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Monday, May 28, 2007

Speaker: The Honourable Peter Milliken

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HOUSE OF COMMONS

Monday, May 28, 2007

The House met at 11 a.m.

Prayers

● (1105)

[*English*]

PRIVILEGE

DOCUMENT FOR COMMITTEE CHAIRS

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, I rise today on a question of privilege, specifically to claim that a contempt of the House may have occurred in the form of a document being crafted by the government that tells committee chairs to tamper with witnesses coming before committees.

I will now put some of the background on the record. On the day of the existence of this document becoming known, on our last sitting day in the House, I asked the leader of the government in the House to table the document so that all members could understand what exactly was given to chairs of committees. In fact, I laid out in my letter to you earlier today the exchange that took place in question period on the last sitting day around this issue.

The minister failed to table the document and even went so far as to suggest that the document was somehow produced by the opposition.

I am raising the question today as my attempt to have the document tabled on our last sitting day, which would have allowed outstanding questions raised by Mr. Martin's article to be transparently examined by all members, failed. This is my earliest opportunity to raise this as a question of privilege.

The article to which I am referring was written by Don Martin with the *National Post*. It appeared on the front page of the *National Post* on Friday, May 18 and was entitled "Tories have the book on political wrangling". In this article, Mr. Martin claims to have come into possession of a manual prepared by the government for Conservative chairs of House of Commons committees.

Mr. Martin describes the contents of the manual as follows:

> Running some 200 pages including background material, the document—given only to Conservative chairmen—tells them how to favour government agendas, select party-friendly witnesses, coach favourable testimony, set in motion debate-obstructing delays and, if necessary, storm out of meetings to grind parliamentary business to a halt.

Toward the end of the article it states:

> The manual offers up speeches for a chairman under attack and suggests committee leaders have been whipped into partisan instruments of policy control and agents of the Prime Minister's Office. Among the more heavy-handed recommendations in the document:
>
> That the Conservative party helps pick committee witnesses. The chairman "should ensure that witnesses suggested by the Conservative Party of Canada are favourable to the government and ministry," the document warns.
>
> The chairmen should also seek to "include witnesses from Conservative ridings across Canada" and make sure their local MPs take the place of a member at the committee when a constituent appears, to show they listen and care.

The article goes on to say:

> The chairmen should "meet with witnesses so as to review testimony and assist in question preparation.

Those revelations call into question the possibility that the government has been deliberately telling committee chairs to tamper with witnesses appearing before committees of the House and I believe that constitutes a contempt of this Parliament.

On page 50 of *House of Commons Procedure and Practice* by Marleau and Montpetit it quotes "*Erskine May's Treatise on the Law, Privileges, Proceedings and Usage of Parliament*" as providing the classic definition of:

> "Parliamentary privilege" refers more appropriately to the rights and immunities that are deemed necessary for the House of Commons, as an institution, and its Members, as representatives of the electorate, to fulfil their functions.

Further, at page 51, Marleau and Montpetit lists the individual and collective privileges of the House, including the specific collective privileges of the right to institute inquiries and to call witnesses and demand papers and the right to administer oaths to witnesses.

However, throughout the whole chapter in this much quoted authority, privilege is actually seen as an ancient and specific right that we receive through section 18 of the British North America Act or within sections 4 and 5 of the Parliament of Canada Act from our British parliamentary roots. In fact, there is no doubt that these privileges come down to us from 400 years of parliamentary experience from the Parliament of Westminster in the United Kingdom.

In looking up the origin of privilege of witness in the 21st edition of Erskine May, I wanted to see what privileges exist in England and how they compare to ours in this situation. Under the "Contempt of Parliament" sections on page 131 of Erskine May, which deals with the contempt of obstructing witnesses, it states:

> On 8 March 1866 the Commons resolved, 'That it is the undoubted right of this House that all witnesses summoned to attend this House, or any committee appointed by it, have the privilege in this House in coming, staying and returning'.

I mentioned that because it was the common ancestor to our practice which still offers our witnesses before committees the protection of our privileges, most notably, the right of freedom of speech. Since those rights are offered to witnesses in both parliaments, I also looked to see what further protection was offered under British privilege to witnesses before committees.

On page 131 of Erskine May's 21st edition it further states:

> Any conduct calculated to deter prospective witnesses from giving evidence before either House or a committee is a contempt

While this refers mostly to protection from physical molestation and intimidation, page 132 of Erskine May's 21st edition, under the heading of "Tampering with witnesses", states:

> A resolution setting out that to tamper with a witness in regard to the evidence to be given before either House or any committee of either House or to endeavour, directly or indirectly, to deter or hinder any person from appearing or giving evidence is a breach of privilege has been agreed by the Commons at the beginning of every session since 1900, and there have been numerous instances of punishment for offences of this kind.
>
> Corruption or intimidation, though a usual, is not an essential ingredient in this offence. It is equally a breach of privilege to attempt by persuasion or solicitations of any kind to induce a witness not to attend, or to withhold evidence or to give false evidence.
>
> This matter was considered in 1935 by a committee of the Commons which reported that, in its opinion, it was a breach of privilege to give any advice to a witness which took the form of pressure or of interference with his freedom to form and express his own opinions honestly in the light of all the facts known to him; and the House resolved that it agreed with the committee in its report.

I wish to submit that the British parliament has clearly seen the need for impartiality of witnesses and has actually made it a breach of privilege to interfere with witnesses in any way that would affect or coach their testimony. The question that arises is whether those rules apply here. I believe they do and that they should.

