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OFFICIAL REPORT
(HANSARD)

Tuesday, June 18, 2002

Speaker: The Honourable Peter Milliken

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HOUSE OF COMMONS

Tuesday, June 18, 2002

The House met at 10 a.m.

Prayers

ROUTINE PROCEEDINGS

● (1000)

[*Translation*]

NATIONAL DEFENCE

Mr. John O'Reilly (Parliamentary Secretary to the Minister of National Defence, Lib.): Mr. Speaker, pursuant to Standing Order 32(2), I have the honour to table, in both official languages, two copies of the annual report of the Department of National Defence and Canadian Forces Ombudsman for 2000-2002.

* * *

● (1005)

[*English*]

ORDER IN COUNCIL APPOINTMENTS

Mr. Geoff Regan (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I am pleased to table, in both official languages, a number of Order in Council appointments made recently by the government.

* * *

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 four petitions.

* * *

[*Translation*]

COLUMBIA RIVER TREATY

Mr. Geoff Regan (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, pursuant to Standing Order 32(2) and on behalf of the Minister of Natural Resources, I have the honour to table, in both official languages, the annual reports of the Columbia River Treaty Permanent Engineering Board to the governments of the United States and Canada for the years 1998, 1999 and 2000.

* * *

[*English*]

COMMITTEES OF THE HOUSE

PROCEDURE AND HOUSE AFFAIRS

Mr. Peter Adams (Peterborough, Lib.): Mr. Speaker, I have the honour to present the 67th report of the Standing Committee on Procedure and House Affairs regarding issues related to security within the parliamentary precinct.

I want to take this opportunity to thank the members of the procedure and House affairs committee for their fine work this year. As the House will note, this is the 67th report. It has been a very busy committee and members of all parties have been most supportive.

[*Translation*]

CANADIAN HERITAGE

Mr. Clifford Lincoln (Lac-Saint-Louis, Lib.): Mr. Speaker, I have the honour to present, in both official languages, the sixth report of the Standing Committee on Canadian Heritage.

[*English*]

Pursuant to its order of reference dated Friday, February 22, your committee has considered Bill C-48, an act to amend the Copyright Act, and agreed on Monday, June 17 to report it with amendment.

FISHERIES AND OCEANS

Mr. Loyola Hearn (St. John's West, PC): Mr. Speaker, I move that the 10th report of the Standing Committee on Fisheries and Oceans presented on Tuesday, June 11, be concurred in.

It is certainly a pleasure to stand and speak to the report recently tabled by the Standing Committee on Fisheries and Oceans, entitled "Foreign Overfishing: Its Impacts and Solutions". It is on the word "solutions" that I will certainly be spending a lot of my time.

However, for those who are not familiar with the work of the committee or the issue, I certainly think that we have to look at the background on this major issue as it affects not only Newfoundland and Labrador but Atlantic Canada specifically and the rest of the country generally.

Thirty years ago, the fishery in Atlantic Canada was what we called a golden opportunity for people to find employment. Fishers from all over were involved in harvesting at all levels, inshore, offshore and of different species. Fish plants opened all over the place and provided all kinds of employment, but gradually, as the harvesting increased, the stocks started to decrease. Several things happened simultaneously. Our own fishing effort certainly increased but the foreign effort greatly increased. Instead of the two-masters or three-masters, fully rigged, that visited our shores, we had huge factory freezer trawlers that came over like vacuum cleaners and sucked up everything that was on the bottom.

Gradually, people who were involved in the fishery, the experienced fishermen, began to express concern about the state of the stocks. Nobody paid much attention and the scientists basically said "no problem, there are lots of fish out there". As we moved into the 1980s the conditions became worse and of course in 1990s it was history as written. In the early 1990s, in 1992, we had the moratorium declared on a number of groundfish species, particularly the northern cod, which was really the staple product that supplied employment to so many Newfoundlanders, Labradorians and Atlantic Canadians.

Since the moratorium, these stocks have not increased. Again we can point to a number of reasons. Scientists will discuss changes in water temperature. They are concerned about what is happening in our oceans that neither our own scientists nor scientists from any other country seem to be able to explain. On top of that we know that we have a seal herd that has ballooned from a million or a million and a half to an estimated seven million. Seals have to eat something, and as a former member of the House, Morrissey Johnson, once said, "They don't eat turnips". Consequently they must have an effect on the stocks, but one of the major effects is the foreign overfishing.

In the report and in our discussions, members have heard us all talk. When I say "us" I am referring particularly to members of the standing committee, all of whom, as a unit, dealt with this issue. The chairman, a good P.E.I. representative, handled the issue in a non-partisan way because of his concern. Being from the maritimes he understood the situation and has done a very good job as we have gone through our hearings in enunciating to anyone who would listen the concern about the problem. Other members of the committee collectively, regardless of party, have been solidly behind the efforts to deal with this major problem.

A couple of days ago a major announcement was made in Newfoundland and Labrador about the development of the Voisey's Bay project, a major mineral discovery that will create a tremendous amount of employment in the province. Whether it is a good deal or a bad deal, we will know more about it following the three days of the debate which is underway right now in the house of assembly in Newfoundland.

● (1010)

However the federal government put in $150 million to kickstart a small pilot plant that will test the new Hydromet process.

Minerals are finite resources. Whether it is a small discovery or a big one will determine the longevity of any such project. Whether it is 10 years, 20 years, 30 years or 50 years, somewhere along the line the minerals will be taken out of the ground and that area will be finished in relation to providing employment.

The fishery has been with us for 500 years. In 1497 John Cabot sailed to the coast of Newfoundland and reported catching fish in baskets. Whether it was codfish, caplin or whatever, we do not know, but fish were extremely plentiful. That is no longer the case.

My colleague from Antigonish—Guysborough has his plant in Canso, a plant that provided employment for hundreds of people for several years and is not operating. Why? It simply because of a lack of resource.

During our committee hearings we heard from the mayors of two towns in the district of Burin-Burgeo on the south coast of Newfoundland. That area depended entirely on the trawler fishery, boats that fished on the nose and tail of the Grand Banks and inside the 200 mile limit in the section we control ourselves. They provided Burgeo 12 months of the year with a steady source of product which provided employment for hundreds of people.

Trepassey and Fermeuse in my own area both had deep sea plants. Fermeuse phased into an inshore plant over the years and is now barely operating because of the lack of resource. Trepassey no longer exists as a processing centre. Six hundred people worked there year round. It was a unionized plant and the wages were good. Families did exceptionally well and students during the summer did not have to worry about programs that HRDC would fund. They went to work in the plant and made very good money. The plant no longer exists. Trepassey, a town of 1,500, is now a town of about 800 where all the younger families have moved elsewhere in the country and a lot of them to Alberta. That is what declining stocks have done to Newfoundland.

However it does not end there because the hurt is still occurring. Fewer and fewer fish are being caught by our own people because just outside the boundary the foreign nations are still scooping up the product, as I mentioned before, as if they were operating vacuum cleaners.

I will talk about the nose and tail of the Grand Banks. Our continental shelf off the coast of Newfoundland extends outward beyond 200 miles. When we brought in the 200 mile limit, and if we drew a circle around the province, we left outside that limit two projections of land, one to the north and one to the south which are referred to as the nose and tail of the Grand Banks. Just outside that limit is another shelf. It is called the Flemish Cap, a place where a few years ago we would not find a shrimp. Today, because of the increased activity in northern waters, the fishermen, not the scientists, say that the major activity on the grounds have caused the shrimp to move with the tides, land and multiply on the Flemish Cap. It is a lucrative shrimp fishing area to the point where several nations are now fishing shrimp, something that nobody did some years ago. They are not only fishing it, they are blatantly overfishing it by four, five and six times the allocated quotas.

● (1015)

What complicates the whole process is the fact that inside the 200 mile limit the Canadian government, regardless of stripe, manages the stocks. It allocates quotas whether they be individual quotas in the case of the inshore fishery, company quotas or general quotas, but it tries to manage the stocks relatively well.

The frustrating thing for the minister of fisheries, his scientists and advisers is that no matter how they manage the stocks there seems to be very little increase in many of them, especially those called straddling stocks.

If we put rocks in a garden and put a fence around them, they will be there for eternity. Fish however are not the same. We cannot tell them there is a 200 mile limit and that they cannot swim outside the line. Fish move. When they are inside the line our own fishermen can only catch certain amounts. In certain species they cannot catch anything. When they do catch a certain species, they are subject not only to quotas but to the type of gear they use and the time of year they fish because of breeding periods and whatever. However once these fish move outside the line, and sometimes we are talking inches and feet rather than miles, the foreigners are there waiting for them.

Many but not all of the countries that fish on the nose and tail of the Grand Banks are members of NAFO, the Northern Atlantic Fisheries Organization, an organization that has been in place for 20 years. For 20 years it has allocated quotas to the 18 countries involved. Some of them, such as Canada, have adhered to those quotas. Others, like Spain, Portugal and the Faroe Islands, have not. The Faroe Islands has been banned from the ports of Newfoundland because of the blatant overfishing of shrimp. Some years ago Spanish and Portuguese boats were banned because of non-adherence to rules and regulations, and that still exists today.

In speaking to the ministers of fisheries from all these countries, they will say that they are very concerned about the stocks in their own waters and in our waters where they share quota. However the companies and the individual fishermen continue to blatantly abuse the stocks outside the limit.

Recently, because of the attention that the committee and perhaps ourselves have drawn to the issue, people generally have become more vigilant. Because of tips we received and that fisheries acted on, we saw boats being checked as they entered port to transship their product. This has been going on for years but recently a few boats were checked. What did we find? In the first one we found 49 tonnes of cod, a species that we are not even allowed to catch.

When a sister ship about to arrive at port realized that boat number one had been caught it suddenly turned around and returned to Iceland. It was a Russian boat fishing out of Iceland. We are seeing a lot of Estonian and Russian boats flying under Iceland's flag to catch fish that is landed in Iceland.

The second boat that was checked did not breach any regulations according to the department of fisheries. What it did have was a tremendous amount of redfish, for which there are no rules or regulations as to where or what can be caught outside in 3O, the size of one's thumb. The gear it used was like the old hair nets that women used to wear years ago when they worked in the fish plants. It was smaller than caplin seine. It had *X* number of tonnes of cod liver. It had fishmeal. There was no way to explain how it could get those amounts of product without overfishing and fishing illegal species.

There was no correlation between the manifest that showed what it had on board was legal and the actual catch, but no one did anything about it.

● (1020)

What happens when we catch something like boat number one where we saw a blatant abuse of a resource that is under moratorium? Canada cannot do anything. Canada can only let the boat go back home and hope the ownership nation will take action. In many cases no action is taken. Observers are supposed to be on the boats. Our observers are excellent and report on time. Other nations also follow that example and it is helping somewhat. On many occasions the observers are employees of the companies involved. Reports are either not tabled, tabled late or inaccurate and the system is not working.

In a nutshell, for 20 years NAFO has not been able to handle the blatant abuses of a renewable resource. This resource creates, as Joey Smallwood used to say, not dozens, not hundreds, but thousands of jobs for Atlantic Canadians and improves the economy of Canada generally. We let this resource be abused day after day and all we say is that when we go to the next NAFO meeting we will ask them to live by the rules. We have done that for 20 years and things are getting worse.

In listening to the fishermen, to the people in the towns affected, to the people who have followed it for years and to the officials of this very government, the committee members realized there was only one thing we could do. We had to manage the resource adjacent to our shores to which we have every right to manage. If we were to scrutinize the law of the sea regulations we would see that we are responsible for managing the resource. I was going to say we have to extend jurisdiction but the minister has said the government will never do that. What we asked for, which he says is the same thing but it is not, is custodial management. The adjacent state should be the managers of the resource. It would still allow countries that have legitimate quotas to fish them but to fish them legitimately under our supervision. If we do our work properly I am quite sure many of those countries would agree with us. All we are asking for is custodial management. It would not extend jurisdiction, as the minister says it would.

The other statement he made, which I have to refute because when the report was tabled he turned it down even, as he admitted, without reading it. He said that we could not do it. He did not discuss it with anyone. He is more concerned about the foreigners than our own Canadians. That has to stop.

The majority of the members on the committee were Liberals and some very good ones. He said that the committee only gets its information from those who do presentations while he listens to scientific advice. That was a slap at his own members who make up the majority.

I challenge anyone to do a poll in this country and ask people who they would rather depend on, the scientists at the department of fisheries who may be good but because they are so underfunded and there are so few of them they cannot do a good job, or the fishermen who have fished these grounds for years and who know what is happening, the towns that have been affected and the people who have followed the decline of this resource over the years. I would hedge my bets that the majority of the people would say that those involved in the industry know best.

In summation, we have made our recommendations. I am looking forward to the Liberal members, especially the Newfoundland members who are even more drastically affected than I am, getting up and letting the House know how important the report is. It is one chance to save an industry, a renewable resource that can add to the Canadian economy and provide employment for years.

● (1025)

Mr. Wayne Easter (Malpeque, Lib.): Mr. Speaker, I appreciate the remarks of the hon. member opposite. Could the hon. member outline some of the points of view Newfoundlanders and Labradorians gave to us when we were in Newfoundland? Could he give us a taste of some of the views they expressed?

To get the hon. member started I will refer to the testimony of Mr. Jim Morgan, president of the Newfoundland and Labrador Rural Rights and Boat Owners Association. Mr. Morgan felt the Government of Canada should be moving on the issue. He said Canada must act now to stop the decimation of our stocks. He said we should use our legislative framework to arrest ships that fish illegally outside the NAFO framework.

Alastair O'Rielly, president of the Fisheries Association of Newfoundland and Labrador, outlined where Canada's lax regime was leading. He said that prior to 1995 there were 26,000 fishing days from 71 vessels. As the hon. member opposite stated, after 1995 when we seized the *Estai* the problem cleaned up for a few days. After 1995 there were 6,000 fishing days with 16 vessel years. There are now 10,000 fishing days with 27 fishing years.

Pat Chamut, the assistant deputy minister of fisheries, clearly outlined the problems although he did not say he was in favour of custodial management. He said the problems included: a significant increase in infringements since 1995; directed fishing for moratoria species; exceeded quotas; misreported catches of three ounce shrimp; use of small mesh gear; and failure to provide observer reports.

Could the hon. member give us a taste of what Newfoundlanders and Labradorians have been saying before the committee? Could he expand a bit and say how we could implement custodial management from the point of view of the standing committee on fisheries? We are not talking about taking historic rights away from foreign nations. Historic allocations should remain but we should manage the fishery the way NAFO intended. NAFO is clearly not doing this now. Canada must take strong action.

● (1030)

Mr. Loyola Hearn: Mr. Speaker, I again congratulate the chairperson. Usually when an opposition member speaks we get negative comments, but the hon. member strongly supports the recommendations more than anyone on the committee.

The committee has heard a lot of comments from Newfoundlanders. I will mention two or three to add to the ones the hon. member mentioned. The Liberal fisheries minister of Newfoundland, with whom I spoke this morning, said before the committee in March:

> In summary, NAFO has failed us since its inception in 1978—

This is extremely important. It is why I am glad we are having the debate this morning. As we head into the NAFO meetings this fall, the House generally and governments specifically should be aware of what the report says and what members are saying. If we go to the NAFO meetings with the same frame of mind we have had at past meetings there will be no fish left next year to worry about.

The minister went on to say Canada had failed us as well. The political will, with the exception of a few brief moments in our history, has not existed in Ottawa to deal with foreign overfishing. Trevor Taylor, a member of the house of assembly, said:

> I suspect if a tree falls in the forest, nobody hears, and when a fish is caught on the tail or the nose of the Grand Banks, nobody hears. The people of this country are not engaged in what's happening down here.

Luckily, some people are becoming engaged through their members. The final comment I will use is from Allister Hann, the mayor of Burgeo. His town has probably suffered more than any. This is factual. He said:

> Rural Newfoundland is dying, particularly my town.

This is pretty hard stuff to listen to but it shows what we can do. What can we do? We can notify NAFO that we are getting out of it. We can notify it that with or without its help we will take custodial management of the nose and tail of the Grand Banks. If we have the guts to do this we will provide a resource for our people and employment for many years to come.

● (1035)

Mr. Peter Stoffer (Sackville—Musquodoboit Valley—Eastern Shore, NDP): Mr. Speaker, I thank my hon. colleague from St. John's West and the hon. member for Malpeque for their comments.

There is concern about how custodial management would work. Some people have contacted me to say we would kick the foreigners off the nose and tail of the Grand Banks and the Flemish Cap. That is not necessarily so. Our interpretation of custodial management means other nations would be allowed to fish in the waters but under Canadian management and enforcement. That would be a good thing for Atlantic Canada and, for that matter, all of Canada.

Could my hon. colleague elaborate a bit on that?

Mr. Loyola Hearn: Mr. Speaker, that is an exceptionally good question.

Many people including the minister do not understand what custodial management means. All it means is that the adjacent state, in this case Canada, would be the clear custodial manager with the right and duty to environmentally manage the stocks off its coast including those outside the 200 mile limit. We would declare ourselves the manager of the resource. This could be done in consultation with other members of NAFO because they all have quotas in the area that they want to see preserved and protected.

Even those who blatantly abuse the quotas admit that if we destroyed them there would be nothing left. Many countries are conscious of what is happening and of the need for someone to manage the resource. The logical manager is the adjacent state, in this case Canada. If officials in our department of foreign affairs did something besides drink cognac and eat caviar we might get agreement to manage the stocks for the benefit of not only us but all the other countries with quotas provided they operated within the guidelines. As I have said, I think many of them would. It is not a difficult process. It is one that takes a lot of guts, and I am not sure they are there.

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, I congratulate my hon. colleague from St. John's West for his passionate and informed speech. He and other members of the fisheries committee have worked diligently on a problem that has plagued Atlantic Canada and other regions including the north and west coasts.

The hon. member spoke of custodial management. He spoke of dying villages and towns in rural Newfoundland and Nova Scotia. In my home province of Nova Scotia the towns of Canso and Mulgrave have suffered enormous losses and out-migration as a result of the hardships in the fishery.

There is another element about which my hon. colleague and friend is informed: the issues of historic attachment and adjacency which for many years have been the criteria. In the context of custodial management could he discuss how these two issues factor into helping rural communities control their own destinies?

Mr. Loyola Hearn: Mr. Speaker, those are two pointed issues which have been discussed quite often in the fishery. First, the hon. member addressed the issue of adjacency. Over the years the people of Newfoundland and Nova Scotia, the provinces adjacent to the resource, have not been the only ones to fish it. In relation to almost every resource worldwide the principle of adjacency applies. Those adjacent to the resource are the first and main beneficiaries.

Second, the hon. member spoke about historical attachment. This is where the Spanish, Portuguese and everyone else comes in because they have been fishing these grounds for years. We are not saying in any way that they should not be allowed to do so. All we are asking is that people abide by the rules. Someone has to be the policeman. We are satisfied to do it. It does not cost that much and everyone benefits.

I hope members from Newfoundland and other members will participate in this. The story must be told. It should not be cut off.

Mr. Geoff Regan (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I thank the hon. member for St. John's West for allowing us to have a brief discussion this morning on this issue of interest. Not long ago we had a take note debate on the Atlantic fishery in which I took part. There are many concerns about the issue.

However I now move:

That the House do now proceed to orders of the day.

● (1040)

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

Some hon. members: Agreed.

Some hon. members: No.

The Deputy Speaker: All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Deputy Speaker: All those opposed will please say nay.

Some hon. members: Nay.

The Deputy Speaker: In my opinion the yeas have it.

And more than five members having risen:

The Deputy Speaker: Call in the members.

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

(Division No. 373)

YEAS

Members

Adams	Alcock
Anderson (Victoria)	Assad
Assadourian	Augustine
Bagnell	Barnes (London West)
Bélanger	Bellemare
Bennett	Bertrand
Bevilacqua	Binet
Blondin-Andrew	Bonin
Boudria	Bradshaw
Brown	Bryden
Bulte	Byrne
Calder	Cannis
Carignan	Carroll
Castonguay	Catterall
Cauchon	Coderre
Collenette	Comuzzi
Copps	Cuzner
DeVillers	Dion
Drouin	Duplain
Eyking	Farrah
Finlay	Frulla
Godfrey	Goodale
Graham	Harvard
Harvey	Hubbard
Jackson	Jennings
Jordan	Karetak-Lindell
Knutson	Kraft Sloan
Lastewka	LeBlanc
Leung	Lincoln
MacAulay	Macklin
Mahoney	Maloney
Manley	McCallum

McGuire
McLellan
Minna
Murphy
Neville
Pagtakhan
Patry
Pettigrew
Pickard (Chatham—Kent Essex)
Pratt
Proulx
Reed (Halton)
Richardson
Saada
Scherrer
Shepherd
St. Denis
Stewart
Thibeault (Saint-Lambert)
Tonks
Vanclief
Whelan
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McKay (Scarborough East)
Mills (Toronto—Danforth)
Mitchell
Nault
O'Reilly
Paradis
Peric
Phinney
Pillitteri
Price
Redman
Regan
Robillard
Savoy
Scott
Speller
Steckle
Szabo
Tirabassi
Ur
Wappel
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NAYS

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Keddy (South Shore)
Laframboise
Lanctôt
Lill
MacKay (Pictou—Antigonish—Guysborough)
Mark
McDonough
Obhrai
Perron
Rajotte
Ritz
Sauvageau
Solberg
Stoffer
Thompson (Wild Rose)
Yelich– — 64

PAIRED

Nil

● (1120)

The Deputy Speaker: I declare the motion carried.

GOVERNMENT ORDERS

[*English*]

PHYSICAL ACTIVITY AND SPORT ACT

Hon. Paul DeVillers (for the Minister of Canadian Heritage) moved that Bill C-54, an act to promote physical activity and sport, be read the third time and passed.

He said: Mr. Speaker, it is with pleasure that I stand in the House of Commons to debate third reading of Bill C-54, an act to promote physical activity and sport.

I had the pleasure of introducing the bill to the House on April 10 on behalf of the Minister of Canadian Heritage. On April 15 the bill received second reading in the House of Commons and was referred to the Standing Committee on Canadian Heritage and then to the Subcommittee on the Study of Sport in Canada. The subcommittee heard the testimony of witnesses from the sport community, from government officials and the Official Languages Commissioner. It also received written submissions from a number of different organizations. On June 12 the member for Toronto—Danforth tabled in the House the first report of the Subcommittee on the Study of Sport in Canada of the Standing Committee on Canadian Heritage. The report was debated yesterday, June 17.

I am pleased with the process that was undertaken and I am assured that the bill has had a thorough review and debate. We worked with members of the sport community and with all parties both inside and outside the committee to reach an agreement in areas of controversy. We have respectfully considered all views and worked together to strengthen the bill.

The bill began with an extensive consultation. There were exchanges with the sport community and all levels of government. Their unanimous support have made the existence of the bill a reality and it is important that we recognize that.

● (1125)

[*Translation*]

Thanks to the dynamism and contribution of all stakeholders in the sport community, the conditions most favourable to the advancement of sport in Canada were brought together in one place.

Henceforth, this bill entrenches the policy of the Government of Canada regarding sport. This policy reflecting the concerns of the sport community was adopted last April by the federal government in conjunction with all provincial and territorial governments.

[*English*]

The bill is consistent with the first ever Canadian sport policy. This landmark policy was the result of unprecedented consultations with the sport community. It was endorsed last April by myself as the Secretary of State for Amateur Sport and the provincial and territorial ministers responsible for sport, fitness and recreation.

The ministers embarked on this policy development process to create a more effective and transparent sport system to underscore the importance of sport and physical activity to the health of Canadians and to build a more harmonious environment to improve the sport experience. No government can claim on its own to change the system. Sport concerns everyone and everyone needs to participate in the process. The support of the sport community as well as the partners, the population at large and other governments was key.

We are entering a new era in Canadian sport and physical activity. We will soon have new legislation for sport and physical activity which serves to modernize the mandate and policies of the Government of Canada with respect to physical activity and sport. The Fitness and Amateur Sport Act of 1961 served the government well for 42 years and now we will soon be set for a new era.

The policy objectives of the Government of Canada regarding sport are threefold: to increase participation in sport, to support the pursuit of excellence, and to build capacity in the Canadian sport system. The policy is based on the highest value of ethics in sport including: dope free sport; respectful treatment of all persons; the full and fair participation of all persons in sport; and the fair, equitable, transparent and timely resolution of disputes in sport.

[*Translation*]

By entrenching the Government of Canada's physical activity and sport policies in this bill, the government is acknowledging that physical activity and sport are an integral part of Canadians' lives and culture, and procur benefits in terms of health, quality of life, economic activity, cultural diversity and social cohesion, particularly by their reinforcement of the bilingual nature of Canada.

[*English*]

This also demonstrates the commitment of the Government of Canada to encourage and assist Canadians in increasing their levels of physical activity and participation in sports. It also recognizes its commitment to support the pursuit of excellence in sport and to build capacity in the Canadian sports system.

The government through the bill does not only respond to the recommendations of the subcommittee on sport, it also responds to commitments in the Speech from the Throne where it indicated it would promote health and prevent disease and strengthen its efforts to encourage fitness and participation in sports.

The Government of Canada is well aware that any government action with regard to sports affects a large number of Canadians. According to the 1998 general social survey, over 8.3 million Canadians aged 15 and over participate in sport on a regular basis. According to the 2000 Statistics Canada survey, an estimated 1.8 million people are involved in sport and recreation organizations on a voluntary basis, not to mention the millions more who take part as parents, spectators, officials and administrators.

● (1130)

[*Translation*]

For this reason, a preamble was added to the bill demonstrating that the government's commitment to physical activity and sport needs to be seen as an investment in enhancing the well-being of all Canadians, and not an expense.

Any investment in physical activity and sport contributes to quality of life and procures long term savings in health care.

[*English*]

Given today's challenges facing sport, the proposed legislation clarifies, along with the title and terminology, the existing ministerial mandate to adequately reflect and strengthen the role of the minister responsible for sport in fostering, promoting and developing sport in Canada.

Over the past 10 years the Canadian high performance sport system has experienced a large number of disputes over the selection of athletes on national teams and over doping in sport. Internal mechanisms of sport organizations have many limitations.

To respond to the needs of the sport community, the bill provides for the creation of a sport dispute resolution centre of Canada. The mission of the centre would be to provide the sport community with a national alternative dispute resolution service with expertise and assistance in this regard. The sport community will be able to use the services of the centre to resolve sport disputes, which could include disputes regarding doping infractions, in an equitable, fair, transparent and timely manner.

The creation of the centre through legislation demonstrates the importance given by the government to principles such as transparency, equity and diligence. It will place Canada at the leading edge internationally and will ensure stability, continuity and credibility to the dispute resolution process.

In response to concerns expressed by members of the sport community about Sport Canada being party to dispute resolutions, I would like to point out that under Bill C-54 no individual or organization would be obliged to use the centre's services, which are to be used on a consensual basis. This also applies to Sport Canada.

However clause 10 of the proposed legislation states that the centre's mission is to provide alternative dispute resolution services for sport disputes which include disputes among sport organizations and disagreements between sport organizations and persons affiliated with it, including its members. The notion of sport dispute is therefore broad enough for the centre to provide dispute resolution services where Sport Canada could agree to be a party.

Therefore Sport Canada could in its policies, programs or in any specific agreement include an appeal mechanism that would refer disputes to the centre under terms and conditions of the said policy, programs or agreements as long as those disputes can be qualified as sport disputes. I think I can give the undertaking that Sport Canada will engage in such agreements. Obviously not in the policy areas but certainly in programming areas it is the intention that Sport Canada will avail itself of the services in the dispute resolution centre.

I would also like to indicate that the government's intention regarding the centre was not to create a federal institution or a governmental body but a not for profit organization at arm's length from the government. In creating it we have tried to achieve the appropriate accountability measures in light of the arm's length nature of the centre.

It is important for us and the sport community that the centre be independent and have all the flexibility necessary to meet the future needs of the sport community while being accountable for public funds. I will be consulting with the sport community to ensure that individuals will be appointed to the board who have the expertise and capacity to enable the centre to fulfill its mission.

Physical inactivity is costly. Reducing it by 10% can save $5 billion annually in health care costs. Provincial and territorial ministers responsible for sport have reiterated their commitment to reach such a target by the year 2003.

Sport is about inclusion. Irrespective of age, culture, language, social status or physical or intellectual capacity, more people must be allowed access to a greater number of sports so that everyone can practise the sport of their choice.

● (1135)

[*Translation*]

I would now like to discuss the Canadian sport policy, which was unanimously approved in April by the federal, provincial and territorial ministers responsible for sport. This policy clearly demonstrates the goodwill of the different levels of government to address the issue of official languages in the Canadian sport system.

The policy recognizes the barriers that francophones sometimes confront in sports. For example, according to Sport Canada policy, sport must be accessible to all, regardless of their language. Furthermore, the regulations and responsibilities in the sport system stipulate that services must be provided in both official languages.

As for the role of the federal government, it must ensure that services will be provided in both official languages.

Finally, the different levels of government must increase the number of coaches who work in both official languages, in order to guarantee services for francophone and anglophone athletes.

I believe that these initiatives clearly demonstrate the goodwill of the different levels of government to address the issue of official languages in Canada.

[*English*]

I was pleased that the tabling of the proposed legislation raised the debate of the place of women in sport and physical activity. The government has made its position clear. We believe that women should be full and equal partners in Canadian sport, whether as athletes, coaches, officials, leaders or decision makers. We will work with the sport community drawing on the expertise of the Canadian Association for the Advancement of Women and Sport and Physical Activity to improve the status of women in sport and physical activity.

I have had communications with the executive of CAAWS. I have assured it that we will rely on it to provide us with the information, assistance and expertise on the compliance of the gender equity policies that are already in our funding programs now to ensure that the national sports organizations are in compliance.

Key players are also volunteers such as our coaches, officials, members in sports associations, organizers of competitions and so on. They contribute so much to sport all across the country. More than ever, sport must be regarded as an investment and not as an expense. Last year 378,000 jobs in Canada were related to sport. Sports contribution to our GNP is estimated at $8.9 billion, quite a score.

The Government of Canada, with the support of the sport community, provincial and territorial governments and the private sector, believes that the proposed legislation is an important step in a comprehensive strategy to affirm the key role of sport in Canadian society.

[*Translation*]

The issue of sport in Canada is a social issue, an issue of goodwill and of partnership. It is an issue that affects us all.

[*English*]

In Canada sport is everyone's business.

[*Translation*]

This bill affects all Canadians.

[*English*]

In conclusion, I would seek the consent of the House for the second speaker, the hon. member for Toronto—Danforth, to have extended time. He is the chair of the subcommittee and has been involved with it since the very beginning. I am sure members would be pleased to consent that he be allowed sufficient time to complete his remarks.

● (1140)

The Deputy Speaker: It is certainly not for the Chair to anticipate what the mood of the House might be. However in terms of the proposition put forward by the secretary of state with regard to the hon. member for Toronto—Danforth, we might want to deal with that following the intervention of the member for Pictou—Antigonish—Guysborough and after we have gone around once. At that time possibly we could deal with the matter as to whether the member for Toronto—Danforth would need more time. Is that agreed?

Some hon. members: Agreed.

Mr. Chuck Strahl (Fraser Valley, Canadian Alliance): Mr. Speaker, it is a pleasure to speak to Bill C-54. It is always a pleasure to speak to a bill that I agree with. The bill is one that we have been in agreement with from the beginning. We have listened to the witnesses and listened to the amendments that were proposed in committee. We headed off a couple of mistakes within the committee amendment process but in the end we are satisfied that the bill is on the right track. It is not a guarantee of success but it is on the right track of promoting sport and physical fitness.

I recall the old ParticipAction ads that still stay with me to this day. I remember the challenge that the 60 year old Swede was in better shape than the 25 year old Canadian. I was probably about 25 when that ad was run on TV and now that I am closer to 60 than I am 25 it seems to hit home a bit. However, Canadians listened to the old participation type ads that encouraged them to get physically fit.

A good friend from my riding, Doug Grimson, has shown me over the years what value there is in a life of physical fitness, not only because one remains healthier which means fewer visits to the doctor and so on, but what an active lifestyle one can have when one is physically active and fit. For Doug everything is a challenge waiting to be taken on with full vigour. That includes biking 100 miles, running a half marathon, playing squash, tennis, or whatever, it does not matter. Doug is up for it. Last year he wore out both of his knees so doctors had to scope both knees. He was in respite care for about two weeks and then he was right back at it. I am sure he will wear them out again.

Examples like that are encouraging to me and they should be encouraging to all of us who realize the benefits of physical fitness. While it may be enjoyed by people like Doug and many others, lack of physical activity is a growing problem in Canada. We must wrestle with this as a country. As a wealthy western country we increasingly have a problem with inactivity and obesity.

On August 14, 2001, there was an article in the *National Post* that quoted Dr. Mackie from the British Columbia Medical Association. It stated:

> Dismayed by Canada's obese youth, the British Columbia Medical Association will propose today that the federal government restore a full-fledged minister for sports and fitness...Dr. Mackie said a lack of federal support for childhood fitness is to blame for an increase in injury, prolonged recovery times and obesity.
>
> "We're seeing the kids coming into their early teens 20 to 30 pounds overweight. It's terrible, and it's happening right under our eyes," Dr. Mackie said. "There's a lot of sitting kids who don't do much".

That call for a full time, full-fledged minister for sports and fitness was a call to arms from the BCMA. I am pleased to see that we are bringing together under one minister all the activities of amateur sport and physical activity. We are taking from different areas, some from health, some from sport, and some from heritage, and bringing them together under one ministry. Here we can do our best as a federal parliament to work with the provinces, health authorities and others to wrestle with a growing problem in Canada.

