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**OFFICIAL REPORT**
**(HANSARD)**

## Wednesday, October 17, 2001

**Speaker: The Honourable Peter Milliken**

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# HOUSE OF COMMONS

**Wednesday, October 17, 2001**

The House met at 2 p.m.

*Prayers*

● (1400)

[*Translation*]

**The Speaker:** As is our practice on Wednesday we will now sing O Canada, led by the hon. member for Yukon.

[*Editor's Note: Members sang the national anthem*]

## STATEMENTS BY MEMBERS

● (1405)

[*Translation*]

### POVERTY

**Ms. Diane St-Jacques (Shefford, Lib.):** Mr. Speaker, today is the International Day for the Eradication of Poverty. Its purpose is to raise public and governmental awareness of the importance of eradicating poverty and destitution, not only in Canada but also in all countries, the developing countries in particular.

The Government of Canada is strongly committed to contributing to that objective. We support development activities on the world scene. One hundred of the poorest countries benefit from Canadian aid via cooperation for development projects. We also support a number of international strategies.

I encourage our government to continue its actions in this area. In conjunction with our partners, we will be able to lessen poverty in Canada and throughout the entire world.

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[*English*]

### HOUSING

**Mr. Joe Peschisolido (Richmond, Canadian Alliance):** Mr. Speaker, on Tuesday, October 9, I held a town hall meeting in my riding of Richmond. The topic was the leaky condo crisis and more than 120 people attended. I have been listening, as have my colleagues from the lower mainland, but unfortunately the government has not.

This week a delegation of leaky condo owners has come to Ottawa to make the government listen to their plight and to get some relief in the face of this disaster.

I am sure the government would agree that all Canadians should be treated equally and would ensure that the B.C. leaky condo owners receive the same type of relief as those homeowners in Quebec who were rightly helped for their problems related to pyrite.

I hope the government moves quickly to help the thousands of British Columbians who are facing bankruptcy and in some cases grave illness.

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[*Translation*]

### CITIZENSHIP WEEK

**Mr. Mark Assad (Gatineau, Lib.):** Canada's Citizenship Week runs until October 21. It provides an occasion to recognize the value of citizenship and immigration and to focus on the privileges, rights, responsibilities and obligations of citizenship.

Canada is known for its diversity. We respect differences in culture, race and religion. Those differences all make a dynamic contribution to enriching our country. Immigration is one of Canada's essential assets.

It is my most sincere wish that Canadians will continue to be as open-minded as they have in the past, so that their fellow citizens from all backgrounds will continue to feel at home in Canada.

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[*English*]

### MIKE HARRIS

**Mr. Steve Mahoney (Mississauga West, Lib.):** Mr. Speaker, public life is an honour bestowed on a very small percentage of our population. It can be very rewarding and yet very challenging. I would never suggest, even if I disagree with their politics, that I do not respect their intentions as they relate to their constituents, their province or their country.

It is in this light that I congratulate Premier Mike Harris for having the courage to make a very personal decision and retire. He wants to spend more time with his family.

I served with Mike at Queen's Park for eight years. He was my opponent, never my enemy. Our mutual enemies were complacency and anyone who wanted to harm our province.

The political ideology that developed as the common sense revolution was certainly not something that I shared in any way. However the ability to lead, the ability to fight for what one believes in and execute the ideology faithfully, is something that I respect. I extend congratulations to Mike. May he enjoy his retirement.

*S. O. 31*

[*Translation*]

## LAVAL CHAMBER OF COMMERCE AND INDUSTRY

**Ms. Raymonde Folco (Laval West, Lib.):** Mr. Speaker, recently, the Laval chamber of commerce and industry presented a very positive report of its activities in 2000-01 and introduced its new president, Danielle Savard.

Ms. Savard is the second woman to be chosen as president of the Laval chamber of commerce and industry, which has been in existence for 35 years. She is committed to developing new alliances and strategies with local economic sectors in an effort to build on the huge progress made in recent years.

I therefore wish long life to the Laval chamber of commerce and industry and welcome to its new president. I have no doubt Danielle Savard will ensure the success of the undertakings of the Laval chamber of commerce and industry.

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[*English*]

## HOUSING

**Mr. John Reynolds (West Vancouver—Sunshine Coast, Canadian Alliance):** Mr. Speaker, in our precincts today are members of the coalition of leaky condo owners from British Columbia. Among them is a former colleague, Simma Holt, and the mayor of Port Moody, Joe Trasolini.

On May 9 the House debated Motion No. 293, an initiative of the Canadian Alliance member for Port Moody—Coquitlam—Port Coquitlam which purported to remove GST from repairs to leaky condos. Regrettably the Liberal dominated committee deemed the motion non-votable and absolved itself of any responsibility to the aggrieved B.C. condo owners.

Not satisfied with this abandonment, during the May 9 debate of the motion five Liberal MPs from British Columbia and the minister of public works did not have the interest, let alone the courtesy, to be here and be part of the debate. Their contempt for these neglected and betrayed leaky condo owners is representative of the Liberal government's approach to B.C. issues.

While the minister of public works could find $17.5 million to relieve the Montreal homeowners, he cannot find similar money to aid those in British Columbia. The Prime Minister, if he wants to do right, should listen to the former Liberal member from British Columbia, Simma Holt, and help these people with their dire needs.

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● (1410)

[*Translation*]

## CANADIAN FORCES

**Mr. Jeannot Castonguay (Madawaska—Restigouche, Lib.):** Mr. Speaker, the Minister of Veterans Affairs has unveiled the poster marking this year's veterans' week and remembrance day. It pays tribute to all members of the forces and reminds Canadians of the sacrifices that have been made for them.

The photograph on the poster was taken in Eritrea, in northeast Africa, where 450 members of the Canadian armed forces were sent on a peacekeeping mission. In the background we see an area devastated by war, and, in the foreground, a Canadian peacekeeper holding the hand of a young child.

This striking image shows Canada's commitment to creating a better world. It also speaks of the courage of all those who give effect to our country's ideals.

I am proud to note that the soldier in the photograph is one of my constituents. Corporal Roy and his wife were born and grew up near Edmundston, New Brunswick. Corporal Roy is currently based in his home province as a member of the Royal Canadian Regiment, in Gagetown. He represents all the men and women of our armed forces who serve and protect Canada every day.

On behalf of all the members of the House of Commons, I thank Corporal and Mrs. Roy and their family for serving Canada.

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## MÉDECINS DU MONDE

**Ms. Christiane Gagnon (Québec, BQ):** Mr. Speaker, this evening the show called *Chansons d'espoir* will be presented at Montreal's Spectrum. This is a benefit concert organized by Paul Piché with the participation of some 15 Quebec artists, including Gilles Vigneault, Louise Forestier, Pierre Flynn, Daniel Bélanger, Marie-Claire and Richard Séguin, Jim Corcoran, Luc De Larochellière, Luc Picard and Monique Fauteux. Their goal is to collect funds for the group Médecins du Monde, which sent a team to Iran to look after Afghan refugees.

Through their sensitiveness, our artists are reminding us of our fundamental values. In these troubled times, they are reminding us that before being Quebecers, Canadians, Americans or Afghans, before being Catholics, Muslims, Jews or Protestants, we are all human beings who must show solidarity with one another.

A few weeks ago, the show *Québec-New York*, during which Quebec singers and artists performed in front of 12,000 spectators and hundreds of thousands of television viewers, gave us an opportunity to express our solidarity to the victims of the New York attacks.

We thank our artists who, this evening again, will show the way to a better world.

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[*English*]

## LANDMINES

**Mr. Paul Steckle (Huron—Bruce, Lib.):** Mr. Speaker, on October 4, Frank O'Dea from the Canadian Land Mine Foundation addressed a group of my constituents. Although he only spoke briefly his message was substantial.

Landmines are among the cruellest of all weapons because they do not recognize the difference between a soldier and a child. They kill and maim long after the warring soldiers have left the battlegrounds. They are not only a weapon of terror but also an impediment to social recovery. At this moment there are between 50 million and 100 million landmines in 70 countries lying in wait to kill innocent people.

Since the tragic events of September 11 the world has asked how it can contribute to fighting terrorism. In response I would suggest: host a dinner. Terrorists need tools like landmines to create their havoc. By having a dinner in their homes on November 30 Canadians can directly contribute to the worldwide de-mining operation.

This simple act represents an opportunity for Canadians to do something that will enhance the quality of life for many innocent people all over the world. I encourage them to make a difference by calling 1-866-611-7669.

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## HOUSING

**Mr. James Moore (Port Moody—Coquitlam—Port Coquitlam, Canadian Alliance):** Mr. Speaker, on June 5 the public works minister announced that the federal government was giving $3,500 in aid per homeowner to Montreal area homes damaged by pyrite. While cutting cheques to Quebec homeowners the government has done next to nothing for B.C.'s leaky condo owners.

On June 16 I asked the minister three specific questions in a letter in an effort to better understand this double standard. It has been 125 days, over four months, and he has yet to respond.

The province of British Columbia through the Barrett commission legitimized its demands for compensation to leaky condo owners yet has received no recognition from the federal government.

At the same time the province of Quebec, without an independent commission, asked for millions of dollars in compensation and the government gave it. This clear double standard is intolerable, a slap in the face and an insult to thousands of my constituents and thousands of British Columbians.

British Columbians deserve better representation from the government and they deserve it now, not later.

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● (1415)

## MULTICULTURALISM

**Mr. Joe Fontana (London North Centre, Lib.):** Mr. Speaker, October 8 marked the 30th anniversary of the introduction of Canada's multiculturalism policy. After 30 years of successes and challenges it is clear that the policy remains particularly necessary and timely at this difficult moment when harmony among people is threatened and our hope for a better world is being sorely tested.

Canada's multiculturalism policy emerged from a vision of a country rich in cultural diversity ever since its history began and was resolutely open to the world. It is a policy promoting recognition of and mutual respect for the many cultural communities that make up Canadian society. It is a policy that allows us to feel free and proud that we are Canadians without having to discard our culture of origin which enriches our entire society.

On this 30th anniversary of the introduction of Canada's multiculturalism policy it is time to renew our commitment to the principles and values that led to its adoption and supported the task of building a country, a land rich in cultural diversity and a model for the world to adopt.

*S. O. 31*

## REHAVAM ZE'EVI

**Mr. Svend Robinson (Burnaby—Douglas, NDP):** Mr. Speaker, on behalf of my New Democrat colleagues I rise to strongly condemn the murder of Israeli tourism minister Rehavam Ze'evi. This tragic death will only fuel the destructive violence which has already led to far too many deaths of innocent Palestinians and Israelis.

We join in calling for an end to all violence, for the full respect of all UN resolutions affecting the Middle East and for an international United Nations presence in the occupied territories. Both the Palestinians and the Israelis must be entitled to live in viable, independent states in mutual security and in peace.

We extend our condolences to the family of Minister Ze'evi and to the people of Israel at this painful time.

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[*Translation*]

## POVERTY

**Ms. Monique Guay (Laurentides, BQ):** Mr. Speaker, on this International Day for the Eradication of Poverty, I wish to remind this House that poverty is one of the main obstacles to our democratic ideal and that, as legislators, we have a duty to eliminate the suffering that it generates.

In a country as rich as Canada, it is unacceptable to let one child out of five go to school on an empty stomach. At the world level, the numbers are appalling: 2.8 billion people, or close to half of the world's population, are living in abject poverty with an income of less than $2 per day.

To fight poverty is to promote human dignity in a spirit of elementary justice and kindness.

To fight poverty is to say no to oppression and to exclusion. More importantly, it is to say yes to freedom and peace.

Whenever we take action to eliminate poverty, we strengthen the very foundation of democracy. We have neither the right nor the means to deprive ourselves of this collective enrichment.

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[*English*]

## TERRORISM

**Mr. Irwin Cotler (Mount Royal, Lib.):** Mr. Speaker, the government's anti-terrorism law is not only intended to mobilize the domestic legal arsenal against international terrorism but to help build and strengthen the international mechanisms to confront the new supernational terrorism.

Accordingly the Canadian government is hosting this week an international conference on money laundering involving participants from 43 countries to address and redress an evil that threatens the security and lives of people.

In particular, terrorists and transnational criminal syndicates have enormous resources at their disposal with the capacity to infiltrate, undermine and circumvent legitimate socioeconomic infrastructures and transactions.

By targeting money laundering, the soft underbelly of terrorist and criminal organizations, the conference aims to stem the illicit flow of funds that sustain these organizations, which exemplifies our international leadership role in protecting human security in mobilizing the legal arsenal to put people, their safety and their lives first.

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### OPERATION APOLLO

**Mr. Gerald Keddy (South Shore, PC/DR):** Mr. Speaker, today in Halifax family and friends of Canada's military gathered with the Governor General and members of parliament as Canadians bid farewell to the 1,000 men and women of Canada's armed forces embarking on Operation Apollo.

The frigate *Charlottetown,* the supply ship *Preserver* and the destroyer *Iroquois* will leave Halifax as the main body of the Canadian naval task group. These ships will meet up with the HMCS *Halifax,* which is already serving in the Persian Gulf area.

It is never easy to commit troops to war and we sincerely wish them Godspeed and safe return. They perform an important role in obtaining peace and security in the world.

These ships will join an aircraft carrier battle group and actively participate in protecting the force. These men and women have been well trained and are prepared to do duty. They will be missed by their families, but they can rest assured they will never be far from the thoughts of all Canadians from coast to coast.

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## ORAL QUESTION PERIOD

● (1420)

[*English*]

### TERRORISM

**Mr. Grant Hill (Macleod, Canadian Alliance):** Mr. Speaker, yesterday Sergeant Philippe Lapierre of the RCMP's counter-terrorism section said at a conference on money laundering in Montreal that terrorists in Canada follow a pattern. First they apply for refugee status. Then they apply for welfare and health cards. Next they get involved in theft and financial crime. Finally they try to launder the money through legal businesses.

What measures has the government taken to prevent false refugee claimants from committing their crimes in Canada?

**Hon. Elinor Caplan (Minister of Citizenship and Immigration, Lib.):** Mr. Speaker, the first thing it is important for us to deal with is fact and not myth, whether it is a member opposite or an officer of the RCMP.

The facts are these. For the overwhelming majority of people who come to Canada and make a refugee claim, we know who they are and we know where they are. They are working. They are paying taxes. They are undergoing intensive security screening.

There are those who would like to see them detained or forced underground. In this country we honour our humanitarian traditions as well as the rule of law.

**Mr. Grant Hill (Macleod, Canadian Alliance):** Mr. Speaker, if the minister does not believe the RCMP, who does she believe? Its own counterterrorism force says that false refugee claimants committing fraud and theft in Canada is the modus operandi for terrorist cells in Canada. Her actions to date have done nothing to prevent this.

How can the government claim it is doing enough to stop terrorism when it still will not deal with this problem at its roots?

**Hon. Elinor Caplan (Minister of Citizenship and Immigration, Lib.):** Mr. Speaker, again let me say that it is extremely important for the member to know the facts. The fact of the matter is that when someone arrives in Canada and makes a refugee claim, the first thing that we do is take his or her fingerprints. The next thing is a photograph. We then have an interview and right now those interviews are taking three to four hours. Wherever we have evidence to suspect that someone is a security risk he or she is detained.

The overwhelming majority of people who come to Canada asking for protection are working and paying taxes. We know who they are and where they are.

[*Translation*]

**Mr. Grant Hill (Macleod, Canadian Alliance):** Mr. Speaker, the Royal Canadian Mounted Police has warned this government that terrorist cells in Canada are hiding behind false refugee claims and committing theft and fraud in order to finance their activities.

Why does the anti-terrorism bill not provide police with the tools they require in order to ensure that terrorists do not abuse our country's generosity?

[*English*]

**Hon. Lawrence MacAulay (Solicitor General of Canada, Lib.):** Mr. Speaker, I am sure my hon. colleague is not indicating that anybody can enter this country and break the law if he or she so wishes.

My hon. colleague is well aware that if people break the law we have police forces that arrest them. We have given the funds, the manpower and the technology to make sure this country remains safe.

**Mr. Vic Toews (Provencher, Canadian Alliance):** Mr. Speaker, Canadians are concerned that the Liberal government has allowed Canada to become a safe haven for terrorists. American anti-terrorist legislation specifically deals with issues relating to the deportation of dangerous terrorists.

How does the justice minister intend to deal with this serious problem when she has failed to include the necessary provisions in the legislation she has tabled?

**Hon. Elinor Caplan (Minister of Citizenship and Immigration, Lib.):** Mr. Speaker, the fact is that in Bill C-11 we have actually eliminated the right to an appeal of the immigration appeal division for those who pose a security threat to Canada.

Do members know what happened on June 4? That member and members of the opposition voted to restore the appeal rights to make it more difficult for us to pursue those who pose a security threat to Canada. That is the fact.

● (1425)

**Mr. Vic Toews (Provencher, Canadian Alliance):** Mr. Speaker, this is a minister who has done nothing for years. This is a minister who continues to stand and try to get Canadians to believe that she has done something, and she has done nothing. She has failed to put legal principles in place.

How can this minister offer Canadians any assurance that terrorists will be deported from Canada quickly and efficiently and not according to the standards that she refuses to apply?

**Hon. Elinor Caplan (Minister of Citizenship and Immigration, Lib.):** Mr. Speaker, Bill C-11, which is before the Senate at this time, does exactly what the member opposite is saying today that he would like to see happen: streamline our procedures and make it more easy and more efficient for us to be able to remove those by denying access to the IRB and by removing appeal rights.

They voted against the bill. Further, they tried to reinstate appeal rights for security tests to Canada. They cannot have it both ways.

[*Translation*]

**Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ):** Mr. Speaker, the Prime Minister stated yesterday, and I quote "If any piece of extraordinary legislation should no longer be necessary, there should be a requirement for it to be withdrawn".

The Prime Minister also specified, and rightly so, that some elements of the anti-terrorism bill should be maintained. I am referring to Canada's adherence to the latest conventions on terrorism, for example.

Given the Prime Minister's openness, will the Minister of Justice acknowledge that there should be a time limit on certain clauses of the anti-terrorism bill?

[*English*]

**Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, both the Prime Minister and I have indicated that we look forward to a discussion at committee on whether the review mechanism in the legislation is appropriate. We believe it is. Obviously we believe it is the appropriate mechanism in relation to the entire legislative package before the House.

However, I am the first to concede that reasonable people of good faith might disagree on this and might be able to offer the government their best advice as to other approaches.

[*Translation*]

**Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ):** Mr. Speaker, speaking of different approaches, I would like to refer once again to what the Prime Minister said regarding the need to protect freedom.

He said, and I quote "that even in the wake of September 11 we can live our lives on our terms, according to our values".

In order to show that we value freedom, will the minister acknowledge that sunset clauses are necessary, particularly in the case of preventive arrest, and will she clearly indicate our intentions in this bill by stating that there is a time limit on certain clauses?

[*English*]

**Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, we take very seriously our responsibility to ensure we do not put forward in the House legislation that violates any of our important values or principles, including those found in the charter of rights and freedoms. That is why we believe our anti-terrorism legislation is fully compliant with the charter of rights and freedoms.

However, as I have said, I have no doubt there will be discussion at committee in terms of possible review mechanisms. I look forward to that discussion.

[*Translation*]

**Mr. Michel Gauthier (Roberval, BQ):** Mr. Speaker, yesterday, our fears about the danger of agreeing to overly vague and sweeping definitions in Bill C-36 were confirmed. One of the minister's cabinet colleagues compared the demonstrators at the Quebec City summit to terrorists.

With an example like that, does the minister not realize that all manner of abuses are possible and that she should tighten up the definitions in her bill?

[*English*]

**Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, as I indicated yesterday, the definition of terrorist activity in Bill C-36 has been very carefully crafted to ensure that we do not apply these provisions to lawful protest activity.

I would ask the hon. member to keep in mind that the activity we are focusing on, the centre of this legislation, the objective of this legislation, is to attack activity, the motivation of which and the purpose of which is terror.

[*Translation*]

**Mr. Michel Gauthier (Roberval, BQ):** Mr. Speaker, the minister can keep telling us that these definitions are just fine, but when a member of the Liberal caucus interprets them as meaning that demonstrators are terrorists, what is going to happen when thousands of police officers, secret agents and security personnel interpret the definitions in the proposed legislation, if the Liberals themselves cannot sort them out?

Should she not be more prudent and define things more clearly?

● (1430)

[*English*]

**Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, as I have said before, lawful protest activity is fully protected in this legislation. I ask the hon. member again to focus on what we are truly getting at here, which is those activities, the goal or the intention of which is to create terror.

## THE ECONOMY

**Mr. Bill Blaikie (Winnipeg—Transcona, NDP):** Mr. Speaker, my question is for the Minister of Finance. It has to do with what we all know to be the case, that is the extra moneys that have to be spent combating terrorism.

A lot of us on this side, and perhaps on the other side, are concerned that other commitments the government has made with respect to aboriginal people, fighting poverty, the environment, et cetera, not go by the wayside.

Could the Minister of Finance tell us when he will bring in a budget to display to us that they will keep these commitments and how they will keep these commitments?

**Hon. Paul Martin (Minister of Finance, Lib.):** Mr. Speaker, I do not need to bring in a budget to tell the hon. member and the House that the government remains loyal to its commitments and to its obligations.

There is no doubt the events of September 11 have certainly changed some of the priorities. National security is a number one priority. We will provide the funding that is required to protect Canadians.

As the hon. member knows full well, I will be bringing down either a budget or a fiscal statement. I am very open to bringing down a budget, but I want to make sure I have all the facts at hand before doing so.

**Mr. Bill Blaikie (Winnipeg—Transcona, NDP):** Mr. Speaker, what we are concerned about and I hope the minister would be concerned about is that the financial burden of fighting terrorism be distributed fairly.

In his economic or fiscal statement, or budget we hope, will the minister give consideration to eliminating some of the tax cuts that he brought in for the very comfortable and wealthy in the country, as one of the ways we could pay for this instead of cutting social spending?