In the sixth edition of *Beauchesne's Parliamentary Rules and Forms*, citation 32 on pages 13 and 14, it explains that the privileges of the United Kingdom parliament were effectively transferred to this House:

> The right of the Canadian Parliament to establish its privileges is guaranteed by the Constitution Act and the privileges thus claimed may, at present, not exceed those of the United Kingdom House of Commons.
>
> (2) Parliament, in 1868, laid claim to all of the privileges of the United Kingdom House of Commons without specifying their exact extent.

Citation 32(4) states:

> As Parliament has never delimited the extent of privilege, considerable confusion surrounds the area. Recourse must therefore be taken, not only to the practice of the Canadian House, but also to the vast tradition of the United Kingdom House of Commons.

Therefore, witnesses before committees share the same privilege of freedom of speech as members in the U.K. and here. Committee privileges are covered in basically the same way in Ottawa in our House of Commons and in Westminster in terms of the powers of committees to decide questions of privilege and in the ways that members' privileges apply as well. Even the procedure for reporting a breach of privilege is almost identical here in Canada to what it is in Westminster.

● (1110)

Mr. Speaker, you may question whether the applicability of the British rules against molestation, intimidation or tampering with witnesses applies here but I would contend that they do apply, as laid out in Erskine May.

Since it is alleged that the government has published a committee manual that instructs committee chairs to behave in a way that would alter the testimony of a witness before a committee, I submit that a breach of privilege and a contempt of Parliament may have taken place and, therefore, we must look into this matter immediately.

Mr. Speaker, I look favourably on your submission and I am prepared to move the appropriate motion, submitted to you earlier today in writing, should you find a favourable ruling to this question of privilege.

Hon. Jay Hill (Secretary of State and Chief Government Whip, CPC): Mr. Speaker, first, I would like to state unequivocally that it is my belief that this does not, in any way, shape or form, constitute a question of privilege.

I have remarked publicly and have been quoted in a number of media publications over the last few days that I had hoped, and certainly the government had hoped, after the break week—it is always called a break week but it is really not a break for members of Parliament from any of the four parties because it does allow us one week to get back in touch with our constituents on issues that are important to them and sometimes it allows us to refocus away from the day to day machinations of what goes on in the chamber and in Parliament—we would have started out what is the final session before the longer summer break in a better light than with this.

However, the point is that this so-called manual is an internal document that we produced for—

● (1115)

Hon. Garth Turner: Table it. Let's see it.

Hon. Jay Hill: Mr. Speaker, I think this is a question of privilege—

Hon. Garth Turner: Why don't you table it?

Hon. Jay Hill: Mr. Speaker, if the hon. member for Halton wants to continue to heckle, perhaps he can add to the debate after I am done instead of just shouting out his nonsense.

The reality is that this is a similar document that all parties produce to help train their individual members. I note that this internal document, as I say, is not a government document. It is something that was produced by the Conservative Party to assist our chairs.

Since the NDP members are so concerned about this, perhaps they could reveal to us their playbook or explain their tactics when they were delaying and continue to delay Bill C-45, the Fisheries Act; or Bill C-44, the amendments to the Human Rights Act; or their earlier extensive delay in filibustering Bill C-24, the softwood lumber act. In all of those things they employed tactics to delay passage of government legislation.

What about a chapter from their playbook dealing with moving concurrence motions to obstruct government legislation from following the due process and the procedure that we have become accustomed to in passing through the chamber? Instead, they resort, almost daily, to moving concurrence motions to delay that legislation.

I have remarked that the further training of our chairs, our committee members and, indeed, all of our caucus is to ensure that we are well aware of any procedural tools that we might have as a government, recognizing that we are a minority government and that we are outnumbered, not only in the chamber but at each and every standing committee. When we are confronted, as we have been by the opposition parties, which have become increasingly obstructionist, with a lot of legislation, we need to ensure we use every possible tool at our disposal to get our legislation passed through the committees, passed through the chamber and ultimately passed through a Liberal dominated Senate to become law in order that we can keep the promises that we made to the Canadian people in the last election campaign.

I have been noting that the people of Canada did not elect a coalition government of opposition parties. They elected a minority Conservative government and we have been trying to govern as such.

It is certainly my contention that this is an internal party document and that all parties have similar types of documents. It is beyond the pale that we would start out this final week with this bogus question of privilege.

Hon. Garth Turner (Halton, Lib.): Mr. Speaker, it is important for the chief government whip to remember that the standing committees of the House were put together not simply to be a reflection and extension of the partisan nature of the debate that takes place in this chamber.

Committees were always designed to be all-party working groups, where members of Parliament from all parties could get together, discuss and modify legislation, hear expert testimony, and come to conclusions. They can bring forward to committees topics of interest that their constituents want them to raise that may not necessarily make it into the chamber due to the overly formal structure that has evolved over the past number of years. Committees have always been extremely important elements where individual members can express the representations of their own constituencies.

I well remember when I was here last time. The chief government whip was not here and perhaps has not acquired the same perspective over a longer period of time that some of us have. However, committees in the past have certainly represented members' aspirations and allowed individual members to bring to that forum issues important to their constituents. It also allowed a very important thing to happen and that is compromise. That is the nature of all party politics: to find compromise and move issues ahead in the interests of all Canadians.

When the government party requires its members to caucus before committee meetings, it certainly is an extension of the block voting mentality we see in the chamber. I would certainly support a motion if it were on the table. That would be very valid because we need to be reminded constantly of the nature and importance of committees.

