



CANADA

House of Commons Debates

VOLUME 137 • NUMBER 116 • 1st SESSION • 37th PARLIAMENT

OFFICIAL REPORT
(HANSARD)

Wednesday, November 21, 2001

—

Speaker: The Honourable Peter Milliken

CONTENTS

(Table of Contents appears at back of this issue.)

All parliamentary publications are available on the
"Parliamentary Internet Parlementaire" at the following address:

<http://www.parl.gc.ca>

HOUSE OF COMMONS

Wednesday, November 21, 2001

The House met at 2 p.m.

Prayers

• (1400)

[English]

The Speaker: As is our practice on Wednesday we will now sing O Canada, and we will be led by the hon. member for Winnipeg North Centre.

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

STATEMENTS BY MEMBERS

[English]

EDUCATION

Mr. Andrew Telegdi (Kitchener—Waterloo, Lib.): Mr. Speaker, for the 10th year in a row *Macleans* magazine has ranked the University of Waterloo as the best overall university in the national part of its reputation survey, as well as number one in its comprehensive category which comprises four areas: best overall, highest quality, most innovative and leaders of tomorrow.

PricewaterhouseCoopers has singled out the University of Waterloo as the leading source of spinoff companies in the Canadian high tech sector. This is a key factor in improving Canada's competitive position internationally and a great benefit to the economic growth of the country.

My riding of Kitchener—Waterloo is also the home of Wilfrid Laurier University, which is ranked by *Macleans* in the top third of the primary undergraduate category. Furthermore, Waterloo has the campus of Conestoga College, the number one college in the province of Ontario.

Congratulations are due to the universities of Waterloo and Wilfrid Laurier and Conestoga College for their pursuit of educational excellence.

* * *

IMMIGRATION

Mr. Maurice Vellacott (Saskatoon—Wanuskewin, Canadian Alliance): Mr. Speaker, the Canadian Alliance Party recognizes that Canada is a nation of immigrants that has always been enriched by

new arrivals to our shores. We also affirm our international humanitarian obligation to receive our share of genuine refugees.

However we believe that the best way to keep Canada's doors open to immigrants and genuine refugees is to improve the system so that it expeditiously processes applications and effectively screens out those abusing the system.

To do this, new arrivals must be required to produce verifiable documentation so that security and background checks can be done. Those without documentation should be detained until declared safe or deported. Failed refugee claimants and illegal entrants must be deported and those who organize abuses of the system for profit must be vigorously prosecuted.

To make the system work for those we want to welcome we must get tough on those who abuse the system and put it in jeopardy for everyone.

* * *

[Translation]

ESTELLE CHAMBERLAND-GOBEIL

Mr. Gérard Binet (Frontenac—Mégantic, Lib.): Mr. Speaker, today I would like to extend sincere congratulations to Mrs. Estelle Chamberland-Gobeil, to whom the Simone-Monet-Chartrand award for 2001 was presented last Tuesday evening.

The award is given by the Centre des femmes de Montréal to recognize the exceptional accomplishments of a mother whose life perpetuates the values of Simone Monet-Chartrand.

Like this great Quebec woman, who died in 1993, Mrs. Chamberland-Gobeil is a woman of many talents. An ardent feminist, and an enthusiastic volunteer, she has made a name for herself in the region of Mégantic and Haut-Saint-François through her efforts, which have been mainly focussed on youth and seniors, as well as women's issues.

Once again, my congratulations. Frontenac—Mégantic is proud of you.

* * *

[English]

WOMEN'S RIGHTS

Ms. Carolyn Bennett (St. Paul's, Lib.): Mr. Speaker, the name MATCH International Centre may not immediately ring a bell with all members of parliament, but I stand here today to salute the small organization on its 25th anniversary.

S. O. 31

MATCH is known as one of the key organizations that has strengthened the global women's movement. To achieve this recognition MATCH has supported women's groups offering front-line services to women and their children and has spearheaded many achievements that Canadian women now cherish, such as enhanced legal rights for women victims of violence and the growth of women's shelters Canadawide.

I urge members of parliament not to stand by and watch the deterioration of Canada's social network that helps women victims of violence. The undoing of such gains by the women of Canada, and indeed by MATCH and its partners in Africa, Asia, the Caribbean and South America, will not go unchallenged by the thousands of Canadians who uphold the rights of women to live free from violence.

MATCH stands with every woman and child that has experienced violence in Canada, and today we congratulate MATCH International Centre and its dynamic team for the work they are doing in raising awareness on women's rights around the world.

* * *

● (1405)

[Translation]

HIGHWAY INFRASTRUCTURE

Mr. Robert Bertrand (Pontiac—Gatineau—Labelle, Lib.): Mr. Speaker, this week we learned that an agreement has been reached on the matter of Highway 50 in the Outaouais region.

The Government of Quebec and the Union des producteurs agricoles have reached agreement on the route the highway will take between Montée Laurin, at Lochaber, and Montebello. This new route will preserve the environment of the region and its arable land, as the farmers' union had demanded.

This is a step in the right direction for the development of the economy and tourism in the Outaouais area. I would remind hon. members that the federal government has invested \$100 million in Highway 50 over the past 30 years. I cannot wait to see this project completed.

I hope that the outcome of this issue will lead to the completion of other highway projects in Quebec.

* * *

[English]

PENSIONS

Mr. Rob Merrifield (Yellowhead, Canadian Alliance): Mr. Speaker, the arrival of the first Canada pension cheque should be a joyous occasion. After years of hard work it is time to sit back and enjoy the rewards of retirement.

Last week one of my constituents reached that milestone, but instead of joy he felt shock and disgust. Those were the emotions he experienced. I am not referring to the size of the cheque but to the letter that was enclosed soliciting donations for charities.

Most of us avoid telemarketers like the plague. We especially dislike those who target vulnerable seniors. Enclosed was a letter saying just sign and \$18, \$16 or \$14 will be automatically deducted

monthly from his cheque, or if a little extra money was needed for groceries, perhaps he could afford \$12.

Who would victimize our seniors like that? Who is the fox in the hen house? Members have guessed it; it is our own Canadian government. Pensioners are already victimized by the size of the cheque and when it comes to solicitation it should be done another way.

* * *

THE ENVIRONMENT

Mr. Paul Bonwick (Simcoe—Grey, Lib.): Mr. Speaker, I am requesting the support of the House of Commons on behalf of the Conservation Authorities of Ontario. Over the past 50 years the Conservation Authorities have been charged with the responsibility of maintaining the delicate environmental balance in our Great Lakes Watershed Basin. They have done this by creating unique partnerships with all levels of government as well as the private sector.

It is also worth mentioning that in fulfilling their mandate they have saved our government over \$3.5 billion annually. I should also state that these same Great Lakes Watershed Basins contribute over \$7 billion annually to our economy.

However, to contend with the eroding environmental conditions facing our Great Lakes, the Conservation Authorities have brought forward a two-part plan: the healthy Great Lakes program and the fish habitat endowment fund. Not only do we have a constitutional obligation to support these initiatives, but, greater than that, we have an obligation to our environmentally sensitive Great Lakes.

On behalf of the Conservation Authorities of Ontario, I respectfully request everybody to join in supporting these initiatives.

* * *

[Translation]

AMNESTY INTERNATIONAL

Mr. Pierre Paquette (Joliette, BQ): Mr. Speaker, last weekend, the annual youth convention of Amnesty International was held in the riding of Joliette.

More than 600 young Quebecers came together for the occasion in the municipality of Assomption. In a great gesture of solidarity, they took a magnificent step in support of the hundreds of thousands of Afghani refugees affected by the war that is raging in their country. They signed a petition in a tent that was symbolic of the only shelter available to refugees fleeing violence and persecution.

In this petition, which I shall be handing over to the Prime Minister, the 600 youth members of Amnesty International call for the countries bordering on Afghanistan to open up their borders to those who are fleeing the bombing in that country and for a program to be put in place to support these countries, along with a refugee resettlement program. As well, they wish to see Canada maintain its laws and policies guaranteeing that all refugee claims will undergo a fair and proper examination, regardless of country of origin.

Well done, you young people!

JEAN TANGUAY

Mr. Mauril Bélanger (Ottawa—Vanier, Lib.): Mr. Speaker, on November 2, Bernard Michael Watson, a former teacher at North Bay's Algonquin Secondary School, passed away. I extend my condolences to his family and friends.

Today, a second former Algonquin teacher, Jean Tanguay, was buried as well. I well remember Jean Tanguay, his ever-present bottle of Pepsi and his knowing smile.

Franco-Ontarians will remember Jean from his four years as President of the ACFO, from 1990 to 1994. During those two complete mandates, he worked unceasingly to get RDI broadcast Canada-wide.

He also expended a great deal of effort on obtaining manpower training for Ontario's francophone community.

His other preoccupation was to ensure that Ontario francophones could live and die in French.

The best tribute we could pay to him is to continue his battle to ensure that health services are made available to all Ontario's francophones.

* * *

•(1415)

[English]

WHISTLEBLOWERS

Mr. Gurmant Grewal (Surrey Central, Canadian Alliance): Mr. Speaker, our national security is only as strong as its weakest link. Knowing, exposing and correcting wrongdoings can only strengthen it.

I want to draw attention to those civil servants who, in good faith, have alerted Canadians to corruption, waste, mismanagement and wrongdoing in government departments and who are repaid with harassment and personal and professional ruin. Rather than investigating the wrongdoing they exposed, the government investigates them.

Yesterday, the leading U.S. advocate on whistleblower protection told us during a panel discussion I hosted that Canada lags behind, not only the U.S. but also many other countries. The culture of cover-ups and secrecy in government must end and the protection for whistleblowers must be put on a statutory footing.

I call on the government to heed this call for more accountability and transparency in government operations. When will this arrogant government introduce an effective whistleblowers legislation and perhaps keep one of its red book promises?

* * *

INTERNATIONAL YEAR OF THE VOLUNTEER

Ms. Sophia Leung (Vancouver Kingsway, Lib.): Mr. Speaker, I am proud to have recently presented 10 citizens of Vancouver Kingsway with International Year of the Volunteer Medals. They are: Bernard Bellinger, Bill Chan, Fran Grant, Edmond Lee, Kerr Lin, Harvey and Theresa McAuley, Man Che Tam, Mary Thompson and Roberta Yee.

S. O. 31

Those outstanding individuals have contributed their time and energy to make Vancouver Kingsway a better place to live. They are an example of the best of Canadian society, and I congratulate them on their well deserved honour. I am very proud to have those outstanding Canadians in my riding.

* * *

DEVCO

Mr. Yvon Godin (Acadie—Bathurst, NDP): Mr. Speaker, by mid-December the Devco operated coal mine will close its doors after 26 years of operation.

Since 1975, Devco mine has been one of the most important industries of the north shore of Cape Breton. Prince mine will officially cease coal production this Friday, ending more than 100 years of undersea coal mining on the east coast.

The 500 workers currently employed at Devco mining will soon be left without work. Some of them have spent their entire lives working in the mines, some of them have even lost their lives and others, their health.

Now the government has to take responsibility and make sure these workers, who are left behind, get good jobs in the near future.

To these miners and families, we thank them for all their devotion to the coal mining industry. We wish them the best for the year 2002.

* * *

[Translation]

HISTORY OF CANADA

Mr. Benoît Sauvageau (Repentigny, BQ): Mr. Speaker, the *Heritage Minutes* paid for by the federal government trace an idyllic portrait of Canada's history. But this history has known less glorious moments, such as the burning of the parliament of the united province of Canada in 1849 by a horde of English-speaking Montrealers, the very ones who claimed to be so attached to democratic institutions.

As Normand Lester reports in *Le livre noir du Canada anglais*, these fanatics did not approve of the duly elected government compensating the Quebec victims of the destruction wrought by the army when it put down the rebellions of 1837 and 1838. Yet the people of Ontario were compensated for this same destruction.

The fact that this crime went unpunished has been interpreted by author John Ralston Saul as evidence of the restraint shown by the Canadian government. When the army fired on Acadian deportees, on patriotes, on Metis, on those who opposed conscription, it showed no restraint.

The *Heritage Minutes* presented one side of the coin only.

*Oral Questions**[English]***AECL**

Hon. Charles Caccia (Davenport, Lib.): Mr. Speaker, it is budget time, an opportunity for the government to focus on significant cost saving items such as the annual subsidy to Atomic Energy of Canada Limited. Since its inception, AECL has received over \$16 billion in subsidies. Last year's subsidy was \$156 million.

The original plan of AECL was to sell 10 new nuclear reactors in 10 years. However, there is currently no prospects for nuclear reactor sales.

The auditor general has repeatedly criticized this crown corporation for poor accounting practices because it does not include in its balance sheet the cost of nuclear waste disposal and decommissioning of nuclear power plants.

The government could save a large sum of money by cancelling this subsidy, intended to promote elusive nuclear reactor sales, and invest this sum instead in social, health and environmental programs.

* * *

RIGHTS OF THE CHILD

Mr. Norman Doyle (St. John's East, PC/DR): Mr. Speaker, this week marks the anniversary of the 1959 United Nations Declaration of the Rights of the Child.

At no point in our history has it been more important to speak out clearly on the devastation our planet is wreaking upon its children. Numerous wars in every corner of the world have caused the displacement and death of countless children. Child labour in many parts of the world have robbed children of the fun and innocence of childhood.

In our part of the world poverty and homelessness continue to eat away at the fabric that binds together families with children.

It is the right of children to live in peace, to be cared for, nurtured and educated. It is their right to enjoy a quality of life that we would want for ourselves. We in the House would do well to rededicate ourselves to that end.

ORAL QUESTION PERIOD
*[English]***AIRLINE SAFETY**

Mr. Stockwell Day (Leader of the Opposition, Canadian Alliance): Mr. Speaker, during times of national urgency, it is the role of the federal government to send signals of confidence to its citizens. The government has not done that on any file that it has handled since September 11.

The government gave a very clear indication yesterday that we would see legislation today related to airline security. Somehow during the night someone pulled the plug on that legislation. It is not here today.

Who is the nervous nelly over there? Is it the Prime Minister or is it the minister in charge?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, it might be tomorrow.

Mr. Stockwell Day (Leader of the Opposition, Canadian Alliance): That is very assuring to Canadians, Mr. Speaker.

[Translation]

Will the Prime Minister assure us that we will have the new airline safety bill tomorrow? Yes or no?

[English]

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, surely tomorrow.

Mr. Stockwell Day (Leader of the Opposition, Canadian Alliance): Mr. Speaker, it has been interesting that on the question of air marshals, the minister has said that it is not the Canadian way to have that kind of security.

However, in the same breath they have said there could be CF-18s flying around cities ready to knock down a passenger airline if there is a problem. At the same time they have said that CF-18s will not be equipped to go into Afghanistan.

What is the Canadian way, when it comes to airline security? Will there be air marshals in that bill tomorrow or will there be CF-18s ready to knock down passenger airlines?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, what is very funny is that a few minutes ago his House leader was informed that the bill was to be tabled tomorrow.

Mr. James Moore (Port Moody—Coquitlam—Port Coquitlam, Canadian Alliance): Mr. Speaker, these flippant, arrogant non-answers by the Prime Minister do not instill the confidence that Canadians deserve.

The transport minister gave notice to all parties in this House. The House leader from the government side asked for unanimous consent of all parties in this place to clear the slate so we could have this legislation in the House and we could address the serious issue of transport security legislation.

Why is that not on the table? What happened?

Hon. David Collenette (Minister of Transport, Lib.): Mr. Speaker, far be it for me to speak for the House leader but I understand that he did give notice under the rules to hon. members that a bill may be coming forward today. Unfortunately for a number of reasons that bill will be introduced tomorrow.

What I find ironic is the hon. member was prancing around outside the House announcing on CPAC what is in a bill. He had not even seen the bill. Do you know what, Mr. Speaker? He is wrong.

Mr. James Moore (Port Moody—Coquitlam—Port Coquitlam, Canadian Alliance): Mr. Speaker, I was going on the transport minister's word. I will not make that mistake twice.

Oral Questions

The air industry in this country is in trouble because of the transport minister's actions. Competition is dead in Montreal, Toronto, St. John's and Halifax not because of the Midas touch but the lead touch of the transport minister.

We need leadership from the transport minister. He is not introducing legislation today. There is a long weekend coming up. When is he going to show leadership, table legislation, do something to give confidence to the House and Canadians?

• (1420)

Hon. David Collenette (Minister of Transport, Lib.): Mr. Speaker, the hon. member since September 11 has not looked at the substance of things that we have done.

We have instituted much more rigorous security measures at our airports, security measures that work and are respected by the industry.

I have said on a number of occasions publicly and in the House that there would be amendments to the Aeronautics Act that were planned for next year. We are bringing them forward before Christmas precisely to deal with some of the aspects that have come out of the tragic circumstances of September 11. The bill will be introduced tomorrow. I ask the hon. member to be patient.

* * *

[Translation]

CANADIAN BROADCASTING CORPORATION

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, on November 12, 1995, the Prime Minister stated that the Canadian Broadcasting Corporation had the mandate to promote Canadian unity, not provoke separation.

Some hon. members: Hear, hear.

Mr. Gilles Duceppe: Let them clap, Mr. Speaker, and while they are at it, they should change the name, they should call it "The O Canada Broadcasting Corporation".

How can the Prime Minister who, following the referendum, did not hesitate to rein in the CBC in the name of Canadian unity now refuse to denounce the censorship of which Normand Lester is a victim by claiming that the crown corporation is independent?

Hon. Sheila Copps (Minister of Canadian Heritage, Lib.): Mr. Speaker, I am astounded that the Bloc Quebecois member would expect the government to make decisions regarding staffing at the CBC. If we were ever to interfere in such matters, we would be accused of censorship.

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, my question was for the Prime Minister, not the aspiring prime minister. What I am asking is that they intervene, as they did following the referendum.

Peter Desbarats, an important Canadian journalist, said that if Mr. Normand Lester had penned a book celebrating Canada's history, he would never have been suspended. I would add that, if Normand Lester's book had promoted Canadian unity, he would still be working.

Will the Prime Minister acknowledge that the reason he is refusing to denounce the CBC's treatment of Normand Lester is precisely because what Mr. Lester did does not fit within the mandate of promoting Canadian unity that he would like to impose on CBC?

Hon. Sheila Copps (Minister of Canadian Heritage, Lib.): Mr. Speaker, the member from the Bloc Quebecois wants the Government of Canada to interfere in the CBC's affairs. We do not interfere, nor will we.

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, in the past, the Minister of Canadian Heritage made no bones about the fact that Radio-Canada should promote Canadian unity. Back then, it was not a serious matter. Last week, in the case of the Museum of Civilization, the Prime Minister saw to it that the decision be changed.

Do the Prime Minister and his Minister of Canadian Heritage not realize that their complacent attitude regarding Radio-Canada's decision is tantamount to supporting the suspension of journalist Normand Lester?

Hon. Sheila Copps (Minister of Canadian Heritage, Lib.): Mr. Speaker, the Government of Canada will never get involved in issues relating to the employment of a Radio-Canada employee.

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, we will let those who are listening to our debates assess the quality of the answers provided.

Is Normand Lester's book not a perfect opportunity for the government to settle its accounts with the journalist who exposed the scheme between the government, Robert Guy Scully and the *Heritage Minutes*? Is the government not using Normand Lester's book to finally get at him?

Hon. Sheila Copps (Minister of Canadian Heritage, Lib.): Mr. Speaker, according to its publisher, Normand Lester's book got the support of the Canada Council for the Arts.

Therefore, I am surprised that we would target Mr. Lester's book, considering that, according to his publisher, it received funding.

* * *

• (1425)

[English]

THE ENVIRONMENT

Mr. Bill Blaikie (Winnipeg—Transcona, NDP): Mr. Speaker, my question is for the Prime Minister.

I am sure that many Canadians who want Canada to be an environmentally responsible member of the international community would be concerned that yesterday the Minister of Industry seemed to suggest that Canada is not going to keep its commitments on the Kyoto accord.

I ask the Prime Minister, was the Minister of Industry speaking for the government when he made the suggestion that Canada might not keep its Kyoto commitments, or just who is speaking for the government when it comes to the Kyoto accord?

Oral Questions

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, the government has one policy that we all agree on. We want to and we hope that we will be able to sign the Kyoto agreement. The negotiations are not yet terminated. At the meeting in Bonn we made progress on some elements of it. We made more progress at the meeting in Marrakesh last week.

The question of the export of clean energy has not been concluded yet. We have to consult with the provinces too, but we intend to go through the process. The goal is to sign the Kyoto agreement.

Mr. Bill Blaikie (Winnipeg—Transcona, NDP): Mr. Speaker, could the Prime Minister tell his colleagues, the Minister of the Environment and the Minister of Industry, to sit down together and come up with a program for communicating to industry that it can be competitive and friendly to the environment all at the same time, instead of sustaining the myth that somehow there is a contradiction between keeping our Kyoto commitments and a competitive industry in Canada?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, it is very difficult for me to do better than I am doing right now. They are sitting next to each other in the House of Commons so it is not a big problem for them to communicate.

* * *

ANTI-TERRORISM LEGISLATION

Right Hon. Joe Clark (Calgary Centre, PC/DR): Mr. Speaker, in the name of security the government's amendments to the anti-terrorism bill put the civil rights of Canadians at serious and unnecessary risk. Those parts of the bill are not about Osama bin Laden. They are about shutting down the information commissioner and other officers of parliament.

This is a power grab by the government to limit the power of parliament and to limit the rights of Canadians. Why explicitly does the government not allow the information commissioner to exercise his normal duties?

Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, the right hon. member refers to officers of parliament. Let me read for the House and the right hon. member what one of those officers, the privacy commissioner, said today in a press release in relation to the amendments of yesterday:

All existing privacy rights of Canadians remain fully safeguarded, the oversight role of the Privacy Commissioner remains intact, and even the issuance of certificates is closely circumscribed and subject to judicial review.

He went on to say:

Your action is a great victory for the privacy rights of all Canadians. You have reaffirmed on behalf of the Government of Canada that privacy is a fundamental human right—

Right Hon. Joe Clark (Calgary Centre, PC/DR): Mr. Speaker, it is not encouraging to have another watchdog of parliament muzzled. These provisions are one more example of the culture of secrecy which is the trademark of the government.

The Prime Minister hides his agendas. His office interferes at APEC. He tried to conceal his phone call to the Business Development Corporation. Now the government seeks the power to extend secrecy in the name of international relations, security or defence.

Why did the government ignore the unanimous recommendations of the special Senate committee for an independent oversight committee to protect the rights of Canadians?

Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, let me make it absolutely plain that while we are not creating a new officer of parliament, in relation to oversight I return to what the privacy commissioner said. He is an officer of parliament who in fact believes that we have continued to vindicate privacy as a fundamental human right even in times of gravest crisis.

Far from being secretive in this legislation, I point out to the right hon. member that what we have done through our amendments and in the original legislation is attempt to ensure the highest degree of political accountability and—

The Speaker: The hon. member for Edmonton—Strathcona.

* * *

IMMIGRATION

Mr. Rahim Jaffer (Edmonton—Strathcona, Canadian Alliance): Mr. Speaker, each year about 18,000 people arrive at this nation's airports without documentation. Somehow they get on a plane in another country and yet arrive here without papers and claim refugee status.

If the government ever gets around to air safety legislation, will the minister ensure it has provisions to stop this mysterious cycle of disappearing papers?

● (1430)

Hon. Elinor Caplan (Minister of Citizenship and Immigration, Lib.): Mr. Speaker, we are aware that people arrive in Canada who do not have proper documentation. In fact other countries have the same problem.

Let me quote Ambassador Cellucci. He says that we need to work together overseas even before people get on airplanes. We are not saying that the United States and Canada should not continue to be countries that welcome immigrants, refugees or those seeking asylum. I agree with Ambassador Cellucci.

Mr. Rahim Jaffer (Edmonton—Strathcona, Canadian Alliance): Mr. Speaker, then the minister should agree with the official opposition because that is exactly what we have been saying all along. Not only is the immigration minister risking national security. She is doing incredible damage to Canada's legitimate refugees.

Those who abuse Canada's refugee system bring into question the legitimacy of all refugees. If the government will not include measures in air safety regulations, will the immigration minister immediately announce measures to detain undocumented refugee claimants until their identity and background can be verified?

