaker, I do not believe this minister any more and I do not think Canadians are believing this minister.

• (1445)

He has the responsibility to look after the sick and the needy and he is failing in that responsibility.

What I want to know, not from the minister but from the Prime Minister, is will he enter into negotiations with those provinces today to see how we can develop a compensation package for all hepatitis C victims who contracted the disease through tainted blood? Will he do that now?

Hon. Allan Rock (Minister of Health, Lib.): Mr. Speaker, the hon. member speaks about compassion, but we know how this crew treats victims. I watched them when I was in justice. They take a victim of crime and exploit them shamelessly. They are doing the same thing with health issues. They are taking innocent victims of health problems and diseases and exploiting them for their own narrow political purposes.

This group is shameful in its conduct.

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[Translation]

ATLANTIC GROUND FISH STRATEGY

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, the premiers of the Atlantic provinces and of Quebec

have sent a letter to the Prime Minister of Canada calling on him to establish compensatory measures as promptly as possible in order to help the fishery workers dependent on TAGS.

Since the future of 40,000 workers depends on this, does the Prime Minister realize that it is essential to put a TAGS-like program in place promptly, particularly since the conditions are still the same as they were at the time of its creation?

Hon. Pierre S. Pettigrew (Minister of Human Resources Development, Lib.): Mr. Speaker, in 1993, as soon as we realized there was a problem, our government implemented an extremely important program. The members opposite are now calling for a similar program after criticizing the original one. So they should not ask us for something similar.

We are aware that the situation is a serious one, because the fish did not come back as we had hoped. The ministers in our government concerned by this problem are working very hard at this time to ensure we will have a humanitarian approach to helping the people in this difficult situation after the month of August.

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[English]

MULTILATERAL AGREEMENT ON INVESTMENT

Mr. Stan Dromisky (Thunder Bay—Atikokan, Lib.): Mr. Speaker, my question is for the Minister for International Trade.

Under the MAI foreign investors will have to obey Canadian laws even if it affects their bottom line. Can the minister inform Canadians whether Canada will be obliged to compensate a foreign investor for any perceived loss or actual loss to their profits as a result of complying with Canadian law?

Mr. Julian Reed (Parliamentary Secretary to Minister for International Trade, Lib.): Mr. Speaker, the most succinct answer is no.

Canada will only accept an MAI that provides a narrow interpretation of expropriation; that is, the historic interpretation as practised under Canadian law at the present time. We will not sign an MAI that goes beyond that interpretation.

* * *

HEPATITIS C

Mr. Jim Hart (Okanagan—Coquihalla, Ref.): Mr. Speaker, look where we are now. Provincial support is crumbling for the hepatitis C deal, yet the cold-hearted Liberal Prime Minister is standing firm.

The government and the Prime Minister is telling victims like Joey Hache "We will see you in court".

Oral Questions

Can the Prime Minister tell me exactly how many lawyers he has hired to fight Joey Hache and the other victims of tainted blood?

Hon. Allan Rock (Minister of Health, Lib.): Mr. Speaker, it appears that the provincial position, at least on the part of Quebec and Ontario, is that they are still very much a part of the agreement. Premier Bouchard was quite clear in saying yesterday that he remains supportive of the agreement.

However, the cynical part of what he has done is to go beyond that and say that all victims should be compensated and Ottawa should do it. That is completely unacceptable. It is cynical, it is cruel to victims and it is entirely inappropriate.

Mr. Jim Hart (Okanagan—Coquihalla, Ref.): Mr. Speaker, Canadians do not want to hear a weak excuse from this discredited health minister. These victims do not want to fight the government in court. What they want is to be compensated fairly. They are being forced to take the government to court.

My supplementary question is for the Prime Minister. Does the government really think it is compassionate to deny sick victims compensation, yet, on the other hand, be willing to spend millions of dollars on lawyers to fight the victims of poisoned blood?

• (1450)

Hon. Allan Rock (Minister of Health, Lib.): Mr. Speaker, what we have done as governments is to offer cash compensation to people who were harmed through fault. For those who are ill, including all of those with hepatitis C, provinces like Quebec and Ontario would do well to look to their responsibilities to deliver services to the sick, services that are consistent across the country, services that respond to their needs.

Instead of playing cheap political games, the governments of Quebec and Ontario should not hide from their own responsibility of providing quality health services.

Ms. Judy Wasylycia-Leis (Winnipeg North Centre, NDP): Mr. Speaker, Ontario and Quebec have changed their minds on this government's limited compensation package for hepatitis C.

The Manitoba government is critical of this government on this matter. We on this side of the House believe that all provinces should follow suit.

Since the provincial solidarity that the minister has boasted so much about is gone, will he now go back to the drawing board, contact the provinces and arrive at a compensation package that is fair for all blood injured Canadians?

Hon. Allan Rock (Minister of Health, Lib.): The hon. member refers to Manitoba. The first three times that I met the Manitoba health minister on this issue he would not hear at all about any compensation for anyone. The Government of Manitoba refused completely to talk about it. So did the governments of other

provinces. So did Ontario, saying there was no way it was prepared to talk about compensation.

It was only because of the leadership of the federal government that 22,000 victims of hepatitis C have been offered \$1.1 billion in compensation.

Ms. Judy Wasylycia-Leis (Winnipeg North Centre, NDP): Mr. Speaker, the Manitoba minister of health has clearly said that if the federal government is prepared to live up to its responsibility the provinces certainly would be prepared to meet with it to discuss this further. "Certainly I will be", he said.

Will this government accept its regulatory responsibility and come back with a fair compensation package for all blood injured Canadians?

Hon. Allan Rock (Minister of Health, Lib.): Mr. Speaker, after long and arduous efforts we dragged the Government of Manitoba into an agreement in which it became a junior partner, contributing to compensation for the group that was harmed by governments which did not act when they should have.

To listen to this hon. member suggesting that the Government of Manitoba is in some position where it is taking a higher moral ground is impossible for me to tolerate.

This government led the efforts and this government produced an agreement that offers compensation to 22,000 victims of hepatitis C.

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[Translation]

TREASURY BOARD

Mr. André Bachand (Richmond—Arthabaska, PC): Mr. Speaker, on October 9, the President of the Treasury Board admitted to the House that he had discussed with Jacques Roy, at his Montreal office, the whole issue of information leaks and influence peddling.

On several occasions, the minister denied any involvement by his Montreal office. We now know that Jacques Roy, the minister's assistant, was indeed Pierre Corbeil's source of information.

Can the minister tell us when he was apprised of his employee's activities, under which mandate and authority his employee leaked the information to Pierre Corbeil, and why the minister omitted to inform the House? We want to hear the truth today.

Hon. Marcel Massé (President of the Treasury Board and Minister responsible for Infrastructure, Lib.): Mr. Speaker, again, it was a minister of this government who asked the RCMP to conduct an investigation.

The investigation took place. All the facts were provided to the RCMP. After its investigation was completed, the RCMP laid

charges against one person. That person has now admitted his guilt and the judge has handed down his ruling.

[English]

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, this file is not closed. Last fall the President of the Treasury Board denied the involvement of his office in the Pierre Corbeil affair, yet it was his special assistant, Jacques Roy, who provided confidential information to help a Liberal Party fundraiser, a now convicted criminal.

The President of the Treasury Board has denied that link all along. In light of what has happened, will the President of the Treasury Board take some responsibility in this action, reopen the investigation and tell us what happened? Come clean.

• (1455)

Hon. Marcel Massé (President of the Treasury Board and Minister responsible for Infrastructure, Lib.): Mr. Speaker, the RCMP has just finished its investigation. It was asked by the government to do an investigation. It was given all the facts. It has looked at it at length. It has accused one person and that person has now accepted that he is guilty.

The RCMP has made its investigation with all the facts. There has been an accusation, it has gone to the judge and a judgment has been rendered. There is nothing more to do.

* * *

ABORIGINAL AFFAIRS

Mr. Reg Alcock (Winnipeg South, Lib.): Mr. Speaker, it has been 10 years since the death of J.J. Harper who sparked the aboriginal justice inquiry in Manitoba.

Could the Minister of Justice inform the House how the federal government is helping to rehabilitate non-violent aboriginal offenders?

Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, the aboriginal justice initiative or strategy within the Department of Justice is one that is aimed at involving aboriginal people more directly in the administration of justice.

Under the strategy we recently signed an agreement with the province of Manitoba and with the aboriginal council of Winnipeg. We will be providing matching funding of \$750,000 over the next two years to develop an urban court diversion program. Under that program we will be working with urban aboriginal non-violent offenders in a way that is culturally sensitive.

Oral Questions

HEPATITIS C

Mr. Jay Hill (Prince George—Peace River, Ref.): Mr. Speaker, the government says that the hepatitis C file is closed. I would suggest the only thing closed around here is the Prime Minister's mind on this issue.

In the past 24 hours the provinces of Ontario and Quebec have both reversed their decision on this bad deal.

We know how the Prime Minister convinced his backbench MPs to toe the line. They were threatened.

What threats will the Prime Minister use against these two provinces? How will they too be punished?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, they did not change their minds. We had to drag them to the table and they accepted only partial responsibility. Today they are running away.

It is the cheapest type of political tactics to pass the buck to somebody else. They invite people to dinner and run before the bill arrives. I have never done that.

* * *

[Translation]

AEROSPACE INDUSTRY

Mrs. Francine Lalonde (Mercier, BQ): Mr. Speaker, my question is for the Minister of Industry.

Twenty workers were laid off at SPAR Aerospace in Sainte-Anne-de-Bellevue as a direct result of the loss of the contract to build the Canadian satellite Radarsat II. Worse yet, the company did not create 450 high end jobs as planned.

Why did the Canadian government and the space agency decide to award the contract to a company in Vancouver when the SPAR bid had the largest Canadian content?

[English]

Hon. John Manley (Minister of Industry, Lib.): Mr. Speaker, of course in putting together a procurement contract of this importance, and it was a very big contract, many standards were imposed including a standard for Canadian content.

I would like to say that the proposal received from MacDonald Dettwiler Corporation of Richmond, British Columbia was the winning proposal. It won a contract worth close to \$300 million and it won it fair and square.

Points of Order

[Translation]

ATLANTIC GROUND FISH STRATEGY

Mr. Yvon Godin (Acadie—Bathurst, NDP): Mr. Speaker, the government's Atlantic groundfish strategy is a failure.

Yesterday, thousands of fisheries workers took to the street to denounce this government's management of the program. The minister said he would be compassionate. However, according to another one of his department's internal reports, the government's response is to let Canadians starve to death to force them to relocate.

My question is for the Minister of Human Resources Development. When will you stand up and defend—

The Speaker: My colleague, members must always address the Chair. The Minister of Human Resources Development.

Hon. Pierre S. Pettigrew (Minister of Human Resources Development, Lib.): Mr. Speaker, as soon as the problem was identified in the Atlantic region, our government was the first to go to the people.

• (1500)

The program you repeatedly denounced and criticized was a generous one. I can tell you one thing: it ends in August, and my colleagues and I are working very hard to ensure that we will be able to provide collective and individual assistance in an intelligent and responsible way given the situation the workers will be confronted to come August, since the fish are not coming back.

* * *

[English]

PRESENCE IN GALLERY

The Speaker: I draw to members' attention the presence in the gallery of His Excellency Hu Kuangdi, Governor of Shanghai of the People's Republic of China.

Some hon. members: Hear, hear.

The Speaker: I also draw to members' attention the presence in the gallery of Mr. Alexandru Athanasiu, Minister of Labour and Social Protection of Romania.

Some hon. members: Hear, hear.

* * *

BUSINESS OF THE HOUSE

Mr. Randy White (Langley—Abbotsford, Ref.): Mr. Speaker, I would like to ask the government House leader the business remaining for this week and the business for next week.

I would also like him to point out to the House earth shattering business, something that might be of interest to most Canadians and not just some Liberals.

Hon. Don Boudria (Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I will attempt to make this answer as earth shattering as the question.

Today we will continue with second reading of Bill C-27, the coastal fisheries bill. If that is not earth shattering enough, we will then follow it by Bill S-5, the human rights act amendments.

Tomorrow we will start debating Bill C-30, the Mi'kmaq education bill. Then we will finish any business not completed from today. If the business of today is complete, we will not call any other business after Bill C-30 tomorrow.

On Monday we will call Bill C-3, the DNA bill at report stage. We will stay with this bill on Monday in the hope of completing it. It is our hope that we will have the bill completed at third reading by mid week.

Tuesday shall be an allotted day for the New Democratic Party.

* * *

POINTS OF ORDER

AUDITOR GENERAL'S REPORT

Mr. Bill Blaikie (Winnipeg—Transcona, NDP): Mr. Speaker, I rise on a point of order concerning a breach of the rules of confidentiality during the lock-up for parliamentarians prior to the release of the auditor general's report on Tuesday, April 28.

The point of the lock-up prior to the release of the auditor general's report, as with lock-ups prior to the budget, the estimates and similar documents, is to provide parliamentarians and their staff as well as journalists time to study the document in confidence so that they are able to comment on it in a considered way when it is tabled in the House of Commons. It is crucial that those present at such lock-ups preserve an absolute confidentiality in order to preserve the privilege of the House and to have all important documents tabled first in the House before being made public in any way. In order to preserve such confidentiality, participants at the lock-up are asked to surrender cell phones upon entering the lock-up to prevent the premature release of confidential information.

• (1505)

It was brought to my attention by New Democrat staffers who were at the lock-up prior to the release of the auditor general's report of Tuesday, April 28 that staff members of another political party were witnessed using cell phones from within the lock-up. These people know who they are and I am not interested in naming them.

This constitutes a very serious infraction of the rules of the lock-up and a threat to the privileges of this House. Mr. Speaker, I ask you to investigate the matter in consultation with officials of the auditor general and report to the House if you find an infraction has taken place. I ask you to inform the House what action you will be taking as a result to make sure this does not happen again.

Mr. Chuck Strahl (Fraser Valley, Ref.): Mr. Speaker, I would like to comment on this. After I was made aware of this supposed infraction I talked to staff that were in the lock-up. This is apparently what happened.

Apparently the lock-up went on for a couple of hours. When staff and others go into the lock-up for the auditor general's report they turn in their cell phones and so on, which was done. Apparently at the end of the session as the auditor general's staff members were cleaning up, saying the lock-up was essentially over, they delivered the cell phones back to the people who were in the room. This was three or four minutes before the technical expiry of that lock-up time. When the cell phones were returned, one of our staff checked his messages. I do not think he misused his cell phone. He did it at the last second when it was returned to him by the staff. There was no malice intended. There was no breach of confidentiality.

We can check to make sure they are not delivered back at the last minute. Perhaps we should do that. I do not think there was any intent to break the spirit of the law here.

The Speaker: Quite a few Speakers previous to me have ruled consistently that these lock-ups are under the auspices of the auditor general. They do not come under the purview of the House of Commons per se. The reason I permitted the second intervener was so we could get more information. In any case, I would rule that it is not the responsibility of the House of Commons per se. It is outside of our purview.

