



CANADA

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OFFICIAL REPORT
(HANSARD)

Wednesday, November 28, 2001

—

Speaker: The Honourable Peter Milliken

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HOUSE OF COMMONS

Wednesday, November 28, 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 Fraser Valley.

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

STATEMENTS BY MEMBERS

[English]

VOLUNTEERS

Hon. Andy Scott (Fredericton, Lib.): Mr. Speaker, volunteers play a special role in the riding of Fredericton. Their contributions were recently recognized at a special year of the volunteer ceremony at which 50 people and organizations were presented with certificates and 10 were awarded medals.

Congratulations to the 10 medal recipients: Erin Cooke, Margie Cummings, Dr. Bill MacGillivray, Peter Thomas, the Harvest Jazz and Blues Festival, the New Brunswick Film Co-op, Ted Gaudet, Ann Passmore, Arthur and Patsy Kitchen, and the Multicultural Association of Fredericton. Special thanks to Monika Zauhar and her selection committee, the Greater Fredericton Economic Development Corporation, for their support and in particular the lieutenant-governor for hosting the event at Old Government House.

I thank the Royal Canadian Mint for its initiative in producing the beautiful medals in this special year. Congratulations to all volunteers for the value they add to Canada.

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COMMUNITY HEROES

Mrs. Lynne Yelich (Blackstrap, Canadian Alliance): Mr. Speaker, today I speak about Canadian heroes like Vincent Northrop, who won the CCA 2001 bull riding title. He showed his community that dedication can realize a dream.

Heroes like Kelly Wormsbecker, who volunteers with the CESO in the Philippines, showed how giving created community ties throughout the world. There are organizations of heroes such as the CWL of St. Frances Xavier Church. These women ambitiously

participated in a ribbon campaign against pornography and showed their community how to speak up and be heard.

It is also with sorrow that I say goodbye to heroes in my community: Gary Beckie, former U of S basketball player who succumbed to cancer at age 41. By example Gary's life showed his community that living to its fullest was living a life of service. I also say goodbye to Francis Matovich, who was a pillar in both his church and first responder volunteers. His sudden passing showed his community how precious time is and how to make every moment count.

I urge everyone to look for the heroes in their communities and when they find these people learn from them and thank them for their dedication to making our communities a better place to live.

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• (1405)

COMMONWEALTH PARLIAMENTARY ASSOCIATION

Mrs. Sue Barnes (London West, Lib.): Mr. Speaker, last week the federal branch of the Commonwealth Parliamentary Association hosted the inaugural session of the Canadian Parliamentary Seminar. Twenty-two Commonwealth parliamentarians from around the world joined Canadian members of parliament and senators to discuss the theme of strengthening democracy.

Workshops included the examination of equality and inclusiveness, engaging women in the political process, representation in a multicultural society, parliament and the media, and electoral representation.

One of the many highlights of the week was a keynote address from His Excellency John Ralston Saul probing the current state of representative democracy. The Canadian Parliamentary Seminar illustrates that Canada should and can take the initiative to strengthen representative democracies worldwide.

Our commitment to democratic principles provides a guiding light for fledgling democracies and an excellent forum for the exchange of ideas and best practices. We look forward to continue doing our share as an association engaging parliamentarians to benefit their respective societies. We thank everyone for their help.

S. O. 31

[Translation]

LA CATAPULTE THEATRE

Mr. Mauril Bélanger (Ottawa—Vanier, Lib.): Mr. Speaker, for two years now, a wonderful theatre facility called La Nouvelle Scène, at 333 King Edward Street, in my riding of Ottawa—Vanier, has been operating successfully.

The Théâtre du Trillium, the Théâtre de la Vieille 17 and Vox Théâtre are all located within this facility, as is another group. This is the group that I would like to mention today.

It is a creative theatre group that has been in existence for not quite 10 years. It will be celebrating its 10th anniversary next year. It was catapulted, if I may use the expression, to the artistic pantheon when it received a \$10,000 award from the lieutenant governor of Ontario.

I would like to congratulate its artistic director, Joël Beddows, for the excellent work that the Théâtre La Catapulte has been doing for nine years now. I wish them many more successful years.

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[English]

CANADIAN STAGE COMPANY

Ms. Sarmite Bulte (Parkdale—High Park, Lib.): Mr. Speaker, I rise today to congratulate the Canadian Stage Company, one of 18 recipients of the 2001 Lieutenant-Governor's Awards for the Arts which were presented on Tuesday, November 27 in Toronto.

These esteemed awards, which are Canada's largest monetary prizes for arts organizations, recognize Ontario based organizations for demonstrating exceptional private sector and community support.

The Canadian Stage Company was founded in 1970 and is one of the largest not for profit theatre companies in Canada. It is dedicated to creating and producing the best Canadian theatre and Canadian interpretation of international works. The Canadian Stage Company is also the producer of CanStage TD Bank "Dream in High Park" in my riding.

I congratulate the Canadian Stage Company for its outstanding contributions to Canada's arts and culture.

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BILL C-36

Mr. Philip Mayfield (Cariboo—Chilcotin, Canadian Alliance): Mr. Speaker, access to information is a cornerstone of democracy. The right to know ensures transparency and accountability in government and a healthy democracy. The government recoils at the level of accountability that transparency brings.

With Bill C-36 the government would weaken Canada's access to information laws in its zeal to provide us with anti-terrorism legislation. It would give the attorney general the power to issue certificates that would exclude information now allowed. It would prevent the information commissioner and the courts from reviewing unjustifiable government secrets.

There would be no meaningful independent review of these secrets. The government would not have to prove that disclosure

would cause injury and there would be no end to this period of secrecy. We would no longer have the right to protect our property and loved ones through democratic transparency and accountability.

The government is gutting the access to information we now enjoy and taking away the freedom of information from Canadians.

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WORLD AIDS DAY

Ms. Jean Augustine (Etobicoke—Lakeshore, Lib.): Mr. Speaker, Saturday, December 1 is World AIDS Day. The theme of this year's AIDS awareness campaign is "I Care...Do You?" and aims to involve individuals, especially young men and politicians, more fully in the fight against the HIV epidemic.

Today more than 36 million people worldwide are living with HIV infection. Last year alone three million people died from AIDS, 95% of them in developing countries. One of the many challenges faced by developing countries in fighting HIV-AIDS is access to affordable, life saving medicine.

Two weeks ago in Doha more than 80 countries agreed that TRIPS, Trade-Related Aspects of International Property Rights, should be interpreted and implemented in a manner supportive of WTO members' rights to protect public health. This decision will have an impact on the global response to the epidemic.

It is in everyone's interest to ensure the TRIPS agreement is seen as an instrument that reinforces—

● (1410)

The Speaker: The hon. member for Sherbrooke.

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[Translation]

SHAH ISMATULLAH HABIBI

Mr. Serge Cardin (Sherbrooke, BQ): Mr. Speaker, as part of the Quebec citizenship week, which took place from November 19 to 23, a citizen from the riding of Sherbrooke was honoured for his contributions to the community.

Shah Ismatullah Habibi received the Jacques Couture award from Quebec's minister of citizen relations and immigration for his work bringing cultural groups closer together.

Mr. Habibi came to Sherbrooke in 1993 with the first wave of Afghan refugees. Since then, he has become actively involved in our community and has occupied a number of important positions, such as on the new immigrant welcome committee, with the world traditions festival, on the family advisory committee, with the transcultural educational association and the support program for new Canadians, to name but a few.

On behalf of all of the residents of the riding of Sherbrooke, I would like to offer my sincere congratulations to Mr. Habibi for this prestigious award.

KEN HECHTMAN

Mr. John Bryden (Ancaster—Dundas—Flamborough—Aldershot, Lib.): Mr. Speaker, I wish to take this opportunity to indicate the concern shared by all members of this House for the safety of the Canadian journalist, Ken Hechtman, who is currently being held prisoner in a Taliban area of Afghanistan.

Mr. Hechtman was reporting for a Montreal newspaper when he was kidnapped. We understand he is being held with his hands bound in a tiny cell, while his kidnappers are making ransom demands. His life is in danger.

[English]

Mr. Hechtman's plight underscores the dangers journalists willingly run in order to cover the fighting in Afghanistan. Indeed, so far eight journalists have died. Yet we need such independent news coverage if we are to understand events that could profoundly affect the lives of all of us. We know the government will do anything it can to free Mr. Hechtman. His danger is great. We earnestly hope for his release.

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THE WINTER OLYMPICS

Mr. Randy White (Langley—Abbotsford, Canadian Alliance): Mr. Speaker, it is indeed a pleasure to stand in the House of Commons to express how proud my community of Abbotsford, British Columbia is to congratulate Alana Kraus on her successful qualification to represent Canada in the 2002 Winter Olympic Games.

Alana is known for her hard work and dedication to the sport of speed skating and we all know she will be the very best she can be. Alana sets high standards for herself and is a role model for others to follow. She is a young 24 and has many more successful years ahead of her. We will all be cheering for Alana in the Olympics in Salt Lake City.

I also would like to congratulate all the people who have helped Alana over the years, her coaches, friends and family. Together they have all contributed to the character and personality of a world class competitor, Alana Kraus.

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CANADA-U.S. RELATIONS

Mr. Joe Jordan (Leeds—Grenville, Lib.): Mr. Speaker, people say that Texas is not a state but a state of mind. This morning *The Dallas Morning News* provides some insights into what is on the minds of the people in Texas these days. It states:

If today you see an outgoing man, with a gravelly French accent...go over and shake his hand. He is...prime minister of Canada. Be sure to thank him for Canada's contribution to the U.S.-led war against global terrorism, for it is not acknowledged enough.

Canada didn't just condemn the atrocious attacks on the United States. It unhesitatingly enlisted to defeat the people and countries that perpetrated them. It offered troops and treasure.

When its very existence was threatened, there was Canada, and in a big way. The 100,000 Canadians who sang the U.S. national anthem on Ottawa's Parliament Hill amply testified to the strong bonds between the countries.

The United States and Canada sometimes disagree, but that's to be expected in a relationship so rich and complex. On the rare occasion of his visit, Texans should welcome and thank [the right hon. Prime Minister of Canada].

S. O. 31

● (1415)

BILL C-36

Mr. Bill Blaikie (Winnipeg—Transcona, NDP): Mr. Speaker, in recent days we have been treated to the kind of gap between rhetoric and reality that causes Canadians to have a lot of cynicism about Canadian politics.

The leader of the Conservative Party has said that Bill C-36 is about shutting down the information commissioner, that it is a power grab, that it is muzzling a parliamentary watchdog, that it represents a culture of secrecy, that it is an assault on Canadian civil liberties, that it is comparable to the War Measures Act and that it must be stopped.

If that is the case, why is it that the Conservative Party voted for Bill C-36 when it could have joined New Democrats and the Bloc in opposing Bill C-36?

It is one thing to approve of a bill and suggest how to improve it, but to denounce it in its final form and then vote for it is the height of cynicism.

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[Translation]

RADIO-CANADA

Ms. Christiane Gagnon (Québec, BQ): Mr. Speaker, Radio-Canada television receives approximately half the funding of its English-language counterpart, the CBC.

At a session of the Standing Committee on Canadian Heritage, the Liberal member for Simcoe—Grey stated that he found it normal for francophones to get half the public funding that anglophones do.

Is not one of the objectives of the Broadcasting Act the respect of both of Canada's official languages? And was not a motion stating that the House of Commons must be guided by the principle that Quebec forms a distinct society passed by the members of this government? Fine talk with no substance.

Consideration of francophones solely according to their numerical representation, treating them as a minority rather than an equal nation, is intensifying their assimilation and cultural impoverishment. Why should francophones have to settle for half the funding to produce programming? English Canada's parliamentarians would appear to need a major change in attitude.

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DIABETES MONTH

Mr. Bernard Patry (Pierrefonds—Dollard, Lib.): Mr. Speaker, somewhat belatedly, I have the pleasure of informing the House that November is Diabetes Month.

Diabetes is a national public health problem in Canada and in the world. It currently affects over 2.2 million Canadians, contributes to over 5,500 deaths annually and costs Canada's economy some \$9 billion annually.

Type 1 diabetes, previously recognized as a disease that affected adults only, now affects children as well.

Oral Questions

As Canada's population ages, the number of cases of type 2 diabetes is expected to increase. Unless we change our lifestyle, our eating habits and our physical activity, we run an increased risk of developing type 2 diabetes.

In 1999, so that Canadians could benefit more from the expertise available throughout Canada, the Government of Canada invested \$115 million over five years to develop a Canadian strategy on diabetes.

I take this opportunity to thank all those who contribute in any way to research into this disease.

* * *

[English]

NATIONAL SECURITY

Mr. Loyola Hearn (St. John's West, PC/DR): Mr. Speaker, the government is ramming through Bill C-36 in order to ensure that Canadians are protected against terrorists.

Airport security has been tightened. Lineups exist at our borders as every vehicle is checked. However, there is another way into our country: by water.

Anyone who has anything from a dory to an ocean liner can enter anywhere in the country. The only way we will know they are coming is if they call ahead for reservations.

This dilemma is caused simply by government cutbacks to the DFO and coast guard specifically.

The greatest threat to the country lies not across the ocean but across the House.

ORAL QUESTION PERIOD

[English]

THE BUDGET

Mr. Stockwell Day (Leader of the Opposition, Canadian Alliance): Mr. Speaker, as the Liberals lurch toward their first budget in almost two years, we now know that we will see daily the headlines of things that have been leaked by one Liberal leadership candidate to try to diminish another leadership candidate.

Instead of all the sneaking and peeking that is going on by the Liberals, will the Prime Minister confirm today that the industry minister's latest high tech boondoggle has indeed been replaced for the higher priority needs of Canadians, security and defence? Can we just get a clear message on it?

Hon. Herb Gray (Deputy Prime Minister, Lib.): Mr. Speaker, we do not comment on what could or could not be in the budget. I appreciate the Leader of the Opposition's support for the traditional approach that we maintain on budget confidentiality.

I might add that the Leader of the Opposition is the last person in the country to talk about leadership.

• (1420)

Mr. Stockwell Day (Leader of the Opposition, Canadian Alliance): Mr. Speaker, it is as confidential as the next reporter. We saw that very clearly.

[Translation]

From the same report, the public learns that a mere \$600 million will go to defence and security. That is far too little.

Will the Prime Minister reassure people and commit to allotting \$2 billion a year to the budget of the Department of National Defence?

Hon. Herb Gray (Deputy Prime Minister, Lib.): Mr. Speaker, we appreciate the interest of the Leader of the Opposition in this matter but he will have to wait until December 10. I think he will be reassured when he sees the good budget the Minister of Finance presents.

[English]

Mr. Stockwell Day (Leader of the Opposition, Canadian Alliance): Mr. Speaker, the Liberals are not waiting until December 10. They are leaking stuff daily.

We need to know. With the gaping holes that have been left in our security wall in Canada because of Bill C-36, will there be an extra billion dollars to the RCMP and to CSIS and our border security forces to be able to plug the holes that have been left by Bill C-36?

Hon. Herb Gray (Deputy Prime Minister, Lib.): Mr. Speaker, what is strange is that the hon. member is wrongly asserting gaping holes in Bill C-36, because on October 16 his justice critic, the member for Provencher, said:

The government has taken some important steps. Although we will be considering the provisions of the bill very carefully, it is imperative that the legislation move forward as quickly as possible. I therefore thank members of the House for the increase in the number of hours for debate to raise concerns and move the matter along.

I say to the Leader of the Opposition: meet his justice critic.

Mr. Grant Hill (MacLeod, Canadian Alliance): Mr. Speaker, then the Liberals had to bring in closure and shut down debate. That was great.

Now that the industry minister's misguided broadband initiative has been pushed aside by the finance minister, it appears that a digital divide has emerged within the cabinet. Canadians frankly want assurances that their priorities will be given higher priority than this government will give.

Will the Deputy Prime Minister promise Canadians that there will be spending cuts in low priority areas rather than a deficit or tax increases? Yes or no.

Hon. Herb Gray (Deputy Prime Minister, Lib.): Mr. Speaker, I can promise the Leader of the Opposition and all Canadians that the budget that will be presented will be a good budget representing fairly the interests of all Canadians.

Mr. Grant Hill (MacLeod, Canadian Alliance): Mr. Speaker, in the last election there was a lot of talk from these Liberals about Canadian values.

Oral Questions

In the months since September 11, it has become clear that one of the great values of all Canadians is their safety and security. In fact, the Liberal dominated finance committee has joined with the official opposition and said that we should increase spending on security and defence.

Again my question is for the Deputy Prime Minister. Will we get assurances that they will cut down the wasteful spending and put money toward security and defence?

Hon. Herb Gray (Deputy Prime Minister, Lib.): Mr. Speaker, I thank the hon. member for reminding us and all Canadians that this week is the first anniversary of our third back to back majority victory.

That means that when Canadians looked at the potential and reality of the leaders of the various parties and the programs of the various parties, they rejected the Alliance Party out of hand as a discouraging, discredited, ragtag group, which has been confirmed every day over the past year.

* * *

[Translation]

PUBLIC SAFETY ACT

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, the public safety bill will allow the government to get around the National Defence Act, which prevents the army from being deployed in Quebec unless Quebec so requests.

Yesterday, the Prime Minister even alluded to Quebecers' right to protection by the central government to justify Ottawa's unilateral power to order the creation of military security zones.

Since the federal government does not want to have to wait for a request from the provinces before deploying the army in their territory, will the government admit that wisdom dictates that the bill should be withdrawn?

[English]

Hon. Art Eggleton (Minister of National Defence, Lib.): Mr. Speaker, again the hon. member is exaggerating what the military security zone is all about. It really intends to protect military equipment, the property that is off base. We already have the right to protect it on base. It would give us the right to protect it if it was in another location or on visiting ships from our ally countries, to be able to make sure that we can protect them. It is nothing more than what is absolutely necessary for the proper protection of this military property. All of this is subject to current laws and regulations. There is nothing new in this at all.

● (1425)

[Translation]

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, there is nothing new and yet they are bringing in a bill.

Examples have been given of many new things in this bill and the minister is not on top of it. It is a botched bill and it is being rushed through. Even if we want to split it—and we will—we are not exaggerating, just reading what is in the bill. We do not trust the minister's good intentions. A judge will look at the wording, not at what is in the minister's head, what he is thinking or what he does not understand.

I ask him to withdraw his bill and scrap it.

Hon. Herb Gray (Deputy Prime Minister, Lib.): Mr. Speaker, Bill C-42 must be consistent with the charter of rights and freedoms. The authority given to the minister is not permanent. It is limited to one year and renewable for one year.

As I have just said, this is entirely consistent with our charter of rights and freedoms. Members of the public in Quebec and throughout Canada must be reassured on this score.

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, to live in a military security zone for one year must be quite the experience. The Deputy Prime Minister should remember that.

The Bloc Québécois is not opposed to having some parts of the bill be dealt with separately. I believe this is what the government is about to do. It only makes sense that intelligence information be transmitted for the purpose of air safety. But safety must not be ensured at the expense of privacy. It would be a mistake to examine the legislative framework alone, without the regulations.

Will the Leader of the Government in the House of Commons admit that it would be extremely dangerous to examine the legislative framework alone given the importance of the regulations?

Hon. Don Boudria (Minister of State and Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I discussed the issue to which the hon. member is referring as regards the regulations at the drafting or other stage of the new bill that the government intends to introduce this afternoon and which is designed to split a clause.

To the extent that we can find them, even at the drafting stage, it would be our intention to table them, perhaps as early as this Friday, or else, as soon as possible.

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, considering that we are dealing with privacy, we are quite prepared to support the passage of the clauses of the bill.

However, parliament cannot do a responsible job if the government House leader does not pledge that the consideration of the bill will not end at the committee stage, before we have seen all the regulations to know exactly what kind of information is involved and ensure that privacy is indeed protected under the proposed legislation.

[English]

Hon. David Collenette (Minister of Transport, Lib.): Mr. Speaker, we certainly are very sensitive to the legitimate concerns raised by the hon. member. In fact, officials of my department have met with the privacy commissioner. I am sure he will have some comment on this particular clause to amend the Aeronautics Act. It would be our intention by Friday, if the House agrees to the splitting of Bill C-42, to bring in some draft intent of the regulations that would follow from this particular section in the new bill.

*Oral Questions***ANTI-TERRORISM LEGISLATION**

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, today a broad coalition of community organizations is calling on the government to withdraw Bill C-36. Since September 11 alarming incidents of racial hatred have occurred right across the country. We need leadership from the government. We need concrete measures to combat racism. Instead, the government is targeting voices of dissent and abandoning visible minorities and, by shutting down debate, proving that Canadians have a right to be worried.

Will the government show some leadership and launch an urgent positive plan of action to combat racism?

Hon. Herb Gray (Deputy Prime Minister, Lib.): Mr. Speaker, we have spoken out vigorously as a government against incidents of racism. We have shown our commitment in that regard by concrete steps like the Prime Minister's visit and speech in a major mosque a few weeks ago. The bill is not targeted against any ethnic or religious group. Instead, it is designed to provide a foundation of peace and security in which the rights and freedoms of everybody in this country will be protected. In light of that, the hon. member should withdraw her unwarranted assertions and support the bill.

• (1430)

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, I guess tokenism is the best we can hope for from an arrogant majority government.

On September 21 the House unanimously supported the NDP motion for parliamentarians to stand together in protecting the human rights of all of our citizens. In total contradiction, the government is about to ram through Bill C-36. The legislation is the most flagrant attack on the civil liberties of Canadians since the War Measures Act.

In response to the rising tide of opposition, will the government learn from the mistakes of the past and withdraw Bill C-36?

Hon. Herb Gray (Deputy Prime Minister, Lib.): Mr. Speaker, the bill is not an attack on civil liberties. It is there to provide a foundation of protection for civil liberties.

The hon. member is totally off base in her assertions. She is wrong. I ask her to review the basis for her assertions. If she will look at them, she will agree that what we have done is in conformity with the motion passed by the House. It is in conformity with the charter of rights and freedoms. She ought to admit that and join once again in supporting this measure directly, one that is supporting the rights and liberties of all Canadians.