● (1120)

[*Translation*]

Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ): Mr. Speaker, I do not want to appear to be telling you what to do because I am certain that you will do your work as conscientiously as always.

The matter raised by my colleague, the House leader of the New Democratic Party, is a very serious one. If the committees are considered to be a legal or parliamentary extension of the House of Commons, we must examine how the privilege of members of this House has been breached, altered or modified by the document in question.

I would also like to refer to page 50 of Marleau and Montpetit. The authors, who cite Erskine May, provide a classic definition of what is known as parliamentary privilege. If I may, I would like to quote the author:

> Parliamentary privilege is the sum of the peculiar rights enjoyed by each House collectively...and by members of each House individually, without which they could not discharge their functions, and which exceed those possessed by other bodies or individuals.

We have to figure out whether the government deliberately set out to paralyze the committees. I think that is the key. When I spoke up to criticize what was going on in the Standing Committee on Official Languages, I said that the chief government whip wanted to turn this into a battle of public opinion. Now that he has lost the battle, the chief government whip appears to be trying another strategy to bog things down in various committees. He says that the Standing Committee on Official Languages is not working and that the three opposition parties ganged up on the government-appointed chair and demanded that he be removed. Instead of doing that, the chief government whip should have taken note of what the opposition parties wanted and what they were saying, which was that this minority government cannot make unilateral decisions. Even though it is in power, it must take the opposition parties into account.

The chief government whip, who is usually a sensible man who listens to reason, should have recognized the democratic will of the members of the Standing Committee on Official Languages, who no longer want this member as their chair. But no, instead of putting out the fire, he is adding fuel to it. The chief government whip is acting like a pyromaniac who happens to be the fire chief. That is exactly how he is acting. He is using this manual to disrupt the work of several committees. Then, he will say that the government cannot get bills passed or govern reasonably.

Before the break week, he even accused us of forming a coalition government. He should define that for us. What is a coalition government? We do not even know. We are not allied with the Liberals or the NDP. We take a common sense approach. There is absolutely no coalition. There is absolutely no perceived or planned coup against this government.

I do not know what the Conservatives want. Are they looking for a reason to call an election? They say that they were elected democratically and that the three opposition parties are preventing them from moving forward.

● (1125)

Mr. Speaker, you are indicating that you are beginning to be concerned about the rule of relevance. I will impose the rule of relevance on myself.

In closing, on page 51 of Marleau and Montpetit, the rights and immunities accorded to members are categorized under the following headings: as individuals, freedom of speech; the regulation of our own internal affairs; the authority to maintain the attendance and service of members; the right to institute inquiries and to call witnesses and demand papers; the right to administer oaths to witnesses; the right to publish papers; and so on.

What is happening at present shows that we have gone off the rails. In my opinion, Mr. Speaker, it is part of your duties and responsibilities to acknowledge the question of privilege raised by the NDP House leader. It is a way of saying that the parties would benefit from talking to and understanding each other, because the situation we are in is deteriorating hour by hour, day by day.

[*English*]

The Speaker: The Chair has heard enough on this issue. We have had four presentations and I believe that should complete the matter. I am prepared to make a decision at once.

This matter was sent to me by the hon. member for Vancouver East this morning and she forwarded with her letter a publication of an article by Don Martin in *The Saskatoon StarPhoenix* with a headline: “Secret book whips Tories into line”.

The only paragraph in the entire article that could give rise to a question of privilege, as the hon. member for Vancouver East pointed out in her remarks although she did not state it quite this way, was that:

> The chairmen should "meet with witnesses so as to review testimony and assist in question preparation”.

The Chair has some concern that it is possible there could be a breach of members' privileges, or at least the members of the committee, if there had been tampering with witnesses, but because somebody writes that there should be a meeting between witnesses and chairs, to suggest that it somehow constitutes tampering, I believe is simply beyond reason.

[*Translation*]

I think this discussion here in the House is about the duties of committees. The Chief Government Whip and the Bloc Québécois whip really made speeches about the work of the House committees in order to continue a debate that was started a few weeks ago. But this is not a question of privilege in this House.

[*English*]

The business of the committees is their own affair.

Had there been some evidence of tampering with a witness, I might have found there was a question of privilege. But there is no evidence whatsoever. What we have is a suggestion that some internal memo, manual or book, contains some suggestion that chairs should meet with witnesses. That is the most we have.

If some hon. member prepared a memo urging members to come into the House and raise phony questions of privilege, are we to take that as some kind of breach of the privileges of members of the House? I do not think so and I suspect such a thing might have happened before. I do not know but I suspect it might have.

I am not prepared to find a question of privilege on the basis of an article in a paper that suggests there may have been a phrase in a document or manual that says that chairs should meet with witnesses to discuss their testimony.

Until there is evidence of tampering with witnesses, I do not believe that the Chair can find that there has been a breach of members' privileges. There is no such evidence before me and accordingly, I do not believe there is a question of privilege here.

It being 11:30 a.m. the House will now proceed to the consideration of private members' business as listed on today's order paper.

PRIVATE MEMBERS' BUSINESS

● (1130)

[*Translation*]

IMMIGRATION AND REFUGEE PROTECTION ACT

Ms. Nicole Demers (Laval, BQ) moved that Bill C-280, An Act to Amend the Immigration and Refugee Protection Act (coming into force of sections 110, 111 and 171) be read the third time and passed.