Oral Questions

Hon. Elinor Caplan (Minister of Citizenship and Immigration, Lib.): Mr. Speaker, Canada is a proud signatory to the Geneva convention of 1951. We have an obligation to offer protection to those who are in genuine need. We know that some people come to Canada without documents. Some of those people are in genuine need of protection and others are not.

It is wrong to acquaint undocumented people with automatically posing any kind of security risk. That is not true. That is why when we have evidence to suggest that someone poses a security risk we can and we do detain them.

* * *

[Translation]

CANADIAN BROADCASTING CORPORATION

Ms. Christiane Gagnon (Québec, BQ): Mr. Speaker, in 1995, a CBC producer took part in the Montreal love-in, held in violation of Quebec's referendum laws, without any repercussions, yet Normand Lester writes a book that has nothing to do with his job and is suspended.

Journalistic ethics alone are not enough to justify the difference in treatment. Does the difference not lie instead in the Corporation's desire to comply with the wishes of the Prime Minister, who complained right after the referendum that it was not defending Canadian unity sufficiently?

Hon. Sheila Copps (Minister of Canadian Heritage, Lib.): No, Mr. Speaker.

Ms. Christiane Gagnon (Québec, BQ): Mr. Speaker, is the problem with Normand Lester not connected to the fact that his somewhat unflattering depictions of John A. Macdonald and Mackenzie King are not consistent with the somewhat watered down version of the Canada Information Office as broadcast by Robert Guy Scully and his *Heritage Minutes*?

Hon. Sheila Copps (Minister of Canadian Heritage, Lib.): No, Mr. Speaker.

* * *

[English]

IMMIGRATION

Mr. Brian Fitzpatrick (Prince Albert, Canadian Alliance): Mr. Speaker, there are reports of an RCMP investigation into corruption charges with the Immigration and Refugee Board.

Could the minister confirm that as part of this investigation the office of the Immigration and Refugee Board commissioner in Montreal has been raided by the RCMP?

Hon. Elinor Caplan (Minister of Citizenship and Immigration, Lib.): Mr. Speaker, I want to be very clear. I take very seriously, as does the government, any allegations of wrongdoing. That is why when there are allegations officers of the RCMP are called in. I would suggest to the hon. member that we let the police do its job and that we let it do it without political interference.

Mr. Brian Fitzpatrick (Prince Albert, Canadian Alliance): Mr. Speaker, another statement of denial from a sad minister. Sources have told the official opposition that the office of the Immigration and Refugee Board commissioner has in fact been raided.

Has an employee been suspended pending the outcome of the RCMP investigation?

Hon. Elinor Caplan (Minister of Citizenship and Immigration, Lib.): Mr. Speaker, the Immigration and Refugee Board is a quasi-judicial independent body. The chair of that board has all the authority necessary to take appropriate action whenever there are suggestions of inappropriate behaviour or in fact wrongdoing.

I would repeat again that it is up to the police to do its job. We should let it do its job without political interference.

* * *

[Translation]

EMPLOYMENT INSURANCE

Mr. Paul Crête (Kamouraska—Rivière-du-Loup—Témiscouata—Les Basques, BQ): Mr. Speaker, the recent closings announced by large paper mills will result in the loss of 5,000 jobs in the softwood lumber industry.

Thousands of workers will be affected in the Abitibi, Saguenay—Lac-Saint-Jean, North Shore, Lower St. Lawrence and Gaspé regions.

The Minister of Human Resources Development has a unanimous report in her hands, and an \$8 billion surplus is anticipated in the employment insurance fund. What more does she need to take action?

• (1435)

[English]

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, we are concerned with these recent announcements and recognize the difficulties they will cause for those who may be facing layoffs.

I can tell the hon. member that we have been in touch with Abitibi specifically and with workers. We want to make sure they have full access to the programs that exist through employment insurance. We anticipate the majority of them will be eligible for benefits and we hope the government of Quebec will be there with their part II dollars that are transferred from this government to assist individuals at this time.

[Translation]

Mr. Paul Crête (Kamouraska—Rivière-du-Loup—Témiscouata—Les Basques, BQ): Mr. Speaker, the minister may play the same tape as much as she wants but a fact remains.

Will the minister admit that when surpluses of \$8 billion are accumulated in an insurance fund for this year alone, and profits total \$44 billion, either the protection provided is inadequate, or else contributions are too high?

[English]

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, the government has never hesitated to make changes and improvements to the employment insurance system.

Oral Questions

I would draw to the attention of the hon. member that just this week the small weeks pilots have become a national part of the employment insurance program to the applause of Canadians across the country, including seasonal workers in the hon. member's riding.

* * *

JUSTICE

Mr. Kevin Sorenson (Crowfoot, Canadian Alliance): Mr. Speaker, Clinton Suzack, a convicted cop killer, after serving only six years of a life sentence, was moved to country club fed where he can golf and fish without being monitored. It is still a prison but a liberal style prison. The sentencing judge believes this was wrong. The Ontario legislature believes this was wrong. Even the Liberal leader from the province of Ontario believes this was wrong.

I have a simple question for the solicitor general. Does he condone such a move? Does he believe this is right or wrong?

Hon. Lawrence MacAulay (Solicitor General of Canada, Lib.): Mr. Speaker, the individual the hon. colleague is speaking about is in a medium security institution. Of course I cannot discuss the specifics of the case. Correctional Service Canada has evaluated his placing. Correctional Service Canada uses research based tools in order to decide where a person is based. It is not a decision made by politicians.

Mr. Kevin Sorenson (Crowfoot, Canadian Alliance): Mr. Speaker, clearly the specifics of this case is that justice is not being served. Killers, especially those who have killed police officers, should be held accountable for their criminal actions, a concept that Correctional Service Canada is ignoring, a concept that the solicitor general has obviously failed to embrace.

Will the solicitor general ensure that justice is served and that the life of constable Joe MacDonald, the Ontario police officer who was murdered in the line of duty, is properly honoured? Will he return Suzack to a maximum security penitentiary where he belongs?

Hon. Lawrence MacAulay (Solicitor General of Canada, Lib.): Mr. Speaker, when individuals are convicted they are evaluated and placed in either maximum, medium or minimum institutions. After they are placed in an institution they are evaluated periodically and placed in the proper institution. That is what took place here.

* * *

ABORIGINAL AFFAIRS

Mr. Nick Discepola (Vaudreuil—Soulanges, Lib.): Mr. Speaker, my question is for the Solicitor General of Canada.

During the past weekend shots were fired at the Kanesatake Mohawk police station and yesterday Grand Chief Gabriel asked the federal and provincial governments for support.

What assurances could the Solicitor General of Canada give Grand Chief Gabriel that peace and public order will be maintained in Kanesatake at all times?

Hon. Lawrence MacAulay (Solicitor General of Canada, Lib.): Mr. Speaker, the government has taken a serious look at Kanesatake. We are working very closely with the province of Quebec and the community. The community has asked us to cover

costs for additional police officers in Kanesatake and I am pleased to say that we are able to cover the federal share.

In addition, we will support any reasonable request for resources that are needed to provide public safety and security in the long term.

* * *

[*Translation*]**EMPLOYMENT INSURANCE**

Mr. Yvon Godin (Acadie—Bathurst, NDP): Mr. Speaker, we learned today that the Liberal government may ignore its commitment to reduce employment insurance contributions by 5 cents, even with an \$8 billion surplus.

In the past, the Minister of Finance clearly indicated that the surplus in the employment insurance fund was now used to balance public finances.

My question is for the Prime Minister. Does he agree with the Minister of Finance or is he prepared to order his Minister of Finance to remove the payroll tax that he has been imposing for years?

● (1440)

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, when we took office, the EI contribution rate for workers was \$3.07. It has been reduced every year since. It is now \$2.25 and we will see what the Minister of Finance will announce in his budget.

* * *

[*English*]**JUSTICE**

Mr. Svend Robinson (Burnaby—Douglas, NDP): Mr. Speaker, my supplementary question is for the Minister of Justice.

Two years ago, after a young law student in Fredericton, New Brunswick was brutally beaten simply because he was gay, the minister promised to add sexual orientation to the criminal laws on hate propaganda and she said that she would do it within months.

After last weekend's brutal murder of Aaron Webster, who was beaten to death by being repeatedly clubbed with a baseball bat, when will the minister finally move to ensure that she adds gays and lesbians to the protections of the hate propaganda section of the criminal code?

Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, the solicitor general and I will be meeting with our provincial and territorial colleagues next week and this is a matter I will take up with them. We had the opportunity to discuss it some time ago but, after consultation with my provincial and territorial colleagues, if there is general agreement to proceed, we will do so.

ANTI-TERRORISM LEGISLATION

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC/DR): Mr. Speaker, yesterday the controversial Bill C-36 received some minor watered down changes including a five year re-enactment clause on police powers, yet the sun will not set on the ability of the minister to hide information from Canadians.

An injection of judicial review for ministerial certificates is eclipsed by the controversial costly process. The Government of Canada still can deny the information for broad and potentially political reasons.

Why is the minister prepared to sunset increased police powers yet stubbornly refuses to subject her own information hiding to the same standards?

Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I can do no better than come back to what the privacy commissioner said in relation to the legislation. He said:

All existing privacy rights of Canadians remain fully safeguarded, the oversight role of the Privacy Commissioner remains intact, and even the issuance of certificates is closely circumscribed and subject to judicial review.

I would like to know what the hon. member's problem is.

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC/DR): Mr. Speaker, it is sad to see that another parliamentary watchdog has been brought to heel just like the ethics counsellor.

Canadians should be alarmed as ministerial certificates will allow the cabinet to clamp down on all forms of government disclosure. Institutional and individual accountability will suffer and this further concentration of executive powers signals even more flouting of transparency and openness.

What evidence does the minister have that the disclosure under access and privacy acts have compromised the security of Canadians or our allies? Is this not more about political protection than protection of Canadians?

Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I find the hon. member's question quite incredible in light of the fact that I do believe the hon. member, last evening at committee, voted in favour of the legislation.

* * *

NATIONAL DEFENCE

Mr. Brian Pallister (Portage—Lisgar, Canadian Alliance): Unbelievably, Mr. Speaker, fully two-thirds of Canada's Hercules transport aircraft are not aircraft at all because they cannot fly. They are grounded.

Yesterday the Minister of National Defence told secretary Donald Rumsfeld in Washington that our troops will be sent "when they are ready". Well they are ready but their aircraft are not and the government over there is to blame.

Is not the real reason we cannot get Operation Apollo off the ground is that we cannot get our transport aircraft off the ground?

Hon. Art Eggleton (Minister of National Defence, Lib.): That is not the case at all, Mr. Speaker. The coalition is attempting to work

Oral Questions

out the details of the operation for the 1,000 person deployment that will go to Afghanistan for humanitarian aid purposes.

We do have aircraft over there that are really quite useful. We have ships over there, so Operation Apollo is in full swing. Canadians are making a contribution to the coalition effort in the fight against terrorism.

• (1445)

Mr. Brian Pallister (Portage—Lisgar, Canadian Alliance): Mr. Speaker, aircraft and ships are fine if aircraft can fly, but the fact of the matter is ours cannot and the government does not seem to get it.

Our air transport fleet is so frail that it took us three tries to reach East Timor with just one plane. It is no secret that the commander of the Canadian task force in Kosovo, colonel Michael Ward, called our airlift portion "near catastrophe".

The fact is the government has not got it yet. The failure to replace Canada's military aging transport aircraft is embarrassing. It is embarrassing to Canadian troops. It is embarrassing to Canada's reputation around the world. It has shown Canada as the weak sister in the coalition against terrorism.

Hon. Art Eggleton (Minister of National Defence, Lib.): Mr. Speaker, we would not use Hercules aircraft to take over the 1,000 men troops in any event.

The hon. member fully misunderstands what the Hercules are used for and what strategic lift is about. We do have airbuses that take our troops over. We need larger aircraft which we have always been able to get before. We have always been able to get our troops over. Our troops have always made a very solid contribution. We should be proud of them, not running them down in the way the opposition does.

* * *

[Translation]

AMATEUR SPORT

Mr. Richard Marceau (Charlesbourg—Jacques-Cartier, BQ): Mr. Speaker, on October 13, 2000, the Secretary of State for Amateur Sport announced with great fanfare that \$1 million would be invested over a five year period to develop national training centres, including \$500,000 for the freestyle skiing centre of Lac Beauport. The Quebec government has already made its contribution. However, despite the commitments of the secretary of state, Ottawa has yet to make its contribution and it is unduly delaying the completion of the Lac Beauport project.

I am asking the Minister of National Revenue what the government is waiting to make its contribution, which still has not been paid one year after the announcement?

Oral Questions

Hon. Martin Cauchon (Minister of National Revenue and Secretary of State (Economic Development Agency of Canada for the Regions of Quebec), Lib.): Mr. Speaker, as is often the case, the Quebec government is making announcements without necessarily having thoroughly examined the issues, leaving it to the Canadian government to later properly assess the situation.

The issue is being examined by both Canada Economic Development and the department responsible for amateur sport. We are reviewing the issue in the global context of Quebec's economic development.

In recent years, we have invested massively to put Quebec in a sound position as regards the new economy, research and development, and job creation.

We will have an answer as soon as the review of this issue is completed.

Mr. Richard Marceau (Charlesbourg—Jacques-Cartier, BQ): Mr. Speaker, let us talk indeed about the circumstances. Oddly enough, the announcement and the promises were made by the secretary of state just before the election campaign. Athletes from Lac Beauport and the Quebec City region are still waiting for the promised money.

What is the government waiting to come up with that money?

Hon. Martin Cauchon (Minister of National Revenue and Secretary of State (Economic Development Agency of Canada for the Regions of Quebec), Lib.): Mr. Speaker, let us do a bit of history here. If my memory serves me right, before a provincial election campaign, the Quebec government announced that more than \$10 million would be earmarked for the Petite-Rivière-Saint-François ski centre. As usual, that commitment was conditional on the participation of the Canadian government.

When we looked at the issue, we realized that not half of the studies had been conducted properly. We worked seriously and took action at the appropriate time. This is what we will do in this case.

* * *

[English]

HIGH TECH INDUSTRY

Mr. Charlie Penson (Peace River, Canadian Alliance): Mr. Speaker, the industry minister is pushing so hard for his billion dollar broadband project that he is making people in the high tech sector very uncomfortable.

High tech players are questioning the minister's tactics, which include having his officials write press releases for them soliciting support for the minister's pet project.

Will the Prime Minister tell his industry minister to stop putting the high tech sector in the middle of this Liberal leadership campaign?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, high tech and new technology have been extremely important for the government. We have managed to be the first big country to have all the schools, universities and libraries connected.

We want to carry on because we want to be competitive. I know the opposition party has no interest in the long term development of Canada.

Mr. Charlie Penson (Peace River, Canadian Alliance): Mr. Speaker, the government is obviously not connecting with the Canadian people.

Last week a Compass poll said that business leaders found the minister's innovation spending proposals very unpopular. A Léger poll reported just yesterday that ordinary Canadians prefer tax cuts to government spending.

Yesterday the Prime Minister intervened in his party's campaign warning leadership hopefuls to back off their campaigns because it was hurting the economics of the Liberal Party. Will he apply the same standard and rein in his industry minister because he is hurting the economy of the country?

• (1450)

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, if I were from the Alliance I would never refer to any polls. We are praying that they have good leadership. Every morning we pray that they will keep the same leader.

* * *

CRIME PREVENTION

Ms. Jean Augustine (Etobicoke—Lakeshore, Lib.): Mr. Speaker, people in my riding of Etobicoke—Lakeshore and across Canada are concerned about crime in their communities.

Could the Minister of Justice inform the House of the measures that she has taken with the national crime strategy and how that strategy is helping communities in Toronto and across Canada?

Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, it was with great pleasure that I visited the riding of the hon. member for Etobicoke—Lakeshore on November 8. I had the opportunity to announce additional funding of \$2.7 million for 65 new grassroots community based crime prevention projects in the province of Ontario.

Let me say that the great strength of our crime prevention initiative is that it is local communities who identify the root causes of crime, identify their resources to fight those root causes and put together plans that we in the federal government working in partnership with local agencies like those in the hon. member's riding and the provinces—

The Speaker: The hon. member for Lanark—Carleton.

* * *

[Translation]

TAX POINT TRANSFERS

Mr. Scott Reid (Lanark—Carleton, Canadian Alliance): Mr. Speaker, on the question of tax point transfers, the Minister of Intergovernmental Affairs once again missed a perfect opportunity to demonstrate that the federal government can be open and flexible.

In hiding behind the equalization increase, the minister tried to dodge the real issue.

Why does he refuse to listen to his fellow Quebecers, who are unanimously demanding the transfer of tax points?

Hon. Stéphane Dion (Minister of Intergovernmental Affairs, Lib.): Mr. Speaker, Quebec tax points are worth 19 cents on each dollar of the combined tax points in Canada. It would not be in the best interest of Quebecers to go this route.

In any case, the Quebec government sheepishly backed down from its idea of holding a referendum on the issue. Quite understandably: it is obviously an absurd proposal.

Mr. Scott Reid (Lanark—Carleton, Canadian Alliance): Mr. Speaker, one has to wonder if the minister would not rather see the Parti Québécois re-elected than have to deal with a federalist government in Quebec pushing for decentralization.

Instead of hampering the efforts of his allies in Quebec, why does he not make a commitment to follow in the footsteps of his Liberal predecessors, who were not afraid to transfer tax points?

Hon. Stéphane Dion (Minister of Intergovernmental Affairs, Lib.): Mr. Speaker, I cannot understand the question; no doubt the member is misinformed about what is happening in Quebec.

It is very likely that we will be discussing these things in the near future with a premier in Quebec City who believes in Canada.

* * *

THE ENVIRONMENT

Mr. Serge Cardin (Sherbrooke, BQ): Mr. Speaker, Quebec has enacted regulations banning the importation of waste material.

As for the Canadian government, starting in 2003, its Environmental Protection Act will allow waste material to be brought into regions such as the Eastern Townships.

Is the Minister of the Environment going to respect Quebec's environmental protection regulations so as to prevent areas like the Eastern Townships from turning into dumping grounds for our neighbours to the South?

Hon. David Anderson (Minister of the Environment, Lib.): Mr. Speaker, I can assure the hon. member that the Canadian legislation will be in line with the new legislation in the province of Quebec. I can see no problem with differences between the federal and the provincial legislation.

[English]

Mr. Rick Laliberte (Churchill River, Lib.): Mr. Speaker, my question is for the Minister of the Environment.

Sumas is an American company that applied for a natural gas fired power plant in the state of Washington. This is very close to Abbotsford, B.C. On February 16 this year the application was denied. However, the company filed a revised application on June 29.

Many British Columbians are still concerned about the potential effects on air quality by the plant. Could the minister tell the House the position of the Sumas 2 power plant?

•(1455)

Hon. David Anderson (Minister of the Environment, Lib.): Mr. Speaker, the Department of the Environment was heavily involved

Oral Questions

from the very beginning in the application of the SE2 proposal. It was in fact the science work done by Environment Canada which led the Washington State Energy Facility Site Evaluation Council to reject the first application and the revised application. Now there is a second application.

I can assure the hon. member that we will continue to oppose that because it increases air quality problems in the Fraser Valley, just as we will continue to oppose other sources of air quality detriment in the valley.

* * *

CANADA 3000

Ms. Val Meredith (South Surrey—White Rock—Langley, PC/DR): Mr. Speaker, when Canada 3000 ceased operations, thousands of Canadians were left with no hope of recouping the money they paid for now worthless tickets. Included in the price of these tickets was a number of federal taxes and fees. These individuals paid taxes for services they never received.

I ask the transport minister, is the government prepared to reimburse the federal taxes and fees for those passengers who are now holding worthless Canada 3000 tickets?

Hon. David Collenette (Minister of Transport, Lib.): Mr. Speaker, as I said before, it was rather regrettable that Canada 3000 went bankrupt. It did leave a lot of people stranded.

Because of the way tickets are purchased under the auspices of tour operators in certain provinces a large number, probably a vast majority, of those people were protected on other carriers. Certainly credit card companies have honoured their obligations. There are not as many people who are out of pocket, but it is rather unfortunate there will be some.

* * *

HEALTH

Ms. Judy Wasylycia-Leis (Winnipeg North Centre, NDP): Mr. Speaker, the government continues to gamble with Canadian lives by obstinately refusing to set a national standard for the reuse of disposable medical devices. The Canadian Infectious Disease Society has just joined the others in calling for national standards. In fact it has said "We believe there is a real danger to the public going on each and every day in Canada".

Since 1994 the Minister of Health, or others in his government, has known about this problem yet has done nothing. When will the health minister stop rolling the dice and introduce a national standard for the reuse of disposable medical devices?

Hon. Allan Rock (Minister of Health, Lib.): Mr. Speaker, the member should know that is squarely within provincial jurisdiction. They are responsible for making sure these devices are used appropriately.

Government Orders

Health Canada has carried out studies to determine the facts. We put those facts in front of the provincial ministers as recently as September when I met them in St. John's for our annual meeting. We told them we expect them to put standards in place that are appropriate. We will insist that they do so, that the provinces do their jobs, as we are doing ours, to protect the health of Canadians.

* * *

[Translation]

HYDROELECTRIC PROJECT

Mr. Gérard Asselin (Charlevoix, BQ): Mr. Speaker, Hydro-Québec plans to build a dam and a hydro-electric power station with an estimated capacity of 526 megawatts on the Toulmoustouc River on the North Shore of the St. Lawrence River in Quebec.

The project should create about 900 jobs at the height of construction, and 255 permanent jobs during the years of operation. But Ottawa has twice postponed the go-ahead for this project.

Does the Minister of the Environment realize that thousands of people are affected by these delays? Does the minister—

The Speaker: The Minister of the Environment.

Hon. David Anderson (Minister of the Environment, Lib.): Mr. Speaker, I thank the hon. member for his question. I concluded that the project was not likely to have a significant negative impact on the environment. I therefore returned the file to the Minister of Fisheries and Oceans, who is responsible for taking the necessary action.

* * *

● (1500)

[English]

SOFTWOOD LUMBER

Mr. John Duncan (Vancouver Island North, Canadian Alliance): Mr. Speaker, over the last five months the provinces have been meeting with the U.S. department of commerce on the softwood lumber dispute. The provinces have done all the talking and the U.S. has done all the listening. Our bargaining position is completely unequal, contrary to commitments made by the U.S. at the WTO talks last week on countervail and anti-dumping.

When will the minister insist that it is time for the U.S. to start talking, rather than Canada doing all the talking?

Hon. Pierre Pettigrew (Minister for International Trade, Lib.): Mr. Speaker, I must say that I followed very closely the discussions that were held in Washington last week. I was very pleased when the British Columbia government decided to push back from the table where international trade was co-ordinating. I was very pleased that the following day the Quebec government's proposition was very well received by the Americans. Progress is being made.

I will be very happy in the next three days to be in British Columbia. We will continue to work as a Canadian team vis-à-vis the Americans.

* * *

ANTI-TERRORISM LEGISLATION

Mr. Bill Casey (Cumberland—Colchester, PC/DR): Mr. Speaker, a few minutes ago the Prime Minister said that the Minister of the

Environment and the Minister of Industry are sitting together so they can communicate well. I wonder if he could say the same thing for the Minister of Foreign Affairs and the attorney general who also sit together.

Last night the attorney general amended Bill C-36 to include annual reports. Would she lean over and explain to the Minister of Foreign Affairs why annual reports are good and why he should apply the same amendment to Bill C-35?

Hon. John Manley (Minister of Foreign Affairs, Lib.): Mr. Speaker, first I want to say what a pleasure it is to sit beside the Minister of Justice and Attorney General of Canada.

The amendments that she proposed to Bill C-36 were not only very helpful in securing parliamentary passage of her legislation but also help us in our campaign against terrorism which we are trying to pursue with our allies and with our coalition partners around the world.

* * *

PRESENCE IN GALLERY

The Speaker: I would like to draw to the attention of hon. members the presence in the gallery of a group of distinguished Canadian craft artists who have over the years received the Saidye Bronfman Award for excellence which, this year, celebrates its 25th anniversary.