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PUBLIC SAFETY ACT

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC/DR): Mr. Speaker, in Bill C-42 the government has decided to introduce the ability for ministers to pass interim orders declaring emergencies, just as in Bill C-36 the government will grab more executive power. There is no provision for these orders to come to parliament for debate. The orders appear to have no set criteria, do not have to be publicized in the *Canada Gazette* for 23 days, nor pass through parliament.

Why has the government brought in these measures when the Emergencies Act, with comprehensive powers and specific limitations, already exists?

Hon. David Collette (Minister of Transport, Lib.): Mr. Speaker, I answered this question last week.

Canadians want to know that in any urgent situation the government can act very swiftly in the national interest. There are legitimate safeguards in the legislation, Bill C-42, including the gazetting of the regulations, including a limit on the regulations, including the fact that the regulations are subject to judicial appeal. All the safeguards are there.

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC/DR): Mr. Speaker, the government continually increases the concentration of power in the hands of the Prime Minister and selected ministers. The Emergencies Act provides detailed examination by parliament of any order issued against it. It includes the right to debate, the right to vote and the right to revoke an order.

But the last eight years of increased executive rule have shown the Prime Minister's autocratic style and increased contempt for parliament. Bill C-42 is just the latest example of executive order to bypass parliament. For a member who has served in the House for over 40 years, and his deputy as well, why has the Prime Minister exhibited such contempt for parliament?

Hon. Herb Gray (Deputy Prime Minister, Lib.): Mr. Speaker, if the hon. member wants me to call upon my almost 40 years here, I can say that the Prime Minister has shown regard for parliament and the rights of Canadians equal to, in fact surpassing that, of any other prime minister, especially the last Conservative prime minister.

I call upon the hon. member therefore to accept what I say. If he wants me to base my comments on my 40 years here, I invoke them to show that the hon. member is wrong and he ought to withdraw his unwarranted assertions.

* * *

ANTI-TERRORISM LEGISLATION

Mr. Vic Toews (Provencher, Canadian Alliance): Mr. Speaker, yesterday the Prime Minister of Canada swung an axe across the throat of parliament. While committee members had an opportunity to speak to Bill C-36, members of all parties in parliament lost the ability to express the concerns of Canadians.

If the bill was the right thing to do, why did the Prime Minister do the wrong thing by invoking closure?

Hon. Herb Gray (Deputy Prime Minister, Lib.): Mr. Speaker, why is it that when the leader of the hon. member's party was a member of the Klein government in Alberta he stood by while the government invoked closure 30 times? Of those 30 times, 20 were put into place when the Leader of the Opposition was a whip or a House leader in the Alberta government. Why was something right then but wrong now?

Oral Questions

Mr. Vic Toews (Provencher, Canadian Alliance): Mr. Speaker, that is the arrogance that comes from a government that has invoked closure 73 times.

For years the Liberal government refused to pass legislation that would protect Canadians and our allies. Ignoring the advice of the RCMP, members over there had lunch with terrorists. Now the government refuses to listen to members of parliament.

Why is it that the government would prefer to have lunch with terrorists rather than listen to the RCMP or members of all parties in the House?

• (1435)

Hon. Herb Gray (Deputy Prime Minister, Lib.): Lunch, Mr. Speaker? The hon. member shows out of his own mouth that he and his party are totally out to lunch on this subject and every other subject on this important topic.

We are fighting for the rights of Canadians. We are fighting to provide their security and we are succeeding in spite of the opposition and the obstruction of the hon. member. Yes, he is out to lunch.

* * *

[*Translation*]

AIR TRANSPORT

Mr. Mario Laframboise (Argenteuil—Papineau—Mirabel, BQ): Mr. Speaker, yesterday representatives of Air Canada told the Standing Committee on Industry that multi-carrier competition in the air industry is a thing of the past. As we know, the lack of competition has contributed to the deterioration of regional air service.

Will the Minister of Transport admit that the government needs to change its approach and does he intend to allow competition to develop, primarily by supporting the creation of future regional competitors?

Hon. David Collenette (Minister of Transport, Lib.): Mr. Speaker, that is the purpose of our policy. It is very important to have airline competition in Canada.

This is why we are currently looking at amendments to the Competition Act, in order to enable the commissioner to implement a system that would encourage competition.

Mr. Mario Laframboise (Argenteuil—Papineau—Mirabel, BQ): Mr. Speaker, adding to the powers of the competition commissioner has no significance if there is a monopoly situation with no competition.

If the minister is serious about his desire for sustainable solutions for regional air transportation, will he acknowledge that he needs to revisit his decision and use the loan guarantees promised to Canada 3000 to stimulate real competition?

Hon. David Collenette (Minister of Transport, Lib.): Mr. Speaker, I answered that yesterday.

It was not our intention to provide loan guarantees for new airlines. It was merely a decision made in connection with Canada 3000 and other major carriers because of the events of September 11.

[*English*]

TERRORISM

Mr. Brian Pallister (Portage—Lisgar, Canadian Alliance): Mr. Speaker, yesterday the foreign affairs minister said Canada would not support intervention in Iraq until there was a United Nations resolution, but there are already resolutions requiring Iraq to allow weapons inspections. In 1998 the Prime Minister said that Canada would participate in military intervention to enforce those United Nations resolutions.

The mixed messages of the government weaken our international credibility and erode our capability to fight terrorism. Will the minister today explain the obvious contradiction between his position and that of the Prime Minister?

Hon. John Manley (Minister of Foreign Affairs, Lib.): Mr. Speaker, as I said yesterday, the point here is that the inspection right, which we call upon Iraq to respect, is authorized by security council resolution, as are the sanctions which are under way and which in fact the security council is revisiting and sharpening. They are there in order to give effect to the resolution to permit inspections. This we agree with, this we respect and this we support.

Mr. Brian Pallister (Portage—Lisgar, Canadian Alliance): Mr. Speaker, Canadian forces are already deployed in support of actions in Afghanistan. However, there is confusion about our present role and there is great confusion about our future role.

Canadians, our allies and our military personnel deserve to know what Canada's role is going to be. Canadians want to make a substantial contribution to the war against global terrorism. Why will the government not spell out a plan for Canada's contribution instead of drifting aimlessly and embarrassing Canadians in the process?

Hon. John Manley (Minister of Foreign Affairs, Lib.): I am sorry, Mr. Speaker, if central command has not been clear enough in explaining things to the hon. member, but this is a war against global terrorism. Everybody from President Bush on down has explained the fact that this is different from previous engagements.

The immediate objective of rooting out the al-Qaeda network and Osama bin Laden is proceeding well. We see governance meetings being held in order to deal with the post-Taliban situation in Afghanistan.

As things evolve, I am sure the hon. member will be well informed in due time.

* * *

• (1440)

[*Translation*]

AIR TRANSPORT

Ms. Jocelyne Girard-Bujold (Jonquière, BQ): Mr. Speaker, regional air transportation is certainly no luxury. In many places in Canada it is the only means of travel available to the public. In such difficult circumstances, air transportation becomes more than mere service, it may be considered an essential service.

In this context, is the government prepared to consider air transportation a public service as in the case of bus service and require future licence holders to offer quality service in the regions?

*Oral Questions**[English]*

Hon. David Collenette (Minister of Transport, Lib.): Mr. Speaker, the hon. member makes a valid point about the nature of air travel in the country and that is why the government insisted, in the deal we made with Air Canada when it took over Canadian Airlines, that it provide service to small communities for a period of three years. That is something that Air Canada obviously has adhered to. That will end in December of next year.

What the hon. member seems to be saying, and I guess this is the position of the Bloc Québécois, is that we should re-regulate the air industry. On the other hand, we have the position of the Alliance Party that wants to throw it open to U.S. competition, without any safeguards.

This is a very useful debate but it is not particularly useful at this time. We had a policy that was working. We have to adjust that policy to ensure that competition is there.

[Translation]

Ms. Jocelyne Girard-Bujold (Jonquière, BQ): Mr. Speaker, could the minister draw from the example of bus travel, where busier sectors are twinned with quieter ones?

[English]

Hon. David Collenette (Minister of Transport, Lib.): Mr. Speaker, the hon. member knows that I asked the Senate transport committee to look at the whole issue of bus deregulation. We hope to have that report very soon.

However, what has happened in the bus industry over the past 20 years is that ridership has declined.

One can only argue that in a deregulated environment in the air industry in the last 15 years, Canadians have had more service and cheaper fares, and yes, we have cheaper fares than between comparable cities in the United States as a result of deregulation. The hon. member wants us to walk back in time.

* * *

FOREIGN AFFAIRS

Mr. Keith Martin (Esquimalt—Juan de Fuca, Canadian Alliance): Mr. Speaker, Ken Hechtman is the Canadian reporter being held hostage and in chains in Afghanistan.

The Prime Minister said, and I quote, "We will do whatever we can to secure his release." What exactly does that mean? What specifically is the government doing to secure Ken Hechtman's release?

Hon. John Manley (Minister of Foreign Affairs, Lib.): Mr. Speaker, we have taken every action possible so far in attempting to obtain the information required to deal with the situation. It is difficult to do given that we have a war situation in the region. Several officers from our embassy in Islamabad have been tasked with trying to make the appropriate contacts and endeavouring to get the information required.

In the meantime, we are trying to keep Mr. Hechtman's family informed as developments occur.

Mr. Keith Martin (Esquimalt—Juan de Fuca, Canadian Alliance): Mr. Speaker, the situation, as acknowledged by the

Minister of Foreign Affairs, is very dangerous on the ground. Eight reporters have been killed in the last two weeks alone.

Because we have aid workers and journalists trying to do their job on the ground, what specifically will the government do to ensure that these aid workers and journalists will not be used as human shields by the Taliban?

Hon. John Manley (Minister of Foreign Affairs, Lib.): Mr. Speaker, of course we are very concerned about the safety of Canadians who are in the region. That is why we have been in contact with the agencies with whom they are employed to ensure they are aware of the dangers implicit in going into a war zone.

In the meantime, we are doing our very best to maintain contact with such authorities as there are in the region in order to ensure that steps are taken to protect their safety and to determine, in Mr. Hechtman's case, his whereabouts and what will be required to secure his release.

Mr. Bryon Wilfert (Oak Ridges, Lib.): Mr. Speaker, recently in Burma the military's most senior general raised the possibility that Aung San Suu Kyi, leader of the country's democratic movement, might have a role in a future government.

The regime has allowed some of its offices to re-open and has released 200 political prisoners but human rights abuses are still prevalent in that country.

Would the Minister of Foreign Affairs comment on Canada's position regarding relations with this regime and give an assessment of the current situation?

● (1445)

Hon. John Manley (Minister of Foreign Affairs, Lib.): Mr. Speaker, Canada certainly welcomes the positive, if somewhat limited, developments that have been occurring in Burma. We also note that there are confidence building measures going on between Aung San Suu Kyi and the State Peace and Development Council. These are positive signs.

On the other hand, we note that there are continuing very serious human rights abuses that are occurring, in particular political repression and harsh treatment of those in ethnic and border regions.

In the meantime, as we observe developments, Canada's position on our relationship with Burma will not change from that which was introduced in 1997.

* * *

THE ECONOMY

Hon. Lorne Nystrom (Regina—Qu'Appelle, NDP): Mr. Speaker, my question is for the acting prime minister.

Interest rates and credit cards are sitting at 18%. The prime rate is sitting at only 4%. That is probably the widest gap between the two in the history of the country. Meanwhile, consumer debt loan in terms of credit cards is sitting at \$40 billion. That is bad for the economy, bad for consumers and bad for business.

Will the government approach its friends in the big banks and ask them to roll back these outrageously high interest rates in terms of being fair to the consumers?

Oral Questions

Hon. Jim Peterson (Secretary of State (International Financial Institutions), Lib.): Mr. Speaker, as the hon. member knows, Industry Canada is required to publish credit card rates and those are available to the public. Consumers have a wide range of credit card offerings from which to choose, as well as other sources of credit which may very well be far less expensive than credit cards.

If the hon. member is paying 18% on his credit cards I suggest he should not be giving the House fiscal advice.

* * *

HOUSING

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, there is an affordable housing crisis in the country and close to five million Canadians are at risk.

While the housing ministers' meeting in Quebec City tomorrow is a good step, the question is, will anything of substance happen? Canadians who desperately need affordable housing cannot live on principles. They need an agreement now to get non-profit housing built ASAP.

Does the minister have the provinces on board and is there a federal commitment for a fully funded national housing strategy? Does he have that commitment and does he have the agreement of the provinces?

Hon. Alfonso Gagliano (Minister of Public Works and Government Services, Lib.): Mr. Speaker, tomorrow the provincial and territorial ministers of housing will be meeting in Quebec City. I will join them Friday when we will be discussing the affordable housing program that we promised in the last campaign and which we put in the Speech from the Throne.

All this week I have been talking with my colleagues across the country and I am confident that on Friday by the end of the day we will come to an agreement.

* * *

CANADA-U.S. RELATIONS

Ms. Val Meredith (South Surrey—White Rock—Langley, PC/DR): Mr. Speaker, yesterday, Michael Hart, from Carleton University, stated that Canada had six months to resolve border issues with the Americans or it would face dire consequences.

The Americans have already taken unilateral action at the border with additional legislation currently before congress that could further jeopardize our exports to the United States.

Why is the government risking Canada's economic security by ignoring comprehensive border management policy?

Hon. John Manley (Minister of Foreign Affairs, Lib.): Mr. Speaker, I am delighted to have this question because it enables me to highlight the fact that we are co-ordinating the border issues with the United States through meetings so far that have been held between the treasury secretary, the Minister of National Revenue and the Minister of Finance, and next week with the attorney general of the United States.

I have spoken with my counterpart for these purposes, Tom Ridge, on a number of occasions. I expect to receive him in Ottawa in the near future.

Collectively, we have all agreed from both sides that the ministers responsible and the agencies responsible work to see that the border between Canada and the United States is not as good as September—

The Speaker: The hon. member for South Surrey—White Rock—Langley.

• (1450)

Ms. Val Meredith (South Surrey—White Rock—Langley, PC/DR): Mr. Speaker, Mr. Hart's study, which was funded by the Department of Industry, clearly shows that the government has failed to provide strong leadership.

The Liberals were wrong on free trade, wrong on NAFTA and they are wrong to ignore Canadians' economic security with the two security bills before parliament.

Will the government negotiate a proper border agreement before the Americans lose patience and unilaterally implement tough security measures that decimate our export industry?

Hon. John Manley (Minister of Foreign Affairs, Lib.): Mr. Speaker, I do not know what exactly it is the hon. member thinks is happening but we have had very proactive discussions with the United States.

Let us be perfectly clear about what needs to be done here. The first priority for Canada has been to deal with security issues. The reason for that is that we need to be able to assure the United States that we, together with them, share the overall concern about security. That is why Bills C-36 and C-42 are so important to the continuing dialogue which is underway with the United States about the border.

That is a top priority for the government but we need our security house in order as we proceed with the border discussions.

* * *

AIRLINE INDUSTRY

Mr. James Moore (Port Moody—Coquitlam—Port Coquitlam, Canadian Alliance): Mr. Speaker, Canadians are not interested in corporate welfare that destroys competition in Canada's air industry.

The transport minister gave \$100 million to Air Canada for its out of pocket costs for the September 11 shutdown without the caveat that it could not use the \$100 million to launch Air Canada Tango. Air Canada Tango pushed Canada 3000 out of business.

Will the transport minister now send a clear message to Air Canada that if it uses that \$100 million to launch another discount carrier to destroy WestJet in western Canada that he will repeal the \$100 million?

Oral Questions

Hon. David Collette (Minister of Transport, Lib.): Mr. Speaker, the hon. member should not mislead the House. What happened was that after September 11 we agreed to give financial restitution to Canadian air carriers, not just the large ones but right through the system, including Air Canada, because of the forced shutdown of airspace.

That was money we believed the air industry had as its due. There were no conditions. There will be no conditions. That money is payable.

Mr. James Moore (Port Moody—Coquitlam—Port Coquitlam, Canadian Alliance): Mr. Speaker, the answer to the question is therefore clear. He will let Air Canada use the \$100 million to drive WestJet out of business.

The minister should have put into law a mandate against using the \$100 million to destroy Canada 3000.

I know the transport minister clearly does not care about the death of airline competition in Toronto. Canada 3000 is dead. Maybe the Prime Minister does not care about the death of air competition in Montreal with the death of Canada 3000. However the official opposition and in fact the House should care about the death of WestJet in western Canada because it will kill air competition in the entire country.

What will the transport minister do to prevent the death of WestJet and the creation of an absolute monopoly with Air Canada?

Hon. David Collette (Don Valley East, Lib.): Mr. Speaker, I am very glad to have the question from the hon. member. It is evident, therefore, that if the government were to bring in further amendments to the Competition Act, specifically to ensure competition and to protect the WestJets, then we know today that the Alliance will support those amendments.

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[Translation]

GENETICALLY MODIFIED ORGANISMS

Mrs. Suzanne Tremblay (Rimouski—Neigette-et-la Mitis, BQ): Mr. Speaker, on Friday, the government responded to the report by a panel of experts from the Royal Society of Canada with a promise of studies and committees, again.

The observers are unanimous. The government does not want to act. Worse yet, it continues to promote GMOs and to permit their marketing.

Does the Minister of Agriculture and Agri-Food realize that the more he tries to buy time, the more he puts consumer safety at risk and threatens producers' ability to export?

Hon. Allan Rock (Minister of Health, Lib.): Mr. Speaker, on Friday we tabled a response to the report by the Royal Society. As the hon. member noted, we set out the position of the Government of Canada. We will look closely at some of the recommendations.

I can, however, assure the House that Health Canada and other parties will always make sure that the food Canadians eat is safe.

Mrs. Suzanne Tremblay (Rimouski—Neigette-et-la Mitis, BQ): Mr. Speaker, the government's report contained a mere 48

promises of committees and studies. The minister of agriculture has two obligations to consumers: safety and transparency.

By off-loading his obligations to consumers, is the minister not showing clearly that he is siding with the multinationals?

• (1455)

[English]

Hon. Lyle Vanclief (Minister of Agriculture and Agri-Food, Lib.): Mr. Speaker, we can demonstrate very clearly that the government and the agencies we have, the ministry of health, the Canadian Food Inspection Agency and the ministry of the environment, take our responsibility completely and fully to ensure that the food provided to Canadians is the safest food in the world.

* * *

PENITENTIARIES

Mr. Kevin Sorenson (Crowfoot, Canadian Alliance): Mr. Speaker, Mission, a medium security facility, is "a major feeder institution for minimum security and day parole centres". Members will not find this information on the CSC website. It would have been there a few days ago but it was conveniently removed yesterday, as was all information regarding the resort of all, William Head. Both these institutions housed cop killer Clinton Suzack.

I ask the solicitor general: why the cover-up? Why has it been removed from the website? Why is it the government does not want the Canadian public to know about these two institutions?

Mr. Lynn Myers (Parliamentary Secretary to the Solicitor General of Canada, Lib.): Mr. Speaker, we have thousands of offenders in prisons across this great country and the security needs are determined in each and every case by CSC, experts in the field. Placements are evaluated from time to time and that was the case in this instance.

Instead of taking cheap political shots on a very serious issue, the opposition should join us in congratulating Correctional Service Canada for a great job.

Mr. Kevin Sorenson (Crowfoot, Canadian Alliance): Mr. Speaker, these are not cheap political shots. It is an injustice to have a cop killer housed in a medium resort and then moved to another medium resort.

Clinton Suzack's heinous crime, extensive criminal record, progressively violent behaviour, parole violations and a classification as a high-risk inmate clearly define the sadistic killer as a dangerous offender. Suzack should never have been transferred to William Head and subsequently moved to a medium security installation.

Will the government see that Suzack is immediately put back in a maximum security facility where he belongs?

Mr. Lynn Myers (Parliamentary Secretary to the Solicitor General of Canada, Lib.): Mr. Speaker, these are tragic circumstances in terms of the crimes that were committed, but the fact of the matter remains that we have experts who determine these placements, and that is precisely what we have done.

Oral Questions

Instead of turning this into cheap politics, the opposition should, as I said, join us in ensuring that our correctional service is the best in the world, which experts have determined Canada has. They come from around the world to study us because we have the best system in the world.

* * *

[Translation]

AMATEUR SPORT

Ms. Carole-Marie Allard (Laval East, Lib.): Mr. Speaker, will the Secretary of State for Amateur Sport please tell the House what action the Government of Canada has taken to help promote women in sport?

Hon. Denis Coderre (Secretary of State (Amateur Sport), Lib.): Mr. Speaker, the sports news always come at the end of the hour.

Following the National Summit on Sport, we have decided to develop a Canadian sport policy that would promote fairness, and support women in sport.

To this end, we are not only putting in place a policy that has the unanimous support of all of the provinces and territories, but I am happy to announce that from May 16 to 19, we will be hosting a world conference on women in sport, in addition to a national conference.

The international conference will take place in Montreal and the national conference will be held in Hamilton, for the purpose of developing a Canadian strategy for women in sport.

* * *

[English]

REVENUE CANADA

Ms. Wendy Lill (Dartmouth, NDP): Mr. Speaker, I asked this question last week but I got no response. It concerns the 90,000 vulnerable Canadians who recently received a letter from Revenue Canada telling them to reapply for the disability tax credit.

It costs many between \$30 and \$120 to get a doctor to agree that they are still legally blind or that they still have Down's syndrome. This is harassment. First, it makes the CPP disability program more restrictive and now it goes after those who get the tax credit.

Why is the government picking on the vulnerable? Will it order these harassing letters to be withdrawn? Will it offer the 90,000 Canadians—

The Speaker: The Minister of National Revenue and Secretary of State.

Hon. Martin Cauchon (Minister of National Revenue and Secretary of State (Economic Development Agency of Canada for the Regions of Quebec), Lib.): Mr. Speaker, we all know that from time to time Revenue Canada reviews some of the big accounts. We are perfectly aware of the situation and the sensitivity of the issue. We are looking into the integrity of the self-assessment regime that we have in place under the Income Tax Act. We are doing our work in the best manner we can.