**Hon. Paul Martin (Minister of Finance, Lib.):** Mr. Speaker, I think the hon. member should go back and take a look at what those tax cuts did. Overwhelmingly, those tax cuts were for medium income and low income Canadians. For example, the national child benefit was substantially increased. That was for medium and low income families with children.

The whole question of indexation, which protects Canadians against taxation by stealth and which provides low income Canadians with a guarantee that they will live comfortably, we are not going to cancel that.

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## FOREIGN AFFAIRS

**Mr. Chuck Strahl (Fraser Valley, PC/DR):** Mr. Speaker, on October 4 the solicitor general told the House that CSIS has all the tools it needs to gather intelligence abroad, yet the current head of CSIS admits that he can collect intelligence abroad only when he can afford to do so. Now the foreign affairs minister has flat out contradicted the solicitor general by saying that to protect Canadians we need to establish a permanent, foreign intelligence agency.

Will the solicitor general take the advice of the foreign affairs minister and get the mandate and the money to create a permanent foreign intelligence gathering agency?

**Hon. John Manley (Minister of Foreign Affairs, Lib.):** Mr. Speaker, once again the hon. member has it wrong. I have said that one of the issues that we need to consider in our committee that is doing extensive work on a whole range of issues is the degree to which Canada has capacity in foreign intelligence gathering and whether that needs to be increased. Many are arguing that it should be, but the committee certainly has not taken a view on that.

In any event, there are foreign intelligence gathering capacities in existing agencies. They are not equivalent to a full scale foreign intelligence gathering service however.

**Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC/DR):** Mr. Speaker, Canada is the only G-7 nation that does not have a foreign intelligence agency and since 1993 CSIS has been downsized significantly. If the solicitor general does not know that he should. We need a greater international understanding of external threats through an increased intelligence gathering capacity.

Could the solicitor general tell the House how many foreign officers trained to collect intelligence are working overseas and how many have cultural awareness, geographic and language skills to integrate into foreign communities?

● (1435)

**Hon. John Manley (Minister of Foreign Affairs, Lib.):** Mr. Speaker, we will certainly take the preamble of the member's question as a recommendation and I can assure him that the government will take it into account.

However, I do not think we need to look very far to realize that a full scale, highly funded foreign intelligence agency is not the only solution to the problems that exist with respect to terrorism. If so, perhaps the CIA would have prevented the attacks on September 11.

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## TERRORISM

**Mr. Kevin Sorenson (Crowfoot, Canadian Alliance):** Mr. Speaker, Nabil Al-Marabh was released on bail in Canada in July. He has since been arrested in the United States in connection with the September 11 attacks. A few weeks ago the RCMP raided a print shop and found evidence linked to Marabh.

Will the minister confirm whether false documents created in Canada were used by the September 11 hijackers?

**Hon. Lawrence MacAulay (Solicitor General of Canada, Lib.):** Mr. Speaker, I think my hon. colleague is aware, and I have mentioned it many times in the House, that CSIS and the RCMP are working around the clock with the FBI to make sure that these terrorists are brought to justice.

I am sure my hon. colleague is fully aware that I cannot disclose information about an investigation. It would be totally inappropriate.

**Mr. Kevin Sorenson (Crowfoot, Canadian Alliance):** Mr. Speaker, we brought information to the House repeatedly to show Canadians that the country is being used as a safe haven for terrorists. In the United States John Ashcroft gives regular briefings about the investigation going on in the United States. Prime Minister Tony Blair takes his evidence and puts it on the website.

Why will this minister not give simple, factual answers about the state of investigations here in Canada. Is he aware?

**Hon. Lawrence MacAulay (Solicitor General of Canada, Lib.):** Mr. Speaker, as my hon. colleague is probably aware, I did meet with the attorney general of the United States, John Ashcroft. We had a news conference that was covered worldwide. He was asked questions about investigations. Mr. Ashcroft explained quite clearly to the public that he could not disclose information about investigations because all it would do would be destroy the investigation.

[*Translation*]

**Ms. Pierrette Venne (Saint-Bruno—Saint-Hubert, BQ):** Mr. Speaker, the Minister of Justice says that the provision in the anti-terrorism act giving her discretionary power to withhold information from the public is necessary in the interests of national security.

How can the minister justify this provision, when the current Access to Information Act already allows her to withhold any record which could threaten national security?

[*English*]

**Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, what we are doing is supplementing existing provisions in access to information. As I have indicated to the hon. member before, it is very important, not only for us but for our allies, to ensure that certain information is not disclosed in a public forum, judicial or otherwise.

In our new legislation we propose that I be able to issue a certificate to ensure that in certain limited circumstances certain kinds of information will not be made available to the public. I think that is important to ensure our national security.

[*Translation*]

**Ms. Pierrette Venne (Saint-Bruno—Saint-Hubert, BQ):** Mr. Speaker, subsection 15(1) of the Access to Information Act provides, and I quote:

> The head of a government institution may refuse to disclose any record requested under this Act that contains information the disclosure of which could ... be injurious to... the defence of Canada or any state allied ... with Canada or the detection, prevention or suppression of subversive or hostile activities.

How can the minister justify this arbitrary power, unless it is to sidestep the information commissioner and thus open the door wide to government censorship?

[*English*]

**Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, there are certain limited circumstances in which highly confidential information should not be disclosed in a judicial or other proceeding. This information, in many cases, is provided to us by our allies. In fact, they will not provide us with information that may help us in judicial or other investigations unless we can provide them with a guarantee of confidentiality. That is what the provision in the anti-terrorism bill speaks to. I would hope that the hon. member would understand why this is so important in our global—

● (1440)

**The Speaker:** The hon. member for Portage—Lisgar.

**Mr. Brian Pallister (Portage—Lisgar, Canadian Alliance):** Mr. Speaker, in 1995, Canadian Ahmed Sa'id Al-Kadr was arrested in Pakistan for financing a terrorist bombing and the Prime Minister intervened on his behalf.

Foreign affairs officials and CIDA both knew in the 1980s that Al-Kadr was running Saudi money to terrorists in Afghanistan.

The Prime Minister says that he did not know of Mr. Al-Kadr's terrorist record. The Prime Minister was the last to know that the man he went to bat for was a terrorist.

What good is intelligence if it is not shared with the Prime Minister?

**Hon. Lawrence MacAulay (Solicitor General of Canada, Lib.):** Mr. Speaker, what our Prime Minster asked is what he would ask in any case, that due course be taken. That is how the Prime Minister acts.

**Mr. Brian Pallister (Portage—Lisgar, Canadian Alliance):** Mr. Speaker, that is soft on terrorism.

Our allies have frozen the assets of Al-Kadr's former front organization, Human Concern International, and the government still will not act.

The government knew the Tamil Tigers were a front for terrorists before the finance minister dined with them.

The government knew that Ahmed Ressam was a terrorist before he tried to bomb an airport.

The government knew Al-Kadr was a terrorist before the Prime Minister went to bat for him.

What good is expanding intelligence services in this country when the government will not act on the intelligence it already has?

**Hon. John Manley (Minister of Foreign Affairs, Lib.):** Mr. Speaker, the member seems to have a lot of interesting information but so far Human Concern International is an agency that does not appear on any of the following lists, which are really all the lists that anyone is considering: the 39 individuals and groups that were audited by the U.S. on October 12; the schedule of the recent executive order dated September 24; the state department's list of foreign terrorist organizations; the department of treasury's list of those specially designated persons; and the FBI's most wanted list.

What list are they on?

[*Translation*]

**Mr. Claude Bachand (Saint-Jean, BQ):** Mr. Speaker, yesterday, in response to a question as to whether national security would be better served by giving a judge the responsibility to decide whether or not electronic surveillance is required, the Minister of National Defence said, and I quote, "We do have substantial safeguards and regulations for how this is done".

Can the minister tell us what legislation enables the centre to carry out electronic surveillance at the present time?

[*English*]

**Mr. John O'Reilly (Parliamentary Secretary to the Minister of National Defence, Lib.):** Mr. Speaker, the new authority to intercept communication is for targeted foreign entities and to protect electronic information and information and infrastructure that are of importance to the Government of Canada. It is not to spy on Canadians. Its mandate is enunciated and limited. It collects activities that are prescribed. It ensures the privacy of Canadians. It is targeted to foreign entities only.

[*Translation*]

**Mr. Claude Bachand (Saint-Jean, BQ):** Mr. Speaker, that was a pretty complicated statement.

Can the government confirm that, at this time, the centre's activities, particularly its interception of telecommunications, are not governed by any act of parliament?

Let them confess that parliament has no control over the centre at this time. Let the minister admit that.

[*English*]

**Mr. John O'Reilly (Parliamentary Secretary to the Minister of National Defence, Lib.):** Mr. Speaker, I want to assure the member that CSE operates within the law of Canada. It includes abiding by the Criminal Code of Canada, the Canadian Human Rights Act, the Privacy Act and the Canadian Charter of Rights and Freedoms.

The commissioner was appointed in 1996. He is the hon. Claude Bisson, former chief justice of the Quebec Court of Appeal. He was reappointed by the Prime Minister. His mandate is to review the activities and to ensure that they comply with all Canadian law.

* * *

## CITIZENSHIP AND IMMIGRATION

**Mr. Paul Forseth (New Westminster—Coquitlam—Burnaby, Canadian Alliance):** Mr. Speaker, if we are talking about lists, the foreign affairs minister should check the U.K. and the FBI lists.

The citizenship and immigration minister's data reveals that 73 people claim refugee status every day of the year, 26,708 people last year. Many are undocumented arrivals of questionable identity and origin.

How is the system any safer today by continuing to allow the release of these surprise arrivals to just roam in our communities?

● (1445)

**Hon. Elinor Caplan (Minister of Citizenship and Immigration, Lib.):** Mr. Speaker, the premise of the member's question is incorrect. Anyone who shows up and makes a refugee claim in Canada is fingerprinted and photographed immediately, and an interview is conducted. If there is any concern regarding security, identity or that they might not show up for their hearing, that is grounds for detention.

Whenever we have that kind of evidence we do detain. If we know who the person is and we are not concerned that he or she poses a security risk, we do not detain.

**Mr. Paul Forseth (New Westminster—Coquitlam—Burnaby, Canadian Alliance):** Mr. Speaker, there is a great disconnect from what the law allows and what is actually happening in practice.

The problem is the minister fails to acknowledge the increasing pressure on our system. Our system is in fact swamped to its capacity to properly screen for safety.

When will the minister stop all these undocumented claimants without proper security clearance from just freely roaming in our society?

**Hon. Elinor Caplan (Minister of Citizenship and Immigration, Lib.):** Mr. Speaker, my concern is that the member opposite, by giving this false impression, is trying to frighten Canadians, give them the impression that there are people who are not properly identified, that we do not know who they are and that we have concerns that they are a security risk to Canada. That is just simply not true.

Everyone who makes a refugee claim at a port of entry or inland in Canada must satisfy the immigration officer that they do not pose a threat, that we know their identity and that they will appear for their hearing or they will be detained.

Since September 11 we have intensified—

**The Speaker:** The hon. member for Yukon.

* * *

## INTERNATIONAL CO-OPERATION

**Mr. Larry Bagnell (Yukon, Lib.):** Mr. Speaker, I have spoken in the House about the importance of helping the poor and the Afghan refugees in the aftermath of September 11, and my constituents agree.

Canadians know that our security and the long term security in the region depend on the people of Afghanistan building a secure, peaceful, truly democratic society that cares for all its citizens.

Could the Minister for International Co-operation say what Canada is doing to help achieve that international goal?

**Hon. Maria Minna (Minister for International Cooperation, Lib.):** Mr. Speaker, as I have said before in the House, Canada has been involved in Afghanistan for some time. We have provided $6 million to assist with the immediate emergency. We also have a special team on the ground to reinforce our ability to co-ordinate with logistics, because it is very important to ensure that we get food into Afghanistan prior to the onset of winter.

This work is very difficult and that is why I am in contact with Unicef and have just had discussions with the Red Cross and the UNHCR on this situation.

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## POVERTY

**Ms. Libby Davies (Vancouver East, NDP):** Mr. Speaker, a few minutes ago the Minister of Finance said that the government would be loyal to its social spending commitments which, I might add, are incredibly modest, but in the next breath he said that changing priorities will happen because of September 11.

On this international day to eradicate poverty, there is huge concern that the government will turn a blind eye to the five million Canadians who live below the poverty line. I would like to ask the finance minister to make a clear commitment to provide the financial resources for a national not for profit housing program and for proper resources to deal with the appalling conditions in which aboriginal people live in this country. Is that—

**The Speaker:** The hon. Minister of Finance.

**Hon. Paul Martin (Minister of Finance, Lib.):** Mr. Speaker, in 1995 when the government brought down the deficit busting budget the one piece of funding that was never cut and was in fact increased was funding for aboriginal Canadians for health care and aboriginal housing.

The fact is that the government has brought in the most far reaching piece of new legislation in terms of helping young families with children. The national child benefit has now arrived at a record level. Our transfers to the provinces for health care and education are at a record level. Our transfers in terms of equalization for basic services today are at a record level. That is what the government—

**The Speaker:** The hon. member for Palliser.

* * *

## AGRICULTURE

**Mr. Dick Proctor (Palliser, NDP):** Mr. Speaker, in a similar vein the agriculture minister has said he would wait until this year's crop was harvested before assessing the damage. The numbers are in and without doubt there is another disaster looming in rural Canada.

According to the data, realized net farm income will plummet by more than 70% this year in two critically important agricultural provinces, Saskatchewan and P.E.I., and by 32% overall across Canada.

Now that he is armed with the facts will the minister inform the House how the government intends to respond to this latest agricultural crisis?

● (1450)

**Hon. Lyle Vanclief (Minister of Agriculture and Agri-Food, Lib.):** Mr. Speaker, the hon. member mentions being armed with the facts. I think he should go back and read the facts. The realized net farm income in Canada this year will be the highest it has been in a number of years. Program payments through programs such as net income stabilization, crop insurance and other program payments will be close to $4 billion, the highest they have been in a number of years. Those are the facts.



## BIOTERRORISM

**Mr. Jim Pankiw (Saskatoon—Humboldt, PC/DR):** Mr. Speaker, U.S. postal authorities have taken the precaution of informing Americans about the threat of bioterrorism and what to do if they receive suspicious letters or packages.

Will the minister of public works immediately instruct Canada Post to follow the lead of its American counterparts and issue clear guidelines for Canadians on how to handle suspicious mail?

**Hon. Alfonso Gagliano (Minister of Public Works and Government Services, Lib.):** Mr. Speaker, as usual Canada Post always informs its customers to be very diligent in how to deal with mail. We have had some incidents, but after investigation those incidents were found to be false. We have taken all the necessary precautions to make sure that more than 50,000 Canada Post employees have been and are protected with different procedures. We will definitely continue to inform people of the—

**The Speaker:** The hon. member for Richmond—Arthabaska.

* * *

[*Translation*]

## HEALTH

**Mr. André Bachand (Richmond—Arthabaska, PC/DR):** Mr. Speaker, are we prepared for the worst? Today, the leader of my coalition wrote the Minister of Health requesting that he report to the House on his action plan against bioterrorism.

When interviewed last evening, the minister spoke along those same lines in stating that "Canadians are entitled to expect their government to have a solid action plan".

Could the minister tell us if he will accept the invitation from my leader and finally share his action plan with the House?

**Hon. Allan Rock (Minister of Health, Lib.):** Mr. Speaker, the plan is clear. We at Health Canada are working at this time in conjunction with my cabinet colleagues, the caucus and my provincial and territorial counterparts to prepare Canada for any threat.

We have stockpiled antibiotics and vaccines. We have enhanced our surveillance systems. We have stepped up our capacity to communicate with other stakeholders in Canada and elsewhere. We are constantly working to solve these problems.

* * *

[*English*]

## IMMIGRATION

**Mr. Art Hanger (Calgary Northeast, Canadian Alliance):** Mr. Speaker, on Monday night an individual by the name of Muhammad Sabir arrived at the Calgary airport. In his possession he had phony passports and travel documents in different names other than his own. Investigations revealed that his name was actually Hussein Shafquat, who was granted refugee status in 1999.

My question is for the minister of immigration. Since Sabir, or Shafquat, whatever his name is, has landed immigrant status in the country, will the minister assure this House and the people of the country that he—

**The Speaker:** The hon. Minister of Citizenship and Immigration.

**Hon. Elinor Caplan (Minister of Citizenship and Immigration, Lib.):** Mr. Speaker, first let me repeat what my colleague the solicitor general has said and that is that it is extremely important that we not do or say anything inside or outside of this House that would jeopardize an investigation or a successful prosecution.

What I can tell the member opposite is that if someone, anyone, comes to Canada and obtains permanent residence status or in fact citizenship through fraud or misrepresentation, we have the authority in the law to take that status away and that is exactly what we do.

**Mr. Art Hanger (Calgary Northeast, Canadian Alliance):** Mr. Speaker, too often this minister has hidden behind rhetoric as to what she is doing and not doing in this House and in her portfolio. She has never offered assurances to the people of this country about security matters and how she is going to handle them in her department.

Again I will ask the minister specifically, will she give assurances to the people and the House that Sabir will not be released and that his status will be revoked?

● (1455)

**Hon. Elinor Caplan (Minister of Citizenship and Immigration, Lib.):** Mr. Speaker, that party has consistently tried to equate refugees with criminals or refugees with terrorists, so I say shame on them. That is absolutely the wrong thing to be doing at this time or at any time.

Further, that is the party that voted against Bill C-11. That is the party that tried to restore appeal rights when we wanted to streamline the procedure. They know the rules and the law and whenever we have evidence where we can remove status, we do that.

* * *

[*Translation*]

## MONEY LAUNDERING

**Mr. Michel Bellehumeur (Berthier—Montcalm, BQ):** Mr. Speaker, the world money laundering conference concludes today in Montreal. At least $30 billion left Canada last year for three tax havens recognized by the OECD.

Can the Minister of Finance guarantee that not one cent of this $30 billion was used to finance terrorism?

**Hon. Paul Martin (Minister of Finance, Lib.):** Mr. Speaker, it is fairly clear that the Minister of Finance, in his capacity as Minister of Finance, certainly does not have this information. If it does exist, it is a matter for the police.

**Mr. Michel Bellehumeur (Berthier—Montcalm, BQ):** Mr. Speaker, does the Minister of Finance realize that his lack of willingness continues to make it impossible to know whether the $30 billion invested in these tax havens, which his government encourages, have been or are being used to finance terrorism?

**Hon. Paul Martin (Minister of Finance, Lib.):** Mr. Speaker, as far as financing terrorism is concerned, the Government of Canada, with the Minister of Justice's omnibus bill and by freezing terrorists assets from the start, as the United Nations required, led the way and will continue to do so.

When we look at the OECD initiative on tax havens and the Government of Canada's ability to act in the area, we see very clearly that, of all the G-7 countries, Canada is the one providing leadership, and we will continue to do so.

* * *

[*English*]

## BIOTERRORISM

**Mr. Myron Thompson (Wild Rose, Canadian Alliance):** Mr. Speaker, last Sunday it was reported that customs officers nationwide had stepped up their screening of all mail entering the country following the anthrax death in Florida. A customs spokeswoman indicated that customs officers were fully trained and equipped to deal with packages containing anthrax.

I learned just this morning that the guidelines on how to screen for anthrax are being issued today, four days later. Why would the minister's spokeswoman deliberately and dangerously mislead Canadians?

**Hon. Martin Cauchon (Minister of National Revenue, Lib.):** Mr. Speaker, we all know that in Canada we have a very good customs system. Of course people have been trained, first in regard to seaports, airports and the land border in order to make sure that they keep Canadians safe as well as keeping the border open for trade.

Regarding the item to which the hon. member just referred, I can confirm to the House that a number of telephone conversations took place with the aid of all the departments across Canada in order to make sure we deal with the situation appropriately.

**Mr. Myron Thompson (Wild Rose, Canadian Alliance):** Mr. Speaker, that does not clear up anything. The customs spokeswoman, Colette Gentes-Hawn also stated that "our officers are aware of what has to be done in these type of situations".

If our customs officers are getting the instructions only today on how to handle dangerous substances, including anthrax, what has Canada Customs been up to until today? Can the minister reassure Canadians that anthrax has not already arrived in Canada?

**Hon. Martin Cauchon (Minister of National Revenue, Lib.):** Mr. Speaker, as usual the only thing I can say is that all the necessary procedures are in place in order to make sure that we keep our Canadian society safe. People at the land border, airports and seaports have been trained properly.

I would also like to remind the hon. member that last week we announced additional money, additional resources, to make sure we fulfil our duty.

Having said that, I would advise the hon. member and all members opposite to get involved with the government in order to help us reform the system and keep helping Canadians in trade as well as on the security side.

● (1500)

## LABOUR

**Mrs. Judi Longfield (Whitby—Ajax, Lib.):** Mr. Speaker, today Canada will begin hosting the 12th inter-American conference of ministers of labour here in Ottawa.

I would like to ask the Minister of Labour to explain Canada's overall objectives. Could she tell the House what she hopes will be accomplished over the next two years?

**Hon. Claudette Bradshaw (Minister of Labour, Lib.):** Mr. Speaker, at the Quebec summit of the Americas, the Prime Minister and the ministers of labour developed an action plan. This week we have 28 countries from the Americas here to do that work. We will be looking at the ILO declaration. We will be looking at modernizing labour ministries. We will also be looking at the labour dimension of globalization and free trade.

[*Translation*]

It is a pleasure for Canada, and we will be honoured to chair this conference over the next two years.

* * *

[*English*]

## TRANSPORTATION

**Mr. Jim Gouk (Kootenay—Boundary—Okanagan, Canadian Alliance):** Mr. Speaker, the government has announced it will be spending $79 million to enhance security at Canada's airports. The majority of that money, $55.7 million, will be for enhanced electronic security equipment.

Could the minister tell the House if that is scheduled for all airports in Canada and, if not, what categories of airports are being considered?