She said: Mr. Speaker, this is the third reading of this bill, which I was proud to introduce on behalf of the Bloc Québécois. Originally, the bill was sponsored by my colleague from Vaudreuil-Soulanges, the Bloc's immigration critic. The reason we have had to introduce this bill, and this is true for a number of bills and motions introduced by the Bloc Québécois, is because things are truly absurd in this House, and the Refugee Appeal Division—which is part of legislation that has already been passed—has not yet been implemented. So, passing this bill will make it possible for sections 110, 111 and 171 of the Immigration and Refugee Protection Act, the three sections that have to do with the Refugee Appeal Division, to take effect.

While it is absurd to have to pass legislation to ask that specific sections of another piece of legislation come into force, this should not come as a surprise. From day one, the Bloc Québécois has stood up for the most vulnerable in society and made a point of vigorously defending the interests of all those citizens who do not have a voice and are unable to defend their interests themselves.

We have come to the conclusion that we should introduce a bill to implement the refugee appeal division after many people, individuals, groups or representatives asked us repeatedly to put a bill together to put an end to this absurd situation. We have done so very thoroughly and with great pleasure.

As I indicated, we have sought the assistance of many. My colleague, the whip of the Bloc Québécois, alluded earlier to relevancy. We are always very careful to be relevant in making requests. I could point out today that the Canadian Council for Refugees has been of great assistance to us in explaining the many ways in which the refugee appeal division is essential. I will mention a few.

Why is an appeal division necessary? The stakes are high. Refugee determination is one of the few decision making processes in Canada where a wrong decision can mean death for the applicant. Even though the stakes are so high, there are fewer safeguards in the system than for other decision making processes where the stakes are much lower—for example, a minor criminal offence. As a result, wrong decisions go uncorrected.

Decision making is inherently difficult. Refugee determination is extremely difficult because it involves deciding what may happen in the future in another country, about which the decision maker may have limited knowledge, based often on testimony that must pass through an interpreter and that may be confusing because of the traumatic experiences that the claimant has lived through. Often decision makers have little documentary evidence that can help decide the case one way or the other, and the credibility of the claimant is a decisive factor. However, credibility assessments can easily be wrong.

Another reason is that not all decision-makers are equally competent. For many years, appointments to the Immigration and Refugee Board have been made in part on the basis of political connections, rather than purely on the basis of competence. As a result, while many board members are highly qualified and capable, some are not. The problem was recognized by the former Minister of Citizenship and Immigration who announced a reform of the appointment process in spring 2004. While this is a positive development and may mean future improvements, in the meantime board members appointed under the old political patronage system continue to decide on the fate of refugee claimants.

Another reason to support this bill is that decision-making is inconsistent. Refugee determination involves a complex process of applying a legal definition to facts about country situations that can be interpreted in different ways.

● (1135)

Different decision-makers do not necessarily come up with the same answer, leading to serious inconsistencies. Two claimants fleeing the same situation may not get the same determination, depending on which board member they appear before. This was the case with two Palestinian brothers who had the same basis for their refugee claim, yet one was accepted and the other refused.

I had the privilege, together with my colleague from Vaudreuil-Soulanges, of meeting a refugee claimant who experienced that very situation. Someone he knew had gone through the same experience he had. The person he knew was accepted as a refugee, but he, himself, has sought sanctuary in a church for almost two years now. That is not right.

Poor representation is another reason. Refugee determination is made more difficult because refugee claimants sometimes have no legal representative, or are represented by incompetent and unscrupulous lawyers and consultants. How many times have we had to deal with people who have been wronged and deceived by others who claimed to be competent lawyers and who claimed to be able to help when nothing could be further from the truth? They did not help; in fact, they made things worse in order to make their money at the expense of very vulnerable people.

This problem is quite common because refugee claimants rarely have much money to pay for a lawyer. In some provinces, legal aid is unavailable to claimants, and in others, the aid is so meagre that few competent lawyers are willing to represent claimants on legal aid.

Any decision-making process will involve mistakes. As human beings, we are all bound to make mistakes from time to time, however hard we try. An effective system recognizes this and provides a mechanism to correct errors. We do this in the criminal justice system, which allows anyone who feels they have been wrongly convicted to appeal the decision. We try to avoid people being wrongly sent to jail here in Canada by providing appeals. Why would we not similarly try to avoid refugees being wrongly removed, which could result not only in their being jailed, but tortured and even killed?

There is one more reason. Non-implementation shows disrespect for the rule of law. Parliament approved a law that included a right to an appeal on the merits for refugee claimants. This right was balanced by a reduction in the number of board members hearing a case from two to one. During debate, there was never any suggestion that the implementation of the appeal would be indefinitely delayed and there is no indication that Parliament would have passed the law if the government had proposed it as it is now being implemented.

For these very obvious and valid reasons, I would ask all my colleagues to reflect very carefully when deciding how they will vote on this matter. We feel this bill should be passed and adopted by all the members of this House, and we are not the only ones to think so. Amnesty International recently released a report that criticizes the Canadian government's failure to respect these agreements and the decisions of Parliament.

It would be a disgrace to not be able to meet the needs of these men, women and children, of all these vulnerable people. Some of these families have been here long enough to integrate very well. Some individuals are working or in school, some are involved and engaged in their communities and civil society. There is every indication that they are exemplary citizens. If we do not adopt this bill, in the near future these individuals may be forced to return to a system of terror and to a country where they may be beaten, silenced, imprisoned or even killed.

● (1140)

I am convinced that most of the members of this House would not wish this on anyone. I am convinced that if someone in our family had to suffer what most refugees are subjected to in their countries, we would realize the importance of this bill and we would vote in favour of it.