We do understand that it is a very sensitive issue. I repeat that the Canada Customs and Revenue Agency is one of the best organizations in the world.

* * *

● (1500)

JUSTICE

Mr. Ted White (North Vancouver, Canadian Alliance): Mr. Speaker, CTV's *W5* has confirmed that nobody in the justice department is willing or able to defend the government's seriously flawed DNA legislation.

Just as the official opposition warned, dangerous criminals suspected of child killings and sexual assaults are being protected from DNA testing by the legislation which puts the rights of criminals ahead of the rights of victims.

When will the government do as we have asked and amend the legislation so serious criminals can be put behind bars?

Mr. Stephen Owen (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, the DNA bank that was set up through government legislation and in consultation with the provinces is effective at taking samples and banking them from people convicted of serious crimes.

The Minister of Justice and the Solicitor General of Canada are today meeting with their counterparts from the provinces and territories to discuss this and other issues related to the security of Canadians.

Mr. Ted White (North Vancouver, Canadian Alliance): Mr. Speaker, this member knows there are murders in Vancouver that could be solved if the DNA legislation was fixed.

In Florida, when DNA testing was expanded to include burglars, the number of serious crimes solved using DNA jumped from 2 per year to 117 per year, including homicides. In Canada we have thousands of serious crimes waiting to be solved and police has said it could solve them if it could just take DNA testing of serious criminal suspects.

When will the government do the right thing, for the victims of crime in Canada, by making all suspects subject to DNA testing just like we take fingerprints?

Mr. Stephen Owen (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, the legislation established in this country affects the appropriate balance between section 1 rights and other sections against search and seizure in our country. The fact is that in section 1 of the charter of rights and freedoms it is necessary for limitations on those rights of search and seizure to be bounded by rationality, minimum intrusion and proportionality. That is what this legislation achieves.

Business of the House

[Translation]

CITÉ DU HAVRE PARK

Mr. Bernard Bigras (Rosemont—Petite-Patrie, BQ): Mr. Speaker, the Pointe de la Cité du Havre site in Montreal is a lovely green space along the St. Lawrence River appreciated by Montrealers.

Because there is talk of developing the site, a coalition of environmentalists, academics and citizens has been formed to ensure that the space, which belongs to the Canada Lands Company and the CMHC, will be protected.

Does the Minister of Public Works and Government Services, who is responsible for the Canada Lands Company, plan on intervening in order to preserve and consolidate this green space, the Pointe de la Cité du Havre park in Montreal?

Hon. Alfonso Gagliano (Minister of Public Works and Government Services, Lib.): Mr. Speaker, the mandate of the Canada Lands Company is to assess and realize optimal value from the properties that it is asked to dispose of.

If the community does not want the land use to be changed, it should address its concerns to the municipal level, the city of Montreal, and ask it not to change the zoning bylaw.

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[English]

TOBACCO INDUSTRY

Ms. Carolyn Bennett (St. Paul's, Lib.): Mr. Speaker, yesterday the United States National Cancer Institute confirmed that light and mild cigarettes are every bit as harmful as regular cigarettes. What is the minister doing to ensure that the tobacco industry does not mislead Canadians any longer into thinking that light and mild cigarettes are safer than regular cigarettes?

Hon. Allan Rock (Minister of Health, Lib.): Mr. Speaker, earlier this year I challenged the tobacco industry to do the right thing and take the misleading light and mild labels off its products. In the absence of any meaningful action by the industry, today we have taken the first steps to achieve that result by regulations.

Over half of smokers in Canada smoke light or mild cigarettes and none of those people believe they are less harmful to their health than other cigarettes. That of course is wrong. It is time that Canadians be told the truth about light and mild cigarettes, and that is exactly what the government will make certain we do.

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● (1505)

NATIONAL DEFENCE

Mrs. Elsie Wayne (Saint John, PC/DR): Mr. Speaker, will the Minister of National Defence confirm a report published in the *Times of India* today that the government has sought the permission of the government of Kyrgyzstan for the use of its airfields for our C-130 Hercules? If so, what role will they be playing in this U.S. campaign against terrorism?

Hon. Art Eggleton (Minister of National Defence, Lib.): Mr. Speaker, a base for our Hercules aircraft to operate from is still being sought. Kyrgyzstan is one of the options. That is being worked out

with our coalition partners. We hope to have that matter settled soon. It would be used for the transport of humanitarian aid or goods with respect to the campaign in Afghanistan.

* * *

[Translation]

PRIVILEGE

UNPARLIAMENTARY LANGUAGE—SPEAKER'S RULING

The Speaker: Order, please. I would like to come back to the question of privilege raised by the hon. member for Beauséjour—Petitcodiac after the division on Motion No. 241, a private member's motion.

The hon. member complained about unparliamentary remarks made about him by the hon. member for Bas-Richelieu—Nicolet—Bécancour.

As Speaker, I have read the blues and reviewed the tapes from yesterday and I did not come across the language of which the hon. member has complained, but I found the words cited in today's newspapers. I heard another member, the hon. member for Frontenac—Mégantic, who heard the words as well.

I therefore call on the hon. member for Bas-Richelieu—Nicolet—Bécancour to withdraw these words, which are contrary to our parliamentary usage.

Mr. Louis Plamondon (Bas-Richelieu—Nicolet—Bécancour, BQ): Mr. Speaker, now that everyone knows what I think of the member, I withdraw my words.

* * *

[English]

BUSINESS OF THE HOUSE

Hon. Don Boudria (Minister of State and Leader of the Government in the House of Commons, Lib.): Mr. Speaker, there have been consultations among House leaders and I believe you would find unanimous consent for the following motion, which I would now like to put to the House. I move:

That proposed section 4.83 in clause 5 of Bill C-42 be deleted from that bill; That a new bill implementing the said section be introduced immediately; and That the said new bill be ordered for consideration at second reading on Friday, November 30.

The Speaker: Is there unanimous consent for the government House leader to propose this motion?

Some hon. members: Agreed.

The Speaker: Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Routine Proceedings

(Motion agreed to)

If the House gives its consent, I intend to move concurrence in the 39th report later this day.

* * *

ROUTINE PROCEEDINGS

[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 three petitions

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● (1510)

AERONAUTICS ACT

Hon. David Collette (Minister of Transport, Lib.) moved for leave to introduce Bill C-44, an act to amend the Aeronautics Act.

The Speaker: Pursuant to order adopted earlier today, the bill will be read a second time on November 30.

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

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COMMITTEES OF THE HOUSE**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND NATURAL RESOURCES**

Mr. Raymond Bonin (Nickel Belt, Lib.): Mr. Speaker, I have the honour to present, in both official languages, the eighth report of the Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources.

Pursuant to the order of reference of Monday, November 5, 2001, your committee has considered Bill C-39, an act to replace the Yukon Act, to modernize it and to implement certain provisions of the Yukon northern affairs program devolution transfer agreement and to repeal and make amendments to other acts and agreed on Thursday, November 22 to report it without amendment.

I also have the honour to present, in both official languages, the ninth report of the Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources.

In accordance with its order of reference of Monday, October 22, 2001, your committee has considered Bill C-37, an act to facilitate the implementation of those provisions of first nations' claim settlements in the provinces of Alberta and Saskatchewan that relate to the creation of reserves or the addition of land to existing reserves and to make related amendments to the Manitoba Claim Settlement Implementation Act and the Saskatchewan Treaty Land Entitlement Act and agreed on Tuesday, November 27 to report it without amendment.

PROCEDURE AND HOUSE AFFAIRS

Mr. Peter Adams (Peterborough, Lib.): Mr. Speaker, I have the honour to present the 39th report of the Standing Committee on Procedure and House Affairs regarding the associate membership of the Standing Committee on Justice and Human Rights.

HOUSING BILL OF RIGHTS

Ms. Libby Davies (Vancouver East, NDP) moved for leave to introduce Bill C-416, an act to provide for adequate, accessible and affordable housing for Canadians

She said: Mr. Speaker, it is my honour to rise in the House today to introduce this bill. The purpose of the bill is to respect the dignity and worth of all women, children and men in Canada by protecting their human rights through the provision and secure enjoyment of adequate, accessible and affordable housing.

My bill is a response to the critical needs of the close to five million Canadians who are homeless or at risk of homelessness and who have a right to safe and affordable housing.

The bill spells out that every individual has the right to shelter, a safe and healthy environment, security of tenure, and protection from sudden and excessive rent increases.

The bill would require the development of a national housing strategy in partnership with federal, provincial and municipal governments, housing organizations, first nation communities and aboriginal organizations across the country.

I thank the many people who helped make the bill possible. To achieve this objective we must see that the bill is brought forward and that a national, fully funded strategy is developed to make housing a realizable human right in Canada.

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

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COMMITTEES OF THE HOUSE**PROCEDURE AND HOUSE AFFAIRS**

Mr. Peter Adams (Peterborough, Lib.): Mr. Speaker, I move that the 39th report of the Standing Committee on Procedure and House Affairs, presented to the House earlier this day, be concurred in.

(Motion agreed to)

Mr. Keith Martin: Mr. Speaker, I ask for unanimous consent of the House for the following motion:

That, in the opinion of this House, the government, in co-operation with other international states, should: (a) freeze the personal assets of President Robert Mugabe of Zimbabwe; (b) ban all international travel by Mr. Mugabe and his Ministers; (c) suspend Zimbabwe from the Commonwealth; and (d) call for an arms embargo on Zimbabwe.

Mr. Speaker: Does the hon. member for Esquimalt—Juan de Fuca have unanimous consent of the House to propose this motion?

Some hon. members: Agreed.

Some hon. members: No.

Routine Proceedings

● (1515)

PETITIONS

KIDNEY RESEARCH

Mr. Peter Adams (Peterborough, Lib.): Mr. Speaker, I rise to present a petition from citizens of the Peterborough area interested in seeing kidney research become even more effective in Canada.

These citizens know that the Institute of Nutrition, Metabolism and Diabetes, our national institute under which kidney research is carried out, does wonderful work. I have met with Dr. Diane Finegood who is the director of that fine institute.

My constituents believe the institute would be more effective and reach out more effectively to the general public if the word kidney were included in its title.

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

NATIONAL TEACHERS DAY

Mr. Leon Benoit (Lakeland, Canadian Alliance): Mr. Speaker, I am proud to rise today to present a petition on behalf of dozens of teachers and those who support them. The petition calls for a national Canada teachers day to be held on the first Tuesday during Education Week in May.

The day would honour and thank teachers and would recognize the invaluable contribution they make to the lives of our children. It would show our appreciation and respect for those in the teaching profession.

FALUN GONG

Mr. Peter Stoffer (Sackville—Musquodoboit Valley—Eastern Shore, NDP): Mr. Speaker, it is a great privilege to present a petition on behalf of practitioners of Falun Gong and Falun Dafa who would like the government to protect the SOS rescue team going to China to investigate the persecution of people who practise it.

Falun Gong is a peaceful and truthful form of meditation practised in over 40 countries around the world. It gives me great pleasure to present the petition on behalf of many residents of Toronto and of Sydney, Cape Breton.

HOUSING

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, it gives me great pleasure to rise in the House to present 112 pages of petitions which contain the signatures of approximately 3,500 Canadians who are concerned that the lack of affordable social housing and increase in homelessness is a direct result of failed government policies and has now reached the level of a national disaster.

The petition calls on the Government of Canada to develop and undertake a national housing strategy that would ensure the creation of a national housing program for the provision of decent, affordable, secure and accessible housing on a not for profit basis for those who cannot otherwise afford it.

CHILD PORNOGRAPHY

Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, Canadian Alliance): Mr. Speaker, I have the honour to present two petitions this afternoon. The first is a 20 page petition concerning child pornography. It has been signed by hundreds of citizens of Renfrew—Nipissing—Pembroke who are outraged by pornography that depicts children and astounded that the laws regarding the possession of child pornography continue to be challenged in the court system.

The petitioners pray that parliament will take all necessary measures to ensure possession of child pornography remains a serious criminal offence and that police forces will be directed to give priority to enforcing this law for the protection of our children.

CHILD POVERTY

Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, Canadian Alliance): Mr. Speaker, I wish to present a second petition signed by Renfrew—Nipissing—Pembroke constituents regarding child poverty in Canada.

The petitioners remind parliament that in 1989 a House of Commons resolution was passed to end child poverty by the year 2000. Obviously the goal has not been achieved. The petitioners urge parliamentarians to introduce a multi-year plan to improve the well-being of Canada's children.

GASOLINE ADDITIVES

Mrs. Rose-Marie Ur (Lambton—Kent—Middlesex, Lib.): Mr. Speaker, pursuant to Standing Order 36 I am honoured to present a petition on behalf of constituents living in Grand Bend in the riding of Lambton—Kent—Middlesex.

They call on parliament to protect the health of seniors, children and the environment by banning the gas additive MMT. The use of MMT in gasoline results in significantly higher smog producing hydrocarbon emissions and enhances global warming.

● (1520)

LABELLING OF ALCOHOLIC BEVERAGES

Ms. Judy Wasylycia-Leis (Winnipeg North Centre, NDP): Mr. Speaker, I am delighted to present a petition signed by Canadians from all across the country urging the government to act on a motion passed by parliament that would require labels on all alcoholic beverage containers to warn people that drinking during pregnancy can cause birth defects.

The petitioners point out that consumption of alcoholic beverages causes health problems and that fetal alcohol syndrome and alcohol related birth defects are preventable by avoiding alcohol during pregnancy. They urge the government to act on this critical matter.

WORKERS COMPENSATION

Mr. Dick Proctor (Palliser, NDP): Mr. Speaker, I have an important petition to present to the House this afternoon involving some 300 Saskatchewan women whose husbands were killed on the job prior to 1985. They were denied workers compensation benefits for a period of 14 years.

Routine Proceedings

After the provincial government rectified the problem in 1999 with a one time tax free compensation payment of \$80,000, the Canada Customs and Revenue Agency clawed back federal income tested program benefits for many of the women including old age security. This effectively reduced the one time payment by about \$5,000.

The petitioners call on parliament to request that the federal government take appropriate measures immediately to ensure the CCRA does not consider the one time payment as income for the 1999 tax year and issue a remission order.

* * *

[Translation]

QUESTIONS ON THE ORDER PAPER

Mr. Geoff Regan (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, Question No. 78 will be answered today.

[Text]

Question No. 78—**Mr. Svend Robinson:**

Regarding Article 14 of the International Convention on the Elimination of all Forms of Racial Discrimination: (a) does the government recognize the competence of the United Nations Committee on the Elimination of Racial Discrimination to handle complaints from individuals or groups in Canada; (b) has Canada made a declaration that details the treaty mechanism for handling individual complaints; and (c) if not, why not?

Ms. Aileen Carroll (Parliamentary Secretary to the Minister of Foreign Affairs, Lib.): (a) no, Canada has not made a declaration recognizing the competence of the committee on the elimination of racial discrimination, as provided for in article 14 of the convention on the elimination of all forms of racial discrimination, CERD; (b) see response to question (a) above; (c) persons alleging discrimination in Canada currently have two other international complaints mechanisms available to them:

(1) as a state party to the international covenant on civil and political rights, CCPR, and its first optional protocol, Canada recognizes the complaint mechanism established thereunder and administered by the human rights committee.

(2) as a member of the Organisation of American States, OAS, Canada is also subject to the American declaration on the rights and duties of man declaration, and to the individual complaint mechanism before the commission regarding the declaration.

In addition, Canada is concerned about the committee's broad interpretation of article 4 of the CERD. This interpretation is based upon a report commissioned by the committee and adopted in 1983, the Ingles report. This report interprets the requirement in article 4(a) of the CERD to "declare an offence punishable by law all dissemination of ideas based on racial superiority or hatred" to (a) include a prohibition of all ideas based on racial superiority and hatred, and (b) require the imposition of a penalty for the mere act of dissemination, regardless of intent. It is a fundamental principle of Canadian criminal law, as well as the charter, that criminal liability should not be imposed unless someone intends their action.

An interpretation as set out in the Ingles report does not recognize the important balancing that is necessary between the need to protect

people from hate speech and the need to also protect the right to freedom of opinion and expression, freedom of peaceful assembly and association, and the right not to be deprived of liberty or security of the person except in accordance with the principles of fundamental justice. Canada supports an interpretation of article 4 that is consistent with all international rights and freedoms as set out in the Universal Declaration of Human Rights. For example, the United Nations human rights committee has on several occasions interpreted article 19 of the International Covenant on Civil and Political Rights as protecting all forms of expression, even hate propaganda. However the human rights committee also held that, as in the Canadian charter, prohibitions of hate propaganda can be justified if certain precise preconditions are met. When restricting freedom of expression we believe it is necessary to be cautious and careful. This is exactly the approach Canadian courts and other international bodies have adopted.

* * *

[Translation]

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 Question No. 54 could be made an order for return, the return would be tabled immediately.

The Speaker: Is that agreed?

Some hon. members: Agreed.

[Text]

Question No. 54—**Mr. Dick Proctor:**

With respect to Canada Pension Plan disability benefits, in total, in each HRDC regional office and for each of the years 1990 to 2000, inclusive: (a) how many individuals applied for such benefits; (b) how many applications for benefits were approved at initial application and at each level of appeal; (c) how many individuals, and what percentage of individuals, appealed the denial of benefits at initial application and at each level of appeal; (d) how many decisions that went against the government at the review tribunal level were then appealed by the Minister to the Pensions Appeal Board; (e) how many of the Minister's appeals were rejected; (f) what was the average length of time for HRDC to process a disability claim at initial application and at each level of appeal; and (g) at initial application, and at each level of appeal, how many disability claims took (i) less than 8 weeks to process, (ii) from 9 to 16 weeks to process, (iii) from 17 to 26 weeks to process, (iv) from 27 to 52 weeks to process, and (v) more than 52 weeks to process?

Return tabled.

[Translation]

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

The Speaker: Is that agreed?

Some hon. members: Agreed.

* * *

[English]

MOTIONS FOR PAPERS

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

The Speaker: Is that agreed?

Government Orders

Some hon. members: Agreed.

Mr. Maurizio Bevilacqua: Mr. Speaker, I rise on a point of order. I ask for unanimous consent to revert to presenting reports from committees.

The Speaker: Is there unanimous consent to revert to presentation of reports from committees?

Some hon. members: Agreed.

* * *

COMMITTEES OF THE HOUSE

FINANCE

Mr. Maurizio Bevilacqua (Vaughan—King—Aurora, Lib.): Mr. Speaker, I have the honour to present the 11th report of the Standing Committee on Finance regarding its order of reference of Friday, November 9, in relation to Bill S-31, the Income Tax Conventions Implementation Act, 2001. The committee has considered Bill S-31 and reports the bill without amendment.

GOVERNMENT ORDERS

[English]

ANTI-TERRORISM ACT

Hon. Claudette Bradshaw (for the Minister of Justice and Attorney General of Canada) moved that Bill C-36, an act to amend the Criminal Code, the Official Secrets Act, the Canada Evidence Act, the Proceeds of Crime (Money Laundering) Act and other acts, and to enact measures respecting the registration of charities in order to combat terrorism, be read the third time and passed.

Mr. Stephen Owen (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I rise today to speak at third reading of Bill C-36, known in short form as the anti-terrorism act. Bill C-36 was introduced in the House to provide needed enhancements to Canada's ability to address terrorism under the criminal code, to make related changes to other laws and to amend Canadian law to improve our ability to respond to discrimination and hatred.

The bill responds to the events of September 11 and the new face of terrorism that was revealed that day. While more than two months have passed since the events of that day, I am sure that none of us can forget the horror of the mass murder that took place.

Since that time this government and other governments around the world have taken significant and immediate steps to improve security. Also, through military and other efforts we have taken very significant steps toward dismantling the base of Osama bin Laden, a terrorist network in Afghanistan.

Nevertheless it would be very wrong to conclude that the threat of terrorism has disappeared, whether from al-Qaeda or from other potential terrorist organizations. We must remain vigilant as a country. Further, we must act in concert with other countries in the global effort against terrorism. It is recognized throughout the world that we need a long term approach to the problem.

The measures in Bill C-36 are a key part of Canada's long term plan to address terrorism. While as I have said the bill is responsive to the events of September 11, it would fill gaps in Canadian law that need to be filled regardless of the events of that day. September 11 has given us a great impetus to act without delay. It is important to emphasize, as the Minister of Justice has done, that these are not emergency measures but rather measures that would allow us to remain vigilant to an ongoing threat.

I will take a few moments to go over the major elements of Bill C-36. I then intend to review the changes accepted by the standing committee which have been reported back to the House.

I now turn to the major elements of the bill. Bill C-36 would implement the international convention on the suppression of financing of terrorism and the international convention on the suppression of terrorist bombings, the two remaining international conventions on terrorism that Canada has not yet implemented. The term terrorist activity is defined under this bill. The definition makes reference to offences that are set out in international conventions relevant to terrorism.

In addition, a general definition is provided referring to acts or omissions undertaken for political, religious or ideological purposes intended to intimidate the public or compel government to act and cause death, serious bodily harm or a number of other serious harms specifically set out in the definition.

The bill would provide for a list of terrorist groups and persons to be made by order of the federal cabinet on the recommendation of the Solicitor General of Canada. Under Bill C-36 comprehensive new terrorism offences under the criminal code would be created.

These include offences relating to participating in, facilitating or instructing terrorist activity and harbouring others who carry out terrorist activity. These offences would criminalize a full range of activities related to terrorism.

The bill would provide for limited and strictly safeguarded preventive arrest as a means of assisting law enforcement officers to disrupt the planning of terrorist attacks.

The bill would also provide for investigative hearings under the criminal code. These hearings, permitted under limited conditions, would be judicially supervised and would require the individual to give evidence to assist the investigations of terrorist offences. Such evidence could not be used against that individual and so protects a person's right to remain silent in his or her own criminal proceeding.