Some hon. members: Hear, hear.

GOVERNMENT ORDERS

[Translation]

CANADA NATIONAL MARINE CONSERVATION AREAS ACT

The House resumed from November 20 consideration of the motion that Bill C-10, an act respecting the national marine conservation areas of Canada, be read the third time and passed; and of the amendment and the amendment to the amendment.

The Speaker: It being 3.00 p.m., the House will now proceed to the taking of the deferred recorded division on the amendment to the amendment and the amendment to the motion at third reading stage of Bill C-10.

Call in the members.

● (1510)

(The House divided on the amendment to the amendment, which was negated on the following division:)

*(Division No. 172)***YEAS**

Members

Ablonczy
Asselin
Bellehumeur
Bergeron
Bourgeois
Brien
Cardin

Anderson (Cypress Hills—Grasslands)
Bailey
Benoit
Bigras
Breitkreuz
Cadman
Casson

Chatters
Dalphond-Guiral
Desrochers
Duceppe
Epp
Forseth
Gagnon (Champlain)
Gauthier
Grewal
Harris
Hinton
Kenney (Calgary Southeast)
Lalonde
Lebel
Martin (Esquimalt—Juan de Fuca)
Merrifield
Moore
Pallister
Penson
Picard (Drummond)
Reid (Lanark—Carleton)
Ritz
Roy
Schmidt
Solberg
Spencer
Toews
Vellacott
Williams

Crête
Day
Dubé
Duncan
Fitzpatrick
Gagnon (Québec)
Gallant
Girard-Bujold
Guay
Hilstrom
Jaffer
Laframboise
Lanctôt
Marceau
Ménard
Mills (Red Deer)
Obhrai
Paquette
Perron
Rajotte
Reynolds
Rocheleau
Sauvageau
Skelton
Sorenson
St-Hilaire
Tremblay (Lac-Saint-Jean—Saguenay)
Venne
Yelich— 72

NAYS

Members

Adams
Allard
Assad
Augustine
Bagnell
Barnes
Bélair
Bennett
Bevilacqua
Blaikie
Bonin
Borotsik
Bradshaw
Bulte
Calder
Caplan
Casey
Catterall
Chamberlain
Chrétien
Comartin
Coppes
Davies
DeVillers
Dion
Doyle
Drouin
Duplain
Eyking
Fontana
Gagliano
Godin
Graham
Harvard
Hill (Prince George—Peace River)
Ianno
Jennings
Karetak-Lindell
Keddy (South Shore)
Kilgour (Edmonton Southeast)
Kraft Sloan
Lastewka
LeBlanc
Leung
Lincoln
MacAulay
Macklin
Malhi
Marcil
Marleau

Alcock
Anderson (Victoria)
Assadourian
Bachand (Richmond—Arthabaska)
Baker
Beaumier
Bélangier
Bertrand
Binet
Blondin-Andrew
Bonwick
Boudria
Brown
Caccia
Cannis
Carroll
Castonguay
Cauchon
Charbonneau
Clark
Comuzzi
Cotler
Desjarlais
Dhaliwal
Discepola
Dromisky
Duhamel
Eggleton
Finlay
Fry
Godfrey
Goodale
Harb
Harvey
Hubbard
Jackson
Jordan
Karygiannis
Keys
Knutson
Laliberte
Lavigne
Lee
Lill
Longfield
MacKay (Pictou—Antigonish—Guysborough)
Mahoney
Maloney
Mark
Martin (Winnipeg Centre)

Government Orders

Matthews
McGuire
McLellan
Meredith
Minna
Murphy
Nault
O'Brien (London—Fanshawe)
Owen
Pankiw
Parrish
Peric
Pettigrew
Pickard (Chatham—Kent Essex)
Pratt
Proulx
Redman
Richardson
Robinson
Saada
Scherrer
Serré
Shepherd
St-Jacques
St. Denis
Szabo
Thibault (West Nova)
Thompson (New Brunswick Southwest)
Tobin
Torsney
Valeri
Volpe
Wayne
Wood— 167

McCallum
McKay (Scarborough East)
McTeague
Mills (Toronto—Danforth)
Mitchell
Myers
Normand
O'Reilly
Pagtakhan
Paradis
Petry
Peterson
Phinney
Pillitteri
Price
Provenzano
Regan
Robillard
Rock
Savoy
Scott
Sgro
Speller
St-Julien
Stewart
Telegdi
Thibault (Saint-Lambert)
Tirabassi
Tonks
Ur
Vanclief
Wasylycia-Leis
Whelan

PAIRED

Members

Bachand (Saint-Jean)
Easter
Galloway
Loubier
McCormick
Tremblay (Rimouski-Neigette-et-la Mitis)

Collenette
Fournier
Guimond
Manley
Plamondon
Wappel— 12

The Speaker: I declare the amendment to the amendment lost.

[English]

Ms. Marlene Catterall: Mr. Speaker, I rise on a point of order. There have been consultations among the parties and I think you would find consent in the House that the vote just taken on the amendment to the amendment be applied to the amendment.

The Speaker: Is there unanimous consent to proceed in this way?

Some hon. members: Agreed.

(The House divided on the amendment, which was negated on the following division:)

(Division No. 173)

YEAS

Members

Ablonczy
Asselin
Bellehumeur
Bergeron
Bourgeois
Brien
Cardin
Chatters
Dalphond-Guiral
Desrochers
Duceppe
Epp
Forseth
Gagnon (Champlain)
Gauthier

Anderson (Cypress Hills—Grasslands)
Bailey
Benoit
Bigras
Breitkreuz
Cadman
Casson
Crête
Day
Dubé
Duncan
Fitzpatrick
Gagnon (Québec)
Gallant
Girard-Bujold

Speaker's Ruling

Grewal
Harris
Hinton
Kenney (Calgary Southeast)
Lalonde
Lebel
Martin (Esquimalt—Juan de Fuca)
Merrifield
Moore
Pallister
Penson
Picard (Drummond)
Reid (Lanark—Carleton)
Ritz
Roy
Schmidt
Solberg
Spencer
Toews
Vellacott
Williams

Guay
Hilstrom
Jaffer
Laframboise
Lancôt
Marceau
Ménard
Mills (Red Deer)
Obhrai
Paquette
Perron
Rajotte
Reynolds
Rocheleau
Sauvageau
Skelton
Sorenson
St-Hilaire
Tremblay (Lac-Saint-Jean—Saguenay)
Venne
Yelich— 72

Owen
Pankiw
Parrish
Peric
Pettigrew
Pickard (Chatham—Kent Essex)
Pratt
Proulx
Redman
Richardson
Robinson
Saada
Scherrer
Serré
Shepherd
St-Jacques
St. Denis
Szabo
Thibault (West Nova)
Thompson (New Brunswick Southwest)
Tobin
Torsney
Valeri
Volpe
Wayne
Wood— 167

Pagtakhan
Paradis
Patry
Peterson
Phinney
Pillitteri
Price
Provenzano
Regan
Robillard
Rock
Savoy
Scott
Sgro
Speller
St-Julien
Stewart
Telegdi
Thibeault (Saint-Lambert)
Tirabassi
Tonks
Ur
Vanclief
Wasylcia-Leis
Whelan

NAYS

Members

Adams
Allard
Assad
Augustine
Bagnell
Barnes
Bélair
Bennett
Bevilacqua
Blaikie
Bonin
Borotsik
Bradshaw
Bulte
Calder
Caplan
Casey
Catterall
Chamberlain
Chrétien
Comartin
Coppes
Davies
DeVillers
Dion
Doyle
Drouin
Duplain
Eyking
Fontana
Gagliano
Godin
Graham
Harvard
Hill (Prince George—Peace River)
Ianno
Jennings
Karetak-Lindell
Keddy (South Shore)
Kilgour (Edmonton Southeast)
Kraft Sloan
Lastewka
LeBlanc
Leung
Lincoln
MacAulay
Macklin
Malhi
Marcil
Marleau
Matthews
McGuire
McLellan
Meredith
Minna
Murphy
Nault
O'Brien (London—Fanshawe)

Alcock
Anderson (Victoria)
Assadourian
Bachand (Richmond—Arthabaska)
Baker
Beaumier
Bélangier
Bertrand
Binet
Blondin-Andrew
Bonwick
Boudria
Brown
Caccia
Cannis
Carroll
Castonguay
Cauchon
Charbonneau
Clark
Comuzzi
Cotler
Desjarlais
Dhaliwal
Discepola
Dromisky
Duhamel
Eggleton
Finlay
Fry
Godfrey
Goodale
Harb
Harvey
Hubbard
Jackson
Jordan
Karygiannis
Keys
Knutson
Laliberte
Lavigne
Lee
Lill
Longfield
MacKay (Pictou—Antigonish—Guysborough)
Mahoney
Maloney
Mark
Martin (Winnipeg Centre)
McCallum
McKay (Scarborough East)
McTeague
Mills (Toronto—Danforth)
Mitchell
Myers
Normand
O'Reilly

PAIRED

Members

Bachand (Saint-Jean)
Easter
Galloway
Loubier
McCormick
Tremblay (Rimouski-Neigette-et-la Mitis)

Collette
Fournier
Guimond
Manly
Plamondon
Wappel— 12

The Speaker: I declare the amendment lost.

* * *

● (1515)

PRIVILEGE

FIREARMS ACT—SPEAKER'S RULING

The Speaker: I am now prepared to rule on the question of privilege raised by the hon. member for Surrey Central on October 30 concerning the failure of the Minister of Justice to table her reasons for making certain regulations under the Firearms Act.

[*Translation*]

I would like to thank the hon. member for Surrey Central for having drawn this matter to the attention of the House as well as the government House leader and the hon. member for Yorkton—Melville for their contributions on this point.

[*English*]

The hon. member for Surrey Central claims that in ignoring her obligations under the Firearms Act when making regulations the minister has breached the privileges of the House.

I should point out to hon. members the Firearms Act provides that where the minister is of the opinion that the ordinary regulatory process in section 118 should not be followed she may in cases specified by the law proceed directly to the making of new regulations or to the modification of existing regulations. However in such cases the minister is required by subsection 119(4) of the act to table in both houses a statement of her reasons for so doing.

The hon. member for Surrey Central drew to the attention of the House 16 cases between September 16, 1998, and December 13, 2000, where the minister made use of this exceptional power but failed to table the required documents in the House. He argued that although no deadline is specified in the Firearms Act it is surely unreasonable for the House to be kept waiting for up to three years for the tabling of the minister's reasons.

[Translation]

I draw to the attention of hon. members the fact that the minister tabled the 16 statements of reasons, along with an additional such statement concerning a subsequent regulatory change, on November 5, 2001.

[English]

As Speaker this case causes me some difficulty. In declining to include a reporting deadline in the statute, parliament has provided the minister with some latitude in fulfilling the requirement to table reasons. It would not be appropriate for the Speaker to impose such a deadline and so substitute his judgment for the decision of parliament, much as he might enjoy doing so.

Nevertheless the Chair appreciates that the hon. member has a grievance, one that appears to be entirely legitimate. The alacrity with which the minister was able to fulfill her statutory obligations following the raising of this question lends some credence to the member's claim that the delay in presenting these documents has been unreasonable.

[Translation]

Speaker Fraser in delivering a ruling on a related question stated the following on April 19, 1993, p. 18105 of *Hansard*:

I am not making any of these comments in any personal sense and members will understand that but there are people in departments who know these rules and are supposed to ensure that they are carried out.

[English]

In the case before us, the legislation drafted by the justice department contained from the outset the provisions obliging the minister to table in parliament reasons why section 118 should not apply for certain regulations. Furthermore, in the orders in council relating to each case, a standard paragraph is included which reads as follows:

And whereas the Minister of Justice will, in accordance with subsection 119(4) of the Firearms Act, have a statement of the reasons why she formed that opinion laid before each House of Parliament;

Therefore, Her Excellency, the Governor General in Council, on the recommendation of the Minister of Justice, pursuant to paragraph X of the Firearms Act, hereby makes the annexed regulations—

The Chair must conclude from this evidence that far from being an arcane technicality cloaked in some dusty statute or other, the requirement for tabling of reasons is not only perfectly clear in the legislation but is invoked as an integral part of each such order in council. All the more reason, it seems to me, for the department to comply readily with the requirement given a modicum of efficiency in advising the minister.

In the case before us, when the missing documents were finally tabled several sets of supporting documents tabled by the minister lacked the privy council document which provides an easy link to

Routine Proceedings

the regulations cited by the hon. member for Surrey Central. In the case of the material relating to P.C. 2000-1783, and I cite Journals of November 5, 2001 at page 794, the privy council document was provided in only one official language.

Strictly speaking, these defects do not negate the minister's fulfillment of her statutory obligation, but they do point to a carelessness that appears to be characteristic of the way in which these matters are being handled by the officials in her department.

Were there to be a deadline for tabling included in the legislation, I would not hesitate to find that a prima facie case of contempt does exist and I would invite the hon. member to move the usual motion. However, given that no such deadline is specified, I can only find that a legitimate grievance has been identified.

I would encourage the hon. Minister of Justice to exhort her officials henceforth to demonstrate due diligence in complying with these and any other statutory requirements adopted by parliament. I look forward in future to the House being provided with documents required by law in a timely manner.

In closing, I would like to commend the hon. member for Surrey Central for having drawn this serious matter to the attention of the House. I might also remind all hon. members that the study of departmental estimates in committee offers an excellent opportunity to hold ministers and their officials accountable, not only for departmental policy and programs but also for their all important relations with parliament, including their compliance with these sorts of requirements laid down in the laws that we pass in this place.

ROUTINE PROCEEDINGS

● (1520)

[English]

GOVERNMENT RESPONSE TO PETITIONS

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

* * *

COMMITTEES OF THE HOUSE

FOREIGN AFFAIRS AND INTERNATIONAL TRADE

Mr. Bill Graham (Toronto Centre—Rosedale, Lib.): Mr. Speaker, I have the honour to present, in both official languages, the 12th report of the Standing Committee on Foreign Affairs and International Trade on the subject matter of Bill C-35, an act to amend the Foreign Missions and International Organizations Act.

* * *

VERBAL ABUSE PREVENTION WEEK ACT

Mr. Shawn Murphy (Hillsborough, Lib.) moved for leave to introduce Bill C-414, an act to establish verbal abuse prevention week.

Routine Proceedings

He said: Mr. Speaker, I rise today to introduce my private member's bill which will establish the first week of every October as verbal abuse prevention week.

Verbal abuse is a national problem and is present within all our communities. It exists in our schools, in our workplaces and even in our homes.

My hope is that the bill will serve to raise awareness and promote education about the negative consequences of verbal abuse.

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

* * *

● (1525)

[*Translation*]

PETITIONS

SEXUAL ASSAULTS AGAINST CHILDREN

Ms. Jocelyne Girard-Bujold (Jonquière, BQ): Mr. Speaker, I am pleased to table in the House today a petition signed by 472 people, adding to the 40,000 signatures that I have already tabled.

I would like to emphasize that most of the petitioners are between 10 and 15 years old. They ask the government to get tougher with people convicted of sexual assaults against children.

The petitioners are telling this parliament that it is time to act and to give sentences of up to two years for a first conviction and up to five years more for repeat offences.

My private member bill on that problem has been chosen and I will appear before the Standing Committee on Private members' business this afternoon to convince them to make it votable.

It is with a lot of emotion that I table this petition.

[*English*]

MILITARY ACTION

Mr. Svend Robinson (Burnaby—Douglas, NDP): Mr. Speaker, I have the honour to present two petitions this afternoon. The first petition is signed by several hundred petitioners. It was collected by Joan Russow in the context of a major peace rally on October 13.

The petitioners note that they are deeply concerned that terrorism in all its forms has resulted in the tragic loss of civilian lives, in racism and in societal disintegration and that military intervention in Afghanistan is aggravating the current situation.

Therefore, they call upon the Canadian government to respect international law and justice and not support military action in any form.

FREE TRADE AREA OF THE AMERICAS

Mr. Svend Robinson (Burnaby—Douglas, NDP): Mr. Speaker, the second petition I have the honour of presenting is signed by several hundred residents of my constituency of Burnaby—Douglas and other residents in British Columbia on the subject of the proposed free trade area of the Americas.

The petitioners note that the Liberal government conducted secret negotiations on the proposed FTAA and refused to make public the texts that are the basis for the negotiations.

They note that the proposed FTAA would effectively extend NAFTA to the hemisphere and, further, that the proposed FTAA would block the ability of governments to create or maintain laws, standards and regulations to provide universal public education and health care and to protect the safety and well-being of their citizens and the environment.

Therefore, the petitioners request that all texts that are the basis of the negotiations immediately be made public, that any trade deals be rejected, including the proposed FTAA which would preserve NAFTA style provisions that put the rights of corporations and investors ahead of the rights of citizens and governments.

Finally, the petitioners call upon parliament to adopt a new approach to globalization that places social, economic and ecological justice above the profits of multinational corporations and establishes an alternative rules based system that promotes and protects the rights of workers and the environment, respects cultural diversity and ensures the ability of all governments to act in the public interest.

* * *

KIDNEY DISEASE

Mr. Peter Adams (Peterborough, Lib.): Mr. Speaker, I rise to present a petition from citizens of the Peterborough area who are concerned about kidney disease. They believe that a change in the name of our national institute devoted to kidney disease would be valuable in the furthering of their cause.

They know that the Institute of Nutrition, Metabolism and Diabetes does wonderful research in relation to diet, digestion, excretion and metabolism. They know that it works on a wide variety of conditions and problems associated with hormone, digestive system, kidney and liver functions. They believe it would be valuable if the word kidney were included in the title of this institution.

The petitioners call upon parliament to encourage the Canadian Institutes of Health Research to explicitly include kidney research as one of the institutes in its system, to be named the institute of kidney and urinary tract diseases.

MILITARY ACTION

Mr. Peter Adams (Peterborough, Lib.): Mr. Speaker, I have a petition from citizens of Peterborough who are concerned about the war in Afghanistan.

The petitioners call upon the Parliament of Canada to put on hold any military action and urgently request the U.S. and Great Britain to place a moratorium on military action against Afghanistan and ask the United Nations to enter into negotiations to allow emergency UN relief aid to be distributed to the suffering people of Afghanistan.

Routine Proceedings

• (1530)

QUESTIONS ON THE ORDER PAPER

Mr. Geoff Regan (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, the following questions will be answered today: Nos. 74, 76 and 77.

[Text]

Question No. 74—**Mr. John Williams:**

For each of the following items listed on pages 10.7 and 10.8 of volume II, part II of the Public Accounts of Canada 2000-2001, under the rubric "Miscellaneous disbursements" under Payments of Claims Against the Crown—Department of National Defence, namely, (1) Centennial College, \$55,272, (2) Mistik Management, \$180,000, (3) Shanwick Air, \$227,582, (4) TSL Aerospace Technologies, \$4,150: (a) what occurred that resulted in a claim against the crown; (b) how many people were involved; (c) when did the activities take place that led to the disbursement; (d) where did the activities take place that led to the disbursement; and (e) were charges laid that led to the disbursement?

Hon. Art Eggleton (Minister of National Defence, Lib.):

Centennial College, \$55,272.00: (a) This claim was initiated to recover the additional expenses incurred by Centennial College for wages as a result of a breach of agreement between Centennial College and DND; (b) approximately 12 people; (c) September 1999; (d) Canadian Forces Base Borden and Barrie, Ontario; (e) no.

Mistik Management, \$180,000.30: (a) Mistik Management alleges that Canadian Forces Base Cold Lake was negligent and, as a result, a fire at the Primrose Lake weapons range destroyed \$221,150.50 worth of wood; (b) unknown; (c) 13 May 1993; (d) Canadian Forces Base Cold Lake, Alberta; (e) no.

Shanwick Air (\$227,582.00): Litigation was initiated by Civil Aviation Authority, United Kingdom, seeking financial compensation for En Route navigation service charges for the period 22 January 1992 to 4 December 2000 inclusive. Consistent with section 13(1) of the Access to Information Act, details cannot be released as they are the result of a negotiated settlement that contains a confidentiality clause, international relations.

TSL Aerospace Technologies, \$4,150.00: (a) cancellation of contract for the provision of T-33 (T-Bird) Nose Wheel Assemblies; (b) unknown; (c) a notice of termination of the contract was issued on 8 June 1998; (d) Public Works and Government Services, Hull, Quebec; (e) no.

Question No. 76—**Mr. John Williams:**

For each of the following items listed on page 10.7 of the Public Accounts of Canada 2000-2001, under the rubric "Department of National Defence, Damage to Personal Property" under Payments of Claims Against the Crown, namely, (1) Bell Canada, \$8,193, (2) Birch Hill Construction Ltd., \$24,842, (3) Corp. of the Township of Atikak, \$25,000, (4) Discount Car and Truck Rentals, \$21,057, (5) Enterprise Rent-A-Car, \$3,972, (6) Fisheries and Oceans Canada, \$594,727, (7) Linketter Hotel, \$10,000, (8) National Car Rental, \$1,105, (9) TD Bank, \$3,528, (10) Thrifty Car Rental, \$4,911, (11) Thrifty Locations Auto, \$12,607, (12) Township of the Front of Escott, \$89,000: (a) when did the events happen; (b) what was generally damaged or destroyed; (c) which damaged and/or destroyed items were replaced; (d) how many people were involved; (e) were those involved reprimanded and/or terminated; and (f) was the incident reported to any police force, including military police?

Hon. Art Eggleton (Minister of National Defence, Lib.): Bell Canada, \$8,193: (a) 30 July 1999 and 7 September 1999; (b) Bell Canada equipment, note: This payment represents two different incidents, one at Canadian Forces Base Trenton and the other at Canadian Forces Base Valcartier. Total cost of repairs for both

incidents has been lowered and is now estimated at \$5,216.22; (c) DND paid for the cost of repairs to the damaged equipment; (d) unknown; (e) no; (f) yes, to the military police.

Birch Hill Construction Ltd., (\$24,842): (a) During fiscal year 2000-01, over training season; (b) heavy duty equipment, i.e. excavator, large dump trucks, et cetera; (c) \$24,842.00 represents the total amount paid on behalf of Canadian Forces Base Gagetown for the repairs of the heavy duty equipment rented from Birch Hill Construction; (d) unknown; (e) no; (f) no.

Corp. of the Township of Atikak, \$25,000: (a) 13 May 1999; (b) the airstrip was damaged by a Canadian forces aircraft, CC130 Hercules performing practice landings and take offs; (c) the cost of necessary repairs, including resurfacing of damage area, was submitted for payment; (d) unknown; (e) no; (f) no.

Discount Car and Truck Rentals, \$21,057;

Enterprise Rent-a-Car, \$3,972;

National Car Rental, \$1,105;

Thrifty Car Rental, \$4,911;

Thrifty Locations Auto, \$12,607.

The above list represents a summary of various claims for damage to vehicles rented by National Defence at different locations across the country during the 2000-01 fiscal year. Since DND is self-insured, the department is liable to pay for damage to vehicles rented under a Public Works and Government Services standard offer agreement. The larger amounts represent a roll up of a number of smaller claims. As the department is subject to the regulatory regimes in place for vehicles in the provinces, any incidents requiring police involvement would have been reported accordingly.

Fisheries and Oceans Canada, \$594,727: (a) March 1985; (b) breach of contract. This case had to do with contractual relations between Navimex and Her Majesty the Queen, through Fisheries and Oceans Canada. The contract pertained to the transportation of goods to Thule in Greenland; (c) company sued the crown for loss of profit and transportation costs for the movement of goods from Montreal to Thule and loss of profit generated by possible transportation of additional goods to Thule and from Thule back to Montreal; (d) unknown; (e) not applicable; (f) no.

Linketter Hotel, \$10,000: (a) 27-31 August 2000; (b) loss of income, accommodation and meal due to last minute change in the number of participants at the Atlantic Region Cadet Tattoo 2000; (c) financial compensation was negotiated to address part of the Linketter Hotel's lost revenues; (d) approximately 200 cadets who were to participate in the Atlantic Region Cadet Tattoo 2000; (e) yes. Regional Cadet Organizations were advised to exercise increased prudence in activities involving contracts of this nature; (f) no.