[*English*]

Mr. Bill Siksay (Burnaby—Douglas, NDP): Mr. Speaker, I want to thank the member for introducing this important, if not strange, piece of legislation. I know she thinks it is strange too. It is important that the House debate and adopt this measure so we can finally get back on track with regard to a refugee appeal system.

There is a crisis at the Immigration and Refugee Board right now. One-third of the board is vacant and this is driving up the backlog.

I wonder if the member could comment on the lack of a formal appeal process like the refugee appeal division and the lack of appointees and reappointments at the IRB. What kind of a problem is that creating for the refugee determination process in Canada?

[*Translation*]

Ms. Nicole Demers: Mr. Speaker, I thank the hon. member for his question.

The refugee board is indeed experiencing a lot of problems. These problems have existed for a very long time. Earlier, we referred to political appointments. Now, we can also talk about people who are not appointed, and perhaps this is also for political reasons. Some may argue that the refugee appeal division should not be established, because there would be too many cases to hear and this would slow down the whole process. But there are no excuses. An individual who used to sit on the board explained to us the importance of this appeal division and told us that the department had already taken action, that everything was in place, and that the only thing left to do is to implement this process. According to this person, if the refugee appeal division is not already established, it is for reasons of bad faith and lack of political will.

Yes, we have to appoint more members to the board. We must ensure that these individuals are competent, that they have a clear understanding of the issues and that they can solve them. We must also ensure that we have a refugee appeal division, in case a mistake is made or something is misunderstood. A second level must be in place to hear refugee claims.

● (1145)

[*English*]

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, I would like members and people watching to imagine for a second that there was a knock on their door and someone told them that they had to leave the country. That would be pretty shocking. One person would have made that decision. How could anything like that happen in Canada? I certainly support the need for a second look. Most processes have another type of review.

There is an equally serious problem with respect to the huge backlog of refugee cases. People are often here for years and their lives are on hold while they wait for a decision. I wonder if the member could comment on that problem.

[*Translation*]

Ms. Nicole Demers: Mr. Speaker, I think that, at some point, there was a snowball effect. They took a lot of time to decide how this process should work. They took a lot of time to implement various measures to change the way this process was working. There is no question that, during that period, the number of claims increased. In my opinion, there is also the fact that, since 2001, we have acted differently with refugee claimants. A kind of fear began to assail governments, including all North American governments, with the result that we started to act differently. Moreover, it may be that we acted in a harmful fashion, that we were too slow to respond to needs. When there is only one person who can process refugee claims, it creates a backlog. If we cannot deal with one claim, then it is two, three and ten. Now, we are finding out that tens of thousands of claims are waiting to be processed.

The Acting Speaker (Mr. Royal Galipeau): The hon. member for Chambly—Borduas has the floor for a brief question.

Mr. Yves Lessard (Chambly—Borduas, BQ): Mr. Speaker, first of all, I would quickly like to congratulate my colleague from Lavalon her speech.

In a matter having such a humanitarian dimension, and given that Canada often defends human rights in other countries or in other parts of the world, how is it that this appeal division—that would be an effective mechanism for reviewing decisions that have life and death consequences— has yet to be established?

The Acting Speaker (Mr. Royal Galipeau): The hon. member for Laval should know that the time allocated to her has expired, but I will allow her a moment to reply.

Ms. Nicole Demers: Mr. Speaker, I would simply like to thank my colleague for expressing his concerns and reassure him that we will do what it takes for this bill to be accepted by the House.

[*English*]

Mrs. Nina Grewal (Fleetwood—Port Kells, CPC): Mr. Speaker, I am pleased to rise today on behalf of the constituents of Fleetwood —Port Kells to participate in third reading debate on Bill C-280.

I would first like to say for my hon. colleagues and all Canadians that as a country we should take pride in our humanitarian and compassionate nature. Canada has welcomed thousands of refugees over the years and has helped them to settle so they could contribute to the economic, social and cultural enrichment of our great country.

Indeed, the government welcomed over 32,000 refugees last year, including, recently, over 750 Karen refugees from Myanmar, with hundreds more to come in the next two years. We also raised by 500 people the target for privately sponsored refugees, bringing it up to 4,500 for 2007.

I am proud to say that we are living up to our reputation when it comes to providing refugee protection to those in need. There can be no doubt that Canada meets and has surpassed its international commitments.

Canadians have a right to be proud of our humanitarian tradition, but we also recognize that we must have in place a refugee determination system that is fair and consistent in its application of the rules. That is why I rise today to repeat that the government is opposed to the private member's bill tabled by the hon. member for Laval.

Once again I ask my hon. colleagues to question the need for an appeal in the context of all the recourses offered by the refugee determination system as a whole. Implementing this legislation would be unfair to refugees as it would add months to the process.

While our in-Canada refugee determination process is fair and even generous, many have said that it is already complex, slow and costly. As we deal with these realities, we must also ensure that we are able to help individuals who really need protection.

I will outline the steps once again. First, applicants have access to the refugee protection division of the Immigration and Refugee Board or IRB. If their claim is refused by the IRB, they can apply for a pre-removal risk assessment. Should the pre-removal risk assessment be unsuccessful, failed refugee claimants can apply to stay for humanitarian and compassionate reasons, including for reasons of risk.

We do not see any practical reason to make this process any longer by adding a fourth layer of review.

There are currently three members of the official opposition who at one time served as ministers of citizenship and immigration. How about if we ask them for their views on this matter? The former Liberal minister of immigration, the member for Eglinton—Lawrence, said:

> —the Refugee Appeal Division, which was proposed by the committee and accepted in Parliament, was an additional impediment to streamlining the process...we hardly needed that mechanism.