The bill would implement an aggressive sentencing and parole regime for terrorist offences including a maximum of life imprisonment for many offences as well as restricted parole eligibility.

Under Bill C-36 measures would be added to the criminal code on the financing of terrorism. Included within these measures are provisions on the seizure, restraint and forfeiture of terrorist property.

Government Orders

In addition, the bill would amend the Proceeds of Crime (Money Laundering) Act. The mandate of the Financial Transactions and Reports Analysis Centre of Canada, Fintrac, under this act would be expanded to gather, analyze and disclose information on terrorist money laundering.

Also, as a way to assist in drying up the source of funds for terrorist groups and to prevent abuse of Canada's laws on charities, Bill C-36 would enact the charities registration security information act. This act would allow for the removal or denial of charitable status from organizations where there are reasonable grounds to believe that the organizations make their resources available to terrorists.

● (1525)

The focus of these measures is the prevention of terrorism. While our current laws allow us to charge and convict terrorists after they engage in terrorist acts we clearly must be able to do more. The measures in Bill C-36 would significantly enhance our ability to charge and convict those who are in the planning stages of terrorist attacks, to go after those who direct terrorist activity even before the activity occurs, to arrest and impose conditions on the release of persons where this is necessary to prevent terrorist activity, to dismantle the financial networks that support further terrorist activity and to incarcerate for a long period of time those found guilty of terrorism.

There are a number of other significant provisions in the bill. The bill would update and refine the Official Secrets Act to better address national security concerns. The bill would also amend the Canada Evidence Act to allow for enhanced protection of sensitive information during legal proceedings. I also highlight measures under Bill C-36 that are relevant to targeting discrimination and hatred within Canada.

Under the bill a new criminal code offence of damage committed against religious groups and their places of worship would be created. This new provision would send a strong signal that behaviour such as destroying or damaging a church, mosque or temple or interfering with religious activities is completely unacceptable in Canada.

As well the bill would provide a new power to order the deletion of hate propaganda made available to the public through computer systems such as the Internet. The Canadian Human Rights Act would be amended under the bill to clarify that communication of hate messages using new technologies such as the Internet is a discriminatory practice.

It is now my intention to explain some of the amendments that were accepted by the standing committee and that have been reported back to the House. Under these amendments the major elements of the bill would remain. However the amendments would make a number of improvements and refinements to these elements.

Certain of the amendments would help to clarify aspects of the bill for which misunderstandings might otherwise have arisen. The changes would reflect the government's intent in the bill but would help to ensure that this intent is clearly understood and would be appropriately implemented. Other changes would help to provide

additional oversight and control of certain of the provisions of the bill.

In addition to these amendments a number of technical corrections and refinements were made to Bill C-36. I do not intend to review these in detail.

In making these major and minor changes the standing committee listened to the concerns of parliamentarians as reflected in the report of the special Senate committee on Bill C-36, as reflected by comments made by members of the standing committee and as reflected by the debates in the House. The changes would also take into account comments made by numerous other Canadians whether in submissions before the parliamentary committees or elsewhere.

Of course not all the suggestions that were received were accepted by the standing committee. We are grateful nevertheless for the close attention that has been paid to the bill and the thought provoking and useful ideas that have been provided.

Let me begin with the definition of terrorist activity, which has received considerable attention during the examination of the bill. One of the provisions of the definition as originally put before the House excluded "lawful advocacy, protest, dissent or stoppage of work" from the scope of the definition. Some have questioned whether because of the use of the word lawful activities of this type which include unlawful conduct such as assault, trespass and minor property damage might be interpreted as being terrorism.

This was never the government's intent. The fact that an activity is otherwise unlawful does not by itself mean that it amounts to terrorism. Quite the contrary. Therefore the committee has accepted an amendment removing the word lawful.

This would not have the effect of making protests lawful that are otherwise unlawful due to violations of other criminal laws. It would, however, clarify that this specific exclusion from the scope of the definition of terrorist activity applies whether or not the advocacy, protest, dissent or stoppage of work is lawful.

While discussing the definition of terrorist activity I also wish to observe that certain words in the definition that have provoked some discussion were not amended by the committee. These are the words "political, religious or ideological purpose, objective or cause" that refer to the motivations for terrorist activity under the definition.

These words have been retained in the definition as they are absolutely necessary to appropriately define and limit the scope of Bill C-36. It is important to emphasize that nothing in these words would target any particular cultural, religious or ethnic group or political or ideological cause. Rather, the words would help to distinguish terrorist activity from other forms of criminality that are intended to intimidate or compel people by the use of serious violence.

The committee nevertheless recognized that it was advisable to clarify the definition to provide with further certainty that the enforcement provisions in the bill are not to be interpreted or applied in a discriminatory manner or in a manner that could suppress democratic rights.

Government Orders

•(1530)

The committee considered and accepted an amendment that stipulates in this regard that the definition of terrorist activity would not apply to the expression of political, religious or ideological ideas that are not intended to cause the various forms of perverse and extreme harm set out in the definition.

Proper review and oversight of the powers provided under Bill C-36 would also help ensure that the powers are applied appropriately. Many such review and oversight mechanisms were already part of the bill when introduced. The government is committed to ensuring that the enhanced enforcement powers under the bill contribute to the safety and security of Canadians but do not undermine fundamental rights.

The standing committee listened to submissions that additional monitoring was necessary. However, further to these submissions, it accepted an amendment requiring an annual public report by the Attorney General of Canada, the Solicitor General of Canada and their counterparts in the provinces and territories.

This report would concern the powers of investigative hearings and of preventive arrest under Bill C-36. This information would provide an annual check on the use of these provisions and inform the parliamentary review which is to occur within three years.

Let me assure the House that a substantial amount of information is required to be reported. This information is analogous to information required to be reported on the interception of communications under the requirements currently established under the criminal code and analogous to information required to be reported with respect to the law enforcement justification under requirements that would be established by Bill C-24 regarding organized crime which the House approved.

I emphasize with respect to the investigative hearings and the preventive arrest that the provisions for an annual report are supplementary to the considerable checks and balances already provided with respect to each power. We have all seen reports and commentary to the effect that these provisions would allow uncontrolled and unprecedented powers that jeopardize the rights and freedoms of Canadians.

In response to these suggestions it is important to emphasize that both the investigative hearing and the preventive arrest in fact build upon powers already found in Canadian law. Both build upon these powers only for the special purpose of helping preserve Canada's safety and security against terrorist activity. Both are subject to very significant limits and controls and both are subject to direct judicial supervision. Further, both powers have been extensively reviewed to provide confidence that they comply with the Canadian Charter of Rights and Freedoms.

Additional review and monitoring of the powers of investigative hearing and preventive arrest would be provided by making these provisions subject to a sunset clause. The standing committee has accepted an amendment under which each of these measures would be subject to the expiry provided for after five years. Parliament would be authorized to extend this expiry period on resolutions adopted by a majority of each chamber but no extension may exceed five years.

The best sunset clause would be the circumstances that occur where it is never necessary to use these provisions. It is important to note the committee did not accept a sunset clause for the whole of the bill. Such a clause would negate our ability to fulfill international obligations to address terrorism. Further, it would fail to recognize that the need to maintain vigilance against terrorism is a continuous one and that the measures in the bill are balanced, reasonable and subject to significant safeguards.

The power to issue certificates by the attorney general under the Canada Evidence Act, the Access to Information Act, the Privacy Act and other acts prohibit disclosure of sensitive information relating to national defence or security or received in confidence from a foreign entity.

The power to issue such certificates would be a vital addition to our ability to prevent the disclosure of information injurious to international relations, national defence or national security.

At the same time the standing committee agreed that the provisions could be better circumscribed and should be subject to review. For these reasons it accepted amendments under which the certificates would have a maximum lifespan of 15 years unless reissued. The certificates would be reviewable by a judge of the federal court. The certificates may only be issued after an order or decision for disclosure in a proceeding. The certificates would be published in *The Canada Gazette*.

These changes would substantially enhance the controls on certificates. I observe that the Privacy Commissioner of Canada, Mr. George Radwanski, sent a letter to the Minister of Justice stating that these amendments fully and effectively address the concerns he previously raised about this aspect of Bill C-36.

I want to speak briefly to a matter which was raised at committee hearings and which, it has been said, might relate to the privilege of the House and the Senate to send for persons, papers and records. As the House knows, the subpoena power of parliamentary houses has existed for over 300 years and is essential to their functions.

•(1535)

There are provisions in Bill C-36 which refer to "a court, person or body with jurisdiction to compel the production of information" and related procedures in clauses 43 and 70 which would protect sensitive security information from public disclosure. It would not be the intention of the bill to alter the current status of parliament's subpoena powers and privileges. In fact similar provisions already exist in sections 37 and 39 of the Canada Evidence Act.

Having stated this for our parliamentary record so that the intention of the House is clear, an amendment was made to the bill under Motion No. 7 yesterday for the same purpose of clarifying our intention that parliament's privilege to send persons, papers and records not be affected by this legislation.

Canadians can be assured that the government is taking timely action against the threat of terrorism while at the same time ensuring that rights and freedoms are preserved.

Government Orders

•(1540)

Mr. Stockwell Day (Leader of the Opposition, Canadian Alliance): Madam Speaker, approximately 50 terrorist organizations have been identified in Canada. If I were a leader or involved in one of those terrorist organizations advising fleeing fugitive terrorist agents in other countries which country to run to, especially in light of the new laws that have been passed and recent laws in Great Britain, the United States and western Europe, I would be tempted to tell them to come to Canada.

The reason I say this is that in spite of Bill C-36 individuals could still get into Canada without documents. They could still be in Canada and be a member of a terrorist organization. They could still escape to Canada if they are pursued in other countries for their crimes and have some reasonable sense that they would probably not be extradited to face those crimes.

If terrorists mass murder Canadians by the hundreds or the thousands in Canada they would still be eligible for parole after 25 years. As a result of Bill C-36 these gaping holes in the walls of protection would undermine the portions of the bill that are there in a protective way.

I want to address in my remarks today why I will be reluctantly supporting the bill. I will talk about the gaping holes that exist in the legislation and where Canadians won and lost in this legislation. I will address the fact that the safety and security of a country's citizens should be the foremost role of any government as it has failed to address that area. I will talk about civil liberties and what happens in a time of crisis or a time of war and the process that was involved as the bill proceeded.

I am disappointed and concerned that the government decided to rush through this complicated, controversial and powerful piece of legislation without debate and input. That was necessary for legislation of this nature.

The Canadian Alliance has consistently called for legislation that would give the government the tools to fight terrorism. However the government has cut off debate and cut it off in a premature fashion.

This reveals what we have pointed out before: an ongoing contempt for the democratic process and a complete disregard for the contributions that elected members can make to this process. The government disregards millions of Canadians by disregarding elected members. That has been the pattern of the government in the past and it unfortunately appears to be continuing in the present and into the future.

A columnist wrote something interesting today. He wrote that in his view the decision to invoke closure on the bill represented in some ways the death of the true meaning of parliament. Parliament is the ability to gather together as elected representatives to talk, discuss, debate and hopefully do things that can enrich the lives and in this case the safety and security of Canadians. The federal Liberal government has failed Canadians.

Bill C-36 is being pushed through without full and detailed debate. Since 1993 the Liberal government has shut down debate on 73 different occasions. It is not surprising that it is doing it again. Members of the opposition are shocked that the government would

employ this tactic on this important and unprecedented piece of legislation.

It would be different if we were unnecessarily and frivolously filibustering for hours, days, weeks or months on end. There is a time when the government must step in and do something. The precious little time that was spent on the key issues in this debate reveals a very obvious flaw of the government. It has a disrespect for democratic positioning and democratic choice.

•(1545)

The Canadian Alliance has been very co-operative in the House and in committee. It is a matter of record that we have tried to move the bill forward. We support the intent of the bill and we want to see it passed in a timely fashion. The government's attempt to muzzle MPs by prematurely cutting off debate reveals its appalling arrogance and lack of respect for the entire democratic process.

The minister and others have used the excuse that the bill had been discussed in committee at great length. There are 283 members of the House who do not sit on that committee. A large majority of the members will not get a chance to have their say before they are forced to vote on the bill a little over two hours from now.

The bill was set to pass by the end of the week in any event so it is inexcusable for the government to act as it has by suppressing debate. The government said it could go to the end of the week. Here we are mid-week and it is slamming the door. The late Stanley Knowles, certainly not of the same ideological stripe as the Alliance but at one with us on the importance of parliament, once said:

Debate is not a sin, a mistake, an error or something to be put up with in parliament. Debate is the essence of parliament.

As it is, I acknowledge and I am thankful that I can put my concerns on record. Unfortunately many of my colleagues who wanted to speak at third reading have been denied that opportunity. Nevertheless, even though the government has given us only a few precious hours to debate the bill, I am pleased to represent the official opposition and put forward our views on the strengths and weaknesses of this historic legislation.

The importance of the debate must not be underestimated. As we analyze and debate the fine points of the bill we must not forget that the introduction of the bill was a direct result of the September 11 attacks on the World Trade Center and the Pentagon. It was the largest individual act of mass terrorism by any group in the history of modern terrorism. More people were killed in that terrorist attack than have been killed in 35 years of terrorism in all of western Europe.

The problem of international terrorism will not go away. It seems to be getting worse both in scope and magnitude. One expert recently said that terrorists have passed the point where they "want a lot of people watching, not a lot of people dead".

Government Orders

In testimony before the justice committee of the House of Commons a renowned British expert, Professor Paul Wilkinson, warned Canadians that it was a mistake to view the present military action in Afghanistan as the sole means of ending the threat from these terrorists. He said that killing or capturing bin Laden might seriously disrupt and weaken his terrorist organization. He added that this would not mean that Americans, Canadians and our allies would be safe nor would the threat end. He observed:

—the tentacles of the network, which, as we are now discovering through the belated intensive efforts of intelligence agencies and police in so many countries, is spread over at least two dozen countries...including Canada, there is a continuing danger of further attacks.

That is not fearmongering. That is proper concern for our safety and security. The professor also noted that it would be unwise for Canadians to assume that the international effort against terrorism could be dealt with in a period of just over a few years.

It was for that reason that he urged members of parliament to enact strong anti-terrorist legislation which would provide Canadian police and security agencies with the appropriate ongoing legal authority to continue to deal with this very serious threat.

● (1550)

[*Translation*]

Peace is essential to freedom. In Canada, we have become complacent about our freedoms and have taken peace for granted. While others have fought for that peace, most of this generation did not, until now.

The continued presence of a real terrorist threat compels us in the House to advocate for thoughtful changes that respond to the climate of fear that prevails. What could be more important than safeguarding the domestic security of Canadians?

However, our response to the terrorist threat to our freedom must not imperil that very freedom. We must not respond to a fear of losing our personal liberty by legislating it away. That truly would be a victory for terrorism.

That is why it is so critical that we address the root cause of these threats in co-operation with and in support of our allies at its source, rather than simply reacting and responding to it domestically.

[*English*]

There are some areas where Canadians won. It was on September 17 that I rose in the House, as did others, to urge the government to bring in a comprehensive package of anti-terrorist measures including tough, new anti-terrorism legislation modelled after the legislation already in place in the United States and the United Kingdom.

The next day the official opposition moved a supply day motion. We urged the government to bring in a comprehensive anti-terrorism bill modelled after the British terrorism act 2000. We recommended several specific measures that we hoped the legislation would contain, yet to our dismay the government used its majority to defeat the motion that would have set in motion in a more rapid fashion the very things we needed to protect Canadians. The government used its majority to defeat the motion.

The government said the measures we were recommending were too radical and contrary to Canadian values. The Canadian Alliance called for anti-terrorism legislation long before September 11. I am certainly encouraged that many of the provisions we have called for may in fact become law before Christmas. For that, I thank Canadians across the country from coast to coast who over the last number of years worked hard with the Canadian Alliance to develop the policies and principles that would lead to the safety and security of our citizens.

I am thankful for our critics and other members of our caucus who have worked hard to take the information toward this goal. Bill C-36 in fact includes many of the elements of the Alliance opposition motion of September 18, which the Liberal government voted against at one point.

Our list of anti-terrorist measures was long. We called for the naming of all known international terrorist organizations operating in Canada. We called for a ban on fundraising activities in support of terrorism and for provision for the seizure of assets belonging to terrorists or terrorist organizations. We called for the ratification of the international convention for the suppression of terrorist financing and we called for the creation of specific crimes for engaging in terrorist training activities in Canada or inciting terrorist acts abroad from Canada.

I will say that Bill C-36 has incorporated these elements, but after the Canadian government voted down these elements at one point and then some time later brought them back, it then took the government another five weeks after the fact to bring in the anti-terrorist legislation. That is in contrast to the United States and the United Kingdom, both of which had similar legislation long before September 11, just as we were advocating for these things long before September 11.

Nonetheless, I do not mind going on record and thanking the minister for bringing the bill forward and for taking many of the past recommendations of the Canadian Alliance and putting them into consideration in this legislation.

● (1555)

[*Translation*]

After the events of September 11, even a country like Canada, which is used to thinking of itself as a peaceful and non-violent country, finds itself at risk. Of course, we are not immune. One need only recall the tragic Air India bombing which killed 329 people. That flight originated in Canada.

Thankfully, we have not often seen lethal acts of terrorism on our soil. However, other countries have not been so fortunate. They have had the bitter experience of dealing with terrorism and have been forced to modernize their laws to deal with these threats. Two countries with very similar democratic values to our own, the United Kingdom and the United States, have already brought in comprehensive anti-terrorism legislation.

While the events of September show that strong laws alone will not in all cases stop determined terrorists, they can at least give to police, prosecutors, border security and others the tools they need to fight terrorists and terrorism.

Government Orders

We must examine and learn from the experience of the British and Americans and see where their legislation could possibly be a model for our own.

In 1995-96, in the wake of the Oklahoma City bombing, the United States brought in comprehensive anti-terrorism legislation in the form of the anti-terrorism and effective death penalty act which was signed by President Clinton.

In Canada, the interdepartmental intelligence policy group reviewed the U.S. legislation in 1997 and made a conclusion saying that the need for such a scheme could not be established.

In 2000, the United Kingdom, which already had strong anti-terrorism legislation on the books to deal with the threat of the IRA, brought in new sweeping anti-terrorism legislation to deal with international terrorism that could possibly be operating within the U.K.

The official opposition has pointed to the British terrorism act of 2000 as an example of the kind of effective legislation that Canada should look at. The U.S. and the U.K. governments, under the Clinton Democrats and Tony Blair's Labour Party, felt that it was possible to bring in comprehensive terrorism legislation without endangering the democratic values that are important to us.

This is not about posturing politically. This is about being able to stand tall together and to protect our citizens and answer their concerns and their cry for security. This is one of a number of areas. Security of markets is something we will also be pursuing, but we need to look at this in terms of security of the person and the people of Canada.

[*English*]

After the bill was tabled, debated at second reading and considered at the justice committee, I was again encouraged that the minister took some of the concerns of the members of the Canadian Alliance into account and agreed to amend the bill. We acknowledge that.

For example, we told Canadians that we needed to have a mandatory review mechanism for Bill C-36 which would ensure that the minister is accountable to parliament. The minister agreed with us and introduced an amendment that requires the Attorney General of Canada and the Solicitor General of Canada, as well as the ministers responsible for policing in the provinces, to publicly report to parliament their use of the Bill C-36 powers of preventive arrest and investigative hearings. This is not the option that would provide the strongest or the most comprehensive review mechanism, but it is a start. We acknowledge that.

We told Canadians we must have assurances that ongoing investigations under the powers of Bill C-36 would not be affected by the expiration of that legislation. Canada's police forces, including the Canadian Police Association and the Canadian Association of Chiefs of Police, had expressed concerns that the legislation would lapse, leave ongoing investigations in peril, and in fact be a deterrent to beginning investigations at all.

We had to listen to the Canadian Police Association and the Canadian Association of Chiefs of Police and impress upon the government that necessity. We did that. The minister then agreed

with us and introduced a grandfathering provision for preventive arrest and investigative hearings which allows ongoing investigations to continue and evidence gathered to be admissible.

We also told Canadians that in order to prevent abuse of power by government there must be an independent review of the ministerial certificates that are issued to prohibit disclosure of information. This is very important in terms of Canadians' ongoing freedoms and liberties. The minister then agreed with us on that point and her amendment mandates that the certificates must be reviewable by a judge of the Federal Court of Appeal.

We told Canadians that there must be increased protection within the legislation for religious and political groups. The minister agreed with us. Her amendments to the definition of terrorist activity offer an added degree of protection to these groups and distinguish their activities from those of actual terrorists. That was an important consideration and we acknowledge that she agreed with us.

Unfortunately the government did not remove the provision of the bill that would provide for prosecution of a terrorist act based on a political, ideological or religious motivation. That was and continues to be of concern to us. The minister has failed on several occasions to give us any concrete reason as to why that clause is necessary. That clause has huge potential for abuse. We will monitor it very carefully. It should not be used against those who want to protest because of political, ideological or religious motivations.

We told Canadians it was necessary to secure protection for charities and other groups that may be affected if they are inadvertently facilitating a terrorist offence. Members will note that I used the word inadvertently. The minister agreed with us and the bill has been amended so that the person or group would clearly have to be knowingly facilitating a terrorist activity.

Unfortunately there are some areas in the legislation where Canadians lost. Although we have been somewhat reassured by the minister with respect to her concessions on some aspects of the bill, there are a number of shortcomings which I have asked the minister to reconsider.

One is that Bill C-36 fails to eliminate the possibility of parole for all perpetrators of terrorist attacks. I ask members to think of that. A terrorist here in Canada wanting to emulate the mass murder of innocent citizens, as has so tragically occurred in the United States, could kill dozens, hundreds or even thousands of Canadians and after due process be found to be guilty of a horrendous crime like that and still be eligible for parole. That is ridiculous.

•(1600)

Parole should not be available to a mass-murdering terrorist.

Hon. Jim Peterson: What about forgiveness?