**Hon. David Collenette (Minister of Transport, Lib.):** Mr. Speaker, obviously as this machinery comes on line in the coming weeks and months it will be applied to the most sensitive parts of the country and the airports with the highest passenger inflows, the major international airports across the country, and then gradually will cover as many airports as is practical.

**Mr. Jim Gouk (Kootenay—Boundary—Okanagan, Canadian Alliance):** Mr. Speaker, most of us have heard the old adage that a chain is only as strong as its weakest link but obviously the minister has not. State of the art equipment at major airports does absolutely nothing to enhance safety if terrorists board aircraft at airports with no radar or x-ray security whatsoever, then fly into a major airport and disembark on the secure side.

Why does the minister think that enhanced equipment will make flights safer if some passengers can avoid it and fly in from small, unequipped airports?

**Hon. David Collenette (Minister of Transport, Lib.):** Mr. Speaker, the hon. member should know that when that is the case those people in transit are required to go through security at the larger airports.

[*Translation*]

## POVERTY

**Mr. Stéphan Tremblay (Lac-Saint-Jean—Saguenay, BQ):** Mr. Speaker, on this International Day for the Eradication of Poverty, the federal government's record remains poor.

On September 26, the Office of the United Nations High Commissioner for Refugees made an urgent appeal to raise the $390 million required to provide aid to the two million Afghani refugees.

Canada sent only $1.2 million, the equivalent of the budget for two days.

How can the government claim to be serious and responsible, when its reaction to this current crisis and the money allocated to it are completely derisory? And does it plan to announce additional humanitarian assistance soon?

[*English*]

**Hon. Maria Minna (Minister for International Cooperation, Lib.):** Mr. Speaker, it is important to keep in mind that the announcement made by the UN was a worst case scenario which meant that the borders were open and there were millions more people getting out and going into the refugee area.

At the moment, for the majority, there has been no great movement from within leaving Afghanistan. The issue is to try to get food inside Afghanistan, and we are working on the logistics.

I have restrengthened the people on the ground within my organization and we are working with others. That will indicate the kind of decision we will have to make in the next couple of days.

* * *

[*Translation*]

## FRANCOPHONE SUMMIT

**Mr. Dan McTeague (Pickering—Ajax—Uxbridge, Lib.):** Mr. Speaker, my question is for the Minister of Veterans Affairs and Secretary of State for the Francophonie.

What is the government's reaction to the postponement of the Francophone Summit in Beirut, whose theme “Cultural Dialogue” was particularly appropriate and, I would say, contextual, in these turbulent times?

**Hon. Ronald Duhamel (Minister of Veterans Affairs and Secretary of State (Western Economic Diversification)(Francophonie), Lib.):** Mr. Speaker, that summit was a very important one in the current context. The Prime Minister and myself were very disappointed, because we were all set to go to Beirut.

Unfortunately, we did not go. A decision was made, which we accept; we understand the reasons, but we will nevertheless continue to pursue the Canadian government's objectives, such as that of combatting terrorism.

I might add that the summit was merely delayed. Another Francophone Summit will be held in the fall of 2002, in the same country where it was to be held this year.

● (1505)

[*English*]

## PRESENCE IN GALLERY

**The Speaker:** I draw the attention of all hon. members to the presence in the gallery of Ministers of Labour of the Organization of American States.

**Some hon. members:** Hear, hear.

* * *

## POINTS OF ORDER

BILL C-287

**Ms. Judy Wasylycia-Leis (Winnipeg North Centre, NDP):** Mr. Speaker, my point of order arises out of events that took place during the last hour of debate last night on private members' business, Bill C-287, an act to amend the Food and Drugs Act (genetically modified food), which stands in the name of the member for Davenport.

As the House will be voting on this bill this evening, I felt it was urgent to bring this matter to your attention.

I would like you as Speaker to examine the record pertaining to the debate on Bill C-287 last night, and attempt to find some remedy to avoid this problem in the future.

I refer here to page 919 of Marleau and Montpetit, which states:

> Although there is no practice of a fixed pattern for the recognition of Members wishing to speak during Private Members' Business, the Chair seeks to ensure that there is a smooth flow of debate, providing opportunities for all points of view to be expressed.

The matter of speaking order and rotation during private members' business has been raised many times in the House. The procedure book cites the occasions of March 16, 1992, March 18, 1992, November 30, 1992 and October 18, 1995 as examples.

Most of the time the debate flows smoothly. Time is shared on both sides of the House and among members from all parties. Indeed, many times the Chair upon seeing a lot of interest in debate on the subject matter of private members' business will consult the House as to division of the remaining time, so that all those who are in the Chamber and who wish to participate may.

I was very frustrated by the flow of debate last night and raised this with the Acting Speaker at the time, who stated:

> At some point in time the Chair had to make a decision to balance those who were for and who were against the bill. I wanted to ensure a better understanding for the public and for our colleagues in the House to help members make up their minds before voting tomorrow afternoon. That was the reasoning behind it. There was no offence intended. I was trying to accommodate as many members as possible.

I notified the Table early in the day yesterday that I wished to speak on this bill. I was continuously in the House from the very beginning of private members' hour and rose in my place several times, but to no avail. This matter did not just affect me. Other members in the House intervened with the Acting Speaker as well, but to no avail.

I hope you will understand, Mr. Speaker, my frustration in not being allowed to speak on this bill during debate last night, so that I could place on record my full support and that of my party on Bill C-287.

I certainly had a unique position to bring to the House on this bill, not just to speak in favour of it, but in fact to bring a different argument forward and to put that on the record, one that focused on the precautionary principle, guaranteeing food safety, health protection and survival of the family farm.

The Acting Speaker last night could not have known that these were the points I wanted to get on the record, yet he did state in the House that he knew that other speakers were speaking pro and con, which is why he recognized them.

I resort to raising this with you today because of my interest in this issue. I have been working hard on this matter in the House and in committee during this and the previous parliament. In fact, on March 28, 2001, I introduced my own private member's bill, Bill C-310, an act to amend the Food and Drugs Act, and I also brought forward a motion in May 2000.

To conclude, in the interest of ensuring as much debate as possible during private members' business, I wonder if it is possible that when a private members' bill is deferred by order of the House that the full hour, rather than 45 minutes, is allowed for debate, and that in fact you will review the record and my concern that all sides of the House and all members in the House who would like to participate in such debate have an opportunity to do so.

● (1510)

**The Speaker:** The Chair is in a position to deal with this matter. I thank the hon. member for Winnipeg North Centre for her intervention.

The fact is when there are time limits on debate some members do miss an opportunity to speak on a bill, but I am advised and I understand this was debate at second reading stage. There will be an additional two hours on this bill should it return from committee, both at the report and third reading stage, so a total of two hours is allowed for debate then.

I have no doubt that the hon. member will be making representations to the committee in respect of this bill given the position she has stated. There are other opportunities available to her beside the limited time that is available for debate.

With respect to the 15 minutes taken up by the early termination of the debate, might I suggest she raise that matter with the Standing Committee on Procedure and House Affairs that have wondrous powers to deal with changes in our rules and is always amenable to consider sensible and useful suggestions that are put forward by hon. members from every side of the House in that regard.

I will take the matter under advisement and get back to the House if necessary, but I suspect in the circumstances this will be the end of the matter.

# ROUTINE PROCEEDINGS

[*English*]

## GOVERNMENT RESPONSE TO PETITIONS

**Mr. Joe Jordan (Parliamentary Secretary to the Prime Minister, 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.

* * *

## CLAIM SETTLEMENTS (ALBERTA AND SASKATCHEWAN) IMPLEMENTATION ACT

**Hon. Robert Nault (Minister of Indian Affairs and Northern Development, Lib.)** moved for leave to introduce Bill C-37, an act to facilitate the implementation of those provisions of first nations' claim settlements in the Provinces of Alberta and Saskatchewan that relate to the creation of reserves or the addition of land to existing reserves, and to make related amendments to the Manitoba Claim Settlements Implementation Act and the Saskatchewan Treaty Land Entitlement Act.

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

* * *

## OPERATION APOLLO

**Hon. John Manley (Minister of Foreign Affairs, Lib.):** Mr. Speaker, it was exactly one year ago today that I received the honour of becoming Canada's foreign affairs minister. I must say it was beyond my imagination at that time that one year later we would be sending Canadian troops into battle, but here we are.

● (1515)

[*Translation*]

The Prime Minister and the Minister of National Defence are in Halifax right now—I know that the leader of the official opposition and the leader of the NDP are there as well—to see off the three Canadian ships taking part in Operation Apollo, Canada's military contribution to the international campaign against terrorism.

[*English*]

The men and women who form the crew of the *HMCS Preserver,* the *Iroquois* and the *Charlottetown* and all Canada's Armed Forces personnel on land, sea or in the air are not only courageous men and women, they are trained, skilled, equipped and ready to do their duty for Canada and for our allies and partners who are depending upon us.

[*Translation*]

As indicated last week by the Prime Minister, this is certainly the first great battle of the 21st century.

[*English*]

I am certain that all members of the House and all Canadians everywhere will want to join with me in expressing our pride and sending our prayers to our troops and to their families as they set off to join this most important battle, not one against a country, not against a people, not even against a traditional army, but against the forces of extremism and fanaticism that have sought and are seeking to undermine our open and free societies.



We may all look forward to standing in the House again one day very soon to welcome them home, to celebrate their courage and to thank them for their sacrifice.

**Mr. Leon Benoit (Lakeland, Canadian Alliance):** Mr. Speaker, I am honoured today to represent the Canadian Alliance as we extend our support and heartfelt thanks to the Canadian forces personnel leaving today in the war against terrorism.

We are pleased that our Prime Minister invited the Leader of the Opposition to join him in Halifax today to show support for Canada's military personnel serving on our naval ships as they head off to defend our democracy and our freedom. As those ships leave today I want to express my admiration for the men and women who serve our country.

It is no small thing to leave family and loved ones behind. Indeed, there will be trying times ahead. Let us make no mistake about it; we are asking these men and women to participate in war. We have no idea how long it will last nor can we be certain what they will face.

As they have been throughout our history, our Canadian forces personnel are proud and anxious to serve our country. It is up to us to remember every day that we enjoy the right to live and work in a peaceful and democratic society because our men and women were willing and are willing to risk their lives and futures to make it so.

Canada is an incredible country and we are all privileged to live in it. We owe that privilege to our military and the men and women who serve. I urge the government to ensure that our soldiers, sailors and airmen will be as safe as possible. While we cannot fully understand the sacrifice made by the families of our proud service personnel, I hope it will provide some comfort for them to know that all Canadians are joining with them in praying for their safe return. They truly are the pride of Canada.

[*Translation*]

**Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ):** Mr. Speaker, on October 7, Canada agreed to provide military support to the international coalition against terrorism. The Bloc Quebecois immediately said that it agreed with the important support role the Canadian armed forces had been given.

The international community must respond to the terrible attacks of September 11 by striking back at the terrorists and those who are aiding them.

Accordingly, the Bloc Quebecois salutes the first Canadian troops leaving today for the theatre of operations. We have every faith that they will accomplish their mission.

To the sailors departing the Port of Halifax today, and to the troops who will follow, we say "We hope that all of you will return safely, once your tour of duty is over".

The fight against terrorism must result in as few victims as possible, both within the coalition and on the ground. I therefore call upon the troops to safeguard their own lives as well as the lives of Afghani civilians.

Canadian troops have a responsibility to assist the international coalition in its efforts to spare the civilian population as much as possible.

We pay tribute to their courage, we thank them for their sacrifices, and we assure them and their families that we admire them greatly and that we are behind them all the way.

● (1520)

[*English*]

**Mr. Bill Blaikie (Winnipeg—Transcona, NDP):** Mr. Speaker, on behalf of the New Democratic Party I join with the other parties in the House in marking the departure of the Canadian naval task force from Halifax.

As we do our duty in parliament, faithful to the freedom of expression the Canadian armed forces have fought to defend in the past, we commend the men and women who are leaving Canada today for doing their duty. We know that in some ways the call to such an assignment is an opportunity to put training into practice and commitment into action. We also know that whatever challenge may be associated with such an opportunity is mixed with anxiety and the pain of distance from loved ones, a pain felt aboard ship and at home back at the base.

To the men and women of the forces and their families may we all pledge, despite whatever differences we may have, vigilance with respect to the prospects for peace, with respect to their need to be well equipped for the task, with respect to taking care of their families in their absence, and with respect to wishing that they all return to Canada safe and sound.

To this end the three NDP MPs from the Halifax area, the members for Halifax, Dartmouth, and Sackville—Musquodoboit Valley—Eastern Shore, are in Halifax today to participate in the farewell. We join with our colleagues in Halifax in their support for the men and women of the Canadian armed forces.

**Right Hon. Joe Clark (Calgary Centre, PC/DR):** Madam Speaker, I begin by commending the government for resuming the practice of ministerial statements in the House of Commons. I hope the practice will be continued regularly throughout this conflict.

On behalf of the opposition coalition I extend to our Canadian armed forces our deepest thanks and our best wishes as they prepare to sail today in Operation Apollo. We are pleased to be represented at their departure by our defence critic, the hon. member for Saint John.

Members of the House will know that Edmund Burke once noted that the only thing necessary for evil to triumph is for good men to do nothing. We make the decisions here as to what Canada should do, but it is our armed forces whose lives are on the line to fight the evil of terrorism. We are proud of the commitment and professionalism of our Canadian troops. They are in our prayers.

[*Translation*]

The men and women of the Canadian armed forces are setting out today on a vital mission, that of combating terrorism and protecting the values we hold most dear.

Freedom and democracy are the values on which our society was built and which have made Canada the envied nation it is today.

I say to the men and women who today are leaving the comfort of their homes and the embraces of their children and loved ones that the thoughts of Canadians accompany you on your journey. You honour us all and I thank you.

* * *

[*English*]

## COMMITTEES OF THE HOUSE

### PROCEDURE AND HOUSE AFFAIRS

**Mr. Peter Adams (Peterborough, Lib.):** Madam Speaker, I have the honour to present the 30th report of the Standing Committee on Procedure and House Affairs regarding the associate membership of some standing committees, in both official languages, and I should like to move concurrence at this time.

(Motion agreed to)

* * *

● (1525)

[*Translation*]

## PETITIONS

### GENETICALLY MODIFIED FOODS

**Mr. Clifford Lincoln (Lac-Saint-Louis, Lib.):** Madam Speaker, I present a petition signed by 2,162 people and stating that Canadians are not, at this time, in a position to know which food products contain genetically modified material.

The signatories of this petition call upon parliament to pass Bill C-287, an act to amend the Food and Drugs Act (genetically modified food).

[*English*]

### VIA RAIL

**Mr. Peter Adams (Peterborough, Lib.):** Madam Speaker, I am pleased to rise to present another petition from citizens of the greater Peterborough area in favour of replacing VIA Rail service between Toronto and Peterborough.

The petition has been signed by thousands of people who believe the return of VIA Rail service would decrease congestion and accidents on the highways, improve the environment by decreasing greenhouse emissions, and improve the business environment not only of Peterborough but of the greater Toronto area.

The petition has support in eight federal ridings.

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## QUESTIONS ON THE ORDER PAPER

**Mr. Joe Jordan (Parliamentary Secretary to the Prime Minister, Lib.):** Madam Speaker, the following questions will be answered today: Nos. 56 and 69.

[*Text*]

Question No. 56—**Mr. Peter Adams:**

> With regard to the involvement of Canadians (as distinct from Canada) in activities in the Antarctic, can the government: (*a*) provide a list of these Canadian activities; (*b*) indicate if it monitors these in any way and if so, how; and (*c*) estimate its share of the cost of these same activities?

**Ms. Aileen Carroll (Parliamentary Secretary to the Minister of Foreign Affairs, Lib.):** The Canadian Polar Commission, CPC, has responsibility for gathering, promoting and disseminating knowledge of the polar regions, including the Antarctic, contributing to public awareness of the importance of polar science to Canada; enhancing Canada's international profile as a circumpolar nation; and recommending polar science policy direction to government.

In carrying out its mandate, the commission hosts conferences and workshops, publishes information on subjects of relevance to polar research and works closely with other governmental and non-governmental agencies to promote and support Canadian study of the polar regions. The commission established the Canadian Committee for Antarctic Research, CCAR, to serve as a national advisory body on Antarctic matters and to act as a link between the international Antarctic science community and Canadian scientists active in or seeking to become involved in Antarctic and/or bipolar research.

Information on projects involving Canadians in the Antarctic or on Antarctic-related subjects is submitted voluntarily to CCAR and published by the CPC. The July 2000 report entitled "Current Canadian Research Activities in the Antarctic, 1999-2000" identifies Canadian institutions working on a wide range of Antarctic themes including human adaptation, landscape evolution, ecology of extreme environments, paleoclimate reconstruction and ice sheet dynamics. The report also contains a bibliography of more than 80 Antarctic/bipolar scientific publications involving Canadians since 1997. "Current Canadian Research Activities in the Antarctic/ is updated on a periodic basis.

Canadians pursuing research activities in the Antarctic and on Antarctic-related subjects receive funding form a wide range of sources, including academic, governmental, non-governmental and private funders. Canadians also often partner their research efforts with national programs of other countries. As such, it is difficult to obtain accurate and reliable information on the share of the costs Antarctic research that is provided by the Canadian government.

Question No. 69—**Mr. Rick Borotsik:**

> Has the government developed strategies to attract young people to farming and, if so, what are those strategies?

**Hon. Lyle Vanclief (Minister of Agriculture and Agri-Food, Lib.):** On June 29,2001 the federal, provincial and territorial agriculture ministers agreed, in principle, on a national action plan to make Canada the world leader in food safety, innovation and environmental protection. Part of the action plan includes efforts to renew the sector through programming for farmers that addresses their unique needs and helps them to change.

The sector is facing rapid change and is becoming an increasingly knowledge intensive industry. As well, a demographic turnover will occur over the coming years as a significant number of farmers retire. Ministers agree that it is important for governments to help farmers adapt to this changing environment and will work over the coming year to develop the details of the agricultural policy framework encompassing specific federal-provincial-territorial agreements in the areas of renewal, environmentally sustainable agriculture and on-farm food safety.



For beginning farmers, this means ensuring that they have the tools to prepare for successful careers in agriculture and access to viable farming operations and financing arrangements.

**Mr. Joe Jordan:** I ask, Madam Speaker, that the remaining questions be allowed to stand.

**The Acting Speaker (Ms. Bakopanos):** Is that agreed?

**Some hon. members:** Agreed.

* * *

[*English*]

## MOTIONS FOR PAPERS

**Mr. Joe Jordan (Parliamentary Secretary to the Prime Minister, Lib.):** Madam Speaker, I ask that all Notices of Motions for the Production of Papers also be allowed to stand.

**The Acting Speaker (Ms. Bakopanos):** Is that agreed?

**Some hon. members:** Agreed.

**The Acting Speaker (Ms. Bakopanos):** I wish to inform the House that because of the ministerial statement government orders will be extended by 10 minutes.

* * *

## POINTS OF ORDER

FIREARMS ACT

**Mr. Garry Breitkreuz (Yorkton—Melville, Canadian Alliance):** Madam Speaker, on September 6 the Minister of Justice amended the firearms fees regulations by order in council waiving the fee for registering firearms under certain conditions. I give reference to the Canada *Gazette*, Part 2, Volume 135, No. 20 SOR/2001-336.

In making these amendments the minister bypassed parliament and avoided using the laying of proposed regulations stipulated in section 118 of the Firearms Act. She did so by using the authority granted her under section 119(3) of the act which states in part:

> —if the federal Minister is of the opinion that the making of the regulation is so urgent that section 118 should not be applicable in the circumstances.

Section 119(4) of the Firearms Act states:

> Where the federal Minister forms the opinion described in subsection (2) or (3), he or she shall have a statement of the reasons why he or she formed that opinion laid before each house of Parliament.

The minister has had six weeks to explain to the House why it was so urgent to bypass parliament with the regulations. To date, the minister has failed to comply with section 119(4) of the Firearms Act. I appeal to the Speaker to ask the minister when her statement of reasons will be tabled in the House.

I realize that the Speaker does not normally rule on matters involving constitutional law or the common law. However in cases where the constitution or common law contain procedural requirements I believe it is the Speaker's duty to ensure that they are enforced.

The House, through the enactment of section 119(4) of the Firearms Act, ordered the minister to make a statement of reasons and table it in the House of Commons. She has failed to do this, once again showing disrespect for parliament.

I refer the House to Joseph Maingot's *Parliamentary Privilege in Canada*, page 14, which states:

> —the Senate and the House of Commons have the power or right to punish actions that, while not appearing to be breaches of any specific privilege, are offences against their authority or dignity. These may include disobedience to their legitimate commands—

The minister is in danger of being in contempt for a third time. Not only that, she expects gun owners in Canada to obey a law she herself has not complied with.

● (1530)

**The Acting Speaker (Ms. Bakopanos):** The Chair has heard the point of order by the hon. member. We will take it under advisement and come back to the House as soon as possible.

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# GOVERNMENT ORDERS

[*English*]

## ANTI-TERRORISM ACT

The House resumed from October 16 consideration of the motion that Bill C-36, an act to amend the Criminal Code, the Official Secrets Act, the Canada Evidence Act, the Proceeds of Crime (Money Laundering) Act and other acts, and to enact measures respecting the registration of charities, in order to combat terrorism, be read the second time and referred to a committee.

**Mr. Brian Fitzpatrick (Prince Albert, Canadian Alliance):** Madam Speaker, the anti-terrorist legislation is a substantive, complex piece of legislation which attempts to balance two very important interests: the interests of security and the interests of our liberty and openness. This is not an easy task. CA members will be proceeding in committee with their ears and eyes open and their minds cognizant of the task at hand. As the bill proceeds into committee, it is also incumbent upon all members of the House to realize the seriousness of this task and to do the balancing that is required.