* * *

[Translation]

PRIVILEGE

LEADER OF THE OPPOSITION

Mr. Mark Assad (Gatineau, Lib.): Mr. Speaker, yesterday, during Oral Question Period, the leader of the official opposition referred to comments I had made a month ago on the Radio-Canada program *Enjeux*. He put my remarks of a month ago in a completely different context and inferred that they were made with respect to the hepatitis C controversy.

I would like the leader of the official opposition to recognize, for the record, that his comments were out of context and therefore inappropriate under the circumstances.

The Speaker: My dear colleague, this is not a question of privilege, but it is certainly a point of clarification, if you will.

Tributes

[English]

For us this is in a context of how we interpret different things being said. Although the hon. member has put it on the record as to exactly what was made, there is no question of privilege in this case.

* * *

• (1510)

[Translation]

THE LATE BILL SCOTT

Mr. André Harvey (Chicoutimi, PC): Mr. Speaker, I had the privilege of serving in this House with the hon. Bill Scott, when we were both in government.

For over 28 years the former member for Victoria—Haliburton was wise in the defence of the interests of his constituents, and in recognition of his many years of service Prime Minister Mulroney elevated him to the rank of member of Her Majesty's privy council.

It is with enormous regret that we learned of his passing. On behalf of the caucus and the Progressive Conservative Party of Canada I wish to express my deepest sympathy to those he leaves in mourning, especially his wife Betty and his children Guy and Laurie.

[English]

Mr. John O'Reilly (Victoria—Haliburton, Lib.): Mr. Speaker, it is with deep regret that I rise today to remember the late William C. "Bill" Scott, a dedicated constituency politician from my riding of Victoria—Haliburton.

I had the privilege to serve as member of parliament after Mr. Scott retired, before the 1993 federal election. Mr. Scott was a kind man who placed an emphasis on his duty to constituents. He was very approachable and his good will attracted people to him.

Before entering federal politics, Bill played important roles as director of Agricultural Societies of Ontario, past president of the Lions Club, hockey referee with the Ontario Hockey Association and the Ontario Minor Hockey Association and as an associate member of the Royal Canadian Legion, Branch 441, Kinmount.

He started his political journey as reeve of the township of Snowdon. Mr. Scott won the Progressive Conservative riding nomination over seven other candidates in 1965. He was never challenged for that nomination after that.

Mr. Scott was first elected a member of parliament in 1965 and he served an astonishing eight terms representing Victoria—Haliburton.

Mr. Bill Scott was born and raised in Kinmount, a small friendly community in the riding. He always remembered where he was

Tributes

from first and foremost. Bill Scott dedicated his spare time to the Kinmount fair, one of the most successful rural fairs in Ontario. His involvement began as a youngster and led to president of the Kinmount fall fair board. His involvement in the fair was very important to the community and to all those who attended the fair year after year.

Bill Scott had an active beef farm which enabled him to be very aware that agriculture was an important industry in the riding. He was a strong supporter of volunteers. Wherever he had the opportunity to praise volunteers and the work they did he took full advantage to do so.

In Ottawa Bill served many years as a member of parliament. On July 1, 1992 he was elevated to the Queen's privy council. He also served as Assistant Deputy Speaker of the House of Commons in 1979 and was appointed Parliamentary Secretary to the Minister of Veterans Affairs in 1989.

Bill Scott used both Ottawa and his riding to effectively serve for 27 years in this House as a politician.

I will always admire Bill Scott for what he did for Victoria—Haliburton. Bill's family gave this country a hardworking politician committed to improving his hometown, his riding and his country.

My sincere condolences go to his wife Betty, daughter Laurie, son Guy and all the family. We thank Bill for a job well done.

Mr. John Reynolds (West Vancouver—Sunshine Coast, Ref.): Mr. Speaker, I rise on behalf of the official opposition to acknowledge the passing of and pay tribute to a former colleague, the hon. Bill Scott.

Few MPs can match Bill's tenure in the House of Commons. He served this institution and the riding of Victoria—Haliburton with distinction and honour for 28 years, from 1965 to 1993. That means Bill was re-elected in seven general elections, certainly a statement of the trust his constituents placed in him.

When people speak of Bill Scott they speak with warmth and affection. They speak of him as an icon among grassroots politicians. They refer to Bill as having served his constituents in a selfless manner and say he was a gentleman. I knew Bill and served in two parliaments with him. I concur with their sentiments.

• (1515)

Constituents will say that Bill went beyond the call of duty as an MP. No problem or person was too small. Expediency was not in his vocabulary when it came to helping people. No matter how you voted, you could count on Bill for help. Despite his success, it never went to his head. This was truly a statement to Bill's dignity and sense of duty.

Bill served two terms as Parliamentary Secretary to the Minister of Veterans Affairs. He was appointed to the Privy Council in 1992 in recognition of his work in parliament, his community and his country.

Bill will also be remembered for his work at the municipal level, first as a reeve in the township of Snowdon, and for his long term commitment and work as president of the Kinmount Fair and the Agricultural Society. Both of these were passions for Bill.

On behalf of my Reform colleagues, I extend to his wife Betty, daughter Laurie, son Guy, his sister Margaret, their families and his grandchildren our sincere and deepest sympathy. Bill will be missed by those who knew him. His indomitable spirit lives on in this hallowed precinct and in the community he served and loved.

[*Translation*]

Mr. Louis Plamondon (Richelieu, BQ): Mr. Speaker, I am pleased to join other members of parliament in paying tribute to Bill Scott.

I had the pleasure of sitting here with him from 1984 to 1993. When I arrived here in 1984 as a Conservative member, I noticed on the list of elected members that Bill Scott had been here since 1965. I wanted to know how he had managed to survive for so long in politics. Indeed, in 1984 it was said that the average political life of a member of parliament was four and a half years, taking into account the fact that a number of byelections had been held. What had Bill Scott done to survive all these changes?

I went to meet him in his office, and he spoke about his riding with love and passion. He told me all that he was doing in his riding and said that debates in the House were not necessarily his priority. Even though he was a man of culture and a good speaker, and even though he knew the issues very well, he preferred to work in his riding.

I remember that the year we both got elected he was once reprimanded by his whip, because he had not shown up here when he was supposed to be on duty. Instead, he had attended what he felt was an important meeting in his riding.

He had a passion for his people. Some say that he could name almost everyone who lived in that beautiful riding of Ontario.

He could name every vote getter—important members of the Optimist Club or of any other association—and would see them often, consult them and ensure re-election with a strong majority.

Another of his passions was agriculture. He spoke of it often. He often attended meetings of the Standing Committee on Agriculture, of which I was also a member.

I would like to mention that he was an effective member, with high regard for colleagues in his party and in the entire House. He

was flexible, but he was very firm about his deep convictions when debating in the House or in committee.

When we wanted him to do something in the House and he had something to do in his riding he would smile and say "I take orders only from the people in my riding". He set an example and I thank him for it, because it is no doubt partly due to his good advice to me in 1984 on the need to work in one's riding and to care for one's fellow citizens that I have managed to keep my seat in this House for the past 14 years.

I would like to offer my condolences and those of the Bloc Québécois to his family, his wife, his children and to his friends and party colleagues.

[English]

Mr. Bill Blaikie (Winnipeg—Transcona, NDP): Mr. Speaker, I served in this House with Bill Scott for 14 years. I did not know him particularly well. I do not know what kind of a sense of humour he had but he might have seen some irony in the fact that for someone who served here for 28 years, he had at that moment more colleagues in other parties, Reform, Bloc and the NDP than he had in his own party as a result of the election that he chose not to run in.

• (1520)

I remember him as a humble man who did his constituency work extremely well. I think his constituents attested to that time after time. He is a lesson to all of us who think that the bravado, the rhetoric and the theatre of this place has something essential to do with the job of a member of parliament. It is certainly a part of what makes parliament tick but we know there are good members of parliament who are not part of the daily theatre of this place and who are content to do a good job on behalf of their constituents, to work behind the scenes and to render a service to their constituents and to their country.

All of us are very honoured to pay tribute today in particular to the memory and to the work of Mr. Scott. On behalf of my colleagues in the NDP, I extend our condolences to Mr. Scott's family and pay tribute to his long career of service to parliament and to his constituents.

The Speaker: My colleagues, four of the five interveners today referred to the fact that they served with Bill Scott. I did too. Bill was a quiet gentleman.

I recall a story after I had been elected in 1974. The Liberals—I was one way back when—were in the lobby and Bill Scott was there. I was brand new and I did not know anybody. I drifted over to him and said "What did you think of caucus this morning?" He said to me "We are not allowed to talk about what goes on in caucus". I said "It is okay, we are in the same caucus". He said

Points of Order

"No, we are not". He was the kind of guy who you took for granted was one of you, whoever you were.

Bill Scott's family was very important to him. I met his wife on a number of occasions. He served this House well. I think the hon. member for Winnipeg—Transcona said that he did his work quietly, and he did.

I do not know if you would use the word "effectively", but I would use that word when it comes to the work Bill Scott did for his constituents. He was also a good party member. He understood many of the problems parliamentarians have when they are brand new.

I for one very much respected him. I always sought him out when I could. He had a good sense of humour. He was a jovial man and a good parliamentarian.

* * *

POINTS OF ORDER

TRIBUTES

Mr. Bill Blaikie (Winnipeg—Transcona, NDP): Mr. Speaker, I rise on a point of order. I would like to raise a matter with respect to tributes. I did not raise it the other day but I noticed that today you began the tributes to Mr. Scott by going to a person from the party that Mr. Scott belonged to. I think that is proper and I understood that to be the procedure.

The other day I was, to say the very least, not very pleased when we were doing tributes to Father Bob Ogle and you recognized the secretary of state first instead of me who was rising to speak on behalf of my party.

I did not raise it that day because I did not think Father Bob would want me to, but I raise it now for future consideration. We need to get straight what the procedure is. I would hope it is as I understand it and that simply a mistake was made the other day.

The Speaker: The hon. member has every right to feel a little sad about the way it was handled. It was my fault. What happened, very simply, was that sometimes I am given a list of people who are going to intervene and sometimes we have the member who is sitting from that riding. I thought this was one of those times and that is what we decided to do. It was not.

As a general rule, the hon. member is absolutely correct in that we usually go to the party that the person served. I apologize to him directly. I take full responsibility for it. It will not happen again.

*Government Orders***GOVERNMENT ORDERS**

• (1525)

[*Translation*]

COASTAL FISHERIES PROTECTION ACT

The House resumed consideration of the motion that Bill C-27, an act to amend the Coastal Fisheries Protection Act and the Canada Shipping Act to enable Canada to implement the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 Relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks and other international fisheries treaties or arrangements, be read the second time and referred to a committee.

Mr. Gordon Earle (Halifax West, NDP): Mr. Speaker, it is my pleasure to speak to Bill C-27, an act to amend the Coastal Fisheries Protection Act and the Canada Shipping Act.

[*English*]

This bill amends Canadian legislation to enable Canada to ratify the United Nations fisheries agreement on the conservation and management of straddling fish stocks and highly migratory fish stocks. The United Nations agreement relating to the conservation and management of straddling fish stocks and highly migratory fish stocks was adopted by consensus on August 5, 1995 by a UN conference in New York City.

Straddling fish stocks do exactly that. They straddle or migrate across the outer limit of national fisheries waters of a coastal state and the adjacent high seas. Examples are flounder and turbot. Highly migratory fish stocks, such as tuna and swordfish, migrate through the high seas and in some cases through the exclusive economic zone of coastal states. Both categories of fish stocks have been subject to unregulated overfishing on the high seas. The problem exists in several parts of the world, including the Grand Banks of Newfoundland outside Canada's 200 mile zone.

Overfishing by foreign vessels outside and inside the 200 miles has been a factor in declines in northwest Atlantic straddling groundfish stocks of cod, flounder and turbot. These declines have devastated many Canadian coastal communities economically, leaving thousands of fish harvesters and fish plant workers unemployed.

The 1982 United Nations Convention on the Law of the Sea which came into force in November 1994 clearly allows coastal states, that is, states which border on oceans, exclusive rights to control fisheries within 200 nautical miles or 370.4 kilometres of

their shores. What is not clear are the legal rights and obligations of states regarding highly migratory fish stocks and straddling fish stocks on the high seas. The UN agreement helps to fill this gap in the law of the sea convention.

The bill we are discussing, Bill C-27, contains provisions for enforcement against unauthorized fishing in Canadian fisheries waters.

The UN agreement regarding straddling and highly migratory fish stocks will come into effect following 30 ratifications or accessions. Fifty-nine states thus far have signed the agreement and 15, including the United States, Russia and Norway, have ratified so far. Canada will be in a position to ratify this agreement after this legislation is passed. Therefore, it is very important that we pass this legislation.

It is hoped that a new legal system for high seas fisheries will provide for effective control and enforcement to protect straddling fish stocks and highly migratory fish stocks from the overfishing which is taking place on the high seas.

Proper conservation and management of these stocks could make a significant contribution to ensuring the sustainability of this important food source for our future generations. I think the key that is very important here is the question of sustainability.

The east coast report which was recently tabled by the Standing Committee on Fisheries and Oceans has a quotation on its cover "Then God said, let us make man in our image, after our likeness; and let them have dominion over the fish of the sea". The key word is dominion, not destruction.

Today what has really happened with our fisheries is that rather than man exercising dominion and wise ruling over this resource, there has been a gradual mismanagement and destruction of it. We only have to look at the fact that cod has now been placed on the endangered list.

We can also look at the lobster fishery. Unfortunately today if we go to the east shore in my province of Nova Scotia we can see one fishing village fighting with another fishing village over lobsters. There are not enough lobsters in one area to satisfy the fishers and the license requirement there. Yet there seems to be an overabundance in another area. We have this inequality.

• (1530)

As we know, when resources become tight, when there seems to be an unfair distribution, then conflict often develops. Unfortunately we have community being pitted against community because of the mismanagement of the fisheries to the point where there are insufficient resources to satisfy the requirements of the villages. This is a very sad state.

On top of that, when we have a program such as the Atlantic groundfish strategy coming to an end, and we do not see any real

program or alternatives being presented by the government to face up to this crisis which is developing in our communities, again it becomes very sad. We know there are people in these communities who rely on that program to carry them through to the point where they can earn and look after their families. Without something to replace it in a meaningful way, or without some very positive efforts being made to deal with the issue, we are going to see a lot of frustration as we are already seeing in the communities affected as this program comes to an end.

What this is saying to all of us is that we have to move away from that bottom line which government far too often looks at. That is the economic situation. Far too often governments focus only on the dollar as opposed to what the dollar is intended to do, which is to serve and help people. Far too often people do not look beyond the dollar. They want to balance the budget. They want to define programs in terms of an economic value, forgetting about the social hardships being caused and what has to be done to alleviate them.

We see this with the current proposals with respect to the hepatitis C victims where government can narrowly define the number of people it feels should be helped based on a dollar line rather than on compassion, fairness and what is right. The argument is that if we compensate everybody we are not going to have enough money to go around. We know that is not true. When government wants to it can find the money to do other things. It can find money to assist large businesses. On provincial levels quite often corporations are forgiven loans and outstanding money. Yet there are programs that are needed to help people. These are not receiving the attention or the dollars required. This excuse of not having the money is simply that, an excuse.