Mr. Stockwell Day: I do not often respond to ridiculous interjections but a Liberal member just said "what about forgiveness". To forgive somebody who killed 3,000 people and send a message to him that, hey pal, it is not a problem, he will be up for parole; that is not forgiveness following that act, that is stupidity.

Government Orders

The bill does not make it illegal to be a member of a terrorist organization. Those who are thinking of fleeing to a country where they can still be a member of their terrorist organization though banned from doing so in other freedom-loving countries would be welcome here in Canada. That is ridiculous.

By saying "recognized terrorist organization", I mean one that has met the burden of proof that is set out in the bill to be included in the list of entities. The minister maintains she has done this for the purpose of targeting terrorist acts and terrorist activity, but we are all aware that joining a terrorist organization has only one purpose: to participate in or to facilitate terrorist activity. That is the only reason for joining.

The minister has argued that banning membership may contravene the right to freedom of association. Surely our courts would rule that such misguided tolerance is an affront to the rule of law and abuse of the concept of freedom of association.

By far the most glaring omission of Bill C-36 is the minister's failure to deal with the issue of extradition. The Canadian Alliance long before September 11 had called for prompt extradition of foreign nationals who are charged with acts of terrorism. We will continue to ask the government to take steps to ensure that Canada no longer remains a safe haven for terrorists who come to Canada to escape the consequences of their actions in other countries. These terrorists should never be allowed to exist freely in our society and endanger Canadian citizens.

Canada quite rightly has earned a reputation of being welcoming to people from all over the world who want to come here to love and respect freedom and liberty, to pursue their hopes and dreams and see their children grow up to pursue and achieve their hopes and dreams. That is a reputation of which we are proud. But we also have a reputation of being a haven for those who do not respect freedom and liberties and for those who would tear freedom and liberty from others and those who would destroy life in the process and then would come to Canada knowing that our legislation would keep them from facing the consequences of their actions in other jurisdictions. That is ridiculous. That door must be slammed.

In addition to these shortcomings, unfortunately, the Liberal government has not yet allocated sufficient resources to the military, to police services or to the intelligence activities that we must have if we are going to properly fight terrorism.

It is no secret that the costs of fighting terrorism and organized crime are huge. These are huge costs. In a recent case that was prosecuted in Edmonton, it took \$5 million to convict just three members of the Hell's Angels. Convicting terrorists will be no different. They will use every legal loophole and other means available to them to fight their convictions. The cost will be significant.

In a written brief submitted to the justice committee last spring, the Canadian Police Association wrote of the extraordinary fiscal consequences that the police face when they are investigating and prosecuting these kinds of crimes. They said that these fiscal consequences "defy any modern sense of efficiency or effectiveness".

Although Bill C-36 will to some extent help to combat terrorism, this legislation in itself is not enough to effectively prevent terrorist activity on Canadian soil. Bill C-36 is only one piece of a very necessary puzzle. There need to be other issues addressed also, such as tightening our refugee determination system and giving powers to CSIS to operate overseas.

• (1605)

If we do not tighten our refugee determination system, then the genuine refugees, who should be here in this country experiencing freedom for the first time in their lives, will be jeopardized by those who continue to abuse the system and continue to be allowed to abuse the system because Bill C-36 will not slam the door on that abuse the way it should.

The legislation will be of no use whatsoever if we do not also have the resources in place to enforce it. Norman Inkster, the former commissioner of the RCMP, supports the bill's provisions that allow police to perform preventive arrest, as do we, but there have to be safeguards provided. He has said that other measures must be added, such as stepping up screening procedures at Canada's overseas missions and harmonizing border policies with the United States. He was clear on that and we are clear on that, as are many other associations and provinces.

Mr. Inkster believes it will be easier to deal with this issue offshore than it is to deal with the people when they are inside our borders and that makes ultimate sense. The former RCMP commissioner says that Canada should definitely be gathering information overseas and more important, Canada should be more diligent in whom we allow into the country in the first place.

Another RCMP officer, Sergeant Philippe Lapierre of the National Security Investigation Section, the counterterrorism branch of the RCMP, said at a conference on money laundering in Montreal that some people are sent here with a mission and some people come and are recruited, but once here, they all have the same modus operandi. Then he described what they do when they come here. These are the illegal ones who should not be here, who are allowed to get through and will continue to be allowed to get through by the gaping holes left in the legislation.

He also said that the first step is they claim refugee status, allowing them to remain in Canada as long as their claim is working its way through the cumbersome refugee determination process. He went on to say that the second step is to claim Canadian social benefits, applying for welfare and health cards, to ensure a stream of income. He said that the third step is to become involved in petty crime, such as theft and credit card fraud. Then he said that the fourth step is to launder their money through legal businesses that are set up as fronts. If we are to break this terrorist modus operandi, we must start at the front end and stop false refugee claimants who are security threats from getting into the country in the first place.

Government Orders

Every time we talk about the gaping holes in our refugee determination system, the government assures us that all will be well under the panacea of Bill C-11, but Bill C-11 was in the pipeline long before September 11. It is not a bill designed to deal with the clear and present danger of international terrorists coming into our country.

As a matter of fact, Bill C-11 creates a whole new level of appeals for refugee claimants. In some ways, it makes the matter worse. This vaunted front end screening the minister talks about simply means that we will begin security checks a few weeks earlier in a process that could take 18 months to complete just at the preliminary stage.

What is completely lacking in the bill is the kind of tough measures that are found in comparable U.S. and U.K. legislation.

If refugees arrive in the country on airplanes or on ships without documentation, they must be detained until it can be determined what their true identity is. That has to be checked against existing databases. Then and only then can a determination be made that they are not a security threat, because to have arrived here either by airplane or ship from an international destination, they had to have some kind of document or paper in their possession to get on that plane or that ship. That means somewhere in the process of coming over here, they destroyed their documents. They threw them overboard, tore them up, or did something to them. That automatically makes them suspicious. Those individuals need to be detained until they can be cleared totally of being any threat to security.

Nothing in Bill C-11 addresses these issues. Nothing in Bill C-36 and nothing in Bill C-42 addresses these issues.

•(1610)

In addition to dealing with potential security risks before people show up in the country, we need to provide more resources to the RCMP. The RCMP has served a vital role in the protection of Canadians over the years of our history. This national police force is a source of pride and comfort to Canadians.

Funding problems facing the RCMP during the last decade are well documented. The 2000 Conference Board of Canada report finds that in the past decade, the RCMP lost 2,200 positions and close to \$175 million in funding. The report found the results of these cuts were heavy workloads, inadequate operating budgets in the field, loss of trust in senior management and officers who were overworked and demoralized.

Examples of the repercussion of Liberal funding cuts to the RCMP are all over the place. In 1999 in British Columbia the RCMP reported being understaffed and overworked. One 30 month investigation involved numerous hours of unpaid overtime due to an acute lack of financial resources. In RCMP A division, which operates in Ottawa, investigators were denied voice mail, cellphones and pagers. They were even told that they could not spend \$20 for new business cards. That is no way to treat the men and women who are serving with their lives to protect Canadians.

In British Columbia the RCMP closed dozens of commercial crime files because there simply were not enough resources to investigate those files. Some officers were responding to calls with their own personal vehicles. This situation existed before September

11. Now post-September 11, we find a massive reallocation of limited resources to the fight against terrorism. What we do not see is a commitment from the government to provide long term, stable and sufficient funding for the force.

This piecemeal approach that the Liberals have taken does not address the severe shortage in human resources that is facing the RCMP. What is most disturbing however is the contradictory messages that we are receiving from the leadership of the RCMP and from those who represent the front line officers.

The front line officers have recognized the desperate situation. They are calling for action. RCMP Sergeant Mike Niebudek revealed that the new war on terrorism has put a severe strain on a force whose resources were already stretched to the limit. David Griffin, who is a Canadian Police Association representative, stated recently: "Before September 11, new squads were being created within the RCMP to deal with organized crime. That priority is being abandoned". That is what he said. The priority of organized crime is being abandoned. That is simply unacceptable. We cannot simply drop everything that the RCMP was working on prior to September 11, but the funding situation is driving it in that direction.

Statistics Canada just released its statistics for homicide in Canada. It found that over the past five years gang related murders in Canada have more than tripled. The solicitor general must realize that the RCMP needs the resources not only for the fight on terrorism which is so important, but to continue to ensure that Canadians are protected from other threats. What will be done to ensure that in the effort to fight terrorism other responsibilities of the RCMP will not be dropped?

The RCMP has been chronically underfunded by the Liberal government. The Canadian Police Association has recognized this. It passed a resolution at its 2001 annual meeting calling on the federal government to increase funding. The resolution states:

Whereas the RCMP budget has been reduced to the point the force cannot meet its obligations in many parts of Canada,

Whereas RCMP officers are being removed from federal services to augment shortfalls in municipal and provincial complement, and

Whereas the Government of Canada does not adequately fund the RCMP budget as it pertains to areas of federal and national responsibilities, and

Whereas these responsibilities provide vital support to all police agencies in Canada.

The resolution concludes by saying:

Be it resolved that the Canadian Police Association, in co-operation with its member associations, implores the government—

Our police officers should not have to come on bended knees, begging and imploring the government. They are literally begging the Government of Canada "to provide adequate funding to the RCMP budget, to maximize the effectiveness of federal and national policing responsibilities". The association passed that resolution before September 11.

Government Orders

•(1615)

According to Statistics Canada, there were 5,180 RCMP officers designated as federal in 1994. These officers handled criminal investigations involving organized crime, immigration fraud, money laundering and drug trafficking. Last year that number had dropped to only 4,341 personnel. That is a drop of 839 people through a period now of increased threats from terrorism and organized crime, not to mention an increase in the population.

The threats from organized crime, drug trafficking and immigration fraud did not go away after September 11. They are still here and perhaps even enhanced, yet we hear reports of up to 2,000 mounties being reassigned to investigate terrorist threats. Even Commissioner Zaccardelli has stated that the RCMP is curtailing some work as an effect of the reallocation of these human resources.

We hope the upcoming budget will address the crucial need for more resources for the RCMP. We will be watching very carefully to see that it does.

Another area where the government has shown great neglect, which the bill and actions taken by the government to date have done nothing to address, is CSIS.

Wesley Wark, a University of Toronto associate professor, who was speaking before the justice committee, said that we are at a crisis point in the evolution of Canadian security and intelligence. He believes that parliament has turned a blind eye in the past to security and intelligence matters.

I would only debate with him that parliament has not turned a blind eye to security and intelligence matters. The Canadian Alliance official opposition has had both eyes on that target. The federal government has turned its eyes away from these concerns.

The Toronto professor pointed out that while the United States spends \$30 billion a year on intelligence collection and on analysis, Canada spends a laughable fragment of that sum on these matters. That is not acceptable. He also said that CSIS needs more money, something we have been pushing for a long time but to no avail. Even this expert said that money alone is not enough.

CSIS is on the front line protecting Canadians from terrorism. Over the past years CSIS has warned of the threat that terrorists pose to Canada and its allies. However, like the RCMP, funding cuts to CSIS have undermined its ability to operate effectively. According to its 2000 public report, financial resources were \$244 million in 1993. In 1999 the figure was down to \$179 million. The number of people working for CSIS went from 2,760 in 1993 to less than 2,000 in 1999. This represents a 40% decline in human resources for Canada's counterintelligence service. Today the budget for CSIS is only \$194 million and it employs just over 2,000 people.

The lack of both human and financial resources has left the agency and its workers swamped with work, as are RCMP officers. Threat assessments are conducted in years rather than days according to the Security Intelligence Review Committee. The agency simply was not a priority of the government.

According to the solicitor general's 2001 estimates, funding for CSIS would decline further, unbelievably, to \$169 million in 2002.

This was despite the warning that the terrorist threat to Canada and its allies was at an all time high. This was before September 11.

Paule Gauthier, chair of the Security Intelligence Review Committee, says that the extra \$10 million that was announced for CSIS will go largely toward new equipment. What is needed is long term, reliable funding that will enable this important agency to employ the human resources necessary to deal with the mountains of information that must be processed. Dealing with potential threats expediently and efficiently is what CSIS needs to do but it is unable to do that because of the resource cuts the government has hit it with over the last years.

•(1620)

It is the responsibility of CSIS to perform background checks on immigrants and refugee claimants. The Security Intelligence Review Committee reports that CSIS is so overloaded with work it can take years to determine if a person poses a security threat. That is simply not acceptable. The chair of the committee, Paule Gauthier, stated that the agency needed more resources and that it was stretched to the maximum. The screening of refugees and immigrants is one of the most important elements in this fight against terrorism and it requires adequate human resources.

The government's priorities simply must change. We all know the Liberal leadership race is on and the ministers seem to be funding their own pet projects to the detriment of Canada's security. We continue to hear, regardless of what is leaked out in the headlines, that the Minister of Industry wants \$1.5 billion for broad band Internet access. Canadians already lead most other nations in the world in terms of personally making the choice to get on the Internet and to have their own personal computers at home. Canadians have done this on their own initiative and yet the minister wants \$1.5 billion to enhance chat lines.

The Minister of Justice has asked for an additional \$114 million to top up the over \$500 million that taxpayers have had to pay out for a firearms registry system that simply is not working.

To put these costs in perspective, we must remember that the total budget for CSIS is under \$200 million. We have been told that the accumulated cost of the firearms registry system, which is not working, will be \$685 million this year. Where are the priorities? We ask people to think in these terms: \$200 million for the war on terrorism and \$685 million for the war on duck hunters. The government has to get its priorities in order.

The government must address CSIS funding if Bill C-36 is to be effective at all and not simply a paper tiger.

CSIS also needs, to quote Dr. Wark:

—talent and expertise, and, above all, highly-trained analysts to make sense of the information that is going to be collected by Canadian operatives and be passed to Canada, if we stay in the alliance game, by our allies.

That is absolutely necessary.

Government Orders

He went on to say:

—making sense of the information that comes into a security and intelligence community, putting the pieces of the puzzle together, analysing it well, packaging it in a credible way that will be read and understood.

It is equally and vitally important in Dr. Wark's perspective.

Dr. Wark also believes that there is an enormous deficiency in terms of the way in which intelligence gets to cabinet level for decision making. I feel like making an analogy about intelligence and cabinet level decision making but I am resisting. Dr. Wark ponders the idea of the creation of a cabinet level ministerial position responsible for national security and intelligence. I am not saying I am completely in agreement at this time with that proposition but I do think we need to bring together all the departments responsible for analytical issues in the security and intelligence field. That definitely has to happen.

Furthermore, concurring with the Toronto professor, I believe we need a foreign secret service capacity. Right now under the CSIS Act, CSIS has a restricted mandate for collecting foreign intelligence. That is not good enough today in the war on terrorism.

Dr. Wark goes on to say:

We need such a capacity for a number of reasons, not the least of which is to allow Canada to continue to play a role as an independent actor in the global intelligence business; and, in addition, to allow Canada to maintain its place at the allied intelligence table, which has historically been so vital to any of the successes it has had in that field.

If Canada is not there carrying the weight and carrying the freight, it will be excluded from a position of prominence around that intelligence gathering table internationally. We cannot afford that.

Former RCMP commissioner, Norman Inkster, and former CSIS deputy director, James Corcoran, believe that the CSIS Act requires a full overhaul and they have therefore urged the government to review that 1984 act, and we agree with them.

Under Bill C-36, the CSIS Act has received a minor amendment in that it adds the terms "religious or ideological" to the definition of a security threat. I do not see bin Laden and his troops shivering in fear when they read that.

• (1625)

Appearing before the Senate defence committee, both Inkster and Corcoran said "within Canada needs to be removed from the act to give CSIS a clear international mandate".

So again, there are still large weaknesses in the powers that are given to the RCMP and to CSIS under the bill, and there is still no guarantee that the resources they will need to be effective, even with this somewhat weakened bill, will be there for them.

Nonetheless, there are provisions in the bill which we support, as I have said, and we will vote for the bill on third reading despite the shabby way the government has dealt with it in the House.

These elements are of grave concern to Canadians, especially in the area of supporting those security forces that need to be there for us.

• (1630)

[*Translation*]

In 1998, CSIS stated that some 50 international terrorist groups were operating in Canada and that the names included some of the most deadly enemies of peace and democracy in the world today. Some of the groups that were banned by the British terrorism act of 2000 and are known to have operated, and do operate in Canada, are the Babbar Khalsa, the International Sikh Youth Federation, the Liberation Tigers of Tamil, Hezbollah, Hamas, the Kurdistan Workers Party and the Irish Republican Army.

The Kelly report, a recent report from the Senate special committee, stated in 1999 that Canada was a primary venue of opportunity to support, plan or mount terrorist attacks, contrary to what some people wishfully think.

What happened in New York City can happen here, perhaps even worse. Attacks like the New York City attack could be planned and orchestrated from Canadian soil by groups attempting to take advantage of the weaknesses of our legislation.

In 1999, Canada signed the UN international convention for the suppression of the financing of terrorism. We need to do more. We need to take extra steps in that regard.

If a government like the United States seeks people accused of terrorism in Canada, we must be convinced that there is reasonable evidence. This is a very important point.

I know some of our colleagues in the House have some sensitivity on this. If there is reasonable evidence, we should turn terrorists over, regardless of the fact that they may face a penalty in that country, for instance in the United States, that would not apply here. That move would require a change in Canadian law to send a signal to terrorists that they cannot take advantage of Canada to avoid facing justice for their crimes.

One can only imagine the outrage if one of the perpetrators of the acts in New York City and Washington, perhaps even the criminal mastermind who so carefully co-ordinated the flight schedules of the terrorists, found his way to Canada and we found ourselves unable to extradite such a person to the United States to face justice. Canadian law must address this possibility now because Canadian citizens will demand it.

Government Orders

[English]

Before concluding I must turn to address my friends in the Progressive Conservative/Democratic Representative Caucus Coalition. The Canadian Alliance was pleased that they supported our September 18 motion calling for tough anti-terrorism legislation. At the time and in the days immediately following September 11, they did seem to stand with us in supporting tough action on terrorism, but as the days went by various interest groups started criticizing the bill for giving Canadian police the same kinds of powers as those of police in the United States, Britain and Europe. The interest groups say there are valid concerns about information and privacy rights under the bill and say that we need parliamentary review.

We are pleased that the government has made some amendments in the area, but Canadians deserve tough anti-terrorism legislation to protect them. Our police deserve the powers and resources they need to break up terrorist cells in Canada. Our biggest concern is that the bill is not tough enough in some areas and does nothing to provide the resources that our police and security services need.

Very soon we will all have a fundamental choice. Our colleagues in the PC/DRC will have a fundamental choice. Will they stand with the lobbyists and special interest groups who do not believe in giving police officers the powers they need to do their job or will they stand up for the safety and security of Canadians and our allies? That will be the vital question that we will be asking today, tomorrow and in the days ahead.

We have asked for and received, not perfectly, some of the steps necessary to review the legislation in a proper way at a proper time. In a time of crisis, a time of war, we do recognize that certain liberties we may enjoy at a certain time may in fact be somewhat curtailed because of a crisis that is upon us. That should not be permanent, but it must be in place so that we can prevent the terrible acts happening that otherwise would were it not in effect.

That is why we support the government on the provisions it made. We deplore its complete lack of recognition of the gaping holes that it leaves unattended. We also recognize that there are provisions in place to, at a convenient and proper time, review the legislation and make adjustments if necessary.

• (1635)

[Translation]

The official opposition will continue to ask for the kinds of changes that we feel are necessary to restore confidence to our citizens, confidence in safety and security, confidence in the markets and confidence that we continue to grow both socially and economically.

However, the one thing we cannot afford is complacency. As Edmund Burke famously said, "All that is necessary for evil to triumph is for good men to do nothing". Changing laws alone will not stop terrorism. We are legislators and drafting and changing laws is what we do.

Let it not be said after the next horrific terrorist incident that it happened because the good men and good women of the House chose to do nothing.

[English]

There was an unfortunate incident that took place in the development and discussion of Bill C-36. It must be addressed. We were all dismayed when we learned earlier that the contents of the bill were actually leaked to the media before being tabled in the House. Our House leader raised it as a question of privilege.

The matter was referred to the Standing Committee on Procedure and House Affairs. What is disturbing is that the committee was too quick to give up. More disturbing was the fact that nobody on the government side took responsibility for this glaring act of abuse of the parliamentary process. When the minister leaked the contents of Bill C-15, she took responsibility.

Mr. Joe Jordan: Order, that has not been determined.

Mr. Stockwell Day: There is nothing to call for order about. She took responsibility when she leaked the contents of Bill C-15. The committee charged her with contempt. That is a matter of fact. It is not a matter of order. It is a matter of disorder.

In its report on Bill C-15 the committee stated:

This incident highlights a concern shared by all members of the Committee: apparent departmental ignorance of or disrespect for the role of House of Commons and its Members. Even if the result is unintended, the House should not tolerate such ignorance within the government administration to undermine the perception of Parliament's constitutional role in legislating. The rights of the House and its Members in this role are central to our constitutional and democratic government.

This is a severe indictment.

Then for some reason the committee decided to abandon its responsibilities in the incident related to Bill C-36, even though Deloitte & Touche, the firm hired to investigate the Bill C-36 leak, stated on page 11 of its report to the committee:

The disquieting aspect, however, is that a small portion of the article contains or alludes to information, which, at the time prior to the tabling of the bill itself, was classified secret and was subject to protection as a confidence of cabinet.

This would confirm what the government House leader stated during the debate on the question of privilege.

Mr. Joe Jordan: Read the recommendation.

Mr. Stockwell Day: They can be as upset as they want to be, but on Bill C-36, staying right on this point, it was the government House leader who stated:

I cannot say much more other than to apologize on behalf of whoever is guilty of this. I use the word guilty because that is what comes to mind, given the respect that I have for this institution. Anyone who breaches that respect is guilty of an offence in my book.

That is what the government House leader said: "Anyone who breaches that respect is guilty of an offence in my book". The government House leader said "I believe the House leader for the Conservatives referred to this as privileged information". Our House leader said "Actually it is more than that. It is secret in the very sense of government secrecy".