That is quite the statement, but there is more. The former Liberal immigration minister went on to say:

> I might remind the House that all failed claimants can make an appeal to the federal court. They are also subject to a pre-removal risk assessment and have applications for [humanitarian and compassionate] in the process.
>
> I refer to a specific case just this last year: a country from Central America, 2,000 applicants and 99% of them were refused. Would she have those 99% clogging up the system that she abhors?

Not only are former Liberal ministers making these comments, but the current official opposition critic for citizenship and immigration, the member for Mississauga—Erindale, said recently in the *Toronto Star* that the current refugee process takes too long and allows "bogus refugees...to stay longer, with potential implications for Canadian security".

So we have former ministers saying the refugee process takes too long and the current Liberal immigration critic saying the refugee process takes too long, yet here we are with the Liberal Party supporting a bill that would increase the length of the process by adding an unnecessary layer to the system. If that is not a prime example of someone trying to suck and blow at the same time, I am not sure what is.

● (1150)

The opposition cannot have it both ways. Either the system takes too long or it does not. If it does, then the Liberal leader and caucus should take the advice of the former immigration ministers and refuse to support Bill C-280. If the Liberal opposition believes that the current refugee process is taking too long, it does not make any sense that it would extend the process by voting in favour of Bill C-280.

The hypocrisy from the opposition on this issue is breathtaking. Implementing sections of the RAD would add more time to a process that many consider long enough. It would also presume that the current safeguards intended to ensure that no one at risk is removed, including the judicial review process at the Federal Court and the pre-removal risk assessment, were not functioning as they should.

Let us consider the individuals who have been in the system for years. How do we make the system fairer and more just by adding yet another layer to the review process?

In addition to questioning the addition of a fourth recourse to the refugee system, we must also consider the lack of transition provisions in Bill C-280, which raises questions. For example, we must ask ourselves, who would be eligible for this new level of appeal? Would it apply to individuals whose cases were heard since the IRPA came into force in 2002? Or would only new cases be eligible? What would be the rule for cases currently before the Federal Court?

Who would hear cases sent back by the court? Would it be the refugee protection division or the refugee appeal division? This is not to mention that creating a backlog of cases for the inexperienced RAD would cause further delays.

As members of the government have said, the current refugee system includes many steps for both accepted and failed refugee claimants.

Assuming that the RAD would be given a new start without any backlog from day one and that fully trained decision makers with the necessary qualifications would be appointed, implementing the RAD would add at least another five months to an already long refugee process.

As for the alternative, we must ask ourselves, what are the risks of saddling the new appeal division with a large backlog which would cause a further increase in processing delays in the refugee system?

As I have said, currently those who are successful go through a minimum of three steps: an eligibility decision by the Department of Citizenship and Immigration or the Canada Border Services Agency; a merits decision on the claim by the IRB; and an application for permanent residence by CIC. It often takes upward of three years from the time of the claim to being accepted as a refugee and obtaining permanent residence.

Current research suggests that most failed claimants go through at least four separate processes: an eligibility decision; a merits decision; an application for leave to seek judicial review at the Federal Court; and a pre-removal risk assessment. As I have said, many failed refugee claimants also make an application for permanent residence on humanitarian and compassionate grounds.

Ultimately, it takes years before failed refugee claimants can be removed from Canada. Canadians would have every right to question whether yet another layer of appeal would make the system any fairer and more just, especially when they see that many people have been in the system for years and years.

Will creating more layers enhance what is already regarded as one of the most generous refugee systems in the world? No.

Is there a legitimate reason to implement the RAD at this time? As the former Liberal ministers of citizenship and immigration would say, no.

Canada's refugee determination system meets all legal requirements, provides protection to all who need it and provides a number of opportunities for decisions to be reviewed. Adding yet another layer and delaying the process even further is not fair to refugees and their families, who count on an efficient and timely determination process so they can get on with building their lives.

I am happy to see that the former Liberal ministers of immigration agree with our government's position on this issue. My only hope is that the leader of the Liberal Party and the Liberal immigration critic, the member for Mississauga—Erindale, will actually consult with them before the next vote on this important issue.

● (1155)

Mr. Omar Alghabra (Mississauga—Erindale, Lib.): Mr. Speaker, I am pleased to speak, for the second time, to private member's Bill C-280, An Act to Amend the Immigration and Refugee Protection Act.

Bill C-280 is an act that is intended to reaffirm some of the clauses that already exist in the Immigration and Refugee Protection Act by calling for the establishment of an appeal mechanism for failed refugee claimants. This is the final debate on the bill before its third and final vote in the House. I continue to support it and hope that it becomes law.

As I mentioned before, Canada has a long tradition and a compassionate history of receiving refugees from around the world. These people are escaping unfair persecution and severe injustices and are seeking a peaceful new life and a promising future for themselves and their families. Canadians recognize that welcoming legitimate refugees is not a feel good exercise, but the right and moral thing to do for a country that believes in the principles of equality, fairness, opportunity and justice.

Also, a privileged country such as ours has obligations under international treaties to contribute to providing relief in the global refugee crisis. Canada is one of the very few countries in the world that has made a conscious decision to take every refugee claimant very seriously. Claimant applications are first reviewed by the Immigration and Refugee Board, IRB, a quasi-judicial refugee board, where each case is examined based on its own merit and circumstances.