Routine Proceedings

TD Bank, \$3,528: (a) 5 June 2000; (b) damage to overhanging roof by unauthorized DND driver; (c) the TD Bank arranged for the repairs to the roof. Invoice submitted to DND; (d) one; (e) yes. Member had to reimburse the payment made by the department; (f) yes. CFB Petawawa military police investigated and filed a report.

Township of the Front of Escott, \$89,000: (a) 2 November 1999; (b) various secondary roads damaged during a military exercise using heavy military vehicles; (c) local contractors were hired to repair the damaged roads; (d) approximately 50 military members; (e) a summary investigation, lessons learned, was conducted to prevent future incidents; (f) no.

Question No. 77—Mr. Howard Hilstrom:

Concerning the breakwater at the mouth of the Red River: (a) what is the government's position as to the role that the retaining walls of the breakwater play with respect to dredging activities on the river; (b) does the government have any plans to demolish them; and (c) if so, will the government delay any such plans until the International Coalition for Land and Water Stewardship has completed its review of the physical and economic implications of dredging on the Red River?

Hon. Herb Dhaliwal (Minister of Fisheries and Oceans, Lib.): (a) In the mid-1990's the federal government's program review exercise concluded that the Canadian Coast Guard's CCG dredging program in commercial channels was a non-core activity. The government's decision to withdraw from dredging was also based in part on the 1995 recommendation of the Standing Committee on Transport. This decision was made on a national level and applies to waterways across the country. Accordingly, the CCG is not funded to provide maintenance dredging in commercial channels except in the international waterways of the Great Lakes where Canada has a commitment to the United States. As part of the withdrawal of dredging services on the Red River, the CCG is reviewing the options regarding the two river retaining walls at the mouth of the river.

(b) The Department of Fisheries and Oceans is responsible for the two river retaining walls at the mouth of the Red River. These structures were built to help reduce the rate of sedimentation in the shipping channel. The retaining walls are in a deteriorated condition and are at risk of becoming a hazard to navigation. The department is examining the possibility of removing the structures or part of the structures in the interest of safety. An environmental assessment of this proposal is underway. The department has also undertaken a study to identify the impact that removing the walls would have on the habitat of fish species living in the vicinity of the wall. The study will also identify mitigation measures.

(c) The Department of Fisheries and Oceans is considering divesting a number of its marine structures where interested parties can be identified. Divestiture of the retaining walls in the Red River could be an option to their removal, if there is interest. This possibility will be examined before a decision is made to remove the walls.

* * *

[English]

QUESTIONS PASSED AS ORDERS FOR RETURNS

Mr. Geoff Regan (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, if

Questions Nos. 34 and 75 could be made orders for return, the returns would be tabled immediately.

The Speaker: Is that agreed?

Some hon. members: Agreed.

[Text]

Question No. 34—Mr. John Williams:

For the following categories of items purchased either by Public Works and Government Services Canada for departments, agencies and crown corporations, or by the individual department, agency or crown corporation in fiscal years 1998-99 and 1999-2000, namely, (1) teapots, (2) televisions, (3) briefcases, (4) umbrellas, (5) sewing machines, (6) microwaves, (7) flatware, (8) clothes hangers, (9) wine glasses, (10) cameras, both regular and digital, (11) golf balls, (12) golf tees, (13) beverages, alcoholic, (14) jams, jellies and preserves, (15) land mines, (16) games, toys and wheeled goods, (17) phonograph records, (18) perfumes, toilet preparations and powders, (19) nuclear bombs, (20) nuclear components, (21) nuclear demolition and depth charges, (22) nuclear projectiles, (23) nuclear reactors, (24) nuclear rockets, warheads and warhead sections: (a) by department, agency or crown corporation, how many in each category were purchased; (b) what was the total cost spent by either Public Works and Government Services Canada or another department, agency or crown corporation on each category?

Return tabled.

Question No. 75—Mr. John Williams

For each of the following items listed on page 3.25 of volume II, part II, of the Public Accounts of Canada 2000-2001, under the rubric "Losses of Public Property Due to an Offence or Other Illegal Act" for the Department of National Defence, namely, (1) 384 cases of "theft of military kit" totalling \$117,596, (2) 15 cases of "theft of transportation equipment" totalling \$34,373, (3) 5 cases of "theft of construction engineering equipment" totalling \$11,386, (4) 15 cases of "theft of military specific equipment" totalling \$1,822, (5) 26 cases of "theft of non-military specific equipment" totalling \$5,342: (a) what was stolen; (b) what was the value of each individual item; (c) where was the location of the theft; and (d) were there any charges laid?

Return tabled.

[English]

Mr. Geoff Regan: Mr. Speaker, I ask that the remaining questions be allowed to stand.

The Speaker: Is that agreed?

Some hon. members: Agreed.

* * *

MOTIONS FOR PAPERS

Mr. Geoff Regan (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I would ask that all Notices of Motions for the Production of Papers be allowed to stand.

The Speaker: Is it agreed that the remaining Notices of Motions for the Production of Papers stand?

Some hon. members: Agreed.

The Speaker: I wish to inform the House that because of the deferred recorded divisions government orders will be extended by 11 minutes.

GOVERNMENT ORDERS

[English]

CANADA NATIONAL MARINE CONSERVATION AREAS ACT

The House resumed consideration of the motion that Bill C-10, an act respecting the national marine conservation areas of Canada, be read the third time and passed.

Ms. Sarmite Bulte (Parliamentary Secretary to the Minister of Canadian Heritage, Lib.): Mr. Speaker, I am pleased to rise on the third reading stage of Bill C-10. I am sure members will admit that it has taken a long time for us to finally get to this stage. In fact, we started third reading stage of Bill C-10 a week before the recess and unfortunately we were unable to conclude it at that time. An amendment was proposed to the motion, along with a subamendment.

I would like to thank all members of the committee for their participation at report stage and for their amendments, because I think members should realize that by the time the House got to third reading of Bill C-10 substantial amendments had been made. There were 25 amendments proposed by the government and only one of those was ruled out of order. The rest of the amendments echoed the concerns of members from all parties and also of witnesses because they were working together to make this legislation the best legislation possible.

It is important for everyone to realize what the history of Bill C-10 is. If we look at its legislative history, we find that the first marine policy was established way back in 1986. That was the first time the thought of where we are today actually came about. It was not until 1994 that the national marine conservation areas policy was established, in consultation with Parks Canada, which would take a role in ensuring that the marine conservation areas actually would come about and would manage them.

In 1995 the marine system plan, "Sea to Sea to Sea", was released. This document described the 29 natural marine regions of Canada and the status of planning work to identify potential national marine conservation areas. It is very important to understand that these 29 regions are representative by the fact of science itself. This was work done with scientists to establish these 29—

The Acting Speaker (Mr. Bélair): I am sorry to interrupt the parliamentary secretary but I have been advised by the Table that she has already spoken on the bill. Unfortunately she cannot do it twice.

[Translation]

Ms. Christiane Gagnon (Québec, BQ): Mr. Speaker, I will be brief. I wish to indicate that we will vote against this bill because it encroaches on provincial jurisdictions since it would require that provinces transfer their submerged lands to the federal government for the establishment of marine conservation areas.

It is one of the main irritants, and the Bloc Québécois had proposed an amendment to correct it. Quebec already has legislation establishing a marine conservation area, the Saguenay—St. Lawrence marine park. Everything was in place for the establishment of marine conservation areas in Quebec, with legislation that did not

Government Orders

require the transfer of provincial submerged lands, but rather called for a true partnership with Canada.

Under the Constitution, submerged lands belong to the provinces. The government was perfectly aware that this was a major irritant for the Bloc Québécois.

We are here to defend Quebec's interests. Why should Quebec transfer its submerged lands to the federal government for the establishment of marine conservation areas? The Government of Quebec passed legislation on this, in co-operation with the federal government. We do not see why Quebec should transfer its submerged lands.

I still wanted to make it clear that the Bloc Québécois is very sensitive to environmental issues. The environment is a shared jurisdiction with the federal government. We are against this bill not because we are not in favour of protecting our ecosystems and our environment, but because we have a way of doing things in Quebec and the federal government could simply have said "Okay, Quebec already has legislation, we respect that; you will not have to comply with the legislation currently before Parliament".

• (1535)

The Acting Speaker (Mr. Bélair): Is the House ready for the question?

Some hon. members: Question.

The Acting Speaker (Mr. Bélair): The question is on the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

The Acting Speaker (Mr. Bélair): All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Acting Speaker (Mr. Bélair): All those opposed will please say nay.

Some hon. members: Nay.

The Acting Speaker (Mr. Bélair): In my opinion the yeas have it.

And more than five members having risen:

The Acting Speaker (Mr. Bélair): Call in the members.

And the bells having rung:

[English]

Mr. John Reynolds: Mr. Speaker, I ask that you defer the vote until next Tuesday after question period.

The Acting Speaker (Mr. Bélair): At the request of the opposition House leader the vote is deferred until next Tuesday.

Ms. Marlene Catterall: Mr. Speaker, I am not sure if the opposition House leader is authorized to defer a vote.

The Acting Speaker (Mr. Bélair): Do you still accept the fact that we are deferring the vote?

Government Orders

Ms. Marlene Catterall: Yes, Mr. Speaker.

* * *

FOREIGN MISSIONS AND INTERNATIONAL ORGANIZATIONS ACT

Hon. Ralph Goodale (for the Minister of Foreign Affairs) moved: that Bill C-35, an act to amend the Foreign Missions and International Organizations Act, be read the third time and passed.

Mr. Brian Pallister (Portage—Lisgar, Canadian Alliance): Mr. Speaker, I am pleased to rise to further discuss Bill C-35 which would extend diplomatic immunity to a far broader number of people than is currently the case in our country and beyond the requirement of the Geneva convention on this subject.

It continues the government's tradition of extending far greater immunity to a member of the mission staff of another nation in Canada than is the case in most countries in the world with which we are allied. It puts far more people above the law when they come to Canada.

This bill deserves to be shredded. It is a bill that would restrict the rights of law abiding Canadians. It is one which the department wants to see in place for some unknown reason. It would extend immunity to potentially a vast crowd of foreigners who do not even work for embassies in our country.

As it quietly makes its way through the House it carries the mundane title of an act to amend the Foreign Missions and International Organizations Act. It is anything but mundane in its effect.

Under the bill a delegate, official, staff member, family member or a bag carrier showing up for an international gathering would have diplomatic immunity. Diplomatic immunity gives the person who comes here the right to rape, steal, drive drunk, and break Canadian laws without consequence and with impunity.

When a foreign affairs official was asked why this should be done, the comment was that we would not go through a list and say that this person can have immunity and that person cannot. The official further stated that if we give diplomatic privileges and immunities for a meeting then all participants we let in for that meeting will get in.

The same legislation gives the department the authority to issue special visas to conference delegates who might otherwise be barred from entering Canada. It puts interesting people such as known criminals not only in a position of being able to come into the country but of being able to break the laws without any consequence whatsoever.

The Canadian public is already sufficiently concerned by recent incidents involving law breaking diplomats that we do not need to add to the problem. I cannot understand how a government could possibly defend extending immunity to even more people when we have not even set up a mechanism to deal with the abuse of the current system.

There have been about 90 acts of suspected criminal misconduct by diplomats, their families and other personnel posted in Canada in the last five years. The worst case that comes to mind is that of the

Russian diplomat accused of killing Ottawa lawyer Catherine MacLean last January while driving drunk.

These concerns were shared by the Minister of Foreign Affairs at that time who talked about getting tough on the issue. That has not been the case and the bill takes us in a direction quite contrary to the one that we should be going in.

The department has given a number of reasons as to why and some Liberals who participated in the debate, though very few, gave us some arguments which I would like to refute.

One member opposite stated that we must do this to keep up with our international allies. That is not the case. Research shows that our allies do not extend diplomatic immunity to the degree that we do in such a broad based way. They may extend immunity in part at times for some acts, for some responsibilities in the course of one's duties, but they do not give blanket immunity to people on mission staff, let alone people who visit their country for meetings.

The bill goes completely counter to the reality in the United Kingdom or the United States of America. To argue that we must do this to keep up with international trends is quite false.

● (1540)

Let us put that rumour to rest because there is no such international trend. It is quite the contrary. I would expect that since September 11 each of the countries in the western world would be taking a serious look at all aspects of security. This would be one of those aspects.

I would expect a tightening up of the security around international events when they are hosted, not an extension of blanket immunity to all who participate. The government's bill is completely out of touch with the reality of post-September 11. Frankly it is not really in touch with the reality of pre-September 11.

We are told we should support the bill because of the need for us to give reciprocity for Canadian diplomats abroad. It is suggested that we have to give blanket immunity to everyone who comes to Canada for a convention in order for our diplomats to be protected in other countries of the world. That is not true either.

There were only three incidents in the last several years where a Canadian member of a diplomatic mission was involved in any criminal activity whatsoever. Yet there were close to 40 times as many incidents where members of foreign delegations were involved in crime in Canada.

It is a specious argument to expect further immunity to be given and to create more problems when some problems have been clearly noted and not dealt with.

The argument that we need to have diplomatic immunity is a valid one. Diplomatic immunity is an old and well understood way of making sure that the diplomats who travel around the world are not beheaded when they give a message that the local ruler does not like. Rules governing diplomatic immunity are set out very clearly in the Vienna convention.

Government Orders

The Vienna convention was written back in 1961. Canada played a major role in the wording of the Vienna convention. We are not abiding by Canada's wording today. It says that complete diplomatic immunity is not given to any but the most senior diplomatic staff.

The government is not abiding by the Canadian compromise in the Vienna convention that was adopted in 1961. Our parameters are far more liberal as we go far beyond it.

Aristotle said, before Jesus Christ was born, that liberalism would grow until chaos reigns supreme. Some would argue such is the case today with regard to the policy of extending diplomatic immunity more broadly than is currently the case. We accept reciprocity for Canadian diplomats abroad to a degree. Such is the case today.

To accept that we must go further still and extend complete diplomatic immunity to people who come here for conventions and meetings of various kinds is of course illogical and not supported by the facts.

Another argument that is made by some is that the committee on scrutiny of regulations recommended that we adopt the bill. This is not the case. Those who are watching at home or who have been in the House much longer than I have know that the committee on scrutiny of regulations does not advocate for legislation to be adopted. It tells people when they are in violation of certain regulations and rules.

The committee on scrutiny of regulations has notified the Department of Foreign Affairs since 1991 that orders in council on the recommendation of the foreign affairs minister extending immunity to participants in international conferences were illegal. Each of the last four foreign ministers was notified of the problem.

The problem is not that we need legislation to legalize what is a questionable practice. The problem is that we have ministers who consistently adopt that questionable practice and need to stop. That is the problem.

Most Canadians, if they were privy to the facts as members of the House are, would question the adoption of legislation to legitimize this practice. The practice is totally illogical.

Passing the bill would legitimize the practice of extending diplomatic immunity to people who do not deserve it under the Vienna convention. It would give people the right to live above the law without consequence. That should not be done. It is totally wrong to do it. To suggest that the committee on scrutiny of regulations called for us to adopt it, as some have, is totally false and misleading. It is quite the contrary. What the committee pointed out was that the government was acting without regard to the law.

I question whether the bill should be adopted. It should not be adopted as a basis of fact because the scrutiny of regulations committee asked for it to be adopted. That is not true. The scrutiny of regulations committee does not advise the government on how to remedy problems which it identifies.

● (1545)

In this case the committee simply told the government that foreign delegates to international conventions were not to be among those

included in the definition of who was eligible for immunity under current law.

The government has chosen to adapt the law to its practice when what it should do is adapt its practice to the law. What are the Liberals real reasons for doing this? I think they are two-fold. My colleagues in other parties have addressed some of them but I will certainly talk about just two very quickly.

I think the real reasons are tourism and a legacy. They want a legacy for the Prime Minister so he can be the senior statesman hosting a variety of meetings. That is nice. We are all proud of the fact that we can host meetings in this country.

However, the second is the tourism aspect. It is being suggested that we should pass this bill so we can attract more people to come to international conventions, and that is the other argument members opposite are making. The fact is we host many international meetings, more than our share, and Canadians pay the price for hosting them too.

The reality is that after September 11 the price for hosting international meetings has gone up because the security provisions that have to be taken are very costly. We have no trouble attracting international meetings. We just had the G-20 meetings here last weekend. We have the G-8 meetings coming to Kananaskis next year.

Over the last number of years, and increasingly so in recent months, we have had many other meetings where international diplomats, their families and entourages have come to Canada. Without telling them that they can come and be above the law, they come anyway. I would suggest they will continue to in the absence of this downright silly piece of legislation going forward because, as people at the American embassy told us in meetings we had with them, Canada has a reputation for being an excellent host to international events.

Today we do not need to tell people that they can come here and have no consequence under Canadian law for criminal acts in order to get them here. They come anyway. To suggest we need this as a tourism initiative is specious as well.

The arguments the Liberals make to advance this piece of legislation are specious arguments. They do not carry any significant weight.

Why are they putting this forward? Perhaps they are putting it forward so that a bigger category of people can be immune from criminal acts and therefore they can legitimize increasing the use of the RCMP at events. If that is the case, they should say so but no one has. Therefore, I cannot argue that that is their reason. I will not impugn their motives. However I do know that this seems to be the only legitimate motive that anyone can come up with when they read this legislation.

Government Orders

All of this would be just a fine little theoretical debate, if there were not consequences paid by Canadians for criminal acts by people who are given diplomatic immunity. The minister has said that it is an infrequent thing, that it rarely happens and so on. I will let Canadians be the judge of this, but in the last five years we have had close to 90 cases of crimes attributable to people given diplomatic immunity. That is more than one case per month where people have committed a criminal act and there has been no price or consequence to be paid. Each of those acts leaves at least one Canadian victim. We should be considering that.

In the past five years 13,000 foreign diplomats have been in Canada. If this bill is passed it would extend diplomatic immunity to visitors. I asked the department to estimate the number of people who would become eligible if this bill was adopted and it could not give me a number.

We can safely assume that the rate at which crimes are committed by people given diplomatic immunity will multiply the number of crimes because the number of people receiving it will have increased. Any basic student of psychology understands that when the consequences of an act are removed the likelihood of such an act is increased. When we remove the consequences of a criminal act from anyone, we must understand and accept the fact there will be an increased likelihood of conduct unbecoming. Such has been the case.

In Great Britain it took the event at a Libyan mission of people given diplomatic immunity before Britain woke up and said that it was ridiculous that it could not prosecute people when they murdered in its own country. During a protest in front of the mission, people were fired on and a British policeman was killed. Great Britain took a serious look at adopting measures, and did, restricting the bestowing of diplomatic immunity to people in its country.

● (1550)

Britain screened missions. It asked for lists in advance. It encouraged and successfully fought for the presence over the size of each mission to be relevant to the relations it had with that particular country. It exercised the controls it had to make sure that diplomatic immunity was not extended unnecessarily, without validity or without just reason or cause.

Exactly what they did in Great Britain, they are not doing here. In the United States the son of a Saudi diplomat raped a woman and then within an hour was released because he successfully claimed diplomatic immunity. He was followed to a bar where he bragged to his friends about his conduct. That is the reality of what happens when diplomatic immunity is given out like candy at Halloween. This government is proposing to do it again for people who visit Canada for meetings, and it is ridiculous.

Let us just chronicle these events because each of them has a Canadian victim. If the member opposite wants to speak to the families of those victims, I would encourage her to do that because I have. There have been five incidents involving Canadian diplomats in the same time period. She is fond of mentioning that we have to quid pro quo this and that if we limit in any way the extension of diplomatic immunity to people here that somehow our diplomats would be placed in great danger. There have been only five incidents where Canadian diplomatic people have violated the trust put in

them by foreign countries in the last five years. There have been 90 incidents where people in Canada have violated that trust.

Let us talk about the victims for a second. Of these incidents: 19% involved impaired driving; 20% were assaults; 19% were sexual offences; and 5% involved shoplifting. There was an attempted bribery case. There was an attempted murder case. There was even a charge of keeping a common bawdy house. We cannot even prosecute people when we give diplomatic immunity to them.

There are 1,000 diplomatic households currently in Canada. Currently there are 8,000 people who qualify for diplomatic immunity. If we adopt this legislation, that number will escalate dramatically.

Next time an action is taken by someone who is given diplomatic immunity, there will be a consequence for a law-abiding Canadian person or family. When that happens, Canadians will ask what the government is doing about it, just as they did when Catherine MacLean was killed, and they should ask.

However, let us ask right now. Let us ask why we are extending this immunity more broadly than is currently the case, when the government has not taken a step to limit the harmful effects of diplomatic immunity, when people commit these acts.

● (1555)

[*Translation*]

During the five years before Mrs. MacLean's death, foreign diplomats in Canada have committed 76 criminal offences that we know of, including physical and sexual assaults and impaired driving. There were also instances of drug trafficking and smuggling of aliens. These are all serious crimes that constitute a danger for Canadians.

Diplomatic immunity was waived in just 3 cases out of 76, and Bill C-35 will make a bad situation even worse.

[*English*]

The reality seems to escape the members opposite.

I would like to move on and talk a little about the police power that we are expanding under the bill. This is something I know that concerns many people in the House. In fact a growing number of people on this side of the House, as they research the bill, have become more concerned about the powers of the police force and the implications that has for our country when increased powers are given to our police force without constraining the power of politicians to manipulate that same police force. That is the concern many people have.

[*Translation*]

The powers being granted to police forces in Bill C-35 run directly against the freedoms of all Canadians.

This bill tends to limit the right of Canadians to protest openly against initiatives they consider dangerous for them and those they want to protect.

Government Orders

It has allowed the RCMP to limit access to international events in order to protect participants. It is a flimsy argument to allow the RCMP to smother any protest to avoid offending foreign representatives.

This clause of the bill is contrary to the recommendation made in the Hughes report that protesters ought to have access to meeting sites.

[English]

I will read from recommendation 31.1.1 of the Hughes report, which states:

When the RCMP is called upon in future to police public order events the leadership of the Force should ensure, that: generous opportunity will be afforded for peaceful protesters to see and be seen in their protest activities by guests to the event...

Recommendation 31.3.1 states:

The RCMP should request statutory codification of the nature and extent of police independence from government with respect to:

1. existing common law principles regarding law enforcement; and
2. the provision of and responsibility for delivery of security services at public order events.

I will quote a small section of recommendation 31.3.2. which states:

—that (the RCMP) are to brook no intrusion or interference whatever from government officials as they meet the responsibilities of providing the agreed upon security services.

In short, what the Hughes' recommendations said was that the RCMP separation from politicians should be made clear. This act would do nothing about that. It ignores those recommendations and simply expands police involvement without limiting political intrusion, and this is wrong.

• (1600)

[Translation]

As well, the bill ignores the Hughes report recommendation that the RCMP be free of political influence by the Cabinet or the PMO.

The Liberal majority on the Standing Committee on Foreign Affairs and International Trade defeated an amendment, which was supported by all members of the opposition, which would have made it an offence for there to be political interference into the affairs of the RCMP when international meetings were being held.

What is more, Bill C-35 makes it possible for the minister to unilaterally grant entry into Canada to delegates, regardless of their criminal background, and to put them above our laws, at the very moment Bill C-36, the anti-terrorism bill, is threatening the rights of Canadians.

At the present time it seems both unjustified and unjustifiable to give foreign delegates rights that are being taken away from honest Canadian citizens.

[English]

Oversight is a concern as well. Parliamentary oversight would be lessened by the passage of the bill. Parliamentary oversight is an important principle we should support in Canada.

In the amendments proposed under the bill adjacent to this one, the anti-terrorist legislation Bill C-36, the minister has agreed to file annual reports when police forces expand their powers and use additional powers which may restrict the civil liberties of Canadians.

In other words the minister has agreed to give parliament a greater opportunity to debate and be aware of the concerns Canadians would justifiably have that the liberties they treasure are being infringed on unnecessarily. That is wise.

We proposed in the adjacent Bill C-35 that the minister file an annual report on the criminal conduct of people given diplomatic immunity in our country. He has promised to do this but has not. The Liberal majority on the committee defeated the amendment, which gives the lie to the minister's commitment and promise. That is too bad. It is a shame. I would hope if the minister were there he would have risen in his place and urged his colleagues to vote for the amendment.