Government Orders

If this is true, why did the committee conclude that no breach of privilege occurred? Why did the Liberal majority on the committee defeat two motions from the opposition that were designed to garner more information, including a motion to call as witnesses representatives of Deloitte & Touche?

When the opposition members on the committee learned that the PCO had the Deloitte & Touche report edited prior to its delivery to the committee, they moved a motion to see the unedited version and the Liberal majority defeated that motion. It is unbelievable.

I do not know how the committee will explain why it concluded that no breach of privilege had occurred when it tabled its report. If no breach had occurred, then what about the doctrine of ministerial responsibility? Who will take responsibility for the breach of secrecy? The Minister of Justice apologized for the leaking of information on Bill C-15. The government House leader has apologized to the House for the premature leaking of information on Bill C-36.

However, the contents of Bill C-42 were also leaked. Is the government expecting the House to accept another apology from another minister, if indeed that comes forward, just to move on to the next leak?

If the committee has already decided not to report that a breach of privilege has occurred, I hope the committee has the sense to address the principle of ministerial accountability.

• (1640)

I hope the committee follows its own advice from the Bill C-15 report, in which it concluded, then, that an apology, and this is what it said, would not be accepted if this were to happen again.

These were very disturbing elements of the whole development process of Bill C-36: leak the information ahead to get the government's own spin on it and then, when we try to respond to the spin, bring in closure and slam the door on debate. That is unacceptable.

The bill is not perfect. We have plainly identified that. I have also said throughout my speech that it is a start. As leader of the official opposition, I urge all my colleagues on this side of the House, especially those in the PC/DR coalition, to join with us and support the bill, imperfect as it is, even if we have to hold our noses at the process or at some aspects of the legislation. Canadians deserve some protection. Some is better than none.

To conclude, I would like to say again that I am disappointed in the way that the bill was conducted through the House. Canadians deserve better than this.

• (1645)

Ms. Alexa McDonough: Madam Speaker, I rise on a point of order. Let the record show that the official opposition leader who is ranting and railing against closure is imposing his own form of closure in the House by shutting out the voices of three other opposition parties in this important and historic debate. I think he should address that in his concluding remarks.

Mr. Vic Toews: Madam Speaker, on the same point of order, the Leader of the Opposition has unlimited time. That is clear. If there is fault to be apportioned here, it is to the Liberals for bringing in

closure. Perhaps the member for the New Democrats should re-examine who is to blame for any loss of time on her or any other—

The Acting Speaker (Ms. Bakopanos): Before I recognize another point of order, if we continue on the points of order there will be no time for the two hon. members from the two opposition parties to continue.

It is very true that the standing orders give the hon. Leader of the Opposition unlimited time. I believe he is concluding, if I am not mistaken.

Mr. Joe Jordan: Madam Speaker, I rise on a separate point of order. The Leader of the Opposition, during his filibuster, is referring to a report of the Standing Committee on Procedure and House Affairs that has not been tabled in the House.

I find it rather ironic that he is talking about leaking when he himself is in fact leaking; the report has not been tabled and he should not be referring to its contents in the House.

The Acting Speaker (Ms. Bakopanos): I will take no more points of order because of time. The hon. parliamentary secretary's point of order is a point of debate.

I will now recognize only the hon. opposition leader on the conclusion of his speech.

Mr. Stockwell Day: Madam Speaker, thank you for noting that the leader of the official opposition has the right to unlimited time. I am not taking unlimited time. We do not have enough time to deal with this.

For the party that earns the most seats next to the governing party because of the hard work of Canadians and the good work of candidates and members of parliament, we earn the right, a hard earned right, to speak at length and in detail about the limitations of a bill that will hurt the security and the safety of Canadians. We will not be cowed and be threatened or intimidated by that. The record will show that I do not hog time in the House. What the government does is restrict time of all members. I am trying to give time to the other opposition parties, and at least one of them seems to be more concerned with some mundane or arcane point of order that has no point at all. I am glad you have recognized that, Madam Speaker, in your usual wise manner.

The bill is not perfect, but it is a start. We have said that. It is odious in some ways, but I am encouraging all members to vote to support it to bring in some measure of security.

I am disappointed in the way the bill was conducted through the House. Canadians deserve better than the way the bill was handled. We are pleased that the government listened to some of the more serious concerns. We are pleased with the way our critic brought these concerns forward, as did other MPs, and pleased that the government did make some very necessary changes to the bill. We recognize that. We have said that all through the process and, frankly, we are somewhat offended when we hear the Prime Minister and others say that we have done nothing or that we totally disagree with all the elements of the bill. We do not. I think I have made that abundantly clear. If any members are still unclear I can continue for another long period of time to point that out, but I think they will recognize that I have made it clear.

Government Orders

However there are still some glaring shortcomings. I sincerely hope that these shortcomings will be remedied in the weeks ahead. There are still ways in which the government can close the gaping holes of security. All in all, I view the bill as an essential tool in preventing and fighting international terrorist activity. Some steps have been taken.

For those reasons and all the reasons indicated today, I will be supporting the bill. I encourage all our colleagues, not just in the official opposition but in the other opposition parties, to do the same for the good of Canada.

[*Translation*]

The Acting Speaker (Ms. Bakopanos): 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 Palliser, Agriculture.

• (1650)

Mr. Michel Bellehumeur (Berthier—Montcalm, BQ): Madam Speaker, since the subject matter of this debate is very important and two Bloc Québécois members have followed the consideration of Bill C-36 in committee, I seek unanimous consent to split my time with the hon. member for Saint-Bruno—Saint-Hubert.

The Acting Speaker (Ms. Bakopanos): Is there unanimous consent for the hon. member to split his time?

Some hon. members: Agreed.

Mr. Michel Bellehumeur: Madam Speaker, Bill C-36 is most important, and to appreciate how important it is and understand the position taken by the Bloc Québécois right for the start, a little background may be useful. Everybody knows that this bill stems from the terrorist attacks in the U.S. on September 11.

I listened to the remarks of Canadian Alliance members earlier, and I agree that they were the first to call for an anti-terrorism bill. I remember distinctly the answer of the justice minister at the time. She said “We have every tool we need in the criminal code to fight effectively against terrorism”.

Quite sincerely, I think she was right. The criminal code does provide a number of tools that can be used but criminal code provisions were not adequately enforced, as happens with many Canadian laws.

For several days, at least until the end of September or the beginning of October, the Minister of Justice, the Minister of Finance—since there was the whole issue of money laundering and seizure of assets belonging to terrorists or terrorist organizations—the Minister of Citizenship and Immigration, the solicitor general and the Minister of National Revenue all took turns telling us that we did not need legislation to fight terrorism in Canada.

That was the position of all government members. Then, all of a sudden, on October 15, the government introduced a bill to fight terrorism. This means that either the government had been misleading the House, or that it drafted an anti-terrorism act in 15 days. Either way, this is not good. The government should tell the truth to the House and if it decides to introduce a bill like this one, it should do so after very careful consideration and after taking the time necessary to draft it.

Let us suppose that the government acted in good faith and took 15 days to draft this bill. This is very worrisome because this legislation affects many individual and collective rights. This bill was drafted quickly. Public officials told the committee that, indeed, they had drafted the bill very quickly.

What was the position of the Bloc Québécois on Bill C-36? We initially supported it at second reading. We had read it and knew that much work would be required to make it acceptable. However we wanted to make sure that this legislation would be referred to the Standing Committee on Justice and Human Rights so that witnesses could be heard and the bill improved. We agreed with the principle of the bill.

What was that principle? It was to have a tool to strengthen national security, if possible, but there had to be a balance between national security and individual and collective rights. This is what happened. The bill was reviewed in committee and we heard several witnesses, including experts in this field.

If I had more time I would read what some witnesses told the Standing Committee on Justice and Human Rights, including the Information Commissioner of Canada and the person responsible for privacy and document protection.

They told the justice minister, among other things, that she should not touch the whole part on certificates and that she should not, as she planned to do, deny individuals access to information contained in privacy files, since the enabling legislation, the current act, contains an entire section on national security.

• (1655)

The independent commissioners who administer the act are free to decide whether or not the documents may have an impact on national security. There is a mechanism to protect taxpayers, those who we want to protect with such legislation.

The national executive committee of the Canadian Auto Workers Union appeared before the committee. Some ministers even told the committee that a sunset clause was needed, because we were dealing with an extraordinary legislation and limits had to be set.

The president of the Quebec bar association, Francis Gervais, testified on behalf of the Barreau du Québec and told the committee that in terms of arrest without a mandate and the right to remain silent, the bill would affect the rights of some individuals arrested by the police. He said that the bill was going much too far, that the definition of terrorist activity should be tightened and that a sunset clause should be included in the bill. The Canadian Bar Association also testified before the committee.

At the same time that the Standing Committee on Justice and Human Rights was studying this issue, the Senate of Canada, the other place, was also considering it. It tabled a report in which it tells the government that it is going too far and that it should amend the definition of terrorist activity and include in the bill a real sunset clause, which would not apply to international conventions.

Government Orders

Has the minister of Justice, who said she would listen to the opposition, to what experts would have to say in committee, and to the comments of the other place, really been listening? I do not believe so. I think she did whatever she wanted, or rather, if she did listen to someone, it was only to her deputy ministers. She did not listen to the people who appeared before the Standing Committee on Justice and Human Rights.

Bloc Québécois members took part in every single one of the committee meetings. We took copious notes and we listened to the witnesses. We played fair on this issue, we did not play politics, we did not keep any amendments under wraps for report stage. We put forward our 66 amendments in committee because we wanted to have the best possible legislation, which would strike a balance between national security and individual and collective rights.

As I said, we put forward 66 amendments. Every single one of them was defeated. It is not 66 amendments by the Bloc Québécois that the members across the way rejected, but the amendments called for by witnesses. All those who appeared had very specific requests and these 66 amendments were an attempt to respond to them.

What were their concerns? The primary one, as I said before, and probably the most important, was that there should be a sunset clause in the bill. It is an exceptional bill for exceptional times. This is becoming a cliché or even a slogan, but it is true. We said and are still saying, because I believe it should have been done, that a sunset clause was needed, a real clause under which the act would cease to be in effect after three years. After three years, if the government still wanted to have these exceptional powers, it would have to start the legislative process all over again.

The minister has put forward a so-called sunset clause, but it is not a sunset clause. With a simple motion passed by the House of Commons and the Senate, this bill can be extended by as much as five years. This is not a sunset clause.

Since my allotted time is up, I conclude by saying that we, in the Bloc Québécois, will vote against this bill at third reading. We will vote against Bill C-36.

• (1700)

We also say no to Bill C-42, its companion legislation. We will say no to this bill as it flies in the face of a great principle, the principle of democracy, for which we want to fight and will continue to fight here in the House of Commons.

Ms. Pierrette Venne (Saint-Bruno—Saint-Hubert, BQ): Madam Speaker, to continue this debate at third reading, I will begin by saying that, even though the minister did not heed their recommendations, we do want thank the witnesses who appeared before the Standing Committee on Justice and Human Rights during the last few weeks to enlighten us with their expertise.

At second reading, the Bloc Québécois had decided to support Bill C-36 in principle, because it was and still is necessary to take measures that will enable us to fight terrorism effectively.

Like any opposition party acting responsibly, it is with optimism that we supported this government bill. However, while the Bloc Québécois voted in favour of the spirit of this bill, it did express serious reservations regarding several of its provisions.

Among these reservations was, first of all, the absence of a sunset clause, as my colleague from Berthier—Montcalm just mentioned. This bill being a special measure that contains major irritants regarding various aspects, including preventive arrest and the powers conferred on the Attorney General of Canada and the Minister of National Defence, the Bloc Québécois proposed a sunset clause whereby all provisions of the bill would automatically have ceased to apply after three years, except those related to the implementation of international conventions.

In fact, in the Patriot Act and in the *Loi sur la sécurité quotidienne*, the United States and France adopted sunset clauses that repeal these acts in whole or in part after a period of three years. Moreover, the Canadian Bar Association, the *Barreau du Québec*, the Canadian Human Rights Commission, the *Association des avocats criminalistes*, the Canadian Council of Criminal Defence Lawyers, the *Commission des droits de la personne et des droits de la jeunesse*, the Senate committee as well as ministers and Liberal members called for such a sunset clause.

But it seems that the American and French examples and the great support for our position were not good enough to sway the minister. Her minimal sunset clause deals with only two provisions in the legislation and it will apply not after three years, as we suggested, but after five. Even at that, it is not a real sunset clause, because it provides that a resolution passed by both houses will be enough to keep the legislation alive.

The government will not need to introduce a new bill and have it go through second reading, committee and third reading stages, the way it should be if this were a real sunset clause. In short, the minister's amendment does not really change the bill. It just shows the government's contempt for elected representatives by bypassing the parliamentary process.

In any case, whether we have a sunset clause or not, it does not change the fact that—

Some hon. members: Oh, oh.

Ms. Pierrette Venne: I am sorry, Mr. Speaker, but I cannot concentrate because members opposite are making strange noises.

An hon. member: It is absurd.

Ms. Pierrette Venne: It is unbelievable. Mr. Speaker, could you ask these people to be polite?

• (1705)

The Acting Speaker (Mr. Bélair): Order, please. I think it is quieter now. The member for Saint-Bruno—Saint-Hubert may continue.

Government Orders

Ms. Pierrette Venne: I thank you, Mr. Speaker. As I was saying, whether we have a sunset clause or not, it does not change the fact that a three year period for an in-depth study of the consequences of this bill is way too long. Of course, reports on the investigations and on the preventive arrests will be prepared yearly by the attorney general, the solicitor general and their provincial counterparts.

However, this does not add any guarantee that would lead us to believe that the government will set the record straight if some slip-ups occur along the way. There could be three years worth of blunders before the government looks into the matter again. There again, nothing guarantees that this review will be made at all, because it is far from unusual to see deadlines not being respected and acts not being reviewed on time. Extraordinary legislation introduced in exceptional circumstances necessarily requires a more stringent control than the one the minister is suggesting.

As for wiretapping, on October 24, Allan Borovoy, adviser to the Canadian Civil Liberties Association, said before the committee that CSIS already had all the necessary tools to conduct wiretaps.

Mr. Borovoy also mentioned, although this was not his final conclusion, that new powers would not be needed, and that, before infringing on civil liberties, we should demonstrate that this will result in a significant improvement of existing security. Given that, according to this advisor, this has not been demonstrated, one must wonder why the minister is allowing the defence minister to authorize electronic surveillance without prior judicial approval.

After alienating the right of parliament to decide the reinstatement of this legislation, by refusing a real sunset clause, the minister is also taking away from the courts the right to authorize the electronic surveillance of communications. The political and judicial branches have become one.

Now, a word on preventative arrests and increased powers. These provisions could very well jeopardize the delicate balance between security and freedom. Under this bill, an individual could be detained for 24 hours on the basis of mere suspicion, even if the words "reasonable grounds" are used in the same clause. But reasonable grounds and suspicions are clearly quite different.

As a matter of fact, legal literature recognizes that mere suspicion does not constitute sufficient grounds for action that has to be taken on the basis of reasonable grounds. Besides, the Barreau du Québec has stated that under constitutional law, these two concepts are contradictory. It even went as far as saying that the concept of suspicion would introduce a discretionary leeway which could lead to arbitrary arrests. Moreover, in her opening speech at the inaugural meeting of the committee, the Minister said:

I remind my hon. colleagues that there are instances where, in other free and democratic societies like the United Kingdom and, most likely, the United States, once they have passed their new legislation, detention will be allowed for a period of up to seven days.

We could also remind the minister that no later than this morning, in reference to this measure and others, such as communications intercept, the questioning of target groups and possible trials before a martial court, the headline on the front page of *Le Devoir* read "Is the United States to become a police state?"

At one time, Moscow was much safer than several North American cities but those were the days of communism, when security was based on a political tyranny which was promoting terror. Surveillance was everywhere and denouncement was a way to survive. Are we prepared to pay such a price? As Alain Gagnon would say, to ask the question is to answer it.

• (1710)

The attorney general could refer any person to a judge whether or not this person is directly or indirectly linked to a terrorist group or activity. In a way, this provision is like giving a fishing license to the authorities. The bar association was also critical of this provision, arguing that it interferes with the right to remain silent, when no charges have even been laid yet.

The least we can say is that Bill C-36 gives the police outrageous powers which would not be tolerated in more ordinary times. These provisions remain hard to justify, despite the present crisis. One may question the relevancy of such measures in light of two recent events which got our attention.

Here is the first case. In mid-October, the media reported the story of an individual named Abdellah Ouzghar. To give some background, Ouzghar had been convicted in absentia to five years in jail, last April, by the criminal court of Paris. The charges were, among others, being part of a crime syndicate for the purpose of planning a terrorist act. Furthermore, Interpol had already issued two international arrest warrants against Ouzghar, and the warrants mentioned his address in Hamilton.

Under the Extradition Act, the RCMP was to proceed with the temporary arrest of this individual so that France could then apply for his extradition. Yet, it took more than one year after the issue of the first arrest warrant and also six months after his conviction in France for the RCMP to finally arrest him on October 12 of last year.

Here is another example. In early November, the media reported another no less commonplace incident involving an individual named Liban Hussein. The RCMP has candidly admitted that it did not take any step to arrest this Ottawa resident, whose name was on the list of people and organizations actively involved in the financing of Osama bin Laden's terrorist activities. Finally, it was only after the individual gave himself up that the RCMP arrested him.

In both cases, we doubt very much that this flagrant carelessness on the part of the authorities, especially the RCMP, can be justified by legal constraints. In fact, the authorities have all the tools they need to act effectively, but they do not know how to use them. Is it carelessness or incompetence? Whatever. It is absolutely pointless to give more powers to people who do not know how to use the ones they already have.

Government Orders

As for the procedure for establishing the list of terrorist entities or the list used to deny or revoke charitable status, I commented on it at second reading of Bill C-16 as well as at second reading of Bill C-36 and, nothing having changed since, my comments will be the same. Therefore I refer members to my two previous speeches.

In conclusion, Bill C-36 is just one more step toward an abusive centralization of powers that used to be reserved to entities that were independent from the government. Moreover, what is more serious is that this power grab eliminates any notion of impartiality.

I can only conclude that, with Bill C-36, not only is the government seriously infringing our rights and freedoms, but it is taking advantage of a crisis situation to compromise the principle of the separation of powers.

The headline on the cover of the latest issue of the *Journal du Barreau* read "Anti-terrorist Bill C-36: Legitimate Goal, Bad Vehicle". This title summarizes the position of the Bloc Québécois very well, and this is why we will be voting against this bill.

[*English*]

Ms. Alexa McDonough: Mr. Speaker, I rise on a point of order. Would the House give its unanimous consent to enable the two opposition parties that have not yet had an opportunity to speak on Bill C-36 to do so within the reasonable amount of time that is allotted for such participation?

• (1715)

Mr. John Reynolds: Mr. Speaker, I rise on a point of order. I would like to seek unanimous consent to extend this debate for one day so that other members of the House who might want to speak on the bill can speak.

The Acting Speaker (Mr. Bélair): I will deal with the first point of order. The hon. member for Halifax has asked that government orders be extended to enable the two opposition parties that have not spoken yet to speak. Is there unanimous consent for this?

Some hon. members: Agreed.

An hon. member: No.

[*Translation*]

Mr. Michel Bellehumeur: Mr. Speaker, I want to make sure we understand each other. I do not mind agreeing to a reasonable length of time, but I want us to come to an agreement as to what is reasonable.

I recall that at one point the Canadian Alliance used a reasonable length of time that was rather long. Let us define what reasonable is and then we will see whether we would agree to that or not.

The Acting Speaker (Mr. Bélair): Following the first three speakers, the next one, namely in this case a member of the New Democratic Party, will have 20 minutes for his speech followed by a 10 minute question and comment period.

I must add that the member for Saint-Bruno—Saint-Hubert has seven minutes left. We could then go to the speaker for the New Democratic Party and then to the Conservative Party.

Is there unanimous consent to proceed in this fashion?

Some hon. members: Agreed.

Some hon. members: No.

[*English*]

Mr. John Reynolds: Mr. Speaker, I rise on a point of order. I would like to ask the House for unanimous consent to extend this debate for one more day so not only can other parties speak, but also the justice critic from my party who has not had a chance to speak yet.

The Acting Speaker (Mr. Bélair): Is there unanimous consent to extend this debate by one day?

Some hon. members: Agreed.

An hon. member: No.

Mr. Peter MacKay: Mr. Speaker, I rise on a point of order with respect to this very same issue. The breach that has occurred here with respect to all parties in this House having an opportunity to speak to this very important bill leads me to seek unanimous consent to move the following motion that:

Bill C-36, an act to amend the Criminal Code, the Official Secrets Act, the Canada Evidence Act, the Proceeds of Crime (Money Laundering) Act and other acts, and to enact measures respecting the registration of charities, in order to combat terrorism, be referred back to the Standing Committee on Justice with instructions to hear from the Information Commissioner and to make further amendments to the bill as the committee considers appropriate.

The Acting Speaker (Mr. Bélair): Is there unanimous consent to send the bill back to committee?

Some hon. members: Agreed.

Some hon. members: No.

[*Translation*]

The Acting Speaker (Mr. Bélair): It being 5.15 p.m., pursuant to order made on Tuesday, November 27, 2001, it is my duty to interrupt the proceedings and put forthwith every question necessary to dispose of the third ready stage of the bill now before the House.

[*English*]

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.

An hon. member: Nay.

The Acting Speaker (Mr. Bélair): I declare the motion adopted on division.

Please note that there was only one member of parliament in the opposition who was looking at the Chair, and I heard only one nay. Therefore I will put the question again.

Government Orders

• (1720)

Mr. John Reynolds: Mr. Speaker, I rise on a point of order. Since you have just stated there was only one member standing and you have already ruled and called it on division, the Speaker's ruling stands.

The Acting Speaker (Mr. Bélair): I said there was only one member looking at the Chair. There was a group standing over there who were talking among each other. Therefore, I will call it again.

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.