Obesity rates have tripled in Canada since 1985 to 1998. New research in April indicated that 57% of Canadian young people are so sedentary that they are harming their health. That is over 50% of our kids who are not getting enough physical activity. I would like to blame it all on the kids but 63% of adults were too sedentary to look after their own health. In other words we are not setting a good example and the nation as a whole is suffering for it in our health bills and in our ability to lead as productive and enjoyable lives as we can.

Another Statistics Canada study points out that the participation in sports among Canadians 15 and older dropped from 45% in 1992 to 34% today. That is an incredible drop in participation rates. Doctors are warning again about the number of hours kids sit in front of TVs, and now TVs and computers, and their participation rate in sports has dropped accordingly. The Canadian Fitness and Lifestyle Research Institute reported in 2000 that the physical activity levels of Canadians increased from 1981 to 1995 but the participation rate has stalled and slipped backwards.

The bill is timely. Canadians understand that we must do something about this. We are a wealthy nation but with that wealth comes responsibility to look after ourselves, to do our part to be physically fit and look after our own health as best we can, and a good part of that has to do with physical activity.

One objective of Bill C-54 is to increase the opportunities for involvement in sports from the amateur to the elite athlete level. The physical activity policy in section 3 of Bill C-54 states:

> 3. The objectives of the Government of Canada's policy regarding physical activity are:
>
> (a) to promote physical activity as a fundamental element of health and well-being;
>
> (b) to encourage all Canadians to improve their health by integrating physical activity into their daily lives; and
>
> (c) to assist in reducing barriers faced by all Canadians that prevent them from being active.

I wish to thank the minister for identifying all Canadians as just that. We want to reduce barriers that impede the ability of Canadians to have productive, full and enjoyable elements of physical activity in their lives. We did not get carried away with any of the political correctness either. We just said all Canadians because that covers everyone. We all need to find ways to be active, to reduce barriers that may be in place whether they are physical, language or cultural barriers. It is in the interests of all Canadians to ensure we are physically active. The minister did a good job of drafting the language in the legislation to ensure that we did not pander to anyone but that we included all Canadians.

● (1145)

It was interesting that some of the witnesses before the committee pointed out that the participation rates for women were less than men in organized sports. The women who testified before the committee said that as long as we addressed this by calling for improvements and reducing barriers for all Canadians we would not have to get gender specific because that would include women and they would be satisfied with the language. The minister and the committee did the right thing by adopting that inclusive language.

The Canadian sports policy is designed to increase participation in the practice of sport, support the pursuit of excellence in sport and build capacity in the Canadian sport system. In order to meet these objectives Bill C-54 would give the minister power to participate in a number of activities, including: arranging for national and regional conferences in respect of physical activity and sport, that would be the leadership role that we would expect the minister to take; working with provincial counterparts and sports organizations from coast to coast; preparing and distributing information related to physical activity and sport; undertaking or supporting any projects or programs related to physical activity and sport; and providing bursaries or fellowships to assist individuals to pursue excellence in pursuit.

As always, the cream will rise to the top, but we must provide ways to skim that cream off and ensure it gets the type of assistance and leadership for Canada to excel. Those elite athletes become role models not just for our youth but for us all. We become inspired. We participate at greater rates when our elite athletes do well in any of the international and national forum.

Some of the most moving moments in the House have been the times we have had the Olympic athletes come in on the floor of the House where we could laud them and give them their due. To see those athletes proudly displaying their medals and showing their eagerness to promote their sport is inspiring. Our congratulations to them is also heartfelt. Those athletes do more than just win medals, they inspire a nation. As we promote excellence, provide bursaries and fellowships to those individuals and coaches I hope the minister will find increased ways to ensure that meritorious athletes get to the top.

We want to encourage the promotion of sport as a tool of individual and social development in Canada and in co-operation with other countries abroad. That should not be underestimated. We take national pride in our traditional sports, whether it be men's or women's hockey, for example, or whether we come home with Olympic medals and world championships. We also take pride when we are part of the community of nations showing the Canadian flag and participating in events from the Commonwealth Games to la Francophonie, to championships large and small around the world.

There is something about that participation in sport between nations that builds rapport and creates opportunities to build into those nations some of our values as well. For example, every year between Christmas and New Year's in Chilliwack for the last 40 or 50 years people come from Seattle and all over the Pacific northwest to come to the peewee jamboree. Sport is a great tool for social and individual development.

We want to encourage, and this important, the private sector to contribute financially to the development of sport. Increasingly we see public-private partnerships in all levels of government activity. Sports will be no different. There is a huge private component to sports. The majority of funding and community effort is at the private sector level and will continue to be so. We do not pretend we will fund it all from this parliament.

On the other hand we want to find ways to laud those private sector partners. They would help us develop sport, increase participation and give us money to ensure that happens at the community level. They are a great partner and we need to ensure that we do what we can to involve them at every level.

● (1150)

Finally, this will encourage and support an alternative dispute resolution centre for sport. This is an important thing. It is not a sidebar but an important part of the bill. The mission of the centre is:

> to provide to the sport community
>
> (a) a national alternative dispute resolution service for sports disputes; and
>
> (b) expertise and assistance regarding alternative dispute resolution.

I believe the establishment of this centre is a positive step forward because there are an increasing number of cases to settle on the sports dispute side. Currently there are limited mechanisms to settle disputes and athletes have requested a centre like this, but not just the athletes, certainly the national organizations as well.

When we think of it, athletes often are getting by on a shoestring budget and when there is a dispute with a national body, Sports Canada or a national organization and they feel something has gone awry and they have not been treated fairly, what are they to do? There are examples even in the last year or two of where trying to settle a dispute through the courts might cost an athlete $40,000 or $50,000. They do not have that kind of money and it is time consuming. The courts, while they will settle it, often do not have the expertise in sports dispute settlements like this so they make the best of a bad situation.

This centre, while it will be optional for athletes and organizations to participate in it, will develop expertise and soon, I am sure and would hope, a reputation as the go-to organization to help arbitrate and settle any disputes of a sports nature. I hope and believe that the way it is set up this will happen.

It is perhaps for a good reason that all 12 directors of the centre who will be appointed will work as volunteers. These will be people who have expertise in this area. They will work as volunteers and bring their expertise to bear. They will hire an executive director of their choosing to put together a whole system that will help athletes and organizations across the country.

The bill provides for the establishment of a code of ethics for directors, officers and employees of this centre as well as for arbitrators and mediators who provide dispute settlement services under the auspices of the centre. There has been a lot of talk in this place about the need for a good ethics code and a good ethics package that everyone understands going in. The bill would establish that right from the get-go.

The bill also stipulates that the board of directors shall establish an audit committee to go over the affairs of the centre. It would:

> (a) require the Centre to implement and maintain appropriate internal control procedures;
>
> (b) review, evaluate and approve those internal control procedures;
>
> (c) [audit]...the Centre's annual financial statements and report to the Centre before these statements are approved by the board of directors;
>
> (d) meet with the Centre's auditor to discuss the Centre's annual financial statements and the auditor's report; and
>
> (e) meet with...management to discuss the effectiveness of the internal control procedures.

In other words, although these directors may be volunteers, and I am sure they already are busy people, they will have big responsibilities to make sure that the centre acts appropriately.

As well:

> The accounts and financial transactions of the Centre shall be audited annually by an independent auditor designated by the board of directors, and a written report of the audit shall be made to that board.

I believe that there are enough control systems in place to make sure that not only will the centre do its work well but it will have a good reporting mechanism that we can all have a look at to make sure that things are going well.

Finally, I have pointed out in committee that there is one thing we are a little unsure of as of yet even though we agree with the mandate that is given in the bill. We agree with the increased role for the minister of physical fitness and sport. He will be running more than 10 kilometres in order to prepare for this new role. However, we do want to make sure that all auspices of sports and physical activity come under his aegis. Right now they are broken into different ministries and often get shortchanged because all bureaucrats and ministers want to hold all these things unto themselves. We end up with the health department demanding control of certain parts and the heritage department others. It is always a problem when conflicting ministries perhaps have the same objectives but there is no one person that can be consulted and held accountable both in the House and in the country.

● (1155)

The minister of sport and physical activity is going to have an increasing amount of accountability for what is going on under his watch. We hope that he will be able to pull those components out of the different ministries and make sure that they come under his control so that we have one go-to guy on the ministry side and that in turn he can get the job done because he will have control of both the purse strings and the programs.

It is a little unclear at this time exactly what the funding levels will be. Again that is something that came out in committee. I am not sure how many dollars are involved for the centre or for the fellowships, bursaries and so on that may come forward from this. We will look forward to the upcoming budgets to see exactly how that will be done. Of course we want to make sure that it is an adequate amount, but obviously there is a limited amount that can be put to any one program. We want to make sure that there is an adequate amount for this important activity and that if it is taken out of other ministries like health their budgets are decreased while funds are transferred over for sports funding.

In conclusion, I want to reiterate our support for the bill. We think it is on the right track. We do encourage all levels of government to get involved and to stay involved during the consultative process. Part of the mandate of the minister is to meet with provincial counterparts, with everyone from the BCMA to the national sports organizations, which I hope will find a ready listener in the minister. As the centre comes together, I am sure that the minister will be called before committees and the House to make sure it is done properly and athletes and sports organizations are well served.

Is it not ironic that Canadians have to wrestle with this problem of a wealthy nation that loses its ability to stay healthy because it becomes sedentary? We simply have to grapple with this. We could wish it were different, and I wish it were. I saw an article the other day about the need to send kids to what are called fat farms. This is a sad thing. There is so much wealth and so much opportunity in the country to allow people to just sit back and enjoy too many Twinkies that they are ruining their health through inactivity. We have to do what we can here at the federal level to make sure that we turn that around. Our country's population is aging, but the habits established in our youth often affect our health right into our old age.

Again, I do support the bill. I encourage the minister in his work. I think we will find that it is one of those things where he will find broad, all party support for the need for the bill and for the need for the minister to be not just physically active but very active politically in the realm of amateur sport and physical fitness. I wish him well and I do hope that the centre and the activities that are described in the bill are successful in getting Canadians off the couch and into a life of activity.

● (1200)

[*Translation*]

Mr. Robert Lanctôt (Châteauguay, BQ): Mr. Speaker, as the Bloc Quebecois critic for amateur sport, I rise today to address Bill C-54, an act to promote physical activity and sport.

Since the beginning, we have felt that the objectives of this bill are worthwhile and even desirable. We said that we were in favour of the bill in principle, provided there is explicit compliance with the Official Languages Act.

It goes without saying that all Bloc Quebecois members, like all parliamentarians here, feel that physical activity is important and must be promoted through the implementation of practical and feasible measures.

The stakeholders who appeared before the committee spoke about the numerous benefits of physical activity, both from a medical and social point of view. This is a legitimate goal but, more importantly, one that must be maintained once achieved.

The government measures that will result from this bill must be real, immediate, and they must be designed for the general public, without any discrimination at all.

The Bloc Quebecois has insisted since the beginning that the Official Languages Act must be more than respected. Its provisions must be complied with in a real and systematic way.

In the preamble to Bill C-54, it is stated that physical activity and sport are integral parts of Canadian culture and society and produce obvious benefits in terms of health and social development.

We hope that the economic, structural and cultural benefits will be just the roots of the effects of this bill in the very long term. The medical benefits are numerous and significant. People who engage in a physical activity or sport tend to rely less on health care services.

From an economic point of view, there is, in addition to the spinoffs of special and international events, higher productivity for employees who engage in physical activity or sport.

Now that the health, social cohesion and participation objectives have been identified, we must immediately develop specific initiatives to achieve these benefits. We hope that this is what will actually come out of the implementation of the measures included in Bill C-54, considering its stated goals.

We have already mentioned that this bill is aimed at two target groups. First, of course, the elite athletes and then all the rest of us ordinary folk.

On numerous occasions, we have witnessed extraordinary and breathtaking performances by our elite athletes, but now we need to look more closely into their situation.

In 1999 the Bloc Quebecois filed a complaint with the Commissioner of Official Languages, asking her to investigate the problematic situation of francophone athletes. The Commissioner of Official Languages found that the allegations contained in the complaint were founded. The commissioner issued a full report in 2000.

In her report, the Commissioner of Official Languages provided the results of extensive research on the use of French and English in the Canadian sport system. The commissioner came to the conclusion that not only did the selection process for Canadian teams constitute a serious barrier for francophone athletes, but that the problem arose well before even an athlete reached the point of competing to be selected as one of the final team members. This problem has existed for many years, and it is high time we act to ensure that the rights of francophone athletes are respected, and that they receive services and coaching in the language of their choice.

For a long time now, the Bloc Quebecois has been demanding the implementation of the 16 recommendations contained in the official language commissioner's report, two years ago. We are still calling for their immediate implementation, as I mentioned yesterday. In fact, recognition of the problems faced by francophone athletes has been at the heart of the demands we have made both here in the House and in the sub-committee on sport since the beginning.

● (1205)

The official languages commissioner is clear: English and French are far from having equal status in Canadian sport.

With the introduction of Bill C-54, the Bloc Quebecois is entitled to request that the official language commissioner's recommendations be formally implemented and, in particular, that they be explicitly included in the bill.

The Bloc Quebecois therefore calls for legislative recognition of the formal implementation of the Official Languages Act.

How many francophone athletes have trained for years but not made it to international level competitions because of the language barrier?

The answer, unfortunately, is far too many. From the very beginning, the Bloc Quebecois has repeatedly called on the government to respect francophone athletes and trainers, who must master the English language, in addition to their particular sport.

Our request is entirely legitimate. We want to remind the government that 12 of the 16 recommendations were supposed to be implemented by April 1, 2001. None of the 16 recommendations has been implemented, and this is regrettable. Let us hope that all this will change as of today.

Yet these recommendations reflected a reality too blatant too ignore. In her first recommendation, the official languages commissioner asked Sport Canada to review the official languages goals of the sport funding framework.

It is therefore up to Sport Canada to require Canadian sport federations to simply eliminate the barriers facing our francophone athletes.

The commissioner's second recommendation was that Sport Canada systematically monitor implementation of the official languages goals, in a funding context, by April 1, 2001.

The next recommendation was that Treasury Board review its audit methodology in order to ensure control of program compliance.

Next, the commissioner recommended a complete and exhaustive review of the language requirements of positions in the Athlete Assistance Program.

Fifth, she recommended that official languages requirements be met at major games.

Sixth, the official languages commissioner recommended a review of the language requirements of management positions.

The report talked about reviewing the allocation of responsibilities among program officers in order to ensure that client organizations are served in the official language of their choice. It was strongly recommended that Sport Canada work with national sport organizations to ensure that they adopt appropriate policy statements on official languages.

It was also recommended that there be a review of the linguistic capability of the staff of national sport organizations, and that such capability become a Sport Canada requirement.

The commissioner also recommended that Sport Canada review sport organizations' official languages budgets.

Then, it was a matter of studying the feasibility of providing centralized linguistic services such as translation to sport organizations, either through government programs or through a non-governmental organization which could assume this mandate.

The twelfth recommendation addressed working with national sport organizations to identify the first official language of national team coaches by April 1, 2001.

The next recommendation dealt with distribution of technical manuals for coach education in both official languages.

The fourteenth is about ensuring that some members of the coaching group responsible for national teams have a knowledge of both official languages.

The next COL recommendation related to these same requirements for pedagogical material.

Finally, the commissioner felt it was important that medical services be provided in both official languages. We feel it is necessary to repeat all these recommendations because, although the report dates back to the year 2000, it has taken the government more than two years to react.

Although it did introduce a bill in the House of Commons, it took the insistence of the Bloc Quebecois to get respect of both official languages to be entrenched in legislation from now on.

● (1210)

Our athletes and coaches have to perform miracles because of the flagrant lack of resources that has gone on far too long already. We were all proud of their performances at the latest Olympic Games, in Salt Lake City.

Just imagine what the outcome would have been if they had had the appropriate resources. Just imagine what it would have been if francophone athletes and coaches had had decent access to services and to Canadian team selection.

We are all aware of the exceptional performances by Quebec athletes in these games. They must be multi-talented, as they need to have not only mastered their sport discipline, but the English language as well.

This vicious circle absolutely must end. The time is past when francophone athletes and coaches had to accept this. The time for balance is finally here. The authorities have had ample time to react to the official languages commissioner's report. Now is time for action.

The Bloc Quebecois has called for formal respect, entrenched in law, of both official languages, for as long as is necessary. We are pleased with the results we have observed so far. We shall be watching to ensure that implementation in future is real and tangible.

Merely stating that the Official Languages Act applies is not sufficient. This act has been in place for quite some time, and there are still far too many Canadian sports federations that do not yet comply with it.

Another barrier encountered by francophone athletes and coaches is the lack of vision among Canadian broadcasters. Radio-Canada does not meet the needs and expectations of athletes, coaches or amateur sports fans.

Radio-Canada has a shameful record when it comes to broadcasting events related to amateur athlete performances. It is nonexistent. Radio-Canada does not fulfill its obligations toward Quebecers and francophones outside Quebec, and this is unacceptable.

Quebecers and francophones outside Quebec recently experienced this when Radio-Canada decided to end a 50 year tradition and stop broadcasting *La Soirée du hockey*. Imagine what it must be like for Quebecers and francophones outside Quebec. This decision only worsens an already difficult situation.

The role of Radio-Canada is to promote physical activity and amateur sport, but it would rather turn its back on our athletes and coaches who are, let us acknowledge it, international in calibre. It takes years of work and concentration to train an olympic calibre athlete.

This requires more than wishful thinking. It requires money, lots of money. However, our athletes also need visibility. It is incumbent upon Radio-Canada to carry out its broadcasting duties across Canada, and in particular in Quebec, so that Quebecers can see what is happening and watch their athletes.

It is the government's job to ensure that the crown corporation takes its responsibilities seriously. The media coverage of the Paralympic Games or the Commonwealth Games was minimal, almost nonexistent. It is already a tough sell attracting sedentary viewers to physical activity.

However, it is difficult to attract people's attention to something they are unaware of. If the public is not aware of sport events taking place here, then it should come as no surprise that they are becoming more and more sedentary, and also obese.

The Bloc Quebecois believes that the promotion of physical activity must be increased, varied and more widely broadcast. Is the problem a lack of money? Yes. Decrepit equipment? Yes. Are training centres too far from where athletes live? Yes.

Here we have before us a tool that will help correct these incomprehensible situations. The values that sport and physical activity promote are commendable, even essential.

We are talking about perseverance, discipline, effort, determination and sacrifice. We know the problems. We now have a tool. So let us go forward and rectify what has deserved to be for too long.

● (1215)

Excellence is not limited to medals, we all know that. Through the effective implementation of the objectives of Bill C-54, we will finally be able to reach summits that were becoming increasingly unreachable.

Like you, Mr. Speaker, I have dreamed of an olympic medal. This is how many hopes are born among our young and not so young people. Most of us have given up on this goal, but we can now dream once again and we can finally tell our children that they too can dream about it.

Some were successful in achieving their goals, and they won medals. Yet, very few reach such heights. Only a very select group has reached the podium. These athletes are now our inspiration and we thank them for this. What we have learned from their feats is sportsmanship. We thank them for this also. They have made us realize that we must provide to the new generation of athletes the necessary tools to reach this goal. These tools must be provided to the greatest number of people possible.

As I was saying, there is no difference between sports at the grassroots and sports at the highest level. All elite athletes began practising their sport in their back yard or neighborhood park. This is why we must invest right now to support athletes and coaches. This is also why we must continue to improve the existing infrastructure and invest in new facilities.

So, the government must do its utmost to promote the pleasure of competing and engaging in a physical activity, in keeping with sport values and, of course, in compliance with the Official Languages Act.

We must also redesign our sport values and purposely include members of the public as full-fledged participants. Members of the subcommittee on sport all agreed that we still have a lot to learn about physical activity. We must review our definition of participation and we must do our utmost to promote participation.

Every Canadian knew about ParticipAction, but the program was eliminated by this government last year. The Bloc Quebecois hopes that the federal government will find it appropriate to consult its Quebec counterpart to discuss the benefits of the Kino-Québec program and that it will follow its example.

We also hope that the related moneys will be transferred to the Quebec government to promote Kino-Québec. It is to be noted that the objectives of this Quebec program are similar to those of Bill C-54. It would be appropriate to have consultations and initiate discussions on this issue.

We have all wondered about why people lose interest in physical activity. Some say that television, video games or computer games are the main causes. But we must look further; it would be too easy to stop there. There is a lack of access to facilities. We now have the tool to correct this situation. Therefore, let us move forward and allow general access to sport facilities. This is part of promoting public participation.

Also, there are not enough facilities. Again, let us move forward and correct this shortage. Since 1976, very few new sport facilities have been built in Quebec and the federal government has not been involved at all. We also need more coaches. We must act now to correct this whole situation, and I think we can do so with this bill.

The goals of this bill are commendable, but we should ensure we have specific measures to promote physical activity. For example, we should review what is going on in the media in terms of broadcasting and promotion, because we have all seen that the coverage of the paralympics was clearly deficient, if not totally absent.

● (1220)

Bill C-59 spells out its purpose in several goals. These goals could be nothing but wishful thinking, but we hope they will be achieved quickly.

We think that achieving these goals will help all athletes reach for excellence, and that they will also encourage the public to engage in sports and physical activity.

Clearly, the government's intention is to promote physical activity and sport in order to improve the health and well-being of people. But the government should carefully avoid infringing on the jurisdictions of Quebec, the provinces and the territories.

Athletes and coaches, for a whole generation, have been the victims of drastic cuts in grants and assistance programs.

The Bloc Quebecois hopes this bill signals the end of these cuts and the start of real investment in physical activity and sport.

Training an athlete or a coach takes many years of hard work. This training must be uninterrupted, with financial and structural support. The Bloc Quebecois hopes this bill will provide both forms of support.

We hope that never again will an athlete or a coach have to go through such a situation or face funding cuts. It would be too unfair for an athlete to be faced with the hardest decision of their life: pursue his or her dream and go into debt, or give it up to earn a living and survive.

This should never happen again. As we have said, the time for studies and committees is over. It is time to put the necessary money to work for athletes and coaches, but also for the public, which wants to improve its quality of life.

The Bloc Quebecois wants to encourage the government to put in place as quickly as possible a mechanism for working together with the Government of Quebec and the provincial governments in order to promote and develop sport and physical activity.

We hope that this will be achieved by making the transfers needed to achieve these goals, with care taken not to interfere in the jurisdiction of Quebec, or of the provinces and territories.

Clause 7 of the bill allows the minister to enter into agreements with the Government of Quebec, and the provincial and territorial governments for the payment of contributions in respect of costs incurred. We are confident that the government will drop any intention of promoting the Canadian identity in implementing this clause.

The Bloc Quebecois has long requested that athletes and coaches be the core focus of any policy on sport. This is what we see in the wording of the bill. We therefore encourage the government to respect this apolitical commitment and to pursue this course.

The bill also gives the Minister of Canadian Heritage the mandate to encourage the private sector to contribute to the development of sport. This mandate needs to be expanded to include physical activity. It is up to the government to inform employers about their responsibilities with respect to the promotion of sport and physical activity.

Employers will soon reap the benefits of participation in physical activity. The private sector's contribution to the development of sport will be to put the best interests of athletes and coaches ahead of monetary goals.

Central to the bill is the creation of the Sport Dispute Resolution Centre. The Bloc Quebecois believes that the creation of such a centre is vital.

Obviously, this centre will be good both for Canadian sport federations and for the athletes and coaches who are members of them.

There were instances where an athlete has suffered a harsh and permanent penalty because the decision on the dispute was not made in time for him or her to take part in an important competition.

● (1225)

So far, the avenues for dispute resolution have been limited to common law courts. As we know, delays drag out because of abuse of process, resulting in athletes getting worn down. We believe that the creation of this center will help to greatly reduce delays.

In certain cases, Canadian sport federations or athletes were forced to spend enormous amounts of money because their case was brought before a common law court, with all the legal costs that entails. We hope that the creation of this dispute resolution centre will provide a means of dispute resolution satisfactory to Canadian sport federations and athletes.

We are pleased that this not-for-profit centre will operate at arm's length, without any king of interference from the government. We are also pleased that the purpose of this centre will be to encourage transparency in procedures and decision making. It should be noted that the Bloc Quebecois has called for that on numerous occasions in the House.

We must stress, however, the need for an impartial and independent decision-making process. As in the case of a common law court, judicial independence is essential and of utmost importance.

The parties must be able to see in the centre the appearance of impartiality and independence. In other words, the parties' perception should be that the judicial and extrajudicial proceedings show freedom of action and of thought. The wording of the provisions of Bill C-54 seems to confirm this requirement for transparency and independence.

The Bloc Quebecois believes that the centre must allow for rapid awards, while making appeals possible. In this way, we believe that everyone's rights will be protected. The right of appeal must be upheld.

Since the parties will have appeared before a mediator or an arbitrator first, they will be able to assess whether an appeal is warranted. Moreover, we think the fact that mediators and arbitrators come from the sport community is a good idea.

Only Canadian federations and their members will have access to the centre. By operating in this way, the jurisdictions of Quebec, of the provincesl and of the territories will not be affected. The internal rules will specify the terms and conditions under which the centre will carry out its mission. We favour the possibility of appeal in order to protect the fundamental right of representation before the courts. This is how the arbitration boards in Quebec operate at present.

It would be prudent and advisable to follow the guidelines found in Quebec's code of civil procedure to establish the procedural requirements for the internal management of the centre. In fact, these provisions should have been included in the act.

Under article 382 of the Code of Civil Procedure of Québec, a case is only referred to an arbitrator when the parties request that the dispute be resolved. We believe that the same should apply to the centre being established by Bill C-54.

Since the beginning, the Bloc Quebecois has been recommending that it be up to the athletes to resort to the Sport Dispute Resolution Centre. To respect the fundamental right to turn to the courts, it is essential that we specify that the decision to resort to this alternative is completely voluntary.

We continue to insist on compliance with the provisions of article 386 of the Code of Civil Procedure of Québec, which says that arbitrators must make their award in writing.

The 30 day time limit set out in article 387 of the Code of Civil Procedure of Québec should be included in the centre's bylaws, as well as the award homologation method.

We wish to reiterate the need to make every decision subject to an appeal mecanism before the common law courts. This is what article 393 of the Code of Civil Procedure of Quebec provides for, if that is what the parties want.

This article provides that, when homologated, the award may be appealed like any judgment of the superior court.

● (1230)

We feel obliged to point out that we still insist that the goals and missions provided for in this bill be achieved in a context of total respect for the jurisdictions of Quebec, the other provinces and the territories, particularly as far as training and bursaries are concerned. We are adamant about that and will continue to be. It is a fundamental requirement which is self-evident. We were told in committee that Quebec's jurisdictions would be respected.

The preamble states that the federal government wishes to encourage co-operation with the Government of Quebec, among the various governments, the physical activity and sport communities and the private sector. It specifies that this encouragement is for the purpose of coordinating their promotion efforts.

Again, we would like to point out that there needs to be more than co-operation; there must be ongoing and sustained discussions in order to succeed. In fact, we believe that the first efforts at coordination must be between the Government of Quebec and the different levels of government before involving the private sector

To ensure that the jurisdictions of all levels of government are respected, instead of undertaking consultations, the Canadian heritage minister, through the Secretary of State for Amateur Sport, should set up issue tables in conjunction with her counterparts in Quebec and the provinces and territories, because they are the ones who know best the needs and aspirations of athletes and coaches.

Through such discussions, the stakeholders could agree on shared strategies to be followed and on the specific challenges, all this while respecting respective jurisdictions.

The federal government has always recognized Quebec's responsibility as far as recreation and health are concerned. It did so back in 1987 with the National Recreation Statement. We are therefore asking for this to be continued.

The Bloc Quebecois therefore recommends the transfer of the funds earmarked for this bill to the Government of Quebec.

It will thus be able to apply them via programs already in place. As a result, the duplication and redundancy that generally results from such overlap would be avoided.

It would have been recommendable to have a specific whereas statement in the preamble to confirm this respect of jurisdictions, with a view to avoiding needless and pointless friction between the various levels of government.

It is also essential and vital for this bill to state explicitly that the Official Languages Act must be complied with in order to ensure that it is formally applied, and that all of its provisions are applied. This is now the case.

Compliance with the act must therefore be ipart of the regular activities of the Sport Dispute Resolution Centre of Canada created by Bill C-54.

The Bloc Quebecois believes that this is a good first step. We must then ensure that the bill will indeed be implemented. From now on, the Official Languages Act will be recognized in legislation. It was time that the situation was corrected.

Some of the challenges affect the whole country, given that they are closely related to the francophone reality. The Commissioner of Official Languages stated this in her report, as I mentioned earlier.

We hope that all of her recommendations will be implemented. It is important to follow up on these recommendations to ensure that they really do get implemented in the very near future.

It only makes sense that these recommendations be implemented as soon as possible. Many French speaking athletes have been penalized by the lack of respect for the French fact. Another generation must not suffer the same fate.

The exodus of French speaking athletes is a result of the lack of resources earmarked for sports facilities. Lacking what they need, our athletes have often been forced into exile in the west to perfect their craft. This exodus has a devastating effect on Quebec. We have been feeling the effects for much too long.

As far as the elite athletes are concerned, some measures have been put into place, but there are still too many shortcomings. This is why young athletes and coaches who have risen to a high level end up going west when their striving for excellence goes beyond what is available to them in Quebec.

● (1235)

Athletes who are in exile testified at regional hearings and said that we need a plan to correct the situation and train high level athletes and coaches in Quebec, and train them in French, to meet the needs of the French speaking community. Another way to correct this unfair situation is to help with major events, so that Quebec's potential gains international exposure.

The potential is there in Quebec, but it really needs our help. As a matter of fact, all athletes and coaches need our help now. Let us hope that the measures contained in Bill C-54 will adequately address these glaring flaws.

Some people are talking about a lost generation, and others of future generations that will not have time to develop their full potential. Clearly, the training of Olympic and Paralympic athletes takes years—some ten years, actually.

As regards the private sector, the government must ensure that all disciplines of sport are respected, as well as the diversity of physical activities.

The role of the private sector will be to support all events in all disciplines, instead of investing in the careers of a few athletes that have obtained good results. This will ensure that our athletes and coaches will get what they deserve in the end, real support, both financial and structural.

While this bill states a number of objectives, adequate financial resources are necessary to effectively meet needs and follow up on intentions.

In its brief, Sports-Québec indicated that the resources allocated to sport by the federal government were currently not nearly enough and that, unless they were increased, this bill would remain a utopia. We agree with this statement.

In fact, we support the recommendations submitted by Sports-Québec at the national sport summit, held in April 2001, in Ottawa. According to Sports-Québec, the budgets allocated to sport should be increased, with the exception of the moneys for professional sports and the organization of major games.

The proposed budgets are as follows: in 2002, it should have been 0.15% of the government's total budget; 0.2% in 2003; 0.3% in 2005, and 0.5% in 2008. These objectives are very reasonable. All that is needed is the government's will to support these figures, so that the real objectives of the bill can be achieved.

When they appeared before the committee, all the stakeholders shared their concerns about the growing needs of the sport community. Some said that there was no serious commitment on the part of the federal government regarding facilities.

This shortcoming has economic and social consequences on international sport events. The situation is even more critical for winter sports equipment.

The Bloc Quebecois believes that the results will be positive only if we compeltely rethink our philosophy toward athletes and coaches. It is also appropriate to review our attitude toward physical activity.

A whereas in the preamble of Bill C-54 deals with the desire to increase public awareness of the benefits of physical activity and sport.

We want to point out that this must be done only if the jurisdiction of Quebec and the various levels of government is respected. It is obvious that this implies the involvement of several departments, particularly health and education. Once again, the Bloc Quebecois recommends that there be continuing discussions with counterparts from Quebec, the provinces and the territories.

A very important fact is that, to respond to the expectations of this bill, there will have to be increased broadcasting and greater diversity in what is broadcast.

The Bloc Quebecois hopes that a real Department of Sport will be established. We moved an amendment on this. This seemed to receive unanimous support in the sub-committee. Thus, athletes and coaches, as well as the people of Canada and Quebec people, would have had a department with a real portfolio.

● (1240)

Sports-Québec also recommends the establishment of this department. With a real Department of Sports complete with a portfolio, the objectives could probably have been applied at all levels, from the elite down. This would probably encourage widespread promotion of the objectives in a much more effective way than through the federations, which are mainly concerned with fostering excellence.

I know that the time allotted to me is up. I therefore hope that all the necessary funding will be made available so that physical activity and sport are recognized for the benefits they yield.

[*English*]

Mr. Dick Proctor (Palliser, NDP): Mr. Speaker, it is a pleasure for me as well to speak to Bill C-54, an act to promote physical activity and sport.

As we indicated yesterday when the bill was being discussed, we are in support of the bill, as are all the opposition parties.

At the outset I want to pay tribute to the current minister of amateur sport and the previous minister of amateur sport, both of whom are in the House today, and indeed the member for Toronto—Danforth who chaired the committee and who has contributed a lot to the point that we are at here this afternoon.

I believe that both sport and physical activity, in whatever forms they take, are extremely important. There is a strong connection between sports and physical activity and good health and self-esteem. That applies not only to all of us but to young people in particular.

As an aside, I had the privilege, as the member of parliament for the district, of being at Notre Dame college in Wilcox, Saskatchewan on Saturday where about 65 students were graduating. It was fascinating for me to see the number of students who received both academic and athletic scholarships and bursaries totalling more than $1 million. It is an incredible amount of money. It is a real tradition. However Athol Murray College of Notre Dame is not just a sports factory. Many students received scholarships and bursaries based on their academics.