When it comes to the TAGS program we have to look realistically at our priorities. Are we concerned really about helping people who are in need, exercising some compassion, some fairness or are we solely concerned with keeping those books balanced? Even then it is questionable what balancing the books really means.

It is important that we look at that. As I read in the quote when God said let us make man in our image, certainly the image of God was not an economic image where the bottom line would be dollars and cents. The image of God is an image of people sharing and having respect for one another, helping each other when they are in need. We need to move away from that bottom line of the dollar being the sole determinant of whether we are going to move ahead to help people. We need to move toward fairness and compassion.

Earlier today I attended a committee meeting. We were looking at the question of economic development in aboriginal communities. We were speaking specifically about the northern communities in this great country. It saddens me every time we look at Canada's great north where there are very valuable mineral resources and lots of riches. Quite often non-aboriginal people have come in and have utilized those resources. They have not enabled the aboriginal people who are living on that land, who have prior

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claim to that land, to benefit in any substantial or sustainable way from those resources. When mining operations are developed sometimes the argument is we give jobs to the aboriginal people and they can work on these mines but we do not see any real sharing of the royalties and the riches that come from the lands which were inhabited by these people.

• (1535)

Again, it comes down to the bottom line. As governments and as private companies and corporations are we solely interested in our own gain financially to the point that we forget about sharing with other people and we forget about loving one another, respecting one another and making sure that the resources are for the good of all as opposed to only a few?

These are some of the issues that we have to look at when we are dealing seriously with the many problems facing our country.

With this bill when we think about the fishing industry, when we think about the resource there and how we are going to deal with it for the future for our children and our children's children, I think we have to look at the priority that we are going to put forth as we tackle this issue.

Is the bottom line going to be the dollar for us or is it going to be sharing equitably in the resources that the creator has given to us to manage and have dominion over? It is high time governments stop treating people simply as statistics, stop defining how we are going to handle the problem in terms of x number of people fitting within x category or within a certain time frame, and remember that the person who got sick before 1986 is just as important as the person who got sick after 1986. There is no distinction in terms of the suffering these people will feel.

Governments have to realize they cannot make those kinds of arbitrary distinctions and live in good conscience with those decisions.

I know many times when I have to make a tough decision and people ask me how I am going to wrestle with that, I say that what is going to really count for me is at the end of the day if I put my head down and go to sleep feeling that I have done what is right, I have done what my heart has dictated as opposed to what my pocket book may dictate, then I can rest with an easy conscience. We have to exercise that kind of feeling, that kind of attitude when we are dealing with these issues.

It saddens me sometimes when I come to this House and I sit in this very important Chamber as we are doing the nation's business to see the manner in which question period conducts itself. I have said it before and I will say it again. I feel it is wrong when we are dealing with serious issues which affect the lives of people that we are screaming back and forth at one another. We are not listening to each other. We are not hearing what people are saying. We are not showing proper respect. That goes to the core of this entire issue of how governments respond to people.

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We have to listen. We have to hear what people are saying. We have to understand each other. This cannot be done if we are trying to have one-upmanship, one on the other, trying to outsmart the other person with some wise remark which has no real meaning or relevance for the people who are suffering and the people who are looking to us to address their problems.

I say to the members of the House, if we want to be serious about the issues which confront our nation, national unity, the issues dealing with aboriginal peoples, the TAGS program and the fishers who are suffering as a result of the end of that program, all these things, we must truly deal with these issues from the heart and not from the pocketbook, not from the budget book.

I am sure if we do that we will certainly find answers and move things forward in a real way which is going to be effective, meaningful and help the citizens of this country.

I think this legislation will give us some control over our shores and over the fishing industry and will hopefully will bring some order to the way in which the fishery conducts itself so that the end result of helping people in our communities will be accomplished.

It is with great pride that I say that we support this bill and I would certainly be pleased to answer any questions.

• (1540)

Mr. Rob Anders: Mr. Speaker, by looking around the Chamber I notice we do not have enough members to represent a quorum in the House.

The Acting Speaker (Mr. McClelland): The hon. member is asking for a quorum.

Call in the members.

And the bells having rung:

The Acting Speaker (Mr. McClelland): We have a quorum. Is the house ready for the question?

Some hon. members: Question.

The Acting Speaker (Mr. McClelland): The question is on the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed

Some hon. members: No.

The Acting Speaker (Mr. McClelland): All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Acting Speaker (Mr. McClelland): All those opposed will please say nay.

Some hon. members: Nay.

The Acting Speaker (Mr. McClelland): In my opinion the yeas have it.

And more than five members having risen:

The Acting Speaker (Mr. McClelland): The division stands deferred until Monday, May 4, 1998, at the end of Government Orders.

Ms. Marlene Catterall: Mr. Speaker, I think you will find consent in the House to further defer the vote until Tuesday next week at the end of Government Orders.

The Acting Speaker (Mr. McClelland): Is that agreed?

Some hon. members: Agreed.

* * *

• (1545)

CANADA EVIDENCE ACT

The House proceeded to the consideration of Bill S-5, an act to amend the Canada Evidence Act and the Criminal Code in respect of persons with disabilities, to amend the Canadian Human Rights Act in respect of persons with disabilities and other matters and to make consequential amendments to other acts, as reported (with amendment) from the committee.

Hon. David Anderson (for the Minister of Justice) moved that the bill, as amended, be concurred in.

(Motion agreed to)

The Acting Speaker (Mr. McClelland): When shall the bill be read the third time? By leave, now?

Some hon. members: Agreed.

Hon. David Anderson (for the Minister of Justice) moved that the bill be read the third time and passed.

Ms. Eleni Bakopanos (Parliamentary Secretary to Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, Bill S-5 deals with several issues of interest to persons with disabilities. This government fully recognizes that it has an important role to play in ensuring that Canadians with disabilities are treated as full and equal participants in the mainstream of our society.

[Translation]

In December 1995, the Standing Committee on Human Rights and the Status of Disabled Persons recommended that the legislation be reviewed to reduce the difficulties faced by persons with disabilities.

[English]

In October 1997 after conducting extensive consultations from coast to coast, the federal task force on disability issues headed by

the hon. solicitor general called upon the federal government to present amendments to the criminal law and to human rights legislation as soon as possible. Bill S-5 honours this request.

The Canada Evidence Act would be amended to recognize in legislation that communication assistance should be provided to any witness who has a communication related disability, and that any sensory method could be used for the purpose of identifying the accused.

[*Translation*]

The Criminal Code would be amended through Bill S-5 to allow witnesses with communication disabilities to use videotaped evidence. The Criminal Code would also be amended to include a series of changes designed to encourage persons with disabilities to serve on juries.

[*English*]

The Criminal Code would also be amended to create a new offence, section 152.1, prohibiting the sexual exploitation of vulnerable disabled persons so that persons with disabilities will not be sexually exploited. The committee has made recommendations to improve the section. The point is well taken and Bill S-5 as amended responds to the concerns raised.

The other important part of this bill is the package of amendments to the Canadian Human Rights Act which provides protection against discrimination at the federal level. This bill will enhance those protections for all Canadians.

The key element is the addition of an express duty to accommodate to the act. This amendment will require employers and service providers to accommodate the needs of persons protected by the act except where it would cause undue hardship.

The duty to accommodate is of vital importance to persons with disabilities as well as to groups such as religious minorities. The law will help to ensure equal access to the workplace and to goods and services.

• (1550)

There are other important changes to the act. This bill will extend the substantive protections of the law. For example it will prohibit compound discrimination involving discrimination on more than one ground. The law will also allow complaints where there is a discrimination in the provision of goods and services but an individual victim has not stepped forward. This amendment will ensure that there is no discrimination without redress.

[*Translation*]

There are also important changes to the prescribed remedial actions to make the act more effective. For example, the maximum penalty for pain and suffering would increase to \$20,000 from \$5,000.

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Finally, some of the changes proposed by this bill concern the institutions responsible for enforcing the act. The Canadian human rights commission will report directly to parliament on an annual basis, which will symbolically attest the independence of the commission.

[*English*]

The human rights tribunal will be reconstructed as a smaller permanent tribunal with members with experience and expertise in human rights matters. A small permanent tribunal will adjudicate cases with greater expertise and efficiency. This new tribunal will operate in conformity with the principles of independence and impartiality.

These are some of the highlights of the proposed changes to the Canadian Human Rights Act, the Canada Evidence Act and the Criminal Code. Together these amendments represent an important step forward in our efforts to ensure that every individual is an equal member of our society. That is the commitment of this government.

The amendments contained in this bill are aimed at breaking down the barriers so that persons with disabilities and other individuals and groups can participate as full citizens of our country.

Underlying this endeavour are values which are important to Canadians such as equality, fairness and justice. That is what we are committed to. These are important values and ones which I know all my colleagues support. I am therefore very pleased to commend this bill to members of the House.

Mr. Ken Epp (Elk Island, Ref.): Mr. Speaker, I appreciate the opportunity to speak in the debate on Bill S-5.

I cannot resist the temptation when we have a bill labelled S-5 instead of C something, to comment again on the erosion of democracy around here. It is still very offensive to me that instead of coming through the House of Commons which is the house of representational government, all members here having been elected by the people out there, instead of having a bill come from this House, it comes from the Senate.

I do not wish in any way to take two hours to talk about the Senate today. That has already been done. But I think it is appropriate at this occasion to draw attention to the fact once more that we have things turned around here. The Senate should be elected.

In this country we believe in democracy. We believe in representational government. We believe in, as this bill states, the worth of individual people. How is it then that there is a body of people in government that has such tremendous power over our well-being, over the way our rules are designed that govern us, that is not even elected? I find that particularly offensive. The people in my riding and certainly in my home province of Alberta do as well. That has to be changed.

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It would be really wonderful if the Senate were truly elected. Then when it came up with a bill labelled S-5, from the Senate of Canada, we would say fine, it is from a parliamentary body that is equal to this place. We would not have to feel that we were somehow being made second class citizens here because a body that has no accountability, at least technically it does not and practically it does not appear to have either, is lording it over us. I cannot help but talk about that.

• (1555)

Then there is a second thing which was so well illustrated here just a few days ago. Even in this House, where members are elected, they are not given the freedom to vote the way they believe their constituents would want them to vote, or the way their hearts and their conscience would demand. Now how do you say this and still stay friendly? We have trouble right here in river city, river city being the city of two rivers, Ottawa. That trouble is due to representational democracy where the reflection of the will of the people of Canada is vested in the power that is given to a very small group of individuals.

I for one am very happy and very proud to be in a party where I am required to represent my constituents. Not only am I permitted to do so, but I am out of step with my party if I fail to do so. That is very important.

I talk about the Senate lacking legitimacy. To a degree what has happened in this place over and over again in this parliament and previous parliaments under Liberal and Conservative governments is the party whips have these clones I guess we would call them. I do not want to refer to a barnyard animal so I will just call them clones. And we know the most famous clone happens to be one of those barnyard animals which makes a baa noise. I will not talk about that at all. It is really unfortunate that we do not have true democracy.

If we had true democracy we would end up with better rules. It is not right for me to say that I am always right. I know that is a surprise to you, Mr. Speaker, but I will confess and admit that. I have on occasion been wrong and I will be wrong again. The strength of society is that when I make an error those around me will point that out. They will say "Sir, you are wrong". If enough of my trusted friends say that to me, I am quite likely to change my mind.

In fact I changed my mind very recently on an issue when talking with a friend. I believe very strongly in something, not a principle but a process that we were following. This individual told me the process was flawed and gave a reason why the process was flawed. After talking with him for half an hour I told him it pained me deeply to admit it but yes, he was right and I was wrong.

I have to admit that yesterday I made an error. One of my colleagues asked me what the area of a circle is if when one walked

around it it was one kilometre in circumference. I computed it. My colleague said he did not think my computation was correct. I said I would check my arithmetic. We worked at it together. I am a math major and I taught math for 31 years. I have to hang my head in shame and say I made a mistake. I actually made a mathematical error and here I am right across the country now via the wonderful television channel CPAC confessing that I made a mathematical error and that my colleague corrected me. Having realized that I was wrong, I admitted that I had made a mistake.

To me that is a strength. When someone can show me evidence that something is wrong then I am really a fool if I do not change my mind. That is really the essence of it.

The real strength of democracy is that if we have true democracy, surely the best and most valuable legislation, that which is best for our society, best for our taxpayers and best for our children will bubble to the surface like cream rises to the top. Or at least it did in my day. Before everything was homogenized and pasteurized and everything the cream would go to the top. The best laws would bubble to the top if we allowed interaction where I would say to my colleagues "You have a vote and I have a vote. Let us discuss the issue. Let us debate it".

• (1600)

Still on this topic of democratic accountability and true democracy in this country, yes, this bill came from the Senate, but what is going to happen to it here? Will the individual members be able to look at the items in the bill? Will any of them be able to say "This bill has a serious flaw or two and I would like to see it amended"? Will that happen?

I wish it could. I wish it would. There are indeed a few things in here which should be amended. There are some flaws, but the fact of the matter is that our observation and our experience has been that an amendment can be ever so fine but it is turned down.

Even if it is presented in committee it is turned down, not by those who have heard our reasoned arguments, but by the instructions that come down from the minister who says to the members of the committee "Don't approve that amendment". That is wrong. There is a flaw in our process.

I know the parliamentary secretary is asking whether we proposed amendments to this bill. The answer is no, we did not. Why? I suppose there is perhaps a streak of cynicism setting in with some of our members who say "What's the use? It doesn't happen anyway".

Maybe that is not what happened here, but it happens over and over again. It certainly has happened in the committees that I have served on. Members work their buns off trying to make good, reasoned amendments. More than once in committees I have

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convinced members, not only in opposition, but also government members, that an amendment should be adopted.

I taught for 31 years. I think I have a fair ability to judge body language. I know when people are with me or when they are agin me. When members say to me "That is a good amendment", I know in their heart they would like to vote in favour of it.

When we consider a bill clause by clause in committee those same members say to me "It is a good idea. I agree with you". They say that to me privately or even across the table in committee, but when it is time to vote they look at their instructions and oppose it.

That is a fundamental flaw in democracy. It results in laws being not as good as they could be or as they should be.

I want to talk a bit about justice. This bill will amend several acts. It will amend the Canada Evidence Act. It will amend the Criminal Code. It will also amend the Canadian Human Rights Act.

There is a lot in this bill that is really valuable and really worthwhile. There is a lot in this bill that is right and that is worthy of our support as representatives of the people who elected us. There are also, as I said, some flaws.

I want to spend a few minutes, since I have lots of time in my intervention today, to speak on the priorities of this government. I find it incredible that the Minister of Justice finds this bill the one that should be brought in before we run out of time in June.

The House will probably break for the summer recess near the end of June. That is our present anticipation. When we look at the number of bills that have to be dealt with and the number of supply days that are left, with only May and June to go, time will go quickly.

I really wish that this government would take an occasion like this to bring forward some substantial bills that the people out there are crying for, that they are demanding and that we need so desperately.

I think, for example, of the misguided justice system in this country. It is not even a justice system any more. I am talking about this specifically because there is a question here about sexual assault. That is one of the things included in Bill S-5.