There are many things we should be cautious of as we move in this direction. Clearly, in the interests of security, we are going to have to modify some of the liberties and freedoms and we are going to be transferring more power to the state. Any time we transfer power from the people, the individuals in our society, to the state, we should be cautious. I think everyone remembers what Lord Acton said a while back in British history, that power corrupts and absolute power corrupts absolutely. It was true then and it is true today.

Although corruption and abuse of powers exist in democracies, they are far less a problem than in those societies dominated by authoritarian regimes. It is clear we will not make our society purer, safer or less corrupt by simply granting more powers to the state.

When looking at this legislation, we have to take a serious look at a thing called unintended consequences and to limit that possibility. For example, trade unions may be a bit apprehensive of this sort of legislation. The power of a strike can have a disrupting effect on the economy and society and we can get into problems in that area.

There are activists on both sides of the fence, right and left, who are not in terrorist groups. They are strongly trying to advocate their positions in a democratic society. In these times it is very easy for people to include more than terrorists in the ambit of terrorism.

We have to understand another point, too. One of the objectives of the other side in this war on terrorism is to attack our open and free society. If our methods of fighting back have the effect of destroying our openness and our freedom, I wonder what we have achieved.

What is the proper balance between these two competing interests? I do not think there is an absolute answer but I am going to raise some considerations which I think we should be looking at.

There is nothing called an absolute right in this world. There is no such thing. Freedoms and individual freedoms have always been tempered by public good and the freedoms of other people in our society. One need look no further than the famous U.S. supreme court decision of Justice Holmes where he stated that freedom of speech stops when a person stands up in a crowded theatre and yells "fire". That type of reasoning is what we have to be looking at in our war against terrorism, what that balance is.

● (1535)

Much is said about rights. Much is said about the charter of rights. Section 7 of the charter identifies two rights that we have as individuals in the country, the right to life and the right to security of the person. Obviously terrorists have no respect for either of those. In order to protect those two rights we may have to moderate or compromise some of the other rights that we take for granted.

We must be concerned with unintended consequences and guard against them. Section 183 leaves a lot of discretion to the government to decide what is a terrorist organization and what is not. I think the decision will be made behind closed doors. There will not be a lot of accountability on it. There will be a lot of leeway in that area. There are people who are concerned that groups that are terrorist groups may not be classified as such for political reasons. That is one side of the sword. The other side of the sword is that groups that are not terrorists may be identified as such for political or other reasons. These are concerns.

Let me be clear that the actions of the terrorists violate a lot of existing laws. The entire criminal code must have been violated by the actions in New York and Washington, so there are laws in place. In the House very often we think the solution to problems is to pass more laws and regulations and that will win the war, but that is something we have to be careful of. It is going to take more than laws to win this war.

It is quite apparent to anyone who looks at the situation that holes in the immigration system and the security systems are largely responsible for some of these problems. The U.S. has spent something like $10 billion on immigration and security systems, however 19 hijackers and hundreds of others moved freely in and out of North America monitoring their subjects, studying up on them and even getting the training they did and no one seemed to know what was going on. The intelligence agency was literally caught with its pants down.

Somewhere along the line in this politically correct age someone said it was not right to send spies and informants into groups. Back in the 1950s and 1960s when intelligence agencies did these sorts of things we would have been aware of the threat and the danger of these groups and would have been better prepared. It is incumbent upon us to focus on the target and marshal our resources and aim them right at the target rather than shooting off in all sorts of directions.

More intrusive laws may be the answer. However the immigration system is an area where we have to close loopholes and do things a lot differently. We are going to have to hire more people. We will have to have more resources. We are going to have to use information a lot better.

I recall in the House last February or March when we were dealing with the Amodeo situation. Mr. Amodeo had moved in and out of the country 17 times, if I recall correctly. Three ministers responded. The solicitor general basically said he does not monitor what is going on in his department and the RCMP does not co-ordinate its activities with the immigration department. The immigration minister said her people do not communicate with the RCMP. This thing went around and around.

● (1540)

In fact when Amodeo's wife came into the country the immigration minister even said that we do not ask questions about their marital status or their husbands because that would violate some right that she thought was important. This has to stop.

Buck passing is not going to win the war against terrorism. The buck stops in this House. We have to get our act together, quit protecting our turf and our territory and quit passing things around in a circle. Somebody has to take responsibility.

# ROUTINE PROCEEDINGS

[*English*]

## COMMITTEES OF THE HOUSE

TRANSPORT AND GOVERNMENT OPERATIONS

**Mr. Joe Jordan (Parliamentary Secretary to the Prime Minister, Lib.):** Madam Speaker, there have been consultations among the House leaders and I think if you seek it, you would find consent for the following motion. I move:

> That the Standing Committee on Transport and Government Operations be authorized to travel to the Lester B. Pearson International Airport in Toronto on October 18 and that the necessary staff accompany the committee.

*Government Orders*

**The Acting Speaker (Ms. Bakopanos):** The House has heard the terms of the motion. Is there agreement?

**Some hon. members:** Agreed.

(Motion agreed to)

# GOVERNMENT ORDERS

[*English*]

## ANTI-TERRORISM ACT

The House resumed from consideration of the motion that Bill C-36, an act to amend the Criminal Code, the Official Secrets Act, the Canada Evidence Act, the Proceeds of Crime (Money Laundering) Act and other acts, and to enact measures respecting the registration of charities, in order to combat terrorism, be read the second time and referred to a committee.

**Mr. Paul Bonwick (Simcoe—Grey, Lib.):** Madam Speaker, I would like to start my debate on terrorism by quoting the Prime Minister, as it captures the feelings of Canadians very well. He stated:

> Our enemies have made a fatal miscalculation. They have mistaken our freedom for weakness. They have mistaken our openness and generosity for a lack of spine. They have mistaken our values for a lack of resolve. And they will be proven wrong — on every count.

I believe that encapsulates the events of September 11 and our response to those events both in the United States and Canada, and for that matter terrorism around the world.

I thank the Prime Minister and the House leader for providing me yet another opportunity to address my concerns and comments to the House and to Canadians. There has been in excess of 40 hours of debate and discussion surrounding our proposed anti-terrorism legislation.

I would like to touch on three specific issues regarding the anti-terrorism debate. First, I will shed some light on the act itself. Second, I will address the response from the opposition parties. Third, I will address our overriding responsibilities as Canadians and as a government.

What I have to say about the act will clear up some misconceptions that have been brought forward by the Alliance. The purpose or intent of the anti-terrorism bill is to specifically identify, prosecute, convict and punish terrorists. It provides new investigative tools for law enforcement and national security agencies. What is very important is that it ensures Canadian values of respect and fairness are preserved and the root causes of hatred are addressed through stronger laws against hate crimes and propaganda.

Terrorism can only succeed if it accomplishes four basic things. First, if it creates a lack of confidence in Canadians or free thinking people with respect to their economy, they will achieve success in some small part. Second, if they compromise our sense of security, they achieve a bit of success on that part. Third, if they transfer the hate in their hearts into ours, they accomplish in some small bit their resolve. Fourth and most important, if they cause us to forgo some of our civil liberties, some of the things enshrined in our charter of rights and our constitution, then they truly succeed.

That is the delicate balance I want to address in the House today. I will certainly carry that message back to my riding as well. It is a delicate balance between civil liberties and the number one priority and challenge of a government, the protection of its citizens. The government has risen to that challenge.

The government has moved in a very methodical fashion in making sure that Canadians have the protection and receive the security they deserve in the country contrary to much of the untruths, speculations and fearmongering that has surrounded this debate.

● (1545)

The main objective of the anti-terrorism bill is to stop terrorism from getting into Canada and to protect Canadians from terrorist acts. That is the overriding theme of this piece of legislation. It would bring forward the tools to identify, prosecute, convict and punish terrorists. It would prevent the Canada-U.S. border from being held hostage by terrorists, impacting not only on our society but specifically on our economy. This piece of legislation lays that out very effectively.

I am sure many interesting points will be brought forward in committee. I look forward to seeing what the committee brings back to the House. I urge my colleagues in the opposition parties to work in a non-partisan fashion to make sure the legislation gets back into the House, so that we can pass the bill into law and provide the necessary security and support for the citizens of Canada. If the opposition parties drop their partisan approach that will happen.

I present the next issue with a heavy heart. Most of the people in the House and back in my riding know that I do not often challenge the ideas of the opposition. I normally do not show any disrespect for its views because if I show disrespect I cannot expect it to respect my ideas and values. However I have to demonstrate a precedent and speak against the opposition.

There have been a tremendous number of falsehoods surrounding this debate. The Leader of the Opposition says that he is taking the high road, that he will support his Prime Minister, and that there will be less rhetoric in the House surrounding many of these issues.

However the exact opposite is taking place. It disturbs me greatly and I cannot help it. I do feel sympathy for the fact that the majority of Canadians at this point in time are not supporting the Alliance, but that is no excuse for fearmongering or hot button politics.

Every member in the House of Commons has a responsibility to Canadians to come together in this time of crisis against this ultimate evil. They have a responsibility to work collectively to ensure the security of the country.

It is not just about military action. It is about a number of different things. It is about stability in the economy. It is not about painting various immigrant communities in our country with a brush of evil or as terrorists. That is an absolute shame. It is a travesty that those kinds of discussions have been taking place in the House.

We have heard much doom and gloom from the opposition. Our responsibility is to instill confidence in Canadians from coast to coast to coast to make sure they get on with their lives and that the necessary tools are in place so that our economy is not adversely impacted in a significant fashion. Many of the comments coming from the opposition contradict that idea at its base to the greatest extent possible.

I am speaking on behalf of the vast majority if not all Canadians when I say that we must lay down a rule right now. Enough is enough. We need to work in a collective, non-partisan fashion to make sure that Canadians get the level of protection they deserve. I make a pledge to the House and to the 30 or so million people living in the country that I will do everything in my ability as a parliamentarian and as a Canadian to make sure we deal with this terrorist threat.

The last issue I want to touch on is our responsibility as parliamentarians but primarily as Canadians. We have an obligation not only to ourselves but to future generations not to let these evildoers and cowards impact our lives in such a fashion that we would be afraid to make trips and to follow through on the normal plans our families would make whether it be a house, car or furniture purchase, or whatever it may be.

If we let these terrorist activities impact us in that fashion then they win in some small way. Canadians should rise up with the sense of confidence that our economy has the right tools in place.

● (1550)

Our finance minister is looked upon internationally as one of the greatest finance ministers in history, not simply for Canada but around the world. The Canadian economy is in great shape to move forward and deal with this situation with him at the helm of our finances. There is an incumbent responsibility on all Canadians to make sure that they do move forward with their plans.

I have one of the largest training bases in Canada in my riding. I extend my best wishes to the men and women in the military; Colonel Reid, the base commander; and all the troops leaving from Halifax today for engagement in the Middle East. On behalf of all 301 members of parliament, the 120,000 people in my riding, and the 30-some million people in Canada, our hearts and our prayers are with them.

We want to make sure that this battle is won effectively. We appreciate the commitment shown to our country and we wish them a safe and quick return. We thank the men and women in our military for their absolutely patriotic effort in defending our country.

[*Translation*]

**Mr. Paul Crête (Kamouraska—Rivière-du-Loup—Témiscouata—Les Basques, BQ):** Madam Speaker, I am very impressed at having the opportunity to speak to Bill C-36. When we were elected last year, we were all given the mandate to represent our fellow citizens. I do not think anyone here in this House expected to be carrying out this type of debate. We have a heavy responsibility in doing so.

This is the debate on second reading. It is important to bear in mind that, at second reading, the debate focuses on the principle of the bill, What is involved, then, is the balance between the battle against terrorism and the defence of human rights, between the security that must be in place and freedom, the respect of the right of citizens in this society to act, and their protection in their dealings with the machinery of government and the justice system.

This is, therefore, a very important substantive debate. It is also one that leads us to much consideration of the matter of good faith. Today the Prime Minister and the Minister of Justice have both admitted that this bill may have been prepared a little hastily and that there may be some elements that will need to be looked at in the committee and report stages.

The bill includes elements of interest. We will have to listen very carefully to the witnesses who come to tell us what they think of this legislation. People such as members of the bar, for example, may deal with the bill's implications and impact, and with the protection of human rights. Others will also address the issue of security and the importance of having an anti-terrorism act.

In light of the September 11 events, I think we agree on the need for strong and decisive action. We must eradicate terrorism and one of the tools at our disposal is the proper use of legislation. We have a duty to ensure the protection not only of the public, but also of its rights. This is why the Bloc Quebecois has adopted a very responsible attitude.

Many aspects of this bill deserve to be examined very thoroughly. I am thinking, for example, of the definition of a terrorist activity. Because of the need to act quickly, we may have a definition that will lead to abuse. We will have to ensure that there a proper balance is struck between police forces' ability to act and the assurance that all honest citizens in our society will nevertheless be protected. This is a very important aspect that needs to be thoroughly examined in committee. This issue is not an easy one. We must give it very careful consideration.

Another very important element is the fact that we are faced with an exceptional situation. We would not want our society to have to take such strong action as a matter of course. We are faced with a urgent problem which we all hope will disappear over time.

Therefore, perhaps we should consider having an act that will be in effect for a limited time only. This would ensure that when the threat of terrorism no longer exists, when we are in control again and when public security is ensured, there will be a time limit so that the government will not use on a permanent and regular basis means that we do not wish to see used in our society. So, we should determine whether this bill could include specific provisions that would lapse over time and not be of a permanent nature. Are there others provisions that deserve to be of a permanent nature?

For example, numerous aspects of the international conventions that were signed should be maintained. However, there may be other elements for which this is not necessary.

For instance, if access to information mechanisms are retained, is what we are asking acceptable, if the government approves revocation of the powers of the privacy commissioner in order to take them over itself? I do not think anyone in the House would dare introduce such a proposal under normal circumstances. The question will have to be asked if the measure is to apply. Is it to apply to the medium term and is it renewable? The government should perhaps make sure that certain elements have a time frame in the legislation and that, as we have asked, there will be an annual review of the law.

● (1555)

The bill provides that the review will be at the end of three years. In this area, a lot of things can happen in three years. A lot of bad things can happen. I think the government would do better to pay careful attention, that is have an annual review.

The bill will be passed soon, this fall, before the Christmas holidays, and then, in the coming year, action may have to be taken. There must be follow-up in committee. Next year, when parliament resumes, we would have to assess whether we did what had to be done, whether government had gone far enough and whether certain things should be corrected. These elements are important.

I would also like to speak to the question of wiretapping. Today, in question period, it became clear that simply defining which laws cover this aspect is not clear. Things are not entirely clear. Does it mean issuing a blank cheque and permitting things, which, after a while, could be used for something totally different from terrorism surveillance? These questions must be asked. It is a matter of responsibility to do so; it has nothing to do with impeding the work of parliament.

In examining this bill, I believe that the Bloc Quebecois has had a very responsible attitude. We have not blocked the bill. We believe that we must take time to study the bill seriously and carefully. There are many elements to consider.

Perhaps it is of less importance, but Bill C-16 on charities, a bill with some substantive problems, has been integrated into the bill. We must use the opportunity to examine these issues carefully at committee in order to see if improvements can be made in this area.

Once again, this is extraordinary legislation for a society that should normally be able to function without this type of legislation. We agree that Canadians must know that steps are indeed being taken to fight against terrorism, but that we will ensure there will be a balanced approach at the same time.

Given all of these points, I think we must proceed with care. The committee must be allowed to do its work as well and as seriously as it can, and must hear advice and ensure balance at all times.

The debate at second reading is on whether or not this bill should be studied in committee. According to Marleau and Montpetit's *House of Commons Procedure and Practice*, and I quote:

> —passage of the motion for second reading simply implied that the House had given preliminary consideration to the bill and that, without any commitment as to the final passage of the bill, it had authorized its reference to a committee for detailed scrutiny.

Particularly important bills such as this test the entire system. They test our parliamentary procedures. This is a bill which merits careful attention. It is a bill which asks us to consider the good will of the parties in the House.

The Prime Minister said that this bill deserved serious consideration. We expect that, when it returns from committee, there will be suggestions for amendments which could make it much more effective and bring it more sharply into line with the stated objectives.

When the committee has done its work, it will be up to us to say whether or not the new form it sends us is acceptable. We will also have report stage to evaluate the result of the committee's work and, finally, debate at third reading.

Throughout this process, the Bloc Quebecois considers it very important that it be possible to improve the bill at each stage in order to make it acceptable, useful and desirable to our society in the present special context. We must not forget that it is also a piece of legislation that may have an impact on human rights legislation for a long time to come.

The international crisis we are now experiencing will have repercussions not just on security, but also on the protection of rights for the future. We must devote whatever time and energy is necessary to make this the best legislation possible. We must be attentive to the requirements submitted so that we end up with a balanced bill.

This must be our objective: a bill that strikes the right balance between the fight against terrorism and respect for human rights. This is what I hope we will do together, with a minimum of partisan politics, so that ultimately we have an opportunity to produce an excellent tool to help in the fight against terrorism and the defence of human rights.

● (1600)

[*English*]

**Mr. Lynn Myers (Waterloo—Wellington, Lib.):** Madam Speaker, I rise today to address this very important anti-terrorism bill, Bill C-36. I happen to believe that this is historic legislation and certainly one of the most important we will deal with in this the 37th parliament.

Many people have said, and I very much agree with them, that society and the world have changed as a result of the events on September 11. We watched in horror as 6,000 people lost their lives. We watched in horror at the kind of terrorist attacks that were perpetrated on our friend, neighbour and ally to the south, the United States. We all wondered what was going to happen next.

I was pleased to see, in concert with my constituents in Waterloo—Wellington, that there was a kinship of grief around the world that developed in concert with the victims and their families in New York, Washington, D.C. and the surrounding states, as well as Pennsylvania.

I believe that in our effort to deal with grief we pass through a number of stages. I think it is fair to say that sadness and despair, fear and anger are some of those stages but after a while we come to resolve, and I think that is where we are now at.

One of the ways to deal with tragedy, especially in this fashion, is to become determined and resolved to make sure it never happens again. That is why I thought the Prime Minister spoke very well the other day when he talked about getting together the kind of resolve necessary to carry forward in a very meaningful way and to act on behalf of all Canadians in concert with what they believe are fundamental and core values, not only for this country and the people of this great country but for other freedom loving people around the world.

As members know, the member states of the United Nations have joined in a common purpose, and that is to shut down terrorism. Canada, like our international partners, must move on all fronts. It is important to note that we are prepared to do that.

In recent days we have seen increased security measures adopted at our airports. The assets of Osama bin Laden and his associates, the people who have brought about such destruction, have been frozen. The United Nations Security Council unanimously passed a resolution on September 28 calling on states to work together urgently to prevent and suppress terrorist acts, including increased co-operation and full implementation of the important and relevant international conventions relating to terrorism, such as the convention on the financing of terrorism.

In response, the Canadian government has acted and acted with caution, noting full well that we need to think through our actions, and has implemented new regulations to target terrorist financing. The proposed anti-terrorism act that we are debating today further criminalizes the act of contributing to terrorist groups.

I said that it is essential to act on all fronts if we are going to defeat terrorism, and I meant that. Where do legislative strategies fit into this picture? We need new and more focused tools to allow the justice system to fight terrorism. We are not dealing here with ordinary criminals. We need to build a new legal framework that will disable terrorist networks and prevent them from developing the capability of financing, planning and carrying out their attacks on society and, by extension, on democracy.

The proposed anti-terrorism act that we are debating today implements the international convention on the suppression of terrorism and the international convention on the suppression of terrorist bombings. These are important measures in keeping with our international obligations.

New criminal code offences are created for participating in, facilitating or carrying out terrorist activities. Procedures are established for the seizure, the restraint and the forfeiture of property belonging to terrorist groups. We mean it when we say it. That is the point. We are getting tough because we need to. We need to act accordingly because that is what Canada needs to do to defend the precious system that we have.

Bill C-36 also proposes criminal code provisions to establish, by establishment and by regulation, a list of terrorist entities.

● (1605)

This measure will allow identification of entities that are clearly involved or associated with terrorist activities. The notion of listing terrorist organizations has its precedent in the United Nations and, indeed, Canada's United Nations Act already adopts lists of terrorists and terrorist organizations identified by the United Nations last year, including those of Osama bin Laden. The point is that we have the precedent and we are acting accordingly.

I want to go into this listing procedure a little more if I may, because this measure is one of the most important elements of the bill. I urge all members of the House as well as the members of the justice committee to examine this measure closely.

The placing of any organization or purpose on the list of terrorist groups is a very elaborate procedure, as it should be. Section 83.05 of the criminal code as proposed in Bill C-36 provides that the ultimate decision to add a name to the list is made by the governor in council. There must be "reasonable grounds" to do so, to believe that the entity, a group, a person or whatever, either "has carried out, attempted to carry out, participated in or facilitated a terrorist activity" or has acted "on behalf of, at the direction of or in association with" such an entity.

Thus the clear focus of this procedure is on establishing that the group or individual has been engaged in terrorism. This is how it should be, because this clarifies in a way that is consistent with what I believe to be the values of Canada and consistent with the values of the great charter of rights and freedoms that we in this country enjoy.

I want to emphasize too that additional safeguards are built into this process. Before the governor in council makes a decision the solicitor general must first be satisfied, again on reasonable grounds, that there is such terrorist activity occurring. Furthermore, a group that wishes to challenge its presence on the list may apply to the solicitor general to have its name removed. If the solicitor general does not remove the name, the group can apply to a judge for a review of that decision. Mechanisms are also established to address cases of mistaken identity. In any event, the solicitor general must review the list every two years in order to recommend that a listed entity remain on the list or in fact be removed.

It should be noted also that the bill also contains a detailed definition of terrorist activity and a specific offence related to participating in, facilitating, harbouring and instructing terrorist activity. Again, I urge my colleagues to look closely at the details of this definition since it is at the very heart of what the bill does. Expressed another way, Bill C-36 is premised on a clear focus on terrorist crimes and it breaks new ground in Canadian law in its willingness to embrace a distinct set of definitions. It is important, therefore, that we find consensus on these very important concepts.