Right now in terms of oversight we use the Immigration Act. In the current process the Immigration Act allows the minister to sign a certificate and let people come in who otherwise would not be admissible to Canada. The minister must report to parliament each year and say who was let in who would not have been let in, in any other way. That way parliament gets to know what is happening and to debate it.

Bill C-35 would transfer responsibility to the Minister of Foreign Affairs and remove the requirement to report to parliament. That is a shame because this is who will be let in when we sign the certificate.

We would not just be letting them in. Let us understand that. We would be giving them diplomatic immunity. That means we would let in these kinds of folks and tell them they could do whatever they want when they came here. We could not prosecute them. They could do anything they want. These are people whom we would not normally allow into Canada but the minister would be allowed to let them in.

I will quote from the act. It describes inadmissible persons as:

- (e) persons who there are reasonable grounds to believe
 - (i) will engage in acts of espionage or subversion against democratic government, institutions or processes, as they are understood in Canada,
 - (ii) will, while in Canada, engage in or instigate the subversion by force of any government,
 - (iii) will engage in terrorism, or
 - (iv) are members of an organization that there are reasonable grounds to believe will
- (A) engage in acts of espionage or subversion against democratic government, institutions or processes, as they are understood in Canada—

Normally such people are not admissible to Canada and I think Canadians would say hear, hear. Bill C-35 would allow the minister to let them in with a signature. More than that, it would let the minister give them permission to be above Canadian law.

The government does not want to make it a crime for people to belong to a terrorist organization. That we understand. However to suggest the minister should have the right to let in people who he knows are members is another thing.

Government Orders

The bill would go further. It would not only say we have the right to let in people we know are members of organizations like that. It would allow the minister to say they do not need to abide by our laws while they are here. I can see that even you, Mr. Speaker, are in total agreement with me on this point.

It could be justifiably argued that people who engage in these kinds of activities should not be allowed into our country. This is blanketed by the more popular and current Bill C-36. If Canadians were part of the debate they would ask why in heaven's name the government would let a bunch of people into Canada who would not abide by our laws when we already have a problem with the ones who do. They would say we should not let in these types of people.

I will again quote from the act. It describes as inadmissible:

(g) persons who there are reasonable grounds to believe will engage in acts of violence that would or might endanger the lives or safety of persons in Canada—

(j) persons who there are reasonable grounds to believe have committed an offence referred to in any of the sections 4 to 7 of the *Crimes Against Humanity and War Crimes Act*—

(l) persons who are or were senior members of or are senior officials in the service of a government that is or was, in the opinion of the Minister, engaged in terrorism, systematic or gross human rights violations, or any act or omission that would be an offence under any of sections 4 to 7 of the *Crimes Against Humanity and War Crimes Act*—

• (1605)

Bill C-35 would remove these provisions. It would essentially say the minister has the right to let any of these people into the country that he wants. That makes no sense. It is hard not to get a little fired up about my opposition to the bill. Many of the people I talk to say it is so illogical it is no wonder I am fired up about it.

Catherine MacLean and her friend Catherine Doré went out for a walk in their neighbourhood 10 months ago. They went out for a walk on a nice winter morning. Around the corner came a car driven by a drunk. The drunk killed Catherine MacLean and seriously injured Catherine Doré who is still trying to recuperate.

The consequences of that act are nothing to the government. It has brought forward a piece of legislation which does nothing to address the problem. It would simply make it bigger. That is thoughtlessness. It disregards and disrespects the memory of Catherine MacLean. I am disappointed that the government would proceed with this legislation.

When Catherine MacLean went for her walk she could not have anticipated the consequences, but we could have. We knew the Russian diplomat was a drunk driver. We knew it. We knew it twice before and we still did nothing. We knew it after the fact. It is to the credit of the foreign affairs critic at the time that he raised the issue intelligently and forcefully. I thank him for doing that.

It is not enough to say we now have new protocols. The department has said it has new protocols. People would get one chance for drunk driving and the second time they would be out. That is fine. We will deal with the consequences of drunk driving after the fact. Is that the best we can do? I do not think so.

We can do better. We can develop foresight. Those who fail to learn the lessons of history are committed to repeat their mistakes. The reality is that we should know better.

We saw what happened when we did not inform the House of the consequences of these acts. Now we are going in the wrong direction. We will not inform the House of whom we let into the country. If we adopt the act we will not inform the House of violations that occur. We will not know about drunk driving because the government will not have to report it to us. That is wrong.

I feel badly for Catherine MacLean. I feel badly that I have to raise this issue. However the government is ignoring the consequences of actions like that with the legislation it has brought forward. We all know and should know that the best way the government could have acted was to deal with the problems around diplomatic immunity and not bring forward a piece of legislation that expands the problems.

A better thing would have been to do nothing. Nothing at all would have been better than bringing this piece of legislation to the House.

Do hon. members know what happened when Mr. Knyazev, the Russian diplomat that killed Catherine MacLean and seriously injured Catherine Doré? The Russian people demanded an apology. The Russian embassy demanded an apology from the Canadian government for trying to hold the man. They got it. They got an apology.

We asked the Russians to waive diplomatic immunity. They refused. I say good for the minister for asking, but would it not be better if we did not have to ask? Would it not be better if we made sure through foresight and preparedness that these kinds of things did not happen again? Would that not be a lot better? Would it not be better for Catherine MacLean's family if we showed respect for her and acted accordingly?

There were two young teenage girls whom a Ukrainian diplomat tried to accost into his car with an anesthetic soaked rag. We could not charge him either. Would it not be better for the victims of these people if we could do something about it? We can. We can throw this bill in the garbage where it belongs.

• (1610)

[*Translation*]

When Catherine MacLean died, the Minister of Foreign Affairs expressed sympathy and said that diplomatic immunity should not be used to shelter people who commit crimes that are not connected to the performance of their duties.

[*English*]

The minister said at the time that he had no sympathy for people who commit these acts outside the realm of their responsibilities. Yet immunity was given. The reality is that immunity is given by the government in a broad based way, not just to senior diplomats but to computer programmers and chauffeurs.

The minister promised several things. He promised he would look at the issue but there is no evidence he has. He promised he would put on the departmental website a complete list of all the violations. We have not seen it. He promised he would present quarterly updates of cases where diplomatic immunity was violated. That has not happened. There has been a litany of broken promises on this file. That disappoints me.

Business of the House

We all understand and respect that the Minister of Foreign Affairs has a tremendous burden to bear right now. However we cannot allow this piece of legislation to move forward and make him break his word to Catherine MacLean and her family just because his attention is elsewhere. That would be wrong.

We asked government members to consider a number of reasonable and thoughtful amendments. We asked that it be made an offence for government representatives to influence or instruct police on operational matters around protest sites at international meetings. They should not do this. The Hughes inquiry clearly spelled that out. It is against the best interests of the RCMP to impugn its motives and integrity. It should not be done.

We asked that the minister account to parliament for any foreign representatives he admits who would not be admissible under the Immigration Act. In other words, we asked that he tell us in a report whom he is letting into the country who would normally not be allowed in.

We asked that the minister be prohibited from granting immunity for criminal acts beyond what is required under the Vienna convention. To put it simply, we asked that he comply with the Vienna convention but go no further. All these amendments were rejected.

We asked that immunity be restricted for representatives at conferences. We asked that they not be given immunity except when it applied to the normal course of their duties. Giving them that degree of protection would comply with what the minister said he would like to see after Catherine MacLean's death. It would comply with what the Vienna convention says about the issue. It would comply with what our allies do, if they go that far at all. Many of our allies do not give immunity to people who come for international meetings.

My colleague from Cumberland—Colchester proposed a reasonable and well thought out amendment. I congratulate him on it. His amendment would have allowed the minister to keep his promise by publishing quarterly reports of crimes committed by those who are given immunity. It was a thoughtful amendment. We supported it as did every non-governmental member of the committee. The government of course used its majority to defeat the member's thoughtful and reasonable amendment.

There are some key reasons Bill C-35 must be defeated. First, Bill C-36, the anti-terrorism bill, contradicts Bill C-35. Bill C-35 would restrict the rights of Canadians and put foreign representatives above the law. At the same time Bill C-36 tells Canadians they should be willing to sacrifice their liberties and rights to be more secure.

Benjamin Franklin said some years ago that those who are willing to sacrifice security for liberty deserve neither and put both at risk. That is what we are doing here. Allowing the government to extend to people from other countries the right to come here and place themselves above the law would be a serious error in judgment.

●(1615)

Second, Bill C-35 would remove accountability. It would remove the reporting requirements from the government. It would remove the transparency from the bill that is there now which requires the immigration minister to report to the House when exceptions are

made in giving people the right to come into the country. We need to have that kind of transparency. We need to know when those kinds of decisions are made by the government.

The government acts as arrogant majorities sometimes do. It acts as if it will always be arrogant and a majority. It may always be arrogant but it will not always be a majority. It needs to understand that the decisions it makes today are decisions which the country will have to continue to pay the price for.

The third key here is that we put Canadian security at risk. We know this when we let undesirable people into the country. We have done that. We already have an immigration department which is certainly under attack. Within the Liberal caucus I am sure there are some thoughtful members who have pointed out in closed door sessions the lack of integrity of the current system in terms of the loopholes, the way in which it encourages people to come into the country who should not be permitted in. It allows people to enter the country and escape detection thereafter. Those kinds of undesirable people should not be allowed into the country. Most important, they should not be put above our laws.

That is exactly what this bill does. It was out of step with global trends even before September 11 but it is especially now. Most of all, it is an insult to all the victims and their families of diplomats' crimes in the country. In particular it is an insult to the memory of Catherine MacLean.

I now propose an amendment to the bill. I move:

That Bill C-35, an Act to Amend the Foreign Missions and International Organizations Act, not now be read a third time, but be referred to the Standing Committee on Foreign Affairs and International Trade for further consideration of clause 5, with due respect being given to recommendations 31.3.1 and 31.3.2 of the Interim Report of the Commission for Public Complaints Against the RCMP, which call for greater independence of the RCMP from political influence; for further consideration of clause 3, with due respect being given to the view expressed by the Minister of Foreign Affairs that diplomatic immunity ought to apply only to acts committed in the course of diplomatic duties; and for further consideration of clause 3, with due respect being given to the principle that any admission into Canada of foreign representatives who would normally be inadmissible under Section 19 of the Immigration Act due to having engaged in, or being likely to engage in acts of violence, subversion, terrorism, crimes against humanity, and offences under the Criminal Code of Canada ought to be reported to Parliament; and, for further consideration of clause 2, with due consideration being given to the need for increased national security measures in consequence of the events of September 11.

The Acting Speaker (Mr. Bélair): I declare the amendment in order.

* * *

●(1620)

BUSINESS OF THE HOUSE

Ms. Marlene Catterall (Ottawa West—Nepean, Lib.): Mr. Speaker, I rise on a point of order.

Government Orders

Earlier today when the bells began ringing on the motion on third reading stage on Bill C-10, the opposition House leader came forward to defer the vote. According to Standing Order 45(5)(a)(ii), only the chief government whip or the chief opposition whip may ask the Speaker to defer a division. Therefore to ensure that things are properly and orderly done, I would like to ensure that the vote is in fact deferred until tomorrow as required under the standing orders. I would also like to ask for unanimous consent that it be further deferred until next Tuesday, November 27 at 3 p.m.

The Acting Speaker (Mr. Bélair): The record stands corrected. Is there unanimous consent to defer the vote until next Tuesday?

Some hon. members: Agreed.

* * *

FOREIGN MISSIONS AND INTERNATIONAL ORGANIZATIONS ACT

The House resumed consideration of the motion that Bill C-35, an act to amend the Foreign Missions and International Organizations Act, be read the third time and passed, and of the amendment.

Mr. Lynn Myers (Parliamentary Secretary to the Solicitor General of Canada, Lib.): Mr. Speaker, I would like to seek the unanimous consent of the House to allow me to share my time with the hon. Parliamentary Secretary to the Minister of Foreign Affairs.

The Acting Speaker (Mr. Bélair): Is there unanimous consent for the parliamentary secretary to share his time?

Some hon. members: Agreed.

Mr. Lynn Myers: Mr. Speaker, I have followed closely the debate on Bill C-35. It is an important bill and certainly one the House should take time reviewing, which is precisely what we are doing today. Its proposed amendments to the Foreign Missions and International Organizations Act aim at modernizing the privileges and immunities regime contained in the existing legislation which was passed in 1991.

These amendments will enable Canada to comply with its commitments under international treaties and to respond to recent changes in international law. In addition, the bill amends the current act in order to correct several technical difficulties that over the course of time since 1991 have been identified. Certainly we want to enable us as a House to do it properly.

I listened to the member prior to me speak. There were a number of misconceptions, some misinformation and misconstrued ideas tossed about. It was a little disheartening to have to listen to him speak and in a cheap partisan way drag into play the name of Catherine MacLean. I thought dragging in Justice Hughes' report was inappropriate as well because it really had nothing to do with what we are talking about here today.

We need to correct the record when he talked about spies and terrorists coming here to, I think his words were, rape and murder and do all kinds of things. It is outrageous. It is pathetic really, extremism to the nth degree. It really is inappropriate in this House when we are really dealing with a very substantial piece of legislation. This piece of legislation is very serious and is one that commits the government to meet its international obligations in a

manner consistent with the great ideals and the great values of our country.

Those misconceptions and half truths and everything else tossed aside, we can now proceed into a serious debate about what we are doing in Canada and what the bill really means and the impact not only on this great country of ours but also, as we play out on the international scene, the obligations our great country has in terms of foreign affairs.

I also want to correct the record. I was at the justice and human rights committee meeting until almost 3 o'clock this morning. It sat late last night and into early today. We dealt with Bill C-36. Bill C-36 and Bill C-35 in no way contradict each other. That too was mentioned and it is simply not true.

The member for Portage—Lisgar indicated that we are somehow putting Canadians at risk by what we are doing. That is absolute nonsense. On the contrary, more than ever, in light of not only events prior to September 11 but after, what we are doing is making sure that our towns, villages, neighbourhoods, cities and rural areas continue to be safe and secure in a manner consistent with the great values of Canadians wherever they live in this great country of ours. That is always the objective in trying to pursue a legislative agenda that makes sense and is consistent with those values in a meaningful way. That is precisely what we are doing with Bill C-35.

Going back to the events of September 11, those events in New York and Washington reminded us that the threats to public safety are of global concern. That is an obvious statement now. The recent trend of increasing violence at international summits for example has shed light on the need for appropriate action to be taken at international meetings. We have seen that Canada is repeatedly called upon to do its share and in some cases more than its fair share, for example, the G-20 meeting this past weekend in Ottawa.

● (1625)

Why? Because Canada, first, has professional policing services in place and security personnel and peace officers who know what they are doing in a manner consistent with not only Canadian values but the values of the international community when it comes to hosting these international meetings.

Canada will be called upon next summer, as well, in Kananaskis, Alberta with the G-8.

We have a great history and a great tradition of being able to host these meetings in a way that enables security and safety for everyone, the participants, even the protestors, the news media and others who are there, in terms of what is taking place.

We can be justifiably proud, not only in the House but also in this great country, to know that Canada has the ability to do these kinds of measures and do them in a reasoned, proportional way that is consistent with the values of Canada but, more important, ensures the safety and security of all concerned.

As the host of the G-8 next year, as I indicated, Canada has an obligation, which we take very seriously, to take all the steps to protect our international visitors and to ensure that the meeting is done in a safe and secure manner.

Government Orders

I think it is fair to say that never before has the need to respond effectively to security challenges been more acute. The time is ripe to clarify and underscore our duty to fulfill our obligations to protect international visitors.

When we look at the proud tradition of the Royal Canadian Mounted Police, the provincial police services, the local police and the regional police across Canada, we can be justifiably grateful that these men and women are there doing the kind of professional job that they do to enable us to all sleep better at night and, further, to let Canada do the kind of things that are important on the international scene, which is to host meetings and be the host for people from around the world, to enable us to carry on the great commitment that Canada has in this area and, furthermore, to enable Canada to carry on the proud tradition started by many people in the past who have brought us to this point.

Bill C-35 allows us to do just that.

I would now like to address the security provisions in the bill, what they will do, how they will be developed and how they will ensure that the basic rights and freedoms guaranteed by our great charter of rights and freedoms are in fact preserved.

The amendments would provide clear statutory authority to ensure security for the proper functioning of an international event hosted in Canada thereby promoting public safety and the safety of foreign delegations attending these events.

The amendments, contrary to the speaker prior to me, were carefully drafted in light of the common law and the statutory duties that the police already have to keep the peace, to protect persons attending an international conference from harm and to protect persons engaged in lawful demonstrations from unlawful interference.

Those are sacrosanct principles that we need to ensure are in place in Canada for the benefit of all concerned. For example, I want to point out that the Security Offences Act already gives the RCMP primary responsibility to protect internationally protected persons from being the target of criminal activity.

I would also like to assure members that the primary responsibility of the RCMP does not suggest that the Royal Canadian Mounted Police will now be solely responsible for security at international events.

The amendments also accurately reflect the practical arrangements between the RCMP and the local police, either provincial, local or regional, in sharing responsibilities for security measures. That is the way the partnership works in Canada, to ensure that peace, order and good government prevails and that security and measured response are the order of the day.

As in the past, the RCMP would continue to share responsibility with the police forces of local jurisdictions and would continue to consult and co-operate with each police force to determine who will be responsible for specific activities.

• (1630)

That pattern will be repeated next year with the G-8 in Kananaskis. We have seen it before. We saw it in Quebec City. I

want to commend those police and peace officers who did such a tremendous job at those events. Those are the kinds of security measures that will be carried on and carried forward because they work and they afford all concerned the protection that is so valuable in this kind of forum.

I want to indicate that it might be decided that a provincial police force would be responsible for keeping the peace around a perimeter and controlling access to that perimeter while the RCMP might be responsible for the protection of internationally protected persons. I give that as an example of how that kind of co-operation can take place. Each police force would make the call in its respective area of responsibility based on the kind of dialogue and pre-planning that goes into this kind of important event, pre-planning, by the way, that is already well in hand when we talk about the G-8 in Kananaskis.

The RCMP, for example, would retain the lead in ensuring that whatever police action is being contemplated will be geared toward ensuring the overall protection of international visitors and the proper functioning of the event.

With respect to the erection of a security perimeter, a fence or whatever else that might entail, I think we are all aware of the Tremblay case where the Quebec superior court held that the security fence erected at the Quebec summit was reasonable and justified and did not breach the charter of rights and freedoms. That is important because it underscores that the kind of planning and foresight which went into the security perimeter in Quebec City was in fact appropriate. More to the point, it withstood the test of the charter of rights and freedoms. That underscores the kind of good common sense that went into the planning of that particular summit.

Several years ago, in a case called Knowlton, the Supreme Court of Canada held that the establishment of a security perimeter at a hotel entrance during the official visit of the premier of the then U.S. S.R. was necessary and reasonable in light of the duty of the police to keep the peace.

Although some members of the House have described these amendments as vague, let me assure them that the terms "appropriate measures" and "reasonable in the circumstances" are well understood by the courts of the land. These are held to be those measures that the police believe they should and must do in order to ensure that an international conference can be carried out properly and safely, again in keeping with the values of Canada.

I would also like to emphasize that the security measures that these amendments authorize do not in any way restrict or infringe the rights that citizens enjoy under the charter of rights and freedoms. Those rights are guaranteed, as well they should be in a great democracy like Canada. They will be carried forward in a manner consistent with the wishes of Canadians wherever they live.

The police are and will continue to be liable for any excess use of force in managing the security at an international event. Moreover, any police measure that limits a charter right, such as freedom of expression or assembly, must be justifiable in a free and democratic society.

Government Orders

I mention those things because it is important to get on the record and to understand that there are certain obligations, rights and responsibilities that exist. In all cases we temper them in a tripod or three pronged lens. On the one hand, human rights. On the other hand, civil liberties. On the third side we have the whole issue of national security. These are fundamental lenses through which we look to see that all things are covered. I think it is in keeping with what we expect in our country.

I want to point out that Bill C-35 has amendments that fall into five broad categories. I think it is important to underscore these five, to get them on the record and to make sure that all members in the House present today understand the importance of what is being created here. Again, it is substantial, good legislation that is in keeping with commitments, not only in Canada but also on the international scene.

• (1635)

I want to point out that the amendments are needed to modernize the legislation, in order to comply with Canada's existing commitments under international treaties as well as to respond to important new developments in international law.

The exercise is simple. Canada is catching up with the new developments that are happening around the world. We are always modernizing. We are always making sure that we are in synchronization with other countries around the world, for example, by extending privileges and immunities to international inspectors employed by the Organization for the Prohibition of Chemical Weapons who come to Canada on temporary duty to carry out inspections under the chemical weapons convention. That is an example of how this will be used, how we need to bring our legislation into focus to enable us to make sure that is carried out and carried out appropriately. These amendments would enable the inspectors to import specialized technical equipment without paying customs duties.

In a broad category are those necessary to correct deficiencies in existing definition of international organizations. The existing definition covers only international organizations of a formal, institutionalized nature based on treaty, such as the United Nations and not more unconstructed intergovernmental organizations such as the G-8 or the Organization for Security and Cooperation in Europe.

Another broad example of this are those designed to provide clear statutory authority to support security measures necessary for the Canadian police to fulfill Canada's international obligations regarding the protection of persons who attend high level meetings held in Canada for international organizations.

Those needed to clarify the provision granting immunity from immigration restriction and alien registration override the Immigration Act provision that prohibits the entry to Canada of inadmissible persons but does not override the Crimes Against Humanities and War Crimes Act. That is important because it underscores Canada's commitment in this very important area in a manner keeping with all other laws and regulations that we have in this great country.

I have already addressed the housekeeping measures to correct technical inadequacies that have been identified since 1991 so I do not intend to go into those now.

We have a very proud history of ensuring the safety and security of people who attend meetings, international conferences and other events. Bill C-35 is an act that would enable us to carry on that proud tradition.

In light of the things that have happened since September 11, it is even more important to ensure that is in place. I think it is fair to say that we now live in a different environment as a result of those events. We need to move in a manner consistent with what has taken place knowing that we need to commit to our international obligations consistent with what Canada has been able to do in the past and consistent with the repeated requests by countries and organizations around the world to ensure that we carry on that great and proud tradition, something for which all members of the House and all Canadians can be very proud.

As the host of the G-8 next year, it will be important for Canada to clarify its authorities and statutes to ensure the proper functioning of the international conference again in a manner that I believe will benefit us all and make us proud.

We on this side of the House will continue to work very hard to ensure that we meet our international obligations and make the right decisions when it comes to safety and security. We will do so consistent with the Canadian Charter of Rights and Freedoms for which all Canadians are proud. We will do so by meeting our obligations under human rights and civil liberties knowing that those carrying out the security measures, the Royal Canadian Mounted Police and the police services that exist around and across Canada, will follow due process and the rule of law.

• (1640)

Ms. Aileen Carroll (Parliamentary Secretary to the Minister of Foreign Affairs, Lib.): Mr. Speaker, I am very pleased to address you and members of the House regarding Bill C-35. I have prepared some notes and I will deliver those notes, but obviously the temptation to respond to the member opposite who has now left the House is such that I will indeed enjoy addressing a response to the House upon the conclusion of my prepared speech.

[*Translation*]

I am pleased to address Bill C-35, an act to amend the Foreign Missions and International Organizations Act.

The Standing Committee on Foreign Affairs and International Trade conducted an indepth review of the bill and recommends that it be referred to the House for third reading.

I would like to take this opportunity to give an outline of the main proposals contained in this bill. These proposals were raised and discussed in committee. I also want to comment on the new amendment proposed by the government to the bill.

[*English*]

The proposals in the bill come at a time when it is imperative that we demonstrate leadership in the international arena on the issues that are of major importance both to Canada and to Canadians, such as the environment, international trade and human and national security.

Government Orders

Canadians are supportive of the role that we play as a member of international bodies that are tasked with the conduct of international relations, such as the G-8. Canadians also understand that hosting important intergovernmental summits in Canada and establishing the head offices of international organizations, such as the ICAO, the International Civil Aviation Organization in Montreal, bring enormous economic and political benefit to Canada.