• (1605)

I am appalled to see conditional sentencing for people who physically and/or sexually attack a fellow citizen. Usually it is a man attacking a woman or an adult sexually assaulting a child. These are horrendous crimes. If I were to choose priorities, would I be talking about these little amendments, as important as they are? Yes, I would. I would spend about 12 seconds on this stuff, pass it and then go on to the important things.

Is it not terrible that in this country a man can actually rape a woman and not serve a single day?

Mr. Roy Bailey: Unbelievable.

Mr. Ken Epp: "Unbelievable" my colleague says. Yes, it is unbelievable. It is unconscionable and wrong.

We have asked the Minister of Justice—

Ms. Eleni Bakopanos: Mr. Speaker, I rise on a point of order. I am sorry, but in all deference to the hon. member I would like to ask what the subject of conditional sentencing has to do with Bill S-5 that we are now in the process of debating.

The Acting Speaker (Mr. McClelland): The Chair was paying close attention to the hon. member and in the Chair's opinion the debate is relevant.

Mr. Ken Epp: Thank you, Mr. Speaker. It is indeed relevant since this bill does address the question of sexual assault against disabled people. However, we are also talking about the whole justice system. This is part of the government's agenda and it is my job as a member of this Chamber, and as a member of the opposition, to point out not only the flaws in this legislation but also the fundamental flaws in all of the government's priorities with respect to these things.

Under the rules of conditional sentencing a judge may give a conditional sentence to a person convicted of the crime of rape and not even have that person spend a single day in jail. He gets sentenced, but it is a conditional sentence. It might be a sentence where he does some community work or something like that and does not go too far from his house. Those are the different conditions.

To have a law in place in this country where a person can commit such a heinous crime and serve no time is wrong. We have asked the Minister of Justice to amend the Young Offenders Act. We have asked the Minister of Justice to state explicitly that conditional sentencing should not apply to violent crimes.

That would not constitute a great deal of time of the House. I would think the Minister of Justice would be able to bring in an amendment. I would even be surprised if it filled one page in both official languages. The amendment would read that "conditional sentencing does not apply to the crimes of assault, murder and rape". How many words did that take? That is an amendment about which our citizens are saying "It's about high time". That is what our government should be doing because it is important and it is a priority.

Even though I am talking today about Bill S-5, which contains matters of sexual assault, I am saying that this government has it wrong. There are some very important things it could do. I am sick of the Minister of Justice saying "Oh, this is a very complex issue". I am sorry, but it is not a complex issue to say that

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conditional sentencing does not apply to people convicted of rape. It is straightforward and simple. It should be done and it should be done fast. Our members would certainly support that.

• (1610)

I have some specific statements that I would like to make with respect to Bill S-5. The bill has a lot of good things in it. For example, there is a change to the Canada Evidence Act. The first part of this bill would change that act so that people with physical disabilities can still give evidence before the court. They are not prevented from doing that by virtue of their disability.

There cannot be anyone against that. Here is a person who was a witness to a crime, or perhaps a victim of the crime, and he or she is asked to come and give evidence. Perhaps that person cannot speak. Perhaps that person is blind. Perhaps there are other conditions that would physically make it difficult for that person to provide evidence to the court. This is overdue. This is one of the things that I would support strongly. It would enable people with various disabilities to provide evidence in court.

According to this amendment, it is now incumbent on the court to make sure that every accommodation is made to hear these people, even to the point that if a person is unable to speak certain gestures would be agreed upon that would indicate a yes or a no to questions that asked by counsel. We cannot be against that.

The bill indicates that the Criminal Code will be amended with respect to the protection of disabled people who are assaulted. This one deals particularly with sexual assaults. I wish it would have dealt with the subject more widely. However, in this particular case the bill will amend the Criminal Code with respect to sexual assaults.

Sometimes, by association, I am ashamed to be a man. So many men in our society do such horrendous things to our women and our children. I am not in any way saying that women do not commit these serious crimes. However, it is true that most of them are committed by men.

On the other hand, I am fully committed as a father, as a grandfather and as a husband to guarding and protecting my wife, my children and my grandchildren. My granddaughter Kayla will soon be two. I cannot imagine that anyone would assault her sexually. If I happened to be in the vicinity, they would have one bear to deal with. If grandpa was around I would be able to protect her, right then and there. But what if I am not there? How do we protect those who cannot protect themselves? We do it by our laws.

I would like to see extremely severe penalties for adults and people in positions of power and authority who physically use that power to overcome a weaker person, to assault them, whether it is sexually or in any other way. I do not have much time for those

people. I would be very severe with them. The message I am getting from people is: Why are we coddling these guys?

Our first responsibility must be to protect. This bill does not deal specifically with the protection of children. It deals with the protection of people who have physical disabilities. As I have said in the House before, I have a disabled sister. She is not able to speak. She has cerebral palsy and she sits in a wheelchair. This bill deals specifically with my sister and with the place where she lives.

• (1615)

I am totally confident that staff members where my sister lives are loving and caring. I have been very impressed when I have been there. They care for her very lovingly. I am not in any way implicating the staff members where my sister stays. I am simply saying I trust them explicitly. But if there were in such a place a person on staff or otherwise who would attack and assault a person like my sister, confined to her wheelchair, unable to defend herself, not even able to cry for help, are we going to be very easy with that person? No.

This bill, and I am supporting this part of the bill, strengthens that. If a person has not given consent, and obviously my sister would not be able to give consent, there is in this bill a strengthening of the power of the courts to properly convict the attacker on evidence and put them in jail for a term not exceeding five years. Five years for that. It would be longer if I had my way.

That of course is the problem. We deal with these huge numbers and not with individual people. This bill discusses these things and even goes so far as to say that if a person believes the other person has given consent but if that consent has been given because of being inebriated or because of drug use or whatever, then consent is deemed not to have been given and the responsibility lies with the attacker.

Sometimes I despair in our society. I do not know where we ever came from. I sometimes think it all started with cotton pickin' Hugh. He did it to us. He opened up the flood gates to say that our sexual behaviour did not matter. I am here to say it matters and it matters a lot. A person who cannot control his or her sexual behaviour is dangerous and we need to make sure innocent people, people who are disabled, are protected from such people.

It is certainly unfortunate in our society that we have come to the point where we think we can do anything we want. We have even reached the point where there are some in our society who think they can sexually attack the disabled. That is horrendous and I am appalled by it.

I support the part of this motion that states we are going to strengthen our laws in that area.

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I need to talk about the amendments proposed to the Canadian Human Rights Act. I am going to be as careful as I can because I want to send out the right message. I would like to read this because this is what this act would put into place in the Canadian Human Rights Act: record.

The purpose of this act is to extend the laws in Canada to give effect, within the purview of matters coming within the legislative authority of parliament, to the principle that all individuals should have an opportunity equal with other individuals to make for themselves the lives that they are able and wish to have and to have their needs accommodated consistent with their duties and obligations as members of society without being hindered in or prevented from doing so by discriminatory practices based on—

And then there is the list.

What I have read so far we cannot argue with. Certainly in this wonderful country of ours we would promote the equal opportunity of people to do what I have just read, to provide for themselves this life, a life they are able to and wish to have.

• (1620)

That has limitations. This is where it gets a little dicey because I am now going to read the list. These are the bases for discriminatory practices that are prohibited. We cannot discriminate based on race. We cannot discriminate based on national or ethnic origin, on colour, on religion, on age or on sex. I wish they would say gender because sex does imply the behaviour of sex as opposed to gender, which is talking about our maleness or femaleness. We cannot discriminate against people based on sex, sexual orientation, marital status, family status, disability or conviction for an offence for which a pardon has been granted.

It says the purpose of this act is to extend the laws in Canada which will provide for these people all to basically live their lives to the fullest. There is a problem here. This is not the purpose of the act. We already had Bill C-33 which amended and inserted the words sexual orientation into this. Frankly, there are a couple of categories, and sexual orientation is one of them, that do not fit into this.

The fact is we are talking here about sexual behaviour and it is an imposition of one person's sexual behaviour on another person's interpretation of that.

When we go on to read the bill there are all sorts of rules and regulations that are brought in by the governor in council, the minister and his officials, in order to enforce these rules. I can certainly see where it would be valid for us to say that a person must do, and this bill talks about it, everything possible to accommodate the needs of a person who is disabled.

I have worked with disabled people in the workplace. I have worked with people who are blind. I do not know if members remember, but there was a person working here in the House of Commons as a translator, Mr. Conway, who was blind, a wonderful

person and very competent. A person with no eyesight usually develops an exceptionally fine sense of hearing and he did a wonderful job. I had occasion to speak to him.

Yes, it is correct for us to do whatever we can to accommodate a person with physical disabilities in the workplace. I agree also we ought not to be saying to a person they cannot work here because they are the wrong colour or the wrong race. That is unconscionable. We need to ask people if they are capable of doing the job. I agree even to the point of saying we should make some special effort to accommodate those who have disabilities which we need to work together on.

When someone applies for a job as an accountant who happens to be in a wheelchair, I think it is totally appropriate for us to go that extra mile and make sure that office has wheelchair accessibility to all rooms.

If a person is hearing disabled, let us go that extra mile. Let us provide a hearing device or perhaps a teletype unit. That is old age now. It was 25 years ago that we provided teletype devices for people with hearing disabilities.

How do we provide to overcome the disability of a sexual orientation? We all have one. It is an undefined term. It does not mean a thing. So I simply reflect on the fact that the Parliament of Canada, having inserted the words sexual orientation in here without a definition, makes it totally meaningless.

• (1625)

It really does not say to an employer that a person has to be helped because of his or her sexual orientation. We all have one. Like I said, it is meaningless.

There is something else in this legislation that frightens me. The governor in council may make regulations prescribing standards for assessing undue hardship. The parliamentary secretary already said the employer or the landowner must make accommodation to help the person overcome this undue hardship.

This is the regulatory part of government, the part that is not debated in this House. In the next section it says that when these standards are prescribed they shall be published in the *Canada Gazette*. In the next paragraph it says when such a proposed regulation has been published in the *Canada Gazette* then there is a time for consultation. If someone has a problem with these new regulations they will have an opportunity to appear before the committee, or before the commission, and to make a presentation and perhaps the regulations and the standards can be altered based on an input from someone else.

Here is the most bizarre thing, and again this is a little flawed. We have not been able to put in a meaningful amendment and get this changed. It says a proposed regulation need not be published

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more than once whether or not it has been amended as a result of any representations.

This is a serious flaw because people, a lot of employers around the country, read the *Canada Gazette*. That is their reference book. That is how they guide themselves. That is how they know which laws the government has passed and here it says that we publish the law in its first form and then it may or may not be amended but there is no obligation to publish the amended version. That is wrong. That is an error because basically we could end up changing the law or even rescinding it and not properly inform the people. I have an objection to that.

It says this section applies in respect of a practice regardless of whether it results in direct discrimination or adverse effect discrimination. That is a bit of a technical term but it has to do with the fact that sometimes we can give certain conditions, say for job employment, that would disqualify certain people.

If someone wants to hire a person to drive a bus, implicitly that does eliminate anybody who cannot see or hear. So it is a discrimination in that sense against the disabled person but I do not think anyone in this country, including the people who are not able to see or hear, would object to that. And so that is a matter of interpretation. Where do we actually put it? Where is the line drawn?

It says here that it is not a discriminatory practice for a person to adopt or carry out a special program in order to help those whose disadvantages are in here. I really have a problem with that. This is under the amendment to the Canadian Human Rights Act. I have a great problem with that.

There are those among us, and the Liberals are in this group, who think discrimination is solved by discriminating against somebody else. That is a totally false premise. They are saying that in order to reduce discrimination against, say, a group of a certain race, a quota is established that means those people must be hired and exclude everyone else. I really believe that is, first of all, an insult to these people.

I have been responsible for hiring both as a private entrepreneur and also in my job as a supervisor at the college where I worked. I have hired people. I tried my utmost to hire based on skills and ability to do the job. When I hired a person to work on our dairy farm I wanted that person to have strong hands and strong arms because there is a lot of heavy work involved feeding the cows and lugging the pails of milk and water and all these things. That was very important. I look for the capability to do the job.

• (1630)

When I hired a mathematics instructor I looked at the qualifications of that person. Can that person communicate? Is he or she

able to teach? I did not ask their race, gender or any other thing. We have a false premise that says we can correct these wrongs by simply discriminating against those who are in the majority. That is a false premise.

I had a guy in my constituency office who said "All my life I wanted to be in the RCMP. My dad was in the RCMP, my grandfather was. It is something I have really wanted to do as long as I can remember". Lo and behold he came to my office. Why? He was told do not bother to apply, they are not hiring any of his kind right now. What kind was he? He happened to be a white adult male, intelligent, sharp, physically fit, an excellent quality person to work in our very highly esteemed Royal Canadian Mounted Police. They said "Do not even bother to apply because you have the wrong colour skin and you have the wrong gender", both of which he could do nothing about. He was discriminated against. There are some who think by doing that they correct other discriminations. Wrong.

The way we correct discriminations is by giving everyone an equal opportunity to become educated, trained, to work, to get to the place where they are the best of the class. They are the ones who will move up and get the jobs they want. Under those conditions this young man would have had the job.

I regret my time is up because I got only half way through what I wanted to say.

Mr. Rahim Jaffer: Mr. Speaker, I do not believe we have quorum and I think it would be in the interests of democracy to have quorum in the House.

The Acting Speaker (Mr. McClelland): Call in the members.

• (1635)

And the bells having rung:

The Acting Speaker (Mr. McClelland): We have quorum.

[Translation]

It is my duty, pursuant to Standing Order 38, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Etobicoke North, Training for young people; the hon. member for Lévis, Rail transport; the hon. member for Tobique-Mactaquac, Hepatitis C.

Mr. Richard Marceau (Charlesbourg, BQ): Mr. Speaker, I would like to begin by indicating that I am disappointed about two things. One is, of course, the small number of MPs present across the way. It is very disappointing, especially since this bill is so important to so many of our fellow citizens. During part of the debate, there was only one Liberal present. That is really disappointing.

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The second disappointment is about this government's practice of introducing bills in the Senate rather than the House of Commons. The government's legislative measures should be introduced and debated in the House of Commons, where the elected representatives are found, not in a House of unelected members, who are therefore not representative.

As for Bill S-5, I will start right off by saying that the Bloc Québécois supports this bill at third reading. Its purpose is to enhance the equality rights of the disabled and to amend the Canadian Human Rights Act.

One of the three main objectives of the bill is to amend the Canada Evidence Act and the Criminal Code. The amendments to the Canada Evidence Act will make it possible to use whatever means are necessary to enable a witness who has difficulty giving testimony to do so. This would, for instance, include the use of sign language interpreters for hearing impaired people called on to testify.

There are also certain amendments to the Criminal Code. Clause 2 of the bill creates a new offence, sexual exploitation of a person with disability. This is distinct from the general offence of sexual assault, and is in response to demands from a number of groups representing the disabled, many of whom we met with.

One might wonder, however, and I think this is a very legitimate point, why the sentence is less severe, being a maximum of five years, than in the case of the general offence of sexual assault as set out in section 271 of the Criminal Code. We will see how the case law evolves with respect to this new offence, or whether charges of sexually assaulting disabled individuals will still be tried under the already existing general provision.