A terrorist activity as described in proposed section 83.01 includes acts that would amount to an offence under one of the international anti-terrorist conventions to which Canada is committed, but it is also defined as "an act or omission" inside or outside Canada that is committed "in whole or in part, for a political, religious or ideological purpose, objective or cause". It is evident that having such a religious or ideological purpose should not in itself be an offence. It is only when this purpose is linked with an intention to intimidate the public or a segment of the public with regard to its security and is also linked to an intention to cause death or serious bodily harm by the use of violence that it becomes a terrorist activity. There are also other factors that come into play, including an intention to endanger a person's life or to cause substantial property damage with serious harm resulting to a person.

Finally, I would like to return to my original question: What is the role of our laws in fighting terrorism and increasing our sense of security from terrorists? I suggest that the law, or more precisely the rule of law, is an important reference point for Canadians in assessing what needs to be done to protect our society from those who indeed do not respect the law or civilized values.

At the end of the day, Bill C-36, the bill we are debating today, is an effective measure that should be looked at closely and in fact will be looked at closely at the justice committee. There may or may not be amendments based on what the members think and the witnesses say, but when it comes down to it, I hope we will act as one, as the Parliament of Canada, in a way consistent with the values not only of the charter of rights and freedoms but the values of all Canadians.

● (1610)

We will do so in the best interests of this great country of ours, based on safety and security for the citizens of Canada and for those in the wider world and in that community who believe in the fundamental rights of liberty, freedom and democracy.

**Mr. Garry Breitkreuz (Yorkton—Melville, Canadian Alliance):** Madam Speaker, on September 11 the world changed, but after observing the actions of the government last month I am wondering whether Liberals have changed enough.

While I as a Canadian support an aggressive campaign to combat terrorism in Canada and abroad, as a parliamentarian I have grave concerns. I have grave concerns, first about what is in this bill, second about what is not in this bill, and third about the government's track record in violating the rights and freedoms of law abiding citizens. I will spend the rest of my time explaining these three points.

My first concern is that this terrorism bill shifts the public, the media and parliament's focus to increasing the government's legislative powers rather than to the more pressing problem of lack of resources committed to fighting terrorism and government's misplaced priorities.

On Monday on national television Mr. Reid Morden, the former head of CSIS, stated:

> I think that CSIS has sufficient powers under the CSIS act to do its job now if it has the resources to do it. That's always been the problem with both CSIS and the RCMP. They have lots of powers. They certainly don't have enough trained bodies.

I know where they can get more resources and I know where they can get more people to help them do the job. I will explain.

While parliament is focused on the legality and the appropriateness of this anti-terrorism legislation, there is a real danger that we are missing the real priority, which is that the RCMP, CSIS and our Canadian forces need more staff, more training and more equipment.

There is evidence that the government still has not realized what the real public safety priorities are. Here are a couple of glaring examples which I will explain. These are examples of misplaced priorities. Last week the RCMP participated in a roadblock in Alberta, checking hunters for firearm licences. Duck hunters are not a threat to public safety; terrorists are. Also, three weeks ago six RCMP officers raided an office of the Responsible Firearms Owners Coalition of B.C. for putting up signs during last November's election, allegedly in contravention of the Elections Act.

The musical ride has been redeployed to security of the nation so surely these highly trained RCMP officers in Alberta and B.C. should be redeployed as well, from their fight against duck hunters to the fight against terrorism.

The most recent data available through access to information shows that the government has 1,800 staff, a lot of RCMP officers, working on a totally useless gun registry instead of fighting the war against terrorism. The government has already spent over half a billion dollars to register tens of millions of legally owned guns and to license millions of totally innocent firearms owners instead of redirecting these human and financial resources to the fight against a real threat, terrorism.

Why not secure our borders? Why not do the things that the people of this country want to be priorities? Let us put our money where we will get the most bang for our buck.

Yesterday the justice minister gave this assurance to the national media. She stated:

> Our legislation is fair in that we are not unwittingly and unintentionally, perhaps, involving those who are completely innocent either as individuals or organizations.

The hunters in Alberta who had their property seized by RCMP officers last week were completely innocent individuals until this government failed to issue licences to tens of thousands of gun owners who had applied for them. They tried to comply with the law and could not.

The responsible firearms owners of B.C. association was also a completely innocent organization until the government passed a gag law prohibiting free speech during an election campaign. This is the same gag law that is now being challenged in the courts while we are spending RCMP resources going after these people.

We have to examine the government's public assurances as closely as we do its legislation. I have had a lot of experience here in the last eight years and I speak from that. We have to examine the government's track record on other pieces of legislation it has passed before we accept its public assurances as a legal commitment.

The Canadian Bar Association, the Criminal Lawyers' Association of Ontario and the Canadian Civil Liberties Association have already raised concerns about what is in the bill.

The civil libertarians say the bill could erode democracy and cite the following provisions. First, it would permit the arrest of individuals without warrant if it is believed that would prevent terrorist activity; second, it would compel people to provide information related to terrorism to an investigating judge without charges being laid or a crime having been committed; third, it would reduce safeguards on obtaining and extending warrants for wiretaps; fourth, it would make it illegal to facilitate terrorist activity; and fifth, there would be the unprecedented creation of judicial investigatory hearings.

● (1615)

They even criticized the definition of terrorist activity itself. An article quoted Alan Borovoy of the Canadian Civil Liberties Association, who said that in the past Nelson Mandela and the African National Congress would have been terrorists under the definition, while today the Kurds of Iraq would likely qualify in their battle against Saddam Hussein's repression. He stated:

> I am hard-pressed to appreciate why all this has been considered necessary because I'm very aware of the considerable power that already exists.

He added that some of the relaxed rules for police surveillance are simply "a gratuitous undermining of safeguards" that will do nothing to apprehend terrorists.

These are serious concerns because, as I said before, the government has established a track record of violating rights and freedoms of law abiding citizens while in the pursuit of political priorities rather than public safety priorities.

As an example, just six weeks ago the privacy commissioner of Canada issued a report entitled "Review of the Personal Information Handling Practices of the Canadian Firearms Program". I made some startling discoveries in this 81 page report. On pages 4 and 7 he reported that the justice minister had ignored the privacy commissioner's suggestions for years. On pages 4 and 5 the privacy commissioner says that the firearms registry ranges from a significant intrusion on privacy to highly intrusive. On pages 5 and 20 he reports that the justice minister has not implemented a promise made to parliament way back in 1997. On page 7 he reports that the justice minister has ignored two recommendations made by parliamentary committee. On page 10 he reports that the justice minister cannot provide a single point of accountability, as she promised. On page 19 the privacy commissioner disagrees with the justice minister's claim that all private and personal information is protected. On pages 20 and 21 he goes on to say that citizens may have to file up to five requests to access their personal information.

On pages 23 to 29 the privacy commissioner found that: the RCMP keeps a firearms interest police database on 3.5 million Canadians a secret from them; the RCMP is violating the Privacy Act with operations of the police information retrieval system; the RCMP firearms interest police database exceeds authority granted in section 5 of the Firearms Act; and the firearms interest police database on 3.5 million Canadians is full of unsubstantiated, derogatory information, unproven charges or allegations and hearsay, and even contains information on witnesses and victims. We must remember that this is a database authorized in 1995 by parliament with the passage of Bill C-68. This was the database that was only supposed to contain information on potentially dangerous individuals.

I cite all these examples to highlight the fact that we need to examine the legislation before us today. The justice minister and the government clearly have not kept their promises to safeguard the privacy rights of law abiding citizens.

What is my point? Laws passed without enough thought by the House and laws poorly implemented by government bureaucrats can result in the violation of privacy rights of law abiding citizens. This is why we have every right to be skeptical of the assurances the minister is giving us today about this piece of legislation. We must remember that the previous piece of legislation I cited was rammed through parliament using time allocation, ending all debate.

In violation of our citizens' privacy rights, Bill C-68 also violated the rights of millions of law abiding citizens, trampling on fundamental property rights, placing in jeopardy our charter of rights to be secure against unreasonable search and seizure, eliminating our right to remain silent, reversing the onus of proof and thereby eliminating our rights to be presumed innocent until proven guilty, infringing on the treaty rights of aboriginal people, and intruding unnecessarily into the exclusive constitutional jurisdiction of the provinces over property and civil rights.

I will conclude with what I said at the beginning of my speech. I have grave concerns about some of the things that are not in the bill. The government has not created a national sky marshal service for domestic passenger flights. That does not make sense. The government has not created a comprehensive national border protection service that would include ports police.

● (1620)

The government has not reinstated the death penalty for those convicted of causing death by acts of terrorism. The government has not provided for the extradition of criminals and terrorists using Canada as a safe haven, including extradition of any terrorist attempting to avoid the death penalty in other countries.

The government has not strengthened our deportation laws. The government has not provided safeguards in this legislation that would allow individuals and organizations unjustly caught by this legislation. It has not strengthened property rights. It has not included legislative commitments to provide the resources necessary to the RCMP, CSIS and defence. It has not included the legislation provision to make restitution to victims, and there is no—

● (1625)

**The Acting Speaker (Ms. Bakopanos):** The hon. member for Winnipeg South Centre.

**Ms. Anita Neville (Winnipeg South Centre, Lib.):** Madam Speaker, it pleases me to be able to speak to Bill C-36. I want to congratulate the Minister of Justice and her team who put together such a comprehensive piece of legislation to deal with the terrorist threat here in Canada. It is a most impressive bill.

Bill C-36 finds the delicate balance of protecting our charter rights and our civil liberties, indeed protecting the essence of a democratic society, while ensuring greater security for our country and ourselves.

What we have before us is a strong response and one that effectively deals with the increased threats of terrorism within our borders. The full implementation of the bill will go a long way to see that terrorist operations are shut down within Canada.

With this new bill, we will be able to strike at the roots of terrorism. Bill C-36 would permit a court to order the removal of any hate propaganda from any public place or computer. This is a valuable tool in restricting messages which may incite others to commit violent acts based on any hate on another group of people.

Police agencies would have great ability to monitor the communications of terrorist factions and would be no longer constrained by the last hope clause and by the previous 60 day limitation on wiretap. They have been removed so we will be better protected from planned acts of terrorism.

We will also have the ability to cripple these terrorist organizations financially with the amendment to the Proceeds of Crime (Money Laundering) Act and the enactment of the charities registrations act. Preventing terrorists from accessing funds prevents them from committing acts of terror.

Terrorist acts are also being added to the criminal code. Collecting funds for terrorists, knowingly harbouring terrorists, participating in terrorist activities and instructing others to commit terrorist activities are soon all to be added to the criminal code as offences. These are serious crimes and they will carry serious penalties, up to life in prison. These sentences would ensure that those involved are incarcerated for a long period of time, no longer part of the loop of terrorist organizations to which they belong and hopefully it will no longer exist.

Even though overall I find the bill to be a formidable response to a challenging situation, I do have some matters that I hope the committee will address and provide guidance. These relate to the preventative arrest clauses of the bill. I am certain that the implementation of the preventative arrests will be an important tool for police officers to have in putting a halt to terrorist activities, and for that I am glad that these provisions are included in the bill.

I am concerned of the possibility of its implementation in the situation where no terrorism is planned. I am aware that the bill defines what is terrorist activity and what is a legitimate protest. However, as we have seen before, it is possible for a protest to escalate and suddenly once a peaceful gathering becomes filled with violence, all the result of the actions of a few individuals.

While I cannot stand here and say that violent protests are desirable or should be encouraged, I fear that the measures within the bill could run over and unwittingly implement themselves at one of these protests.

I do not believe that a protest, violent or otherwise, is a terrorist activity. I worry for the innocent people of which there are many within these protest groups. As I have stated it is a very small group that incite violence. However, it seems that all members of the larger group, in which the smaller one dwells, face the potential of suffering merely because they happen to be in the wrong place at the wrong time.

This is not a new issue for Canada and it is one that will not go away. Because this is the case, we must ensure that the charter rights of the individuals who are no more than bystanders to the melee that is taking place beside them are protected. They should not see their democratic rights disappear because of this bill.

We must be vigilant to ensure that there are no provisions for them to be automatically arrested and detained for a minimum of 24 hours merely as preventative measures. There is nothing to prevent for the vast majority of the people. They are a peaceful lot who only wish to make their views known to others.

● (1630)

There are many cases where, as one mother said to me, they are among the best and the brightest. They have chosen to show up in support of a cause, not to incite violent or criminal acts and certainly none of them have terrorism on their mind.

I do not want to see the provisions of the bill used wrongly in a protest situation or the police easily exploit them. Even with the provision that the attorney general needs to approve of a preventative arrest, one hopes that no police officer can inappropriately circumvent this and seek the approval of the attorney general after an arrest is made.

Knowing that at any time they can be taken into custody by a police officer merely on the suspicion that they could involve themselves in a terrorist act is frightening many people. The bill would ensure legal protection for these people to go out and protest by themselves or with others. It is our responsibility to ensure that procedures are in place so that they do not risk a situation where they lose that right.

It is my hope that the committee will examine closely the amendment to section 83 of the criminal code. I have full confidence in its ability and I trust it will remove any remaining doubt concerning the definition of terrorist activity that may exist in relation to the protesting being swept in with this definition.

Time will perhaps be the truest test of what will happen with Bill C-36, and I am very pleased that the opportunity exists three years after royal assent to review the bill and its impact on society. I share some of the concerns expressed by others that the committee may see fit to implement a sunset clause on some of the provisions.

I hope that I am still an active member of the House when the time comes so that I can look back on the three years that Bill C-36 would have been in existence. I also hope that the Department of Justice and the committee takes not only a proactive role in recording the uses of these laws, but perhaps even considers a required reporting procedure for law enforcement officials.

With requirements such as these, we would be accurately able to see what impact these laws have on Canada and that they were not abused in any way.

When I sought election to this office for the first time in the fall of 2000, I could never have anticipated the awesome responsibility that I would find myself in as part of this body: the responsibility of balancing security and freedom and the responsibility of ensuring that our children continue to live in a free and democratic society that provides opportunities for all of its citizens.

**The Acting Speaker (Ms. Bakopanos):** 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 Kamouraska—Rivière-du-Loup—Témiscouata—Les Basques, Canadian Airline Industry; and the hon. member for Vancouver East, Discrimination.

As this will be the first time the House holds adjournment proceedings since the changes to our standing orders, I would like to remind hon. members of the new system we have adopted.

A member raising a matter may speak for up to four minutes, as was the case in the past. The minister or the parliamentary secretary replying will now have up to four minutes to do so.

[*Translation*]

Then the hon. member raising the question and the minister or parliamentary secretary replying will each have one minute to respond. I therefore encourage all hon. members to prepare themselves accordingly.

[*English*]

**Mr. Jim Pankiw (Saskatoon—Humboldt, PC/DR):** Madam Speaker, the results of the terrorist attacks on September 11 and the subsequent perceived inadequate response of the Liberal government has led to some increased calls by United States legislators to tighten border security and entry requirements between our countries. However, the need of our government at this time is to try to focus not on the common border with the United States, but on securing our own shores against the terrorist threat.

A motion was put forward in the House on September 18, which stated:

> That the House calls upon the government to introduce anti-terrorism legislation similar in principle to the United Kingdom's Terrorism Act 2000, and that such legislation provide for:
>
> the naming of all known international terrorist organizations operating in Canada;
>
> a complete ban on fundraising activities in support of terrorism, and provisions for the seizure of assets belonging to terrorists or terrorist organizations;
>
> the immediate ratification of the International Convention for the Suppression of the Financing of Terrorism;
>
> the creation of specific crimes for engaging in terrorist training activities in Canada or inciting terrorist acts abroad from Canada;
>
> the prompt extradition of foreign nationals charged with acts of terrorism, even if the charges are capital offences; and
>
> the detention and deportation to their country of origin of any people illegally in Canada or failed refugee claimants who have been linked to terrorist organizations.

I was very happy to join my opposition coalition colleagues in supporting the motion, but regrettably the Prime Minister and his fellow Liberal MP's voted against it, so the motion was defeated 199 to 70.

We see once again that, despite the best efforts of opposition MP's and our own security agencies, the government is refusing to change domestic policies according to the response that is required.

The Prime Minister's assertion that responsibility for the interdiction of terrorists entering the United States from Canada is that of U.S. border officials, merely illustrates his failure to recognize the responsibility of preventing such individuals from entering Canada in the first place. The border with our American neighbours involves the crossing of 500,000 people a day and over a billion dollars in trade on a daily basis. Effecting our border, impeding the flow of goods and services and people across the border will obviously be detrimental to the economies of both our countries.

Tighter border control does not address the underlying security risks associated with the loopholes in Canada's immigration and refugee system that are being exploited. That is not to suggest that the problem is with Canada's willingness to accept genuine refugees and immigrants, rather it is a legitimate and longstanding concern that the system itself fails to guard against those who abuse the loopholes in our immigration laws and use our country as a base for illegal activity, including terrorism.

The Liberals have deliberately merged these two separate issues thereby preventing security interests from becoming effectively dealt with because reasoned debate is supplanted by specious accusations of racism. I would like to illustrate a couple of examples for the benefit of the House.

On October 4 In the House of Commons, in a question to the immigration minister in which an opposition member asked if the minister would commit unequivocally to working with Ontario and any other province that came forward to pick up the slack in the deportation of people illegally in Canada, her response was to accuse the member of equating refugees with criminals. She stated "It is simply wrong to broad-brush all of those who are in Canada who have deportation orders". That is the technique.

Another good example took place on October 1 when an opposition member stated "We know there have been terrorists living among us. We know that they get here illegally through our refugee system". The member then asked what specific steps the Prime Minister could tell us about that he had taken to protect Canadians and indirectly to protect our neighbours.

● (1635)

The response of the minister was that not all refugee claimants are criminals and that the member was simply fearmongering.

In a final example, the immigration minister's first comments following the terrorist attack was to criticize anyone who would point out the loopholes in our immigration refugee system that was being exploited by terrorists by characterizing them as being "anti-immigrant and anti-everybody rhetoric", when in fact it is the minister engaging in rhetoric.

As I have stated, elected members of parliament and our country's own security agencies have highlighted how the system has failed. Opposition MPs have been demanding since 1993 that loopholes in the legislation governing entry into Canada be closed. I would like to quote from a 1996 Canadian Security Intelligence Service report which stated the following:

> As other developed countries tighten their responses to terrorism, Canada will continue to be attractive to terrorists as a safe haven and a means of ready access to the United States.

The report further stated:

> In Canada, the threat from international terrorism will continue to be associated with homeland conflicts. Many of the world's terrorist groups have a presence in Canada, where they engage in a variety of activities in support of terrorism, including: providing logistic support for terrorism outside Canada; developing the potential for terrorist actions in Canada; fund-raising, advocacy, and information dissemination; intimidating Canadian citizens in émigré communities; providing safe haven for terrorists; arranging transit to and from other countries; and raising money through illegal activities.
>
> These activities in Canada are an obvious concern for intelligence and law enforcement officials. Insufficient effort in either area could leave Canada open to charges of being implicated indirectly in acts elsewhere against other states. To avoid such a possibility, even greater cooperation with like-minded countries will be needed for the foreseeable future.

That is from a 1996 report.

The concern I see with the legislation is that it has the potential, because some aspects of it are targeting our common border with the United States, to sacrifice the free flow of trade between our two countries instead of addressing the issues that would prevent terrorists from reaching Canadian soil in the first place.

Seen in this light, the government's efforts continue to be geared toward after the fact measures rather than being proactive in combating the terrorist threat from abroad.

On Monday of this week the opposition coalition put the following motion before the House of Commons. It stated:

> That this House reaffirm its condemnation of the terrorist attacks against our NATO ally, the United States of America, on September 11, 2001, and affirm its support for Canada's courageous men and women in the Canadian Forces who are responding to defend freedom and democracy in the international military coalition against terrorism; and
>
> That this House hereby order the Standing Committee on Foreign Affairs and International Trade and the Standing Committee on National Defence and Veterans Affairs to sit jointly to hold frequent meetings with ministers and officials of the government and the military.

Shamefully, in an act of outright political cowardice, the New Democratic Party was the only party that voted against that motion and opposed Canada's military effort in support of our allies in the war on terrorism.

At a time when this country should be united in its support for our men and women in uniform, the NDP has shamefully decided to play politics with the issue by undermining our country's contribution to the international military effort. By voting against the motion, the NDP has proven its irrelevance and once again relegated itself to the fringe of Canadian politics.

I would like to also point out that 80% of Canadians support the international coalition to fight terrorism. One is either against those of us who believe in protecting democracy and freedom or one is against us.

● (1640)

The NDP has chosen to sympathize with terrorists.

I realize that I am running out of time so I will just sum up with a condemnation of the NDP and of the Liberal government for focusing—

**The Acting Speaker (Ms. Bakopanos):** Resuming debate. The hon. member for Brampton Centre.

**Mr. Sarkis Assadourian (Brampton Centre, Lib.):** Madam Speaker, I too would like to express my total support for Bill C-36 and the fight against terrorism. I would also like to take a moment to congratulate our Prime Minister for going to Halifax to bid farewell to our soldiers. I hope when everything is said and done they will all come back safe and sound to their families and loved ones. I also hope they will come here one day so we can honour them in the House of Commons.

Over the last couple of days we have had many discussions. During one of the discussions a colleague from this side of the House mentioned the fact that any time we have a demonstration that turns violent it is a terrorist act. Someone else from the other side mentioned that it is not a terrorist act but rather a free expression of will.

As far as I am concerned, I do not think we can come up with a scientific definition of what the word terrorism means.

I will give an example. In the 1950s Nelson Mandela, the leader of the African National Congress, was a terrorist for the white supremacist government in South Africa. I am glad to say that he was here a couple of years ago and will be here again to receive an honorary citizenship for Canada.

To re-emphasize the point I made earlier, there is no scientific definition for the word terrorism.