I think it is necessary to clarify certain misleading information that has been in the press recently regarding this bill. It suggests that Bill C-35 surreptitiously expands diplomatic privileges and immunities to all kinds of people entering Canada without maintaining safeguards to protect Canadians from known or potential criminals. To go further, if what I heard earlier could be believed, it is to throw open the doors of the country, almost inviting and enticing every conceivable criminal we can reach to get in here and attend a meeting and wreak havoc on the people and institutions of Canada.

I would like to emphasize that the clear purpose of the bill is not to do that and I think most people found it difficult to keep from giggling at the very suggestion. Rather, it is to modernize the legislation with respect to international organizations.

This development is necessary because in modern diplomatic practice, important governmental, international and multilateral matters are increasingly dealt with at international conferences by international organizations that are not necessarily created by treaty, such as the G-8 or the OSCE, the Organization for Security and Co-operation in Europe. Both of these meetings and annual conferences, and in fact the OSCE meets far more regularly than the G-8, are not treaty based. To explain the difference, the United Nations is treaty based. What we have done here is create a safe environment for the functioning of the diplomatic process within meetings and organizations that are not treaty based. There is no reason not to be open about the fact that Canada is hosting the G-8 summit in Alberta next summer and we very much want to have this bill in place in order to provide just that kind of ambience and security.

At present, the legislative definition of international organization has been interpreted to permit orders to be made under the act only for international organizations that were created by treaty, such as the United Nations, but this bill would ensure that we can treat important meetings such as the G-8 in the same manner that we treat international organizations like the United Nations and the International Civil Aviation Organization.

I would emphasize that the immunity granted to the people attending these meetings, both under the present legislation and following the amendments, is not and would not be an absolute immunity from criminal prosecution.

The point of departure for all of what has led to the discussions both within our committee and here in the House are the Geneva conventions. The Geneva conventions are international treaties signed by many countries which produce a set of rules and regulations allowing for diplomatic immunity at diplomatic and consular levels. The reason they do is historically based and it has been an evolving process.

In ancient times when a diplomat would be assigned to the court of perhaps Catherine the Great or perhaps earlier than that back in

the time of early Egypt, the role of the diplomat then was, as it is in many ways today, to convey the views of the government and to participate in discussions for bilateral arrangements.

● (1645)

In some ancient times when the said diplomat did not please said monarch, the consequences were permanent and in many ways gruelling. Pieces of the diplomat were frequently sent back to the home court to convey the sense of displeasure of the resident monarch. Fortunately we have come a long way in creating a world in which women and men who are diplomats or consular officials can function safely in the many capitals of the world and accomplish the tasks they were sent to do.

At times when I listen to what is said across the floor of the House, as I did earlier, it seems we are back in those same times, as most of the stories referenced appear to be focused on gruelling crimes and the most excessive and unusual of circumstances, always the exception to the rule, attempting to convey to all of us and through us to the people who read and watch what we say that in fact we have criminals loose in the country wearing the T-shirts of diplomats. In actual fact there are very few instances of crime. When there is an instance, there is an instant response by the government using the rules that have been set up to allow it exactly that kind of response. However, those stories are consistent with what often takes place during question period where the crime of the week appears to set the tone, draw the focus and is rarely of interest in good public policy.

Continuing with my prepared notes, I would like to emphasize that the clear purpose of this bill is to modernize the legislation with respect to international organizations.

● (1650)

The Acting Speaker (Mr. Bélair): I am sorry to interrupt the hon. member but it is my duty at this time to announce the question to be raised at the time of adjournment.

[*Translation*]

It is my duty pursuant to Standing Order 38 to inform the House that the question to be raised tonight at the time of adjournment is as follows: the hon. member for Kamouraska—Rivière-du-Loup—Témiscouata—Les Basques, Employment Insurance.

[*English*]

Ms. Aileen Carroll: The development in the modernizing aspect is necessary because in modern diplomatic practice important governmental, international and multilateral matters are increasingly dealt with at international conferences by international organizations that are not created by treaty, which we have discussed. That represents a change from the past.

The traditional mode of diplomacy was frequently and usually conducted on a bilateral basis and that is indeed the work of our missions abroad. Our ambassadors in Washington are frequently dealing in a bilateral manner with their counterparts in Washington. Our diplomats in Paris and Beijing do the same.

Government Orders

More and more we see that the work of diplomacy, the coming together and creation of an international agreement, takes place within a multilateral setting and not as in the past in the traditional bilateral setting. Because of that we have felt compelled to extend in Canada, within a reciprocal nature, exactly what is given in other countries and to allow this newer method of diplomacy to be conducted and to be so protected by the extension of immunities.

The bill would ensure that we can do that. I would again emphasize that it is all done within very clear and precise rules and regulations as inscribed within the Vienna convention and has been accorded with those rules very much in mind. Again I caution the House against the misinterpretation we have been hearing that this is a very loose, unguarded methodology which is being introduced. It is anything but.

In addition not just to the rules of the Vienna convention and the further development within Bill C-35, all international organizations and their meetings are subject to careful and stringent screening procedures and consultations among the Department of Foreign Affairs, the Department of Citizenship and Immigration, CSIS and the RCMP. Nothing changes. All of that stays very much in play.

It is important that with respect to instances where persons with immunity commit a serious crime in Canada, the Canadian government has developed one of the most stringent policies in the world. We are not in the middle of the scale. We are not even close to the top. We are at the very top.

After the tragic incident involving Catherine MacLean and Catherine Doré, of which much mention was made earlier by a member from across the floor, the department adopted a zero tolerance policy regarding criminal acts committed by persons with immunity. The policy has been implemented by law enforcement authorities across Canada with the full understanding and co-operation of the diplomatic community.

The Minister of Foreign Affairs was absolutely appalled after the incident that was discussed, in reference frequently to Catherine MacLean and Catherine Doré, as were officials in the department. The instant response was to do all that was possible to ensure that first and foremost this never occurred again but wherever an incident of a similar nature did occur, that we had protocols in place that would mean an instant bringing to justice of any person implicated in such an act.

I am disappointed that earlier in a very cavalier way the member made mention of the fact and to quote him directly, he said "Come in and do whatever you want to do". That kind of hyperbole, fearmongering, and deliberate misleading obfuscating as it is assigns his words no credibility. It is so obvious when one goes to that level of hyperbole and heads all over the Chamber drop almost in embarrassment for him, there is not much necessity for me to countermand his thoughts as the thoughts were few while the emotions were rampant.

● (1655)

As I said, while even the strictest policy cannot altogether prevent incidents from occurring, this policy makes it very clear to the diplomatic community that Canadian laws are to be respected and that if a crime is committed, Canada will seek first a waiver of that

very immunity in order to prosecute the individual. Where the request for a waiver is refused, other sanctions, including expulsion from Canada, will be taken.

The same policy will be applied to the degree possible to all persons with immunity in Canada who commit crimes, whether here as diplomats or to attend at conferences.

[*Translation*]

A great deal of attention was given to the bill's proposal that serves as the legislative basis for the orderly holding of international government conferences in Canada.

We are concerned that this proposal might give police forces greater powers to restrain legitimate protests at international conferences.

[*English*]

Let me assure the House that this proposal does not affect the policing powers of the RCMP and other forces, such as provincial and municipal, under common law as well as federal and provincial legislation.

The amendment has been carefully drafted in light of the common law and the statutory duties conferred on the police to keep the peace, to protect persons, including internationally protected persons from harm and to protect persons engaged in lawful demonstrations from unlawful interference. Any security measures taken by the police will be subject to charter scrutiny and must be justified as reasonable in the circumstances. Those are the traditions of our jurisprudence. Those are the protections of the charter and checks and balances that already exist within the Canadian policing system. In other words, any police measures that limit a charter right, for example freedom of expression or freedom of assembly, must be justifiable in this free and democratic society.

The provision says that the RCMP has primary responsibility to ensure security for the proper functioning of an intergovernmental conference. A question was raised in committee as to the meaning of primary and the RCMP's co-ordination with its other two counterparts at the provincial and municipal levels. In response the government brought forward a motion to facilitate consultation and co-operation between the RCMP and provincial and municipal police forces.

When we spend the weeks we do in committee, an institution which I highly value and I know all of us do, as that is where the appropriate development of public policy and good laws begins and where it usually ends, the people who give of their time to come from across Canada and give us the benefit of their wisdom and experience are invaluable to the process. We come as legislators. We are not specialists. We depend greatly on the wisdom of specialists as we develop our laws.

One of the witnesses who came before the committee was actually a former national chair for both the international and constitutional law sections of the Canadian Bar Association. While he is a practising international business lawyer, he came in his personal capacity; I want to make that clear.

Government Orders

He spoke very favourably on some aspects of the bill. The reason I am choosing his testimony is that he directly dealt with a large portion of what was said by the hon. member earlier this afternoon. He dealt with retaliation and reciprocity which are key elements of the bill. He said:

Overall, my own view is that these provisions taken as a whole, are overdue, give the executive the necessary tools to respond quickly, as, and for as long as necessary, to inappropriate acts by foreign nations directed at Canadian missions abroad, and at the same time remain consistent with our international obligations under the Vienna conventions.

There has been no focus whatsoever by the hon. member on all of the strong aspects the bill has brought together. The witness continued:

The core principle in those instruments is that of immunity...once granted through the accreditation process.

He went on to say that core principle cannot be deviated from. If Canada is to continue to adhere to the Vienna conventions, then these things must be in place. He further said:

Nevertheless Canada can certainly tighten up the process of accreditation and be more rigorous in withdrawing accreditations in the face of improper conduct by foreign countries and by their agents in Canada and this Bill C-35 does well.

Finally he made mention and was very pointed in the criticism of the bill about moving the decision from the minister of immigration to the Minister of Foreign Affairs. The witness with all of his considerable background said that it is a good amendment providing greater certainty than the prospect of a judicial determination, that it is consistent with our treaty obligations on point, but that, he thinks, is something government can only resolve on a case by case basis. That is exactly what we will be allowed to do with our order in council approach.

● (1700)

It is, then, in his view the right one for this purpose. We have received a lot of very strong views in support of the bill. It is unfortunate that the comments made in the House were very selective but perhaps that is the job.

[*Translation*]

Ms. Francine Lalonde (Mercier, BQ): Mr. Speaker, I too rise to speak to Bill C-35 and to respond to the comments made by the parliamentary secretary. As she knows, the Bloc Québécois voted in favour of the bill at second reading because, among other things, it agrees with bringing up to date the whole way we look at foreign missions and international organizations.

But what my honourable colleague does not say—I am not saying she is lying, she is an honourable colleague after all—is the fact that in the original bill, which amends a considerable act, a thick piece of legislation in the good meaning of the term, there are three sub-clauses under clause 5 which give increased powers to the RCMP without enough controls. This is why we will vote against the bill even though we supported it at second reading.

I will add that witnesses, including the one mentioned by the parliamentary secretary, said unanimously that this clause should be somewhere else than in this bill because it is either useless or quite incomplete. The witnesses agreed that this could not be amended lightly. On the contrary, to make sure that the powers of the RCMP do not go unchecked and for other considerations I will highlight later, these sub-clauses should have been included in the Royal

Canadian Mounted Police Act. These provisions being thusly taken out of their proper context, we cannot support the bill because of the implied consequences.

However, we want to say that we are very much in favour of the part of the bill aimed at modernizing in various ways the Foreign Missions and International Organizations Act, which is the main purpose of the bill. This bill recognizes international organizations such as the Organization for Security and Co-Operation in Europe, the G-8, the G-20 and other international organizations which are not treaty based and which, as a result, are not currently covered by the Foreign Missions and International Organizations Act.

Also, in granting the required immunity to international inspectors who come to make sure that Canada is respecting its commitments in terms of land mine or nuclear test bans, we are simply adapting the circumstances of the legislation to the needs of the moment, as did the first act.

The bill recognizes permanent missions to international organizations in Canada, by granting them the privileges that come with their status. More than 40 missions are accredited with ICAO in Montreal without having access to the privileges they should have. Bill C-35 corrects this anomaly.

Bill C-35 also grants the status of international organization to international summits and meetings by amending the Immigration Act as well to facilitate the travel of delegates during international meetings.

Since we agree with most of the bill's contents, we denounce the oft-repeated comments made by our colleague from the Alliance, as though the diplomatic corps in Ottawa was a den of undesirables.

● (1705)

Speaking of which, I want to point out that I learned that there are 102 embassies in Ottawa with 3,000 diplomatic staff persons who benefit from immunity to some extent or another. Therefore, in my opinion, the 76 offences over five years, almost all of which were minor, does not seem to be an alarming crime rate.

I believe that, to the contrary, we must highlight the importance of the diplomatic corps here and the role they play, and also how important the international meetings that take place here are to us in helping improve the affairs of the international community.

The world has changed and it has changed quickly. Globalization, which some people believe must be humanized, means that various governments co-operate on many levels, and consequently, have to travel.

There has also been much criticism of the provision to discontinue the use of the Immigration Act to grant immunity to persons arriving to fill positions in embassies at various levels. We know that immunity does not mean the same thing when applied to an ambassador, a consul, or the embassy cleaning staff. Embassy staff play an important role, and we are happy to point this out.

Government Orders

From now on, the Minister of Foreign Affairs will be responsible for ensuring immunity at international meetings. It should be pointed out that because of his role in the liberation of South Africa, Nelson Mandela was associated with activities which, when documented in his application to come to Canada, mean that he is refused a visa and has to apply to the minister for an exception to be made. This means that, in future, he will no longer be refused a visa.

However, after any investigation conducted in the same way, but without the objectionable aspects of this procedure, international figures whom the government thinks it would be appropriate to invite here, respecting its international obligations, as I realize, will not have to go through this long and sometimes difficult process.

However, I wish to spend most of my limited time explaining why the three paragraphs of clause 5 should not be included in this bill and in what will be the core of the Foreign Missions and International Organizations Act.

First, I wish to reply to the first member who spoke to this. In the testimony given before the committee, there was no mention of the fact that it was necessary to include these three paragraphs in order to ensure the security of international meetings and of international figures and all those who accompany them in the course of their duties as international representatives.

• (1710)

I myself called for this, and it was called for on a number of occasions. It is not necessary to have the three paragraphs that make up clause 5. It would be worthwhile looking at the content of these three paragraphs.

The first gives the following power to the RCMP, and I quote:

10.1 (1) The Royal Canadian Mounted Police has the primary responsibility to ensure the security for the proper functioning of any intergovernmental conference...

An added amendment states that this must be done in conjunction with other police forces. Had this paragraph, as amended, been the only one, we could have lived with it.

But there is a second paragraph, which reads:

(2) For the purpose of carrying out its responsibility under subsection (1), the Royal Canadian Mounted Police may take appropriate measures, including controlling, limiting or prohibiting access to any area to the extent and in a manner that is reasonable in the circumstances.

This means the institutionalization of the famous perimeters. Until then, the RCMP, in collaboration with the municipal or provincial police forces, as it did in the last Quebec City Summit, had to negotiate, taking into account pressures from lobby groups, mayors and governments, as well as logistical considerations, what type of perimeter would be set up. They were forced to take living breathing reality into consideration.

According to section 7, which is not restricted in any way whatsoever, they may do so "to the extent and in a manner that is reasonable in the circumstances". I will come back to this later. It gives them every latitude to decide whatever they want.

What is a source of concern is that there is no rush to get these three little paragraphs into the bill. There is no urgency. The only international meeting of any importance that is upcoming is the G-8 at Kananaskis. One of the witnesses who came before the committee

said that the RCMP, or the government, did not need this clause to be able to ensure people's safety, as it was ensured, moreover, in Quebec City. Even if one could mention this or that aspect which could have been better handled in Quebec City, as far as the security aspect was concerned, the mission was accomplished.

There is no rush. All of the witnesses we heard say that these clauses, lacking any specification, ought not to be there, that they are undoing any balance that was in place, that they are conferring additional powers. I beg to differ but while the minister described this as merely a codification of the common law, all those who appeared before us, not those we invited—who were unfortunately unable to come—but those who came at the invitation of other MPs, said the same thing: this clause of the bill was extremely inappropriate, not to mention incomplete.

I will read part of the testimony made by the lawyer to whom the parliamentary secretary referred. He said, with regard to this issue:

It will be up to the courts to decide what is reasonable under the circumstances, should the behaviour of the police be challenged.

But already, the fact that people will have to go to court when there are no guidelines in the bill speaks volumes about the problems that individuals and groups will face. Think about the people in Quebec City who had a business or a home inside the perimeter. They did not know ahead of time. The bill is silent on issues such as what happens to their rights, when they can enter the perimeter, the damages that they may suffer, how long the perimeter may remain in place, other rules that may apply, or the distance of the perimeter.

• (1715)

Let us also think about the Hughes report, which says that protesters have a right to be heard by those to whom they want to talk.

Therefore, there is nothing to ensure, in a preventive fashion, that people's rights and freedoms will be protected. This means that they would have to go to court after the fact.

Let us see what this expert says:

Such a broad mandate could also be found to be unconstitutionally vague by a court or a royal commission, to the extent that it affects fundamental freedoms protected under section 2 of the Canadian Charter of Rights and Freedoms.

Therefore, it seems appropriate to define the mandate more clearly, in the interest of the peace officers responsible and of those who might be the targets of police operations. Otherwise, it might be much wiser to leave this potentially controversial issue in the common law arena, where it currently may be found.

So, this does not exist there or, as the expert later said in response to a question "Yes, it would be better if it were in the RCMP Act, since it includes a number of guidelines".

So, this provision is not necessary. And if it is not necessary, why try to ram it through parliament? I have to say that the witnesses were unanimous and the committee members would also have been unanimous had they been left to use their own good judgment.

Government Orders

The best evidence of this is that the Liberal members of the committee have done excellent work, even if sometimes there harsh words were exchanged between some opposition MPs and others. The thrust of the work done was that those paragraphs should in fact be part of the RCMP Act, as witnesses had suggested.

Liberal members introduced a motion which was adopted by the committee and tabled in the House and which is based on the arguments used before us. Allow me to read the motion:

Whereas witnesses have expressed serious reservations about the appropriateness and interpretative clarity of the existing wording of clause 5, including the provisions which make it the RCMP's primary responsibility to take appropriate and reasonable measures in the circumstances, such as setting up security perimeters;

Whereas, despite the powers already granted to peace officers under the common law and to the RCMP under the Royal Canadian Mounted Police Act and other statutes pertaining to the security of internationally protected persons, clause 5 will have the effect of granting for the first time the RCMP the explicit power to set up security perimeters during some international conferences;

Whereas the codified powers of the RCMP could affect the rights and privileges of Canadian citizens during conferences;

Whereas the witnesses heard by the committee clearly supported a broader review of legislative texts—

And I have commented on that.

—governing the powers of the police in circumstances where it could be necessary to set up security perimeters in Canada.

The original version of this motion read as follows:

Be it resolved that the committee urge the government to consider the legitimate concerns expressed regarding the wording of clause 5 of the bill—

Again, this proposal was submitted by the Liberal members of the committee. They added:

—the committee also proposes that the broader issues raised in connection with the powers needed by the RCMP to set up security perimeters, as well as legislative or other basis of these powers, be referred to the Standing Committee on Justice and Human Rights of the House of Commons for further examination.

They finally introduced an amendment which was adopted and which said that the matter was being referred to the House and that, depending on the response of the government, other measures might be taken by the committee.

● (1720)

This motion, put forward by the Liberal members, basically confirms all that we know for certain—not suspect, but know—from the work done by the committee and from the testimony we heard.

I will follow my thought through. Since we have been here, we have become used to wondering about what lies behind a particular measure. We also know the various ministers and departments. Why are they determined to keep paragraph 2—the key item in the clause—which gives unlimited authority to establish perimeters? Is it because the government thinks it will have problems establishing the perimeter for Kananaskis? Is it possible that in Kananaskis the government will be unable to follow the recommendations of the Hughes report, which says, and I will repeat the provision:

Protesters have a right to be heard by those to whom they want to talk.

I think that a lot more could be said about this. But if this is the way things are, I would have appreciated being told. Once again, we asked the question in various ways.

Is this clause necessary to ensure the safety of those attending the event? The answer we were given was no, that they were using the opportunity to codify the common law.

I will elaborate. The expert witnesses who appeared before the committee all said the same thing about the common law in different ways. The third paragraph says that peace officers possess powers at common law. They therefore do not lose them. We are speaking here about all peace officers, including those in the provinces.

The interesting thing about the common law—which is not the tradition in Quebec, which operates under French civil law—is that all those living under the tradition of the common law know that, along with its advantages, it has the disadvantage of not being available to peace officers, who have neither the resources nor the time to find out exactly what their rights and obligations are because they have to stay on top of the entire range of case law and all the latest interpretations.

So, with respect to the common law, when the government says that perimeters are already covered in the common law, we are told that that is not what is in the common law. Saying that the RCMP is responsible and so on for establishing perimeters is adding to the powers of the RCMP.

The government tells us: “We are codifying.” However, witnesses have said: “The government is adding, enhancing”, which was the imperfect translation of Mr. Fairley's text that was alluded to earlier.

As for Mr. Pue, a law professor who holds a chair in British Columbia, he said several times that this provision would provide powers to the police, without them knowing their obligations.

This worries me. I have problems with the fact that, out of a context, the government would give increased powers to the RCMP without any restriction.

I will use the last minutes that I have left to deal with this issue. I will mainly quote Wesley Pue. I will read again a passage where he somewhat condemns the fact that the government is saying that this is only codification.

● (1725)

We should not believe that Bill C-35 is only reiterating the common law principles governing the police. If it were only that, this bill would not be necessary. Legislation is used to correct shortcomings, to change the law, to clarify the law or to freeze it to avoid ulterior legal interpretations. Obviously, no Canadian court that would be called to interpret this clause would start from the principle that the Parliament of Canada has agreed to it without any reason. This clause affirms the prominence of the RCMP.

I agree there was an amendment to this clause.

This would be the first legislation that would explicitly give to the RCMP the power to establish security perimeters. The clause would give the RCMP special responsibilities in an area, “international affairs”, where the federal executive enjoys a major discretionary power, which is often invisible and almost always beyond judiciary control.

But where I especially want to quote him is when he talks about the effects on citizens. He says:

Which rights might be violated by erecting a security perimeter? The right to freedom of movement in Canada, the right to organize, the right to freedom of expression, the right to own property—the erection of a security perimeter to limit a private area amounts to an expropriation, limited though it may be in time—the right to work, the right to conduct one's daily business legally without being interrupted or harassed by the police.

Government Orders

The erection of a security perimeter compromises all of these rights. Depending on the time and place, it can compromise the freedoms of thousands of people. The vague legislative wording does not tell the police what measures are appropriate. How, in this case, could the police decide on the following issues: how long prior to an event can a security perimeter be erected? One day, one week, one month, more? Violation of property rights. Whose property rights could be violated? Private Canadian businesses? Private businesses from other NAFTA countries? Property owners, municipalities, churches, religious organizations, the media, provincial governments, Indian bands?

What is the legal recourse for property owners to object? What would happen if another level of government or an Indian band were to object? If the government confiscated private property for such purposes, would there be compensation? If so, would payment be considered a favour or a right? Where would the money come from? Would the security measures taken depend on whether or not compensation would be paid to property owners whose rights were violated? If so, who would pay? And how is the RCMP to assess this? The clause says nothing about all of these aspects.

He continued on the subject of the area covered by security perimeters. This is still Wesley Pue speaking:

One can presume that the security of an event is better ensured with a larger perimeter.

That is the mandate that they have. The mandate is not to ensure that protesters' rights are recognized, or that the rights of citizens who live inside the perimeter are recognized. Mr. Pue continues:

Are there limits to the size of these security perimeters, which appears to be growing? How is the police to balance the area of the perimeter, security, and constitutional rights?

Jeopardized rights. Canada's constitution is clear: Canadians who respect the law have the right to organize, to express themselves and to protest. Allan Borovoy from the Canadian Civil Liberties Association says that in order to be the least bit efficient, a demonstration must create a climate of political and social tension for those who make decisions in an attempt to influence them. It is acceptable to keep demonstrators at a sufficient distance to prohibit them from being physically intimidating, but they must be sufficiently close to have a political effect.

This bill does not remind the police that they must protect these rights. It is woefully mute on the principle of balancing security with freedoms.