Other provisions will finally make it easier for persons with disabilities to serve on a jury. The disabled are full-fledged citizens and wish to share fully in the rights and responsibilities of any citizen. Serving on a jury is a good example.

We are therefore in favour of these amendments, because they will improve access to the criminal justice system for persons with disabilities, and because they are a response to long-standing demands from groups representing the disabled.

Let us now turn to the Canadian Human Rights Act. With respect to the requirement to accommodate needs, this aspect of the bill is the one that has understandably received the most attention, both from persons with disabilities and from federal employers. We will see how existing case law incorporates this new provision.

We hope that the obligation to accommodate needs will lead to better integration of persons with disabilities in federally regulated businesses. This is what many groups of disabled persons that we met with are hoping for and it is a hope shared by the Bloc Québécois.

• (1640)

We also hope that interested groups and individuals will become actively involved in formulating regulations on the criteria for evaluating undue hardship. No one is in a better position than persons with disabilities and employers—rather than technocrats in their federal government ivory towers—to establish regulations following the passing of this bill.

Finally, and I will be very brief, because I do not want to go on like my colleague before me, I want to speak of the Canadian Human Rights Tribunal.

At second reading and during consideration in committee, we expressed certain reservations about the independence of the Canadian Human Rights Tribunal proposed in the bill.

It is noteworthy that, on February 23, in the matter between Bell Canada and the Canadian Telephone Employees Association, the federal court found the existing human rights tribunal to be unconstitutional because of its lack of independence from the Minister of Justice and the Canadian Human Rights Commission.

We believe Bill S-5 would ensure the tribunal's independence by drawing on the provisions governing Quebec's human rights tribunal. Quebec, I would point out, sets the example in this area.

That said, the proposed tribunal responds to a number of the questions raised by the federal court, and we believe it would have greater independence than the existing tribunal. It would be up to the courts and case law to determine whether this is so.

Therefore, the Bloc Québécois will support this bill at third reading. I now give the floor over to other members.

[*English*]

Ms. Wendy Lill (Dartmouth, NDP): Mr. Speaker, I rise today to speak to the third reading of Bill S-5. I am pleased to say that the New Democratic Party supports this bill in its third reading.

Bill S-5 is an act to amend the Canada Evidence Act and the Criminal Code in respect of persons with disabilities, to amend the Canadian Human Rights Act in respect of persons with disabilities and other matters and to make consequential amendments to other acts.

As the critic for persons with disabilities for the New Democrats I am committed to a legislative process to extend equal treatment for the disabled and I see Bill S-5 as a step in the right direction.

Under Bill S-5 the amendments recommended to the Canada Evidence Act will allow persons with disabilities to participate more fully in the justice process. For example, in a case where a person with a mental disability has the capacity to give evidence in court but has difficulty communicating by reason of a disability, under Bill S-5 the court may order that the witness be permitted to

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give evidence by a means that enables the evidence to be intelligible. This is an important gain for the disabled.

The court would also be compelled to provide whatever resources necessary to assist the person to give evidence, whether it be a speech therapist, interpreter or mechanical devices for communications purposes.

Under the amendments for a witness who is sight impaired there will be also the opportunity to identify the accused by methods other than sight. For example, when asked in court whether the witness can identify the accused in the court room, a sight impaired witness would be able to use methods other than sight such as voice recognition and scent, and I think these are positive additions to the Canada Evidence Act.

In terms of the proposed amendments to the Criminal Code I endorse the changes which will extend the protection afforded to young people in the courts to persons with disabilities. Although I concur with my colleague from the Bloc, I have concerns about the lesser penalties for sexual assault for persons with disabilities as opposed to non-disabled and this is obviously a concern which remains to be dealt with.

I endorse the amendment which provides support for jurors with physical disabilities and I support the amendments to the Canadian Human Rights Act under Bill S-5 which will work to prevent discrimination against persons with disabilities within the federal sphere.

A key amendment adds a provision that requires employers and service providers to accommodate the needs of persons who are protected under the act.

• (1645)

The duty to accommodate is a concept viewed by persons with disabilities as being essential to their integration and inclusion in society. The concept has been recognized and adapted legislatively through all provincial human rights jurisdictions.

Duty to accommodate affects how we work, travel and communicate. It affects basically all of the fundamental aspects of social, political and economic life for persons with disabilities.

For the past 12 years disabled people have been fighting for a law that provides duty to accommodate in our federal human rights act. It has taken a long time because government agendas have taken precedence over the quality of life of persons with disabilities.

The present bill represents the perspective of the disabled. It provides for a positive duty to accommodate those with disabilities subject to a standard of undue hardship.

Undue hardship is defined with respect to health, safety and cost. It is important that undue hardship be defined. It is important to have a human rights policy base for limitations of undue hardship

that will ensure a meaningful duty to accommodate people with disabilities.

This bill is, however, by no means perfect. The bill needs to include the assurance that the human rights system at the federal level is effectively working by ensuring that the training of investigators at the commission level happens.

A further review of the human rights act and the human rights commission system is also needed. The process at the present time is driven by an individual complaint system and that is problematic. Accessibility complaints usually take two years for resolution. Usually resolution comes in the form of one person's complaint being answered. It does not, however, address the same complaint that many others may have across the country. In other words, the bill does not deal with systemic problems. It is a complaint driven process.

In conclusion, Bill S-5 and its gains for persons with disabilities has been a long time coming. There is still a great distance to go in closing the equality gap for the disabled in this country. Bill S-5 is a start and I urge that we move quickly to pass the bill into legislation.

It is our duty to accommodate the dreams and the plans of our disabled citizens. They have as much, if not more, to contribute to this country as anyone. For that reason, I am in support of this first step.

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, I am honoured to follow my colleague from the province of Nova Scotia. I am equally pleased to rise today to participate in the debate on Bill S-5.

This bill, as has been previously mentioned by a number of my colleagues, will amend the Canada Evidence Act and the Canadian Criminal Code with respect to persons with disabilities. It will also amend the Canadian Human Rights Act with respect to persons with disabilities and it will make consequential amendments to a number of acts.

Let me say at the outset that like my colleagues in the Progressive Conservative Party, and I am sure all members of the House, I support this legislation. This is a classic example of non-partisan legislation of which we can be proud. It reflects a spirit that we do not often see in this House.

This bill was adopted by the Senate in December 1997 with one major amendment. That amendment was indeed very important since it dealt with the grounds of discrimination prohibited by section 2 of the Canadian Charter of Rights and Freedoms.

For one reason or another, the original legislation as tabled in the Senate did not address all of the grounds of discrimination prohibited by the charter. The Senate's amendment to correct that situation was very important.

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I would suggest that this amendment which was passed by our colleagues in the neighbouring House was a very positive one and I congratulate them for their efforts. It shows that the Senate can, in fact, constructively participate in this process.

As a result, Bill S-5 came before us rectified and consistent with all the provisions of the charter of rights and freedoms.

Finally, my last comment on this subject is that the Senate was very helpful in passing this bill in an expeditious way. It helped to speed the process that is very important to having this piece of legislation in place.

I will move to my comments with respect to Bill S-5 as a whole.

The bill sets out a very important principle and one which we embrace, that is, the attempt to remove the barriers to those who want to participate fully in society, and I am specifically referring to those with disabilities.

● (1650)

This bill is a good example of circumstances where the principle of identical treatment versus equality simply does not always work. For those individuals and groups who are disadvantaged, identical treatment does not always lead to equality. This bill addresses that problem and rectifies it by removing discriminatory barriers to ensure equality. I fully support this principle and the bill in its entirety. In general, it is a very good piece of legislation.

I will first deal with the amendments to the Canada Evidence Act. Clause 1 of the bill will make two amendments to this act. First it provides for the use of any different means necessary to allow a witness who has difficulty communicating by reason of a physical disability to give evidence in a court. For example, the use of a sign translator to help a hearing impaired person testify is a concrete example of how this section will help improve participation for those with disabilities.

Certain problems might arise. With respect to translation, there is the question of who would choose the translator. Would they be chosen by the court or would the person suffering the hearing disability be permitted to provide a translator? In the context of a criminal trial, I suggest this is very important and should be given some specific attention.

The second part of clause 1 will add section 6(1) to the Canada Evidence Act. This new section would allow witnesses to use any sensory means, for example their sense of hearing or smell, to identify an accused person. This would allow a person who is visually impaired to participate fully as a witness or potentially, and sadly, as a victim in a criminal trial. It would allow them to identify the accused.

I have had personal experience in a trial where the victim suffered head injuries and subsequently lost their sight. The

accused was not apprehended until 12 years later, at which time the victim was called upon to testify. In that case there was other evidence to consider and there were other witnesses. However, that gives a concrete example of how this new amendment could effectively improve the current situation.

As a whole, these two amendments to the Canada Evidence Act represent a step forward with respect to the use and application of technology in our courtrooms. They remove physical barriers that are present for some people and encourage full participation in our criminal justice system. The justice system and the criminal courtroom itself can often be an intimidating environment, and these are positive changes.

Clauses 2 and 8 of Bill S-5 will amend the Criminal Code of Canada. The most important of these clauses will create a new criminal offence. This provision, which will create section 153.1 of the Criminal Code, recognizes that any person in a position of trust or authority who sexually abuses a vulnerable, disabled person will be guilty of an indictable offence, punishable and liable in prison for a term not exceeding five years or guilty of an offence punishable by summary conviction.

A parallel can be drawn between this new section 153.1 and the section relating to sexual violence against children, the current section 153, which also constitutes an offence. In essence, it is designed to protect a specific and more vulnerable segment of our society.

At first, although I had some reservations that this new section was not strong enough because it results in an offence punishable by a maximum of only five years, it is important to identify specifically the need to protect those with physical and mental disabilities. Such an offence is a morally reprehensible act. The Criminal Code should reflect society's revulsion of such an act. That is why I had the initial reservations with respect to the maximum sentence being only five years.

However, the new section sends an excellent message to those in the population who engage in such horrific activities. It creates a new specific criminal offence to address that.

● (1655)

I want to also indicate that I was pleased to see that the government decided to remove the word "invite" from the description of the offences and replace it by the stronger words "counsels" or "incites". This I believe is intellectually sound and it makes the offence a much more precise one.

I would like to indicate that I support this new section and the changes to the Criminal Code. I hope it is not going to be used frequently. As a former crown prosecutor, I think what I would tend to suggest is that the current section 271, which refers to sexual assault for anyone, is much broader and calls for a stronger

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sentence of ten years as opposed to five. The crown attorneys of the land are going to have to make those individual decisions.

Clauses 4 to 7 of the bill also modify the Criminal Code and make it easier for a person with a disability to serve on a jury. Accommodation must be made to enable a disabled person to then be selected as a juror to fulfil their important civic responsibility, although I must say in my experience that I have seen many Canadians who, sadly, reflected an indication that they did not want to be on a jury. But this at least opens that door for those with disabilities who want full participation in our justice system. Again it sends an important message.

Clause 8 authorizes video testimony for disabled individuals who have difficulty communicating directly during a proceeding.

These changes in the Criminal Code I believe are designed specifically for those with disabilities. The changes will enable them to have full access to our justice system, which is something that organizations for the disabled have been long calling for.

My final remarks will address the changes to the Canadian Human Rights Tribunal which Bill S-5 in essence creates by virtue of the legislation. The creation of a tribunal specializing in human rights is certainly welcome and one that has invoked great response and is embraced by members of the House.

The Canadian human rights area is an increasingly complex one and one that has certainly been very litigious over the years.

I would like to raise some concerns, however, about this tribunal, and previous members have spoken of these concerns. For example, the Minister of Justice under the legislation will have a great deal of discretionary power and measures to allow them to intervene or to invoke disciplinary measures on members of the tribunal. The fact that the minister can be so directly involved certainly might raise some concerns about the independence of the tribunal.

Section 485 also brings forward a concern and that is with respect to the necessity that full time members of the tribunal reside in the national capital region. This, on its face, appears to be some form of regional discrimination. Certainly there are people throughout the land who are competent to sit on the tribunal. There are competent individuals throughout Canada and I would suggest this is again something that might be re-thought.

I also regret that the motion put forward by my colleague in the Bloc did not pass at the committee level. That motion proposed that it be mandatory for a member of a tribunal who is coming to the end of his or her appointed term to continue to the end of a particular hearing. That is to say, if they were scheduled to depart and a tribunal hearing had begun, they would be permitted to finish the tribunal hearing. I believe this is something again which could be modified.

Finally, I will refer specifically to the Canadian Human Rights Act and note that clause 14 of the bill, which will modify section 14

of the Canadian Human Right Act, specifically adds an anti-retaliation clause to the act. I believe this is something that is extremely important which did not exist previous to this legislation. An anti-retaliation clause means, in essence, that a person who files a complaint cannot then be open to retaliation or threat of retaliation by a defendant. This again is an improvement over the current legislation.

We in the Progressive Conservative Party of Canada support this legislation. We have always been generally supportive of changes to the criminal justice system for persons with disabilities and I believe that persons with disabilities in Canada will embrace the legislation and benefit greatly from it. It promotes the expansion of access to our justice system and it promotes and expands access to the courts which in many cases can be very intimidating for both victims and members of the public generally. The jury system will benefit from this and the criminal justice system generally will benefit. It also clearly expands human rights in Canada.

• (1700)

For all the reasons I have stated throughout my remarks I support this bill and I am sure all members of this House will do likewise.

The Speaker: Is the House ready for the question?

Some hon. members: Question.

The Speaker: The question is on the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: On division.

The Speaker: I declare the motion carried.

(Bill read the third time and passed)

Ms. Marlene Catterall: Mr. Speaker, could we now see the clock as 5.30 and proceed with Private Members' Business?

The Speaker: Is it agreed?

Some hon. members: Agreed.

PRIVATE MEMBERS' BUSINESS

[English]

INCOME TAX ACT

Mr. Paul Szabo (Mississauga South, Lib.) moved that Bill C-244, an act to amend the Income Tax Act and the Canada Pension Plan (transfer of income to spouse), be read the second time and referred to a committee.

He said: Mr. Speaker, this bill is dedicated to my 16 year old daughter Whitney who said to me that the bill made so much sense the government should just do it.

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In the words of Dr. Benjamin Spock, despite all the hard work, taking care of children and seeing them grow up to be fine young people gives most parents their greatest satisfaction in life. Intuitively he recognized the linkage between early childhood development and healthy adult outcomes. Today scientific research has proved that linkage and sent out a powerful message calling on governments to invest in children.

Bill C-244 is as much a health bill as it is a taxation bill. It proposes to amend the Income Tax Act to permit income splitting between spouses where one of them chooses to provide direct parental care in the home to their preschool children.

I first introduced this bill in the House of Commons on October 5, 1994 and laid out the substantive reasons why investing in children was both a fiscal and a social policy imperative. Research not only sustains that assertion but also provides compelling evidence that the quality of care during the formative years is one of the most important determinations of lifelong physical, mental and social health.

To recognize the importance of societal contribution of providing direct parental care this bill seeks to provide a tax break to families by allowing one spouse to pay the other through income splitting. As a consequence, the stay at home spouse would also be eligible to earn Canada pension plan benefits and both jobs and child care spaces would be freed up.