There is a motto at the school that I think is good for the students and certainly good for everyone who was in attendance. The motto reads as follows:

> What lies behind us and what lies ahead of us are far less important than what lies within us.

I think that is particularly true for young people.

The proposed legislation is an act to promote physical activity and sport. The bill is intended to replace and update the Fitness and Amateur Sport Act of 1961. It is intended to bring people, organizations and governments together with the goal of encouraging, promoting and developing physical activity and sport in Canada.

The bill would replace the old act which was passed in 1961. It positions physical activity as a critical determinant of health, which is extremely important. It responds to the expectations of the sporting community. It harmonizes with other industrial countries and entrenches the government's objectives related to physical activity and sport, and facilitates alternative dispute resolutions in sport.

The bill recognizes the importance of physical activity, as I have indicated. It increases the awareness of benefits of physical activity by encouraging participation and the co-operation among levels of government, people engaged in physical activity, the sporting community and the private sector.

I think the vast majority of us who compete in the political arena have probably grown up competing in the sporting arenas, as do our children. Unfortunately there are far too many of us who are not as physically active as we should be—

I do want to pause here to say that there are some individuals who would like to participate in sport and are unable to participate in sport because they are not in a financial situation to do that.

I was listening when the minister in his address this morning said that sport is everyone's business. It should be everyone's business but unfortunately there are people who lack the financial resources to participate in an organized sporting activity, and I think that we need to be concerned about that.

I now want to talk a little about the other side of the inactivity that leads to obesity. We are told that at least 13% of Canadians, more than 3 million people, are obese. That is defined as having more than 30% body fat. This number, as discouraging as it is, tripled between the period of 1985 and 1998. It is not only as a result of diet but of a general lack of physical activity. As we all know, this has significant health implications. People carrying too much weight are far more likely to develop cardiovascular diseases, diabetes and cancers. It is estimated that direct medical costs attributed to obesity in our country are almost $2 billion a year at $1.8 billion.

● (1245)

It is an extremely serious problem and it is important among our young children. The *International Journal of Obesity* indicates that about 30% of Canadian children fall into that category. That is a rate that is significantly higher than for children the same age in countries like England, Scotland and Spain. Again, the culprits appear to be diet and a lack of exercise and physical activity.

Too often parents, working long hours to make ends meet, have less time for their children than perhaps my parents did or those of my generation. Families today seem to be so harried that they often do not have the time or the energy left to cook meals in the evening and they end up taking the children to a drive-through. Children are more often kept in doors these days because parents consider the streets to be unsafe.

We have far too often become a nation of compulsive television watchers, couch potatoes and computer junkies which has had a negative impact on our health and on the costs and stresses of our health care system. This is something that the royal commission on health looked at very actively in the spring and will continue to do so into the fall.

We support any attempt to encourage and enable people, young and old, in the country to become more active. I acknowledge that the bill moves us in that direction and that is one of the main reasons we support it.

The bill is intended to bring people, organizations and governments together to encourage, promote and develop physical activity and sport. The minister has told us that the bill would position physical activity as a critical determinant of health, and our caucus fully supports the goal. We hope the legislation meets the minister's description of it.

The preamble indicates that sport and physical activity should be forces that bind Canadians together enhancing, among other things, the bilingual reality of Canada. We were pleased to see there were amendments to that effect in the bill as it now stands. We want to do whatever we can to ensure that there is more significance given to language so that it is not just the French Canadian athletes who are forced to learn English in order to participate on a team or in the sporting event at hand.

I want to make a few comments on the sport dispute resolution centre. The athletes have asked for this. There are an increasing number of disputes to be arbitrated. Current mechanisms are limited. As we look at the legislation the centre appears to be at arm's length, meaning that arbitrators and mediators are not employees of the government. The dispute resolution centre would be a not for profit centre. Sports organizations have asked for the centre and I am pleased that the bill does create such an organization. The board of directors would appoint its own executive director. I believe this was also a change that was made as the bill went through the committee process.

While I support the bill, its actions, not its words, will be more important. We recall, and others have alluded to it before, ParticipAction was created in 1971 to promote physical fitness in Canada. It did a fine job over the years of encouraging ordinary Canadians to become more fit. The federal government put up most of the money at first but, as in so many other areas of our lives, it seems to have backed away more recently.

● (1250)

There was federal support of more than $1 million a year in the 1970s, but by the year 2000, when it effectively ceased to exist, ParticipAction was receiving less than $385,000.

In conclusion, we can stand and debate legislation and we can pass legislation, but without the commitment from the government and the resources to support that commitment, we will not succeed in making Canadians fitter and more healthy or have more of them stand on international podiums. I hope that once we pass the bill the government will show its commitment to follow up with real, significant action.

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, it is very good to see you in the Chair. I know what a good sport you are and how often you have been a strong advocate for your teams in Brandon, the Wheat Kings and your national basketball championship team the Bobcats.

I am pleased to have an opportunity to speak at third reading to this important piece of legislation. Given the heady times and the time constraints that parliament is under, it is encouraging to see a piece of legislation that is so positive and so unanimously endorsed by all parties in a non-partisan way. This is exactly the type of legislation that should give Canadians food for thought and certainly cause them to pause and ponder the very nature of what can happen when this co-operative spirit exists.

The enactment of this legislation will replace the Fitness and Amateur Sport Act, which was enacted in 1961, with modernized legislation that is better adapted to the contemporary realities. That is a very good phrase that encapsulates much of what this bill would do. It would modernize Canada's approach to sport and fitness at a time when the world is moving very quickly and at a time when sports, like business and politics, have become more sophisticated, more complex and more involved. Issues such as those pertaining to doping, equipment, sponsorships and the money that is often involved in the promotion of sport affect many people across the spectrum. All these are encapsulated and touched upon by the provisions of this bill.

The enactment of this legislation also establishes an important element and response to dispute and some of the controversy that sometimes is inevitable in sporting activities. As a former referee, Mr. Speaker, you would be familiar with the occasional dispute that might break out during competition.

The resolution centre will be an independent organization. Its mission is to provide the sports community with a national alternative dispute service for sports disputes. I will speak a bit more about that in my remarks. In particular, it is aimed at offering some independence and greater credibility in getting to the very root of the dispute itself. With infractions, impartiality and all these charges, there has to be a very clear and transparent system that allows all the parties that might be involved, and sometimes it is more than one or two, to have faith and trust in the governing body that will ultimately decide the outcome.

There is also an important element of timeliness when there is international competition. A perfect example that comes to mind was the Moscow Olympics wherein many Canadian and North American athletes were denied that once in a lifetime opportunity to compete internationally.

There are other occasions when people find themselves off a national team or suspended from participating in an event. That might have been their one opportunity in their entire lifetimes to participate at a level and to achieve their highest goal. Therefore, these dispute resolution mechanisms and this centre are critical to the very essence of what this bill seeks to accomplish.

Just looking at some of the overall effort and direction of the bill, the objectives are clearly to promote physical activity as a fundamental element of health and well-being. What more noble purpose than that? Other speakers have mentioned the health implications.

The very essence of cultural diversity is found in the legislation. Specific effort has been made to achieve linguistic duality to promote activity and participation in both official languages and of course the very intrinsic elements of healthy, extended and joyful living on the part of Canadians. Statistics from Health Canada and Statistics Canada clearly indicate that Canada has some distance to go to improve its record and some of the ailments, including obesity, which I think can be deemed fairly a detriment to the health of Canadians

The bill is all about encouraging greater participation, simplicity of participation and doing away with some of the hurdles that might prevent those who given ideal circumstances would come forward.

● (1255)

As a very positive comment, the bill is meant to encourage Canadians themselves to take ownership over their own health issues, to integrate physical activity into their daily lives and to assist in reducing those barriers faced by Canadians that might prevent them from living more active lifestyles.

It is fair to say that huge practical benefits and savings are associated with what the bill specifically is targeting. It is meant to increase participation in the practice of sport and to support the pursuit of excellence at the same time. Clearly there are those who choose to make sport their life's pursuit and greater support, both through resources and encouragement, is essential. However there are also the other very pedestrian benefits of encouraging greater participation in daily activities, as simple as going for a walk, or attending a child's sporting match or activity or making a choice between doing an activity indoors or outdoors. This is all about building and enhancing the very foundation of the Canadian sports system.

As I mentioned earlier, Statistics Canada has shown that increasing numbers of individuals are not participating in traditional sports, which is another acknowledgment that deserves mention. A whole new infrastructure will develop around climbing, kayaking and outdoor winter sports such as snowboarding, which has taken off exponentially in recent years, but there is cost associated with them. Again one of the underlying factors as to the true success and measure of the legislation will be whether that infrastructure develops. I believe the legislation is at least encouraging that.

The elements that I wanted to touch upon personally also deal with the social benefits in particular for young people, where they are encouraged to participate in active sports whether they be the traditional or mainstream sports or more individual type sports, where they make choices in life, their intrinsic values, and where they gain the knowledge and education from those choices.

One gentleman in my riding made a very telling comment to me one time about his son's participation in minor hockey. He described how his son was with a crowd of other youth who were engaging in the use of alcohol and drugs. They were hanging out on street corners. They were headed down a road to trouble. He sat his son down and encouraged him to spend more time on his sports and school. He said to me "I could tell the direction my young fellow was headed. It was either going to be courts or sports". For many young people in Canada, not just young men, this is a choice. If they put their efforts into a sporting activity, it detracts from the pull and the potential to get into trouble with the law, with drugs and alcohol and other questionable activities.

The choices that young people have to make cannot be overstated. The availability of sports programs in communities encourages them to make the right choice. I know the RCMP in particular has been very active in pursuing sports related programs. There is a terrific program in my community in Nova Scotia that deals with literacy in sports and makes that linkage between the choices that young people make to avoid trouble with the law and the choices that will help them later in life. It also teaches them very fundamental lessons about competition and fair play and about winning and losing and how to cope with both.

These again are very fundamental principles that weave their way through this entire bill.

An hon. member: And make it affordable.

Mr. Peter MacKay: The affordability is of course very important, as my colleague from St. John's points out, as well as ensuring, particularly in rural parts of the country, that there is not a disparity as to availability of sports programs. We know that in cities and towns the costs associated with ballparks, diamonds and equipment is ever increasing, particularly as it relates to our national sport of hockey.

● (1300)

The minister, with the approval of the governor in council, may enter into agreements with provinces and territories to provide for the payment of contributions in respect of costs incurred in undertaking programs designed to encourage and promote the development of physical activity or sport. A process would be set up so that we would not over-developing or over-concentrating in some areas of the country at the expense of others.

With the approval of the governor in council, the minister may enter into an agreement or an arrangement with the government of any foreign state to encourage, promote or develop sport. Clear lines are delineated as to the direction the minister might take.

This bill would establish the sports dispute resolution centre of Canada, a not for profit corporation. It would not be an agent of Her Majesty, or a departmental corporation or a crown corporation within the meaning of the Financial Administration Act. It would be a unique body. Some of the amendments which were made yesterday reflected the necessity for independence and for the board of directors to have a larger degree of autonomy and self-control over the centre itself.

This is important and is very much in keeping with the spirit of the bill because it would allow the board of directors to develop a rapport, team work and a sense of belonging in the effort to promote sport in the country and to deal with problems when they arise. There will no doubt be occasions where the dispute resolution mechanism will be called into play on very important issues that could have a significant impact on the direction of a national team, or a national athlete or simply to bring about a resolution of a dispute that is getting in the way of greater participation.

The mission and powers of the centre are about providing the sports community with this national alternative of a dispute resolution service. It is clear to me that this will be a more timely resolution and better than going through a traditional court hearing or going through a alternative mechanism that might involve lengthy submissions and mediation that in many instances could result in a greater injustice because of the delay involved. The expertise and assistance regarding this dispute resolution will no doubt be an important part in its formation. As in most teams, businesses and parties, it is very much about personal commitment and quality of personnel that will determine its success.

With respect to the overall thrust of the bill, the Progressive Conservative Party wholeheartedly supports physical participation in sport. We support legislation that will aid in the pursuit of a healthier live style for Canadians of all ages. It is clear from the language in the bill that it is aimed at encouraging Canadians of all ages, of both sexes and of all cultural origins to feel a part of the sporting community. Clearly the bill encourages that participation.

I talked earlier of the lessons learned. It seems to me that in a team atmosphere with individuals from all sorts of cultural backgrounds and countries of origin working together at a common goal can foster the essential human spirit of betterment that we all seek. Turning our efforts toward the greater purpose is a very healthy reminder.

I have always found that sport is a perfect vehicle to do that. It is a perfect scenario through which young people can learn the very basic values that will help them throughout their life, such as tolerance, inclusion, co-operation and understanding. Young people will also learn how to deal with disappointment and with success and modesty. Parents want to instill in their children all of these lessons in life and they can be fostered in a sporting atmosphere. Let us not forget competition, for competition is one way to bring out our best.

● (1305)

We should turn our efforts toward the sport infrastructure itself as a part of the bill. That brings it back to the resources. It brings it back to the actual dollars that are needed to ensure that the infrastructure is there, such as the ballparks and the hockey arenas. We have to give young people in particular the ability to participate and to have the basic necessary equipment.

I know that in Sherbrooke there was a wonderful venture undertaken by that community to build what they call the Rec-Plex, an outdoor sporting ice surface. The NHL Players' Association was instrumental in ensuring that the project was completed. Al MacInnis, a resident of Port Hood and current NHL hockey superstar, contributed greatly—

An hon. member: Hardest shot guy.

Mr. Peter MacKay: With the hardest shot in the league, as I am reminded.

He contributed greatly to his community of Port Hood to build a new rink. There certainly is support out there in the general sporting community. Many athletes, reflecting on their lives and their joys in life, want to give something back to the sport.

There is this natural human cycle of those who benefit from sport wanting to give back to the sport. We see it daily played out in fields and parks across the country where coaches who love their sport want to give something back to the game.

An hon. member: Like politics.

Mr. Peter MacKay: It can be like politics.

Families should also be a big part of the equation in encouraging their children to participate in physical activity.

I was very taken with quite recent suggestions about tax incentives. I know that is not part of this legislation, but giving Canadians an opportunity to in essence defer the cost of enrolment in a minor hockey program, for example, or to write off some of the expenses associated with figure skating lessons or the cost of equipment in some instances, to have that perhaps included on the income tax form, would again put a built in incentive in place for encouraging a healthy lifestyle, which is very much the spirit of this legislation. It would provide immediate and long term health benefits, and in the short term it is fair to say that physically active lifestyles do help children develop some of the very essential tools they will need as they proceed through life.

The mention of childhood obesity was part of the discussion here today. The figures are somewhat disturbing when one looks at 30% of Canadian children being categorized as overweight and 13% of Canadians overall, a total of three million, who lack the physical activity to be considered in that range of healthy living. That, to me, sets the goal. It indicates that there is more work to be done. This legislation will hopefully put Canada on the right track and put us in the direction we should be headed. A healthy lifestyle in the long run will save the Canadian health care system millions and millions in terms of financial costs alone. Jobs, equipment manufacturing and community pride are other intangible benefits when we look at the long term.

It is a tremendously positive initiative, one that I, on behalf of the Progressive Conservative Party, am proud to have played a small part in. I think that on so many levels this legislation builds on a spirit of co-operation. The teamwork displayed at the committee level is consistent with the aims and goals of the bill, which reflects linguistic duality, is inclusive in all terms for all Canadians and should hopefully increase participation in activity throughout Canada. I would end on a note of congratulating the minister for his stewardship in bringing the bill before us today.

● (1310)

The Deputy Speaker: The member for Halifax West, no, excuse me, St. John's West.

Mr. Loyola Hearn (St. John's West, PC): Mr. Speaker, both are good hockey towns, with Halifax having one of the best attendance records for junior hockey in the country. With our own Maple Leafs, St. John's has always been a very good hockey town.

However, my question for my colleague relates to comments he made as he was closing his remarks. It has always been my firm belief that we have two choices in relation to social investment in the country. We can invest in our youth in sports and education, which will give us a fit, educated, contributing society, or we can neglect to do so, which we have done for several years, and have to pay on the far end with horrendous health and social costs. I would like the member to comment on that to see if he agrees with my statement.

Mr. Peter MacKay: Mr. Speaker, there is no question that the hon. member makes a very important and succinct point. The investment early on in a child's life, just as the investment in a business or in any sort of health care scenario, will pay huge benefits later on, whereas the neglect can play out over many years.

The particular point I believe he is driving at is the need for that upfront investment. Surely we have seen over the past number of years the costs associated with starving the provinces, for example, in terms of transfers and the investment in social health care. That has come to fruition now in the country and is causing angst everywhere one goes. If we visit hospitals or clinics we see that health care has been neglected and now we are paying a cost for it.

What the legislation hopefully will do is ensure that there is going to be a focused attempt to get the resources into the sporting community and, indirectly, I would suggest, into the health care system by prevention through greater participation. He is right. It is about the short term pain, one might say, because of the investment and taking from other areas to that ensure we have the money in this particular area versus the costs that we will pay later on.

I believe that perhaps nothing helps more to make a country feel not only healthy but unified, proud and patriotic than having a very active lifestyle, successful teams and certainly a community that feels good about itself in terms of its own health and social well-being.

● (1315)

Mr. Dennis Mills (Toronto—Danforth, Lib.): Mr. Speaker, this bill we will pass today is really a testimony to the political leadership and political character on the Hill. I think that the House, the voters and the people of Canada should know that the genesis of this exercise in taking the amateur sport file out of mothballs and creating a forum for discussion and debate started four and a half years ago, Mr. Speaker, when you were the government whip. You approached me and a number of others and said "let's do something with this file". I think that the country owes you a lot for initiating that political leadership on this file.

I would also like to acknowledge the former vice-chair of our committee, the former minister of sport for Canada, whose passion, energy and persistence going across the country and re-igniting energy into this file will always be remembered, followed by our new secretary of state from Penetang, Ontario, who comes from a sport community that is broadly known across the country, and of course all the members from all parties. We all came together on this file. We stand here today after 40 years with a new piece of sport legislation.

I want to come at it from a different point of view today. We all support the legislation. There is no debate about that today. We have all listened over the last three years to the challenges that exist in this country around sport. When I think back to some of the witnesses who came in front of our committee, men and women who have devoted their lives to sport, I experienced men and women who did not treat this like a job. For them it was like a vocation.

One of our members said earlier that there are 1,800,000 volunteers in Canada who give their time and their energy toward amateur sport. The fact is that there are almost 1,000 high schools in Canada today where the principals have a difficult time finding teachers who want to coach the school rep team. In our day in high school, the teachers were begging to coach either the school football team or the school volleyball team or whatever it was.

How did it happen that this sport file, which is so important to the value system of our country, and after the great work of Iona Campagnolo, first minister of sport, drifted not just to the back burner but went right off the radar screen?

I would like to say to the House today that all of us were asleep at the switch when it came to sport. From 1990 up until a year ago, every year the fiscal knife just cut and cut at the amateur sport fabric, at the physical activity budgets of the Government of Canada.

● (1320)

For a number of years until a year and a half ago some of our best high performance athletes lived in virtual poverty while they were on the world stage performing for our country. Let us imagine that. Olympic medal winners were trying to live on $700 to $800 a month while representing our country on the world stage. Where were we? We were asleep at the switch when it came to this file.

When we started this journey four and a half years ago some of my friends asked why I was wasting my time on the amateur sport file. They asked if tax reform and the environment were not more important. I was absolutely shocked at the number of educated people in our country, even in and around Ottawa, with no connection to or understanding of the value of sport economically, socially and in terms of its linkage to health care.

After today the biggest challenge will be in front of us. Passing the bill is great. We are all together on the issue. However the bill will not be worth a damn unless the resources are there to make sure its full meaning is exercised. I will talk about this in the context of political leadership. Recommendation 17 of our sport report said:

> The Finance Department will create a non-refundable child sport tax credit to encourage parents to register their children in local sport and recreation programs and help alleviate the cost of sport equipment.

The yearly cost would be $64.3 million, or $321 million over five years. I pleaded with the finance department to think of the million children in the country living below the poverty line whose mothers and fathers cannot afford to give them a sport experience.

One of our members talked earlier about how proud we all felt when our Olympians came into the House at the end of February or the first part of March. We were all cheering and shaking their hands. It was the longest ovation I have heard in the Chamber, and so it should be. However we are supposed to be in the Chamber to speak for those in need who do not have a voice.

● (1325)

There are a million kids in Canada today, on our watch, who cannot afford to buy the shoes to play soccer. They cannot afford a hockey stick let alone a full set of equipment. If the bill is to take full force the million children who live below the poverty line should be brought into the mainstream to get the opportunities other kids enjoy.

In response to the hon. member from the Bloc Quebecois, yes, we costed it. Over five years it would be $300 million. That is not an expense. The best surgeons in the department of health came before us and said only 28% of the nation exercises for 30 minutes a day. They said if we could increase that to 38% we would save $5 billion in the health care treasury. Why would we not spend $60 million to $100 million a year or more to save multi-billions in our health care system? If we would not do this, what are we doing here? This is where I challenge the political leadership in the House.

One of the special features of the bill is that it would make physical activity part of the mandate of the minister responsible for sport. I hope the Privy Council Office is listening. Anyone with half a brain should realize that the piece of government machinery that looks after physical activity should be under the direction of the minister responsible for sport. Let us imagine a minister who must go to three different places to run his or her department. As members have mentioned today, another recommendation of our report was that all sport responsibilities be combined.

We have moved the file a long way in the last four and a half years. However the real test of our political will is about to begin. We have listened intently to men and women who have made sport their vocation in life. We have accepted virtually all their recommendations. It has been a unanimous experience. All of us in parliament have come together. We are now at the phase where we must perform and execute. As I said before, a minister can only execute if he has the financial resources to do the job.

There is another facet of sport. Many members today have talked about the job creation numbers involved in sport, whether from sport manufacturing, sport tourism, sport media or the whole industry of professional sport. While we know all about this we do not appreciate the way sport pulls us together as a country. Sport promotes national unity.

● (1330)

During the Salt Lake City games the Olympians had a tremendous galvanizing effect in pulling us together from every region of the country. Such an experience does not have to be at the Olympic level. My first experience at a national event, and the Speaker has had a similar experience, was where we watched our sons participate in a Quebec peewee tournament. Kids were living and playing with each other from every part of the country and the world. Sport pulls people together and melts away divisions. To allow the Department of Finance to take the fiscal knife to the sport file is to be asleep at the switch.

As we head into the fall season and prepare for a new budget the fiscal trajectory of the country has never been better. It is the duty of all of us in the House of Commons to make our voices heard. We must make it known that we want to rebuild and re-establish every facet of the sport file including physical activity, support for our high performance athletes, sport infrastructure, and making sure the volunteer system in our country is properly acknowledged and rewarded.

What if we had to pay for all the hours of the 1,800,000 volunteers a year who give of their time? Who could afford it? We are lucky to have that kind of commitment in a country like ours. When we prepare for the budget we should keep in mind one of our special recommendations, number 18, which would give a $1,000 sport credit to every volunteer in the country who puts in a certain number of hours certified by the local organization. Not only is that a way to acknowledge their work. It is a way to maintain and reinvigorate a volunteer community which has been threatened in the last few years, as we know.

I am happy we have come to the end of phase one of the first sport bill in 40 years. It is well drafted. The minister and his officials must be saluted. However I would issue a challenge to every member in the House: Let us never again allow the fiscal knife to be so ruthless on the sport file. Let us start campaigning vigorously that in the new budget sport will again become a special feature of our country.

● (1335)

Mr. Loyola Hearn (St. John's West, PC): Mr. Speaker, I congratulate the hon. member who spoke and I congratulate you, because the two of you were instrumental in bringing the legislation to the House.

We now have legislation which will receive quick passage because it is a good piece of legislation. Does the hon. member hope, as we do, that it will not simply lie there? Government members could say okay, we have brought in legislation, now we are a great government. Opposition members could say we supported it so we are a great opposition. We cannot let that happen. Once the legislation is in place those of us interested in sport and youth must put pressure on the government to make sure its provisions are enacted so the youth of the country can start benefiting from investment and leadership in sport.

Mr. Dennis Mills: Mr. Speaker, I thank the hon. member for St. John's West for his question. I have special admiration for the member for St. John's West because he served the committee well and made a tremendous contribution to moving forward this important national exercise on sport.

The member hit the nail on the head. I will be straight up front with everyone in the Chamber today. I said earlier that this is about political leadership. The political leadership in the House comes from many different places. There are ministers responsible for certain facets of this file. The opposition has political leadership on this file.

Between now and February 2003 our particular party will be going through a total policy renewal. I intend to never let a day pass where I test all the leadership in the party as to where it stands on the whole file of amateur sport because I do not think anyone can be a leader in this country unless that individual is passionately committed to this file.

Mr. Chuck Strahl (Fraser Valley, Canadian Alliance): Mr. Speaker, it is interesting to hear the member talk about the renewal going on in the Liberal Party. I was wondering if perhaps that might include leadership renewal. I am not sure about that.

We have a new finance minister, but in times past he dealt with the previous finance minister. He knows him fairly well and perhaps supports him in certain ways. Does he have the support of those finance ministers? He has been vocal about it, straight up and straightforward. Does he think past and current finance ministers are on his wavelength or is it a battle that must be won within the caucus?

Mr. Dennis Mills: Mr. Speaker, this is where it gets interesting. As a government we have been obsessed with the fiscal framework over the last few years. It is no secret to anyone in the House that it has been too far obsessed for my liking but we have a moment now where there is no excuse for us to deal with this file in a financial way.

The previous minister of finance obviously did not share my view or my passion on this file. That is too bad but that is the way it goes around here sometimes. The current Minister of Finance has a few months left. There will be a number of us on this side and that side who will be watching him closely on this file. Members should make no mistake. Any person who purports to be a political leader in the House who ignores the amateur sport file will not have a long run.

● (1340)

Mr. Chuck Strahl: Mr. Speaker, just for clarification he said the finance minister only has a few months left. Could he explain what he means by that?

Mr. Dennis Mills: Mr. Speaker, I was not referring to a cabinet shuffle. I was referring to the fact that we only have a few months left before the budget is locked in place.

I am counting on the Canadian Alliance because it has been part of the problem on amateur sport over the last seven years because it has been driving this fiscal knife so deep at times that it does not even know some of the files that it has affected. I am counting on him to be vocal in question period and other places to ensure that amateur sport is re-established as a priority.

Mr. Chuck Strahl: Mr. Speaker, I thank the member for that clarification. No one doubts his passion for this subject. He has been on record through thick and thin.

However he should not mistake the demand made by the Canadian Alliance for fiscal accountability as a lack of support for amateur sport and physical fitness. It is like many other things in this place. It is only when we have our financial house in order that these things become possible at a government level. In fact, government's ever growing voracious appetite for tax dollars should be restricted to leave more money in the hands of the parents who are trying to raise kids and buy the gloves for them to play ball with and so on. A lot of that becomes possible only when governments restrict their demand for tax dollars.

It is not a matter of saying that we will develop a program that buys shin pads for every kid in Canada. It will often come down to a case of saying that we will balance the budget in this place, but we will allow parents and families, the primary caregivers and local communities, to have the funds required to make this possible. If there are infrastructures, programs and a co-ordination that the minister can bring to this effort that will be appreciated and that leadership must come from this House and others.

However, the member should not mistake fiscal responsibility for not caring about sports. Like anything else, if we cannot pay the piper we will not have much of a tune.

Mr. Dennis Mills: I have a short response, Mr. Speaker. This sort of hazy kind of answer from the Canadian Alliance is not good political leadership. If we put $100 million into physical activity to save $5 billion in the health care system, that to me is good economic policy.

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

Some hon. members: Question.

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

Some hon. members: Agreed.

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

* * *

● (1345)

SPECIFIC CLAIMS RESOLUTION ACT

Hon. Robert Nault (Minister of Indian Affairs and Northern Development, Lib.): moved that Bill C-60, an act to establish the Canadian Centre for the Independent Resolution of First Nations Specific Claims to provide for the filing, negotiation and resolution of specific claims and to make related amendments to other acts, be read the second time and referred to a committee.

He said: Mr. Speaker, I am pleased to rise in the House to speak about a bill respecting the specific claims resolution act. Its purpose is to establish an independent claims resolution centre to improve our ability to resolve specific claims of first nations.

We are proposing a centre with two components: a commission to facilitate negotiations on specific claims by first nations, and a tribunal to resolve disputes involving those claims. This is a key step among the legislative initiatives we are taking to clear the way for first nations to play a more comprehensive part in the life of this country.

The principle of the new system is simple. Both the Government of Canada and first nations would rather negotiate than litigate. By having in place this independent claims resolution centre we would speed up settlements and reduce the cost of reaching agreements. We would be able to resolve quickly a number of historic grievances, and by settling these claims, first nations and neighbouring communities could proceed with confidence in a climate of stability.

Our government is fulfilling a pledge. As members will recall, in the Liberal Party of Canada's original red book and in the subsequent 1997 Liberal plan "Securing our Future", we recognized that delays in resolving land claims were a fundamental barrier to allowing many aboriginal people and their communities to achieve their full potential.

We pledge to have in place a claims body to render binding decisions on the acceptance or rejection of land claims for negotiation and to consult with aboriginal organizations on whether the body should facilitate, arbitrate or mediate disputes that may arise between Canada and the first nations in the negotiation process. The specific claims resolution act would legislate a system to accomplish those precise red book goals.

With this proposed act we would help to fulfill the vision of Canada's aboriginal action plan that we put in place in response to the report of the Royal Commission on Aboriginal Peoples. That vision would see increasing quality of life for aboriginal people and the promotion of self-sufficiency through partnership, revenue generation, responsiveness to communities and values, and a place for aboriginal people and other Canadians. By resolving claims through this new system we would realize this vision and pave the way for greater economic development of first nation communities.

The benefits for aboriginal and non-aboriginal communities alike should be obvious to all members of the House. Experience shows that partnerships between first nations, the private sector, corporations, governments and communities benefit the economic health and prosperity of the entire country.

In the last 10 years the number of aboriginal business start-ups has exceeded those of the rest of the Canadian population by 105%, however these businesses require access to investment and loan capital if they are to grow and prosper.

With the removal of roadblocks to land claims resolutions, the climate for investment can only improve with expanded partnerships and joint ventures with non-aboriginal businesses in the private sector. The results are new markets across our nation and globally with consequent expanded employment opportunities across the board.

Resources now used in settling claims in the current adversarial system can be saved and better applied to this economic development for the good of all. This is truly win-win for aboriginal and non-aboriginal sectors working together, and it benefits all Canadians. In many ways, Canada's specific claims policy, which our new independent claims body would improve, has had a significant measure of success.

● (1350)

Since it was adopted in 1973 first nations in Canada have ratified 232 agreements in every region of the country worth $1.2 billion in total. These agreements will add over 16,000 square kilometres to the reserve land base of first nations. Recently more than double that number of claims has been added to the inventory of unsettled claims and the backlog is growing.

The current system in place cannot move with the speed and independence that both my government and first nations need to see. We must do better. We must settle the backlog of outstanding claims and have in place a new system that will support the resolution of new claims. We must establish a process that is more independent, impartial and transparent. This is about fairness.

First nations believe the existing process lacks fairness and transparency in the areas of research and assessment, that it does not provide a level playing field for negotiations and that it lacks independence, impartiality and accountability. Their lack of confidence in the fairness of the process means first nations are reluctant to accept negative decisions about the validity of claims. Costly court actions causing further delays are the result of that. Every dollar wasted in court is a dollar less for investment in economic development, governance and bread and butter issues. In this atmosphere enhanced partnerships and economic development can hardly be expected to flourish. That is the reason we are speaking here today and moving on this initiative.

Under the proposed act, the commission and tribunal would be established as neutral arm's length claim facilitation and adjudication bodies in law. Transparency would be enhanced. Funding of first nations to participate in the specific claims process would be managed by the commission, eliminating the current perception of conflict of interest.

The existing process would be simplified. An effective alternative to litigating specific claims in the courts would be provided through negotiated settlements through the commission and authority of the tribunal to render binding decisions as a last resort.

Hand in hand with fairness goes accountability. We as a government are accountable to first nations and other Canadians to ensure we have in place a land claims settlement system that is fair, transparent and efficient. The specific claims resolution act contains extensive accountability provisions to help achieve those ends. These include annual audits by the auditor general; annual reports tabled in parliament and made available to first nations and the public for scrutiny; quarterly reports on compensation; and a requirement for a full review between three and five years of its coming into effect.

We have built this legislation through partnership with first nations. In 1996 the federal government and the Assembly of First Nations established the Joint First Nations-Canada Task Force on specific claims. This event marked the beginning of consultations on the creation of an independent claims body. In 1998 the joint task force called for a two stage body consisting of a facilitative commission and an adjudicative tribunal in its set of recommendations.

One key feature of this proposal that has been particularly well received is the emphasis on dispute resolution processes to make negotiations work better.

Under the act the new commission's fundamental role would be to facilitate the resolution of negotiated settlements with authority to apply a full range of alternate dispute resolution processes: facilitation, mediation and non-binding arbitration. Even binding arbitration will be available with the consent of the parties. All claims regardless of size, complexity or value would have access to these processes through the commission.

● (1355)

On June 21 we will mark National Aboriginal Day, an occasion for all Canadians to celebrate the rich contribution aboriginal people have made to Canada. There will be colourful events across our country when young and old alike from all communities and the Canadian family join together for these celebrations. We need to celebrate the participation of first nations in our lives for more than just one day. In order for that to occur we need this act to resolve land claims quickly, fairly and efficiently to resolve historic grievances, to remove economic development roadblocks and to promote self-sufficiency of aboriginal people and a new climate of partnership.

At the current rate we are resolving claims, if we were to leave the system in place, we would be leaving it to our children to deal with the grievances of the past. With this new body and the role it would play, it is hoped that we would resolve grievances of the past quickly and move on with building a future.