However, having said that, there is no justification whatsoever for anyone to engage in terrorist acts, especially the ones that happened on September 11 which killed over 5,000 innocent people working in their offices.

I want to focus my next few minutes not on the bill alone. I would like to say that to fight terrorism is like having a chair. It needs four legs to have balance.

I think the Minister of Justice is doing a fantastic job on the legal end of it. However what is missing in our fight against terrorism here, and especially in the United States, is the intelligence aspect of it.

As we all know, the Middle East is a hotbed of international problems. In the early 1950s attempts were made in Iran to overthrow the shah. The CIA was involved. It brought back the shah but it failed to protect its interests in the Middle East in 1979 when the shah was thrown out by Ayatollah Khomeini. I think we have regretted that from that time onward to this day because we were not able to predict what was going to happen following the shah's fall . Then we had the Iran-Iraq war.

We then had the Lebanese civil war in 1983 where 241 U.S. marines were bombed by terrorist acts. Again, the Americans were not able to get the intelligence required to defend themselves or prevent these terrorist acts.

In the late 1980s the U.S.S.R. fell. It was the biggest empire in the world. Everybody was afraid. It was a powerful nation for over 1,000 years but nobody knew it was crumbling from within.

The CIA and the FBI have a $28 billion budget. If they could not figure out what was happening in the Soviet Union for the last 50 years, then I am really concerned about what will happen in the next 50 years.

What happened on September 11 was, I think, an intelligence failure. The U.S. knew full well that the same place had been bombed by terrorists 10 years ago. Obviously they failed, and I am glad, but they should have failed this time around too. The U.S. knew this thing was coming up.

In history there are many situations that could have been prevented if we only had good intelligence. We have failed to have that.

The bombing of a U.S. navy ship in the south Yemen Sea was due to an intelligence failure. The African embassy bombing two years was also due to an intelligence failure.

We had many warnings that our intelligence system was failing us but we never took the time to review the status of our western intelligence.

Over the last few weeks there were quite a few documentaries on CBC telling us about the failures of our intelligence system, the American intelligence system and the whole western intelligence system to prevent the attack that took place on September 11.

If I may say so, I think this discussion should focus on improving our intelligence system so we can prevent further attacks.

To describe what is happening now, I would describe it as a snake. The snake's head is in Nigeria.

● (1645)

The House may recall three or four years ago that the foreign affairs committee had a delegation of Algerian parliamentarians here on an exchange program. The people in that country had a coup d'état against the democratically elected government. It was in the news, on TV and in newspapers over the last couple of years. Individuals were concerned that Muslim fundamentalists were taking power from the democratically elected government. From that time on things have changed. All disguised fundamentalists have now congregated in Afghanistan.

The hotbed of this conflict is of course the Middle East. One does not have to say anything more when they say Middle East because everyone knows what has been happening there over the last 50 years, and more intensely over the last year or so.

I believe that by bombing Afghanistan only part of the problem has been solved, not the whole problem. We have to go to the root of the problem. No matter how many laws we pass in this place, there will not be a final solution to terrorist acts.

As far as I am concerned, rule number one is intelligence. Rule number two is more intelligence. Rule number three is even more intelligence to fight terrorism.

● (1650)

**Mrs. Betty Hinton (Kamloops, Thompson and Highland Valleys, Canadian Alliance):** Madam Speaker, there are obvious basic philosophical differences between the Liberal Party and the Canadian Alliance. The Liberals tend to be reactive, not proactive. The legislation in front of us today should not have been handled and developed as emergency legislation.

The Canadian Alliance and the Reform before it have been calling on the government to recognize the shortfalls and the short-sightedness in the funding of military, police and protective services for years.

Having said that, this is a case where we have to pull together for Canada. I will support Bill C-36, but I will point out some of the things that I believe are flawed.

The Canadian Alliance put forward a motion on September 17 which called for the naming of all known international terrorist organizations operating in Canada. We asked for a complete ban on fundraising activities in support of terrorism and provisions for the seizure of assets belonging to terrorists or terrorist organizations. We asked for the immediate ratification of the international convention for the suppression of the financing of terrorism and for the creation of specific definitions of crimes for engaging in terrorist training activities in Canada or inciting terrorist activities abroad from Canada.

We asked for the prompt extradition of foreign nationals charged with acts of terrorism even if the charges were capital offences. We asked for the detention and deportation to their country of origin of any people illegally in Canada or failed refugee claimants who were linked to terrorist organizations.

The legislation in front of us, which I will support, addresses some of those issues. I do believe, however, that we have room for improvement. The legislation does nothing to remedy the current extradition situation resulting from the Burns and Rafay decision made by the Supreme Court of Canada. Since this decision Canada has become a safe haven for criminals. That is beyond denying. It has been happening for years.

It allows for consecutive sentences for some terrorist related crimes. Life sentences, however, are exempted. This creates a 5,000 for one price on terrorism. A person is allowed to kill 5,000 people and pay the same penalty as if only one life was taken. That is unjust and unfair, and it needs to be addressed.

The legislation does nothing to guarantee reliable and long term funding for frontline people who are working against the war on terrorism. It will be ineffective unless those frontline people are given guaranteed resources to enforce the provisions. That means it must be addressed through a budget and it must become a priority of the entire House, not just the Canadian Alliance.

The legislation will raise civil liberty concerns. The increased stability of our police and security agencies to pry into the personal lives of Canadians will set off alarms from civil liberty agencies and groups. Preventive arrests in investigative hearings will surely be challenged by the charter.

I agree that it is necessary for us to take these steps at this point in time, but I would like to see us take a very long and sober look at putting in place a measure that would allow us to look at it again in the near future. The minister attempted to give the House her word that things would go well and that this would be reviewed. She said that we should not worry about minor details. These are not minor details; they are very major details.

For members who wonder why I have a lack of trust I will point to a few pieces of legislation. The Income Tax Act was a temporary measure put in place many years ago. It was to fund the war effort and then disappear. Not only has it not disappeared. It has increasingly taken more and more money out of the pockets of everyday Canadians. That is one reason I am not trusting at this point in time and I want to see something stronger.

We also had the very strong election promise from the Liberal government to do away with the GST and it was ignored entirely after the election.

● (1655)

I am concerned that under this piece of legislation one would be forced to testify against oneself. In the case of terrorism I am fully supportive of that. One should be forced to testify and to give answers to questions asked by our personnel. However there is not a case in point where there is a timeline when this would elapse or when we would have an opportunity to bring it back.

I do not want the legislation in front of us, which I will support, to turn into something like the Income Tax Act or any other piece of legislation that has never come back before the House and has lived a long life with no sign of its demise or end.

The amendments to the Access to Information Act are troubling. It would appear that the Liberals are using this critical time as an opportunity to implement restrictions on access to government information by Canadians. I hope that is untrue but that is the way I view it at this time.

As a member of parliament trying to access information through the current channels is next to impossible. It takes forever. I have tried to access information for my constituents. They wonder why as an MP I have to jump more barriers than are necessary to get information. It is something that is very important and that we need to address.

The legislation does not name any specific terrorist groups operating in Canada. This information is readily available from CSIS and the RCMP. When those questions were asked we were told that for reasons of security the information could not be disclosed in the House. That is a very difficult explanation to swallow.

I am disappointed the government has made most of its announcements regarding terrorism at press conferences rather than at meetings with all members of the House. There are 301 members who were elected to the House to represent the people of Canada. We should not leave the decisions to a small handful of 12 who sit in cabinet. It is unfair and undemocratic. It is a practice that must stop.

Written codes of practice on the seizure and retention of property and silent video recordings are required. Interviews of detainees by police must be audio recorded in accordance with the code of practice. Canadian legislation has no such safeguards.

The 170 page document has been a great deal to absorb in a short period of time. It has been very difficult to absorb. It is not what I would recommend as nightly reading. I have relied on my colleague from Provencher for advice, discretion and the ability to answer questions that I am unable to answer.

I want to make certain this is not another case where we do not get an opportunity to openly debate legislation. We must have a say in how this happens. We must listen to the voices of the people whom we represent. The people in my constituency of Kamloops, Thompson and Highland Valleys have e-mailed, written and telephoned me. Their concerns are wide ranging but the biggest concern is the secrecy behind how all this was put together. I have tried to explain parts of the act to them but it is difficult for me to do so.

The government needs to be more open. We need a better understanding of what is in front of us and for once the House needs to act as a team. We are all on the same team. We are looking to protect Canadians, our homeland and our neighbours.

The act limits the power to grant bail to certain higher court judges, thus limiting instances in which bail would be given. Canadian legislation does not close the loophole. American legislation places extensive stress on deportation provisions. We are not doing that.

I will support the legislation. I give the government points for trying its best to put things together, but I urge it to listen carefully to what members on both sides of the House have to say and to put together something that benefits all of Canada.

● (1700)

**Mr. John McKay (Scarborough East, Lib.):** Madam Speaker, Bill C-36 is possibly the most important piece of legislation the House will deal with in the life of this parliament. Therefore it needs a great deal of scrutiny from both sides of the House.

All Canadians have been victimized by those terrorists. Some Canadians have special burdens because of their origins, but we should make no mistake that we are all victims of September 11.

Prior to September 11 there was no way that Bill C-36 would ever have seen the light of day. No lawyer in the justice department or indeed no minister of justice would ever have certified that such a bill would meet charter requirements. No one with even a passing familiarity with the charter would have countenanced such an encroachment on the fundamental rights and freedoms of Canadians. However that was then and this is now.

Watching television last night I was struck by the eagerness of some Canadians to trade their rights and freedoms for security. It was both surprising and disheartening to me to hear caller after caller be prepared to give the government and parliament a blank cheque. It was also disheartening to hear Canadians make wild and outrageous links between immigrants, refugees and security. When people are afraid they say things that they would never otherwise say. They think things that they would never otherwise think, and they do things that they would never otherwise do.

It will be a test of our nation that has a reputation for stability and tolerance to deal with these fears. Otherwise the terrorists win. They win because neighbours turn on neighbours. Instead of reaching out we turn inward. We walk away from our rights for which previous generations have fought and died. The challenge is not to let terrorism win and to break this cycle of victimization where victims in turn victimize. I am hopeful that the justice committee will carefully scrutinize the bill.

I would like to look at one section of the bill that deals with the listing of terrorists. At the risk of simplifying, a group is a terrorist group because we say it is a terrorist group. The director of CSIS would prepare a list of terrorist groups. He would hand it to the solicitor general who in turn would share it with his cabinet colleagues. The cabinet would gazette an organization and it is now a terrorist organization.

I know that I am telescoping clause 85, but it is not that much fancier than that process. I appreciate the solicitor general must have reasonable grounds, but what are reasonable grounds?

Are reasonable grounds that which is beyond a reasonable doubt, as one would have in a criminal court of law? Are reasonable grounds evidence that is on the balance of probabilities such as one would have in a civil setting? Will evidence that would be otherwise inadmissible be accepted as evidence? Will we be operating on speculation, rumour, gossip, hearsay and ambiguities?

● (1705)

The truth of the matter, as I see it, is that reasonable grounds would be whatever the CSIS director thinks are reasonable grounds. May I remind members what was unthinkable prior to September 11 will become reasonable grounds after September 11. God forbid that there should be any other incident, because what we think are reasonable grounds today will be further diluted.

Or will the reasonable grounds be whatever the CIA or the British intelligence service MI5 tells us are reasonable grounds? Will we merely photocopy the lists of other intelligence services and hope that they did a thorough job? What independent analysis will we apply to reasonable grounds to determine whether in fact these lists have some basis in law?

It is trite but true that intelligence gathering is far from precise. It relies on all kinds of sources, some of which clearly are not reliable, some of which leave a lot to conjecture, in order to conclude that an organization, an entity or a person is a terrorist. This is not a science; some would even say it is not an art.

I am perfectly prepared to concede that the top 10 organizations the solicitor general puts forward for his cabinet colleagues will be fairly easy to identify. Even in this room there will be virtual unanimity among colleagues that the top 10 would in fact be terrorist organizations.

Reasonable people might argue quite vigorously among themselves about the next 10 organizations that are on the list. There may well be honestly held differences in views as to which should or should not be on the list. And what about the 10 after that? There may well be wild variations of opinion, but because the director of CSIS says there are reasonable grounds and the solicitor general believes there are reasonable grounds, then they are terrorist organizations and they will be gazetted.

If they are labelled, what are they going to do? The 10 top will not care. I do not expect that Mr. bin Laden is going to be overly fussed about being labelled a terrorist in Canada. The next 10 may be upset and they may or may not do something. The last group however may be very upset. Its members may feel that their rights to carry on an activity which they perceive to be either charitable or political has been infringed and there may be some basis for their concerns.

The bill does provide for some form of redress. The solicitor general must notify the entity within 60 days of being gazetted. As I said, it is not likely that Mr. bin Laden's group is going to be overly upset, nor is the PLO or the Hamas or any of those other fine and noble organizations which we read about in the newspaper. But there are going to be groups that are upset and the likelihood is that by the labelling and gazetting, 98% of the damage will have already been done. They cannot get back their reputation once they have lost it.

After the 60 day notice, a judge will convene a hearing. The judge will read the real evidence and the judge will hear the real evidence from a representative of the crown. Neither he nor the solicitor general has to tell them about the evidence. They only have to give a summary of the evidence. By the time the judge decides that the group should not have been gazetted, it will be all over for that entity. The organization will be in ruins, its reputation destroyed and its members despised by their neighbours.

I appreciate that there are needs for confidentiality. These are extraordinary times and people do feel insecure, but once something like this happens, we can never get it back.

● (1710)

As I say, I am not overly worried about the bin Ladens of this world. I am worried about the entities which would not be regarded as anything other than a collection of cranks or nuts other than in these times, let alone that they were not given an opportunity for a full and fair defence. The bill deserves a lot of scrutiny by the House.

**Mr. Darrel Stinson (Okanagan—Shuswap, Canadian Alliance):** Mr. Speaker, I say with hesitation that I will be supporting Bill C-36.

I am going to go back in history a little to the period 1993 to 1995. When I first came to the House, I said then what I say today, that the foremost responsibility of any government is the safety and well-being of its legal law-abiding citizens. Today I listen to some of the talk on both sides of the House. I can well remember standing in the House and warning about the flaws in our immigration policy, the flaws in our refugee system and how it had to be tightened up. I can well remember being called a racist. I can well remember being called a bigot. I certainly can well remember being called a fearmonger for stating exactly what happened.

A member asks what has changed now. A Liberal member still has the audacity and stupidity to ask that question. It is more rhetoric from a jackass, pure and simple. September 11 changed the minds of those on that side of the House too yet we still hear the same thing from them. It is unbelievable. They will say anything to try and change what they never addressed in the first place. They were well warned, not only by us but by their organizations. CSIS warned them. The RCMP warned them. We read from the reports and they still never accepted it. They laughed them off. It was a joke. Well it is no longer a joke.

Today I hear the talk, the worry and the concern about human rights. It is a legitimate concern but is it concern about human rights or should it be about human lives? I for one would sooner have the RCMP rounding up and detaining suspected terrorists than rounding up and taking the families of victims of terrorists to the morgues. I think the families, relatives and friends of the people who died on September 11 would have the same feelings. We do not even have to ask. That is the feeling.

Why do I have concerns? We know about Assam Raheem. We have stood in the House and asked the questions about Raheem. The minister stood and said that they knew about it, that they worked hand in hand with the American intelligence services and police forces to capture this man, that the Canadian government was well aware this man came into Canada with a false French passport. They say they were following his activities, tracking him and helping the RCMP so they must have known this man was building a bomb in the city of Vancouver. The minister was watching him. That is what was said in the House.

They know then that he also loaded this unstable bomb into the trunk of a car, drove past some of our schools and hospitals, drove past the public and drove onto one of our ferries that was loaded with people. He was allowed to transport the bomb down to the States. The minister knew what he was doing. Again they are just trying to cover their mistakes. If they did know about this and allowed a terrorist to build a bomb in the city of Vancouver and transport it on our highway system, they should be held accountable. That is why I have concerns.

● (1715)

I have grave concerns about what they will do with Bill C-36. When it goes to committee will some of the recommendations and concerns put forward not only by this party but by other parties in the House be heard? Will the government finally listen and implement them?

The concerns we are addressing here are not our individual concerns. They are the concerns of our constituents. In my constituency a great number of people who voted for me and who are members in our party are first and second generation immigrants. They left their countries because of the terrorist acts that go on there. They come to us with their problems and the threats they receive from some of these organizations. Yet when we bring them up in the House, the government turns a deaf ear. It tries to label us. I find that disgusting.

They say we should all work together on this and I agree. But some of us have long memories. Some of us well remember what was said to us when we brought these issues before the House. Some of us well remember what was said during the election campaign. I remember what the minister of immigration said. Has there ever been an apology? No.

I hear concerns now that we cannot harmonize with the Americans because we are likely to lose part of our identity, that the Americans would want to control our immigration if we were to harmonize with them. I hear concerns not only from the government side but from other members in the House. I want to remind people that the United States of America was built on immigration, just as our country was. Legal law-abiding immigrants came to Canada but they also went to the United States and made that a great nation, the same way they helped to make Canada a great nation. I find those questions very distasteful.

Members must remember what the great country of France sent to the United States of America: the Statue of Liberty. There are words on the Statue of Liberty that welcome all immigrants to that country. We welcome immigrants too and proudly so. But does that mean we should not have concerns? Does that mean we should not tighten up the system? It does not. We have been reminded of that in an extreme way.

Yes, we will work with the government. However no one should think for one minute that the memory of some of the things that were said is ever going to go away, things that were said about individual members on this side of the House and also about our party. This is not the time. For the right of law-abiding citizens of this country it is time we did the right thing. We cannot hesitate. We have to get rid of that idea. If members think bin Laden is the only terrorist in the world, I have news for them. There are a lot more out there who are just as dangerous.

It is time we started to crack down. It is time for the public to demand the House to have an open and honest debate on capital punishment with regard to some of these issues. It is time to have a debate on deportation issues. We still do not deport people from Canada for murders they committed in another country. I do not understand that. We want other countries to respect our laws, why should we not respect theirs?

● (1720)

**Hon. Stephen Owen (Vancouver Quadra, Lib.):** Mr. Speaker, I am pleased to rise to support Bill C-36 this evening. I add my voice to the many voices from all sides and corners of the House that have spoken of the importance of the bill which is meant to address incredibly foundational issues touching our democracy at this time.

I will talk a bit about the Canadian response, the challenge of facing terror in a democracy, the measured response the bill presents and the areas of review we will be entering into in the House and in committee.

The Canadian response to the evil of September 11 has been widespread and has unified us as a country although we have heard different expressions of how we should respond. I and my constituents in Vancouver Quadra join all Canadians in expressing our horror and deep felt sympathy for the families of the victims.

Our response, starting with the some 30,000 passengers diverted from American flights to Canada on September 11, has been extraordinary. That has been recognized across the United States and around the world. Canadians did not know at the time whether the planes harboured terrorists, had bombs on board or were a threat to Canada but we willingly opened our skies and airports to take those people in.

On September 14, 100,000 Canadians met on Parliament Hill to express their deep concern and sadness over the evil event. Within a day of the horror of September 11, ministers across a whole range of departments were working to add new resources and expedite and tighten up security measures to deal with the new reality.

In the House we have had more than 60 hours of debate on various aspects of the terror and our response to it. In all the debate there has been a common cause: to ensure we reach a proper balance in our democracy between security and freedom in the face of this type of terror. That is the challenge in front of us. It is a challenge Bill C-36 tries to address.

The balance is a delicate one. There can be no democracy without security. There can be no freedom without security. If we have only security we are imprisoned. There can be no security unless we have freedom, otherwise we have anarchy. This delicate balance must respect the reality of the times, and the times have changed for us all as the reality of September 11 has struck home.

It is the section 1 limits of the Canadian Charter of Rights and Freedoms that we must turn our attention to in Bill C-36. Our rights and freedoms are subject to "such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society". We must always keep that limitation in mind as we measure our response.

Bill C-36 is complementary to a whole range of other initiatives and pieces of legislation. It would complement and add to the criminal code which covers the whole range of offences a terrorist might commit. However it specifically focuses on terrorism. It would supplement and build on the initiatives set out in Bill C-24, the organized crime legislation passed by the House in the spring.

Bill C-36 would add breadth, strength and definition to the provisions of the United Nations Act which allows us by regulation to implement United Nations security council resolutions. It would also build on the Immigration Act and give more definition to the provisions of Bill C-11 on immigration.

● (1725)

In terms of our international responsibilities and our responsibilities to our neighbours in the United States, Bill C-36 would allow us to ratify and implement the last two international conventions on terrorism: the international convention for the suppression of terrorist bombings and the international convention for the suppression of terrorist financing. This would bring us into the position of having ratified and implemented all 12 UN conventions on terrorism. That is immensely important.

It is also important that Bill C-36 would build on the hate propaganda provisions of the criminal code. It would make hate propaganda a crime and allow it to be deleted from public Internet sites.

Bill C-36 would build on the money laundering and proceeds of crime legislation we have in place to deal with criminal organizations. This legislation deals mainly with enterprise crime but could clearly be focused on terrorist organizations.

Bill C-36 is a measured response and an immensely important part of the democratic exercise we are involved in. Its balance is shown by a whole range of ministerial responsibilities. We would need the permission of the attorney general before initiating the investigative hearings, the preventive arrest provisions or the Canada Evidence Act certification which would allow the CSE to intercept communications which are targeted at foreign sources but enter Canadian airwaves.

The listing provision would need the recommendation of the solicitor general and the approval of cabinet. It would need to be reviewed every two years and could be challenged by the courts in judicial review.

As well, judicial oversight is woven into the whole bill. Investigative hearings reviewing the listing and preventive arrest provisions within 24 hours of being brought before a judge would provide effective judicial oversight.