In the past I have also proposed other tax breaks such as the establishment of a caregiver tax credit or the converting of the child care expense deduction to a non-refundable tax credit and extending it to families with a stay at home parent. Regardless of the approach, the common feature is effectively to invest in the quality of early childhood care.

• (1705)

With regard to economic considerations, even the most conservative estimates of savings on health, social programs and criminal justice costs are \$2 return for every \$1 invested. It has not been until recently that researchers discovered just how significantly early childhood experiences affect the outcomes of our children. As such, the estimated potential economic return is likely understated.

In October 1994 before the standing committee on health Dr. Fraser Mustard, founder of the Canadian Institute for Advanced Research, presented substantive evidence that childhood outcomes were not a question of being rich or poor but rather of other factors related to the quality of care during the formative years. He also referred to the comprehensive research conducted by the Carnegie task force on meeting the needs of youth and children which was published in its 1994 report entitled "Starting Points".

Its research observed that good physical and mental health, the ability to learn, to cope with stress, to relate well with others and to have a positive outlook were all rooted in the earliest experiences of life. They concluded that where, how and with whom children spend their early years of life are the most important determinants of health.

I will summarize some of the key findings of the Carnegie research. At birth the brain is far from fully formed. In the days and weeks that follow vital neural connections called synapses form among the brain cells and create maps or pathways along which learning will take place. The first three years are crucial in establishing these connections and it is estimated that 80% of the lifetime development of the human brain takes place at this time.

The synapses do not, however, form automatically. Babies need food for their brains as well as their bodies, but not just good physical nourishment. They also need loving, responsive caregiving. They need to see light and movement, to hear voices and above all to be touched and held.

If we conceive of the brain as the most powerful computer imaginable, the child's surroundings act like a keyboard inputting experience. The computer comes with so much memory capacity that during the first three years it could store enough information that an army of people could input during that time. What sets the brain apart from the electronic computer is its fragile and ongoing relationship to the world around it. With proper stimulation brain synapses will form at a rapid pace, reaching adult levels by age two. By the end of three or four years the pace of learning slows because the synapses begin to wither away. Synapses that are not used are destroyed forever.

The quality of nutrition, caregiving and stimulation that a child receives determines not only the number of these connections or synapses but also how they are wired for both cognitive and emotional intelligence. As with cognitive intelligence, the development of emotional intelligence appears to hinge on the interplay between biology and early experience.

How infants are held, touched, fed, spoken to and gazed at seem to be the key to laying down the brain's mechanisms that will govern feelings and behaviour. On the other hand, an adverse environment can compromise a young child's brain functions and overall development, placing him or her at greater risk of developing a variety of cognitive, behavioural and physical difficulties. In some cases these effects may be irreversible.

Researchers have concluded that the incredible pace of learning in the early years will never again be attained in later years. Therefore if the brain development is slow at the beginning playing catch-up is vastly more difficult and costly in terms of personal sacrifice and social resources.

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In April 1997 the Carnegie research was further corroborated by studies presented at the White House conference on early childhood development. The principal finding was that the neurological foundations for rational thinking, problem solving and general reasoning appear to be established by age one. The studies also found that spoken language has an astonishing impact on an infant's brain development.

For example, the number of words an infant hears each day from an attentive engaged adult is the single most important predictor of later intelligence, school success and social competence.

The study suggests that infants need not only a loving but also a talkative and articulate caregiver and that a more verbal family will increase the child's chances of positive health and social outcomes. The results further suggest that the period from birth to three years is so critical that parents actually play a more critical role in the child's intellectual development than teachers will at school.

• (1710)

They also reported that before birth genes predominantly direct how the brain establishes basic wiring patterns. Neurons grow and travel into distinct neighbourhoods waiting for further instructions. After birth, however, environmental factors predominate.

Further support for this research occurred in the fall of 1997 at the international conference of the Society of Neuroscience. Researchers reported that parental care makes such a lasting impression on an infant that maternal separation or neglect can profoundly affect the brain's biochemistry with lifelong consequences for growth and mental ability.

Children raised without being regularly hugged, caressed or stroked were found to have abnormally high levels of stress hormones. Although scientists have reported for decades that maternal deprivation can cause serious behavioural problems, researchers now find that neglect can warp the brain's neuro circuits, leading to higher levels of stress which can impair growth and development of the brain and the body.

These studies have all been well accepted by the world's leading child development experts. On April 23, 1998 the Canadian Institute of Child Health also announced its concurrence with the research to date. In a booklet entitled *The First Years Last Forever* it states:

At birth the brain is remarkably unfinished. The parts of the brain that handle thinking and remembering, as well as emotional and social behaviour, are very underdeveloped. The fact that the brain matures in the world, rather than in the womb, means that young children are deeply affected by their early experiences. Their relationships with parents and other important caregivers, the sights, sounds, smells and feelings they experience, the challenges they meet, do not influence just their moods.

These experiences actually affect the way children's brains become "wired". In other words, early experiences help determine brain structure, thus shaping the way people learn, think and behave for the rest of their lives.

One of the overall concerns of the institute is as follows:

Our youngest children and their families are in a quiet crisis. The crisis is jeopardizing our children's healthy development, undermines school readiness, and ultimately threatens our economy.

As a result, it also concludes that more attention must be paid to the quality of care during the first three years of life.

Other significant support comes from the national forum on health which issued its report early in 1997. One of its major concerns related to early childhood development:

Evidence suggests that deprivation during early childhood can impair brain development and permanently hinder the development of cognition and speech. The impact on children's physical and mental health is significant and can only be partially offset by interventions later in life. The environment in which children are raised affects not only the number of brain cells and connections but also how they are "wired" which, in turn, influences their competence and coping skills.

The forum concluded there was an urgent need to invest in children and stated that failure to invest in the early years of life increases the remedial cost of health, education, social services and criminal justice costs. It also noted that children who are poor have more sickness, chronic illness, higher rates of injuries, more severe injuries and higher rates of death.

The forum states that while it firmly believes the primary responsibility for raising children lies with parents, it is in our collective interest to ensure the well-being of our children.

With regard to financial support, the forum pointed out that Canada is the only western industrialized country that does not take into the cost of raising children in the family home when determining how much tax families with children should pay compared to those without children.

In its interim discussion paper the forum went so far as to say that the Income Tax Act discriminates against families with children.

In its final report the forum recommended greater horizontal equity for families with children by reducing their overall tax burden to reflect our commitment to ensure that every child has an opportunity to realize its full potential. In relation to horizontal equity, the gravest social injustice of all time has to be the abandonment of the stay at home parent.

Managing the family home and caring for preschool children continues to be in my view the most important job in the world. It is an honourable profession which has not been recognized for its valuable contribution to our society. It is unpaid work but it is vital

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work which deserves to be compensated, and that is the point of Bill C-244.

This raises the question of parental preferences for caring for children. A 1997 Compass Research survey conducted in Alberta found that 95% of respondents felt that it was best for infants and preschoolers to be cared for by a parent. An earlier Canada-wide poll conducted by Decima Research found that 70% of parents of preschool children where both parents worked would prefer to have one of them provide direct parental care in the home if they could afford it.

• (1715)

Should a parent have to choose between the job that they need and the child that they love? Norway for example says no and announced that starting in August 1998 the government will pay \$570 a month per child under three years of age where one parent provides direct parental care in the home.

The research evidence is irrefutable. The first years do last forever in terms of physical, mental and social health, but also in terms of societal health. The 1996 longitudinal survey on children and youth showed that 25% of Canadian children enter adult life with significant emotional, behavioural, academic or social problems. According to Dr. Steinhauer of Voices for Children, with one in four children entering adult life significantly handicapped, we can look forward to a society that will be less able to generate the economic base required to supply the social supports and services needed by one in four adults who are unable to carry their own weight.

To meet the needs of children in a diverse society, the preferred strategy is to provide flexibility, options and choices so that parents can determine the best possible care for their children. Given the clear linkage between the quality of care of children and lifelong health, we all stand to benefit by investing in children.

In his 1994 economic statement the finance minister acknowledged that linkage when he asserted that "good fiscal policy makes good social policy, and good social policy makes good fiscal policy". Now that we are well under way to restoring Canada's fiscal health, the time is right to invest in the health and social well-being of Canadians in order to secure our fiscal health over the long term. In that context let there be no doubt that investment in early childhood development represents our best opportunity for sustainable returns.

For all these reasons I strongly encourage the Government of Canada to make investing in children a principal theme in its next federal budget. Within that envelope, consideration should be given to initiatives to address among other things parenting education, prenatal nutrition, fetal alcohol syndrome, early child-

hood development, community based child programs, and taxation of families with children. These are but a few elements of a pro child policy that will help to ensure not only the development of healthy children but also of a healthy country.

Hon. Lorne Nystrom (Qu'Appelle, NDP): Mr. Speaker, I want to say a few words on the private members' bill put forth today by my good friend from Mississauga.

First I compliment him on the work he has done on this issue over the last few years. I thank him for the copy of his book. He has put a lot of work into this issue. We should all commend him for the extra parliamentary hours he puts into this very worthwhile issue.

I am sure the member remembers that back in November 1990 Ed Broadbent was retiring as leader of the federal New Democratic Party. The last speech he made in the House as leader was one in which he talked about a need to eradicate poverty among children. I remember that very well. He was sitting about three or four seats over to my right. He made that speech. There was general consensus in the House of Commons that it was a very laudable objective which we should strive for in the next decade. That decade is almost over. We have less than two years to go before the new millennium and we probably have more child poverty now than we did in 1990. We have regressed rather than progressed.

That is a sad commentary on our country, a country with tremendous wealth and tremendous abundant resources. We are extremely fortunate that our country has all these resources. It is like a beautiful necklace of jewels and gold, the resources that are here in this country. Yet we cannot organize it in terms of public policy to make sure we bring children out of poverty and give them an opportunity and a chance. That has to be a very laudable goal and a very laudable objective.

I certainly agree fully with the member across the way that investing in children should be an objective not just of this parliament but for all of us in Canada, the provincial legislatures, the Parliament of Canada, the municipalities and likewise because the future of the country is our children. If we do not invest in opportunities for young people, we are going to have more crime, more unhappiness, more unhealthiness and more social problems.

• (1720)

They are laudable goals and objectives. The member certainly has his heart in the right place.

The member talked about the specific amendment to the tax act and the Canada pension plan. Again his heart is in the right place but I have some questions on whether or not this is the only area that we should move on.

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This will enable a taxpayer to make a tax contribution to the Canada pension plan on behalf of a non-income earning spouse. More often that would be the female rather than the male. If we looked at this economically and ran it through a computer model, we would find that this bill would benefit only a small segment of our population, mainly the higher income part of our population. That is the part of the population which may have one spouse working and can afford to contribute into a tax benefit program in the Canada pension plan on behalf of the other spouse.

My riding is comprised in part of the inner city of Regina where there are a lot of low income folks. In those kinds of homes where only one person is working, probably nine times out of ten, maybe 99 times out of 100, the spouse cannot afford to make a contribution, tax credit or not, to the Canada pension plan of the other spouse.

It is a bit like the spousal RRSP which is a very good idea for people who can afford it. It has helped a lot of people and we do not deny that. We are not saying that we should tear it apart. But when we look at the facts, we find that the spousal RRSP helps in a great preponderance of cases the higher income people who can afford to make that contribution. Someone who hypothetically makes \$80,000, \$100,000 or \$200,000 a year, and whose spouse is not working can easily afford to maximize his or her own RRSP contributions and then maximize the spousal RRSP.

With the change in the Income Tax Act as proposed by my friend from Mississauga South, they could max out in terms of the taxable contribution to the CPP on behalf of the spouse.

These are some of the problems I have with the bill before the House today. I suppose the bill would have been more equitable back in the 1950s and 1960s when there was a greater preponderance of one wage earner households, back in the days of Archie Bunker and *Leave it to Beaver* when the only person working in the family was the male. In those days it would have covered a wider sweep of the population. Again it does not mean the member's heart is not in the right place.

What do we have as alternatives? The main alternative is to make our pension system more progressive and more encompassing to cover a broader sweep of people. Instead we now have a federal government which for new seniors, for people who have turned 60 after December 31, 1995, wants to abolish the old age pension, the guaranteed income supplement and the tax credit for seniors and replace them with what is called the seniors benefit. The seniors benefit will be determined by a means test. In other words it is going back to the 1920s, 1930s and 1940s before we had universal old age pensions. The pensions are taxed back from the wealthier people based on a progressive taxation system.

The current old age pension is a monthly pension that most Canadians are entitled to. Those benefits are taxed. They disappear

for single seniors whose incomes are higher than \$85,000 a year. If they make over \$85,000 a year, there is a claw back. This was brought in in the Mulroney days. The old age pension is taken back by the government. For a couple, that pension disappears after they earn more than \$170,000.

There is a progressive scale here. Everybody is entitled to it but the more money you make, the less you get. When a single person makes \$85,000 a year, they stop getting the old age pension. When a couple makes \$170,000 a year, then they receive no old age pension.

• (1725)

In addition to that, there is a guaranteed income supplement. It is a supplementary benefit that is not taxed and is there for only the low income old age pension recipients. A poor person in this country, and I represent a lot of them in the city centre and small towns in my riding, can receive the maximum guaranteed income supplement along with the old age pension. The GIS is not taxable but the OAS is taxable. It is a fair system. It is a progressive system that is geared to helping those who are the most in need.

Regrettably what is happening is that this system is going to be abolished. We are going back to the past. There will be a means test. People who make a few dollars will not receive an old age pension or the seniors benefit while those who make a few less dollars will receive part of the seniors benefit. Starting from dollar one, a person will be judged as to whether or not they qualify for the seniors benefit.

That is the concern I have with some of the details of the bill we are talking about today. The member is going in the right direction in terms of his heart and is being very thoughtful, but again I think we could put the money into a more progressive pension system.

In addition to that, this House just recently voted on the Canada pension plan. It made it a more regressive plan. It upped the premiums by 73% over six years. It cut down what people will receive from the plan during that same period of time. It particularly hit widows and people on CPP disability, again going in a regressive way.

It is a sad commentary to have those things happen from a Liberal government that at one time had a proud heritage of being compassionate, caring and progressive in this country.

I see the member from Hamilton across the way hanging his head in shame at the regressiveness. This government is more conservative than Brian Mulroney back in the 1980s. It is no wonder the member from Hamilton is hanging his head in shame. He used to be a progressive Liberal. Now he is to the right of Brian Mulroney in destroying the old age pension in this country.

Private Members' Business

Mr. Stan Keyes: Mr. Speaker, I rise on a point of order. Before the hon. member gets all exercised, I just want him to know that I am working on facts here and that in fact the benefits received by seniors are not means tested.

The Acting Speaker (Mr. McClelland): Hon. members will know that is certainly not a point of order. It is probably a point of debate.

[*Translation*]

Mr. Maurice Dumas (Argenteuil—Papineau, BQ): Mr. Speaker, I am pleased to speak today on Bill C-244, which was introduced by my colleague for Mississauga South.

This bill would enable a taxpayer to transfer part of his or her income to a spouse who remained at home to rear children, to enable this person to make contributions to the Canada pension plan.

The intent of this bill is a praiseworthy one, greater financial independence at retirement age for whichever spouse remained at home to look after children. I say spouse, but generally speaking that person is still the wife.