I hope that all members would agree with me that this is the right step to take. I look forward to their support in this new act that I am presenting today to the House.

Mr. Chuck Strahl: Mr. Speaker, I rise on a point of order. I wonder if the House would agree to have a 10 minute question and answer period with the minister to talk about the bill and to further flesh out his thoughts on it?

The Deputy Speaker: Does the hon. member for Fraser Valley have the consent of the House?

Some hon. members: Agreed.

Some hon. members: No.

S. O. 31

STATEMENTS BY MEMBERS

[*English*]

ARTS AND CULTURE

Hon. Andy Scott (Fredericton, Lib.): Mr. Speaker, it is my pleasure to inform the House that Fredericton's own Measha Brueggergosman recently took home the top award at the Jeunesses Musicales Montreal International Competition.

The prestigious music contest drew 250 singers from around the world, including artists from Russia, South Korea, Turkey, the United States and Canada. Measha exceeded even the expectations of her proud family when in addition to the top award she was also honoured with the best Canadian performance, the best interpretation of new music and the audience award. The 24 year old soprano and rising star in the opera world is indeed a source of great pride to her family, to her community and to her country.

I would like to take this opportunity to congratulate Fredericton's Measha Brueggergosman on her overwhelming success. I say bravo to Measha.

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GOVERNMENT OF CANADA

Mr. Philip Mayfield (Cariboo—Chilcotin, Canadian Alliance): Mr. Speaker, the Liberal government cannot be trusted. Its incompetence and corruption is causing collateral damage. The publisher of the Ottawa *Citizen* is only the most recent casualty.

It may be too risky for the CanWest empire's Southam newspapers to run articles critical of the Prime Minister because the empire's television licences might be threatened. Suspension of freedom of the press in Canada has turned into journalistic persecution.

The Liberal government is feared in many circles because it is known to be reckless enough to waste millions if not billions of taxpayer dollars on lost reports, use untraceable verbal contracts, cause auditors to find empty files and use Liberal Party contributions as tickets to untendered government contracts.

The iron fist of the Prime Minister, desperate to keep his job, could come down on anyone, any time, anyplace, in his attempts to fend off corruption charges. How else can we explain a Canadian university honouring the Ottawa *Citizen* publisher one day for his contribution to journalism and the next day seeing him fired for criticizing the shah of Shawinigan.

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SOCIAL PROGRAMS

Ms. Anita Neville (Winnipeg South Centre, Lib.): Mr. Speaker, recently Yvette Spence and Peggy Pendergast, two retired Manitoba school teachers, came to me on a matter on behalf of their colleagues. They brought to my attention an issue that needs redressing. Many retired teachers in the province of Manitoba have not been permitted to buy back their maternity leave.

This benefit has been given to active teachers but retired teachers have not been accorded the same rights. This has resulted in them losing out on many potential years of pensionable service. For many Manitoban teachers it is of considerable value to buy back this benefit from the teacher's retirement allowance fund.

Changes needed to be made. I am pleased the federal government has made them and taken the lead in this matter. However the government of Manitoba has not been so quick to respond. Retired teachers who took maternity leave are still not able to buy back these years of service because of the inaction on the part of the provincial government.

It is time for fairness. It is important to urge the province of Manitoba to change this discriminatory practice and permit these women, retired teachers, the fairness and benefit that they and their families deserve.

* * *

● (1400)

[*Translation*]

FOREIGN AFFAIRS

Mr. Jean-Guy Carignan (Québec East, Ind.): Mr. Speaker, on June 12, 1942, in London, the Soviet Union's ambassador to the U. K. and Canada's high commissioner to Great Britain ratified the agreement confirming the official establishment of diplomatic relations between the U.S.S.R. and Canada.

Sixty years after its ratification, this agreement still stands as the most tangible manifestation of the special ties forever linking these two countries.

[*English*]

For 60 years the relations between Canada and Russia reflected the general evolution of global diplomatic relations: sometimes warm and friendly, sometimes strained. Therefore, we can define the principal stages of these relations as a close alliance during the second world war, carefulness during the cold war, and the optimism of the present.

[*Translation*]

Today, however, we can say that the ties between the new Russia and Canada are much more stable and regular.

Since 1991, relations have intensified and trust between the two countries is now recognized.

[*English*]

The new impetus of our friendship gave Canada an opportunity to play a prominent part in the acceptance of the Russian federation into the G-8 select club. This was also expressed during President Putin's visit to Canada in December 2000 and the Canadian Prime Minister's—

The Speaker: The hon. member for Hamilton Mountain.

* * *

EMPLOYMENT

Ms. Beth Phinney (Hamilton Mountain, Lib.): Mr. Speaker, I would like to congratulate the federal government on its summer work strategy for students. Human Resources Development Canada and the Department of Canadian Heritage are running a summer work student exchange program. This will allow students in English and French-speaking regions across the country to change places for five weeks. The program matches students with jobs in local communities.

This experience allows them to practice and improve their second official language skills. This gives them the opportunity to live with a host family promoting cross-country and cross-cultural understanding and experiences between our two linguistic groups.

This July 1, five students from Hamilton Mountain will be going to various cities in Quebec to do just this. Their Quebec counterparts will be spending the same time in Hamilton. I hope the students have a fabulous time. I wish to congratulate the federal government on this initiative.

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BYELECTIONS IN QUEBEC

Mr. Jason Kenney (Calgary Southeast, Canadian Alliance): Mr. Speaker, last night the people of Joliette, Berthier and Vimont sent a strong message of change to Quebec City. For years these ridings have been held by the governing Parti Quebecois but yesterday they elected members from Action démocratique.

[*Translation*]

Quebecers have made it clear that they want a smaller government, democratic reform, tax cuts, and a rebalancing of powers between Ottawa and the provinces. These are points that the Canadian Alliance defends strongly.

This is a historic moment, because it is clear that the federalist-separatist dynamic is increasingly not up to the expectations of Quebecers. They want a good government and they want to send a clear message that the fearmongering of the Liberals and the PQ does not work.

I would like to take this opportunity to congratulate Marie Grégoire, Sylvie Lespérance and François Gaudreau on their stunning victory last night.

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[*English*]

GOVERNOR GENERAL

Mr. John Godfrey (Don Valley West, Lib.): Mr. Speaker, I wish to congratulate the Governor General for the outstanding concert she hosted and presented last Sunday on the grounds of Rideau Hall. This was a marvelous celebration of the 50th anniversary of the appointment of the first Canadian born governor general and of the seven subsequent Canadian governors general.

While three-quarters of a million Canadians watched the live show on CBC television and Radio-Canada, 10,000 of us gathered on the soggy lawns of Rideau Hall in Ottawa braving mud and rain to listen to, singalong with and dance to a splendid range of Canadian musical talent: Gordon Lightfoot, Richard Margison, Susan Aglukark, Deborah Cox, Natalie MacMaster, le Quatuor François Bourassa, Measha Brueggergosman, the Barenaked Ladies, and the list and the beat goes on.

Through all the rain and challenges of live production the Governor General herself presided full of grace, enthusiasm and humour.

[*Translation*]

As usual, she was impeccable in both official languages.

[*English*]

I wish to congratulate Her Excellency for a great evening and a job well done.

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● (1405)

[*Translation*]

CANYON SAINTE-ANNE

Mr. Michel Guimond (Beauport—Montmorency—Côte-de-Beaupré—Île-d'Orléans, BQ): Mr. Speaker, the Côte-de-Beaupré has had a reputation as an outstanding tourist destination for a long time, and this excellence was recognized once again. On May 30, the 4th Attractions Canada Award Gala took place in Fort Edmonton, Alberta.

I am particularly proud that a business from my riding was awarded the highest honour, by winning first place in the Natural Outdoor Site under 100 square kilometers category.

I would like to congratulate the entire team from Canyon Sainte-Anne, who distinguished themselves once again as the only private business among a group of government parks. The McNicoll family was rewarded for their drive and perseverance.

Mindful of the importance of tourism as a driver of economic and social development in my riding, I have always actively supported local initiatives to promote the diversity of tourist attractions and also to keep tourists in our area.

Bravo to the team from Canyon Sainte-Anne. Your success is shared by all of our community.

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GOVERNMENT CONTRACTS

Mrs. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): Mr. Speaker, for a while now, our opposition colleagues have been calling out for a public inquiry into the federal sponsorship program.

Yet, I feel compelled to remind all my colleagues that it is thanks to this Liberal government that the administrative and possibly criminal problems were identified and made public.

It was this government that ordered an internal audit of the program; it was this government that asked the auditor general to investigate three suspicious contracts; and it was this government that stopped all payments and further contracts to the companies under criminal investigation.

I sincerely believe that this government's actions and decisions clearly demonstrate its commitment to the principle of accountability to our citizens.

Now we must let the auditor general, the Minister of Public Works and Government Services and the RCMP do their jobs, as they have all undertaken their work diligently and responsibly.

* * *

[*English*]

GOVERNMENT CONTRACTS

Mr. Roy Bailey (Souris—Moose Mountain, Canadian Alliance): Mr. Speaker, I have been around public life for a long time and I have seen a lot. The past few weeks have included: the ad contracts, the sponsorships, the missing reports, the donations to the Liberal Party, the attempts at getting money back, and the RCMP investigations.

Just yesterday we heard the latest case. It is especially troubling because it took place six years ago. The now famous Quebec ad agency Groupaction received $330,000 to publicize the gun registry. The justice department responsible for the registry did not ask for the work and no one can find the money anyway. The government could have done something six years ago to clean this up but did not.

I have been around long enough to know that if we have a problem we deal with it quickly and decisively. That is the best way to go. The government has not yet learned this basic fact of life. It is clear to me now that it never will.

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THE MEDIA

Mr. John Bryden (Ancaster—Dundas—Flamborough—Aldershot, Lib.): Mr. Speaker, the firing of Ottawa *Citizen* publisher, Russell Mills, because he failed to conform to the national editorial policy of the owners of CanWest Global should cause politicians and regulators to have second thoughts about whether media convergence and concentration is in the public interest.

Having authorized an article and an editorial critical of the Prime Minister, Mr. Mills was forced by his corporate bosses to run attack editorials in the Ottawa *Citizen* contradicting the position taken by the paper. Then he was fired.

This whole sorry story shows alarming immaturity on the part of the Aspers, the owners of CanWest, who appear not to have the foggiest notion of the concept of press freedom in a democracy.

* * *

NATIONAL LIBRARY

Mr. Dick Proctor (Palliser, NDP): Mr. Speaker, 50 years ago the National Library of Canada was established by an act of parliament to acquire, preserve and promote the published heritage of all Canadians. Unfortunately, the national library is now in a state of crisis. Its collections are being destroyed, public access curtailed and Canada's written heritage and culture are at risk of being lost forever.

The national library has suffered over 70 incidents recently involving burst pipes, leaky roofs and excessive heat resulting in the destruction and loss of more than 25,000 items. Across Canada librarians, authors, musicians, teachers, parents and children entrust the care of these collections to the national library. This trust must not be betrayed.

Local libraries count on the national library to support our research needs and ensure the safety of our cultural collections. The library serves as a beacon to all Canadians and the government must commit adequate funding immediately for a new National Library of Canada building .

* * *

● (1410)

[*Translation*]

LEUCAN

Ms. Diane St-Jacques (Shefford, Lib.): Mr. Speaker, last Saturday, I took part in a fundraising event for the Fondation Leucan in Granby, in the riding of Shefford.

I agreed to put a price on my head and have my hair shaved off if $50,000 could be raised. You will probably have guessed that we exceeded our goal, making $75,000.

I was touched by people's great generosity. Thanks to their participation, research will increase the chances of a cure, massage therapy will reduce the pain experienced by children, and their life will be improved because they will get to go to a summer camp catering to their special needs.

What I and the 125 other people who had their heads shaved did was to show that we care about these young patients and about all those with cancer. Like them, I lost my hair, but in my case, it was painless.

On my own behalf, on behalf of the foundation, and especially on behalf of the children, I wish to thank all the donors and participants. Together, we helped to make it better.

* * *

YOUNG OFFENDERS ACT

Mr. Pierre Paquette (Joliette, BQ): Mr. Speaker,

> Once upon a time, there was a great and windy nation. One day, the wind began to carry tales that the country was in danger, that young people were violent, and that penalties were not harsh enough. Thinking that this wind would carry votes their way, some people began to blow in the same direction.
>
> Unfortunately, this was a wind of intolerance, and the results of several years of work went down the drain.

This was how the Ressources d'éducation préventive et d'actions réparatrices sociales, an agency in my riding, described the passage of the Young Offenders Act.

And it is why I have been asked to award the federal government a booby prize, which I am presenting to the Prime Minister so that he will not forget the intolerance and the regressive attitude of his government, which ignored the broad opposition of Quebec to this bill.

The situation of these young people in trouble did not require us to create a hurricane, which may well sweep away all the rehabilitative progress made.

* * *

[*English*]

EQUALIZATION PAYMENTS

Mr. Norman Doyle (St. John's East, PC): Mr. Speaker, a better equalization deal continues to be of major importance to provinces that are trying to catch up to the more affluent areas of our country.

Atlantic Canada has great potential for resource development but unfortunately will never realize that potential unless there is a better equalization deal.

Within the next few days the house of assembly in Newfoundland and Labrador will ratify the Voisey's Bay statement of principles. There is even rumour that a Lower Churchill deal is near.

However, in the case of provincial revenues from these projects, the lion's share will be clawed back by Ottawa through reductions in our equalization payments.

If a province like Newfoundland and Labrador is ever to get its financial house in order, it is essential that the federal government reduce or eliminate the equalization clawback.

* * *

THE MIDDLE EAST

Mr. Irwin Cotler (Mount Royal, Lib.): Mr. Speaker, we awakened today to yet another horrific terrorist bombing in Jerusalem. The deliberate slaughter of innocents, where young people on their way to school or people on their way to work are singled out for killing; just as in prior terrorist outrages targeting restaurants, discos and synagogues or targeting Jews who leave their homes to go anywhere or sometimes killed in their own homes.

Indeed, this is not a suicide bombing as much as it is a genocidal bombing where the terrorists, by their own sacred covenant, intend the destruction of Israel and the killing of Jews wherever they may be.

This is murder for the sake of murder, terrorism for the sake of terrorism, motivated by the notion that, as the terrorists themselves have put it, “the weakness of the Jews is that they love life too much”. So that the terrorists celebrate the killing as they glorify the genocidal bombing, an obscene terrorism that deserves the condemnation of all good people who value life, who celebrate humanity and who care about peace in the Middle East.

* * *

GOVERNMENT CONTRACTS

Mrs. Betty Hinton (Kamloops, Thompson and Highland Valleys, Canadian Alliance): Mr. Speaker, I have been a mom for a long time and I, like my colleague from Souris—Moose Mountain, have seen a lot.

When we are raising a family we look for lessons that will help our kids as they go through life. What I have seen in the House of Commons for the last few weeks serves as a life lesson on how not to behave.

The government's behaviour on fundraising, spending on luxury jets, internal squabbles and, most frequently, its seemingly insatiable appetite for fat ad contracts for Liberal friendly companies is shameful.

The latest case involves a 1996 contract with Groupaction. It received $330,000 to publicize the gun registry, a job that nobody asked for and that nobody can find. The government could have done something six years ago but it did not.

I have raised enough kids to know that if we have a problem, dealing with it quickly and decisively is the best way to go. The Liberal government has yet to learn this basic life lesson. It is clear to me it never will.

ORAL QUESTIONS

● (1415)

[*English*]

THE MEDIA

Mr. Stephen Harper (Leader of the Opposition, Canadian Alliance): Mr. Speaker, the government has considerable potential control over the media when it comes to regulations that affect its bottom line or, as we have seen in recent weeks, lucrative advertising contracts.

Yesterday the Deputy Prime Minister dodged questions when asked about the Prime Minister's contact with one of Canada's leading media families.

In recent weeks did the Prime Minister or any member of his staff ever meet with the Asper family and, if so, did they discuss the Ottawa *Citizen's* editorial policy or anything that could have led to the firing of its publisher?

Hon. John Manley (Deputy Prime Minister, Minister of Finance and Minister of Infrastructure, Lib.): Mr. Speaker, the Prime Minister had nothing to do with decisions made by the CanWest Global management with respect to management of the Ottawa *Citizen.*

Mr. Stephen Harper (Leader of the Opposition, Canadian Alliance): Mr. Speaker, the Deputy Prime Minister did not actually answer the question.

However, through the CRTC, the government has considerable leverage over the nation's media companies. The cabinet can have final approval over all CRTC decisions involving millions of dollars. Canadians need to know whether the government has been abusing this leverage.

Has the Prime Minister, any other minister or any members of their staff had meetings or conversations with CanWest Global executives in recent weeks or in the past month?

Hon. John Manley (Deputy Prime Minister, Minister of Finance and Minister of Infrastructure, Lib.): Mr. Speaker, is

there evidence that somehow or other the electronic media has been intimidated by the government? Does the Leader of the Opposition watch the news? If they are intimidated I would hate to see how they would behave if they were not.

Mr. Stephen Harper (Leader of the Opposition, Canadian Alliance): Mr. Speaker, there is evidence. It was the Milewski affair and the government silenced the CBC report. The government has abused its power. It has abused it in advertising and sponsorship contracts. The Prime Minister abused it in the BDC loan affair.

Given the government's track record of abusing power, how can Canadians be sure the government did not use its considerable leverage to pressure CanWest Global into firing the publisher of the *Citizen*?

Hon. John Manley (Deputy Prime Minister, Minister of Finance and Minister of Infrastructure, Lib.): Mr. Speaker, if the hon. member wants to debate media concentration, let us hear his suggestions. Presumably he was content enough when Conrad Black owned Southam and the *National Post*. Apparently now he is less happy.

If he has some suggestions on media concentration, let us hear what they are or perhaps there is something we could debate.

Mr. James Rajotte (Edmonton Southwest, Canadian Alliance): Mr. Speaker, the government did interfere with the CBC's coverage of the APEC inquiry. The Prime Minister and the CBC removed reporter Terry Milewski when it did not like his reporting.

Now we have the case of a publisher, employed by a family that has deep ties to the Liberal Party, being fired after he approved editorials calling for the Prime Minister's resignation.

How can Canadians be sure that the government did not abuse its power and did not intervene to have Russell Mills silenced on this issue?

Hon. John Manley (Deputy Prime Minister, Minister of Finance and Minister of Infrastructure, Lib.): Mr. Speaker, that reminds me of a truism, that just because I am paranoid does not mean that people are not following me.

This is completely cooked up. It is extreme allegations based on fantasy, not reality.

Mr. James Rajotte (Edmonton Southwest, Canadian Alliance): Mr. Speaker, the government still has not answered the question about whether there was a meeting over this issue.

Will the Deputy Prime Minister stand in the House today and state categorically whether there was or was not a meeting with the Aspers regarding the editorial policy of the Ottawa *Citizen* and the silencing of a fine journalist in Canada?

Hon. John Manley (Deputy Prime Minister, Minister of Finance and Minister of Infrastructure, Lib.): Mr. Speaker, I answered the very first question. The Prime Minister had nothing to do with decisions taken by CanWest Global with respect to its hirings, firings or anything else. Nor did he have anything to do with the firings that occurred when Conrad Black took over some of the same newspapers.

* * *

● (1420)

[*Translation*]

GOVERNMENT CONTRACTS

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, Media IDA Vision went beyond its contract. According to the August 2000 report, this subsidiary of Everest perceived itself as the proprietor of the interest and dealt with it as it saw fit. The conclusions are clear, and on September 21, 2000, Pierre Tremblay of public works advised Claude Boulay, President of Everest, among others, accordingly.

Can the minister of public works tell us whether immediate and total reimbursement of the interest pocketed by Media IDA Vision was required of Claude Boulay as far back as that meeting of September 21? And if so, what amount was involved?

[*English*]

Hon. Ralph Goodale (Minister of Public Works and Government Services, Minister responsible for the Canadian Wheat Board and Federal Interlocutor for Métis and Non-Status Indians, Lib.): Mr. Speaker, there have been no such discussions to my knowledge.

On the question of the amount, I have asked my officials to do a calculation of the amount that could have been paid during that particular period. It appears to be a few thousand dollars. The calculation is not yet complete but I would be happy to report to the leader of the Bloc when I do have that arithmetic.

[*Translation*]

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, the minister tells us that, to his knowledge, such discussions have not taken place and such demands have not been made.

Is he not somewhat curious about the fact that this group was earning interest on money belonging to the government, that senior officials met with these groups, examined the report, discussed it with Privy Council, discussed it with the Prime Minister, yet none of these people thought of asking their cronies to pay back that interest? That is what the minister has told me: no one thought of asking for the interest back, the money earned on taxpayers' funds ? Is the minister sticking to this version of the story?

[*English*]

Hon. Ralph Goodale (Minister of Public Works and Government Services, Minister responsible for the Canadian Wheat Board and Federal Interlocutor for Métis and Non-Status Indians, Lib.): Mr. Speaker, on the matter of the recovery of the amount in question, whatever that amount may be, I was asked this question in the House last week and I indicated that I would be examining the legal basis upon which a successful recovery could in fact be launched, and that legal examination is still underway.

[*Translation*]

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, the minister just said he looking into the possibility of recovering the amount in question. He has asked his officials to do the necessary examinations.

How does he explain that the government waited two years before checking if there might be a way to recover this money, which belongs to the taxpayers?

Why two years?

[*English*]

Hon. Ralph Goodale (Minister of Public Works and Government Services, Minister responsible for the Canadian Wheat Board and Federal Interlocutor for Métis and Non-Status Indians, Lib.): Mr. Speaker, I indicated last week that this was obviously a bad business practice and one that should not have been included in the contracting procedure. Because of the finding that came through the work of the internal audit of my department, corrective measures were recommended. They included the establishment of a separate and distinct bank account and the turnover of any of these funds within a maximum of five days.

I am advised that those corrective measures were implemented about a year ago.

[*Translation*]

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, the fact is that the government waited until the scandal became public to undertake to recover money that should not have been in the hands of these firms. That is the reality.

Can the Minister of Public Works and Government Services tell us and confirm that the reason he has yet to take action is that, if he were to proceed immediately, he would be condemning the Prime Minister, who knew two years ago that moneys had been inappropriately collected by this firm and that the government did nothing about it?

[*English*]

Hon. Ralph Goodale (Minister of Public Works and Government Services, Minister responsible for the Canadian Wheat Board and Federal Interlocutor for Métis and Non-Status Indians, Lib.): Mr. Speaker, if the hon. gentleman is referring to the results of the internal audit, those results were summarized and posted on the Internet in the fall of the year 2000. Some of those results were even published in the *Globe and Mail*, so it was hardly a secret.

As a result of that internal audit, various corrective measures were recommended, including a new and better way to handle this matter of interest payments. The government at the time took the corrective measures that were implemented a year ago.

THE MEDIA

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, the NDP raised concerns about freedom of the press and the diversity of voices when CanWest Global bought Southam two years ago.

When the CRTC granted CanWest its licence, cross media ownership concerns went unresolved. The federal cabinet flatly rejected the New Democrats' appeal last fall to reverse the CRTC decision.

As feared and predicted, another independent voice is silenced, this time the voice of the Ottawa *Citizen* editor.

How many more will be silenced before the government moves to protect journalistic independence from media concentration and convergence?

● (1425)

Hon. Don Boudria (Minister of State and Leader of the Government in the House of Commons, Lib.): Mr. Speaker, as the hon. member will know, and I am sure others will tell her if she is unaware, a standing committee of the House of Commons is currently reviewing a study of the broadcast system in our country.

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, the House leader will also know that it is not dealing at all with issues of newspaper convergence and concentration.

This Liberal laissez faire attitude toward media concentration poses a serious threat to democracy. That is why the CEP union representing 20,000 media workers has called for an emergency meeting on the future of journalism in this country. The heritage minister will be invited to explain the government's strategies or lack thereof.

Will the minister agree to attend this meeting or, better still, will the government pre-empt the meeting by announcing a full independent inquiry—

The Speaker: The hon. Minister of Canadian Heritage.

Hon. Sheila Copps (Minister of Canadian Heritage, Lib.): Mr. Speaker, I have no intention of attending a meeting that deals with the issue of editorial policy.

Right Hon. Joe Clark (Calgary Centre, PC): Mr. Speaker, just 14 weeks ago, Leonard Asper of CanWest Global told the Standing Committee on Canadian Heritage that "The newspapers in all of our markets, have been told time and again...that they are free to provide opposing editorial dissent".

Mr. Asper then fired Russell Mills precisely for dissenting from the PMO-Asper line.

The government had proposed a panel to study media concentration when Conrad Black owned the Southam papers. That panel has been dropped.

Will the government inquire into the latest Asper abuse either by re-establishing that panel or by agreeing to a joint inquiry by the two houses of this parliament?

Hon. Don Boudria (Minister of State and Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I indicated earlier, and the right hon. member himself referred to the fact that the Standing Committee on Canadian Heritage is doing a review of broadcasting policy. In addition, under Standing Order 108 (2) it can widen that and can study any other issue peripheral, ancillary or otherwise relating to that issue or anything else. Those are the rules of the House.

* * *

LEADERSHIP CAMPAIGNS

Right Hon. Joe Clark (Calgary Centre, PC): Mr. Speaker, he must have been on vacation that week.

The Minister of Canadian Heritage held a leadership fundraising dinner in Toronto just four days after the Prime Minister ordered all leadership campaigns shut down. The donations were camouflaged as contributions to the Liberal riding association of Hamilton East.

The CRTC reports to parliament through the Minister of Canadian Heritage. Can she tell the House if her leadership campaign has received any contributions from any members of the Asper family personally, from CanWest Global, or from any other holding of the Asper family?

The Speaker: I am afraid that question is out of order. The hon. member for Battlefords—Lloydminster.

* * *

GOVERNMENT CONTRACTS

Mr. Gerry Ritz (Battlefords—Lloydminster, Canadian Alliance): Mr. Speaker, the Liberal government has spent its past three terms fine tuning the questionable system of handouts and kickbacks. It is obvious that the Liberals could never truly be trusted or interested in cleaning up a system that has served them so well.

Canadians can have no confidence at all in getting to the bottom of the latest ad scandals unless there is an open public judicial inquiry. When will the minister do the right thing and implement one?

Hon. Ralph Goodale (Minister of Public Works and Government Services, Minister responsible for the Canadian Wheat Board and Federal Interlocutor for Métis and Non-Status Indians, Lib.): Mr. Speaker, I have described before in the House and elsewhere the methodical step by step approach that I am pursuing to get to the bottom of this matter to identify where the errors were made and to ensure that they are corrected and not repeated. There is a thorough departmental review being conducted by my department. The auditor general has indicated the scope of the work she will undertake. There are references to the police wherever that is necessary. The treasury board is examining the whole governance system and of course there is the work of the public accounts committee.

I am determined that we will correct the errors. We will recover the overpayments. If there is anything that raises legal questions, the police will do their job.

Mr. Gerry Ritz (Battlefords—Lloydminster, Canadian Alliance): Mr. Speaker, that is all wonderful but a lot of this goes back long before the 2000 audit brought some of it forward. It goes back before the Prime Minister's silly scheme to buy Quebec loyalty.

Cabinet documents from 30 years ago show this system of filling Liberal coffers through Quebec firms was implemented under Prime Minister Trudeau at that time. The present Prime Minister sat at that same cabinet table. I want to know from the Prime Minister, was he simply complacent about this abuse of taxpayers' money for 30 years or was he complicit?

● (1430)

Hon. Ralph Goodale (Minister of Public Works and Government Services, Minister responsible for the Canadian Wheat Board and Federal Interlocutor for Métis and Non-Status Indians, Lib.): Mr. Speaker, that is a rather scurrilous allegation.

The Prime Minister has made it very clear that he wants this problem resolved. He wants the administration fixed where it was previously in error. He wants the overpayments recovered wherever they were made. If there was illegal conduct, he wants that referred to the police. Over and above that, he has invited the President of the Treasury Board to conduct a comprehensive review of the governance system and the management framework to make sure these problems are never repeated.

[*Translation*]

Mr. Ghislain Lebel (Chambly, BQ): Mr. Speaker, in a press release issued last Friday, Media IDA Vision stated that, in June 2001, it opened a special account for the government sponsorship money.

Can the government tell us what assurances were required of Media IDA Vision to ensure that the public money, with which it was entrusted while not complying with trust legislation, is safeguarded?

[*English*]

Hon. Ralph Goodale (Minister of Public Works and Government Services, Minister responsible for the Canadian Wheat Board and Federal Interlocutor for Métis and Non-Status Indians, Lib.): Mr. Speaker, the corrective measures were implemented about a year ago. They included a separate bank account and a turnover rate of no more than five days. Obviously, as evidence has shown in the House, these sorts of procedures are subject to audit either by the internal audit department of Public Works and Government Services Canada or indeed by the auditor general where that is appropriate.

[*Translation*]

Mr. Ghislain Lebel (Chambly, BQ): Mr. Speaker, how can the President of the Treasury Board say that treasury board rules were complied with when that public money flowed, and is still flowing through Media IDA Vision? This means that taxpayers' money could well be seized in case of mismanagement by Media IDA Vision. That is the essence of my question.

[*English*]

Hon. Ralph Goodale (Minister of Public Works and Government Services, Minister responsible for the Canadian Wheat Board and Federal Interlocutor for Métis and Non-Status Indians, Lib.): Mr. Speaker, the hon. gentleman seems to misunderstand the basic nature of the work undertaken by an agency of record.

The safeguard here is obviously the internal audit process. In this particular case the internal audit process has obviously worked. It discovered an error that was not in compliance with treasury board procedures. An action plan was devised to correct the error and it was implemented in June of last year.

* * *

CANADA-UNITED STATES BORDER

Mr. Rahim Jaffer (Edmonton—Strathcona, Canadian Alliance): Mr. Speaker, yesterday the Minister of Citizenship and Immigration said Canada customs computers at the border have information about criminal records but not restraining orders. Today customs officials informed us that their access to information is not as extensive as the minister led us to believe. In fact 45% of border crossings do not even have access to the customs computer system.

How could the minister make such an error in a matter of security and safety?

Hon. Denis Coderre (Minister of Citizenship and Immigration, Lib.): Mr. Speaker, what I have said I said. If people have lengthy criminal records it shows. Then it passes to the second line which is CIC. Then we have other computers that we can check. We have to be very careful. Security is our priority. Not only does Canada customs do its job, but it does it with professionalism.

Mr. Rahim Jaffer (Edmonton—Strathcona, Canadian Alliance): Mr. Speaker, if security is a priority, why do the agents not have the proper information to actually look up some of this stuff at the borders?

When Mr. Kiss crossed the border at Niagara Falls, 28 of the 44 customs officers on duty were summer students who get three weeks of on the job training. The government committed to Canadians that it would heighten border security yet 65% of the officers on duty were temporary workers.

How can the minister say our borders are secure when nearly two-thirds of the officers at one of Canada's busiest crossings are temps with limited training and no supervision?

Hon. Denis Coderre (Minister of Citizenship and Immigration, Lib.): Mr. Speaker, I would like to know what my colleague has against students.

[*Translation*]

Let me begin by saying that not only is the work is carried out with great professionalism, but my hon. colleague is doing a remarkable job. The work done by our colleagues and our customs officers is impeccable.

GOVERNMENT CONTRACTS

Ms. Caroline St-Hilaire (Longueuil, BQ): Mr. Speaker, Media IDA Vision was supposed to examine the work done by sponsors. In three cases, this was not done. The cheques were issued and the company got its 3% commission. In other words, it got paid even if it did not do its job.

How can the minister of public works justify his decision to keep this firm under contract instead of purely and simply dismissing it and launching an investigation?

● (1435)

[*English*]

Hon. Ralph Goodale (Minister of Public Works and Government Services, Minister responsible for the Canadian Wheat Board and Federal Interlocutor for Métis and Non-Status Indians, Lib.): Mr. Speaker, obviously all of the files in this particular program are under review in the period from 1997 to 2000. Where errors are discovered, the appropriate action is taken to correct those errors either by audit procedures or otherwise. Whenever recovery possibilities present themselves, they too are pursued.

[*Translation*]

Ms. Caroline St-Hilaire (Longueuil, BQ): Mr. Speaker, if the minister of public works is still using this firm, is it not because, if he dismissed it, he would be confirming that the Prime Minister has not assumed his responsibilities despite the incriminating report which dates back to the fall of 2000?

[*English*]

Hon. Ralph Goodale (Minister of Public Works and Government Services, Minister responsible for the Canadian Wheat Board and Federal Interlocutor for Métis and Non-Status Indians, Lib.): Mr. Speaker, the Prime Minister asked me to take on certain responsibilities in this portfolio, to identify past problems and to see that they were corrected. He has placed no limitations on me whatsoever.

* * *

CANADA-UNITED STATES BORDER

Mrs. Diane Ablonczy (Calgary—Nose Hill, Canadian Alliance): Mr. Speaker, in the wake of the Grimsby murders, Canadian women and their families have been shocked to learn how little border protection there is to prevent someone with criminal intent from entering our country.

The minister claims that border guards have criminal information available to them by computer. We checked with border personnel and they say they have no criminal information available to them. In fact nearly half of them do not even have access to the database at all.

Who are Canadian women supposed to believe: the minister or the people who work on the front lines?

[*Translation*]

Hon. Denis Coderre (Minister of Citizenship and Immigration, Lib.): Mr. Speaker, I would advise the hon. member to proceed with considerable caution.

First of all, I would indicate that, not only was the work done, but we even read in this morning's newspapers that there had been no formal complaints. At no time, therefore, was there any record of this person's actions.