Prior to 2001, the backlog of refugee claimants was rising considerably and there were many calls to reform the system. The previous Liberal government recognized the magnitude of this challenge and confronted those needs head-on. Steps to reduce political interference were taken and measures to improve efficiencies were adopted.

One component of those reforms was to reduce the number of board members who adjudicated each claim from two to one. In exchange, an appeal division was proposed to ensure that a second opinion would not be lost by reducing the number of adjudicators to one. This measure was reached after conducting extensive consultations with experts, stakeholders and refugee organizations.

The new appeal is only a paper appeal and would not allow for new evidence to be submitted. It is intended to ensure that any failed refugee claimant is given a second look before a final decision is made. Though the new Immigration and Refugee Protection Act was passed in 2001, the refugee appeal division has not yet been put into practice.

Understandably, there are some administrative challenges to implement it, but that is not unusual when reforms are to be adopted. The decision to accept or reject a refugee applications is extremely seriously. It must examine the reality and the merit of the application in an objective and thoughtful way.

These procedures could have life or death consequences and we as a country have accepted our responsibility in affording fairness and justice to all applicants. By proceeding with this appeal mechanism, we can ensure that our responsibility as a government and a country has been fulfilled in a just and verifiable way to the people who seek our help.

Instead of building on improvements that the previous Liberal government and the IRB have made over the last few years, the Conservatives have unfortunately chosen to set the clock back and weaken the system.

After years of progress, the backlog of refugee claimants has more than tripled in less than a year and a half under the watch of the Conservatives. The process to select the IRB is being politicized and the chair of the IRB, Mr. Jean-Guy Fleury, who is known for his honourable 40 years of public service, has resigned in protest.

The attempt by the Conservatives to inject their ideology and political agenda into the IRB has caused so much paralysis that we now have a crisis. The Standing Committee on Citizenship and Immigration prepared an extensive report that was the culmination of a comprehensive study on the status of refugee matters in Canada. The report, entitled "Safeguarding Asylum—Sustaining Canada's Commitment to Refugees", contains informative findings and thoughtful recommendations. I urge everyone to take a look at it when it is tabled.

● (1200)

One of the many constructive recommendations included in this report is to urge the government to act quickly to implement the appeal division. This matter requires urgent action.

I support conducting a comprehensive overhaul of the refugee processing system that must include an accessible and fair appeal process. Currently the system is convoluted and multi-layered. The lack of appeal and efficiency compels failed claimants to seek out legitimate and sometimes illegitimate methods in order to remain in Canada.

By strengthening and streamlining our application process, we can ensure that fewer people opt to appeal to Federal Court, which costs taxpayer money and clogs up our courts.

It is worth noting that the Conservative Party has been exhibiting very little compassion and understanding with regard to the real humanitarian issues of immigrants and refugees. While the Immigration and Refugee Protection Act can benefit from a comprehensive review and modernization, the Conservatives are busy flexing their muscles at vulnerable undocumented workers.

While the Citizenship Act is in need of fundamental re-examination and it appears that thousands of Canadians are at risk of losing their citizenship because of old flaws, the Conservatives are busy reviewing the issue of dual citizenship, attempting to make Canadians feel guilty if they hold dual citizenship.

Not surprisingly, just like we see them behave on most files, the Conservatives appear to be at odds with what is needed and what Canadians expect of them.

I will be voting in favour of Bill C-280. The Standing Committee on Citizenship and Immigration examined the legislation and approved its objectives. This bill is not asking us to introduce anything new or change our procedures drastically. It is only reaffirming what is already in our legislative books. There are probably many reasons why these clauses have not yet been applied, but it is hard to deny the intent and the objective of this bill.

Stakeholders and human rights advocates have been calling for the need to strengthen and reform our refugee application examination process. This step will further enhance the transparency and credibility of our system.

I call upon my colleagues across all party lines to vote in favour of the bill. In a country where we pride ourselves in championing justice and equality we must turn our back on implementing a process that would ensure the application of justice.

Not only do we want to pursue the application of justice, but we also must be seen to do everything we can in that pursuit.

I want to remind my colleagues that a strong, efficient, transparent and fair refugee claims process is not only the right thing to do, but it is good for the safety of our country, good for the well-being of our citizens and is prudent when it comes to spending our tax dollars. It is the least we can do for people who are escaping persecution or tragic conditions and are seeking a better life for themselves and their families.

● (1205)

Mr. Bill Siksay (Burnaby—Douglas, NDP): Mr. Speaker, it is a great pleasure to participate today in the debate on Bill C-280, An Act to Amend the Immigration and Refugee Protection Act . I want to again thank the member for Laval and the member for Vaudreuil-Soulanges for their efforts in bringing this legislation forward.

Earlier the member for Laval called this a strange a strange bill. It is indeed a strange bill, a bill to implement legislation that has already been fully debated and passed in the House and in the other place, but the government has failed to implement it. This bill should not be necessary. This action should have been taken years ago when the Immigration and Refugee Protection Act was passed in 2001 and the legislation was implemented. The fact that it has not is a very serious problem.

I agree with the former chair of the Immigration and Refugee Board, Peter Showler, who called it "profoundly undemocratic" that this place could debate and develop a compromise on the refugee appeal process that saw a two-member board reduced to a one member board, but that a refugee appeal division was added to ensure that mistakes, caused because only one person was hearing a refugee claim, could be addressed. The fact that the refugee appeal division has not been implemented is undemocratic. It is also a real blow to justice and fairness in Canada.