The logic behind Bill C-244 is the following: a worker would be authorized to transfer part of his income to his spouse on his income tax return. For application of the Canada Pension Plan Act, the income thus transferred would be considered income from self-employment. For the recipient, would this self-employed status confer the tax deductions related to self-employment?

If so, the stay-at-home spouse would pay both CPP contributions, the employer and the employee share, which would entitle her to a larger pension upon reaching retirement age.

• (1730)

In order to make such a transfer, the couple must have a child who is not attending school full time, and the couple must not, of course, claim child care expenses.

This is where my first criticism comes in. Is this not a way of using the wife as a tax shelter? The societal view behind this bill is that women are at home looking after children. There is an obvious risk that the male partner may ask his female partner to stay home and look after the children, in order to take advantage of this tax measure.

This view is contrary to a modern family policy aimed at improving women's autonomy and their participation in the labour market.

The family policy put forward by Quebec, with a day care system for children over the age of three at \$5 a day, and the

additional social assistance provided by Newfoundland for day care expenses are cases in point.

Every major report on women and the labour market released since the 1970 report of the Royal Commission on the Status of Women in Canada emphasized the fact that child care is an essential service if women are to participate fully in the labour market.

My second criticism is the following: What about individual autonomy, especially that of women? There is a risk that the income transfer will take place on the tax return only, making the woman dependent on her husband. This is a backward approach that makes no sense at a time when the income of EI and welfare recipients is being cut to encourage them to go back to work.

Besides, it would be unfair not only from a tax point of view but also for single parent families, most of which are headed by women who have to put their children in day care so they can go to work.

I am convinced that women re-entering the labour market would rather rely on a family policy adapted to their needs like the one in Quebec than lose their autonomy and be subsidized to stay at home.

Finally, this tax measure will cost the federal government in terms of lost tax revenues. Instead of sinking money in such a controversial measure, the federal government should transfer to the provinces the money they are entitled to and let them implement a family policy suited to the 21st century.

[*English*]

Mr. Jason Kenney (Calgary Southeast, Ref.): Mr. Speaker, I am delighted to rise to debate Bill C-244. I commend my hon. colleague from Mississauga South who is probably the most distinguished champion of fairness for families in the tax code. He has a noble record of promoting the importance of family in Canadian public policy as the basic institution of our society. This bill is one more effort to his credit. It follows on the successful passage of his private member's Motion No. 33 in the previous parliament which also sought to change the treatment of two parent families under the income tax code.

I and most of my colleagues from the official opposition support the intention of this bill. As a general rule I oppose proposed amendments to the Income Tax Act because I believe our 1,300 page tax code is too complex as it is. I believe in principle that tax policy ought to be neutral with respect to the choices that people make and that it ought not to be a vehicle for social or economic engineering or central planning. To a very large extent I would submit that the present tax code has become precisely that.

• (1735)

The hon. member for Mississauga South and I have had, and I am sure will continue to have, many provocative debates about the advisability of adopting a flat tax model which would replace the

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1,300 page tax code and the several hundred pages of attendant regulations with a simple, pure, neutral and clean flat tax system. That is what I would prefer.

The other night I voted against the private member's bill of one of my colleagues, a bill which sought to provide for the deductibility of mortgage interest payments for the principal residence of taxpayers. I oppose measures of this nature in principle. I seek to remove the complexity from the tax code, not add to it.

Having said that, the current tax code in all its complexity is scandalously weighted against the most important institution in society and that is the natural family, the nuclear family, the traditional family, call it what we will, apply whatever adjective we want. The fact is the best social program is a strong family. The best school and day care is a strong family. The best day care workers and teachers are good parents who have time to spend with their children.

For too long legislators, bureaucrats and regulators have sought to diminish the role of that nuclear family. We have done so by creating a tax code which actively discriminates against the choices of many families that opt to have one of two parents stay at home to raise their children.

The hon. member for Mississauga South gave what I thought was insightful background data on the remarkable importance of parental bonding in the rearing of children in their early years. It almost could be taken as a given that the more parental contact there is in the early years of childhood, the better the child rearing experience, the better the child is as he or she matures, the better the family is, the better society is.

We ought to seek at the very least to create a tax code which treats families that seek to maximize their time with their children neutrally or at the very least, as someone proposed, we ought to make amendments to the tax code to positively discriminate in favour of such families.

In the current tax code there are no provisions for income splitting. There are no provisions which recognize that millions of Canadian two parent families give up a second income, forgo that extra household revenue in order to make the economic sacrifices necessary to spend more time with their children.

What do those families get in return from the tax system? They get utterly no recognition of making what is a responsible, I would argue the most responsible, social and familial choice. In fact, if families choose, as many do for legitimate and understandable reasons, to contract the services of a third party day care provider, the government says they are permitted to write the costs of those third party child care expenses off against their taxes through the child care tax deduction. What this does in effect is force the one income two parent family to subsidize through its taxes the choices

of two income families that opt to raise their children through third party day care. This is completely irrational.

I truly feel for the many hundreds of thousands of families that feel this discrimination every day and are frustrated by it.

• (1740)

Bill C-244 would seek to mitigate part of this unfairness by permitting one spouse to deduct payments from another spouse for the raising of children at home. This would essentially allow families to contract for child care services in the house as opposed to doing it as a third party contract with some profit or non-profit day care operator.

A wife who works in the workforce can say to the husband "You are going to be my day care provider for our children. I am going to pay you to stay at home to raise the children and you are not going to be penalized", or vice versa. It does not matter which gender is involved. What matters is the principle that families ought not to be discriminated against for making choices they believe are right.

During the election campaign as I went around my broadly middle class constituency with many young families, I found no issue that resonated more strongly with many of my constituents than the need for tax fairness for those families. These measures would go a long way toward providing that kind of fairness.

If I could use this opportunity to make an advertisement for the policy proposed by the Reform Party in this respect, we have proposed converting the child care tax deduction into a refundable credit that would be available to all families, to all parents. This refundable credit would, in a sense, be a subsidy for low income families that currently cannot take advantage of the deduction because many families do not have sufficient income against which to apply the deduction.

A refundable credit would provide recognition of the at home child care implicit expenses of many low income families. They would get a credit for it and families all the way up the income scale would get the same kind of recognition which they now are denied unless they pay for third party child care.

All members of this House surely must recognize that for too long we have allowed our laws to discriminate against the basic institution of our society. It is time to act. For too long too many governments, this government, the preceding government and the government before that, built up a tax code that made the wrong choices about families.

I know many members here agree with me. It is time for us to work together in a non-partisan way to see that legislation like Bill C-244 is enacted so that we can allow Canadian families to make the choices they believe are best for their children.

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Mr. Scott Brison (Kings—Hants, PC): Mr. Speaker, it is with great pleasure that I rise today to speak on behalf of Progressive Conservatives and all Canadians on Bill C-244.

As well, I commend the member for Mississauga South on this initiative and on his hard work and diligence in representing and seeking solutions and assistance in visionary policy on behalf of Canadian children.

As everyone knows, the importance of child friendly policies are absolutely essential, especially as we enter the 21st century as a knowledge based global society. I think it has never been more important than now to invest in our young people.

I have some difficulty with the complicated nature of the changes to the tax code. I would echo some of the comments of my hon. colleague from the Reform Party on this.

As everyone knows, today millions of Canadians are filing their income tax returns and millions of Canadians have hired accountants and tax lawyers to enable them to effectively liaise with their own government.

It is an affront to a democratic society that in an industrialized nation with a high rate of education, Canadians need to hire professionals just to deal with their own governments on something as fundamental as paying taxes.

It is clear that we definitely need to simplify the tax code and the size of the tax code. I studied taxation law at university and got a finance degree. The tax code is egregiously complicated. I have some difficulty with any measure that serves to further complicate the tax code.

• (1745)

I do respect the premise under which the member for Mississauga South brings forward this legislation. If one parent wishes to stay at home in a family during the formative years of their child's upbringing I do not believe they should be penalized by the tax code, which currently is clearly the case.

I am interested also to learn that the hon. member has brought forward other proposals, including the conversion of the child care expense deduction into a non-refundable tax credit and extended it to families with a stay at home parent. I believe that is the kind of policy that would be less complicating potentially than the current legislation we are discussing but would have a similar impact. I think the important thing is that the intent and the impact is very sound. Again we are supportive of that intent and that potential impact of tax policy that will reduce the disincentive currently for families that are trying to do the right thing and look after their children.

The difficulty with tax policy, like so many public policies, is the law of unintended consequences. When we have, as my hon.

colleague from the Reform Party has pointed out, a tax code of 1,300 pages it does bring to light the fact that there are a lot of unintended consequences with a tax code that complicated.

This week in the finance committee we are studying Bill C-36 regarding the creation of the millennium scholarship fund. One of the witnesses was David Stager, an economics profession at the University of Toronto. He stated unequivocally that adequate support in a child's formative years has a far greater social and economic impact than funding later in life.

An investment in preschool education, particularly prior to age three, will provide society with a better return on that investment than an investment in primary education. An investment in primary education will provide society with a better return on investment than an investment in secondary education. An investment in secondary education will provide a better return on investment than an investment in post-secondary education.

At a time when we are committing \$2.5 billion worth of Canadian taxpayer funds to the millennium scholarship fund I think it is time that we really worked together in the House to develop solutions similar to what the hon. member for Esquimalt—Juan de Fuca has suggested in head start programs, for instance, which are designed to reach out to high risk children who are most vulnerable.

One of the studies that was conducted in the United States accounts for the result that \$1 invested in children in high risk situations up to age 3 will provide society with a return of \$7, I believe, by age 25, if one combines employment insurance costs, welfare costs, if one considers the costs of the judicial system, the police and the penal system, all the things that occur because children are neglected up to age 3.

It is absolutely essential that we develop some way either through tax policy, and that is one alternative—I respect the hon. member for Mississauga South for bringing light on this issue—or through direct programs that would be designed to effect change in that area. Perhaps it is time for us in the House to look at a national head start program.

My own preference when I am talking about tax policy is to simplify the Canadian tax code and thus make it fairer. Not necessarily reducing all taxes but reducing some of the absolute gross unfairness that exists in the Canadian tax code. I believe that if we do simplify the tax code and we do make the tax code essentially what it should be in the first place, a revenue generating vehicle and not a vehicle for social engineering, we can then use social policy to invest strategically in those areas where Canadians need investment most. One of those areas might be a national head start program.

To the hon. member across the House who just asked if I filed my return, no, but I will be shortly. It is so complicated.

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• (1750)

The head start program that is currently in Moncton, New Brunswick was modelled after similar programs in Hawaii and Michigan. These programs do not address the economic situation of the parents as much as they address the social aspect and the interplay between the parent and the child.

My concern with some of Bill C-244 is that it does have the potential to benefit some families, depending on incomes, significantly more than other families. I would favour, for instance, the member's earlier initiative of the tax credit. I think that is far fairer in many ways.

I urge this House to continue to work in a multi-partisan way to develop solutions. When we hear a member of the Reform Party talking about a head start program, I think that is very positive. When I see a member of the Liberal Party developing policies relative to the task, I see that we are all looking for the same end although we may differ on the means. However, I suggest we continue this dialogue and continue to develop, debate, discuss and implement policies that will work.

We are again concerned about further complicating the tax code. There is a strong argument to be made that there is a current punitive treatment of families trying to do the right thing for their families. Perhaps that playing field needs to be levelled in the short term. Tax reform of this nature is better than no tax reform at all. However, let us keep our eye on the ball for the long term.

The best policies in the long term involve a simpler, fairer and less complicated tax code which benefits all Canadians and a government that is not afraid to invest strategically in the needs that face Canadians as we enter the 21st century at a time when it is more important than ever in a global knowledge based society that our young people are provided with the best opportunities in the world, that we have a society that is not only prosperous but fair, that the equality of opportunity is not just a phrase but a fact in Canada and that we are not having debates on child poverty in this House 10 years from now.

Mr. Stan Keyes (Parliamentary Secretary to Minister of Transport, Lib.): Mr. Speaker, I want to first take this opportunity to applaud my colleague, the member for Mississauga South, for the dedication and effort he has put into this and other bills which are ultimately aimed at this country's greatest asset, our youth.

I am proud to say this government is placing a priority on supporting Canadian children and Canadian families. The current income tax system attempts to strike a balance between treating all individuals the same and considering different family circumstances. As a result, taxes are collected largely on the basis of individual income, treating individuals as equals in assessing their ability to pay.

At the same time, the tax system recognizes that family circumstances affect ability to pay.

My colleague's Bill C-244 appears to be aimed at putting in place further recognition of family circumstances by providing additional measures in support of families with children and a stay at home spouse. I appreciate the principles behind this bill. Indeed the tax system already includes a large number of measures that recognize and help alleviate the extra financial responsibilities of families with children.

For example, the current personal income tax system allows the transfer of unused, non-refundable credits from a lower income to a higher income spouse in order to lower overall family tax burdens.

I am not certain that the benefits of this bill are distributed widely enough given the high costs of this measure. Only about 975,000 one earner families with children would benefit under this proposal. This represents about 8% of Canadian families.

At the same time, the total cost of this measure would be approximately \$1.2 billion in reduced federal income taxes and a further \$800 million in reduced provincial taxes for a total of over \$2 billion. In my judgment this is too expensive given the small number of beneficiaries. For example, the \$2 billion total cost of Bill C-244 would be enough to increase the child tax benefit which was received by over three million Canadian families with children by about \$350 per child.

• (1755)

While I share the goals put forward by my colleague in Bill C-244 of ensuring that Canadian families with children are supported by the tax system, the specific provisions of the bill are not the best way to accomplish this. It would be administratively complex for both government, employers and individual taxpayers. It would distribute benefits too narrowly given its \$2 billion price tag.

The current individual based tax system achieves a good balance between equity and administrative efficiency for the vast majority of taxpayers. The current tax system already contains a number of measures that recognize the special circumstances faced by families, the child tax benefit and GST credits, married and equivalent to married credits.

I can assure my colleague from Mississauga South this government will continue to work with him and as a government on improving the benefits the current system delivers to Canadian families in a fair, efficient and effective manner as the fiscal situation permits.

Mr. Walt Lastewka (Parliamentary Secretary to Minister of Industry, Lib.): Mr. Speaker, I would be remiss in not congratulating the member for Mississauga South for his continuous work in

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this area. I take great pride having a member in the House who touches the hearts of all members in an area of expertise that he is devoted to and continually brings to the attention of the House. This is an area of democracy that brings home to us the importance a member like the member for Mississauga South can have. He has made Canadians aware of this area. He has allowed members to discuss properly and with decorum a matter that is very close to Canadians. I congratulate the member for Mississauga South.

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I thank all my hon. colleagues who spoke on Bill C-244. I appreciate their kind words. As a member of parliament, it can only help to encourage members to continue to work hard to resolve some of these issues. I want all members to know that I'll be back.

I will respond quickly to a couple of points that were raised. The NDP member suggested there seemed to be something for some people but not for others. He is quite right. The bill does focus on the middle class. The member should remember that the child tax benefit is only for low income Canadians who make under \$25,000 in family income. The middle income earners really do not qualify for that.