We must therefore be extremely careful. We have the necessary resources. We have the necessary tools. Should the matter of the restraining order be reconsidered?

[*English*]

Maybe, but let us be very prudent about what kind of question is being asked today.

Mrs. Diane Ablonczy (Calgary—Nose Hill, Canadian Alliance): Mr. Speaker, that is not what I asked. What I said to the minister is that he is telling Canadian women that people trying to get into our borders with a criminal record can be checked on the computer by the border guards. The border guards say they cannot check on the computers and in fact, half of them do not even have access to computer information.

I will ask the minister again. Should Canadian women believe him, who does not seem to know what he is doing, or the people on the front lines? Will he answer that question?

[*Translation*]

Hon. Denis Coderre (Minister of Citizenship and Immigration, Lib.): Mr. Speaker, possibly the hon. member or her colleagues have had anonymous phone calls today and were asked questions.

I know most definitely, however, that the customs union and the customs workers themselves have said that the PALS system gives them access to criminal records.

[*English*]

If someone coming from the United States has a criminal record, then he or she goes to the second line. We have all the resources to make the checks. Security is our priority. We have to be very careful not to scare Canadian people today.

* * *

[*Translation*]

QUEBEC MARINE REGIONS DEVELOPMENT

Mr. Claude Duplain (Portneuf, Lib.): Mr. Speaker, on June 10, the Quebec government announced a $34 million investment to develop marine resources, sciences and technologies for maritime regions.

Could the Secretary of State for the Economic Development Agency of Canada for the Regions of Quebec confirm that he will provide financial support to the projects that will be submitted to him?

Hon. Claude Drouin (Secretary of State (Economic Development Agency of Canada for the Regions of Quebec), Lib.): Mr. Speaker, I thank the hon. member for his question.

It was over four years ago that Canada Economic Development identified marine sciences and technologies as a strategic development pole for Quebec maritime regions. A total of $22.6 million is allocated to this sector.

We have established Technopole Maritime du Québec and contributed to the creation of Maritime Innovation, a centre for applied research in maritime technology.

These achievements reflect the federal government's longstanding commitment to Quebec's maritime regions.

* * *

[*English*]

AIRLINE SECURITY

Mrs. Bev Desjarlais (Churchill, NDP): Mr. Speaker, the government is taking $2 billion from the pockets of Canadians for the government's security tax at airports, double what is being spent, yet there is no security at Vancouver airport's south terminal. Bomb detecting equipment sits unused in Edmonton because no one is trained.

The government proposes a public safety act that jeopardizes the civil liberties of innocent people but will do nothing to convict terrorists. The government does not have a security strategy for Canada.

When someone can cross the border with a Glock pistol and kill five people, the government has failed Canadians. What is it going to do to make sure this does not happen again?

● (1440)

Hon. David Collenette (Minister of Transport, Lib.): Mr. Speaker, that was such an eclectic question but I will deal with the air aspects of it.

The hon. member has sat in the House for the last year and has seen the kind of security measures that we have introduced, especially in the wake of the tragedies of September 11. I believe Canadians understand that security is needed and that we have put in the measures required. I think that is why they are flying once again.

The hon. member is quite off base. I should say parenthetically that Canadians have demonstrated that they are prepared to pay a charge if they get the service and they are getting very good security service.

* * *

VIOLENCE AGAINST WOMEN

Ms. Judy Wasylycia-Leis (Winnipeg North Centre, NDP): Mr. Speaker, let me try to put the question more directly then.

We have had from the government a string of anti-terrorism bills, Bill C-36, Bill C-42, Bill C-44 and Bill C-55. The government spends millions of dollars fighting terrorism yet women in this country live with violence every minute of their lives. The government refuses to make the issues pertaining to women in abusive relationships a priority.

My question is, where is the money to protect women and for public security for women in violent situations? Where is a national strategy on domestic violence against women?

Hon. Jean Augustine (Secretary of State (Multiculturalism) (Status of Women), Lib.): Mr. Speaker, the member's question at this point in time is one that concerns us all.

At the same time, it is important to know that we have passed legislation. We have committed $7 million annually to family violence initiatives. The status of women has allocated $250,000 annually to research in the area of violence against women. The federal government has committed $32 million annually to national crime prevention. I think we have done the work.

* * *

GOVERNMENT CONTRACTS

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): And $100 million for new Challenger jets, Mr. Speaker. The minister of public works has tried to deflect the corruption and criticism. By parroting the Gray line, he seems oblivious to the fact that these contracting scandals are his government's fault. The government had the ability to call a public inquiry, or the police or the auditor general two years ago after an internal audit flagged these problems. Ethical misconduct and mismanagement of the public purse could have been reined in then, saving taxpayers millions.

Why did he, the Prime Minister, his predecessor or his predecessor's predecessor not do something two years ago to at least act on these problems rather than try to cover them up and wait until they got caught?

Hon. Ralph Goodale (Minister of Public Works and Government Services, Minister responsible for the Canadian Wheat Board and Federal Interlocutor for Métis and Non-Status Indians, Lib.): Mr. Speaker, they certainly were not covered up. The summary of the internal audit was posted on the Internet. There were issues related to that which were published in the newspaper. An action plan to correct the deficiencies identified in the audit was prepared in the latter part of the year 2000, the beginning of 2001 and through 2001.

Those corrective measures were in fact implemented. We went back in the spring of this year to confirm the degree of progress that had been made. Beyond that there are a whole series of other inquiries being undertaken to ensure that we get to the bottom of this.

* * *

AGRICULTURE

Mr. Rick Borotsik (Brandon—Souris, PC): Mr. Speaker, the government has done absolutely nothing to offset the devastating effects of the U.S. farm subsidies. Even worse is the government's inability to deal with the devastating effects of the country of origin labelling contained in the U.S. farm bill. Country of origin labelling applies to all agricultural products, including beef and pork. Already Canadian livestock producers are losing American markets.

What is the government doing to achieve a Canadian exemption to the U.S. country of origin labelling? Failing that, what is the government's contingency plan when we can no longer access American markets for our beef and cattle?

Hon. Lyle Vanclief (Minister of Agriculture and Agri-Food, Lib.): Mr. Speaker, the country of origin clause in the U.S. farm bill is one that is voluntary for two years. At that time, that may very well go to compulsory. I have been having meetings with industry people and provinces. A strategy has been put in place to lobby in the United States along with, I might add, many of the participants in the industry in the United States who do not want it either.

* * *

● (1445)

CRUELTY TO ANIMALS

Mr. Garry Breitkreuz (Yorkton—Melville, Canadian Alliance): Mr. Speaker, when the cruelty to animals bill was passed by the House, the Minister of Justice assured ranchers and medical researchers that there would be amendments in the Senate. Now we find out this was a complete hoax. Senator Joan Fraser stated:

> I hope it is not breaking a confidence for me to say that I spoke directly with the Minister of Justice...and he assured me that no deal had been struck regarding a government amendment.

Who on the Liberal side will apologize to rural Canadians for this deception?

Hon. Martin Cauchon (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, what the hon. member is talking about, is a bill that we are very proud of on this side of the House, Bill C-15B. It is there to modernize a section of the criminal code, create a definition of animals as well, which we did not have, create new offences in that field, which is very important, and increase penalties.

On this side of the House, we are very proud of what we are doing on the issue of cruelty to animals. Having said that, if there amendments, the Senate will decide that.

Mr. Garry Breitkreuz (Yorkton—Melville, Canadian Alliance): Mr. Speaker, members of the rural Liberal caucus used false promises as an excuse to vote for the cruelty to animals bill. They knew full well that there were no amendments coming.

I would like an answer to this question. Does the government intend on introducing amendments that would prevent animals rights extremists from attacking responsible animal use or is the minister still committed to passing this bill in its current form?

Hon. Martin Cauchon (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I do not understand what the hon. member and his party have against Bill C-15B. It is a bill which modernizes the provisions of the criminal code which were essentially outdated. We did not have, believe it or not, in our criminal code a definition of animal. We had to create new offences as well. Basically the new provisions that we will have with Bill C-15B will put our country in line with what we see in other countries in the world.

Having said that, the bill is in the Senate. As I said, if there are amendments, the Senate alone will decide that.

[*Translation*]

FOREIGN AFFAIRS

Ms. Francine Lalonde (Mercier, BQ): Mr. Speaker, yesterday, the Minister of Foreign Affairs expressed his disagreement with the positions taken by President Bush, saying that the Canadian government was in favour of respecting the law and international standards under the aegis of the United Nations.

Will the Minister of Foreign Affairs tell us how he intends to make it known to the U.S. administration that the Canadian government disagrees profoundly with its new and dangerous doctrine of pre-emptive attack?

Hon. Bill Graham (Minister of Foreign Affairs, Lib.): Mr. Speaker, I believe that the United States has an embassy here in Canada. The embassy staff is just as capable as the member of reading the newspapers.

It is not necessary to communicate our position officially. However, I again state before the House that Canada still intends to act in accordance with international standards in this regard. We call on all our friends and also those in other countries to try to respect established international standards in applying their law and international policies.

Ms. Francine Lalonde (Mercier, BQ): Mr. Speaker, would the G-8 summit, to be held next week in Kananaskis, not be an excellent opportunity, and will the Minister of Foreign Affairs ask the Prime Minister to let the President of the United States know that Canada is opposed to this doctrine of a pre-emptive attack, which threatens the delicate balance of international relations?

Hon. Bill Graham (Minister of Foreign Affairs, Lib.): Mr. Speaker, the Prime Minister has always had opportunities to speak directly with President Bush. He will have another opportunity next week.

He has always expressed the Canadian government's position frankly and accurately, in the interests of Canadians. I have no doubt that he will do in Kananaski what he has done in the past.

* * *

[*English*]

CANADIAN WHEAT BOARD

Mr. Rick Casson (Lethbridge, Canadian Alliance): Mr. Speaker, the Minister responsible for the Canadian Wheat Board is still pursuing farmers who have challenged his monopoly. Farmers who have helped draw attention to the need for reform in the Canadian wheat and barley marketing are presently facing fines up to $4,000. Now even the Liberal members of the agriculture committee have recognized the need for change and have recommended a free market for wheat and barley.

Will the government listen and act on the committee's recommendation, and stop criminalizing farmers for trying to improve the incomes of their families?

● (1450)

Hon. Ralph Goodale (Minister of Public Works and Government Services, Minister responsible for the Canadian Wheat Board and Federal Interlocutor for Métis and Non-Status Indians, Lib.): Mr. Speaker, with respect to legal proceedings, they are of course not optional. The law does need to be enforced in all circumstances.

With respect to the recommendation from the agriculture committee, it will go, in the words of the recommendation itself, to the board of directors of the Canadian Wheat Board. The directors have indicated that they will take the matter under consideration, as is required by the law.

Mr. Rick Casson (Lethbridge, Canadian Alliance): Mr. Speaker, it is only western Canadian farmers who face charges for violating the Canadian Wheat Board Act. Producers in other parts of the country have the freedom to make their own marketing decisions and process the grain grown on their farms. Western farmers should not be made into criminals for pursuing marketing choices.

Will the government impose a moratorium on future charges against western grain producers at least until the minister has time to respond to the report of the committee?

Hon. Ralph Goodale (Minister of Public Works and Government Services, Minister responsible for the Canadian Wheat Board and Federal Interlocutor for Métis and Non-Status Indians, Lib.): Mr. Speaker, I want to assure the hon. gentleman that I make no decision in respect of what matters are investigated or not or what charges are laid or not. It is up to the appropriate law officers of the crown.

With respect to grain marketing legislation, that legislation was amended very recently in the House. The legislation requires that the board of directors of the Canadian Wheat Board be consulted and that farmers, not politicians, have the final say.

* * *

TRANSPORTATION

Ms. Anita Neville (Winnipeg South Centre, Lib.): Mr. Speaker, my question is for the Minister of Transport. Canadian Pacific Rail is reportedly making 1000% profit off B.C. taxpayers on a contract with commuter rail service West Coast Express. West Coast Express has filed a petition with the governor in council requesting cabinet granted access to final offer arbitration. This petition is supported by the B.C. government, the B.C. federal Liberal caucus and every mayor in greater Vancouver.

Could the minister tell the House today the status of the petition or offer some solutions to ensure that lower mainland residents have access to commuter rail?

Hon. David Collenette (Minister of Transport, Lib.): Mr. Speaker, it is quite obvious that commuter rail is becoming a necessity for our larger cities. Of course with the federal jurisdiction and regulation of the railways, we are able to do something about it. In fact the CTA review panel made specific recommendations and I will be asking the advice of hon. members before we bring in amendments to that act this fall.

On the specific question with respect to the petition by West Coast Express, obviously as it is before the governor in council, it would be inappropriate to comment except to say that we will be dealing with it as expeditiously as possible.

* * *

G-8 SUMMIT

Mr. Myron Thompson (Wild Rose, Canadian Alliance): Mr. Speaker, it is now reported that the G-8 protesters will be trying to shut down Ottawa during the G-8 summit. It is also reported that the federal government has informed the business owners and the police force in Ottawa that since the summit is in Alberta there will be no compensation.

Since the Prime Minister selected such a remote location and Ottawa has been picked as a more convenient place for protesting, what will the government do for businesses in Ottawa that will be affected as a result of the summit?

Hon. Lawrence MacAulay (Solicitor General of Canada, Lib.): Mr. Speaker, I can assure my hon. colleague that the RCMP and other police forces are well prepared for the G-8. Also, we will continue to pay any compensation for which the federal government is responsible. We have and will continue to do that.

Mr. Myron Thompson (Wild Rose, Canadian Alliance): Mr. Speaker, it has been reported that the government has informed the Ottawa Police that it will not fund any losses in Ottawa. Ottawa is anticipating 10,000 activists from more than 35 different protest groups. The cost to the police in Ottawa will be in excess of $5 million. How can the solicitor general expect the people of Ottawa to pick up the tab for a federal government function?

Hon. Lawrence MacAulay (Solicitor General of Canada, Lib.): Mr. Speaker, my hon. colleague wants to get his information from news releases and does not want to hear it from the government. I have indicated quite clearly what the government has done and what it will continue to do. We have and will continue to live up to our responsibilities.

* * *

[*Translation*]

AGRICULTURE

Mr. Robert Lanctôt (Châteauguay, BQ): Mr. Speaker, market garden producers from the Montérégie Ouest region of Quebec are in a dire economic situation. Flooding in their fields has caused enormous losses. The region's market garden production, which represents more than 50% of all of Quebec's production, is threatened and the economic impact will be very severe, since market garden producers export more than $80 million worth of produce per year.

Does the minister of agriculture plan on compensating producers for the losses they have incurred?

● (1455)

[*English*]

Hon. Lyle Vanclief (Minister of Agriculture and Agri-Food, Lib.): Mr. Speaker, there are a number of programs in the province of Quebec and across the country that farmers can participate in to mitigate the risks that might come to them as a result of weather or other things that affect agriculture and their business. I would have to assume that the farmers in that area of the province of Quebec, who are very good farmers, have taken advantage and are participating in those risk management programs.

* * *

ARTS AND CULTURE

Ms. Nancy Karetak-Lindell (Nunavut, Lib.): Mr. Speaker, this week in the national capital region the first national gathering on aboriginal artistic expression is taking place. This event brings together more than 250 Canadians, such as aboriginal artists, performers and entrepreneurs, with special departments, agencies and the private sector.

Could the Minister of Canadian Heritage please tell the House why the government is investing in this gathering?

Hon. Sheila Copps (Minister of Canadian Heritage, Lib.): Mr. Speaker, first, I would like to thank the member for Nunavut for this very important question on diversity of voices. The reality is that we have representatives of the Inuit, the first nations and the Métis people gathering here in the nation's capital to help redefine what is truly Canadian heritage.

It is pretty incredible that for the last 130 odd years we have had a heritage policy that has excluded aboriginal and Inuit Canadians. Hopefully this meeting will be the first step toward ensuring that they are a full part of Canadian cultural policy. I want to thank all the members who participated in this process.

* * *

NATIONAL DEFENCE

Mr. Leon Benoit (Lakeland, Canadian Alliance): Mr. Speaker, another day and another report condemning the government for its inability to govern effectively. The military ombudsman reported today that the policies of the government are driving personnel out and away from the Canadian forces despite the millions given to Liberal friendly advertising agencies for advertising on recruiting.

When will the minister begin to clean up his department, starting with putting the needs of the military ahead of the needs of the Prime Minister and his Liberal buddies?

Hon. John McCallum (Minister of National Defence, Lib.): Mr. Speaker, the fact of the matter is we exceeded our hiring targets this year. We hired 50% more this year than last year. We have been having a highly successful recruitment campaign over the last couple of years.

I am delighted to welcome the report of the ombudsman. His job is to stick up for the little guy who puts his life on the line for the country. He has made terrific progress and I support him 100%.

[*Translation*]

QUEBEC AGRICULTURAL CO-OPERATIVES

Mr. Yvan Loubier (Saint-Hyacinthe—Bagot, BQ): Mr. Speaker, yesterday, the Coopérative fédérée de Québec pulled out of the Canadian consultations because the federal government, unlike the Government of Quebec, is refusing to consent to a tax deferral on dividends paid to shareholders in the form of preferred shares.

Why is the Minister of Finance refusing to implement the same tax measure at the federal level, which would allow Quebec's agricultural co-operatives to grow and remain competitive by increasing their levels of capitalization?

Hon. John Manley (Deputy Prime Minister, Minister of Finance and Minister of Infrastructure, Lib.): Mr. Speaker, I certainly find this interesting. I can tell the member that the burden is more or less equal across Canada. It is not the role of the Government of Canada to make decisions that would discriminate against any region in Canada.

* * *

SOIL DECONTAMINATION

Mr. Yvon Godin (Acadie—Bathurst, NDP): Mr. Speaker, the New Brunswick minister of natural resources has been quoted as saying that the federal government was not taking decontamination of the Tracadie-Sheila firing range seriously. According to him, the province will not accept transfer of this property until the federal government has carried out a total decontamination of the site.

Will the Minister of National Defence free up the funds to complete decontamination of the firing range, thus making the land safe and accessible, and enabling the Acadian peninsula to reap the benefit of its economic potential?

Hon. John McCallum (Minister of National Defence, Lib.): Mr. Speaker, as one of the federal government's major property owners, my department is firmly committed to minimizing the environmental impact of its past and present activities and operations.

In addition, environmental considerations are part and parcel of any decision making at all departmental levels, and several major initiatives are under way.

* * *

● (1500)

[*English*]

INFRASTRUCTURE

Mr. Loyola Hearn (St. John's West, PC): Mr. Speaker, last fall when the then minister of finance brought down his budget it included $2 billion for special infrastructure programs.

In light of this, will the minister responsible for infrastructure tell us what progress has been made in negotiations with the province of Newfoundland and Labrador, the city of St. John's and surrounding municipalities in relation to the cleanup of St. John's harbour?

Hon. John Manley (Deputy Prime Minister, Minister of Finance and Minister of Infrastructure, Lib.): Mr. Speaker, as I mentioned in the House before, we do need to prepare all of the parameters of the programming. I do hope and expect to be able to announce how that program will work in the very near future. Only at that point, once cabinet has approved the programming parameters, would I be in a position to begin discussions with other levels of government concerning projects that they would consider to be strategic and which the strategic infrastructure fund could participate in.

I do hope that we can begin that process over the course of the summer months.

The Speaker: We have finished the list so we will complete question period on that happy note.

POINTS OF ORDER

[*English*]

ORAL QUESTION PERIOD

Mr. Myron Thompson (Wild Rose, Canadian Alliance): Mr. Speaker, during question period it was obvious that the solicitor general has had a number of agreements with the municipalities of Alberta regarding the G-8 summit—

The Speaker: Order, please. The hon. member for Wild Rose has the floor.

Mr. Myron Thompson: Mr. Speaker, it is my understanding from the solicitor general that all the municipalities in Alberta have agreements signed regarding the G-8 summit and compensation package.

I would ask that the solicitor general table any agreements that he has with the municipality of Ottawa in regard to any trouble caused as a result of the summit.

The Speaker: We will have the solicitor general take the matter under advisement, I am sure. I did not hear him make reference to a document in the answer to his question but I am happy to review the blues. If he did, of course, we will ask that the document be tabled, but I am sure that absent such a reference by the minister, he will take note of the point of order raised by the hon. member for Wild Rose and possibly come forward with various materials as he sees fit.

* * *

BUSINESS OF THE HOUSE

BILL C-48—COPYRIGHT ACT

Hon. Don Boudria (Minister of State and Leader of the Government in the House of Commons, Lib.): Mr. Speaker, there has been consultation among all parties in the House. I hope representatives of all parties are listening to this. I move:

> That, notwithstanding any standing order or usual practice, Bill C-48, an act to amend the Copyright Act, be deemed to have been concurred in at report stage, and that the House shall proceed forthwith to consideration of the third reading stage of the said bill, which shall be disposed of after no more than one speaker from each recognized party has spoken in debate thereon.

The Speaker: Does the House give its consent to the minister proposing this motion?

Some hon. members: Agreed.

The Speaker: The House has heard the terms of the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

(Motion agreed to, bill deemed concurred in at report stage)

GOVERNMENT ORDERS

[*English*]

COPYRIGHT ACT

Hon. Sheila Copps (Minister of Canadian Heritage, Lib.) moved that Bill C-48, an act to amend the Copyright Act, be read the third time and passed.

Ms. Sarmite Bulte (Parliamentary Secretary to the Minister of Canadian Heritage, Lib.): Mr. Speaker, I am absolutely delighted to rise today to speak on the third reading of Bill C-48. This is a piece of legislation that went to committee, was amended at report stage and received unanimous support from all parties of the House. We are delighted to be here today at third reading. It also shows, as my dear colleague, the vice-chair, the hon. member for Toronto—Danforth, has always said, that we as parliamentarians need to have impact on public policy.

Very quickly I want to tell the House why some amendments were made, why they were the right amendments and why we are pleased to have them supported today by both the Minister of Canadian Heritage and the Minister of Industry.

Section 31 of the Copyright Act is what Bill C-48 deals with. This is about a compulsory retransmission licence. Some people might wonder what that means and why it is important. It addresses whether or not Internet transmitters should be allowed to retransmit and rebroadcast over the air radio and television signals without properly compensating the rights holders.

The legislation that was proposed was originally enabling legislation which would lead the determination of whether there should be an exemption or whether the Internet provider should have a compulsory licence exemption as well. We as a committee decided that it was very important to put a new media exemption in the legislation. We agreed to that for many reasons. We think it is the right thing to do. It brings into balance all the rights holders and the broadcasters. It addresses those rights. It addresses concerns of the Americans. We feel that the committee as a whole has made good public policy by currently putting this media exemption into the act.

Having said that, let me say that both ministers also advised the committee that they would ask the CRTC to reconsider its 1999 new media exemption. The CRTC will continue to do that and will report back to the committee, at which time both ministers have agreed that should draft regulations and conditions be brought forward so that if Internet retransmitters such as Jump TV, or iCraveTV in the United States, want to qualify, we would be able to do so.

With this legislation today, I think we have shown how all the members of a committee can work together for the benefit of good public policy. I want to thank the chair, the vice-chair and all the members of the committee for their hard work. I want to thank the Minister of Industry and the Minister of Canadian Heritage for their support and for listening to the committee. I know that we will continue to work together as regulations go and as the CRTC reviews its exemption order. Should we one day find that we do allow Internet retransmitters to have the benefit of a licence, I look forward to doing so, but after we as a government have looked at those regulations.

Once again I am delighted to be able thank all members of the committee for their great work. We look forward to passing the legislation immediately.

● (1505)

Mr. Jim Abbott (Kootenay—Columbia, Canadian Alliance): Mr. Speaker, this is one of those rare occasions in parliament when there is agreement among parties.

The committee worked diligently. We listened to a tremendous number of witnesses on the issue. We listened to the rights holders, JumpTV, Internet providers and to the broadcasters. We had full input.

During the process of the committee work we all came to one mind. As a consequence, I was privileged to put forward the amendments that basically changed it from enabling legislation to legislation that had a specific purpose. I was gratified to have the support of all members of the committee for those amendments.

It shows that when there is a common interest and when there is goodwill we as parliamentarians can work together. This is not a partisan issue. It is an issue of copyright. It is a good public policy issue. It is an issue of our place in the international community.

I also would like to thank all the people who were involved, all the committee members, and the officials, who did put up a good fight for a perspective different from what we had, but at the end of the day I agree with the parliamentary secretary and with the member for Toronto—Danforth. He and I were absolutely simpatico. It is up to the politicians to make public policy. It is not up to the bureaucrats to make public policy. That is exactly what we did in the committee. If we are standing here patting ourselves on the back, we will have to find a good chiropractor. We did a good job. This is good public policy.

[*Translation*]

Ms. Christiane Gagnon (Québec, BQ): Mr. Speaker, I would like to give some more context to Bill C-48, for those who are following and who want to understand the issue.

This bill that we are debating at third reading would establish supplementary regulatory powers so that new distribution systems, specifically the Internet, could retransmit programs if they respect the conditions and provisions of the Copyright Act.

The bill would also allow distribution systems that are already in place, such as satellite and cable companies, to continue to retransmit radio or television programs by paying royalties set by the Copyright Board and by respecting the conditions set out in the Copyright Act.

Are retransmitters subject to the Copyright Act? This was the question the committee worked very hard on.

First, allow me to say that the Bloc Quebecois supports the principle of this bill, knows as Bill C-48. We heard from a number of witnesses in committee who were very concerned about the current legal vacuum, which leaves the door wide open to various different uses of works, authors and artists, without royalties being paid to those who own the rights.

This situation, as it exists today, creates opportunities to abuse the work of artists. In Quebec and in other provinces, there have been protracted battles to protect the works of artists.

Previously, rights were purchased through negotiations between the parties. This situation was in effect until the arrival of iCrave TV, in December 1999, which began broadcasting programs on the Internet. This company gave Internet users direct access to nine Canadian television signals and eight American television signals.

These signals were captured in the Toronto area, converted to an Internet compatible format, then put on the Internet, where they were made available outside of Canada, including in the US.

This situation called into question the various agreements signed by Canada, including the Berne convention and NAFTA. It did not take long for opponents to speak up.

Alleging violation of copyright, numerous groups representing a variety of stakeholders, including the Canadian Association of Broadcasters, Disney Enterprises, Paramount Pictures, Time Warner and Universal Studios sued iCrave TV, or threatened to do so.

In February 2000, a U.S. court granted an interim injunction against iCrave TV, prohibiting it from sending signals to the United States. Unfortunately, no Canadian court has had an opportunity to rule on the matter because, in late February, the company gave in to legal pressure and ceased its activities. In return, all charges against it were dropped. It even withdrew its application to the Canadian Copyright Board for a interim retransmission tariff.

Next, a Montreal company, Jump TV, tried to launch a similar service but, unlike its predecessor, it obtained all the necessary legal approvals.

Why did it give up on its plans? Since its applications could not be approved as is, it hoped to pay the same obligatory licence fees as pay-per-view TV, i.e. pay them after broadcasting only, pay a lower percentage for copyright, not be subject to Canadian content, and not contribute to the Canadian Television Fund.

It was in this context that the company dropped its plans as presented in late 2001. It withdrew its application to the copyright board because it had understood that its business plan would not pass muster and that it could therefore not meet all the conditions required of other broadcasting copyright holders.

Apparently, these two cases woke the government up to the fact that it was becoming necessary to provide a framework for this kind of activity.

The basic purpose of the bill is to prevent a potential Internet retransmitter from being able to broadcast programs outside Canada or, if it is broadcasting within Canada, to make it subject to the same rules as broadcasters or cable companies.

We must remember that a large share of the revenues generated by the producers of broadcasts comes from the resale of broadcasting rights abroad. The threat of the Internet is therefore real and could have a considerable negative impact, not just on authors, but also on partners of the distribution network.

● (1510)

In Canada, the CRTC excluded the Internet highway from its jurisdiction in 1999, so that only the Copyright Board can set royalties.

If the law were not amended, authors or their representatives would have to engage in legal battles to get back their share of royalties. The only ones who would get rich on this would be the lawyers and the law firms, not the authors.

If the regime that applied had been compulsory licensing, what would the consequences have been for stakeholders? Bill C-48 set out a compulsory licensing system for retransmitters.

That said, section 31 did not include any definition. Instead, the conditions set out in the regulations would have been what established certain mechanisms for this compulsory licensing, which I could explain as follows: the communication was to consist in retransmission of a local or distant signal, which allowed Canadian broadcasters to charge a worthwhile rate for commercial rights to their programs, one that was beneficial for both themselves and the authors.

There was also the fact that retransmission had to be legal under the Broadcasting Act, for if it were excluded from the provisions adopted by the CRTC, how could they be asked to participate in the broadcasting system, if none of the regulations applied?

The signal was to be retransmitted simultaneously and in its entirety. If it is not, transmitters could, for example, end up with a broadcast sponsored by Yoplait yoghurt, that is suddenly replaced by messages from Danone.

In the case of retransmission of a distant signal—

Some hon. members: Oh, oh.

Ms. Christiane Gagnon: Mr. Speaker, could they hold their conversations a little less loudly, because I am having trouble continuing my speech?

● (1515)

The Speaker: Order, please. The hon. member for Québec.

Ms. Christiane Gagnon: Mr. Speaker, in the case of the retransmission of a distant signal, the retransmitter must first have paid any royalties and complied with any terms and conditions fixed under the bill.

Unlike a mandatory licence, the definition of licence refers to the authorization given to the licensee to broadcast a product that is subject to an exclusive copyright. This is a major difference.

The exclusion applies to all licence holders. In light of what we have just seen, the compulsory licence regime is already an exceptional system. This is why those who represent authors, performers and beneficiaries were opposed to the creation of a new exception that would not have given them fair and equitable rights for the use of their works.

For over a year, officials from Canadian Heritage and Industry Canada co-operated with partners, authors, representatives of the authors and their beneficiaries to find a way to meet the stated expectations.

Therefore, it was decided to include amendments in the act and not in the regulations, so that beneficiaries are better protected. This was done through the amendments presented by the Canadian Alliance critic on heritage. Clause 31 was amended by adding the exclusion in the act. A definition of the term retransmitter was added, so that the context would be clear.

Since the regulations have yet to be drafted and approved, we felt that it was more important to require the retransmitter, as defined in the bill, to comply with certain obligations or conditions, and to determine whether or not they apply to all, or just to a specific category.

Why include the wording in the act and not in the regulations? Because in the act it is very clear and it will be more difficult to change this, should the need arise.

It was impossible for us to create a system different from those that exist elsewhere without adversely affecting the authors and other partners in the broadcasting system, which is subject to highly regulated terms and conditions.

At the international level, the information provided by officials from both Canadian Heritage and Industry Canada shows that no other jurisdiction expressly authorizes the retransmission on the Internet under the terms and conditions of a compulsory licence.

However, in the United States, some have said that Internet services could take advantage of the benefits provided by the compulsory retransmission licence in that country. This view was challenged by Marybeth Peters, the U.S. copyright registrar. The U. S. Copyright Office is opposed to expanding compulsory licences to include retransmissions on the Internet.

It would appear as though Australia is the only jurisdiction to have resolved this specific issue through legislation. The Copyright Amendment (Digital Agenda) Bill 2000 recently introduced a new compulsory retransmission licence which specifically excludes the Internet. This is what Australia has done.

According to information on the legislation put out by the Australian government, the exclusion stems from concerns that Internet retransmissions would have a negative impact on the current conditions for granting programming licenses.

Both of the departments involved, Canadian Heritage and Industry Canada, have also noted that, with the exception of the United States, they are not aware of any other jurisdiction in which specific territorial restrictions were imposed on compulsory retransmission licences.

In the United States, the compulsory licence for satellite retransmission applies only to secondary retransmissions to households on American soil.

First, and this is self-evident, the new copyright legislation must be adapted to the reality of new technologies. Second, I would like to point out how vital it is for us to legislate to protect outside markets for those who hold the rights.

Indeed, program producers' revenues are based on the logic of geographical markets. Reselling becomes impossible in a local market, which means that in Quebec, protecting works is synonymous with protecting its francophone content and culture.

Also, we must strike a balance between protecting artistic creations and encouraging the development of a new type of economic activity. Internet broadcasting requires that the legislation be clarified.

● (1520)

Internet technologies make it possible to increase the effectiveness of companies and provide new value-added services for consumers.

The development of these technologies and services must be encouraged, but within a strict framework. This is what we sought in committee, through the amendment put forward by the Canadian Alliance member.

The bill introduced today was amended in the Standing Committee on Canadian Heritage after we had heard from a number of witnesses who came to tell us how important they thought this bill was and the crux of what they were seeking.

All the witnesses, with the exception of two, Jump TV and the Association of Internet Broadcasters, were in favour of exclusion.

These witnesses were mainly representatives of creators, and the Media Content Coalition, including the following associations: the Canadian Association of Broadcasters; the Canadian Broadcasters Rights Agency; the Canadian film and Television Producers Association; the Copyright Association of Canada; representatives of creators in Quebec, i.e. SOCAN, the Society of Composers, Authors and Music Publishers of Canada, and SACD, the Société des auteurs compositeurs dramatiques.

These stakeholders appeared before us to tell us that the goal pursued was important and that copyright must be preserved so that authors could be sure of being paid for the use of their works.

The goal of the amendments put forward in the Standing Committee on Canadian Heritage was clarity. With that in mind, the unanimous decision was to amend section 31 of the Copyright Act by including exclusion.

Obviously, those who drafted section 31 of the Copyright Act ten years ago could not have imagined the emergence, the scope and the impact of the Internet.

The Internet must take copyright into consideration, and authors must be able to get a fair price for their rights based on the market.

William Craig, President of iCrave TV, tried to prove to the U.S. courts that his service could be limited to Canada.