Most important, the legislation comes out of the collective wisdom of the House as expressed over the last 30 days. There are issues that are still open for serious debate, and the Prime Minister and Minister of Justice have indicated their intention and desire that the Standing Committee on Justice and Human Rights review these concerns in detail and provide further advice.

These will touch in particular on the important new provisions regarding preventive arrest, investigative hearings, the whole process of listing and delisting, parliamentary review, and the definition of terror. This is the first time terror has been defined and it is an immensely important centerpiece of the legislation.

It has been suggested in the House that some of the provisions, particularly the new ones, be made sunset clauses. The Standing Committee on Justice and Human Rights will be considering ways in which the legislation can be properly tracked over the next short period of time to consider whether it is achieving its objective, whether there are unintended consequences or whether there should be amendments.

I am confident in supporting Bill C-36 that it responds to the common objective and common cause of every member of the House: to deal with the horror and evil of terrorism in our democracy in a way that finds the proper balance between security and freedom.

[*Translation*]

**Mr. Jean-Yves Roy (Matapédia—Matane, BQ):** Mr. Speaker, since September 11, all governments on this planet have been faced with a problem that is, if not entirely new, of a scope never before known.

All countries are today faced with new terrorist threats, which are creating something akin to panic in the population at large. Anthrax and other types of alerts are keeping emergency services constantly in response mode. Without wishing to be a prophet of doom, I feel we are far from seeing the end of this.

The danger we face—over and above the attacks or, in certain cases, the supposed attacks—is the gradual paralysis of the economy, of democratic institutions, and of the way we live within society.

All heads of state without exception—at least all those we have heard from—are calling upon us daily to continue to live our lives as normally as possible, as otherwise the terrorists will have accomplished their objective.

Our governments have, as far as they are able, tried to react so as to reassure their population. We are told this over and over. We are told that all steps have been taken to ensure public safety. Nevertheless, people everywhere are showing how insecure they are feeling. They are still extremely fearful.

The Minister of Justice and Attorney General of Canada has just introduced Bill C-36, which would, as its title indicates, amend the criminal code, the Official Secrets Act, the Canada Evidence Act, the Proceeds of Crime (Money Laundering) Act and other acts. This is known by the short title of the anti-terrorism act.

We agree with this bill in principle. We agree that terrorism must be fought against and also that we have to equip ourselves with the means to do so, and consequently must amend legislation so that we can do a better job of it.

We humbly submit, however, that we need to avoid falling into the trap that lies before us, that is to act too hastily, to pass new legislation which would far exceed its objective and would open the door to all manner of abuses.

Periods such as the current one can easily lead to excesses. Canada's recent history is not exempt from such abuse. Remember what happened during the second world war. Some serious abuse took place in the past in spite of the fact that we lived in a democracy. Citizens were stripped of their rights, even though they had not committed any crime.

Notwithstanding the current situation, we want to maintain our fundamental rights. We want to remain free. We do not want our democracy to be tarnished again by abuse. We must be cautious and take the time necessary to examine all the repercussions that could result from the passage of Bill C-36.

The September 11 terrorist attacks and the continuing threats at present have reached an extraordinary level and created an extraordinary context. Bill C-36 must therefore be an extraordinary piece of legislation to deal with an extraordinary situation.

Should the terrorist threat diminish, several of the measures being considered through Bill C-36 would become unacceptable and the balance between security and freedom would have to be readjusted.

● (1730)

In a democracy, this is always a fragile balance. We must not forget that. This is why the Bloc Quebecois is asking the government to include a sunset clause whereby certain provisions of the bill would no longer be in effect after three years, unless of course the House decided otherwise at that time and the need to extend such provisions was demonstrated. We are also asking that this act be reviewed on a yearly basis.

There are other aspects of Bill C-36, the anti-terrorism act, that raise concerns. It seems to us that the definition of a terrorist act goes too far. It is much too broad and could lead to abuse against groups or individuals who have no connection with terrorism.

We had a very good example of this in the House today when it was suggested that certain groups of protesters at the Quebec summit be deemed to have committed terrorist acts.

The bill would enable the attorney general to withhold information by not applying the Access to Information Act, this without an evaluation by the privacy commissioner and without a judicial review.

This means that the attorney general, or Minister of Justice, is giving herself the authority to withhold information from the public, to remove elements of information, this without any consultation with the information commissioner.

Another element which appears to carry some risk and which deserves to be studied further is that the Minister of National Defence could intercept international communications simply by making a written request to the Communications Security Establishment.

This means that the Minister of National Defence could claim the power to intercept international communications between two groups, individuals or businesses simply by asking the Communications Security Establishment in writing.

A number of other questions could be raised and some of them already have been raised by the media. Doubts have arisen.

Hopefully the bill will be carefully examined before being passed. As elected representatives, it is our duty to ensure that the bill attains the objective for which it was created. As elected representatives, it is our duty to ensure that the bill does not go too far and violate the freedoms of the citizens who elected us.

In my remarks, I also wanted to remind members that the best way to fight terrorism is by preventing it at the source. As a democracy and as a society, we must ask ourselves what the real issues are and try to come up with satisfactory solutions to them.

It is by fighting poverty and misery, as we have repeatedly said, that we will best succeed in changing things. It is by educating and teaching that we will best be able to fight blindness and loosen the grip that dictators have on poorly educated populations. It is by sharing knowledge and resources that we will best succeed in creating conditions that will prevent terrorist groups from springing up. It is also, and most importantly, by restoring assistance to developing countries that we can best intervene. It is a long term process that we must undertake immediately.

Military strikes are not enough to eradicate terrorism. Nor is tough legislation. These are short term measures. What is needed is a new world order where human beings are held in greater value.

● (1735)

[*English*]

**Mr. Jim Karygiannis (Scarborough—Agincourt, Lib.):** Mr. Speaker, I rise today because we have been hearing speaker after speaker constantly fearmongering. They are trying to associate refugees with terrorists.

I represent a riding which is the most ethnically diverse riding in Canada. One of the communities that is situated in my riding is the Canadian Arab Federation. I would like members to examine the positive things they are doing, like daycare, assistance to new immigrants and enriching our Canadian heritage. They are feeling the heat at this point. There are those who want to associate the Arabs with terrorists. Comments such as a person is an Arab terrorist or a person is a Palestinian terrorist have been brought to my attention. This is not acceptable, not welcomed and should be fought and eradicated by all of us.

Canadians of Arab descent are very sensitive to this issue as well as to the Palestinian issue. It is time to take the initiative with the Palestinian issue. The issue is one that has been in the forefront for many decades. We need to address the Palestinian issue, not only with talks but with peaceful and just solutions.

We just sent our men and women off to war. God be with them and return them home safe. The legislation before us is very important. I am asking all colleagues to fully support it and examine it closely. I am also asking all colleagues to support the conversation on Palestine, and I know our Prime Minister, being the oldest statesmen, will take the lead in this.

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## PRIVATE MEMBER'S BUSINESS

● (1740)

[*Translation*]

### FOOD AND DRUGS ACT

The House resumed from October 16 consideration of the motion that Bill C-287, an act to amend the Food and Drugs Act (genetically modified food), be read the second time and referred to a committee.

**The Acting Speaker (Mr. Bélair):** Pursuant to order made Tuesday, October 16, 2001, the House will now proceed to the taking of the deferred division on the motion at second reading stage of Bill C-287 under private members' business.

Call in the members.

● (1815)

[*English*]

(The House divided on the motion, which was negatived on the following division:)

*(Division No. 151)*

YEAS

Members

Abbott
Alcock
Bachand (Richmond—Arthabaska)
Bakopanos
Bellehumeur
Bigras
Bourgeois
Bulte
Cannis
Carignan
Casey
Clark
Crête
Davies
Desrochers
Duceppe
Farrah
Forseth
Gagnon (Champlain)
Girard-Bujold
Gouk
Guay
Hearn
Hinton
Jackson
Jordan
Keddy (South Shore)
Kraft Sloan
Lalonde
Leung
Lunney (Nanaimo—Alberni)
Marceau
Martin (Winnipeg Centre)
Meredith
Owen
Peric
Plamondon
Proctor
Robinson
Sauvageau
St-Hilaire
Szabo
Thibeault (Saint-Lambert)
Tremblay (Rimouski-Neigette-et-la Mitis)
Wappel
Wilfert–91

Ablonczy
Assadourian
Bagnell
Bélanger
Bergeron
Blaikie
Brien
Caccia
Cardin
Carroll
Chamberlain
Comartin
Dalphond-Guiral
Desjarlais
Doyle
Elley
Folco
Gagnon (Québec)
Gauthier
Godfrey
Grey (Edmonton North)
Guimond
Herron
Ianno
Jennings
Karygiannis
Knutson
Laliberte
Lanctôt
Lincoln
MacKay (Pictou—Antigonish—Guysborough)
Martin (Esquimalt—Juan de Fuca)
McNally
Mills (Toronto—Danforth)
Paquette
Perron
Price
Richardson
Roy
Scott
Stinson
Telegdi
Tremblay (Lac-Saint-Jean—Saguenay)
Volpe
Wasylycia-Leis

NAYS

Members

Anders
Anderson (Victoria)
Bailey
Benoit
Binet
Bonin
Boudria
Bryden
Calder
Castonguay
Cauchon

Anderson (Cypress Hills—Grasslands)
Augustine
Beaumier
Bertrand
Blondin-Andrew
Borotsik
Breitkreuz
Burton
Caplan
Catterall
Coderre

Copps
Cuzner
Dhaliwal
Drouin
Duplain
Epp
Finlay
Fontana
Gallaway
Harvard
Hill (Macleod)
Hilstrom
Johnston
Kenney (Calgary Southeast)
Kilgour (Edmonton Southeast)
LeBlanc
Longfield
Macklin
Malhi
Marcil
Matthews
McCormick
McKay (Scarborough East)
McTeague
Mills (Red Deer)
Mitchell
Myers
Neville
O'Brien (Labrador)
O'Reilly
Pankiw
Parrish
Penson
Pickard (Chatham—Kent Essex)
Proulx
Rajotte
Reid (Lanark—Carleton)
Ritz
Scherrer
Sgro
Skelton
Sorenson
Spencer
St. Denis
Stewart
Thompson (New Brunswick Southwest)
Tirabassi
Toews
Torsney
Valeri
Vellacott
White (North Vancouver)

Cullen
DeVillers
Dion
Duncan
Easter
Eyking
Fitzpatrick
Gagliano
Grose
Harvey
Hill (Prince George—Peace River)
Hubbard
Karetak-Lindell
Keyes
Lastewka
Lee
MacAulay
Mahoney
Manley
Mark
McCallum
McGuire
McLellan
Merrifield
Minna
Moore
Nault
Normand
O'Brien (London—Fanshawe)
Pallister
Paradis
Patry
Peterson
Pillitteri
Provenzano
Reed (Halton)
Reynolds
Savoy
Serré
Shepherd
Solberg
Speller
St-Jacques
Steckle
Strahl
Thompson (Wild Rose)
Tobin
Tonks
Ur
Vanclief
Whelan
Yelich–126

PAIRED

Members

Bachand (Saint-Jean)
Bevilacqua
Discepola
Fournier
Goodale
Loubier
Picard (Drummond)
Rocheleau

Bennett
Charbonneau
Dubé
Gagnon (Québec)
Guarnieri
Pettigrew
Redman
Venne–16

Motion negatived

**The Acting Speaker (Mr. Bélair):** I declare the motion lost.

[*Translation*]

It being 6.17 p.m., the House will now proceed to consideration of private members' business as listed on today's order paper.

[*English*]

## CRIMINAL CODE

**Mr. John Herron (Fundy—Royal, PC/DR)** moved that Bill C-269, an act to amend the Criminal Code and the Firearms Act (exemption of long guns from registration), be read the second time and referred to a committee.

He said: Mr. Speaker, it is my pleasure to have an opportunity to maintain a very strong commitment I made to the constituents of my riding of Fundy—Royal and, I might add, to an issue that resonates very much throughout rural Canada with regard to a piece of legislation introduced by the government that may be very noble in intent in terms of deterring the criminal use of firearms, but which has become one of the largest fiscal boondoggles we have had in Canadian history. The bill I am referring to is commonly known throughout the country as Bill C-68.

Here is what we are advocating. We all categorically agree that any modern society needs to have provisions in place with respect to the handling of firearms so that individuals who acquire them are properly trained in their use. We need to have provisions in place whereby firearms are stored under lock and key in a place separate from the ammunition. The ammunition should be in one compartment and the firearm itself in another one to avoid any kind of accidental harm.

Members may be familiar with the fact that all of the provisions I have outlined were in what was termed to be one of the most progressive pieces of firearm legislation in the industrialized world, that is, this country's legislation formerly known as Bill C-17, introduced by the Progressive Conservative government. It never had a chance to be measured as to the degree of success it could actually entail.

The bill I have put forward does this. All the safe handling provisions, all the acquisition certificates that Bill C-68 and its predecessor Bill C-17 had and all the issues from a safety perspective are still in place, with the exception that it does not call for the registration of long guns such as rifles and shotguns which are utilized throughout Canada by deer hunters, duck hunters and farmers. We know that registering long guns belonging to deer hunters, duck hunters and farmers will not deter the criminal use of firearms. In fact, I might add that it is an arbitrary tax on those individuals. What we want to do is deter the criminal use of firearms.

The bill is a surgical strike on Bill C-68, keeping the good elements contained in it but extracting the most divisive element. Those weapons or firearms that are not restricted or prohibited, essentially long guns such as shotguns and rifles which are used by deer hunters, duck hunters and farmers, are the only firearms that do not need to be registered in a mandatory fashion. That is it.

In our modern society in this great nation hand guns have been registered since the 1930s. We should never touch that issue. However what I am talking about is—

**Mr. Peter MacKay:** Uncle Henry's rifle.

**Mr. John Herron:** The hon. member for Pictou—Antigonish—Guysborough refers to Uncle Henry's rifle. I am not sure he actually does have an Uncle Henry, but these shotguns and rifles are essentially tools that a farmer may use for the protection of his livestock and are kept under lock and key.

My party has always resisted the long gun registry because it simply does not work and it targets the wrong group. This bill is what we would rather have. We know that the minister of justice of the day said that the cost of implementing the registry would be at most a mere $85 million. The member for Edmonton North has fought for this legislation tooth and nail since she became a member of parliament.

● (1820)

Let us just say that it was a noble intent, it was the right thing to do. We disagree with it. Even if it were, we now know the price tag is well above $400 million. We know that there are very prudent estimates that when this thing is finally settled it will cost over $800 million to actually implement.

The point that I want to make is we could use those dollars toward a truly safer street agenda, including more money for the RCMP for overtime, for personnel and for new technologies to fight cyber crime. In the context of the world events which have taken place since September 11, there is the very real issue of putting those added resources toward augmenting the budget of the RCMP or even CSIS to help them fight biker gangs and terrorist cells, as opposed to arbitrarily taxing deer hunters, duck hunters and farmers. It just makes a lot of sense.

I am arguing our position from a purely economic perspective in this regard. Even if it was a noble intent, we now know that not only was it misguided and ill-advised but it has become one of the most comprehensive and expensive boondoggles that the federal government has ever had throughout Canadian history.

We are trying to use this private member's bill, although it is non-votable, to help educate the public to the fact that any reasonable parliamentarian is not against gun control or having more stringent provisions to deter accidental harm from firearms. We want to ensure that we have a mandatory additional penalty in place for any criminal act committed with the use of a firearm. These are the kind of things that the public wants us to do. They want us to deter the criminal use of firearms.

If we want to make our streets safer, why do we not use that $800 million? We still have about $400 million that we can save to achieve a truly safer street agenda. That is why I moved Bill C-269. I made a commitment to the constituents in my riding of Fundy—Royal that at the very least I would do my best to keep the issue alive. That is what I am trying to do with respect to this issue. Maybe that says something to accountability.

I know the member from Cypress Hills—Grasslands has been steadfast in his opposition against this arbitrary registry. I applaud him for his efforts. This is an issue that transcends many party lines. It really is a split on rural Canada versus urban Canada. However even urban Canadians are now saying that when they fought this back in the 1997 election, they thought it was the right thing to do. Now that the price tag is $400 million and it might even get to as high as $800 million, they are saying that perhaps we were right back in 1997, that it was a bad idea and that we were concentrating on the wrong element of society.

Let us target our energies toward criminals. Give the RCMP and our law enforcement officers a tool kit to fight crime. We should take the issue and weigh it on one hand, then on the other. Are we concerned with terrorist cells and having the resources from a security perspective with respect to the RCMP to actually flush those folks out? Are we concerned about organized crime? Instead of taxing deer hunters, duck hunters and farmers, why do we not give the tool kits to the RCMP to fight terrorist cells and biker gangs?

We know that long guns principally are not the weapons of crime in an urban context. Therefore, we are really targeting the wrong group.

It may be a noble intent, but all of the good that we are trying to get out of Bill C-269, I can advocate was already in place with respect to Bill C-17. That would have been a better way to go as opposed to using this useless, cumbersome long gun registry. There are a lot of superlatives being added by my friends and colleagues who join me in their opposition to Bill C-68 and in support of my private member's bill, Bill C-269.

● (1825)

It is not even a cash cow for the government. It is so bureaucratic and so expensive that it is not even paying for itself. Any other reasonable government would have actually cut its losses long ago.

I ask all members to reflect on this particular issue and then, as time goes by, find some way to keep the good and the noble intent that might have been in place in Bill C-68 and ditch the long gun registry, which, at its worst, is an attack on rural attack and clearly is an attack on the legitimate long gun owners of rifles, rifles that are used by deer hunters, duck hunters and farmers.

I want to thank my colleagues for their encouragement and contribution throughout my remarks. If I was ever at a loss for words throughout my speech, there was no shortage of assistance from my friends and colleagues. I want to thank them for their support.

**Hon. Stephen Owen (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, I rise to speak on Bill C-269, an act to amend part III of the criminal code and the Firearms Act, introduced by the hon. member for Fundy Royal.

The bill's proposed amendments to the Firearms Act would exempt all non-restricted rifles and shotguns from registration. The requirements to register restricted and prohibited firearms would remain unchanged, as we have heard. The proposed amendments to part III of the criminal code would exempt the non-restricted rifles and shotguns from offence provisions that deal with possession of a firearm without a registration certificate.

The amendments proposed in Bill C-269 are inconsistent with the goals and aims of the Firearms Act. This act is a very important public safety initiative. It requires the licensing of firearm owners in Canada and the registration of firearms in Canada by the end of 2002.

The bill's proposed amendments would negate the most innovative part of the registration phase of the Canadian firearms program, which is very important to the public safety of Canadians. The requirement to register prohibited and restricted firearms has been in force for decades. It is the registration of non-restricted rifles and shotguns that the Firearms Act, passed in 1995, initiated that is its most innovative feature.

The Minister of Justice cannot support the changes to the legislation that would challenge this contribution to public safety. She cannot condone amendments that would reduce in any way individual responsibility and accountability among firearms owners.

Rifles and shotguns are the most numerous and easily acquired types of firearms in Canada. They are also the types of firearms most often recovered from crime scenes. Over 40% of women killed by their husbands are shot. Most of these women, 78%, are shot with legally owned firearms, usually rifles and shotguns.

Registration links owners to their firearms. This accountability for registered firearms also increases the likelihood of compliance with safe storage and handling practices. It encourages owners to be more careful when they loan firearms and to tell police when firearms are stolen. Excluding rifles and shotguns from registration would remove the vast majority of guns in Canada from this increased accountability.

Registration of non-restricted rifles and shotguns provides police with a new tool to investigate and prosecute firearm related crime involving firearms. Registration will assist in deterring illegal sales of firearms in Canada as all firearms are registered to new owners at the point of sale. Registered firearms cannot easily be given or sold to an unlicensed individual as they can be traced back to the original owner.

Registration is also an important link in the process of keeping firearms from people who pose a threat to public safety. The transfer of ownership of a firearm initiates a background check of the person buying a gun, whether it be a pistol, rifle or shotgun.

Registration is also important to curbing illicit trade and smuggling in firearms. Registration also allows firearms to be traced and tracing can reveal the paths and sources that smugglers use. Such information is essential to finding and stopping the illegal flow of firearms into and out of Canada.

Canada has important obligations in the area of countering firearm trafficking and preventing firearms from going into the black market. In fact this summer Canada joined several countries in signing a firearms protocol toward that end, at a UN small arm's conference.

The Firearms Act is essential to public safety and the registration of rifles and shotguns is a major part of the Canadian firearms program. The Firearms Act, including its registration component, is supported by more than 350 public health, domestic violence, police and community organizations and numerous polls done over the past years show it has the support of more than 70% of the Canadian public. The law enforcement community supports the firearms program as a valuable tool in reducing the number of crimes involving firearms and assisting police in investigating and solving crimes involving firearms.

Firearms owners will see benefits too. Stolen firearms that are registered can be returned to their lawful owners. Registered firearms of sentimental or antique value can be more easily passed on through inheritance and registration papers are proof for use in insurance purposes. The firearms program is a success in terms of public safety.

● (1830)

For these reasons the Minister of Justice does not support the bill and the proposed amendments to part III of the criminal code and the Firearms Act.

**Mr. Garry Breitkreuz (Yorkton—Melville, Canadian Alliance):** Mr. Speaker, I have quite a bit to say and I will go through my points quite quickly.

I would like to compliment the hon. member for Fundy Royal for bringing the bill forward. While it does not meet our party's policy to repeal and replace Bill C-68, it is a step in the right direction. Consequently, our party supports the hon. member's bill.

If even one argument given by the Liberals in the speech that was just delivered before mine were true we might support it, but not one of those arguments is valid or working.

While the gun registry is likely the most costly and useless part of Bill C-68, it is hardly the most objectionable. Bill C-68 trampled fundamental property rights. Bill C-68 breached the privacy rights of at least 3.5 million Canadians without their knowledge. Bill C-68 placed in jeopardy our charter rights to be secure against unreasonable search and seizure. Bill C-68 eliminated our right to remain silent. Bill C-68 reversed the onus of proof, thereby eliminating our rights to be presumed innocent until proven guilty. It infringes on the treaty rights of aboriginal people. It intrudes unnecessarily into the exclusive constitutional jurisdiction of the provinces over property and civil rights, health, safety and education.