On the other hand, the child care expense deduction is available for families where both parents work, but it is not available for those who provide care in the home to their own children. What is really left out here is the unpaid work, that vital work of providing care to children, and it is the stay at home parent who does this. At a time when home based businesses are becoming more prevalent there may be some more opportunities.

The Bloc member suggested there is an expense and that we should be careful about spending a lot of money. There is not just an expense but an investment that would result in lower health care costs, social program costs and criminal justice costs. We have to look at investing in the longer term to secure our long term fiscal health.

Both the Conservative and Reform members talked about the tax code. Surely we will be moving toward tax reform. I hope we will get the process started in this parliament.

• (1800)

When we consider the childcare expense deduction, \$7,000 for a preschool child, high income earners where both are working will get a tax refund of \$3,500. A low income earner would only get a tax refund of \$1,750, all other things remaining equal. That means that someone who is paying \$7,000 for childcare gets \$1,750 more back if they have a higher income than someone with a lower income. It makes no sense. There is no fairness. There is no equity. It should be changed.

I hope this House will look at a way to determine whether or not the childcare expense deduction is an equitable instrument within our tax act to deal with the necessary expenses of raising children.

Finally, my colleague from Hamilton referred to the cost. There is no question. There is a big outflow in terms of reduced tax revenue. There are also some inflows to the extent that someone would withdraw from the workforce and provide direct parental care. Some unemployed people on welfare or EI are going to take those jobs, relieving us of the EI and welfare costs. They would also pay taxes on their income, which apparently we have lost. There are some offsetting revenues. Not all of them. There already are some parents who stay at home. They are sacrificing the opportunity to earn income.

I do understand the mathematics, but I also believe in my heart that the National Forum on Health is correct when it says that for every one dollar invested we will over the long term get two dollars back to cover our health care costs, social program costs and criminal justice costs.

To close, I want to thank my 16-year old daughter Whitney who said to me "Dad, this bill makes so much sense the government should just do it". She has been a very staunch supporter of her father who is away so often. She is very interested in the divorce bill that I had about requiring mandatory counselling prior to legal separation. She tells me about the circumstances in her school and about children whose mothers and fathers are not at home. She is concerned about that. Even at the age of 16 our children recognize that there are problems. They detract from a child's ability to achieve his or her full potential.

I again thank all hon. colleagues for their very kind words. I intend to continue to work on behalf of the family and Canadian children.

The Acting Speaker (Mr. McClelland): The time provided for the consideration of Private Members' Business has now expired. The order is dropped from the order paper.

ADJOURNMENT PROCEEDINGS

[English]

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

TRAINING FOR YOUNG PEOPLE

Mr. Roy Cullen (Etobicoke North, Lib.): Mr. Speaker, the Canadian opportunities strategy that was announced by our govern-

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ment in the last budget is a very important and significant initiative. As part of this initiative, Canadian millennium scholarships will benefit more than 100,000 students. Likewise the plan will provide assistance to students with their student debt loads. There are many other advantages and features of the Canadian opportunities strategy.

The labour market has a supply side and a demand side. The Canadian opportunities strategy deals mostly with the supply side. The demand side of the labour market is driven by potential employers, both private sector and public sector employers.

In my view the Canadian opportunities strategy deals more particularly with the supply side of the labour market. It provides Canadians with greater access to education and training. Many or most Canadians view training and education as a means of obtaining a job or a career. All Canadians want to be contributing members of society and to have the means to care for and nurture their needs and the needs and aspirations of their families.

The question often boils down to: What do I educate or train myself for? Most Canadians would like to have some degree of confidence that the education and training they are acquiring is providing them with skills that will be in demand in the future.

The Canadian Manufacturers Association reports labour skill shortages in the following areas: marketing jobs, 29%; design jobs, 27%; engineering jobs, 26%; machinist jobs, 23%; software programming jobs, 22%; tool and die jobs, 21%; and on and on it goes.

• (1805)

These shortages are significant particularly when we look at unemployment and youth unemployment. The level of unemployment although much improved since 1993 is currently hovering around 8% nationally.

It is a well accepted fact that in Canada we are currently experiencing a shortage of information technology professionals of between 20,000 and 30,000 people. In my own riding of Etobicoke North which is quite industrial with aerospace companies and a pharmaceutical industry, I often hear that some of their jobs remain unfilled due to what they describe as a lack of qualified personnel. This troubles me, particularly given the number of unemployed people in my riding. I refer to the problem as the skills gap.

Last year I hosted a workshop in my riding and I brought together business leaders, educators, student career counsellors, young people and human resource professionals. At this meeting representatives from Humber College, York University, the Etobicoke School Board, the University of Toronto as well as representatives from companies such as Allied Signal Aerospace and Schukra Manufacturing, and many other stakeholders exchanged views on the skills gap problem.

I was seeking solutions and ideas at the micro level that perhaps could also be applied at the national level to deal with this problem. At this workshop, consensus emerged quickly around a single theme: the need for industry, public sector employers and educators to communicate better, to better anticipate the skill requirements of tomorrow and the future.

One of the complicating factors is the rapidly changing world in which we live and the continually changing labour market. A number of us in this House have spoken out on the need for the federal government to assume a leadership role in bringing industry and educators together to better plan for the future. The provinces and the territories clearly have a major role to play in education and training, but as a federal government we can use our powers of moral suasion and policy levers to bring the various parties together and to facilitate a constructive dialogue.

It was for these reasons that I was very pleased to see in last September's throne speech a commitment from our government to develop a plan to match the skills being taught to young Canadians.

The Acting Speaker (Mr. McClelland): In response, the hon. Parliamentary Secretary to the Minister of Transport.

Mr. Stan Keyes (Parliamentary Secretary to Minister of Transport, Lib.): Mr. Speaker, jobs, economic growth and youth are top priorities of the Government of Canada and these are major undertakings. As the hon. member for Etobicoke North has learned with all the hard work he has done in his riding, there are no single quick fix solutions nor is it the responsibility of any one level of government.

I am pleased with the number of measures that have been undertaken since 1993 which have created jobs and have ensured a skilled labour force for the future.

For instance as part of our initial red book commitments, the government promised to deliver on a youth employment strategy to give young people the skills necessary to succeed in the current and future labour markets, and we have delivered.

The government has also continued to work with the sectoral partnership initiative, SPI. It brings together employers, workers and other stakeholders in a particular industrial sector to define and address the human resources challenges facing the sector. Work through this initiative includes the establishment of sector councils which provide support to the private sector to develop the infrastructure necessary for the development and implementation of a particular industry's human resource strategy.

There are more than 20 sector councils operating, including councils for software, auto repair service, electrical and electronic manufacturing, and biotechnology, just to name a few. The work being done by the sectoral councils is important. In fact Human Resources Development Canada is currently consulting with the

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software sector council with regard to further research related to skills gaps.

In conclusion helping Canadians find jobs and be prepared for the changing work world is something that requires a collaborative effort on the part of governments, businesses, communities and individuals.

The Government of Canada will continue to work closely with provinces, industries and other stakeholders so that all Canadians, including our young people, can assume their rightful place in the workforce.

[Translation]

RAIL TRANSPORT

Mr. Antoine Dubé (Lévis, BQ): Mr. Speaker, on April 1, I asked the Minister of Transport a question about the relocation of the Lévis station. I pointed out that I was surprised that the station would be relocated to a point west of the Chaudière River, at least eight kilometers further away than initially planned.

• (1810)

In his reply, the minister seemed astonished by my question. On April 20, I decided to write him a letter to provide further information, and I would like to share some of what I said with the House.

In my letter to the Minister of Transport, I wrote:

First of all, I would like to say that, despite the answer you gave me in the House, I never told you I was happy that the Lévis station was being closed, since I have not spoken with you since February 20.

The minister said I had spoken with him. The letter goes on to say:

In a communiqué I issued that same day, however, I said I was pleased that you had excluded the possibility of having trains reverse over the Quebec City bridge to the Sainte-Foy station.

As for the rest, I was resigned to your decision, even though I knew it was not the best solution for the south shore, because you required that services be maintained at the Lévis station until a new station is opened on the south shore. At the time, I thought this station would be built on one of three sites previously recommended by the mayors of the RCM of Chutes-de-la-Chaudière.

A few weeks later, on March 21, 1998, we learned from the media in my region that Via Rail intended to build this station at least eight kilometres further away than the three alternative sites initially proposed and, worse yet, right in the middle of an industrial park where the environment was far from attractive.

Since the idea of closing the Lévis station first came out, stakeholders have always thought that a new station would reduce passenger traffic, because of the distance from the downtown cores of Quebec City and Lévis. In fact, a study done for Via Rail by SETRA in 1996 forecast a 28.7% decrease in passenger traffic.

Since you asked the Standing Committee on Transport to make recommendations to you on ways of making Via Rail's operations more cost-effective, I have trouble understanding how you could approve an option that would decrease its revenues and

force it to spend additional money to set up a shuttle between this new station and the downtown cores of Quebec City and Lévis.

The Standing Committee on Transport was equally astonished on March 24 when members of the Coalition pour le maintien et l'utilisation accrue du rail gathered 11,241 signatures of people in favour of maintaining the Lévis station. The chairman of the committee, whom I may not name, because he is sitting opposite, had proposed to other members of the committee that this relocation be re-examined as part of a tour the committee was planning to make.

I am not the only one astonished by the Minister of Transport's decision. Members of the standing committee, members of the coalition, south shore mayors, and even the mayor of the municipality in which the new station will be located, Richard Blondin, also expressed their surprise.

I impatiently await the reaction of the parliamentary secretary who, I hope, will provide me with more valid justifications than those I received the other day from the Minister of Transport.

[English]

Mr. Stan Keyes (Parliamentary Secretary to Minister of Transport, Lib.): Mr. Speaker, I am sure the member for Lévis will be elated with this answer. The station at Lévis on the south shore of the St. Lawrence River is currently used by VIA for its eastern transcontinental and Gaspé trains.

The intercity service between Montreal and Quebec City crosses the river at Ste. Foy and uses the Gare du Palais station in downtown Quebec City. This service does not use the Lévis station.

After the normal public hearings process the National Transportation Agency authorized CN to abandon its Montmagny subdivision, the south shore line used by VIA to serve Lévis. The abandonment was originally set to take place February 18, 1997. However, the line has remained open so that VIA and the government could look at options for the eastern transcontinental and Gaspé trains that would continue service to the south shore area near Quebec City.

In light of CN's decision to abandon the Montmagny rail line VIA would either have to purchase and upgrade the line or else use another site to service the south shore. After carefully considering the options, the Minister of Transport concluded that temporarily keeping the station open and building a new station is the most economic way to serve the travelling public.

The minister announced the decision on February 20. VIA has been asked to conduct a study to ensure that there are no significant disruptions to customers who will need to travel between the new station and Quebec City.

Adjournment Debate

In response to the minister's concerns VIA was instructed to negotiate temporary arrangements with CN to keep the trains operating to the Lévis station. The line has been officially abandoned, but VIA has temporarily leased the tracks from CN.

• (1815)

The decision to relocate the station has the support of the local municipalities—and I cannot stress that enough—which want to convert the CN line into a park and bicycle path.

This decision balances the needs of the travelling public and VIA Rail, as well as the wishes of the local municipalities to make better use of the existing rail line.

HEPATITIS C

Mr. Gilles Bernier (Tobique—Mactaquac, PC): Mr. Speaker, in December of 1989 our Progressive Conservative government announced a compensation package for all victims of HIV tainted blood. This package was universal and compassionate. Justice Horace Krever in his report asked that a compensation package for hepatitis C victims be universal and the health minister himself promised these victims that it would be compassionate. This package is neither.

The health minister put on his lawyer's hat and drew an arbitrary line of January 1, 1986, not based on doing what is right, but doing what he thinks he can get away with. The result is that 40,000 innocent victims, who through no fault of their own were infected with this fatal disease, are being abandoned by this heartless health minister who cares more about the government's wallet than he does about our health care system.

When thousands of Canadians, through no fault of their own, suffered as a result of the Saguenay and Manitoba floods did the government say "It is not our fault so we will not pay"? No. It helped everyone.

When millions of Canadians suffered injuries as a result of the ice storms in eastern Ontario, Quebec and the maritimes this year did the government try to weasel out of helping those victims because it did not cause the disaster? No. It put together a compensation package that was universal and compassionate.

Just this morning the immigration minister stated "If you stand on principle and have political courage then you must be willing to pay the price". I could not agree more. Unfortunately, the government has demonstrated that it is completely devoid of principles, has no courage and is definitely not willing to pay the price.

For the last month the health minister has tried to hide behind the ten provinces who, because of the 40% cut in health transfers, had no choice but to sign on to his bargain basement package. Now we see that the health minister's house of cards is beginning to fall.

Yesterday the Quebec National Assembly passed a unanimous resolution calling on the government to compensate all hepatitis C

victims. This morning the province of Ontario, this afternoon the province of Alberta and about half an hour ago the province of British Columbia echoed that same request.

The only time this government shows compassion to Canadians is at election time. What is left now for these victims is that they will have to spend precious years of what is left of their lives in court fighting for compensation which they should rightfully receive. Undoubtedly, many will win those court cases and because the government will have to pay millions of dollars in legal fees the package will ultimately end up costing much more than any universal compensation package that could be announced now.

These victims want and deserve to be compensated. Judge Krever wants all victims to be compensated. The provinces want all victims to be compensated. Canadians want all victims to be compensated. Even the Liberal government's own backbenchers want all victims to be compensated.

The question is, will the health minister do the principled thing, do the politically courageous thing, do the right thing and pay the price? From one human being to another, will he renegotiate the hepatitis C compensation package? It is time for this health minister to shape up or ship out.

Mr. Stan Keyes (Parliamentary Secretary to Minister of Transport, Lib.): Mr. Speaker, on March 27 the federal, provincial and territorial ministers of health announced the strategy to deal with the hepatitis C infections from our blood system.

They have worked hard to put together a very substantial plan. Up to \$1.1 billion will be used to address harms that might have been prevented had things been done differently between 1986 and 1990 in our blood system. This will provide for up to 22,000 people.

Our approach to this terrible situation is one that is not based purely on court cases, nor is it all about money. It is about finding the best way to resolve these issues without creating other problems in the process.

• (1820)

Canadian society has not yet discussed, never mind decided about no fault insurance for its health care system. We had to be careful not to embark on that road before these discussions could take place.

They also had to address the court actions against the federal government. They could have just allowed those to continue, but the federal health minister is on the record as having supported the idea of trying to steer these cases away from the courts before we started the process leading to the federal, provincial and territorial governments' announcement last month. Trying to avoid the courts was something they wanted to see happen and they are hoping their approach will lead to that as soon as possible.

Adjournment Debate

The Minister of Health has answered questions about the rationale for hepatitis C assistance. He has explained the parameters that Canadian governments have established. He has explained the dangers of being careless in making this kind of public policy; that is, the dangers of being hasty and irresponsible.

To the hon. member opposite I say it is not a question of what is right or what is wrong, it is a question of what is the responsible thing to do on behalf of all Canadians.

[*Translation*]

The Acting Speaker (Mr. McClelland): The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at 10 a.m., pursuant to Standing Order 24(1).

(The House adjourned at 6.20 p.m.)

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