But all the security measures he claimed to rely on were rapidly demolished by electronics experts, since hacking can easily make on-line Internet content accessible to the whole world.

No standard of reasonable security or restriction is enough. Security must be total or the content runs a serious risk of being transmitted worldwide.

These comments, and the objectives which they reflect, underscore the fact that the Internet will never be secure enough, regardless of the security measures, or firewalls, on which we now rely.

Putting in place security measures to try to restrict access to the Internet does not take into account the fact that the Internet is an open network that must be considered accessible to the public at large.

No tariff set by the Copyright Board will ever adequately compensate copyright holders.

First, the board might not factor into such a tariff damages to the value of Internet rights.

Compensation through tariffs established by the board will never compensate copyright holders and will not allow them to realize the full value of their rights. Therefore, it would jeopardize the whole value chain from the creator to the licence holder and the distributor.

While we support the principle of the bill, we see the need to stress the fact that Internet retransmitters should have the same obligations as traditional ones.

Actually, it would be unfair to create competition for cable companies while freeing them from the duties imposed on traditional retransmitters, namely: negotiating the purchase of copyrights; contributing to the Canadian Television Fund; abiding by the Canadian content rules; holding a licence under the Broadcasting Act. I should also remind members that the industry asked that section 31 of the Copyright Act be amended.

As a matter of fact, the Canadian Association of Broadcasters, the Canadian Film and Television Production Association and the Canadian Motion Picture Distributors Association have formed the Media Content Coalition to oversee the use of Canadian television industry by Internet broadcasters. The coalition welcomed the bill.

● (1525)

In conclusion, I would like to say that there was a consensus on the amendments put forward by the Canadian Alliance, after thoughtful reflection and consultations, because they were the best response to the concerns expressed by the industry.

The Bloc Quebecois hopes that the stakeholders will find the clarity they wanted and that artists and creators will, by the same token, get fair compensation for the distribution of their work. I ask my colleagues in the House to support the bill as amended.

[*English*]

Ms. Wendy Lill (Dartmouth, NDP): Mr. Speaker, I will speak briefly to Bill C-48. The NDP is in favour of the principle of the bill: Owners of copyright should be fairly compensated for their work.

Bill C-48 would be a start toward closing the loopholes in the copyright process that have been created by new technologies. It is the first in a series of copyright bills the departments of industry and heritage will be proposing to modernize our copyright laws as technology and globalization change the environment for creators of copyrighted products.

The list of issues to be tackled over the next few years is enormous. Bill C-48 is a small piece in the copyright puzzle. We must deal with: access issues; ownership of audio-visual works and photographs; database protection; digital issues; government ownership and use of copyrighted works; performers' rights; rights management in an online environment; site signal rights for broadcasters; technology enhancing learning; terms of protection; traditional knowledge and folklore; transitional periods for unpublished works; and Internet retransmission of broadcast programs which is what we are dealing with at present.

This will be an extremely complex and time consuming process. I can assure hon. members that we will all have grey hair if we are sitting in the heritage committee after having gone through each of these areas.

An hon. member: Or no hair at all. Even worse.

Ms. Wendy Lill: Or no hair at all. However the process is essential if we are to protect creators' rights.

In the legislation which continues to be changed and amended we must respect some of the central principles on which our broadcasting policy, our heritage policy and the pillars of the country are based. As we move along we must make sure the legislation would continue to respect Canadian content as new technologies came onstream and became new platforms for broadcasting. We must make sure there would be no loopholes and that the playing field would be level for all broadcasters in Canada. This must be done to ensure all creators in the country would continue to be covered by our copyright legislation and enjoy the same rights. We must make sure their work would be valued and compensated whether it appeared on the Internet, on the radio, in the print media or wherever.

With respect to the issue of putting money into Canadian content and such things as the Canadian broadcast fund, we must make sure environments such as the Internet or whatever follows the Internet would not somehow be exempt from the licensing fees used to nurture Canadian content.

These are important principles we in the New Democratic Party will be paying attention to as we continue to work through the copyright legislation. We will give our endorsement to Bill C-48 as a tiny step along the route of copyright protection. We will see where it goes from here.

● (1530)

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, much has been said by the previous speakers to put into context the purpose of the legislation, namely, to amend the Copyright Act.

Bill C-48 would ensure that retransmitters who benefited from compulsory licensing regained the regime provided for in section 31 of the Copyright Act. It would ensure other retransmitters met the conditions prescribed by regulation. It would also ensure parity and fairness throughout the regulatory regime.

There were issues pertaining to fairness. There was concern that the bill include regulations to prevent loopholes and ensure that individuals could not make use of new technologies to rob those who provide the service. I am talking particularly of television stations; entities such as the NHL, CFL and other sporting organizations; and the movie industry.

The spirit of co-operation on the committee and the amount of input we received in a relatively short period was extraordinary. I give kudos to the parliamentary secretary, the chair of the committee, all members of the Bloc, and a particular member who put a great deal of extraordinary effort into ensuring the proper balance was met.

We in the Progressive Conservative Party support the amendments and the bill. Bill C-48 came about as a result of a great deal of co-operation and effort. Members united to do the right thing and put in place a proper regulatory regime to protect everyone and ensure all the industry interests were met.

If I may echo the sentiments of my hon. colleague from Nova Scotia, there is no doubt that we will be required to come back and re-examine some of the issues as technology and the industry evolve. However this is where we want to be at this point. We in our party support the effort. I again congratulate all fellow committee members.

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

Some hon. members: Question.

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

Some hon. members: Agreed.

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

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

* * *

● (1535)

SPECIFIC CLAIMS RESOLUTION ACT

The House resumed consideration of the motion that Bill C-60, an act to establish the Canadian Centre for the Independent Resolution of First Nations Specific Claims to provide for the filing, negotiation and resolution of specific claims and to make related amendments to other acts, be read the second time and referred to a committee.

Mr. Brian Pallister (Portage—Lisgar, Canadian Alliance): Mr. Speaker, I am pleased to add the comments of the Canadian Alliance to the debate on Bill C-60, the specific claims resolution act. We share many of the concerns the minister spoke of earlier. I will outline some of these before the bill proceeds further. I will also highlight our concerns about the way the legislation may or may not work.

First, I will review the basics of the bill. The facilitation of the settlement of specific claims across the country is its stated objective, an objective the Canadian Alliance shares. Bill C-60 would establish a centre for independent resolution of first nations specific claims. The centre would have a commission division and a tribunal division, each with distinct functions. The commission would facilitate negotiations. The tribunal would resolve disputes. The commission would enable the resolution of all claims regardless of value by drawing on the entire range of dispute resolution mechanisms to assist parties to specific claims in reaching final settlements.

In contrast, the adjudicative tribunal would be available to first nations as a last recourse. It would make final binding decisions on the validity of specific claims rejected by Canada and on cash compensation for valid claims up to a maximum of $7 million. Judging from a review of the claims on hand, the majority are below $7 million.

I will share our party's position on these issues with hon. members. It is as follows:

> Our position in land claims negotiations will be to ensure respect for existing private property rights, affordable and conclusive settlement of all claims, and an open and transparent process involving all stakeholders.

Unresolved land claims have been an issue between the aboriginal people and governments of our country for many decades. That is too long. It is a complex issue that has been a roadblock to building economies on reserves, a roadblock to building a greater sense of shared citizenship among non-aboriginal and aboriginal Canadians, a roadblock to individual aboriginal Canadians achieving the goals they have for themselves and their families, and in many ways a roadblock to economic development. We are trying to tear the roadblock down.

The government's intentions are valid. However there has been a longstanding corporate culture in governments of Canada under various political parties to delay resolution of these claims. Obstacles have been put in place whether bureaucratic, political or otherwise. At one time Indian bands in Canada were not allowed to use their own resources to pursue resolution of legal claims. As a consequence there is deep distrust between aboriginal leaders and communities and the federal government on this and other issues.

Resolving these claims is in everyone's interest. In this year's estimates alone the government has budgeted $122 million for grants to bands for resolution of specific claims. Let us review how this works. The taxpayer pays taxes to the federal government. The federal government gives some of the taxes to bands in the form of grants so they can work toward the resolution of claims. The bands apply to get the grants. They are given the grants. The bands then use the money to pay lawyers.

This is pretty much where the money goes. Lawyers get it. Lawyers are paid on the basis of how long they work. It is kind of like a taxi. The longer it goes the better it is for the taxi driver. In this case the taxi driver is a lawyer. The system could be seen as a bit biased toward preserving and perpetuating cases rather than resolving them.

● (1540)

That is as problem because it all starts with working people across Canada paying taxes. The taxes go to the government. The government sends them to the Indian bands, not to be used for housing, not to be used for improving the social conditions of reserve residents and not to be used toward any significant and immediate concerns that aboriginal people have expressed to me and many of my colleagues in the many consultations we have had with them. My colleague, the member for Wild Rose, spent a couple of years of his life meeting with aboriginal people, individuals and community leaders across the country. He shared with me the higher priorities of the aboriginal people. If people are having trouble supporting their family they do not care b about tinkering legislators working to resolve these issues.

The fact of the matter is that the two things are related. As long as these issues are not resolve, it is highly unlikely that the kind of economic development we would like to see on reserves and the lifting of those limiting factors that plague so many people who live in isolated aboriginal communities across Canada will be achieved. The two things go together.

We are not just tinkering here when we talk about these things. I understand that my aboriginal friends have higher priorities right now, like feeding their kids, building a better community, dealing with some of the health problems that face their friends and neighbours, and encouraging their young people to avoid a life of crime and to make better choices for themselves in the short and long term. I know they have priorities in the immediate days ahead but this is a topic we cannot avoid dealing with. We have avoided it for too long. We are paying the price today for the inattentiveness of our leaders to deal with these problems in the past.

I share the perspective that the minister expressed earlier. We cannot leave these issues to be solved by our children. That is a very good and valid observation. Our children should not be made to pay the price of our own inattentiveness to these issues today.

We can agree with the government on the need to resolve these issues. We can agree with the government on the need to have a climate of economic and social stability on reserves but we should also recognize that other challenges do exist whether or not we solve these problems. The larger problems must be addressed as well.

In the government's urgent pursuit of aboriginal self-government, as it advances its agenda rapidly forward, what has been the consequence of advancing that agenda? The consequence has been that many bands have been pushed into a situation where they are financially challenged. The instability that results from that is that bands are pushed into third party management situations.

I reference comments made yesterday by one of my colleagues in the NDP who said that the Alliance was excessively concerned with the problems and the failures that face some aboriginal communities. I do not think we can be excessively concerned with serious problems. I think we have to recognize that they exist. Though third party management is not something that affects every band in Canada, it does affect several dozen and it does have a consequence when bands have to go into third party management. To ignore that and try to do the Walt Disney thing and pretend that everything is happy, which I think is kind of naive to the maximum, pretty much describes the agenda of the NDP on a lot of topics.

However in this case I think it is dangerous too. The reality is that while the NDP members are doing that Utopian and idealistic Marxist game, what they are doing also is ignoring the very real concerns that face real people.

For example, when a band goes into third party management, the third party manager stops being responsible for paying the bills that were incurred before he or she became the third party manager. Essentially that is what is happening right now.

I have several constituents in my own community who have been directly affected by that. They own small businesses. They have done business with the band. Some of them have done business with that band for many years. They are stuck now. One owner of a hardware store is owed $60,000. That is just one small business. He does not have the taxpayers of Canada to depend upon.

● (1545)

This small business person is not able to go into the coffers of the people of Canada to pick on their tax dollars to solve his problems. He is stuck with a $60,000 debt. He does not blame the aboriginal people for it. I hope his relationship with them will continue to be good and fruitful in the future but it tests a relationship when someone gets stuck with a $60,000 bill. He is just one of hundreds of businessmen who are in the same situation right now.

As opposed to some who choose to engage in a sort of class warfare agenda, I do not. We have a situation here where small, private business people who do business with aboriginal people do so in the spirit of mutual benefit. It has been that way for a long time.

However when we push an agenda forward, like the self-government agenda that is being pushed forward today, and we see an increasing number of bands put into third party management situations, there is a problem. We have to be careful that bands have the preparatory skills and the resources available so they are able to handle those management responsibilities.

I have seen some good progress made in that respect. I know the AFN has been working with the Certified General Accountants Association of Canada to build and equip the aboriginal accounting managers, who have some serious responsibilities in terms of reserve management, to upgrade their skills so they are able to do a better job of managing the books of the bands.

However some bands in Manitoba believe we are pushing this agenda forward too rapidly. I think 10 or 12 bands right now are in third party management in Manitoba. Tens of millions of dollars are owed to people who did business with bands before they went into third party management. Now they are stuck and cannot get paid. That does not just hurt business people. I am not here defending small business but I think small business is the principal engine of growth in the country and that is where we should be looking to create real long term jobs.

That being said, I am also concerned about the impact that will have on the future business dealings of aboriginal managers. When those bands go out of third party and come back into a situation of governance, like the minister is dealing with in another piece of legislation, there will be some ongoing concerns about who will supply the bands with the goods and services they need. Who will do that?

If the reputation that the system has is one where there is much higher risk associated with small businesses doing business with bands it will make it more difficult for band managers. They will have to pay more for goods and services because of the added risks and the risk premium that will be charged to them will be a bloody shame. The taxpayers will pay the price for that but the aboriginal people will suffer the consequences.

We must recognize that with push comes shove. Sometimes if we push too rapidly in a political agenda it can have very dangerous consequences on the other end, not just for small business people but for aboriginal communities as well. That concerns me and I think it is an issue we should be addressing.

This particular legislation is portrayed as fulfilling a 10 year old commitment that the government made in the red book. I guess our hope is that we can resolve most of these claims a lot faster than it took to fulfill this particular commitment.

In terms of self-sufficiency, many underlying factors go into promoting self-sufficiency, whether it is on an individual level or when we speak of reserve communities. We agree with the minister's comments that promoting self-sufficiency on reserves is a noble goal. We recognize that access to investment and business start-up money is critical to the success of aboriginal communities in building and creating future jobs.

We recognize that which is why I am addressing the concerns about third party management and the issue of outstanding debt to business people who have dealt with aboriginal bands with the expectation of being paid. There is a consequence when one defaults. Access to investment in business start-up capital becomes an additionally onerous requirement because more money is needed to do business on a reserve if the premium for risk is excessively high, as it is right now in many aboriginal communities.

I want to back up and do a bit of historical referencing to the specific claims process. I was doing some historical reading and found a 1982 publication called "Outstanding Business". It is a government document. It states:

> —a specific claim is one based upon a "lawful obligation" of Canada to Indians.

Claims based on unextinguished Aboriginal title are expressly excluded, as were pre-Confederation claims until 1991. A specific claim, from the government's point of view, is little more than a claim for compensation.

● (1550)

The concept of lawful obligation is important here. Most Canadians want to see a resolution of the lawful obligations that the government has to aboriginal people because they perpetuate divisions in our society. They would also like to see them resolved in the interest of fairness and in the interest of unlocking the potential that does exist for the aboriginal people and the aboriginal communities.

The Department of Justice, however, assesses the validity of claims in terms of their chances of success in court and applies technical rules of evidence. Thus, legal validity informs the government's assessment of whether a claim properly falls within the scope of federal policy. This assessment is further informed, if not defined, by the examples of lawful obligations set out in the policy itself.

What does that mean? A lawful obligation can arise in any of the following circumstances and these define what specific claims are: first, the non-fulfillment of a treaty or agreement between Indians and the crown; second, a breach of an obligation arising out of the Indian Act or other statutes pertaining to Indians and the regulations they are under; third, a breach of an obligation arising out of government administration of Indian funds or other assets; and fourth, an illegal disposition of Indian land.

In addition to those, we have a situation where the government's determination of validity involves, in the estimation of many aboriginal people, a conflict of interest. The government's role in determining what in fact is a valid claim conflicts with the government's fiduciary obligation to aboriginal people and that the government itself should not be the arbiter and determiner of the nature and validity of claims. What this tries to do is set an arm's length mechanism in place that will assure those who participate in the process that they will be treated fairly and that the heavy hand of government will not be excessively brought to bear on the process itself. That is the intention.

The policy interpretations and practices have created that perception for a long time. What I think the legislation tries to do is change that perception for the better, but the reality is, in the minds again of many who participated in this process, that they see the process as somewhat arbitrary, self-serving and operating without due regard to established law. Negotiated settlements are meant to be achieved according to a broader range of rights and obligations than those otherwise enforceable in a court of law.

What we have to recognize is that federal policy has to set a clear standard by which their validity can be determined. If the Department of Justice has a problem with this, I would not be surprised because the reality is that government departments have been in conflict about how to resolve these types of issues for a good long time and probably will be for a good long time in the future.

I want to go back to that document again. I know it is a few years old but it gives a bit of a perspective. It states:

> Of an estimated 600 specific claims in Canada as a whole, approximately 100 have been settled under the specific claims policy. As is often the case, however, these statistics do not reveal the full story. Most of the specific claims settlements have been made during the past five or six years....

This was written in 1986. It goes on to state that quite a few of the claims were settled in Saskatchewan and B.C. It also states:

> As noted by the Indian Commission of Ontario, about one settlement a year is made in central and eastern Canada; several hundred claims remain to be dealt with across the country.

We have a problem in Canada, not just because of the number, of the 500 or 600 claims right now, but because of the potential for many more. This is in the category of concerns that the Canadian Alliance has about this particular legislation but we obviously agree with the need to expedite the claims.

● (1555)

According to INAC, approximately 1,200 specific claims have been submitted since 1973 when Canada started to address such claims. Some of them have been resolved. The minority of them have been resolved through negotiation. Some of them have ended up in court which as we alluded to earlier is a tremendously expensive process. It costs the taxpayers of Canada a great deal, but so does it cost the taxpayers of Canada a great deal for these issues to remain unresolved. We have to recognize that.

The Alliance has serious concerns about the bill as it is proposed today.

The bill puts an arbitrary cap of $7 million on the amount of the claims that could be dealt with through this process. The Assembly of First Nations has raised a number of concerns about how that cap technically would be determined. What would be included in it? Would legal fees be included in that or just the amount of the claim itself? These questions have to be addressed but certainly our concern is more fundamental than that.

Our concern is that the bill has the potential to create a two tier system for dealing with claim settlements. This is a view that has been expressed by a number of people. Calgary lawyer Ron Maurice, a Metis who has acted for bands on land claims, feels that the tribunal's cap would severely limit the tribunal's mandate. The bill is too narrow to deal with many of the 500 outstanding land claims. It reduces the tribunal to the equivalent of a small claims court.

A great many claims, probably the majority of the claims across the country, exceed, and in some cases far exceed, that amount. What about the more than 500 outstanding claims that we know of today that exceed the cap? Would the facilitation of the small claims result in a delay in the resolution of the larger? Would the process, by defining on the basis of size and that small goes faster, discriminate against the larger? Would the process ignore the validity of the claims? Would the process be able to deal with frivolous claims, expedite them and remove them from the process quickly?

Would the process give weight to the nature of the length of time with which the claim has been dealt? In some cases claims have been kicking around for decades. Would those claims be dealt with expeditiously? Obviously it seems if there are over seven million they would not. What would this do to deal with those longstanding issues of concern many aboriginal people have?

What we do not want to see are unnecessary and costly delays as a result of our attempt to facilitate the smaller claims. In so doing, the net benefit of this change may be very little where the gross benefit appears to be large, because the loss between the gross and the net would be the fact that specific valid, longstanding and larger aboriginal claims would not be dealt with expeditiously. That has been the case in the past. We are concerned about fairness here. We want to make sure that the process is fair.

There is another question that has not really been addressed and which I recognize cannot be addressed in legislation but should be considered in preparing legislation at least. It has to do with the issue of resources.

How much would it cost to resolve and run the tribunals and commissions? What would the costs actually be? I have not seen anything on that. We would need to see that information to do a full and proper evaluation of the nature of the process. The cost consequences go far beyond the costs of providing bureaucratic support and paying for personnel to be in these various positions.

What about the fact that by expediting small specific claims it encourages other claims? We have never made estimates. I met with National Chief Coon Come. He estimated 500 to 600 additional claims would come forward as a result of this process being put into place. Others have estimated it to be over 1,000. Does the government know?

The government did not know the cost of Bill C-68 when it brought it in. It estimated low and it was wrong. The government did not know the cost consequences. I do not believe it has fully evaluated the cost consequences to farmers and landowners of the species at risk legislation, or the animal cruelty act, a well established farm practice. I do not believe the government has considered those perspectives. It needs to consider them in the debate around this bill.

What would be the consequences of encouraging other claims to come forward? They have to be dealt with. Would we have a backlog? How long would it take for that backlog to be dealt with? These are questions that have to be debated and discussed.

● (1600)

There is another fundamental and difficult question which should be addressed. It has to do with the problem faced by aboriginal people on reserves whose lives all too often are governed by hopelessness. They believe that at some undetermined point way off there in the distant future they are going to be the beneficiaries of one of these specific claim settlements and boy, that will solve all their problems.

We have to expedite the valid claims but there is a danger that we perpetuate a culture that says to people that the problems they experience in their home community can be solved by somebody else, that they can be solved by that big government in Ottawa and by golly, that is the way they are going to solve their problems. There is a danger with that.

We do not want young people who are growing up on reserves to believe for a second that somebody here in this building will solve their future problems. We want them to understand that their problems will best be solved by the people in their own communities, their own families, their own friends, their own leaders and their own support groups. The people at the community level are the people we want them to depend on, not somebody here in this building, not somebody in Ottawa.

That psychology of externalizing the solutions is dangerous. The first thing is to look within oneself. That is what I encourage my children to do and I encourage aboriginal children to do the same. Many aboriginal parents have expressed that concern to me in meetings. They want to be sure we do not substitute the real measures that individuals can take. This is what they are saying to me. If we do not substitute those real measures they can take it home to their own communities with the solutions that Ottawa may or may not arrive at. It will benefit them at some distant point down the road.

The final point I would make is a concern that is raised by many Canadians which is the lack of aboriginal involvement in the process. A major dispute going on right now in British Columbia is a referendum about the treaty in British Columbia. Without getting into the minutiae of the debate, the fact is that many people feel they were not involved early on in the process. That lack of involvement is not something that should be addressed just on the aboriginal side. The minister has taken some flak because his consultations did not reach out in the way they should have to women, to reserve residents and to many other people. The point I would make is the consultation in respect to the governance act has failed at least in part because non-aboriginal people were not involved.

We are in this together. The less we focus on what separates and divides us and the more we focus on the fact that we belong to one another in this country, the better it will be. The fact remains that non-aboriginal people view themselves as people who are in a sharing position with aboriginal people. For the most part they support the goals aboriginal people have for a better life. They want to solve these problems in partnership. They do not want to be shunted aside and just asked to pay up. Rather they would like to feel they are making a real contribution to solving the problem. They should be consulted early. Failing to do that creates a division and a sense of separateness that really taints the discussion.

I have aboriginal friends who say it is none of my business, just pay my taxes and they will take the money because it is owed to them. Some of my friends have that attitude. On the other side, non-aboriginal friends of mine say that they do not like that attitude and why should they just pay their taxes and shut up? When there is that kind of divisive tone in a debate, not much gets done. The perpetuation of that kind of racial divide is dangerous to our country.

It is very dangerous here and we are seeing it in British Columbia with the referendum debate. If credible opportunities are not given for non-aboriginal people to be involved in the process, then the point is being missed. Aboriginal people matter in the debate as well. The key in this is fairness, a word the minister used. The government does have communications people who I am sure contributed greatly to the minister's speech today, but the word fairness was used. The government uses that word quite a bit. Balance is a close second. Those are good noble word. The reality is the process has to reflect that but it is missing here.

● (1605)

Why is it missing? Because the federal government broke its promise. What it promised to do a decade ago in that red book was create an independent claims body. The promise went further in the red book. It said that it would be jointly appointed by the government and the first nations.

That is not what this will do. What this does is it gives the power to appoint the counsellors and the members of the commission to the Prime Minister's Office. It shuts out the aboriginal people from the process of determining who those people are. We could get into a debate about the merits of that, pro and con, but the fact is that commitment was made. A promise was made; a promise was broken. It is not the first one but I hope, and I think most aboriginal people hope, that it will be the last that is broken.

The appointment process, according to National Chief Matthew Coon Come, is this. He says:

> The appointment process makes the entire process open to possible patronage nominations. This will not serve Canada or First Nations well.

Those are wise words. The national chief is right to express those concerns. We have those concerns as well.

The grand chief of the Federation of Saskatchewan Indian Nations says:

> The appointment to the tribunal must not be done unilaterally by the Crown. We want some input into the criteria of who is selected to sit on the tribunal to ensure that it is independent and the process is seen as meaningful by First Nations and all Canadians.

These are legitimate concerns expressed by legitimately elected aboriginal leaders at the national level and the provincial level. We share these concerns. The process has to be fair and it has to be seen to be fair or it will not work.

The government is putting more control in its own hands, in the Prime Minister's hands, through this process despite its earlier commitments to share that control and that selection process with the aboriginal people. That is a broken promise and is a disappointment to many aboriginal people.

Finally, June 21 is coming up fast. Not fast enough I expect for many of the members here. June 21 is National Aboriginal Day. This piece of legislation stands as an example, in words at least, of the government's intention to resolve one of the longest standing areas of dispute between aboriginal and non-aboriginal Canadians. In that respect, it is our sincere hope that we can, with amendments, make this legislation work effectively to achieve its stated goals.

I know that on June 21 many of us will be joining our aboriginal friends to celebrate their great contribution to this country. When we celebrate the uniqueness and the great contributions of aboriginal people, we will not be celebrating our differences, we will be celebrating our shared qualities. It is those shared qualities on which the Canadian Alliance wants to build. We recognize that we belong to one another and we will ensure that we do everything possible to stand up for the rights of individual aboriginal Canadians and for the great contribution that aboriginal societies have made and will continue to make to our country.

[*Translation*]

Mr. Richard Marceau (Charlesbourg—Jacques-Cartier, BQ): Mr. Speaker, I am pleased to speak to Bill C-60, An Act to establish the Canadian Centre for the Independent Resolution of First Nations Specific Claims.

This bill represents a praiseworthy initiative by the government in its relations with the first nations. However, there are rarely roses without thorns. As the minister said in his statement to the press, shortly after tabling the bill last Thursday:

> The government made clear commitments in the Speech from the Throne to improve the lives of Aboriginal people by dealing with the grievances from the past, and to equip First Nations people with the tools for a successful future.
>
> This is also a Red Book commitment made by the Prime Minister, and by this government.

Well now, good for them. I would, however, point out that the throne speech to which the minister refers was the one opening the 35th parliament, on January 18, 1994, more than eight years ago. Also, the red book he refers to was presented by the Liberals during the 1993 election campaign—not the campaign of 1997 or 2000, but the one of 1993.

The minister is right to be pleased, because at last, he can rise in this House and announce some government initiative for the benefit of aboriginal people, something very few of his predecessors have been able to do. I am thinking of the Minister of Human Resources Development or the Canadian ambassador to Ireland, Ron Irwin. But never mind, as they say, better late than never.

So, Bill C-60 will create the Canadian Centre for the Independent Resolution of First Nations Specific Claims, a measure that has become necessary, indispensable even, because the federal government has, most obviously, neglected to honour its legal obligations as required by a series of treaties ratified with the first nations.

It is somewhat ironic to see the government creating from scratch a body mandated to repair, or at the very least, arbitrate the injustices committed by it in connection with aboriginal nations.

This is a good initiative, I agree, and the first nations have everything to gain in having an independent body, a tribunal what is more, finally able to decide on their claims, claims the government could leave unresolved as long as it wished.

For the aboriginal people this represents a step forward. Let us hope that the claims brought before this body will be settled diligently and in their best interests. For too long, the first nations have suffered because of Ottawa's laxity and lack of leadership. It is important now to look to the future.

However, I must again call attention to the wait and see attitude of this Liberal government in its relationship with first nations. Indeed, instead of taking action as it promised to do nearly ten years ago, the government preferred to wait and let things drag on, probably with the unspoken and unspeakable intention of seeing the aboriginal nations get fed up and abandon their various claims against it.

I fail to understand why the government would want to stretch the time frame to the limit since its inaction has considerably hampered the development of first nations and its lindifference has made highly critical situations even worse, which is not saying much about a government run by a former Indian affairs minister.

The support of the Bloc Quebecois for the principle of this bill at the second reading stage shows our party's interest in the development of aboriginal communities and the nations to which they belong.

The openness shown by the Bloc Quebecois is based on the fundamental premise that the nations that take part in the dialogue must do it as equals. This kind of dialogue applies to the whole relationship between non aboriginal governments and first nations.

As I have often said, this way of thinking was evident in the negotiations that led to the ratification of the peace of the braves between the Government of Quebec and the Crees of James Bay.

Quebecers know better than anyone else in Canada how important a constructive dialogue with their partners is, and I hope to see all my colleagues in the House adopt this attitude that does credit to Quebecers.

● (1610)

While we discussed what the major thrusts of Bill C-60 should be, its referral to a committee after second reading will promote a most constructive discussion on this bill and, more importantly, will ensure that the bill reflects as closely as possible the fundamental objectives that were set.

Among other things, we will have to give priority to the concerns raised by the Assembly of First Nations, in particular as regards the arm's length nature of the appointment process to the tribunal and the ceiling imposed on the value of the claims that can be submitted to this tribunal.

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources will have the opportunity to consult directly with aboriginal nations and with all those who take an interest in this most important issue, and it will propose amendments to the minister, so as to ensure that the legislation achieves its objectives.

Since this is a new and innovative government initiative in the area of aboriginal claims, it is important to ensure that the process is as open as possible. My colleagues on the committee and I are anxious to hear what the leaders of aboriginal communities will have to say, since there are some claims that are critical to the development of their nations.

Also, I do believe and hope that the government will be truly determined to ensure that this bill is passed quickly, because the hopes of a very large number of aboriginals rest on it.

Needless to say, it would be truly be unfortunate if the government used its powers to prorogue the current session at some point during the fall and left first nations out in the cold for long months by letting them down once again with broken promises and failed commitments.

It would be ironic, to say the least, to hear once again the governor general solemnly reaffirm the clear and true will of the government to promote the development of aboriginal communities. These lofty words have been used too often without leading to any action. History must not repeat itself, because this could break the fragile trust that exists between the federal government and aboriginal nations.

Before concluding my remarks, I want to reiterate the support of the Bloc Quebecois for this important bill, and particularly for its impact on the development of first nations.

The Bloc Quebecois is determined to do its utmost to improve this legislation and to have it passed, so as to speed up the settlement of specific claims which, in some cases, have been dragging on for years.

● (1615)

[*English*]

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, I am pleased to have the opportunity to join the debate on Bill C-60. I want to thank my colleague from the Bloc Quebecois for his thoughtful remarks. I find I can associate myself with his points of view quite readily. We have obviously come to similar conclusions and apprehensions about some of the shortcomings or things yet to be explained or clarified in the bill.

It has been interesting to research this long awaited bill that will be the impetus of the creation of the independent claims body. We feel that this is a progressive move. It would expedite and alleviate some of the backlog that exists in the specific claims area. The research we have been doing has been instructive, to me at least, in many areas. I would like to outline some of the things we found interesting, possibly to help people understand this debate.

There are two types of Indian land claims. I am not sure that is clear in the general public's mind. I am not sure it is even clear in the minds of some of the other speakers from other parties I have heard, the Bloc Quebecois being the exception.

There are comprehensive claims, which arise in areas where treaties have not been made between Canada and first nations to address and reconcile issues of existing aboriginal title. Then there are specific claims that arise where Canada has failed to fulfill the terms of treaties or its legal obligations to properly administer and protect first nations land or other assets, usually meaning finances.

Specific claims come from laws and agreements respecting Indian lands dating back to 1763. By virtue of the royal proclamation of 1763 the crown proclaimed that:

> "only the Crown could acquire land from the Indian Nations of North America"; and, "the Crown would make arrangements with Indian Nations with respect to land to protect them from great frauds and abuses..."

These colonial laws and practices were the foundation for the crown's policy of making treaties with Indian nations for peaceful co-existence and for land for incoming immigrants. Canada has the constitutional responsibility therefore for Indians and lands reserved for Indians, and has administered and managed Indian land and assets under the Indian Act since the 1870s. It is important to note that the royal proclamation did not create rights. It recognized property and land rights of Indian nations and it set up a process to acquire lands from Indian nations.

Specific claims occur when Canada fails to set aside enough land under treaties. That is one example where there might be a specific claim file. A specific claim may be filed where reserve land was taken away illegally or in contravention of the laws or in contravention of certain treaties. A specific claim could also occur where Canada has a responsibility for managing first nations lands and assets but fails to adequately protect those assets. Those are the circumstances under which we find ourselves at the wrong end of a specific claim by a first nation aboriginal people.

Specific claims are brought against the Government of Canada for failing to meet its legal obligations. Specific claims are legally enforceable because they arise from duties and obligations that Canada has in relation to first nations treaty and property rights. The claims are legal liabilities which remain until they are settled by the Government of Canada. These are unfunded liabilities that Canada is owing. Canada recognizes that as soon as these claims are validated it must settle them. The conflict occurs when Canada finds itself in a conflict of interest situation. I will speak more about that later because the very claims that are being made against the Government of Canada are being adjudicated by the Government of Canada. There is room for conflict, as anyone can plainly see.

● (1620)

It was not until the early 1970s that first nations were able to examine why their lands and assets were lost under the administration of the federal government. Part of the reason these claims were not brought forward earlier was due to a clause in the Indian Act which prohibited Indians from making claims or seeking legal advice to make claims. That clause was repealed in 1952. From the 1920s until 1952 aboriginal people were prohibited from this by law, and in fact lawyers were prohibited by law from taking money from aboriginal people to represent their views in a land claim issue. The practice was outlawed and aboriginal people were denied the recourse of the courts.