He goes on talking about security passes, since the establishment of a perimeter, particularly if it is long, and we have no indication and no directive whatsoever in that regard, means that the police will have to issue passes and accredit the media to make sure that only certain people have access to protected areas.

This clause does not specify the criteria, nor the information that the police can rely on, or the responsibilities that it must assume regarding the justification of its decisions to people who had their request for a pass turned down or regarding the appeal procedure in case of abuse.

● (1730)

He gives a whole list and concludes by saying:

These are all important questions. It can of course be assumed that most RCMP agents will conduct themselves as responsible policemen. But their desire to act in a responsible way will not be enough to protect the public anymore than the imposition of an obligation that is brutal but sufficient in police terms. According to the rule of law, the law must specify as clearly as possible the conditions in which these violations of fundamental rights are foreseen.

Once again, I have read the extracts from testimony because they show that the Committee had, unanimously if I may say so, reached the conclusion that if the clause could not be eliminated from the bill, the Liberal members would table in the House this afternoon a motion adopted in committee.

This motion expresses, in diplomatic but clear terms, the reasons why all those involved in the committee work, including the witnesses, think that these provisions should have been incorporated in the Royal Canadian Mounted Police Act, after a proper review by the committee to which these provisions are normally referred to, which is the Standing Committee on Justice and Human Rights.

Let me remind the House that, at second reading, the Bloc Québécois supported the bill even if it wondered about certain clauses, particularly clause 5. In committee, we argued and voted against it. Amendments to remove clause 5 were not allowed at that stage.

At report stage, we moved an amendment to remove clause 5. Since it has not been deleted, I deeply regret that we have to vote against this bill at third reading, even if we totally agree with the provisions to modernize the Foreign Missions and International Organizations Act.

We fully recognize the need to protect adequately foreign dignitaries and their officials who come to Canada for the important meetings made necessary because of repeated changes in the world and a growing globalization and interdependence.

But no one has proven to us that clause 5 is essential and urgent in Bill C-35 in order to protect the security of those we must protect.

We will vote against the bill in the hope that the government will listen to our arguments, which have been supported by witnesses and Liberal members of the committee.

● (1735)

[English]

Mr. Bill Casey (Cumberland—Colchester, PC/DR): Mr. Speaker, I wish I could have asked government members some questions when they spoke, but under the rules I cannot do so. I was quite surprised at some of the things that both parliamentary secretaries said. Had I had the opportunity to ask them questions I would have done so. Perhaps I will pose those questions now, not that I will get any answers because seldom do we get answers here.

One of the parliamentary secretaries raised the accident involving Catherine MacLean and the tragedy of her death. She said the government did all that it could. I take exception to that. The government did not do all that it could. In fact amendments proposed in committee would have done more to help and those amendments were refused.

The amendment I proposed was to have a public list every year of what foreigners had applied for immunity under these new expanded immunity laws. I believe the Russian diplomat involved in the accident with Ms. MacLean would not have been here had that rule been in place. He would have been on the record at least once or twice before and would not have even been here had there been an annual reporting of people who claimed immunity.

The government could have implemented an annual report where it would list which foreigners had applied for immunity. It cannot say that it did all that it could do.

Another comment indicated that the government would request a waiver of immunity if there were a criminal or civil act where a foreigner claimed immunity. That does not make sense. Why would the government ask for a waiver of immunity when it is bringing forth legislation to create the immunity?

Why not just forget the whole thing? Why not drop the bill or send it back to committee as has been proposed by the amendment we are debating now? Why not reassess the bill and find ways to avoid a situation where our government would apply for a waiver of immunity when it just gave immunity?

These are some of the questions that I would have asked. Why are we creating immunity if we are planning to apply for waivers of immunity? Why would the government not agree to provide parliament with an annual report of who applied for immunity under these new expanded rules as proposed in Bill C-35?

• (1740)

[*Translation*]

The Acting Speaker (Mr. Bélair): Order, please. It being 5.41 p. m., the House will now proceed to the consideration of private members' business as listed on today's order paper.

PRIVATE MEMBERS' BUSINESS

[*English*]

BUSINESS OF SUPPLY

The House resumed from October 1 consideration of the motion.

Mr. Ken Epp (Elk Island, Canadian Alliance): Mr. Speaker, it is my honour to rise in the House today to speak about my favourite subject: the accountability of parliament to Canadian taxpayers on how their money is spent.

My colleague from St. Albert has brought forward an important motion. It is worthy of the support of all members of the House. The report is one that was put together by a committee which was dominated by the Liberal Party as all committees are. The final committee report was tabled a couple of years ago and the motion calls for the government to implement that report.

Our democratic system has a circle of accountability and it occurs over and over again except when it comes to the expenditure of public money. Every citizen is responsible to obey the law put together and passed by parliament.

On the other hand, in the circle of responsibility parliament is accountable to the citizens. We in parliament must ensure that the laws we pass have the support of the citizens. There is a gigantic circle of accountability where we are accountable to them and they are accountable to us.

That is a good principle because with a circle of accountability we can prevent the tyranny of any individual with excessive power or a powerful majority in the House. Eventually the majority has to be accounted for.

My favourite example about the circle of accountability happened on October 25, 1993, when a government with a majority got the ultimate message of accountability. It was reduced from a majority

government to two members. That was done by the people and rightly so.

The people cast their judgment, said the Liberal and the Conservative governments of the past had driven them into ever increasing debt and held them accountable. The people did not like the taxation policies, the management and arrogant style of those governments. The Progressive Conservative Party moved from being the majority to holding its caucus meetings in phone booths.

By voting for the motion we have an opportunity to improve the circle of accountability with respect to money. It is true that members of the public elect their parliamentarians. I have heard many times that Canadian taxpayers are discontented with the fact that there seems to be no accountability.

This occurs when government waste comes out. My colleague from St. Albert is now famous for his waste reports where he highlights silly spending by the Government of Canada. It is maddening to taxpayers when these things are made public.

Government members can say that it does not really matter because it is only \$50,000 or \$60,000. I hope that I never stop thinking of \$50,000 or \$60,000 as an awful lot of money. We should think about students who can hardly make ends meet and who must pay income tax on their meagre earnings. It is their money that is being wasted. We should think of the many families having trouble making ends meet and who cannot pay their bills adequately to provide for their families the way they would like to do.

• (1745)

Some are being taxed at \$100 or \$200 a month, some at \$1,500 a month and some higher than that. Usually if people are paying more than \$1,500 a month in taxes probably, they have an adequate income to pay most of their bills.

Thousands of Canadians who are in low income brackets are still being forced to pay \$100, or \$200 or \$300 a month of income tax. When they hear about how that money is being wasted, my choice would be to let them keep their money and stop the government waste.

The motion we have before us asks the government to accept and to implement the report that was put out by this subcommittee, entitled "The Business of Supply: Completing the Circle of Control". To give a very quick summary, it proposes to create yet another committee of parliament.

Before everyone reacts and says that the House of Commons has enough committees and does not need another one, I would like to venture a guess that if we passed this motion and if such a committee were formed, we would find out very quickly that it would be deemed to be the most important committee of parliament. I am a member of the finance committee. I almost hesitate to say this, but I think it would be considered, if not greater than, at least equal in importance to the finance committee because it would have so much influence in controlling and exposing the expenditures of government.

Private Members' Business

The number of recommendations in the report are quite large and I will comment on a few of them. This is a private member's motion and it is votable. I urge all members who stand up to vote on this not to follow the instructions from their party bosses because by tradition this House has become a House of free votes. In other words, each member uses his or her own intellect instead of going on in blind obedience when being told how to vote. I would encourage each member, especially those Liberals who have a lot of control here because of their numbers, to vote in favour of this important bill to establish this committee and put the financial accounting of our country back on a sound basis.

I remember when we first came here we tried to do this in a rather innocuous way. The estimates were tabled in the House and then we would get to vote on them. We had those all night sessions, usually late in June, when we would start voting at 10 o'clock. We would vote and we would vote from 10 o'clock until 2 o'clock or 3 o'clock in the morning. By the time we would sit down, we had voted in expenditures of maybe \$25 billion or \$30 billion.

I made a point the other day in the finance committee that the government spends approximately \$6,000 per second, every second of every day, every day of every year. That is 86,400 seconds in a day and we spend \$6,000 every second. Every snap of my finger right now is another \$6,000 down the tubes. It is about time that we, as parliamentarians, demonstrate to Canadians that we are spending that money wisely and not frittering it away.

The set up of that committee would give it great powers. It would have the power to call in front of it, not only members of the committees themselves but the chairmen of the different standing committees whose job it is to check the estimates for each department.

A great improvement in this system which is being proposed is that parliament would scrutinize all government expenditures not just the non-legislated ones. Right now we only get to vote on about one-third of the amount of money that is spent because the rest of it is called statutory spending and is in the statutes. However this committee would scrutinize that expenditure as well. It would bring into its sphere of influence and accountability issues like the HRDC spending.

● (1750)

Billions of dollars are spent on pensions, on Canada pension, on the supplementals, on child tax credits and things like that. That does not go through HRDC. That is a tax credit, but there is another area where we have lost accountability and we need to bring it back.

I regret that my time is up because I pretty well only finished my introduction. If no one else stands again to rise, I could perhaps stand up again and use the next 10 minutes on someone else's behalf, by proxy if you permit, Mr. Speaker.

Mr. David Pratt (Nepean—Carleton, Lib.): Mr. Speaker, it is indeed a pleasure for me to speak on the motion by the hon. member for St. Albert on the implementation of the recommendations of the business of supply report, made by the Standing Committee on Procedure and House Affairs in the last parliament.

The subcommittee's report was first presented to the House in 1997 and then re-tabled following the 1997 election in the last parliament in 1998.

I share the report's emphasis on the fundamental role of parliament in the business of supply. Indeed, Marleau and Montpetit quote from the report in their book on the *House of Commons Procedure and Practice*, on page 697. They say:

If committees are going to do a better job of examining the Estimates, they need more opportunities to influence expenditure, more authority, and better information. Once improvements have been made, committees should be able to bring new attitudes and approaches to their study of the Estimates.

This is why the government has been working with the procedure committee on a project to improve reporting to parliament. That project has led to a series of improvements to the provision of financial information to parliament and to the timeliness of getting this information to parliamentarians.

The government has also worked with parliament to adjust the estimates documents so that more timely information on departmental spending is provided for study by committees.

In addition, the report of the Special Committee on the Modernization and Improvement of the Procedures of the House of Commons, which was tabled in June and adopted earlier this fall by the House, contained further improvements to the estimates process.

Under our new rules, the House will have a greater role in the review of estimates and in debating the government's spending plans on the floor of the House. In particular, two sets of estimates per year will be considered by the whole House. This will strengthen the consideration and scrutiny by parliamentarians of public spending. It will also reinforce the importance of parliament in the supply process. Of course, it will give all members of the House an opportunity to participate in this debate and to demonstrate to their constituents their interest in ensuring effective scrutiny of public expenditures.

It seems to me that the modernization committee's changes, which were supported by all parties earlier this year, build on the procedure committee report from the last parliament, and, indeed, go further than the procedure committee report in important respects.

I would not want to support any initiative that had the effect, even the unintended effect, of undoing the work of the modernization committee.

As other members have noted, the subcommittee recommended the creation of a new estimates committee to examine estimates issues. I have long believed that our current committee system has the strength and flexibility to handle a broad range of issues, and that each committee builds up a level of expertise on subjects that enables the committee to scrutinize expenditures.

I can tell hon. members that in my experience as chair of the defence committee over the last 10 months or so that has most certainly been the case. At the defence committee we have taken a leadership role in that respect.

It seems to me that the establishment of yet another committee would put a burden on the members of the House, while undermining the work and effectiveness of our current committees. This would have the unintended effect of reducing the effectiveness of the work of the House on the business of supply.

I am also sure that the subcommittee's suggestion that committees be empowered to increase or reallocate funds was made in the interest of providing members with a role in the scrutiny of public spending. However, the Constitution Act, 1867, is clear that there must be a royal recommendation for any vote, bill or resolution containing financial provisions.

Giving standing committees this power would raise constitutional problems because, as all members know, only the government may introduce or recommend the appropriation of public money.

I share what I believe the view of all members, that improving reporting to parliament, review and accountability, deserves our attention and effort, and that there is more to be done in this area.

I am proud that when the government was first elected in 1993 it took early action to improve reporting on the business of supply.

The improved reporting to parliament project was initiated by the government in consultation with parliamentarians in 1994. Since then standing committees were enabled to examine and report on future fiscal year departmental plans and priorities as part of the main estimates process.

Departments now produce performance reports in the fall, detailing how well they have fulfilled their mandate during the year.

• (1755)

These reports allow parliamentary committees to evaluate subsequent departmental estimates on the basis of immediate past performance. After the 1997 election, the government took further action in long term legislative planning among House leaders. This has provided all parties with more predictability on government legislation, including the estimates documents.

In the past several years there has also been more use of new information technologies, specialized reports for standing committees and streamlined reporting. All this helps to ensure that the best information goes to parliamentarians and committees for their work on public expenditure scrutiny. Of course there is always more that can be done, so I am very pleased that the President of the Treasury Board has committed to continue her work with the procedure committee on improved reporting to parliament.

To conclude I want to say that I share the member's view that parliament has a crucial role in the business of supply and I applaud the work the member and others on the procedure committee have done to strengthen the financial reporting to parliament. I am also pleased that the President of the Treasury Board will continue her work with parliament in this area.

It seems to me that today's motion may have been overtaken by the work of the modernization committee and its adoption could inadvertently undermine the work of the modernization committee, which was supported by all parties earlier this fall.

Private Members' Business

As I indicated, there seems to be both constitutional and operational problems with some of the recommendations in the report of the subcommittee. While I agree with some of the principles behind today's motion, I believe the motion would actually reduce the effectiveness of parliament's work on the business of supply. That is why I will not be supporting this motion.

Mr. Jim Pankiw (Saskatoon—Humboldt, PC/DR): Mr. Speaker, I would like to begin the debate today by commending the hon. member for St. Albert for bringing forward the motion, which is a motion to adopt an 80-page report done in the 35th parliament. He actually co-authored the report with the current whip for the government, the member for Ottawa West—Nepean. The committee they were on was the procedure and House affairs committee. It should also be noted that the Secretary of State for Asia-Pacific was also on that committee and was obviously a contributing member.

The report has a number of recommendations centred around creating a special estimates committee that would investigate government spending in all departments. The recommendations of the report are outstanding and I will get to them in a minute. However, I want to preface my statements by stating a few facts for the record in the House.

First, the annual expenditures of the Government of Canada, according to the 2001-02 main estimates, were \$166 billion. The previous year, according to the 2000-01 main estimates, they were \$158 billion. We saw an increase in government spending of \$8 billion over a one year period. The reason I bring up this point is that the government does not have a taxation revenue problem, it has a spending problem. The Liberals are fixated on big government programs and on continually increasing taxes. The problem is that there is no proper scrutiny of or accountability for how that money is being spent. The motion of the hon. member for St. Albert to adopt the report and the recommendations contained therein would bring the necessary accountability to this spending.

Perhaps if a special committee for scrutinizing the estimates had been in place over the past number of decades the country would not be in the fiscal mess it is currently. The projected national debt for 2001-02 is \$579 billion. That is an absolutely outrageous burden. In fact, the result of carrying such a massive debt is that our annual interest payments alone are \$42 billion each year. I think the significance of those numbers speaks for itself. Clearly we need greater fiscal responsibility. Clearly we need better ways to examine the estimates and to scrutinize government spending, and clearly we need a better analysis of the performance of the bureaucracy. All these are addressed in the recommendations contained in the report.

The co-author of the report clearly will be supporting it because she co-authored it, as will the secretary of state, as I previously mentioned. I am a little disturbed by the previous Liberal speaker who indicated he would not be supporting procedures to increase accountability and to bring more into the domain of parliament the scrutinizing of government spending of our tax money. I certainly hope other Liberal members are not taking that same view of improving accountability.

Private Members' Business

With respect to the recommendations in the report, they are many and I will not cover all of them. However, I would like to touch on a few of them. First, the standing orders would be amended to create the standing committee on estimates, the mandate of which would be to monitor and review the estimates and supply process. That committee specifically would be empowered to report to the House of Commons on an annual basis. The standing committee on the estimates would co-ordinate its activities with the Standing Committee on Finance and the Standing Committee on Public Accounts and from time to time when appropriate would sit jointly with either or both of those committees to examine such broad issues as government wide expenditure and revenue generation.

● (1800)

The recommendations include giving that committee a permanent mandate to televise its proceedings so that the public could be more engaged in the spending practices of the government and as well, of course, providing that committee with a small, permanent, dedicated research staff to facilitate its work. As well, as part of its prebudget consultations the Standing Committee on Finance would give priority to inviting chairs of standing committees and the chair of the new standing committee on estimates in particular to appear before it as witnesses to present views contained in committee reports on departmental plans. Also, the Minister of Finance would include a response to standing committee reports on departmental plans in the supporting documents that accompany the budget. Furthermore, as part of their plans and performance documents, departments and agencies would regularly include a reference to previous committee reports on past plans and performance or to any committee report to parliament, with specific attention devoted to steps taken in response to the views of members of parliament as expressed in standing committees.

Another recommendation is that departments and agencies include in their plans and performance documents specific references to outstanding issues contained in the reports and audits of their activities conducted by the Auditor General of Canada. These references would include a list of the recommendations made by the auditor general, a list of recommendations made by the Standing Committee on Public Accounts, when appropriate, and a brief but detailed discussion of the actions taken in response as well as the results achieved as a consequence.

It is also recommended that the Treasury Board Secretariat prepare for the use of members, in consultation with members of parliament and chairs of standing committees, a concise, comprehensive information package on the estimates and supply process and on government financial management generally. As well, the government would establish a schedule for the review, preferably over the next 10 years, of all existing underlying statutes that affect the size of statutory expenditures.

Another recommendation is that the government would take all possible measures to improve the quality of program evaluations conducted in areas involving major statutory expenditure and would ensure that these evaluations are provided in a timely manner to committees reviewing statutory programs. In particular, evaluations would articulate the public policy objectives and address the questions of whether or not these objectives are being met, whether

the program is being efficiently managed and whether there are alternative means of meeting the same policy objectives.

As well, it is recommended that all legislation for new statutory programs contain a provision for parliamentary review at a minimum of five years following their introduction and on a cyclical basis thereafter. Also, there would be a thorough review, on a schedule established by government and conducted on a periodic basis thereafter, of all tax expenditures, focusing on whether they are meeting the public policy objectives that have been established for them, whether they are being efficiently managed and whether there are alternative means of meeting those policy objectives.

Lastly, it is recommended that departments and agencies authorized to provide loan guarantees include in their estimates summary information on the status of all their outstanding loan guarantees, the potential liabilities they represent, explicit statements of the policy goals such loans are meant to achieve and whether there are alternative means of meeting these policy objectives.

As we can see, these recommendations are outstanding. They would bring about a much greater degree of accountability in the bureaucracy and in government departments.

I will conclude by once again commending the hon. member for St. Albert for introducing the motion. I would like to commend the government whip for co-authoring the report.

I urge all members of the House to vote in support of the motion because of the great degree of increased accountability and scrutiny of the expenditure of tax dollars that would result.

● (1805)

Mr. Jason Kenney (Calgary Southeast, Canadian Alliance): Mr. Speaker, I am pleased to rise in support of the motion put forward by my esteemed and learned colleague from St. Albert, the chairman of the public accounts committee.

I am pleased that it is a votable motion. Too few private members' motions in this place are votable. It is a rare votable private member's motion in so far as it gives effect to a unanimous report of an all party House committee. I hope and expect the matter will have no difficulty in achieving similar unanimity in the House as a whole. Motion No. 296 reads:

That, in the opinion of this House, the government should fully implement the recommendations of the 51st Report of the Standing Committee on Procedure and House Affairs in the First Session of the 36th Parliament, entitled "The Business of Supply: Completing the Circle of Control".

I will address the first principle that one of the central powers of parliament, perhaps its *raison d'être*, is to act as a check and a balance on the spending authority of the executive branch or the crown.

Over several hundred years our mother parliament, the Westminster parliament, evolved precisely to give the Commons and different interests in the country an opportunity to pass judgment on proposals of the government and to raise and spend revenues in the name of the crown. This is one of the most significant powers we possess as parliamentarians. Yet it is a power which has been very much in decline for the past several decades, in this parliament in particular.

Private Members' Business

The estimates are documents tabled by ministers of the crown which detail, at least theoretically, the spending the governor in council proposes to engage in within a given fiscal year. Anyone who is more than a passive observer of parliament will realize and agree that the estimates process has increasingly become something of a bad joke. We sometimes sit in this place at the end of the estimates period having had virtually no serious committee review of the estimates.

Often the estimates tabled here and referred to committee are considered in the course of a few minutes or hours at most. There is often no more than a cursory review of the sometimes billions of dollars of proposed spending for various departments and agencies.

The estimates then return to this place where we rubber stamp them in a hurried voting process, often on division. Sometimes in a given evening we will authorize the spending of tens of billions of dollars as though it were not real money and as though we were not exercising a real power of review.

The vast majority of members of parliament who vote on the estimates both at committee and in this place have little or no idea what they are authorizing. One of the central purposes of parliament, namely to act as a check and a balance on the spending plans of the executive, is not being exercised. This requires fundamental reform.

The motion contemplates such reform. It is not a complete panacea for the shortcomings of our current estimates process. However the establishment of an all party estimates committee would take us much closer to allowing parliamentarians who have a particular interest in scrutinizing government spending plans to do so with a meaningful level of detail. This was concurred in by all members of the committee and all parties they represented. It would be a major step in the right direction.

• (1810)

I note that this is a motion coming from the chairman of the public accounts committee who by convention is a member of the official opposition. I would submit that an estimates committee, insofar as it would play a role similar to that of public accounts committee, ought also to have as its chair a member of the official opposition so that we could ensure that there was active and aggressive scrutiny of the executive branch's spending plans. We know full well that members of the government in this place, not just this party but in previous governments, and members of parliament who are also members of the government feel beholden virtually all of the time to acquiesce to the spending proposals of members of the governor in council. Therefore, for the sake of parliamentary scrutiny, it would be preferable to have an opposition member chairing the committee.

The federal government spends some \$180 billion in a given year. Removing from that the debt servicing costs of over \$40 billion, the total program spending is roughly \$140 billion. This is an enormous sum and much of it is driven by automatic program spending increases, entitlement programs, which are driven by statutory authorization. We do not even properly review these programs of tens of billions of dollars which ought to be reviewed.

There are so-called tax expenditures which carry on year to year, many of which are actually spending programs designed as part of the tax system. I would include in this category the Canada child tax

benefit. This is a major multi-million dollar program which we have not reviewed since its inception and which is in effect an entitlement program operating within the tax system.

These things need to be reviewed. We need the opportunity to bring forward to the estimates committee ministers of the crown to answer in detail questions about their spending proposals. We need this now more than ever precisely because we have seen over the past three or four years a very troublesome return to the old pattern of enormous annual program spending increases.

The government has been increasing its program spending from year to year by 5% to 7% over the past three or four years. That is a level nearly twice as high as the combined rate of growth in population plus inflation. In other words, the federal government's spending envelope is growing far more quickly than our economy's capacity to pay for it, particularly given the fact that we continue to sit on a \$540 billion debt, the second largest debt in the G-7. This worrisome increase in spending, which I believe is in part a result of parliament's lack of effective scrutiny of government estimates, is threatening the surpluses which Canadians have paid so dearly to achieve.

In fact, the department of economics of the Bank of Nova Scotia projects that in the next fiscal we will see budgetary deficits of as much as \$5 billion. Other banks predict that we will see planning deficits by the fiscal year 2003 of several billion dollars.

All of this is to say that there is an urgent need, as virtually every business group, private sector economist and think tank have suggested, for us to return to very serious spending restraint. That restraint, I submit, would be most effectively brought about by empowering a parliamentary estimates committee to dig down deep, to discover by questioning witnesses, to have an independent capacity to do research and to call before it government officials. By doing that, it would have a tremendous ability to identify wasteful and needless government programs.