• (1740)

[*Translation*]

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

(Division No. 190)

YEAS

Members

Adams	Alcock
Allard	Anderson (Cypress Hills—Grasslands)
Anderson (Victoria)	Assad
Augustine	Bagnell
Bailey	Baker
Bakopanos	Barnes
Bélangier	Bellemare
Bennett	Benoit
Bertrand	Bevilacqua
Binet	Blondin-Andrew
Bonin	Bonwick
Borotsik	Boudria
Bradshaw	Brisson
Brown	Bryden
Bulte	Burton
Byrne	Caccia
Cadman	Calder
Cannis	Casey
Casson	Catterall
Cauchon	Chatters
Clark	Coderre
Collenette	Comuzzi
Copps	Cotler
Cullen	Cuzner
Day	DeVillers
Dion	Dromisky
Drouin	Duncan
Duplain	Eggleton
Elley	Epp
Eyking	Farrah
Finlay	Fitzpatrick
Fontana	Forsyth
Fry	Gagliano
Gallant	Godfrey
Goldring	Graham
Gray (Windsor West)	Grose
Guarnieri	Hanger
Harb	Harris
Harvard	Harvey

Hill (MacLeod)
 Hilstrom
 Ianno
 Jaffer
 Jordan
 Kenney (Calgary Southeast)
 Knutson
 Lastewka
 Lee
 Lincoln
 Lunn (Saanich—Gulf Islands)
 MacAulay
 Macklin
 Malhi
 Manning
 Marleau
 Matthews
 McCallum
 McGuire
 McLellan
 McTeague
 Merrifield
 Minna
 Moore
 Myers
 Normand
 O'Brien (London—Fanshawe)
 Owen
 Pankiw
 Parrish
 Penson
 Peterson
 Price
 Rajotte
 Reed (Halton)
 Reynolds
 Ritz
 Rock
 Savoy
 Schmidt
 Serré
 Shepherd
 Sorenson
 St. Denis
 Stewart
 Strahl
 Thibault (West Nova)
 Thompson (Wild Rose)
 Toews
 Torsney
 Valeri
 Vellacott
 Wappel
 White (North Vancouver)
 Williams
 Yelich— 189

Hill (Prince George—Peace River)
 Hinton
 Jackson
 Jennings
 Karetak-Lindell
 Kilger (Stormont—Dundas—Charlottenburgh)
 Kraft Sloan
 LeBlanc
 Leung
 Longfield
 Lunney (Nanaimo—Alberni)
 MacKay (Pictou—Antigonish—Guysborough)
 Mahoney
 Maloney
 Marcil
 Martin (Esquimalt—Juan de Fuca)
 Mayfield
 McCormick
 McKay (Scarborough East)
 McNally
 Meredith
 Mills (Red Deer)
 Mitchell
 Murphy
 Nault
 O'Brien (Labrador)
 O'Reilly
 Pallister
 Paradis
 Patry
 Peric
 Pickard (Chatham—Kent Essex)
 Provenzano
 Redman
 Regan
 Richardson
 Robillard
 Saada
 Scherrer
 Scott
 Sgro
 Skelton
 Speller
 Steckle
 Stinson
 Szabo
 Thibeault (Saint-Lambert)
 Tirabassi
 Tonks
 Ur
 Vanclief
 Volpe
 Whelan
 Wilfert
 Wood

NAYS

Members

Anders
 Bergeron
 Blaikie
 Brien
 Comartin
 Cummins
 Davies
 Gagnon (Champlain)
 Gauthier
 Godin
 Guimond
 Lalonde
 Lebel
 Loubier
 Mark
 McDonough
 Perron
 Plamondon
 Reid (Lanark—Carleton)
 Sauvageau
 Stoffer
 Tremblay (Lac-Saint-Jean—Saguenay)
 Venne

Wasylycia-Leis — 47

PAIRED

Members

Bachand (Saint-Jean)	Dubé
Duceppe	Easter
Fournier	Kilgour (Edmonton Southeast)
Manley	Ménard
Neville	Pratt
Rocheleau	St-Julien — 12

The Speaker: I declare the motion carried.

(Bill read the third time and passed).

• (1750)

[English]

The Speaker: It being 5.50 p.m. the House will now proceed to the consideration of private members' business as listed on today's order paper.

* * *

[Translation]

BUSINESS OF THE HOUSE

The Acting Speaker (Mr. Bélair): I wish to inform the House that under the provisions of Standing Order 30, I am designating Thursday, December 6, 2001 as the day for the consideration of private members' Bill S-10 standing in the name of the hon. member for Saint-Lambert.

This additional private members' hour will take place from 6.30 p.m. to 7.30 p.m., after which the House will proceed to the adjournment proceedings pursuant to Standing Order 38.

PRIVATE MEMBERS' BUSINESS

[Translation]

BROADCASTING ACT

The House resumed from October 19 consideration of the motion that Bill S-7, an act to amend the Broadcasting Act, be read the second time and referred to a committee.

Ms. Christiane Gagnon (Québec, BQ): Mr. Speaker, Bill S-7 amends the Broadcasting Act to harmonize it with the Telecommunications Act.

This bill would give the CRTC the power to compensate groups that file a complaint under this act and who appear before the commission. It would ensure that organizations and community networks do not have to pay to appear before the CRTC.

This provision would be in the interest of the individuals, the groups and the community radio and television stations who do not have the level of resources that the big broadcasters have. We therefore should support this bill, which makes brings a small but very significant change to the Broadcasting Act.

As the majority of the members of the House already know, my colleagues on the heritage committee and myself are presently studying the whole Broadcasting Act, which dates back to 1991. In the next 18 months, we will try to make it consistent with the new

Private Members' Business

realities brought about by the new technologies and the globalization of the communications sector.

My colleagues on the Standing Committee on Canadian Heritage and I are currently reviewing the entire Broadcasting Act, which dates from 1991.

Over the next 18 months, we will work to bring it more into line with the realities created by the new technologies and the globalization of communications. Representatives of groups concerned with this law, broadcasters and distributors, authors, composers, artists, journalists and funding and regulatory bodies are beginning to make their views known through their briefs and evidence.

As the Bloc Québécois critic, I intend to be governed by the same principles as those underlying Bill S-7, principles of equity and equal opportunities in the interest of the audience.

There are some issues I will focus on: the interest of the audience and the interest of the public in general, press concentration, cross-media ownership, diversity of content, that is, information and other programming, the work of the CRTC and the respective roles of the public and private sectors.

So that everyone can be heard, we intend to defend the interests of the audience, not only as clients or consumers, but as citizens. We want to expand the debate to include the interest of the public, that is, the interest of Canadian and Quebec societies as a whole. Therefore all the regions and community media must be assured of a place in this forum.

Press concentration and cross-media ownership are growing. These phenomena warrant our attention, because the many mergers have changed the configuration of things. How can we ensure a diversity of information sources? How can we ensure healthy competition between newsrooms if all journalists report to the same boss and there is only one microphone in front of the person being interviewed?

We must, at all cost, avoid watering down both information and general and cultural programming. Diversity is an integral part of quality radio and television.

But what is that diversity that is so enthusiastically supported by all? Some refer to multiculturalism, others to a greater number of programs, others to consumer preferences. We must expect wishes to go in all directions but, most of all, we must pay attention to quality so that our radio and television programming reflect those who produce it, who listen to it and who watch it, so that it reflects the Quebec and Canada of today.

Everyone agrees that it is essential to offer listeners and viewers the programming they want, but that does not mean that supply must be market driven only because, if certain types of programs are not made available, how can they be in demand? As in song, publishing and the arts in general, the great creativity of Quebecers and Canadians must be showcased on the radio and on television.

Private Members' Business

This is where regulation and public television come into play. Had our governments rejected all form of regulation in 1958 and 1968, members will certainly agree that we would not have the broadcasting system we have today. Of course, legislation must evolve with technological change, but one must not lose sight of the interests of listeners and viewers and of their capacity to adapt.

In these times of media convergence and the explosion of new networks, how can the CRTC and the public radio and television stations continue to fulfill their role? These are all questions the Standing Committee on Canadian Heritage will have to address. We started to hear witnesses yesterday, and it is with their assistance that we will find the best responses for improving the Canadian broadcasting system. Let us hope that the government will then act accordingly.

The bill we have before us today constitutes a considerable improvement to the Broadcasting Act. In order to restore the balance between big business and the public, it makes it possible for intervenor costs to be awarded to groups representing the public. Under the Broadcasting Act, the Canadian Radio-television and Telecommunications Commission has the power to compensate the organizations or individuals appearing before it during proceedings on telecommunications. The act also authorizes the CRTC to establish the refund criteria.

● (1755)

The idea is to amend the Broadcasting Act to bring it in line with the Telecommunications Act. The powers of the CRTC are based on these two acts.

The amendment on which the House will vote brings the two acts into symmetry, and this will ensure the fair treatment of individuals, regardless of under which act they appear.

Several consumer groups across Canada support this legislative amendment. These include the National Anti-Poverty Organization, the Canadian Labour Congress, Action Réseau Consommateur and the Federation of Cooperative Family Economics Associations of Quebec.

Given the extensive list of organizations that support it, this amendment is obviously a progressive measure. Indeed, the funding available to media companies is much greater than that of consumers and their representative groups.

The CRTC, which was created by an act of parliament in 1968, is a very active body that has the authority to regulate and monitor every aspect of the Canadian broadcasting system, as well as service providers and broadcasting companies under federal jurisdiction.

In 1997-98, the CRTC dealt with 1,379 applications related to television, radio, cable, pay TV and specialty channels. It made 658 decisions and issued 143 public notices. No costs were awarded. However, that same year, the commission issued a total of 15 broadcasting hearing cost orders to the tune of hundreds of thousands of dollars in compensation.

When Bill S-7 becomes law, the CRTC will establish criteria for the awarding of costs in the area of broadcasting, which will be paid by the regulated company or companies party to the proceedings and whose interests will be impacted by the outcome of the proceedings.

Judging by the criteria used for telecommunications, applicants will have to prove to the commission that they represent a citizens' group, that they took part in the hearings in a responsible manner, and that they contributed to the understanding of the issue at hand. The commission will set the share of costs to be paid by each company.

This amendment will increase public participation, by allowing public interest groups and consumer groups to obtain the necessary resources to intervene more often and more significantly.

This bill is aimed at democratizing the broadcasting regulatory system. I urge members of the House to support it.

● (1800)

[*English*]

Mr. Bob Wood (Nipissing, Lib.): Mr. Speaker, we have again before the House Bill S-7 to amend the Broadcasting Act for the purpose of allowing the CRTC to set out regulations outlining standards for the awarding of costs. In particular it would enable the commission to award and tax costs among the interveners who appear before it.

Why is it important to pass the bill? It is because the principles of fairness and balance guiding the objectives of Bill S-7 are unanimously supported. It is because there are compelling reasons to harmonize the rules with respect to interveners appearing before the CRTC whether they pertain to broadcasting issues or telecommunications issues. It is equally as important to level the playing field between interveners and broadcasting companies appearing before the CRTC. For these reasons Bill S-7 should be passed at second reading and referred to committee.

The reality of convergence comes up time and again in the communications industry. The convergence of technology is one of the key factors in this debate. More and more the regulatory issues and concerns with which the CRTC must grapple are falling under the Broadcasting Act and the Telecommunications Act and are affecting a wider sweep of Canadian society. Involving citizens in decisions which affect them is a rational approach to an increasingly complex communications environment.

As the commission wrestles with these matters one way of informing its decisions as they pertain to protecting the public interest is to help defray the costs of interveners who participate in broadcasting proceedings. As we make the transition to a new innovative economy, moving from an industrial to a knowledge based economy, this is having an impact on the expectations of government by Canadians and the role of government.

It is only fitting that in a democratic society citizens are encouraged to reflect, participate and respond to decisions being made by commissioners of the CRTC and the corporations that appear before them. After all, the broadcasting system makes use of public resources and through its programming helps Canadians to connect to one another, their history and their country. Converging technologies are blurring the lines between telecommunications and broadcasting which were once formerly separate and distinct industries.

In cases where the CRTC conducted proceedings under both the Telecommunications Act and the Broadcasting Act such as the new media hearing, the CRTC awarded costs for interventions only to the extent that they touched upon telecommunications aspects. As further technological integration blurs the lines between communications industries it will be increasingly difficult to weigh the contribution of an intervention according to its impact on telecommunications versus broadcasting.

The majority of applications received for an award of costs for telecommunication proceedings come from consumers or other public interest groups such as the Consumers' Association of Canada and the Public Interest Advocacy Centre. The commission does not generally award costs to commercial entities or municipalities. Few individuals apply for an award of costs.

An award of costs is usually paid by the regulated telecommunications companies as directed by the commission. The companies must pay these costs directly to the intervener. In the event that more than one telecommunications company is directed to pay the commission determines each company's share, usually based on its operating revenues. To receive an award of costs an intervener must have an interest in the outcome of the proceedings and must have contributed to a better understanding of telecommunications issues by the commission.

That leads me to believe that the proposed bill would level the playing field. It would amend the Broadcasting Act to give the commission for its broadcasting proceedings the same powers it now has under the Telecommunications Act when it conducts telecommunications proceedings. The goals of Bill S-7 are laudable in principle but it will not be an easy task to implement them.

• (1805)

The CRTC has stated that it supports the harmonization of rules with respect to awarding costs to broadcasting interveners and it is willing to undertake the necessary changes by holding a public proceeding with respect to this. In fact the CRTC wants the public and the industry to be involved in a process to determine what that criteria would be.

Should Bill S-7 become law, the challenge of the CRTC will be to determine how interveners will be eligible to receive an award of costs. In the telecommunications rules of procedures interveners must have an interest in the outcome of the proceedings, participate in a responsible manner and also contribute to the CRTC's understanding of the issues. Given the plural nature of broadcasting proceedings, it will not be easy to apply the same eligibility criteria without incurring considerable costs.

Our heritage minister has been unfairly attacked in the debate around this bill. Attempting to smear the minister by claiming that this Senate bill has been brought in through the back door is just that, a smear. Nothing could be further from the truth.

Part of good leadership is recognizing and supporting something the public wants and there is overwhelming public support for this legislation. The fact that the bill originated in the other place takes nothing from the bill. It really demonstrates the good work of an esteemed former member of this House and currently a ranking

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member of the Senate. I want to salute Senator Sheila Finestone and the heritage minister for their leadership behind Bill S-7.

In conclusion, if passed, Bill S-7 would not in any way affect the standing committee's work and recommendations since it is essentially a technical amendment with a view to harmonizing the two acts from which the CRTC derives its authority. I believe it should be passed at second reading and referred to committee for further study.

Mr. Jim Abbott (Kootenay—Columbia, Canadian Alliance): Mr. Speaker, I am very pleased to take part in the debate on Bill S-7. As has been stated, I believe the bill has come in in an inappropriate way. The heritage minister should have championed this bill if she thought that it should come before the House. Furthermore, although there is some redeeming value to the bill, which I will be reciting in half a second, I also suggest that while the government does review after review, it does not pay any attention to the reviews that are actually taking place.

In this particular instance a review of the state of Canadian broadcasting is currently before the Standing Committee on Canadian Heritage. The members of the committee are undertaking a very long and onerous task. It is probably going to take at least 18 months to get through the review. Within that period of time many pressures will be brought to bear on the Department of Canadian Heritage and on the committee itself to make legislative changes that reflect the requirements of the broadcast industry at that time.

If there is a review under way, will we be getting into a situation where the minister ends up putting more postage stamps, band-aids, chewing gum and baling wire on the problem, or will we get to the end of the Broadcasting Act review and after the work of the committee is completed, then the minister will seriously consider the recommendations of the committee and will come forward with the legislation?

In the case of Bill S-7, I fully recognize that this is a very tiny part of the Broadcasting Act. Nonetheless, there is a principle here. The principle is very simple and straightforward. While the standing committee is undertaking the review of the Broadcasting Act, neither I nor the official opposition want to see the minister or her department come forward with changes to legislation that the committee is undertaking. While this is a very small part of the Broadcasting Act, it nonetheless would set the principle if we did not stand against the passage of this bill at this time, notwithstanding the value that is contained within the bill itself.

The bill has been advocated by consumer groups for consumer groups across Canada. Consumer organizations across Canada had been asking the CRTC to make cost awards available to individual consumers and consumer groups for broadcasting and cable television hearings throughout the 1990s. The CRTC made an honest effort to find a way to cover the costs for individuals and consumer groups. However, it came to the conclusion that the only way to do this was to amend the Broadcasting Act. The power of costs awarded already exists in the Telecommunications Act. The CRTC administers both the Telecommunications Act and the Broadcasting Act.

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If I could insert a bracket here, this is one of the reasons I and my colleagues in the Canadian Alliance believe that the CRTC should be answering to one ministry, probably the Ministry of Industry under competition, as opposed to it having its feet in two camps at this time.

Bill S-7 has come about because of the efforts of consumer organizations. The Public Interest Advocacy Centre and several other groups have been promoting this amendment on behalf of all Canadian cable and television subscribers for the past three years. The Public Interest Advocacy Centre on behalf of a number of groups approached the Department of Canadian Heritage three years ago to ask that the government amend the Broadcasting Act to permit cost awards.

The department was reluctant to open the act just for this change and suggested the group pursue a private member's bill approach. The groups approached Senator Finestone and asked if she would champion the bill. She consented and in the spring and early summer of this year, the bill was passed in the Senate and a member was asked by Senator Finestone to champion the bill in the House of Commons.

• (1810)

The question is whether anyone is against the bill. We in the Canadian Alliance find ourselves in a rather unusual position because the answer is no. No one is against the principle of the bill. To the question is anyone against the bill, the answer is no. In the Senate hearings on the bill all witnesses, including industry representatives, supported the key principle of the bill that every democratic society should foster active citizen participation in public issues. Modern democratic life requires an active role from the population and needs participation from members of the community. The Department of Canadian Heritage and the CRTC also supported the bill in the Senate.

I go back to the process by which the bill came to the House. There are two problems with it. The first one I have clearly outlined. I wanted to be sure about the second problem and asked the Speaker for a specific ruling on Bill S-7. In looking at this legislation, it required a fee to be taken by the CRTC to be redistributed to the people who were appearing on appeal before the CRTC.

I brought my argument to this Chamber yesterday. It was not an attempt to stop the bill. Because the heritage department and the minister had brought the bill in through the back door by way of the Senate and it did have to do with money, I wanted it to be very clear that we were not setting a precedent that was outside parliamentary precedent that had been established for nigh on 600 years of parliamentary practice in the United Kingdom and Canada.

While we are in favour of the content of the bill, we have those two problems. One is that the minister did not bring it forward. The other one is the crux of the situation. Will the minister and the government continue to ask for a review, to ask committees to do work, to ask citizens and corporations in good faith to prepare and to come before committees and make submissions and travel to Ottawa and engage in all of the expenses that are involved in doing proper work? If so, will the minister and the government commit that the committee work, the review work, will be of some value at the end of the day or will it just be a make work project? The reason I think it

could be a make work project is because of Bill S-7, the fact that we are involved in a review process, yet through a backdoor process the government has brought in this bill and says that it is just changing a small part of the act.

What is the next small part of the act the government is going to change while the review is under way? What is the next small part of the act that it is going to review? How is it going to alter, for example, the funding of television production by the finance minister? How is it going to alter, either enhance or decrease the amount of the appropriation of the CBC during this period of time?

The government has asked the committee to do some work and the people on the committee are doing it in good faith. Is the government going to leave enough latitude for the committee to get to the end of its process without having been interfered with by the minister?

With regret, although the bill itself has great merit, if there was not the Broadcasting Act review under way at this time, it would be my recommendation as the heritage critic for the Canadian Alliance that we support the bill. I think it is absolutely commendable. However, the fact that the Broadcasting Act review is under way precludes me from doing that. Therefore I am recommending that we vote against it.

• (1815)

Ms. Wendy Lill (Dartmouth, NDP): Mr. Speaker, I am pleased to speak to Bill S-7, an act to amend the Broadcasting Act to permit the Canadian Radio-Television and Telecommunications Commission, CRTC, to make regulations to establish criteria for the awarding of costs to interveners in broadcasting proceedings as it currently has the power to award costs in telecommunications cases.

I will start by thanking both Senator Finestone and the hon. member for Charleswood St. James—Assiniboia for getting this important bill before us today. The bill would change the Broadcasting Act so the CRTC could award costs to third party interveners in broadcasting proceedings.

The idea is not radical. It is done all the time in CRTC proceedings under the Telecommunications Act. The world would not end for our telephone companies. Adopting the bill would be no real threat to our private broadcasters.

I have been my party's critic for the CRTC for four years now. The need for the bill is obvious to me and should be obvious to others as well.

I will start by reading into the record the comments of the chair of the CRTC to the heritage committee last week as part of our study into Canadian broadcasting. Mr. Colville said:

Our job is a daily delicate balance of competing vested interests...Then there is the challenge of balancing those big strong national players and the local focus that one wants to have in Winnipeg or Halifax, where I come from. So I think it's going to be a challenge as to how best we can draw that balance.

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I am pleased the chair of the CRTC is concerned about balance. The reason I am so pleased to support the bill is that our system needs balance and currently lacks it. One way to regain balance is to give more voices the ability to be effectively represented at public hearings.

The current public hearing process used by the commission is problematic. The public interest seems to be getting lost. Interests with deep pockets get preferential access to the system. This makes it impossible for the public to have meaningful input.

It is easy for well paid broadcast lawyers to navigate the shoals of the CRTC. However for people approaching their regulator because they are concerned about their culture, their cable service or their community channel the process is confusing and inaccessible.

Another impediment to the public is the language used by the CRTC. It is fair to say the CRTC's use of words is close to impenetrable.

Last weekend I was in Winnipeg attending my party's successful national convention. One of the speakers was Lorne Calvert, the premier of Saskatchewan. He related to delegates a Tommy Douglas story about language in government.