One might wonder how the existing specific claims policy worked to date. That is why we find ourselves here today trying to find another conflict resolution process because the existing specific claims policy has been slow, inefficient, ineffective and costly. The costs of negotiating claims sometimes equals the cost of the settlement. Claims are taking as long as 7 to 10 years to finalize. First nations believe that the claims process should be fair and impartial first of all, and that it should be expedited because, as the old saying goes, justice delayed is justice denied.

The idea of an independent body has been called for since the 1940s. In recent history it was recommended by the aboriginal justice inquiry in Manitoba and the Royal Commission on Aboriginal People in 1996. The Canadian Bar Association has been calling for this, and even the standing committee on aboriginal affairs, on which I sit, have all recommended that an impartial and independent body to deal with specific claims be established forthwith.

As a result of the Oka crisis, which revolved around a land claim, the federal government established the Indian Specific Claims Commission in 1992 as a temporary and interim body to hear appeals on claims that were rejected by Canada. However the Indian Specific Claims Commission can only make recommendations to Canada and therein lies the conflict of interest, because the Government of Canada ultimately will decide the merits of the case. A recommendation can come from the specific claims commission and the government will decide whether to pay out or not.

The minister of Indian and northern affairs at that time, the hon. Tom Siddon, publicly stated that the interim body would provide a degree of fairness under the existing policy. First nations of Canada sought agreement on improvements to federal policy but he expressed his concern as to how independent and how effective it could be.

First nations estimate that at the current rate of settling claims under the Indian Specific Claims Commission, it would take 150 years or more to settle the outstanding backlog. Clearly something must be done. The federal government has a backlog of claims dating back to the early 1970s. We have heard the figure of 480 outstanding claims used in the House of Commons today and there are another 60 plus claims with the Indian Claims Commission.

The Indian Claims Commission only accepts claims that have been rejected by the specific claims branch. For the past 12 years first nations have worked jointly with Canada and have waited for a collaborated effort to dialogue with the federal government to resolve these outstanding debts. The cost of settling claims increases every year. The longer it takes to settle a claim, the more it costs.

Since 1997 the Joint First Nations-Canada Task Force, the JTF on claims policy, has been working to develop joint recommendations on claims policy reform. The JTF has developed a model for an independent claims body through positive interaction and dialogue that it believed was a fair, effective and impartial way to settle specific claims in Canada.

The Government of Canada committed itself to work co-operatively with first nations in developing this kind of a fair and independent claims resolutions process. This type of process followed up on the federal government's red book promises and action policy "Gathering Strength—Canada's Aboriginal Action Plan". The commitment then was to work with first nations to design the new independent claims body.

● (1625)

The federal government did not respond to the joint task force report for 18 months. When it did respond it was with a counter proposal to establish the independent claims body through legislation without any input at all from first nations. The federal counter proposal would appear to incorporate some of the basic elements of the JTF model, such as the commission and a tribunal, but there are key omissions, limitations and voids within the proposed legislation now that differ greatly from the recommendations of the joint task force which is the fair way to put together agreements like this.

One of the specific differences from the joint task force and the actual legislation that concerns the parties now is the arbitrary cap of $7 million, that no claim greater than $7 million can be submitted to this process. The problem is that many of these claims are over $7 million. Once someone stipulates this set of rules and agrees to put his or her claim through this mediation process, that individual forgoes the right to the avenue of recourse through the courts at least while it is in the process.

The unfairness comes in the following way. What if the claim is $8 million? There is a choice. One could fight it through the courts for six, seven, eight, ten years or one could avail oneself of the expedited mediation process of the independent claims body and settle for a maximum of $7 million. That first nation would have to make a judgment call and leave money on the table because of this arbitrary ceiling of $7 million.

It was not clear until recently just how this cap would operate, whether it would apply to the ability of the tribunal to make recommendations on the validity of claims or whether the cap would include outstanding negotiation costs and loans, et cetera. We now know that the legal and negotiation costs would become part of that total $7 million cap. As we heard earlier sometimes the cost of negotiation is equal to the settlement. First nations could be working on repaying an outstanding loan or debt who might also have $2 million, $3 million, $5 million worth of legal bills and the total maximum claim would be $7 million. That would be deducted from their maximum claim. That is a real concern.

We are concerned that even with an expedited process without the resources to deal with this huge backlog of claims, no real progress would be made. We do not see any major increase in the budget for settlements. There was concern over the operations budget and the continuance of loans funding to finance first nations participation in the process. Do we know that first nations would still qualify for loans so that they can even represent themselves during this new independent claims process? That is yet to be determined.

The one thing all parties agree on is the appointment process. The appointment of people to the commission or the tribunal would be a crown prerogative and not a joint process as promised. This is one of the key recommendations of the joint task force. To be an independent body it should not be made up of patronage appointments by the ruling party, the government. That is what we are faced with today and that does call into question the truly independent nature of this independent claims body.

We are concerned that the fear of patronage appointments would jeopardize the effectiveness of this new body. The cap of $7 million would exclude large claims and may force claims that are right about that level to accept the settlement at a value less than what they rightfully deserve because the claimants cannot afford to keep fighting a long and exhaustive legal battle.

We are critical that there is no significant increase in the budget for the new processing of claims and settlements. We believe there is a question of the true independent nature of the claims body and we believe there is a risk of conflict of interest because we still have the Government of Canada hearing the claim against the Government of Canada.

● (1630)

Surely there is a bias there. It is not independent. There is no commitment to first nations that they will have a role to play in the three year review. The bill calls for a three year review to measure the effectiveness of this new body, but the first nations will have no input so the government will be auditing itself. Again it is a problem of a conflict of interest when the government is charged with the responsibility of measuring how well it did. That can get politicized.

In our initial review of Bill C-60 we have identified a number of departures from the 1998 joint task force report, which may compromise the ability of the new body to assist in resolving claims in a fair and impartial manner. Those are some of the concerns.

It is worth looking at what the independent claims body will seek to replace or to act as an alternative to, and that is the Indian Claims Commission. I was sitting in the House of Commons the last time the independent claims commission co-chairs made a presentation of their annual report. It was on May 29, 2001. I would like to briefly visit that to explain some of the points they made.

They raised the issue as background that in 1927 it was an amendment to the Indian Act that made it illegal for any person to accept payment from an aboriginal person for the pursuit of land claims. As I have said, this provision remained in effect until 1951. It was not until 1973 that the decision of the supreme court in regard to Frank Calder of British Columbia confirmed that aboriginal peoples' historic occupation of the land gave rise to legal rights that survived European settlement, thus recognizing the possibility of present day aboriginal rights to land and resources. That ruling prompted the federal government to elaborate a policy to address unsettled land claims, both specific and comprehensive. What a monumental supreme court ruling that was.

The co-chairs of the Indian Claims Commission stated "The specific claims policy has long been subject to criticism for establishing a system in which government rules on the validity of claims against it". It was a clear-cut case of conflict of interest or at least the possibility and the risk of conflict of interest. In the aftermath of the Oka crisis recommendations regarding land claim reform, the Indian Claims Commission was established by order in council. I want to point that they also make reference to this: the creation of an independent commission with broader powers has also been on the Liberal government's agenda since the 1993 pre-election red book and was a recommendation of the Royal Commission on Aboriginal Peoples.

We have been promised this independent claims body at least since the government took office in 1993. It was in their pre-election red book. It has been a long, painful process waiting for this to take place, and as a previous speaker said, I hope they can settle claims faster than they could live up to their red book promises.

I want to give an example of what types of specific claims have been dealt with by the Indian Claims Commission and what things succeed and what things fail. Specific claims are, as I have mentioned, outstanding lawful obligations owed by the Government of Canada to Indian bands. In general terms, they arise from breaches of treaty, breaches of trust and circumstances such as the theft of land, and flagrant violations of duties of the crown.

Often these are clear-cut cases and litigation should not have to be the only avenue of recourse to get satisfaction on historical facts in many cases. We often will see a well documented historical fact that a certain air force base expanded onto reserve land. The surveyors staked it out and took 200 acres 50 years ago. No one ever resolved these outstanding claims. People have been forced to go to the courts. Surely in cases like that an independent claims body would agree that the grievance is legitimate and should succeed.

For example, the Fort McKay case in 1996 resulted in the reversal of the Government of Canada's policy position with respect to treaty land entitlement, and the prairie land surrenders of the Oliver era are very well known. These are landmark cases, precedent setting cases.

The NDP welcomes the independent claims body with the reservations I have stated, which we will be raising again at committee.

● (1635)

ROUTINE PROCEEDINGS

[*English*]

COMMITTEES OF THE HOUSE

JUSTICE AND HUMAN RIGHTS

Mr. Geoff Regan (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, there have been discussions among the parties and I think if you were to seek it you would find unanimous consent for the following motion.

I move:

That, in relation to its study on national security matters, a group comprised of five members of the Sub-Committee on National Security of the Standing Committee on Justice and Human Rights be authorized to travel to New York, N.Y., U.S.A., from June 23 to 27, 2002, to attend the Global Security—Post 9-11 conference by the International Association of Airport and Seaport Police.

The Acting Speaker (Mr. Bélair): Is there unanimous consent?

Some hon. members: Agreed.

(Motion agreed to)

NATIONAL DEFENCE AND VETERANS AFFAIRS

Mr. Geoff Regan (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, there have been discussions among the parties and I think if you were to seek it you would find unanimous consent for the following motion.

I move:

That, in relation to its study on Long-Term Care for Veterans, the Sub-Committee on Veterans Affairs of the Standing Committee on National Defence and Veterans Affairs be authorized to travel to Eastern Canada on September 22 to 26, 2002, and that the necessary staff do accompany the Committee.

The Acting Speaker (Mr. Bélair): The House has heard the terms of the motion. Is there unanimous consent?

Some hon. members: Agreed.

(Motion agreed to)

SCRUTINY OF REGULATIONS

Mr. Geoff Regan (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, again I think you would find unanimous consent for the following motion.

I move:

That, in relation to its permanent Order of Reference under the Statutory Instruments Act, the Standing Joint Committee for the Scrutiny of Regulations be authorized to travel to Toronto from September 25 to 27, 2002, in order to attend the "Red Tape to Smart Tape" Conference and that the necessary staff do accompany the Committee.

The Acting Speaker (Mr. Bélair): Is there unanimous consent to adopt the motion?

Some hon. members: Agreed.

(Motion agreed to)

[*Translation*]

The Acting Speaker: (Mr. Bélair): 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 St. John's West, Fisheries and Oceans.

GOVERNMENT ORDERS

[*English*]

SPECIFIC CLAIMS RESOLUTION ACT

The House resumed consideration of the motion that Bill C-60, an act to establish the Canadian Centre for the Independent Resolution of First Nations Specific Claims to provide for the filing, negotiation and resolution of specific claims and to make related amendments to other acts, be read the second time and referred to a committee.

The Acting Speaker (Mr. Bélair): Questions or comments.

Mr. Rob Anders: Mr. Speaker, I rise on a point of order. Out of curiosity, on those particular motions that the hon. member just stood on with regard to travel budget requests, is it true that they total $24,000—

The Acting Speaker (Mr. Bélair): I am sorry, but we are on questions and comments to the hon. member for Winnipeg Centre. Points of order are completed.

The hon. member for Souris—Moose Mountain on a point of order.

Mr. Roy Bailey: Mr. Speaker, as you know, the minister spoke on the bill about five minutes before question period today. We went immediately into members' statements. Then we started without anyone having the opportunity to ask the minister some questions. I am wondering if that opportunity will not be available, not that I want to grill him or anything, but there is some information I would like. I was wondering if he will be back in before we just—

● (1640)

The Acting Speaker (Mr. Bélair): At the start of a reading, the first three speakers are not subjected to questions or comments. As of the fourth one, as is the case right now, then we do have questions or comments. If the minister has spoken very briefly, that is his prerogative on this.

Questions or comments? If not, resuming debate.

The hon. member for Dauphin—Swan River.

Mr. Inky Mark (Dauphin—Swan River, Ind. Cons.): Mr. Speaker, I am pleased to take part in the debate on Bill C-60, the specific claims resolution act, on second reading, representing the PC Party of Canada as an independent Conservative member of the House. It is rather unusual to debate two bills on aboriginal affairs back to back. As we know, yesterday we debated the first nations governance act, Bill C-61.

I made reference during yesterday's debate on Bill C-61 to the fact that the member for Winnipeg Centre made a recommendation to the minister that aboriginal representation be included during the hearing process of the standing committee. I can certainly say at this time that the PC Party of Canada supports that recommendation. In fact, we would suggest that the recommendation be extended to Bill C-60 as well.

We all know that the land claims issue in Canada has been longstanding and has not been easy. Aboriginal treaties and land claims are part of Canada's history. I believe that Canadians want these outstanding land claims to be resolved in an expedient manner. It is in the best interests of all Canadians, including aboriginal Canadians. Bill C-60, in the PC Party's opinion, is a progressive step.

My first involvement with land claims was in 1995 with the Rolling River first nations band in my riding of Dauphin—Swan River. The then chief, Dennis Whitebird, who is now the grand chief in Manitoba, was one of the leaders involved in the entitlement land claims initiative in Manitoba. As the mayor at the time I learned a lot about land claims through the process and supported the Manitoba entitlement claim initiative. In fact, Dauphin—Swan River is fortunate to have 13 first nation communities as well as 88 other municipalities.

The land claims process, as I found out, is not as simple as it sounds. At this point I would like to relate some of the basic information that I had to learn to understand and I believe it would be in the interest of the viewers following this debate.

First nations in Canada have signed agreements with the crown that are called treaties. There are three groups of treaties: pre-Confederation treaties, numbered treaties, and modern treaties, which we designate as land claims. In July 1817 the Selkirk Treaty in my own province of Manitoba was signed by the Saulteaux and the Cree First Nations and the Government of Canada.

The pre-Confederation treaties include King George III's royal proclamation of 1763. Those treaties were negotiated in Canada before Confederation. Also included are the Robinson Treaty of 1850, Treaty No. 13, and the additions to the Robinson Treaty which are known as Treaty No. 12 and Treaty No. 14. Numbered treaties are the treaties numbered 1 to 11, which were negotiated between 1871 and 1877 with first nations people across Canada.

The third group of treaties is known as the modern treaties, or land claims as we know them today, which consist of land claims negotiated according to Canada's land claims policy established in 1973. The land claims policy recognizes two broad classes of claims: comprehensive claims and specific claims.

I will explain briefly what comprehensive claims are. Comprehensive claims are based on the assertion of continuing aboriginal title to lands and natural resources.

Comprehensive claim settlements are negotiated to clarify the rights of aboriginal groups to lands and resources in a manner that will facilitate their economic growth and self-sufficiency. Settlements are intended to ensure that the interests of aboriginal groups in resource management and environmental protection are recognized and that claimants share in the benefits of development.

These rights and benefits usually include: full ownership of certain lands in the area covered by the settlement; guaranteed wildlife harvesting rights, which I will come back to later and discuss in a little more depth; guaranteed participation in land, water, wildlife and environmental management throughout the settlement area; financial compensation; resource revenue sharing; specific measures to stimulate economic development; and last, a role in management of heritage resources and parks in the settlement area.

● (1645)

I would like to speak about how guaranteed wildlife harvesting rights has impacted both aboriginal and non-aboriginal individuals in Dauphin—Swan River this past winter.

No one disagrees that aboriginal Canadians have the right to fish and hunt on a sustenance level. In real terms, sustenance means putting food on the table, in the absence of aboriginal commercial rights to fish.

This past winter in Dauphin—Swan River we saw a small group of aboriginal net fishers net fishing on an unlimited basis in stocked lakes under the guise of sustenance. That is wrong. This illegal activity is not supported even by aboriginal people. Most of this illegal catch ended up on the commercial market through the Manitoba freshwater fish marketing board, which is a creature of the federal government.

Unfortunately this issue is still unresolved. Manitoba has no provincial regulations pertaining to unlimited net fishing by aboriginals. In fact, the Manitoba conservation minister is himself an aboriginal Canadian. He wants band bylaws on resource management to be applicable outside the boundaries of the reserve. This goes against the Sparrow decision.

The issue of unlimited net fishing by aboriginals in stocked lakes will not go away unless all stakeholders in Manitoba meet and come up with a solution. The provincial minister currently picks and chooses who should sit at the table. If humans do not agree, fish and game will be the big losers. We will all lose if we lose our wildlife resources.

Most specific claims are related to land other than a loss of reserve lands without lawful surrender by the band concerned or the government's failure to pay compensation where lands were taken with legal authority. Other specific claims arise with respect to the administration of Indian moneys and other assets such as timber and mineral rights.

This brings me to Bill C-60 dealing with specific claims. Before I talk about the bill I would like to put forth the Progressive Conservative position. We would respond energetically to the co-operative settlement of outstanding land and other claims with aboriginal people ensuring that they have full opportunity to grow, develop and prosper within Canada.

The position of the Progressive Conservative Party differs from the Liberals in that we would work with aboriginal people to expressly define aboriginal rights as a matter of public policy in a non-confrontational balance and interest based negotiations. We believe that the ineffective, paternalistic, colonial approach of the Indian Act must give way to greater self-reliance through effective education, economic development, social justice and local control.

The PC position is very clear. We do not share the position of another party in the House that believes special rights for any targeted racial group is contrary to the principle of equality and that they should be indistinguishable in law and treatment from other Canadians.

The minister said in committee that something was wrong when legal fees outstripped settlement targets. In principle the PC Party supports Bill C-60. On the matter of litigation we support the policy that Canada will not entertain a claim or participate in negotiations if first nations have active litigation on the claim.

● (1650)

The existing claims process has been criticized by many over the years. These are some of the criticisms. This was a backroom process hidden from the public. There is a lack of fairness and transparency in the area of research and assessment. It does not provide a level playing field for negotiations. Finally, there is a lack of independence and partiality and accountability. The new bill, Bill C-60, hopefully will address these concerns.

Canada's specific claims policy was first established in 1973. Over the years this policy has been amended several times to reflect the evolving legal and policy environment. Despite its shortcomings, it has settled many claims. In fact, 232 claims were settled, totalling $1.2 billion, averaging $5.3 million per claim and adding 16,000 square kilometres to the reserve land base. Approximately 580 claims, with an estimated contingent liability of $2 billion, have been added to the Indian and Northern Affairs Canada inventory of unsettled claims.

Calls for the government to establish an independent claims body have been numerous over four decades by three parliamentary committees: the parliamentary joint committee 1946-48; the joint committee of 1959-1961; and the Commons standing committee on aboriginal affairs in 1991. There was also draft legislation introduced twice in the House in 1963 and 1965. They all failed.

Three independent reports made similar recommendations for an independent claims body: Gérard La Forest in 1981; the Canadian Bar Association in 1987; and the royal commission on aboriginal peoples in 1995. There are other advocates who recommended the same point of view: the Indian Specific Claims Commission in 1991 and the first nations Canada joint task force created in 1996.

All stakeholders agree that establishment of this independent body is long overdue. The centrepiece of Bill C-60 is the establishment in law of the Canadian centre for the independent resolution of first nations specific claims. It will be comprised of a commission division to facilitate the negotiation of claims settlements between the parties by providing a range of dispute resolution processes and a tribunal division as a last recourse to adjudicate the validity of and compensation for claims where negotiations and dispute resolution processes have proved unsuccessful.

The commission and the tribunal will establish neutral arm's length claim facilitation and adjudication bodies, enhance transparency, remove the funding of first nations to participate in specific claims process from the minister's jurisdiction, simplify the existing structure and bring greater rigour to the process and provide an effective alternative to litigating specific claims, which are expensive for both parties, by actively promoting negotiated settlements and/or exercising its authority to render binding decisions.

One area in Bill C-60 which calls for debate is the fear of patronage appointments process. Why does the government get to pick all the commissioners in both divisions? How can it operate at arm's length and be impartial and away from political influence if this occurs? Does the aboriginal community have representation on those commissions?

● (1655)

June 21 is an important day as we celebrate National Aboriginal Day. Aboriginal history is a part of this country's history. How many Canadians know that during the war of 1812-1814 the aboriginals in central Canada, through their efforts in aiding the British, basically prevented the takeover of this country by the Americans?

Two weeks ago I had the privilege to help open the first annual parkland aboriginal festival in Dauphin, Manitoba. I am sure the festival will become an annual event and will continue for many years to come. I applaud the Dauphin Friendship Centre for taking the initiative to organize the event, with the full support of the aboriginal community.

In closing, Bill C-60 is needed. The PC Party supports the bill in principle. I look forward to the upcoming hearings by the standing committee.

Mr. Peter Adams (Peterborough, Lib.): Mr. Speaker, I am pleased to speak for the member for Oxford in support of the bill respecting the specific claims resolution act.

The act would establish the Canadian centre for the independent resolution of first nations specific claims. This body would be composed of a commission division to facilitate negotiations on specific claims by first nations and a tribunal division to resolve disputes involving those claims. This system would expedite disputes and save money over the long term. It would also emphasize that both the Government of Canada and the first nations would rather negotiate than litigate. It would allow us to quickly resolve a number of historic grievances.

By settling these claims, we would remove a roadblock to economic development. Investors could proceed with confidence and first nations could negotiate from positions of strength. As the title of the act indicates, resolution is the objective to provide the certainty of a fair, equitable, transparent and just system.

The overall purpose of the new commission would be to facilitate the resolution of negotiated settlements on specific claims. The new tribunal would make binding decisions where dispute resolution mechanisms failed, with no appeal except to the federal court. Binding decisions would avoid costly recourse to court actions that would drag on and prevent the certainty of final resolutions, which are very expensive and frustrating.

The tribunal would determine compensation on claims to a ceiling of $7 million, ensuring access by most claims in the current inventory. I understand that 80% of the claims would come under the $7 million ceiling.

Certainty would allow aboriginal people to become investors and would encourage the investors to start new businesses and to expand opportunities. Certainty of resolution of specific claims would mean a new climate of strength and confidence for both first nations and partnering non-aboriginal communities.

Through the legislation, first nations would be moving to a more equal footing with other Canadians, able to pursue their dreams and sure that their claims are being dealt with fairly and impartially.

On behalf of the member for Oxford, Mr. Speaker, I thank you for this opportunity to participate in this important debate on this important legislation.

* * *

● (1700)

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 the parties in the House of Commons regarding the following motion which I would like to propose to the House and which has resulted in unanimous consent, at least of House leaders. I would now like to offer it to the House. It has to do with the date of recall of parliament in the fall, which would be on a Monday. Given that it is a Jewish Holy day, I would like to propose the following. I move:

> That, for the year 2002 only, the phrase "the second Monday following Labour Day" in Standing Order 28(2) shall be changed to "the third Wednesday following Labour Day"

This would have the effect of backing up the date of our return by two days so that members will not have to sit or travel on the Jewish Holy day.

The Acting Speaker (Mr. Bélair): The House has heard the terms of the motion. Is it the pleasure of the House to adopt the motion?

Some hon. member: Agreed.

(Motion agreed to)

* * *

SPECIFIC CLAIMS RESOLUTION ACT

The House resumed consideration of the motion that Bill C-60, an act to establish the Canadian Centre for the Independent Resolution of First Nations Specific Claims to provide for the filing, negotiation and resolution of specific claims and to make related amendments to other acts, be read the second time and referred to a committee.

Mr. Roy Bailey (Souris—Moose Mountain, Canadian Alliance): Mr. Speaker, as we have agreed to send this important bill to committee, I will be brief. If my partner shows up I will be sharing some time with him.

This is a tremendously important bill to me. I may be a little selfish but there is a lot of land in my constituency and there will be claims that I will want be able to address. I want the opportunity to question the committee and submit questions for my own satisfaction in dealing with other governments because once a land claim is made it is not just over. We will be dealing with changes in the acquisition of land, changes in the tax bases for municipalities and a whole set of agreements. It is not a simple thing. It is far reaching. It even goes into the tax base to fund public schools and so on.

It is a very difficult situation. Some of the rules and regulations in land acquisition in my province have a particular formula. I am sure it is the same formula as my colleague from Dauphin—Swan River just spoke about.

With regard to land acquisition, there is a point that no one has mentioned and it concerns me a lot. If one is going to lose or take out of the agricultural industry or the base for a certain community 20 farmers from a given portion of land, and if they move elsewhere, then we should know well in advance because the businesses that have traditionally served those 20 people will have to change their operations in order to adjust to the loss of customers. Heaven knows, in Saskatchewan we are losing enough customers as it is and that is a very serious concern.

No matter what people have to do to make their claim, I want to make absolutely sure that our position in land claims negotiations will be to ensure respect for existing property rights, affordable and conclusive settlements of all claims, and an open, transparent process, including all stakeholders. I can assure the House and the committee that the bill will set up that it is imperative that the committee understands the total results of what happens when land is taken over.

The first question I have concerns the independent centre. How independent will it be? In the true sense of independence, when the government selects the people, the chief executive officer and so on, how independent can the centre be? To answer that question, from what I have read, it will be about as independent as one could expect from government appointees. Let us keep that in mind.

The second question that has bothered me somewhat concerns the fact that the bill dictates that the centre must be located in Ottawa. That might be all right for the centre itself but I would suggest to those going into the committee and to the minister that it would be a lot easier to move the appointees to the area of dispute or to where the claim is being made than it would be to bring people down here. I have no objection to the centre being located here but I would suggest that its mobility be recognized. I really believe there is a necessity for that.

● (1705)

I would like to point out that the centre will be audited by the auditor general within six months of its operation and then it will be audited annually. I see nothing wrong with that. It is a whole lot better than some of the government programs today. Some of them have not been audited for years.

I would like the minister to take a look at grants in lieu of. It is a very indepth study but in some cases the grants in lieu of are grants made because of loss of business. While the transaction may be legal other outside interests will lose. I think the commission should be prepared to listen to that.

When the federal government came into our province under the PFRA back in the thirties it established huge grazing pastures. The RMs, who lost the real tax base, were given a grant every year in lieu of taxation.

In the case of land claims by first nations, a formula is in place but I think we have to re-examine that formula. Let me give the example of the RM of Golden West in my area. The amount of land that it has lost through land claims, and I do not want to use that word lost, but lost only to taxation purposes, leaves that particular rural government in the position, even with the formula, of no longer having the financial means to properly operate.

Some will say that is all right, that they can be swallowed up by other local RMs, which is possible, but I would like the minister to take a look once more at that formula and check with the Association of Rural Municipalities in each of the provinces to see if it is working. We need to have everybody on side or it will not work.

My hon. colleague from Dauphin—Swan River talked about something that has hurt this process and will continue to hurt this process. There is a man made lake just inside of his constituency called the Lake of the Prairies. People came in last winter, illegally netted the fish in the entire lake, loaded the fish on trucks and took them far away.

I want to say up front, that was not sustenance fishing and everybody knows that. However in my own area we reported the massive slaughter of elk one winter. The elk were taken out in refrigerated trucks. Although this was totally against conservation and totally against the environment no one, as far as I know, was ever apprehended or cited with an offence. If we want co-operation, we must realize that these things can no longer take place. They will hurt us in negotiations.

The next question I have concerns the minimum of seven million claims. What if one group of people submitted three seven million claims? That would amount to 21 million claims? Would they be allowed to submit three seven million claims? It is a moot question but it could be the way in which an agreement is finalized that normally could not be finalized under this group.

I am not on the committee but I hope the committee gives this the due attention it needs. It is very important because we must get this over with as quickly as possible.

● (1710)

My final question has to do with the time limit on the claims. Is there a time limit or do we have to wait for 20 years until another $7 million claim comes in? I think that is important too.

Mr. Myron Thompson (Wild Rose, Canadian Alliance): Mr. Speaker, it is my understanding that the purpose of Bill C-60 is to create an independent centre that would provide for the filing, negotiation and resolution of specific claims.

It has been a longstanding opinion of a number of people throughout the country that these claims should be dealt with in a speedy fashion and in a fashion that will once and for all resolve the issues that surround the purpose of settling these claims.

The Canadian Alliance has strongly supported getting these claims settled in the best and speediest way possible. However I am not convinced in the slightest that this particular bill would achieve that. It seems like it is pretending to address the problems but I really wonder exactly where this will end up in the long run if it is approved. I am sure it will be approved because once again we have some legislation brought forward by a majority government and in this country the majority government always has its way.

I hope government members have listened and will continue to listen to the debate that is going on and that they will take into consideration some of the things that are concerning a number of people.

Although we are moving in a direction that is supposed to resolve long lasting problems, problems on reserves go on every day according to the individual people with whom I have met. Again today I received an e-mail from a fellow by the name of Keith Chiefmoon. Keith has written to the minister directly requesting immediate help for a flooding situation in Stand Off, Alberta. The situation has become desperate. The reserve has lost its drinking water and there are problems with sewage.

We need to learn to respond to these individual needs because the tragedies and grievances that these people are suffering on these reserves are absolutely pathetic in many instances. We have continued to lag in addressing the problems that surround the reserve issues to the point where even the United Nations has recognized most of the reserves to be no better than other countries in the world that have been classified as third world conditions.

Some of the people on the reserves are living in squalor and are struggling with difficulties simply because of the lack of accountability and lack of concern for anything other than regulations that enhance the needs of a few but do not look after the needs of the many.

I wish this legislation, which would create a centre to deal with land claims, would address the real down to earth problems. We need to give assurances to the many mothers and grandmothers on the reserves, who have contacted me and who I have met with personally in my travels across the country over the years, that their families can grow and achieve the prosperity that so many Canadians enjoy. They want to be part of that through whatever process or means we try to achieve. We need to give them some hope, which they do not have today, and give them some help which they feel is not available. They do not know where to turn.

I have met many times with ministers of Indian affairs over the years, including the present minister and the one prior to him. It just does not seem to happen that we address the real issues at the heart of the difficulties that surround the people who are affected. We seem to concentrate on the larger picture of establishing claims and making changes to the Indian Act.

● (1715)

These are the things we must address and look to in the future. We are putting the cart before the horse when we do not start at the bottom where the problems exist. The problems are with individuals in many of our reserves across the country.

I do not know how many times individuals have contacted me and said that they do not know who to turn to. If they go to their chiefs and councils regarding the issues that mean the most to them they are told to go home and that they will be looked after, but they never are. If they continue to make a fuss, then there are reprisals against them. There are problems that come their way because they speak out too often. They are told to go to the indian affairs department. I attended many meetings with them in Edmonton.

These people have pleaded with the indian affairs department to help them in their dire situations and the department's only answer is that it does not get involved with these problems. It is an internal problem. They are told to take it to their chief and council. Around and around it goes. It seems that is the way it has been going for years and years.

I see that a committee would be struck. There would be a centre and it would create a commission or tribunal. All the commissioners and adjudicators would be appointed by the Prime Minister. That bothers me right from the start. He has not had much luck in his appointments over the last few years that I could account for.

The claims process would then proceed as follows. There would be an intake and a preparatory stage. The first nations would submit claims to the commission which would arrange research funding for the first nations. It would notify interested parties of the claim and would facilitate preparatory meetings.

Exactly who would be involved in those preparatory meetings? Would it be the hundreds of grassroots natives who are constantly crying out to the minister and the government, who have been crying out since they were young and are now elders in their communities? Would they have a voice? Would they be heard with regard to where this would all lead? Would it address the cares and problems that these mothers and grandmothers in particular are trying to point out day in and day out through their many efforts? Or would it go to the upper echelon authorities?

I look at the validity stage where the crown would decide whether or not to accept the claim. If the crown were to refuse the claim, then the first nations could ask for a dispute resolution led by that commission. All these other people would sit on the sidelines while the elite would sort out the problems of settling these claims. Where are the first nations voices in all of this?

What about the taxpayer? I have never met any taxpayers in this country who are not willing to help the situation that exists in our country with regard to the livelihood and welfare of our native people. If only they knew where their dollars were going and what they were going to achieve.

Year after year the auditor general reports to the government about how it is failing to address the seriousness of the problems that exist in the hearts and minds of these people and their lives. Taxpayers become disillusioned when they look at millions and billions of dollars that goes along with running the indian affairs department. Yet they see their neighbours on reserves living in third world squalor conditions.

● (1720)

This is all fine and wonderful. We earn triple digit figures in salaries and all the big shots throughout the country will come together and make these great settlements, but who will truly benefit? Will there be any guarantee from the commission that at last the people who have been suffering for years on the reserves will have some relief? Will the taxpayers of Canada for once in a number of years say their dollars were well spent and that the Government of Canada and first nations did a good job? When will that day come? Will it be because of Bill C-60 or Bill C-61? I think not, not until there is a willingness to accept the challenge of taking care of our citizens, especially the aboriginals of Canada.

Mr. Geoff Regan: Mr. Speaker, I rise on a point of order. I wonder if there would be unanimous consent to revert to questions on the order paper?

The Deputy Speaker: Is there unanimous consent to return to questions on the order paper?

Some hon. members: Agreed.

Some hon. members: No.

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

Some hon. members: Question.

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

Some hon. members: Agreed.

Some hon. members: No.

The Deputy Speaker: All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Deputy Speaker: All those opposed will please say nay.

Some hon. members: Nay.

The Deputy Speaker: In my opinion the nays have it.

And more than five members having risen:

The Deputy Speaker: Call in the members.

And the bells having rung:

The Deputy Speaker: Accordingly the vote is deferred until tomorrow, Wednesday, June 19 at 3 p.m. following question period.

Hon. Don Boudria: Mr. Speaker, I rise on a point of order. If you were to seek it I believe that members would agree that it is 5.30 p. m.

The Deputy Speaker: Is there agreement to see the clock as 5.30 p.m.?