It would be my hope that, if such a committee were adopted should this motion pass, government members would sometimes vote against spending proposals brought before them by their ministers.

• (1815)

This could be one small but important step toward empowering individual members to represent their constituents in the best interests of the Dominion and to restore one of the central purposes of parliament to act as an effective check and balance against the spending power of the government. I therefore support the bill and encourage all members to do likewise.

Mr. John Duncan (Vancouver Island North, Canadian Alliance): Mr. Speaker, I am pleased to speak to the motion tonight. We are talking about bringing increased transparency and accountability to parliament. The motion would create a special estimates committee of the House of Commons.

I have been in this place since 1994, but my federal political awareness really came into effect in 1992. I believe, and I think so do many of my constituents, that the primary duty of this place is to look after taxpayer dollars.

Private Members' Business

It was clear to me in 1992 that the mechanisms in this place were inappropriate to the task, and everything I have experienced since 1994 has done nothing but reinforce what I believed to be true before I got here. That is a sad statement.

This is a genuine attempt at reforming the system and one that should be encouraged. We have an opposition and government initiative with this co-authored report. Therefore, when we vote on the creation of the estimates committee, there is a reasonable opportunity, chance or probability that we may create this very important oversight committee. This committee could perform some very effective roles.

We need fiscal discipline and we need to get away from the kind of politics which the country can no longer afford, such as spending promises politics. What we now have is a Byzantine process at best. It needs to be modernized.

There are two things about which I want to talk. One-third of our expenditures are scrutinized by the House in committee of the whole, which is not an effective oversight. We do not look at a lot of things such as the kinds of government guarantees on all fronts which create liabilities.

When the government of New Zealand faced a bad fiscal situation in the 1990s, it added up all the guarantees made over the years, and which were still current, and discovered that the country had a negative net worth. That was the point at which it hit the wall and had to impose a complete new fiscal regime on the country.

We are not quite there, but we do not know what our liabilities are or what guarantees have been made and so on. That is what motivates the official opposition and that is what motivates me. That is also what has motivated much of our policy development, which is the basic framework and architecture of the party I represent.

• (1820)

We brought a discipline to this place that did not exist before we got here. The \$42 billion deficit that the current government inherited from the previous government required a form of discipline and that was aided and abetted very much by the actions of the Reform Party of the day. I can honestly say that I am very proud that we had that kind of an impact on things because it was a net gain for the country, the citizens and the taxpayers.

We have gone from a balanced book position into a new era which means we need a new discipline driven by new needs and that requires some new mechanisms. We have a whole new set of security concerns, new spending requirements and a government that, up until now, has been adept at creating new spending but very poor at re-prioritizing spending. There was always new spending while the old programs tended to continue. The committee could assist in shedding that kind of baggage. We need to get away from that kind of thinking.

We must create the circumstances required to have all the things we not only want but actually need if we are to retain any semblance of sovereignty and the ability to retain our best and brightest. That means we must continue to lower taxes and continue to pay down the debt.

We must also spend on new areas of major concern that we have allowed to lapse, such as in the area of security. That includes the Department of National Defence, the RCMP, CSIS, new technology at our borders and addressing security issues surrounding the way our refugee determination process is often abused at our borders. In order for these things to be effective they require a new philosophy and new scrutiny. We need to get there and this is one way to help us reach that goal.

I talked about the \$42 billion deficit we had in 1993. We were getting very close to being internationally insolvent in a sense. That was the stimulus that got us to change our ways. We now have an obvious need to re-prioritize. The last time it was a lot easier than it will be this time because the last time the federal government did not really change its internal behaviour. What it did was cut transfers which affected health care and the provinces much more than the federal government itself.

I do not think we can get to where we need to go without the committee. It is not that this is a nice thing to do but it is essential. We will all be better off if we retain control of our spending. If we do this, we will all be earning our pay cheques in this place.

• (1825)

Mr. Lynn Myers (Parliamentary Secretary to the Solicitor General of Canada, Lib.): Mr. Speaker, I am pleased to enter the debate on Motion No. 296. For the record the motion before us states:

That, in the opinion of this House, the government should fully implement the recommendations of the 51st Report of the Standing Committee on Procedure and House Affairs in the First Session of the 36th Parliament, entitled "The Business of Supply: Completing the Circle of Control".

It is important to have this debate on the motion. I certainly listened with great interest to the members who have spoken up to this point. I want to make a minor correction. The member who spoke prior to me said that because of the cut in transfer payments that was how the books were balanced when the Liberal Party took power in 1993. Of course he knows better. It was a result of rolling up our sleeves as a government and making sure that through program review we cut spending in many of the departments. We went on to make sure that we did the right thing. We asked Canadians to sacrifice and they co-operated with us. As a government we were very successful in eliminating the Tory deficit that had really beleaguered us in 1993.

Now we are paying down the debt in substantial amounts of billions of dollars. At last count it was over \$30 billion we have paid down on the debt.

As a government we are making the kinds of moves that are consistent with what Canadians expect and want. It is in keeping with our obligations not only domestically but internationally as well. It underscores the good work of the Prime Minister and the cabinet, and especially the finance minister and all members of our caucus. They have worked very hard to ensure that is the case.

Private Members' Business

There was some allusion prior to my speaking about the history of how this motion came about. It is important to know the subcommittee of the procedure and House affairs committee presented its report in 1997. Of course events overtook that report being submitted. As a result there was a general election. It was re-tabled following the dissolution of parliament in 1998.

We need to understand this point thoroughly. The House modernization committee built on the recommendations and the work of the procedure committee. That was a very important committee dealing with the whole idea of modernizing the House of Commons. There was talk about making it more efficient, more accountable and better working and in keeping with a new approach in how as parliamentarians we deal with the various functions of parliament and in reverse, how best to proceed in terms of parliament proceeding to do what members of parliament want.

I mention that because it is important to note that as a result of the government's initiatives we struck the modernization committee. On June 1 that committee report was tabled. It was adopted. We have now seen extensive improvements as a result of the good work of that committee. We have seen the extensive improvements that have occurred especially as they relate to the estimates process which is in essence what we are speaking about tonight.

These changes have increased the role of the House, based on the good work of the modernization committee, in the review of estimates and in debating the government's spending plans in the full House of Commons. That is an important point because that has happened. We have now taken the appropriate steps to ensure that the estimates are debated thoroughly. Therefore unfortunately this motion is not necessary. It is not required. In fact it is redundant. We need to keep that in mind.

My second major point, which is an important one, is that if we were to put in place a new estimates committee, it would overlap the present work of the existing committees.

● (1830)

For example, when I chaired the health committee we called in the health minister who at the appropriate times discussed the estimates and recommended, supported, debated and talked about what was being planned by the health department. That is a very appropriate process. That committee has the kind of overall public health approach philosophy, the kinds of departmental issues and overall policy objectives that would be part and parcel of the health committee. The Minister of Health would be there to discuss and debate those estimates as they were presented.

The same is true at the justice and human rights committee of which I am a member. For example, in the next little while, I believe within the next week or so, the Minister of Justice and the Attorney General of Canada will be there, whose job it will be to defend the estimates that she will be presenting at the justice and human rights committee. That is precisely the appropriate forum for that to take place.

The process has worked very well. It is an ongoing process in terms of requiring members of parliament to get down to the basic work of researching their questions, studying the issues and making sure they understand the policies. At the same time, I guess for lack

of a better word, they grill the minister to see whether he or she can defend the estimates as they are being presented. That is the parliamentary process. I believe it is a very good one. It has served us well. It has worked very well. It continues to be fine tuned and refined. It also continues to be made modern in the sense of keeping up with existing and other changes which occur which are consistent with the values of this House and by extension the values of all Canadians. We need to keep that in mind.

We have heard from other people. Certainly the President of the Treasury Board has indicated that she is prepared to maintain the Treasury Board requirements to report fully on parliamentary spending and spending matters as they pertain to expenditures across the departments. We continue to press for any and all improvements in that reporting because I think that is in keeping with the will and the wishes of Canadians and our constituents. That is precisely what the President of the Treasury Board has committed to, as she has in the past. That is appropriate. It makes a great deal of sense in terms of what we can do, what we should do and quite frankly what we must do.

I have to confess that in terms of some of the implications of where this motion could take us, I do not like the notion or idea that confidence in the government might somehow be reduced on the issue of supply. The whole notion of confidence in the government based on supply is a longstanding parliamentary tradition. It goes back to the very essence and roots of parliamentary democracy as we know it and as we have tailored it to the needs and requirements of Canada based on some of the British parliamentary traditions and other traditions which exist.

That is an appropriate convention to have. It goes to the very heart of what I believe to be parliamentary democracy. It is something that should be maintained. I do not for a minute like the idea that somehow we would reduce that or make it less than what it is now. That would have the net effect of making parliament not the place that it is today. It would neutralize it to a point which I believe would be unacceptable.

My point is simple. We need to carry on with the modernization committee report. We need to carry on with those recommendations, which we are now doing. It makes a great deal of sense. As a result, I find the motion is not required. I certainly cannot support it and I would urge all other members not to as well.

At the end of the day, we will carry on as a government with the assistance of all members I believe in a manner consistent with the great values of Canada. We will do it in a way which ensures that spending is done in a manner that is appropriate and one of which we can all be proud.

● (1835)

Mrs. Lynne Yelich (Blackstrap, Canadian Alliance): Mr. Speaker, I am very pleased that my colleague from St. Albert put forward this motion that talks about transparency and accountability.

The member beside me would have liked to ask about the \$39 billion debt when the Liberals took power. It has been reduced by \$36 billion. The difference is exactly the amount the government robbed from the EI fund in the same time period. That question is on the record now and perhaps we will have a chance to talk about it again.

Adjournment

This is an excellent motion because it talks about accountability. My husband related to me the story about someone who came up to him one day to say his brother was so kind. His brother always used my husband. He always borrowed his tractor and brought it back empty. He always borrowed the car and brought it back with no oil. He was always using him.

Then this friend comes up and says that his brother is so kind and generous that he would give the shirt off his back. My husband replied to the friend by asking "Why does it have to be the shirt off my back?" That is what politics is all about today. It is about parliamentarians being able to have power.

I am new and I would love some power. I would sit on that committee for nothing. I would not even charge the House the \$5,000. Would that not be a saving? That would be my first offer because I am paying too much taxes anyhow. Could I use it for a deduction?

● (1840)

The Acting Speaker (Mr. Bélair): The time provided for the consideration of private members' business has now expired and the order is dropped to the bottom of the order of precedence on the order paper.

ADJOURNMENT PROCEEDINGS

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

[*Translation*]

EMPLOYMENT INSURANCE

Mr. Paul Crête (Kamouraska—Rivière-du-Loup—Témiscouata—Les Basques, BQ): Mr. Speaker, on October 4, I asked a question of the Minister for Human Resources Development regarding the unanimous report from members on the EI plan. It is important to remind the House that members of all parties worked on that report.

The report recommended 17 changes to the employment insurance plan, which was deemed insufficient and unacceptable as a social safety net for people who lose their jobs.

I raised the question at that time. It was the beginning of October, a short time after the events of September 11. There was indeed an awareness that changes would have to be made to the EI plan. The minister answered my question then the same way she did today, saying that the plan was working very well and that changes were made through Bill C-2, which abolished the intensity rules, among other things.

The minister noted that we voted against that bill. We did because the bill provided that, as soon as it became law, the government could decide to do as it pleases with the EI fund surplus and establish the contribution rates based on its general funding needs.

In our opinion, the EI should guarantee people a minimum income when they have lost their jobs. The intensity rule, which had been abolished, to give hon. members an idea of its relative importance,

represents a saving of some \$100 million per year, whereas this year, as in past years, there will be a surplus of close to \$8 billion in the fund. So the amount associated with the intensity rule is less than 1% of the surplus.

This means that, at most, all of the measures contained in Bill C-2 would represent a recovery of 2% or 3% of the \$8 billion surplus. That is not what our fellow citizens said during the election campaign. They spoke of their desire for a balanced program, one that would ensure people's contributions would provide them with sufficient income when they were unemployed.

There are two ways to do that: either lower the contribution rate or improve eligibility conditions. The problem with our Employment Insurance program is that there is a third party, the federal government, which does not contribute to it but helps itself to huge amounts of money in order to finance its other expenditures.

I believe that, when it does this, it diverts the funds from their primary purpose, which is to ensure a proper employment insurance plan, something we do not have at the moment.

Regrettably, closings were announced once again today in the softwood lumber industry, and everyone in Canada, Quebecers and Canadians, are being called upon to join together so that our position prevails with the Americans.

We would have expected that the federal government, which has done its share in the negotiations with Ottawa, would sympathize with the people who are the most affected by these closings, that is the people who are now unemployed.

Could the government not have taken advantage of the unanimous report tabled in the House, which the Liberal members participated in and which called for major changes to the employment insurance plan? This is the question that always goes unanswered.

Now as the federal government is generating a \$8 billion surplus in the employment insurance fund, why is it not able to ensure reasonable fairness with the tool it has to use in its fight against poverty?

Can the government give us an answer and finally agree to make changes in this direction? Until now, we have not received a convincing answer.

● (1845)

Mrs. Marlene Jennings (Parliamentary Secretary to the Minister for International Cooperation, Lib.): Mr. Speaker, as the hon. member opposite said, he already asked that question during oral question period and the minister answered it.

I must say that the September 11 events have had a profound impact on the lives of all Canadians. This government is closely monitoring the situation to ensure that Canadians have access to the support and services that they need.

Adjournment

Human Resources Development Canada has already made a number of adjustments. We launched the pilot project on shortened work weeks. We eliminated the rule on undeclared earnings. We extended parental benefits. We also made major changes to Bill C-2 by repealing the intensity rule and amending the provisions on clawback and on parental return to the workforce. We will continue to make sure that the program takes into account the changes in the labour market.

Employment insurance is designed to react quickly and automatically to changes in the local labour markets since eligibility criteria are relaxed as unemployment rates increase. The number of hours needed to qualify is adjusted every month in every one of the 58 EI areas to take into account local unemployment rates. A change in the local unemployment rate as tiny as one tenth of a percentage point may relax the eligibility criteria and extend the benefit period for people in the concerned area.

Moreover, we offer various labour market measures locally to employees and employers whenever an emergency arises, for instance massive layoffs.

The government's priority is always to make sure that Canadians can find a job. Labour market conditions remain sound in spite of the upheaval created by the September 11 events in the United States. Job creation has been weak but at 7.3 % the unemployment rate has never been as low. For adult women this rate is even lower at 6.1 %. These numbers point to the health of the Canadian labour market.

Employment insurance is a national program that is here to help workers whose job was directly impacted by the September 11 events just as it is here for every other worker. The 2000 Monitoring and Assessment Report reveals that 88 % of Canadians gainfully employed would be eligible to benefits should they lose their job.

I believe that given the information we just gave, it can be said that, thanks to the changes made to date by the government, the program is as ready as ever to meet the needs of Canadians.

• (1850)

Mr. Paul Crête: Mr. Speaker, the member is referring to something that was amended in Bill C-2. Why then did the

members, including the Liberal members, unanimously submit 17 supplementary recommendations?

Was it not precisely because—despite what Bill C-2 contains, which recuperates a maximum of 2% or 3% of the \$8 billion surplus—the federal government is still using 98% of this surplus for purposes other than what the employment insurance system was designed for?

When she says that 88% of those gainfully employed would be eligible, I feel compelled to remind her that employment insurance is not designed to insure those who have a job; it is designed to insure those who do not have a job. Only around 40% of those who are unemployed receive employment insurance benefits.

Does the parliamentary secretary to the minister not agree with me that if this were a private insurance plan, she would never in a million years pay into it, because she would consider it robbery?

Mrs. Marlene Jennings: No, Mr. Speaker. We agree with the committee that the basic features of the plan are valid.

We were asked to examine certain aspects of the plan which were raised by witnesses who appeared before the committee during consideration of Bill C-2.

What the member is refusing to see is that, in our response to the report, we mentioned the issues it raised. We have already addressed these issues, such as the short work week and undeclared earnings. We intend to look more closely into such issues as apprenticeship, self-employment, and family obligations.

I think that in the present climate of economic uncertainty, Canadians want to know that they can count on a reliable and stable plan. And they can.

The EI plan is stable and reliable and we are going to ensure that it stays that way.

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 6.52 p.m.)

CONTENTS

Wednesday, November 21, 2001

STATEMENTS BY MEMBERS

Education

Mr. Telegdi 7367

Immigration

Mr. Vellacott 7367

Estelle Chamberland-Gobeil

Mr. Binet 7367

Women's Rights

Ms. Bennett 7367

Highway Infrastructure

Mr. Bertrand 7368

Pensions

Mr. Merrifield 7368

The Environment

Mr. Bonwick 7368

Amnesty International

Mr. Paquette 7368

Jean Tanguay

Mr. Bélanger 7369

Whistleblowers

Mr. Grewal 7369

International Year of the Volunteer

Ms. Leung 7369

Devco

Mr. Godin 7369

History of Canada

Mr. Sauvageau 7369

AECL

Mr. Caccia 7370

Rights of the Child

Mr. Doyle 7370

ORAL QUESTION PERIOD

Airline Safety

Mr. Day 7370

Mr. Chrétien 7370

Mr. Day 7370

Mr. Chrétien 7370

Mr. Day 7370

Mr. Chrétien 7370

Mr. Moore 7370

Mr. Collenette 7370

Mr. Moore 7370

Mr. Collenette 7371

Canadian Broadcasting Corporation

Mr. Duceppe 7371

Ms. Copps 7371

Mr. Duceppe 7371

Ms. Copps 7371

Mr. Gauthier 7371

Ms. Copps 7371

Mr. Gauthier 7371

Ms. Copps 7371

The Environment

Mr. Blaikie 7371

Mr. Chrétien 7372

Mr. Blaikie 7372

Mr. Chrétien 7372

Anti-Terrorism Legislation

Mr. Clark 7372

Ms. McLellan 7372

Mr. Clark 7372

Ms. McLellan 7372

Immigration

Mr. Jaffer 7372

Ms. Caplan 7372

Mr. Jaffer 7372

Ms. Caplan 7373

Canadian Broadcasting Corporation

Ms. Gagnon (Québec) 7373

Ms. Copps 7373

Ms. Gagnon (Québec) 7373

Ms. Copps 7373

Immigration

Mr. Fitzpatrick 7373

Ms. Caplan 7373

Mr. Fitzpatrick 7373

Ms. Caplan 7373

Employment Insurance

Mr. Crête 7373

Mrs. Stewart 7373

Mr. Crête 7373

Mrs. Stewart 7373

Justice

Mr. Sorenson 7374

Mr. MacAulay 7374

Mr. Sorenson 7374

Mr. MacAulay 7374

Aboriginal Affairs

Mr. Discepola 7374

Mr. MacAulay 7374

Employment Insurance

Mr. Godin 7374

Mr. Chrétien 7374

Justice

Mr. Robinson 7374

Ms. McLellan	7374
Anti-Terrorism Legislation	
Mr. MacKay	7375
Ms. McLellan	7375
Mr. MacKay	7375
Ms. McLellan	7375
National Defence	
Mr. Pallister	7375
Mr. Eggleton	7375
Mr. Pallister	7375
Mr. Eggleton	7375
Amateur Sport	
Mr. Marceau	7375
Mr. Cauchon	7376
Mr. Marceau	7376
Mr. Cauchon	7376
High Tech Industry	
Mr. Penson	7376
Mr. Chrétien	7376
Mr. Penson	7376
Mr. Chrétien	7376
Crime Prevention	
Ms. Augustine	7376
Ms. McLellan	7376
Tax Point Transfers	
Mr. Reid	7376
Mr. Dion	7377
Mr. Reid	7377
Mr. Dion	7377
The Environment	
Mr. Cardin	7377
Mr. Anderson (Victoria)	7377
Mr. Laliberte	7377
Mr. Anderson (Victoria)	7377
Canada 3000	
Ms. Meredith	7377
Mr. Collenette	7377
Health	
Ms. Wasylycia-Leis	7377
Mr. Rock	7377
Hydroelectric Project	
Mr. Asselin	7378
Mr. Anderson (Victoria)	7378
Softwood Lumber	
Mr. Duncan	7378
Mr. Pettigrew	7378
Anti-terrorism Legislation	
Mr. Casey	7378
Mr. Manley	7378
Presence in Gallery	
The Speaker	7378

GOVERNMENT ORDERS

Canada National Marine Conservation Areas Act	
Bill C-10, Third Reading	7378
The Speaker	7378
Amendment to the amendment negated	7379
Amendment negated	7380

Privilege

Firearms Act—Speaker's Ruling	
The Speaker	7380

ROUTINE PROCEEDINGS

Government Response to Petitions	
Mr. Regan	7381

Committees of the House

Foreign Affairs and International Trade	
Mr. Graham	7381

Verbal Abuse Prevention Week Act

Mr. Murphy	7381
Bill C-414. Introduction and first reading	7381
(Motions deemed adopted, bill read the first time and printed)	7382

Petitions

Sexual Assaults Against Children	
Ms. Girard-Bujold	7382

Military Action

Mr. Robinson	7382
--------------------	------

Free Trade Area of the Americas

Mr. Robinson	7382
--------------------	------

Kidney Disease

Mr. Adams	7382
-----------------	------

Military Action

Mr. Adams	7382
-----------------	------

Questions on the Order Paper

Mr. Regan	7383
-----------------	------

Questions Passed as Orders for Returns

Motions for Papers

Mr. Regan	7384
-----------------	------

GOVERNMENT ORDERS

Canada National Marine Conservation Areas Act	
Bill C-10. Third reading	7385
Ms. Bulte	7385
Ms. Gagnon (Québec)	7385

FOREIGN MISSIONS AND INTERNATIONAL ORGANIZATIONS ACT

Bill C-35. Third reading	7386
Mr. Pallister	7386
Amendment	7391

Business of the House

Ms. Catterall	7391
Bill C-10. Division on motion deferred	7392

Foreign Missions and International Organizations Act	
Bill C-35. Third Reading	7392
Mr. Myers	7392
Ms. Carroll	7394
Ms. Lalonde	7397
Mr. Casey	7400

PRIVATE MEMBERS' BUSINESS

Business of Supply	
Motion	7401
Mr. Epp	7401
Mr. Pratt	7402

Mr. Pankiw	7403
Mr. Kenney	7404
Mr. Duncan	7405
Mr. Myers	7406
Mrs. Yelich	7407

ADJOURNMENT PROCEEDINGS

Employment Insurance	
Mr. Crête	7408
Mrs. Jennings	7408

MAIL  POSTE

Canada Post Corporation / Société canadienne des postes

Postage paid

Port payé

Lettermail

Poste-lettre

**1782711
Ottawa**

If undelivered, return COVER ONLY to:

Communication Canada - Publishing
Ottawa, Ontario K1A 0S9

En cas de non-livraison,

retourner cette COUVERTURE SEULEMENT à :

Communication Canada - Édition
Ottawa (Ontario) K1A 0S9

Published under the authority of the Speaker of the House of Commons

Publié en conformité de l'autorité du Président de la Chambre des communes

Also available on the Parliamentary Internet Parlementaire at the following address:

Aussi disponible sur le réseau électronique « Parliamentary Internet Parlementaire » à l'adresse suivante :

<http://www.parl.gc.ca>

The Speaker of the House hereby grants permission to reproduce this document, in whole or in part, for use in schools and for other purposes such as private study, research, criticism, review or newspaper summary. Any commercial or other use or reproduction of this publication requires the express prior written authorization of the Speaker of the House of Commons.

Additional copies may be obtained from Communication Canada - Canadian Government Publishing, Ottawa, Ontario K1A 0S9

Le Président de la Chambre des communes accorde, par la présente, l'autorisation de reproduire la totalité ou une partie de ce document à des fins éducatives et à des fins d'étude privée, de recherche, de critique, de compte rendu ou en vue d'en préparer un résumé de journal. Toute reproduction de ce document à des fins commerciales ou autres nécessite l'obtention au préalable d'une autorisation écrite du Président.

On peut obtenir des copies supplémentaires en écrivant à : Communication Canada - Édition, Ottawa (Ontario) K1A 0S9

**On peut obtenir la version française de cette publication en écrivant à : Communication Canada - Édition
Ottawa (Ontario) K1A 0S9**