After one of his victorious elections Tommy returned to his office in Regina to meet with his senior bureaucrats. He pulled a constituent's letter from his pocket, put it on the table and passed it around. The letter simply said "The buggers broke my fence". Tommy looked at the stunned officials. He said "Okay, let me explain this to you. The noun is buggers, the verb is broke and the object is fence. Why can't any of you write like this?"

Tommy Douglas was talking about clarity of writing in government, something not generally found at the CRTC. The CRTC is always referring people to one or another of its decisions, all of which are numbered, all of which are filed and none of which are understood. Its dictionary seems to lack words like watch, write, rules, TV station, evening, person or cable company. Instead it seems to rely on its own language code which consists of words like distributor, licensee, undertaking, designated viewing times and priority programming.

Last week the CRTC denied the request of a small Newmarket radio station for a programming change so it could compete with the big market stations in nearby Toronto. The decision said:

In view of the foregoing, the Commission is satisfied that the licensee does not need additional flexibility with respect to the level of hits it broadcasts to successfully program the "Oldies Dancing" format described in its application. Accordingly, it remains a condition of licence for CKDX-FM that the licensee broadcast, in any broadcast week, less than 50% hit material as defined in Public Notice CRTC 1997-42, as amended by Circular No. 445 dated 14 August 2001—

And so on and so on.

• (1820)

This is CRTC code language. In effect the CRTC is saying no. It is saying it agrees with the small station's big competitors who were at the hearing with their bank of lawyers. The saddest part is that the CRTC claims to have improved its language due to public complaints. That seems to be the way with the CRTC. Big broadcasters get their way while small players are overwhelmed by the process.

Another recent example was in television. The CRTC gave CanWest Global a seven year licence renewal and policy approval for cross media ownership even though the commission's own decision stated:

Global confirmed that CIII-TV, a station that serves an audience across Ontario, was broadcasting an average of 13 hours per week of regional news. This level is below the 17.5 hours per week of regional news to which the licensee committed for the current term of licence.

Was CanWest Global punished? No, it was rewarded. If one is Global one can break the rules and get a seven year renewal.

Vision TV recently applied for a similar seven year licence. Vision is a small, non-profit, multi-faith broadcaster. It does not have hundreds of thousands of dollars to spend on the process. It has no bank of lawyers and has admitted to poor record keeping regarding its Canadian content logs. The CRTC came down hard on Vision TV. It granted it a limited 33 month renewal with harsh restrictions.

The rules seem to be that only big players get their way. Bill S-7 would help change this. It would allow a countervailing opinion to be heard at the hearing table, one that has the resources to penetrate the process and the language.

Until we can get cabinet to change the process so it is understandable and accessible Bill S-7 is the next best thing. In the interest of the public and the future of Canadian broadcasting I am pleased to support the bill.

• (1825)

Mr. Shawn Murphy (Hillsborough, Lib.): Mr. Speaker, I am pleased to speak to Bill S-7. I support the passage of the bill. During the first debate on October 19 the House debated the wording of Bill S-7 which would amend the Broadcasting Act to allow the CRTC to award costs with respect to broadcasting proceedings.

We have learned that sections 56 and 57 of the current Telecommunications Act already authorize the CRTC to award various costs to organizations and individuals who take part in telecommunications proceedings.

This unfortunately is not the case for Canadian interveners who wish to contribute to other democratic processes, namely broadcasting proceedings. It is about time the CRTC and the Canadian broadcasting system enjoyed the same prerogatives and guaranteed access to all interveners who wish to take part in the process.

It is essential to remind the House that the principles of justice and balanced legislative powers for all Canadians which underlie Bill S-7 are fully supported by the Department of Canadian Heritage. Harmonizing the two acts would not only allow Canadian consumers and interest groups to present relevant research and significant elements to the CRTC. It would give Canadians the opportunity to be represented and, most important, to be heard by the commission when it makes broadcasting decisions that affect all Canadians directly.

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As members have already heard this is not a new issue. A number of public interest groups such as the Consumers' Association of Canada and the Public Interest Advocacy Centre have on many occasions raised the issue of the imbalance between the Broadcasting Act and the Telecommunications Act.

It is important to draw to the attention of the House the fact that Canadians have the impression there is a striking contrast between the almost boundless financial resources of large media companies and the limited resources of individuals and public interest groups.

Such a situation must not be tolerated in a democratic society. It is completely logical to encourage all Canadians to take part in CRTC decisions since the broadcasting system makes use of public resources. Clearly neither the CRTC nor Canadians benefit from the inability of interveners to present well documented briefs.

If adopted, Bill S-7 would allow individuals and public interest groups that are or could be directly affected by the results of broadcasting proceedings to apply for costs to help them participate in the proceedings in a meaningful way.

Another reality that must be kept in mind when considering the need to pass Bill S-7 is the increasing convergence of telecommunications and broadcasting. This is an ever present communications phenomenon and a key element of the issue being considered by the House. Convergence of technologies and the information highway are erasing the differences between telecommunications and broadcasting.

The industries were once quite separate. When the CRTC held public hearings on new media the inequity of the current acts ensured the commission awarded costs only to interveners involved in the telecommunications aspect. As technologies became more integrated and differences between the communications industries became more blurred it grew increasingly difficult to evaluate the contribution of interventions in terms of their relevance to telecommunications as opposed to broadcasting.

During hearings at the Senate Standing Committee on Transport and Communications the CRTC spoke in favour of harmonizing the rules with respect to awarding intervenor costs. It indicated it was prepared to make the required changes through a public hearing.

● (1830)

Defining the criteria for a system to award costs for broadcasting will not be an easy task for the CRTC. There are many differences between the proceedings for these two industries. Telecommunications proceedings focus essentially on rate structures while broadcasting proceedings usually deal with a wide variety of issues. The latter occur much more frequently and involve many more participants, for example, radio and television stations, pay and specialized services, cable TV, satellite services, wireless systems and networks. These proceedings often involve political and social issues.

If Bill S-7 is passed, the challenge facing the CRTC will be to determine the eligibility criteria for awarding costs.

In conclusion I wish to mention once again that the Department of Canadian Heritage supports the underlying principles of Bill S-7, given the well-founded notion of giving equitable financial support

to interveners, the growing convergence of telecommunications and broadcasting, and the increasing complexity of broadcasting issues.

If passed, Bill S-7 will amend the Broadcasting Act to the advantage of Canadians and the public interest, not only in the short term but in the years to come, by allowing complete and useful participation in the broadcasting decision making process.

Mr. Larry Bagnell (Yukon, Lib.): Mr. Speaker, I am pleased to rise in support of the bill this evening. To some extent it is a minor technical amendment but it is important. More important, I am happy to speak philosophically about the importance of public participation in hearings such as this.

The CRTC is definitely very important for a riding like mine in Yukon. It is distant. We have had lots of hearings concerning Tagish Tel. From my perspective, it was a very bitter hearing related to local telephone access rates when I and others in the Anti-poverty Coalition were trying to make sure that telephone rates remained down. It is very important to all segments of society to be heard at hearings like this.

I also want to commend, as have previous members, Senator Sheila Finestone. I really have been impressed by her work over the years and this is just another example. I also commend the hon. member for Charleswood St. James—Assiniboia for bringing forward the bill.

I would like Yukoners especially to know how helpful the member has been to us. He chairs the western caucus and, in that role, he has always made sure that Yukon issues get out to all members in cabinet. He has been very helpful to us and I am pleased he is proposing the bill that I am supporting.

One of the reasons I am happy to be in the House of Commons is that in my career I have always tried to make sure that monopolies are figured into our society in the way they should. They can have a big effect on society. I have always believed in a free market capital society and in such a society monopolies must have a role, but we need to make sure they are under appropriate controls so they do not run roughshod over consumers and those who cannot afford to pay.

There are several ways to achieve that. The first way, and I think the best way, is to increase competition. The industry committee right now is trying to improve the Competition Act in the area of the airlines and in other areas where monopolies, quasi-monopolies or oligopolies might occur and people may feel helpless or our of control from those monopolies.

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As far as not being able to put competition into place, in today's world there are very few instances where competition cannot be put into place. In days gone by, because of infrastructure, such as sewer lines, hydro lines, telephone lines and economies of scale in industries like the airline industry, it was not possible to have competition. There were more oligopolies or monopolies. In today's world I think it is possible to have competition in almost every field and sector. We are seeing this as communities progress.

However there are times when there is not competition. In those cases there needs to be regulation. As I said, it is second best because sometimes it pushes up prices but at least it is a control over monopolies and the people who have the only access, such as one telephone company in Yukon, for example, or certain broadcasters.

For that reason, in a regulated field when there are applications there are hearings. Everyone should have access to those hearings. For a moment I would like to try to explain the importance of those hearings.

Another example of a problem we have in Yukon with a quasi-monopoly is with Air Canada. Last week, very close to Christmas, Air Canada increased the points from 25,000 to 40,000 if someone needed to obtain a ticket. When this is the only way out and people depend on seeing their families, many of whom do not live there, it angered many of my constituents, and rightly so, to have such a surprise. It seemed fairly callous to me. I use this as an example to show why regulation or competition is needed.

I will try to explain a few items related to the bill. I will try something I have not done before. I will explain it in more simple English for people who are not used to legislation or for people of less means who wanted to appear before a hearing when they did not want their telephone rates to increase. It is important that these people have access to public processes without too much legal jargon.

For people who are not familiar with this, when a telephone company with a monopoly wants to increase prices, it must make an application because it is the only telephone company and society needs some control. If the company wants to increase prices, public hearings are held and people attend these hearings.

What if the subscribers are from Yukon, from a rural area, from a first nation or a trapper's cabin and the hearing is in the capital city. It would be almost impossible for those subscribers to be there. They could not afford it on their income.

•(1835)

What happens is the regulatory body, the CRTC, has the ability to pay for some of their costs to go to such a hearing. This already exists for the telecommunications industry but does not exist for the broadcasting industry. That is the purpose of this bill today.

Of course, as we all know, broadcasting in today's world is becoming much more important as there is more and more of it. Therefore it is very important that we have what we want and that Canadians have what they ought to in that field.

However there is no such remedy in the broadcasting field. There is no such provision where the CRTC can award costs to people and groups who appear before such hearings. Some might say that this

could become a runaway proposal and could get out of control with everyone travelling all over to hearings. However there are very specific controls on such things.

Normally commercial entities and municipalities have not been funded in the past. I suppose I should speak up for municipalities in Yukon as not all of them have a lot of money and perhaps one day should have some funding. However, this helps keep the costs down.

First, people who are eligible are those who can show that they have an interest in the outcome.

Second, they show that they have participated responsibly in the hearings and have contributed something new to the understanding so that it is worth covering their costs. With this money they can also assemble legal and technical arguments. It just balances the public interest with industry and government interests.

In closing, this helps with public participation. People who might not be able to attend such hearings to give input would now be able to attend. This would allow more groups and more people to offer important input at such hearings. When we have more input, obviously we have better outcomes and better decisions for Canadians and Yukoners.

•(1840)

Ms. Colleen Beaumier (Brampton West—Mississauga, Lib.):
Mr. Speaker, I am pleased to have the opportunity to speak to Bill S-7 which would amend the Broadcasting Act to allow the CRTC to award costs with respect to broadcast authorities.

I remind the House that the underlying principles and objectives of Bill S-7 were unanimously approved during the first debate on October 19. Our colleague from the Canadian Alliance, the hon. member for Crowfoot, questioned the need to amend the Broadcasting Act at this point in time since the Standing Committee on Canadian Heritage was preparing to study and make recommendations on the entire Canadian broadcasting system.

To place the study in its proper context and prevent any misunderstanding about the timeliness of passing Bill S-7 at this moment, I will describe the mandate of the standing committee's study of the Canadian broadcasting system.

On May 10 the Standing Committee on Canadian Heritage announced that it was undertaking a study of the entire Canadian broadcasting system and on the extent to which it met the objectives of the 1991 Broadcasting Act. As with previous studies by this committee Canadian content and cultural diversity issues would be central to this 18 month undertaking.

Private Members' Business

In recent months the committee devoted great attention to the globalization of broadcast communications in Canada and throughout the world. It concluded that there was an urgent need to review some major features of the 1991 Broadcasting Act to determine whether the act is still appropriate in view of the difficulties facing the broadcasting industry and its stakeholders.

I will give a brief historical overview of the evolution of the legislative framework of the Canadian broadcasting system. The first legislative measure providing a regulatory framework for Canadian broadcasters was the 1932 Canadian Broadcasting Act. With the advent of television this act was replaced with various versions of the Broadcasting Act enacted successively in 1958, 1968 and 1991.

Over time the Broadcasting Act became an instrument that confirmed the mandate of the Canadian Broadcasting Corporation as the national broadcaster, imposed restrictions on foreign ownership, required primary use of Canadian creators and other talent, and promoted a vision of the broadcasting system as a means to reinforcing Canada's cultural, social and economic structures.

For over 75 years Canada made every effort to preserve its Canadian identity in a world of constant change. Its efforts to find a legislative or regulatory framework that reconciles cultural, social and economic concerns led to the current broadcasting system. Since the enactment of the 1991 Broadcasting Act developments and new technologies opened up new avenues for broadcasting in Canada and elsewhere in the world.

It has become essential for the standing committee to study the key features of the Broadcasting Act to determine whether it still effectively helps the CRTC face the new challenges to the broadcasting industry and its stakeholders.

The study would be guided by the objectives of the current Broadcasting Act which state in subparagraph 3(1)(d):

The Canadian broadcasting system should:

- (i) serve to safeguard, enrich and strengthen the cultural, political, social and economic fabric of Canada,
- (ii) encourage the development of Canadian expression by providing a wide range of programming that reflects Canadian attitudes, opinions, ideas, values and artistic creativity, by displaying Canadian talent in entertainment programming and by offering information and analysis concerning Canada and other countries from a Canadian point of view,
- (iii) through its programming and the employment opportunities arising out of its operations, serve the needs and interests, and reflect the circumstances and aspirations, of Canadian men, women and children, including equal rights, the linguistic duality and multicultural and multiracial nature of Canadian society and the special place of aboriginal peoples within that society, and
- (iv) be readily adaptable to scientific and technological change.

● (1845)

In conducting its study the standing committee identified two main areas of interest: the current state of the Canadian broadcasting system and the future directions of the Canadian broadcasting system.

To provide a proper framework for its work the standing committee also identified six themes it intends to explore in depth: context which includes the development of broadcast technologies, globalization, new media and international perspectives; cultural diversity which includes issues of Canadian content, broadcasting in

keeping with the diversity of cultures, linguistic and minority characteristics, as well as regional representation and community television; broadcast policy which includes issues surrounding the role of the government and of the CRTC, the development of a Canadian policy and rationale for new legislation or amendments; ownership which addresses ownership models, mixed ownership and vertical integration; private sector and public sector environment which includes matters pertaining to the CBC, provincial broadcasting, cable distribution and satellite services; and finally production and distribution which deals with the development of new production and distribution methods, copyright issues, specialized services and the Internet.

The scope of the Standing Committee on Canadian Heritage study will help assess the health of a forward looking broadcasting system. If passed, Bill S-7 would not in any way affect the work and recommendations of the standing committee since it is essentially a technical amendment with a view to harmonizing the two acts from which the CRTC derives its authority.

In the interest of democracy I support Bill S-7 and believe that it should be passed at second reading and referred to committee for further study. I am confident that if my honourable colleagues pass Bill S-7 it would have a positive impact on Canadians wishing to play a role in broadcast authorities since it would offer equal opportunities to all.

I have spent a number of vacations in the United States. The one thing that makes us different and makes our broadcasting different is the Canadian broadcasting system with our Canadian requirements that give us a special identity. The content is part of our quiet heritage. I am fully in support of the bill.

● (1850)

Mr. Lynn Myers (Parliamentary Secretary to the Solicitor General of Canada, Lib.): Mr. Speaker, I am pleased to rise to speak to Bill S-7. It is a very important bill. Like the previous speakers I lend my support and congratulate the member for Charleswood St. James—Assiniboia for the good work he has done in making this happen and bringing it to this point in time.

It is appropriate that we take a look at the various components which are part and parcel of the Broadcasting Act. I am particularly pleased in listening to other speakers and understanding what is being suggested that the committee will have ample opportunity to study the various components which should be studied in the context of the 21st century.

It is fair to say that technologies and ways of approaching business have changed. What have not changed are the core Canadian values when it comes to our identity and cultural supremacy, the great multiculturalism of the country with two languages and all that is part of the greatness that is Canada.

When we have a bill like this one and we have a committee charged with studying it in a methodical way, we get the opportunity not only as members of parliament and members of that committee but also by extension through our constituents and indeed the whole country to take a good look at where we are at in time as it relates to cultural, linguistic and other matters. I am in full support of the bill. It should be quickly referred to committee, I hope, and at the end of that we should see a much better Broadcasting Act.

Adjournment Debate

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.

[*English*]

AGRICULTURE

Mr. Dick Proctor (Palliser, NDP): Mr. Speaker, I rise today in large part in response to the agriculture minister's tour of some of the drought affected areas of Canada last summer.

In July the federal minister of agriculture said that farmers would have to rely on existing safety net programs such as crop insurance. He dodged requests for government action to alleviate the effects of the drought by saying he wanted to see the results of the harvest first before assessing the damage. I did not find that to be at all unreasonable.

By October 17 I felt that the crop was in the bin and indeed it was because there was an early harvest. It was interesting that Agriculture Canada's own statistics had forecast that realized net farm income is expected to drop next year by more than 70% in agricultural provinces like Saskatchewan and Prince Edward Island, and by 32% across Canada.

The answer I received from the minister was churlish to put it mildly. He chose to focus on realized net farm income, stale-dated statistics from this year which show that farm income is up over previous years.

I find it extremely unfortunate that the agriculture minister at least on this occasion was deliberately obtuse, insisting that the farm outlook is rosy when every farmer out there knows that is not the case. The minister knows full well that there is a farm income crisis looming with huge implications for agricultural provinces like the two I just mentioned.

As a quick aside, the drought since August 1 continues. If we look at a moisture map of western Canada, there is 40% less moisture in many of those locales. Without significant snow pack and spring runoff and rains, we will have a deep problem again next year. Because there are apparently no answers forthcoming or ability to pressure inside the cabinet, reality is being ignored and old data is being introduced.

In Qatar, where the minister was earlier this month, there was a lot of fanfare about an agreement to negotiate a reduction in international subsidies. We have asked what plans the government had to increase support for Canadian farmers until those subsidies begin to decline. The response we continue to get is that the government has to revamp the existing safety net package, that it is not working as well as it should to address the problems created by things like the drought and trade-distorting subsidies.

Clearly the government has no plans for significant amounts of new money to assist Canadian farmers while we await the new round of negotiations to level the playing field. That new round will probably be eight to 10 years down the road and that probably is an optimistic scenario. Even at that time it is not likely to mean all that much for our Canadian farmers.

The point I am trying to make is that the government will have to seize the bull by the horns. It has to put some money into agriculture to put our farmers on a level playing field with their counterparts in Europe and the United States in particular. Then as subsidies begin to come down we will all come down in concert. To expect our farmers to live this way for the next 10 years will mean that there will be far fewer farmers at the end of that time.

● (1855)

Mr. Larry McCormick (Parliamentary Secretary to the Minister of Agriculture and Agri-Food, Lib.): Mr. Speaker, my hon. colleague from Palliser has raised an issue of extreme importance. The drought of 2001 is among the driest we have faced and will long be so remembered. In my own riding of Hastings—Frontenac—Lennox and Addington and across the country the drought will have a serious impact on many farm operations and farm families.

However I want to point out that the Minister of Agriculture and Agri-Food never said and should never be quoted as saying things are rosy. We have the greatest agricultural producers in the world and that is why we support them.

While the extent of the damage will be uncertain until well after the harvest, clearly it will be substantial. So too will the response of the federal government. Indeed, \$3.8 billion of assistance is available this year under federal-provincial income programs to help our producers beset by losses brought about by drought and other phenomena beyond their control. In addition, the October farm income forecast indicates that the drought will have a negative impact on revenue from the marketplace this year, but program payments and price increases will help offset some of the losses. Realized net income for Canada is expected to be \$1.5 billion higher and in the province of Saskatchewan is expected to be \$483 million higher in the year 2001 than in the year 2000.

We on this side of the House certainly hope that the drought's impact will be less than what we anticipated and in some measure we have had recent indications of this. Provincial crop insurance officials in Saskatchewan note that while "there are devastated areas, there is a lot more crop out there than expected". That is a ray of good news for the many producers in Saskatchewan.

Mr. Dick Proctor: Mr. Speaker, I appreciate the remarks of the parliamentary secretary. The concern is that even the best devised programs in the world are of little value if we do not put enough money into them to actually benefit the farmers. The reality is that there now is less money in agriculture than there was when the government took office some eight years ago.

Adjournment Debate

We can find money for other priorities. Robert Milton at Air Canada says he does not have a level playing field and suddenly there are billions of dollars going to Air Canada.

Canadian farmers have not had a level playing field for many more years than Air Canada, but we cannot seem to get the kind of programs we need to offset the international export and domestic subsidies that are paid by the Americans and the Europeans. Until we do, we will continue to lose our small and medium sized farmers in particular at an alarming rate.

• (1900)

Mr. Larry McCormick: Mr. Speaker, we are certainly taking concerted and comprehensive action to strengthen Canada's agriculture sector. In fact, this past June the federal, provincial and territorial agricultural ministers agreed in principle to a national action plan for Canada's agriculture and agrifood sector. This framework will enable Canada to maintain current markets and capture new customers by building on its reputation as a producer of safe, high quality food.

To that end, the framework will strengthen our farm food safety systems and accelerate the adoption of sound environmental practices on farms. The framework will also use science to create economic opportunities with innovative new products and will renew the sector through programs that address farmers' unique needs and help them adapt to change.

Finally, through a review of farm safety nets to be completed by the year 2002, the framework will ensure that all elements of risk management programs work together to effectively stabilize farm incomes.

[*Translation*]

The Acting Speaker (Mr. Bélair): The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at 10 a.m., pursuant to Standing Order 24(1).

(The House adjourned at 7.01 p.m.)

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