Some hon. members: Agreed.

[*Translation*]

The Acting Speaker (Mr. Bélair): It being 5.30 p.m., the House will now proceed to the consideration of private members' business as listed on today's order paper.

PRIVATE MEMBERS' BUSINESS

[*English*]

VIMY RIDGE DAY ACT

Mr. Brent St. Denis (Algoma—Manitoulin, Lib.) moved that Bill C-409, an act respecting a national day of remembrance of the Battle of Vimy Ridge, be read the second time and referred to a committee.

He said: Mr. Speaker, it is my distinct honour to begin the debate on Bill C-409, which if enacted by parliament would set April 9 of each year as Vimy Ridge day.

This day would not be a holiday, but rather a day to recognize an important part of our national history, a World War I battle which occurred on April 9, 1917. This was a battle months in the preparation and included for the first time since Confederation Canadian troops operating under Canadian command. Up until that time Canadians had been part of British units under British command.

At Vimy Ridge we fought as one national team with Canadian leadership. Our soldiers, while suffering significant casualties and loss of life, accomplished a feat that other Allied forces had failed to do up to that point in World War I. There were about 10,000 Canadian casualties, including about 4,000 killed at Vimy Ridge that day. It is a battle recognized by many which opened the way to the eventual victory in World War I by Allied forces.

I would like to quote a piece of historical text. It states:

> The Canadian share of the British assault was the seizure of Vimy Ridge. The task was formidable. For the Germans it was a vital key in their defence system and they had fortified it well. The slopes which were in their favour were interlaced with an elaborate system of trenches, dugouts and tunnels heavily protected by barbed wire and machine guns, and defended from a distance by German artillery. They had even installed electric lights, a telephone exchange, and a light railway to maintain supplies of ammunition. All previous attempts to take the Ridge had failed.
>
> The attack began at dawn on Easter Monday, April 9. All four divisions of the Canadian Corps - moving forward together for the first time - swept up the Ridge in the midst of driving wind, snow and sleet.

A situation we could hardly imagine today. It continues:

> Preceded by a perfectly timed artillery barrage the Canadians advanced. By mid-afternoon the Canadian Divisions were in command of the whole crest of the Ridge with the exception of two features known as Hill 145 and the Pimple. Three days later these too were taken.

The victory at Vimy Ridge is celebrated as a national coming of age. For the first time Canadians attacked together and triumphed together. Four Canadians won the Victoria Cross and Major-General Arthur Currie, commander of the 1st Division, was knighted on the battlefield by King George V.

Canada's conquest at Vimy Ridge won Canada a place as a signatory at the treaty of Versailles. Canadians have fought many great battles as members of other national units or under Canadian commanders over the decades and we honour all those veterans who survived and those who were lost.

To honour the battle at Vimy Ridge is to honour all battles as April 9, 1917, is the first time that Canadians fought side by side as Canadians under one Canadian commander. Most important, there were some 100,000 Canadians from coast to coast. There were four divisions involving brigades from every region of the country. The four Victoria Crosses were spread across the country including a recipient from Quebec, British Columbia and Ontario.

To honour Vimy Ridge is to honour all great battles involving Canadians. Bill C-409 would accomplish two things. It would be a day of remembrance, a day of heritage. This day would not be a holiday, but a day where young people could be reminded each year, as part of the evolving remembrance season that we see in this country, of the tragedy, terror and heroism of war, and the necessity to move forward looking for peace at all times.

● (1725)

The bill also asks that the Peace Tower flag be flown at half-mast on that day. I will ask the committee, if the House agrees to send the bill to committee, to accept a friendly amendment to make the flying of the flag at half-mast to be from 11 a.m. to sunset, to be consistent with Remembrance Day. That is something the committee could consider after the fact.

It is important to note that the bill has the support of the Royal Canadian Legion, Dominion Command. I also have dozens of letters from individual legion branches, private citizens, municipal councils and others offering their support for this initiative.

At this point I wish to explain why I initially introduced the bill. It was thanks to a constituent of mine from Elliot Lake, Ontario, Mr. Robert Manuel , a member of the local legion branch who recognized how important the Battle of Vimy Ridge was to Canadian history, not just military history. He wrote countless letters seeking support for this initiative and presented the letters and petitions to me.

It is very appropriate and true to the intent of private members' bills that issues which arise from the grassroots of Canada come to seize the attention of Canada's parliament. It is important that the House know that this was not a late night idea brought forward by this member of parliament. It was brought forward by a constituent who consulted with his fellow peers. He obtained letters of support and brought the issue forward. It is my duty and privilege to bring forward the fruits of those labours as Bill C-409.

I wish also to point out that I do not intend to create a precedent with Bill C-409 by suggesting that all great battles be recognized by a special day. Rather it is my intent to give the Battle of Vimy Ridge a special place because as many have come to agree, it was the beginning of Canada's march toward nationhood.

I appreciate the opportunity to add a small part to the important efforts of war remembrance in Canada. I pay further respect to our veterans, their legions and those who lost their lives in battle or peacekeeping and in fact to our military today by bringing forward Bill C-409. We owe a great debt of gratitude to our war lost and to our veterans. Each year, through what is a growing recognition of the importance of remembrance, our veterans bring us opportunities to come together in social gatherings and remembrance gatherings to make sure that the future of our nation is filled with peace. In doing so however, we must remember the tragedy and heroism of the wars behind us.

I want to be sure there is time for other members to speak. I seek the support of the House that eventually the bill will go to the appropriate committee. I look forward to the comments of other members who no doubt can add even more to this debate than I have been able to do in this short time.

● (1730)

Mr. Roy Bailey (Souris—Moose Mountain, Canadian Alliance): Mr. Speaker, I congratulate the mover of the bill. I am sure that every branch of the legion in communities from coast to coast to coast will be pleased with it. All of the legion branches in my riding know about the bill.

As I said this morning, I have been around a long time. I was a principal during the 1960s and during that time there was a battle going on. Part of that battle was that we were not getting the support nor were our veterans getting the support that they deserved. Our national media carried all kinds of documentaries which said for example that Billy Bishop was not a good flyer or that our air force was no good, that they dumped their bombs and went home. Everything possible was done to try to destroy things and I had to fight it. Finally we have a book that should be in every library. I am proud to have the book *No Greater Glory* which is signed by Barney Danson, a former minister of veterans affairs. Every school should own a copy.

I would like the member who moved the bill to imagine the impact if all grades in every school division across Canada paused and took the time to consider the importance of this date. We would make sure that this was on Vimy Ridge Day.

I want to read what appears on the veterans affairs website:

The Canadian success at Vimy marked a profound turning point for the allies. A year and a half later, the Great War was over. The Canadian record, crowned by the achievements at Vimy, won for Canada a separate signature on the Versailles Peace Treaty ending the war. Back home, the victory at Vimy, won by troops from every part of the country, helped unite many Canadians in pride at the courage of their citizen soldiers, and established a feeling of real nationhood.

I believe Bill C-409 would have an impact .

With respect to the flag and naming the day, I too have a bill, if it ever gets drawn, that would put even more teeth into the present bill. My bill would require that not just the Peace Tower fly the flag at half-mast in November but that all federal government buildings from coast to coast to coast do it.

I would suggest to the House that this bill will pass after it comes back from committee. I would suggest to my colleague and other members opposite that if my bill ever makes it and it becomes votable, it too will pass.

Congratulations to my hon. colleague for a bill well presented, a bill which we on this side of the House unquestionably support. We will send it to committee with our blessings. Let us hope that it becomes part of our heritage, something that we always protect when it comes to our military successes both in World War I and World War II.

● (1735)

[*Translation*]

Mr. Louis Plamondon (Bas-Richelieu—Nicolet—Bécancour, BQ): Mr. Speaker, it is with pleasure that I rise to speak to the bill introduced by the member for Algoma—Manitoulin concerning the Battle of Vimy Ridge.

However, before speaking directly about this bill, I would like to take a few moments to pay tribute to the memory of Lieutenant Lucien Olivier Larocque, who died a few days ago in Sorel-Tracy and whose funeral service will be held Thursday morning of this week.

Mr. Larocque was the co-founder of the Sorel-Tracy branch of the Canadian legion, branch 117, in 1954. He devoted many years of his life to hosting and chairing the legion. He was a upright and honest man, dedicated and proud of his military background; he had served overseas. He was admired by all for his outstanding leadership and organizational abilities. He was the life and soul of the Sorel-Tracy branch of the Canadian legion and was its inspiration for many years. The legion's reception hall was named after him, in recognition of his talents.

In addition to his deep involvement with the legion, he was also very proud of his family. Personally, and on behalf of all of the members of the Royal Canadian Legion of Sorel-Tracy, of which I am a member, I would like to offer my condolences to all of his family, especially to his three children. I would also like to tell them how much we owe him for preserving, for so many years, the memory of those who shed their blood or who fought to defend peace and freedom.

In the words of the great French author, Alexandre Dumas, "Those whom we have loved and lost are no longer where they were, but they continue forever to be wherever we are". Farewell, Lieutenant Lucien Olivier Larocque. We will always remember you.

The members of the Bloc Quebecois are happy to vote for Bill C-403, now before the House, to designate April 9 as a national day of remembrance of the Battle of Vimy Ridge.

The Battle of Vimy Ridge, in France, where 60,000 Quebecers and Canadians lost their lives in 1917, was a turning point that led to the final allied victory.

Vimy Ridge was central to the German defence system. One hundred thousand Quebecers and Canadians took part in this historic battle.

I would like to salute all of the soldiers, but especially those from Quebec, the Royal Montreal Regiment, the 22nd Regiment of Quebec City, the Victoria Rifles of Canada from Montreal, the Black Watch from Montreal and the 87th Battalion of the Grenadiers from Montreal, which were all present during the battle. Following the battle, a historian wrote:

> They are too near to be great. But our children shall understand, when and how our fate was changed, and by whose hand.

After more than 85 years, we still remember the heroism, the self sacrifice, the abnegation and the will to vanquish of these valiant soldiers.

We therefore support this bill presented by the Liberal member, and we also hope that his government will consider the need to financially support our legions, as I asked of the parliamentary secretary a few months ago, during another debate.

What would be the use of commemorating battles if, in each region, there was no one in the legions to lead the celebrations, plan them, make people aware of these historical acts and tell them that if they are living in peace and freedom today it is because others made the ultimate sacrifice and fought as heroes so that we could be free.

● (1740)

We need people in the legions to remind us of this event, and the legions must be financially sustainable. This is probably what Mr. Larocque had in mind when he founded our legion. Today, if he could, he would certainly tell the government "Help us carry out this mission we have been resolutely carrying out for the past 50 years."

We now have a Standing Committee on Veteran Affairs. It seems to me it should deal with the issue and review the financial situation of our legions so that they can afford to remind us of our soldiers and of the battle of Vimy the Liberal member and the Canadian Alliance member just talked about. .

Our founders are leaving us, as Mr. Larocque did, but their work must be continued. The government must support their work, namely the founding of the legions, so that they can keep alive the memory of our soldiers' heroic actions during the various wars they took part in.

In conclusion, I would say that people in the various Canadian legions who are listening to this debate on the battle of Vimy and who remember and want us to remember this battle, which was a turning point in the history of the World War I, are sending an urgent appeal. Our legions are experiencing financial difficulties. They do not need millions, only a few thousand dollars a year to survive and keep on raising the awareness of young people and the population at large. I would be very happy to again take part in the consideration of this bill.

[*English*]

Ms. Wendy Lill (Dartmouth, NDP): Mr. Speaker, it is a great pleasure to speak to and endorse Bill C-409 put forward by the hon. member for Algoma—Manitoulin. The bill would institute a Vimy Ridge day to commemorate the important contributions made by the Canadian armed forces in the Battle of Vimy Ridge.

I agree with the distinguished member who spoke before me. Whenever we have a debate about recognizing the military and the people who have fought for the country we realize the importance of financially assisting the legions. I too hear constantly about the need of legions to fix leaky roofs, put in elevators, build ramps for veterans with disabilities and deal with continuous problems of infrastructure. I am sure all members in the House deal with the issue on a regular basis. Having days of commemoration and celebration is important, but it is also important to put money into the legions. They are the heartbeat of the memory of our armed forces and their contributions to world peace.

I stand here today on behalf of my hon. colleague from Sackville—Musquodoboit Valley—Eastern Shore who was not able to participate in the debate today. He had to return home to be with his daughter. She broke her hand and needs to have her dad by her side. I will be a weak replacement for the hon. member but will do my best.

In preparation for the debate tonight I came upon an account by Tom Morgan who wrote a document called "Vimy Ridge—80 Years On..." which contains some eloquent words describing the battle. I do not think anyone could say it better. Morgan described what the battle really meant to Canadians and the people involved:

> April 9th., 1917—Easter Monday—dawned cold, with freezing rain and sleet. The ground conditions were very bad, with slippery mud waiting to hamper the Canadians as they began their assault. Heavily laden, the men began to cross the shattered No-Man's Land, skirting as best they could the shell-holes and craters, until they came to the muddy, slippery slopes of the Ridge itself. They advanced behind a creeping barrage—a curtain of falling shells which crept forward just ahead of them. At key places in the advance, fresh troops took over the lead, until by the middle of the afternoon, three of the Canadian divisions had captured most of Vimy Ridge. By the next day, Hill 145 was also in Canadian hands, leaving just a few isolated outposts. By April 12th these, too had been taken and the Canadians' victory was complete.
>
> After three years, the Germans were now driven from Vimy Ridge. There was to be no breakthrough, however, as the Canadians were unable to get their artillery out of their positions and across the muddy, shell-torn ground of the battlefield. However, they had captured more ground, more prisoners and more guns than any previous "British" offensive in the war thus far. It was the greatest Allied Victory yet.
>
> Although the victory at Vimy came quickly, it did not come without cost. Of the 10,602 Canadian casualties, there were 3,598 dead. This is a high and tragic number, but it must be compared with the 200,000 Canadian, British, French and German dead who lie buried on the ridge from earlier, unsuccessful attacks. And the Canadians alone lost 24,000 killed or wounded on the Somme the previous year.
>
> For Canada, the attack on Vimy Ridge marked a turning-point in the country's march towards distinct nationhood. In the words of Brigadier-General Alexander Ross, DSO, who commanded the 28th (North West) Canadian Battalion at Vimy, "It was Canada from the Atlantic to the Pacific on parade. I thought then that in those few minutes I witnessed the birth of a nation."

● (1745)

The hon. member for Algoma—Manitoulin says we need a day of remembrance and heritage to mark the importance of the battle in Canadian and world history. I agree wholeheartedly. I also agree with Motion No. 409. I am honoured to be part of any measure that would recognize the great contributions of the Canadian forces at home and abroad, past and present, in maintaining peace and providing humanitarian assistance and disaster relief.

Over the years in my riding of Dartmouth I have been honoured to be part of special days with veterans and peacekeepers, people who carry the scars of their struggle for democracy in their bodies and minds. I have been with families on the Halifax jetty as they said hello or goodbye to loved ones leaving for tours of duty in a violent world. I was honoured to be present at the funeral of Nathan Smith, one of our Princess Pats killed by friendly fire in Afghanistan. He was a young man who loved soldiering, his life, his country, and the values of freedom and justice which he held deep in his soul.

Vimy Ridge day would join with Remembrance Day, D-Day and the many other days of the year on which we remember to thank these brave and selfless men and women for their love of and loyalty to this great country.

● (1750)

Mr. Loyola Hearn (St. John's West, PC): Mr. Speaker, it is an honour and a pleasure to take part in this important debate. My party, like all the others, will certainly be supporting the motion. We do not do enough to honour the war dead, the many people who gave their lives so that we could have the freedom that we have.

Some of what I had planned to say tonight has already been said by my colleague from the NDP. I was told not to trust those people because they will take everything I have and that is exactly what she did. She stole my words because the description of the battle is so vivid in that piece of writing. I am sure everyone who read it wanted to use it in their speeches.

However, the member omitted part of the total presentation. There was a lead up which, in light of her speech, if we analyze it, was earth shattering when we looked at the number of Canadians who participated and who were injured. There were 10,000 casualties and over 3,500 dead. That equates to the number killed on September 11. We know how the world was affected by that great disaster. In one morning at Vimy Ridge that number of Canadians were killed in one short battle. The lead up reads:

> It was at Vimy, in 1917, that all four Divisions of the Canadian Corps attacked simultaneously for the first (and last) time, about 100,000 men taking part in the battle.

If the Minister of National Defence had been here, it would have been be very interesting to have asked him this. If there were a major battle somewhere in the world tomorrow, could he put together 100,000 Canadians in one battle? I am sure we would have some problems with the support that the government presently gives the people involved in the forces.

It goes on:

> Vimy Ridge was an important part of the Germans' defences, barring the way to the mines and factories in the Douai plain which had been of great use to them in their continuation of the war.

They were basically very near their supply chain.

It goes on:

> The very nature of the Ridge gave it strong, built-in defence, but these natural defences had been supplemented by strong-points, elaborate trench-systems and underground tunnels linking natural caves. All previous Allied attempts to capture the Ridge had failed, and there was a strong body of opinion among the Allied commanders that the Ridge was possibly impregnable and incapable of ever being taken by a direct attack.
>
> Preparations for the battle were thorough and extremely detailed. Behind their lines, the Canadians built a full-scale replica of the ground over which their troops would have to attack, giving all units the chance to practice their attacking movements and so understand what they (and neighbouring units) were expected to do on the day. Regular reconnaissance patrols, assisted by information gathered from aerial photography, meant that records of changes to the German defences on the Ridge were always up-to-date. Tunnellers dug subterranean passages under the Ridge - a total of five kilometres in all on four levels - allowing the attacking troops to move close to their jumping-off positions in some safety. Once the battle had begun, these same tunnels allowed the wounded to be brought back under cover and also provided unseen and safe lines of communications.

I listened to the description of the amount of work and effort and realized we did not have any dozers or backhoes to do it. It was done by individual soldiers realizing the importance of taking this ridge for the preservation of freedom for the free world.

It goes on:

> The Infantry attack was preceded by a powerful artillery bombardment which lasted almost three weeks, involving about 1,000 guns, including huge, 15-inch howitzers. For the first two weeks, some guns were not fired at all, so that the Germans would not be able to locate their positions but eventually, these guns joined in the bombardment, too.

● (1755)

> Although the shelling was aimed at the German trenches and defensive positions on the Ridge, the Canadians also shelled enemy batteries. They had become adept at locating German gun-positions and had identified the positions of 80 per cent of them.

The hon. member picked up from there and told the rest of the story. It is a story that showed us how the Canadian forces by uniting, when nobody else could do it, claimed the ridge. Many of us who know the story of other war battles think of Beaumont Hamel. The soldiers who fought that battle were not Canadian then but their sons and daughters are Canadian now. Newfoundland soldiers went over the top at Beaumont Hamel and many of them, in fact over 80%, were slaughtered. However the battles were won.

Vimy Ridge was taken and undoubtedly that was one of the turning points in the first world war. Members have mentioned that this battle should be remembered but we should also remember the memory of those people. Unfortunately, as we travel the country, many of the shrines that were built, the legion halls, in memory of the people who died for us are becoming dilapidated because it is very hard to get any assistance to keep them alive.

There is one thing we should do when we talk about our government programs, whether it be ACOA or HRDC or whatever. We have volunteers or sons and daughters of the legionnaires who are still with us trying to preserve these edifices that stand as a testament to them. These should be the first in a line of programs that we support.

Our soldiers did a tremendous amount for us. Let us not forget.

The Deputy Speaker: In the words of Paul Harvey "And now you know, the rest of the story".

Mr. Carmen Provenzano (Parliamentary Secretary to the Minister of Veterans Affairs, Lib.): Mr. Speaker, at the outset I would like to acknowledge the efforts of my colleague from Algoma —Manitoulin for bringing this matter before the House and in particular the efforts of his constituent, Robert Manuel, who initiated this entire process.

Over the years, hon. members have debated a wide variety of motions and bills tabled by both government and opposition members, all aimed at raising the commemorative profile of Canada's veterans. Most recently our discussions have been concerned with the funding of maintenance and repairs of local cenotaphs. In that regard, I would draw the attention of the House to Motions Nos. 383 and 384 and the promotion of the observance of two minutes of silence on Remembrance Day, Bill C-297.

If I recall correctly, the debate on these two issues expanded into a broader discussion. How we can best honour the memory of those who served and sacrificed their lives for their nation? How do we preserve and promote their legacy for future generations of Canadians? In many ways, the discussion on this bill is a continuation of that broader debate.

Bill C-409 deals with a very particular day in Canadian military history, April 9, 1917, when the Canadians, fighting as a cohesive unit for the first time in the Great War, fought the enemy at Vimy Ridge and did what no allied force had been able to do. They won, and in so doing affected the outcome of the war and our place on the world stage. In fact, few events in our military history have played such an important role in the development of the Canadian nation as the battle of Vimy Ridge. It was indeed the first time that all four divisions of the Canadian corps fought together, but it would not be the last. Before the war ended, Canadian courage and prowess had won recognition in the Imperial War Cabinet and a seat for Canada at the peace conference at the war's end

Eighty-five years later, it is perhaps time to give this battle a particular significance through the means suggested by Bill C-409, proclaiming April 9 every year as Vimy Ridge Day and lowering to half-mast the Canadian flag on the Peace Tower.

We are pleased to offer our support to the bill.

We would not want to give the impression with the passage of this bill that the sacrifices made on a particular day in history are somehow more worthy than those made in any other campaign in any of the wars we have participated in.

There is also the possibility of setting an unintended precedent. If Vimy Ridge, which is a specific battle in the first world war, is honoured with its own day, can we expect to receive an increased demand for recognition of days to honour battles from other campaigns and other wars? If we do, how will we deal with them?

Despite these cautionary notes, we all acknowledge that there is something quite extraordinary about the action at Vimy, which led to equally extraordinary results for Canada as a nation. The participating battalions reflected the length and breadth of our country from west to east. Brigadier-General Ross would later talk of witnessing the birth of a nation. General Byng described a nation tempered by the fires of that sacrifice.

In dedicating the Vimy Memorial in France in July 1936, King Edward VIII declared "We raise this memorial to Canadian warriors...It marks the scene of feats of arms which history will long remember and Canada can never forget...All the world over there are battlefields, the names of which are written indelibly on the pages of our troubled human story. It is one of the consolations which time brings that the deeds of valour done on those battlefields long survive the quarrels which drove the opposing hosts to conflict. Vimy will be one such name."

As it was then. As it is now. It is with such sentiments, which still ring true, that we can say the anniversary date of the battle of Vimy Ridge is worthy of its own special recognition, as suggested by the bill.

● (1800)

A second caveat is more technical in nature but important nonetheless. It revolves around the flag lowering part of the bill. It is critical that the protocol we follow in lowering the flag of the Peace Tower of the parliament buildings is no different from the one we use on Remembrance Day. The flag should be flown at half mast from 11 a.m. in the case of Remembrance Day to coincide with the start of the ceremony at the National War Memorial. It should remain so lowered until sunset.

The same provision should apply for a national day of remembrance for Vimy. I am not sure if this should be spelled out in the bill, dealt with by regulation or merely implemented by practice. Whatever the case, I am sure hon. members will agree that the standards for flag lowering for Vimy must not exceed those we use on Remembrance Day.

While these cautionary and common sense thoughts must be borne in mind we in our party are pleased to support Bill C-409. I will close with the words of the Minister of Veterans Affairs at the National War Memorial last April 9 in recognition of the 85th anniversary of the battle of Vimy Ridge. He said:

> —we will not much longer have eye-witnesses to tell the tales of what happened at Vimy. The torch of remembrance is now passed to us so that our children, and our children's children are taught the story of how on a cold wet Easter Monday morning, in the second decade of the 20th century, thousands of Canadian soldiers, at great personal sacrifice and loss, won a great victory. Their deeds that day ring down through history. Their photos, now faded and yellow with age, still rest on mantels of family members across the nation. But never faded from our history will be their gallant actions. We must never forget the story of Vimy Ridge or the men who fought there. We shall continue to cherish their values of peace, freedom, tolerance and diversity.

The Battle of Vimy Ridge shall continue to inspire a nation. We will remember them always. Those sentiments say it all. Bill C-409 should be passed by the House.

● (1805)

Mr. Alan Tonks (York South—Weston, Lib.): Mr. Speaker, there is a conventional historical wisdom that if we do not learn from our history we will be doomed to repeat it.

Vimy stands out as a profound moment in Canadian history for all the reasons that have been pointed out. However I will add something to the debate. Until Vimy the frontal attack was the characterization of the way war was fought. Hundreds and thousands of men and women lost their lives because, as Marshal Foch said when asked who would win the war, "The side that has the most bullets will win the war". It was a question of one casualty, one bullet. The frontal assault, wave after wave with machine guns pumping out bullets, was the way war was fought.

Vimy was profoundly important because according to my reading of history it was the first time Canadian troops were commanded by Canadian generals. The Canadian generals had a different attitude toward the value of their men. As has been pointed out, they sat with them, looked at models of Vimy and discussed the manner in which the battle should be fought. Each and every person from lance corporal or private all the way through the corps knew exactly what the mission was. They knew what they had to do to carry it out both individually and collectively.

The characterization of Vimy in my mind is that it was a time when it became absolutely apparent that life was fundamentally important and that men were more important than bullets or cannon shells. The men had to be taken into the confidence of the generals. They had to know why they were doing what they were doing and how they would do it together.

This says a lot about how we as Canadians approach battles and wars. The Minister of National Defence was barraged with questions about why we were not sending our men to Afghanistan. He was asked why we were not doing this or doing that. Whether it was 1917 or 2002 it would be profoundly important to me that the country's generals and leaders be absolutely certain about the conditions they were sending my son or daughter into. That is the Canadian way.

This should be part of the debate about why Vimy is fundamentally important. Yes, it is fundamentally important. It is the signature of what we were or are as a nation. However what does that mean? In today's context when we are trying to carve out our role in the world it means we are still fundamentally accountable for the manner in which we engage our citizens with respect to the critical issues of our times.

That is what it means to be a nation. That is what Vimy means to me. It should be written in the history books so that in our legions and across Canada citizens past and future can know the lessons of history. We must be our own nation, make our own policies and have our own fundamental Canadian values. Such values were instilled at Vimy.

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

Some hon. members: Question.

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

Some hon. members: Agreed.

The Deputy Speaker: Accordingly, the bill stands referred to the Standing Committee on Canadian Heritage.

(Motion agreed to, bill read the second time and referred to a committee)

● (1810)

The Deputy Speaker: Would members agree that we see the clock as being 6.30 p.m.?

Some hon. members: Agreed.

ADJOURNMENT PROCEEDINGS

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

[*English*]

FISHERIES AND OCEANS

Mr. Loyola Hearn (St. John's West, PC): Mr. Speaker, I asked the Minister of Fisheries and Oceans a question quite some time ago concerning a boat that landed in Newfoundland with a tremendous amount of fish which by anybody's standards were undersize.

The minister made it quite clear that the boat and the crew had not broken any regulations. To a degree I guess the minister was right. However, what happened when the boat was brought in and the ensuing actions that were taken, or lack thereof, are what concerned everybody associated with the fishery. It should have concerned the minister and his department but they basically sloughed it off. The minister basically said in the House that what I was saying was not true. We had a little discussion about that later on in the day but the information put forward was true.

The boat had several species, including redfish the size of one's thumb, cod livers in excess of the amount of cod that were involved, and other species that were so small they had to have been caught by undersize gear.

The parliamentary secretary will undoubtedly throw into the mix the fact that outside the 200 mile limit there are species not regulated by NAFO, 3-O redfish being one. It is load and go and if they can be scooped up in the capelin seine without getting caught, there is nothing wrong with it. Even when someone does get caught, nobody can do anything about it.

Some of the species were there because of bycatch which were allowed to be caught because they were unregulated species. Despite that, there was enough circumstantial evidence found in that catch to show that the manifest itself was way out of whack regardless of ensuing comments by the department and the skipper involved. Anybody knowing anything about fish knew that the boat was breaking the rules on the fishing grounds.

It is a resource giveaway. We have heard so much about it certainly in the province of Newfoundland and Labrador. We are resource rich but financially poor because we have given away our resources time and again, be they hydro, minerals or forest products. We have given everybody else a great deal and have received little from the development of the resources.

There is oil off our coast which at some time will end. At some time all of the minerals will have been taken out of the ground. If the forests are protected they will keep on going but they are minimal compared to the rest. However, we can always have the fishery as we have had in the past, if we look after it.

From the lack of concern to the giveaways it is impossible to understand the direction the department is taking.

When the parliamentary secretary responds maybe he could clear up the rumour that is floating around that tomorrow or very soon,the minister will announce another giveaway of Newfoundland shrimp to P.E.I. or perhaps others. Again we have resources with which we should be careful. If there is an increase it should go to those participating in the fishery who are making meagre incomes. Quite often it is not worth their while to gear up to fish these species.

The department has to be much more cognizant of what is happening in the industry. The committee is creating awareness. All we need are the members of the committee to stand on the principles that we brought before the House. Certainly that was not in evidence today.

● (1815)

It has to happen. Canadians must stand up for Canadians and preserve our resources. It does not matter what part of the country they come from we should always look after each other because we can be sure no one will look after us.

[*Translation*]

Mr. Georges Farrah (Parliamentary Secretary to the Minister of Fisheries and Oceans, Lib.): Mr. Speaker, I would like to thank the member for St. John's West for his continued interest in the issue of foreign overfishing. Since he comes from Newfoundland, we understand his totally legitimate concern, giving the current situation in the fisheries.

Let me first point out that the Canadian government is taking the problem of foreign overfishing very seriously. The recent closure of harbours demonstrates our determination. We have closed our harbours to Faroese and Estonian fleets because they did not comply with NAFO conservation measures.

We are also pleased to see that Russian authorities have responded seriously to Canada's concerns by withdrawing for the rest of the year the licence allowing the*Olga* to fish in the NAFO regulated zone, and indicating that they will make further inquiries into the activities of this boat. In carrying out inspections, Canadian authorities have found that the *Matrioska* made false statements on its catch of black turbot, and a dock inspection confirmed that an offence had in fact been committed. We expect that the Russian authorities will also take action on this.

This confirms that we are aware of the fact that NAFO may have some problems in terms of control. I think that this issue was discussed on several occasions at the Standing Committee on Fisheries and Oceans. Nevertheless, we have to admit that there have been some improvements within NAFO.

Even though we realize that NAFO needs further improvements, we think that it is better to continue to defend Canada's position within NAFO rather than to withdraw, which could make the situation even worse.

This may be where we disagree with our Newfoundland colleagues. I understand that they are saying that overfishing has been going on for a long time and that if we wait any longer, there will not be any fish left. We will not be able to protect the fish because there will be none left. I do not think that withdrawing or unilaterally imposing rules on NAFO will solve the problem, and this is what the minister wants.

In a good number of fisheries, the fish are small. Redfish caught in the 3-O area by all fleets, including Canada's, both in Canadian waters and outside, are small. Scientists consider the small size of such species when they do a scientific assessment of stocks.

In the case of the *Tynda*, the fish landings fully complied with Canadian legislation and with NAFO's conservation measures. As for the other species caught by the *Tynda*, it was mostly cod from south of the Grand Banks or the 3N0 cod, and not northern cod. 3NO cod is under a NAFO moratorium. Under these conservation measures, a 5% bycatch is permitted. The bycatch caught by the *Tynda* was well below this limit. It did not do anything illegal.

According to some sources, the cod livers that were found onboard the ship, and my colleague mentioned this earlier, were from cod from south of the Grand Banks. However, it would appear that the cod livers that were found on the *Tynda* were already there when it stopped in the Newfoundland port on February 14 to fill up.

We may differ in opinion on the source of information. However, I think that there is a common will, particularly among committee members and the minister, to see to it that additional pressure is brought to bear so that international rules, when there are NAFO agreements, are respected for the welfare of the people of Newfoundland, who need this support.

● (1820)

[*English*]

Mr. Loyola Hearn: Mr. Speaker, I thank the hon. parliamentary secretary for responding to my comments. I find it hard to understand where he is coming from. He suggested that we not withdraw from NAFO as recommended by the fisheries committee.

My hon. colleague is a member of that committee which submitted a unanimous report to the House. The main recommendation contained in the report was that we should withdraw from NAFO. Now the member is saying we should not. I find that hard to understand. I presume what my colleague is saying is also what the minister is saying. If that is the case, I am okay with the member but I disagree with his minister.

For 20 years we have gone to NAFO, cap in hand, asking it to recognize what is happening on the nose and tail of the Flemish Cap. All we have received in return is complete and utter disrespect. The violations are getting worse. We have listed more violations over the last few years than previous years, and we are only scratching the tip of the iceberg because of the small amount of surveillance that we have. We must take this issue into our own hands. We have every right to control that area, and we should do so.

[*Translation*]

Mr. Georges Farrah: Mr. Speaker, let me take a few seconds to further explain my position. Concerning the first week of discussions the Standing Committee on Fisheries and Oceans had on this, I do not hold this against the hon. member, but he was away on a mission abroad, including in Russia, to deal with issues quite relevant to fisheries. He did not hear my remarks in committee. I said specifically that even if we wanted to impose our regulations beyond the 200 mile limit, it was not practical to do so, internationally.

This is why I said in committee that we had to have a realistic approach. Having an approach that cannot be used does not seem to me to be a good way to uphold the interests of Canadians and of Newfoundlanders.

I had to make this point to let my colleague know that, if he had been present in committee, and he could not be, he would have understood my position better.

The Deputy Speaker: A motion to adjourn the House deemed to have been moved. Accordingly, the House stands adjourned until tomorrow at 2 p.m., pursuant to Standing Order 24(1).

(The House adjourned at 6.23 p.m.)

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