Those are just a few of the more objectionable contents of Bill C-68 and the reasons why the whole thing should be scrapped and why we need to sit down with the provinces and responsible firearms' owners and design a system of gun control that will be effective.

On August 29 the privacy commissioner reported a fact that should have embarrassed the government. The media should have jumped on it but they did not. Most provinces and territories have opted out of the administration of the firearms program than have opted in.

On page 11 of his report the privacy commissioner stated, and I quote:

> There are 6 opt-in provinces that administer the Firearms Program themselves and 7 opt-out provinces and territories where the Federal Government administers the Program.

So much for the idea of co-operative federalism under this government.

The new B.C. government has expressed its distaste for the gun registry and just last week I heard rumours that it will seriously consider opting out of the administration of the gun registry component of Bill C-68.

If B.C. goes there would be eight provinces and territories that already have opted out. They are trying to send a message to the federal government. Here is quote to show why it must be replaced and repealed in its entirety.

On June 13, 1995, the then leader of the Reform Party stated, and I quote:

> I therefore submit in conclusion that Bill C-68, if passed into law, will not be a good law. It will be a bad law, a blight on the legislative record of the government, a law that fails the three great tests of constitutionality, of effectiveness and of democratic consent of the governed. What should be the fate of a bad law? It should be repealed, which is precisely what a Reform government will do when it eventually replaces this government.

Six years later, with more than half a billion dollars wasted and a bloated bureaucracy of 1,800 people, I can say that Bill C-68 still fails the three tests of constitutionality, of effectiveness and of democratic consent of the government. I would like to give, as quickly as possible, 10 reasons why we should repeal it right now.

First, it has already cost at least one life. The Liberals defend their soon to be billion dollar boondoggle by saying that if the gun registry saves one life it will be worth it.

On March 15, 2000, a man in Nain, Newfoundland, who was prohibited from owning a firearm, went to the RCMP, picked up the rifle they had been storing for him and has been charged with killing a 15 year old boy. The aboriginal exemptions and adaptations in Bill C-68 likely forced the RCMP to give the man his murder weapon.

Second, Bill C-68 costs are at least six times higher than promised. According to access to information requests, Bill C-68 has cost more than $500 million and is not even fully implemented yet.

In 1995 the justice minister promised it would only cost $85 million. The Liberals have resorted to using cabinet secrecy to hide the gun registry budgets and economic impact reports from the public, and I still cannot get that information.

● (1835)

Third, Bill C-68 is opposed by the majority of provinces and territories. In 1995 the Liberals rammed Bill C-68 through parliament and down the throats of the provinces. In February 2000 six provinces and two territories challenged the constitutionality of the legislation in the supreme court.

Fourth, Bill C-68 has increased black market gun sales. The justice minister's own group on firearms warned her that Bill C-68 created so much red tape trying to regulate legal gun sales that black market gun sales were on the increase.

Fifth, Bill C-68 is opposed by frontline police officers. Every survey ever taken by the police shows that between 76% and 91% of frontline police officers oppose Bill C-68. According to police sources Bill C-68 alienates honest citizens and diminishes respect for the law. In March the president of the Canadian Police Association stated:

> It bothers me that the public would not support me in my line of duty. We've never been at odds with the public before. This issue has done this.

Constable John Gayder wrote:

> In fact, the Firearms Act violates every one of Peel's Principles of policing

Sixth, the gun registry is riddled with errors. The Liberals have so badly bungled the implementation of the bill that registration, licensing errors and non-compliance by millions of responsible firearms owners render the data in the gun registry unreliable and useless to police. Aboriginal people are publicly defying the licensing and registration system. The government admits that 320,000 gun owners failed to apply for a firearms licence.

RCMP Superintendent Mike Buisson, director of firearms, advised his staff that 90% of registration applications have errors. Despite this fact daily production quotas have been tripled. Verifiers have been laid off and staff directed to ignore the errors on registration applications. The firearms registry is the biggest garbage collection system in the country.

Seventh, Bill C-68 has taken police off the street. In April a briefing note to the Minister of Justice reported that there were over 1,800 employees associated with the firearms program. This included about 400 employees in RCMP operations in Ottawa.

The report to the minister did not include the hundreds of firearms officers working for provincial, regional and municipal police forces. On September 21, 1995, Ontario Solicitor General Bob Runciman told the Standing Senate Committee on Legal and Constitutional Affairs:

> In national terms, $85 million would put another 1,000 customs agents on the border; 500 million dollars would put an extra 5,900 police officers on the street.

After September 11, should we not be paying attention to where we should be putting our public safety law enforcement officers?

Eighth, Bill C-68 has diverted resources from real policing priorities. More than half a billion dollars wasted so far on this fatally flawed gun registry scheme could have been used for more important police priorities. The police wanted a sex offender registry or a DNA databank for all criminals. One of the Canadian police association's slogans was “Register criminals before firearms”. Is the government listening? No, it is not.

Ninth, Bill C-68 proved that registration does lead to confiscation. I will not go into the details, but it has happened. On November 15, 1997, the Montreal *Gazette* quoted the Deputy Prime Minister as saying:

> This could be the start of a global movement that would spur development of an instrument to ban firearms worldwide similar to our land mines initiative.

In drafting a new law to replace Bill C-68 the Liberal government must understand that it is impossible to make anyone safer by laying a piece of paper beside a gun. What should we do? We should be positive and replace Bill C-68 with legislation based on fundamental principles.

It should crack down on criminals who use weapons, not responsible firearms owners. It should be easy to understand, administer and enforce the system. It should be cost effective and reduce the criminal use of firearms.

● (1840)

It should curtail smuggling and black market sales, not increase them like it has. It should convince the vast majority of gun owners to help the government and the police implement it. It should convince all taxpayers to share the cost because everyone benefits from improved public safety. It should be able to pass a public safety test administered by the Auditor General of Canada. It should respect the exclusive constitutional jurisdiction of the provinces and have their full support. It should respect the fundamental rights of all individuals, especially property rights.

**Mr. John Herron (Fundy—Royal, PC/DR):** Mr. Speaker, it is unfortunate that we will not have an opportunity to extend the debate. I want to compliment the member for Cypress Hills—Grasslands who has been steadfast in his work on this particular file. For the most part, I completely concur with his comments. I applaud his commitment to his own constituents on this particular issue.

The hon. member pointed out the very real fact that 6 out of 10 provinces, representing well over 80% of the population, whose provincial governments for the most part will have to pay for a lot of the implementation of that ill-advised act, opposed the Liberal long gun registry.

It is clear, even in rural Canada, that taxing deer hunters, duck hunters and farmers does not make any sense. We should be focusing our energies on mandatory penalties for those individuals who commit crimes using a firearm.

I would argue that the benchmark of any law should be whether it is effective at obtaining its objectives, which is to deter the criminal use of firearms, and whether it is cost effective. We know in point of fact that it is not effective in deterring the criminal use of firearms. We also now know that something that was supposed to cost only $85 million will probably cost at least $800 million once it is fully implemented.

In this modern era, since September 11, why do we not use those additional resources to ensure the security and perimeter of this country in terms of the appropriate border officials from a customs perspective and the ports police? Those issues should be addressed as well. Let us give that money to the RCMP for new technology to fight cyber crime or the subversive elements that exist internationally. We could give the money to CSIS to augment its budget.

Let us give more money to the RCMP to fight organized crime as opposed to taxing rural Canadians who are owners of long guns and shotguns. These rifles are owned by our neighbours. They are the people who would comply with the law. The biker gangs will not be running out to the kiosks in malls to register their long guns.

I was very impressed with the comment made by the member for Cypress Hills—Grasslands with respect to the massive increase in black market sales that has taken place with respect to firearms. That was essentially what we were very much trying to resist.

In a modern society everybody knows that we need to have stringent regulations with respect to firearms to prevent accidental harm to individuals. We need to ensure that we have rules in place.

Of course we should maintain the mandatory registry for handguns. That has been in place since the 1930s. However, it is not about handguns and it is not about Uzis, for which there may be debate in the states, it is about long guns, ones that are used by everyday hunters and everyday farmers who live throughout this great country.

I would move to seek unanimous consent for this private member's bill to be votable so hon. members could have a chance to vote on it.

**The Acting Speaker (Mr. Bélair):** Is there unanimous consent to make this item a votable item?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Acting Speaker (Mr. Bélair):** The time provided for the consideration of private members' business has now expired. As the motion has not been designated as a votable item, the order is dropped from the order paper.

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# ADJOURNMENT PROCEEDINGS

● (1850)

[*Translation*]

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

**The Acting Speaker (Mr. Bélair):** These being our first adjournment proceedings since the standing orders were changed, I would like to remind the hon. members of the new system we adopted.

The member who raises the question may speak for up to four minutes, as was the case before. The minister, or the parliamentary secretary, now has four minutes in which to answer. Then, the member who raised the question and the minister, or the parliamentary secretary, will each have one minute to respond.

* * *

## AIRLINE INDUSTRY

**Mr. Paul Crête (Kamouraska—Rivière-du-Loup—Témiscouata—Les Basques, BQ):** Mr. Speaker, on October 1, 2001, I put a question to the Minister of Human Resources Development in the House—it was the parliamentary secretary who replied—about Air Canada employees, who were going through a very difficult time financially as a result of the events of September 11.

I asked her at that time whether the government was prepared to take special action in order to reduce the impact of the massive layoffs resulting from the crisis caused by the acts of terrorism, which was affecting the airlines in particular.

Since then, there have been meetings but no results. We are still awaiting a response. Air Canada employees are calling for a program of assistance for older workers, to provide those who have the most experience but are prepared to retire with a program to bridge the gap between the time they leave their job and the time they start to receive old age or other pension benefits. This would allow younger employees to keep their jobs and would be a very desirable approach.

Furthermore, it is expected that 750 people will show up tomorrow to demand that the federal government act accordingly and take appropriate steps.

This is a blatant example of the fact that, since September 11, in terms of activities in support of the economic downturn, the federal government's position is probably the weakest.

To deal with the security issue, the government introduced anti-terrorism legislation, and several ministers appeared before the various committees, but in terms of social support, in connection with the layoffs, we are having a harder time convincing the government that special measures are indeed necessary.

For example, in the area of tourism, the government of Quebec recently unveiled an advertising campaign to encourage tourists to start flying again, to come and visit Quebec, to enjoy, as they always have, our quality of life.

We have seen nothing similar from the federal government, especially not for those affected.

Travel agencies made representations to us. The minister's office had to be contacted. Support on this issue is significant, but ad hoc interventions are always required before any openness is shown at the department, so that those hit by the massive layoffs resulting from the events of September 11 can benefit from what ought to come naturally, that is an open attitude.

I would like the parliamentary secretary to confirm today that, indeed, there will be openness in resolving the matter of the Air Canada employees and that they will be allowed to have a program to help older employees who may wish to voluntarily leave the company do so under reasonable circumstances, so that younger workers may keep their jobs.

I think this is a legitimate request. Several weeks have passed since the events of September 11, and we are awaiting a positive response from the government very soon.

**Ms. Raymonde Folco (Parliamentary Secretary to the Minister of Human Resources Development, Lib.):** Mr. Speaker, there is no doubt the employees of Air Canada have faced difficult, if not extremely difficult, days and weeks. There is no doubt that all employees in air transportation will be profoundly affected by the announced layoffs.

We have just read in today's paper of other possible layoffs, especially in the Montreal area. Our government knows very well that, where jobs are involved, it is already difficult enough to deal with the precariousness of some of them.

I would like to assure my colleague opposite that we are doing everything in our power to help the employees affected and their company, in this time of uncertainty and great difficulty.

And what about Air Canada employees? The Minister of Human Resources Development has expressed this same message of concern about employees who have been laid off and those who may be very soon to the representatives of Air Canada, when she met them at the beginning of the month.

I believe it is important to look at the chronology of what the department, and the minister in particular, have done. She again made herself perfectly clear on this at another subsequent meeting with representatives of the department and of Air Canada at which programs available from HRDC to help their employees were discussed.

The job share program is precisely one of the measures HRDC has proposed to Air Canada.

I have been asked by a number of people just what this job sharing is all about. It is a very interesting program, one that does not necessarily suit all companies, but which could be put in place in the case of Air Canada, for example, or any other company that meets the program criteria.

It is intended to help employers forced to take austerity measures, and this means that layoffs may be avoided.

How can this result be achieved? The work week is shortened, and wages are reduced accordingly. HRDC lets the workers draw EI benefits for the days they do not work, which helps compensate for the reduction in wages.

So, in participating workplaces, employees receive partial salaries but also draw employment insurance benefits.

The main advantage of this program is what it has to offer employees. Not only does it help lessen the difficulties surrounding layoff, but it also helps workers retain their skills and continue to make profitable use of them in their work.

The next step between the employers and the department was a meeting between departmental and Air Canada representatives. So far, discussions have mainly focused on job sharing as a means of reducing the number of layoffs.

Now the ball is in the airlines' and unions' court, as they have to look at the mechanisms of application they would like to see put in place in connection with the job sharing agreements.

I am confident at this time that good will and flexibility will make it possible for us to support one or more job sharing agreements in the airline industry.

● (1855)

**Mr. Paul Crête:** Mr. Speaker, the Parliamentary Secretary to the Minister of Human Resources Development says so herself. More layoffs are coming. So the situation will continue.

If, as the parliamentary secretary says, the government is doing all it can to remedy the situation, why do people feel they have to come to Ottawa tomorrow to demonstrate? Why are 750 employee representatives going to be here to ask the government to do something? Because this is what is at issue here.

We want the government to act. The time for studies and proposals is past. Now what is needed is definite proposals on the table. There has been a lot of talk about shared jobs. Indeed, this is an interesting program. But why not also have a program to assist older employees, as people are calling for? In other words, some flexibility reflecting the makeup of the workforce of this company.

Is the government going to decide to take action, to send definite signals and to initiate the changes sought by workers and justified by the state of the economy at the moment?

**Ms. Raymonde Folco:** Mr. Speaker, I remind the member opposite that the employment insurance program is working, and is working very well. The very reason it was created was to respond, in part, to the needs of these individuals.

I do not know what those who are going to demonstrate on Parliament Hill tomorrow are thinking, but I sincerely wonder how aware they are of the efforts their employer—if their employer is Air Canada—has made to find a solution with the department.

I can tell the member that we expect to receive a request to approve work sharing from Air Canada shortly and that, when we do, we will pass it along to a team, within the department which was put together for that purpose and which will proceed as quickly as possible.

I emphasize—and I say this to the member—that the employment insurance program is there to help Air Canada employees. The department will work with Air Canada, as it has already begun to do. We have great hope that this program will work very well in the days to come.

*Adjournment*

● (1900)

[*English*]

DISCRIMINATION

**Ms. Libby Davies (Vancouver East, NDP):** Mr. Speaker, since the tragic events of September 11 we in the federal New Democratic Party have condemned in the strongest possible terms as crimes against humanity the terrorist attacks of September 11. We call for the perpetrators to be brought to justice before an international tribunal to be established by the United Nations Security Council and approved by the UN General Assembly.

We have also been clear in opposing the federal government's decision to commit Canadian military support to the U.S. led military action, particularly given that the U.S. has indicated that it may be prepared to expand its attacks to other countries beyond Afghanistan.

We have also supported calls to work in the longer term to eradicate the conditions from which despair, violence, hatred and discord arise.

We have also urged the federal government to lead all Canadians in fighting against the rising tide of intolerance and racism in the aftermath of September 11, particularly directed at Muslims and Arab Canadians. That is the focus of my remarks in the House tonight.

Canada is one of the most ethnically mixed and multicultural nations in the world. My own riding of Vancouver East, which I am very proud to represent, is one of the most diverse in the country.

While we can all be proud that the very meaning of Canada is about diversity and respecting differences, we must also come to terms with the fact that nearly 275,000 Canadians were victims of hate crimes last year according to Statistics Canada. Sadly since September 11 the number of racist incidents in Canada has been on the rise. We have heard of them as they have been reported in the media.

In Cold Lake, Alberta, Canadian born Muslims got phone calls telling them that all Arabs should be killed. In Oakville, Ontario five students were assaulted for being Arabs. In Ottawa a young Arab teen was beaten unconscious by two other teenagers.

We can only begin to imagine the human pain and suffering that this causes, particularly for young people who are trying to come to terms with what is going on.

We also know that according to the police in Ottawa there has been a doubling of racist incidents reported in our national capital since the attack on the World Trade Center Other cities are also reporting a significant increase.

We in the NDP have called on the federal government to take urgent action to fight racism and discrimination. We have urged the federal government to adopt an action plan that would include public discussion and education and clear enforcement of the criminal code sections concerning racism. We have called on the government to appoint a task force to monitor the reported incidents of racism and to monitor police investigations and prosecutions.

We also call on the Liberal government to reaffirm Canadian values and support for multiculturalism that was introduced as Canadian policy in 1971 by then Prime Minister Pierre Elliott Trudeau. Back in 1971 the New Democratic Party welcomed that commitment. Our leader of the day, the Hon. David Lewis, clearly stated:

> The diversity of cultures across (Canada) is a source of our greatness as a people... in every society a minority has a problem, the problem of survival, the problem of keeping alive its history, its language, its traditions, its songs, its legends, its identity. When the majority in a society is as cruel as majorities have often been, not only are minorities crushed but the spirit of that society, the soul of that society, is destroyed.

We need to heed the words of Mr. Lewis today. We need to reaffirm our commitment to the observance of human rights and civil liberties, particularly as we now debate Bill C-36 on anti-terrorism and respect civil rights in this country.

**Mr. Stephen Owen (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, I commend the hon. member for her eloquent and important words and her question in the House. I too have the honour of representing a Vancouver constituency with an immensely diverse cultural makeup.

Certainly all members of the government and the hon. member's party, and she has eloquently restated it, support the principles of multiculturalism that underpin the strength of our country. Diversity is our strength, but we also appreciate that that very diversity, where it is reflected in minorities, can sometimes put those minorities at risk from hate and discrimination in our society.

As the Prime Minister indicated in his reply to the hon. member's question, he has consistently condemned hate motivated threats and acts on virtually every occasion on which he has commented on the aftermath of the tragic events of September 11. He, along with the leaders of all parties in the House, has called on Canadians to demonstrate the tolerance and understanding upon which our multicultural and democratic society has been built.

The Prime Minister also referred in his response to the fact that the Criminal Code of Canada contains provisions which can and should be used to address the problem of hate motivated crime. Sections 318 and 319 of the code provide the offences of advocating or promoting genocide or public incitement of hatred against an identifiable group. These measures have been used effectively in prosecuting hate motivated crimes in the case of Keegstra and others.

In 1995 parliament passed what the Supreme Court of Canada called the most significant reform of the law of sentencing in Canadian history. One of the key elements of those reforms was the inclusion in the criminal code of a statement of the purpose and principles of sentencing.

Among the principles in the criminal code is found subsection 718.2(*a*)(i), which states that "evidence that the offence was motivated by bias, prejudice or hate based on race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation or any other similar factor" shall be deemed to be an aggravating circumstance in sentencing. This means that if the court finds that the offence was motivated by hate based on one of these grounds, the sentence should be increased to reflect society's condemnation of that fact.

A threat, or in the case that the hon. member cited, an assault against one member of a religious group can be designed to have an impact on all members of that group by creating an environment of fear and intimidation among them.

This change to the law appears to be having an impact on sentencing patterns. The leading case on the interpretation of subsection 718.2(*a*)(i) comes from the hon. member's province and mine. In Regina v Miloszewski, five men, all self-proclaimed racists, who kicked and beat a Sikh man to death in the parking lot of a temple in Surrey pleaded guilty to manslaughter. The lengthy sentences imposed showed that this subsection had a significant influence on the sentencing judge. Judge Stewart said the subsection was "a direction to sentencing judges to give substantial weight to this aggravating factor as the section now reflects the will of Canadians as expressed by parliament".

Just last week another hate crime was dealt with in a New Brunswick court. A 19-year-old man was convicted of placing a cross on the lawn of a black family and lighting it on fire. He was found guilty of willful promotion of hatred and sentenced to four months in jail. He was also placed on three years probation, the maximum permitted by the code, and ordered to undergo sensitivity therapy.

Cases such as these show that we have the tools in our law to respond sternly to hate based crime.

● (1905)

**Ms. Libby Davies:** Mr. Speaker, I certainly appreciate the comments of the hon. member.

I agree that the Prime Minister and in fact all leaders and my own leader presented a motion for the unanimous approval of the House condemning the increase in racism.

It is disappointing that the government has not been forthcoming or specific in terms of what it now intends to do when it is clearly visible to us that certain groups, members of the Muslim community, Canadian Arabs in particular, are being targeted as a result of the aftermath of September 11.

I again urge the government to be committed to a specific action plan that focuses on broad education. For example, the $500,000 that is in the budget now is already committed. We need to be doing additional work in this area and setting up a special task force to monitor these report crimes. I would ask the member to respond to that specifically.

**Mr. Stephen Owen:** Mr. Speaker, I agree with the hon. member's suggestions. I think all of us in the House support the condemnation of hate motivated crimes.

Many provinces have hate crimes units. British Columbia has one which looks into such matters through the province's prosecution services and police forces. Canada's multiculturalism programs must give these issues the special attention they are due.

Earlier this week the Minister of Justice tabled in the House the government's package of anti-terrorism measures. Included in Bill C-36 is an amendment that would create a new criminal offence of mischief to religious buildings or property which is "motivated by bias, prejudice or hate based on religion, race, colour or national or ethnic origin".

These measures, in addition to the provisions I have mentioned and the multiculturalism policies of Canada, can be focused on the concerns the hon. member has raised.

● (1910)

[*Translation*]

**The Acting Speaker (Mr. Bélair):** 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 7.10 p.m.)

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