Regarding the UNHCR, we have heard a number of times this morning that Canada has an excellent reputation when it comes to refugee resettlement work, and that is true. In 1986 the United Nations High Commissioner for Refugees awarded Canada the Nansen Medal for our refugee work, and we are the only country to have been recognized as a country. Usually that award goes to individuals for their work with refugees.

We have been recognized in the past for our outstanding contribution, and that continues.

I should also point out that the UN High Commissioner for Refugees also criticized Canada when it came to the failure to implement an appeal process for refugees, the refugee appeal division. I want to quote from the UN High Commissioner who said:

> UNHCR considers an appeal procedure to be a fundamental, necessary part of any refugee status determination process. It allows errors to be corrected, and can also help to ensure consistency in decision-making. Canada, Italy and Portugal are the only industrialized countries which do not allow rejected asylum seekers the possibility to have first instance decisions reviewed on points of fact as well as points of law. In the past, a measure of safeguard was provided by the fact that determinations could be made by a two-member panel, with the benefit of the doubt going to the applicant in case of a split decision. With the implementation of IRPA on June 28th, this important safeguard will be lost.

That is a direct criticism of the failure of the Canadian government to implement the refugee appeal division. She pointed out how necessary this division was given the changes made in the process under IRPA in 2001.

There have been many criticisms of this legislation. One of them has been the cost of doing this. I submit that the cost is relatively small given the overall immigration and refugee budget in Canada. The former Liberal government estimated a $2 million start-up cost and $8 million a year to operate the refugee appeal division, which is a paper appeal process. More recently, officials from the IRB and the Conservative government have said that the start-up cost would be more like $8 million and a $6 million to $8 million a year operating cost. That is fairly negligible in terms of the process.

Another criticism has been that the process is already too complicated. We heard that again from the member for Fleetwood—Port Kells. She said that there were too many stages in the refugee determination process and that the refugee appeal division was an impediment to streamlining. The lack of a refugee appeal division is an impediment to justice and fairness in our refugee process. The huge impediment to streamlining is the behaviour of the current government, especially around appointments and reappointments to the IRB itself, and I will have more to say about that in a few minutes.

● (1210)

Coming back to what the member for Fleetwood—Port Kells said this morning, I found her speech distressing in one important way. She was quick to criticize the official opposition for the position of former Liberal ministers of citizenship and immigration who did not support the implementation of the RAD. That is a valid criticism of the position that they took, but I want to criticize the member for Fleetwood—Port Kells because when she was a member of the Standing Committee on Citizenship and Immigration in the last Parliament, she was part of a unanimous decision to call for an immediate implementation of the refugee appeal division.

Suddenly, now that her party has become government, it seems she has picked up the speaking notes of the former Liberal ministers and is now reading them almost verbatim into the record. At least that is what it sounds like. She is saying that somehow it would be a problem to implement the RAD, whereas not so long ago she was part of a unanimous committee decision, as were a number of other Conservative members, calling for the implementation of the RAD. I think that some of the criticism that she was levelling at the official opposition and the former minister should land right back in her own lap.

There are very valid reasons for implementing the refugee appeal division just on its own. François Crépeau, Professor of International Law at the Université de Montréal and Canada Research Chair in International Migration Law, has made four points about why the refugee appeal division is indispensable for the smooth functioning of the Canadian refugee determination system.

His first point is:

> In the interests of efficiency: a specialized appeal division is a much better use of scarce resources than recourse to the Federal Court, which is not at all specialized in refugee matters. It would be much better placed to correct errors of law and fact and to discipline hearing room participants for unacceptable behaviour.

His second point is:

> In the interests of consistency of law: an Appeal Division deciding on the merits of the case is the only body able to ensure consistency of jurisprudence in both the analysis of specific facts and in the interpretation of legal concepts in the largest administrative tribunal in Canada.

His third point is:

> In the interests of justice: a decision to deny refugee status is generally based on an analysis of the facts, often relies on evidence that is uncertain and leads to a risk of serious consequences (death, torture, detention, etc.) As in matters of criminal law, a right to appeal to a higher tribunal is essential for the proper administration of justice.

His last point is:

> In the interests of reputation: as a procedural safeguard, the Refugee Appeal Division will enhance the credibility of the IRB in the eyes of the general public, just as the provincial Courts of Appeal reinforce the entire justice system. The IRB's detractors—both those who call it too lax, and those who call it too strict—will have far fewer opportunities to back up their criticisms and the Canadian refugee determination system will be better able to defend its reputation for high quality.

Those points that Professor Crépeau has made are very important ones that show how the RAD is important to improving the refugee determination system and improving the reputation of the refugee determination process in Canada.

I think it is fair to say that the Immigration and Refugee Board is currently in a crisis and I want to talk a little about that crisis. We know that over one-third of the places on the board are vacant. Those positions have not been filled. The members of the Conservative government have not taken recommendations for appointments to those boards and have not made reappointments of people who have served on the board.

The former chair said that this has caused 300 years of experience to be lost from the board. The backlog is going up by 1,000 cases a month at the IRB. The backlog was down to 19,000. The chair figured that 15,000 was a good working level for the board. It is now up to 24,000 or 25,000. That is completely unacceptable.

That crisis has been entirely created by the government. It is the government's own creation because it has refused to make appointments and reappointments. This cannot be tolerated. Our refugee determination system is in crisis. This situation has to come to an end. Those appointments need to be made. We must also get on with implementing the RAD. It is the right thing to do.

● (1215)

[*Translation*]

Ms. Meili Faille (Vaudreuil-Soulanges, BQ): Mr. Speaker, I am very pleased to conclude this hour of debate on third reading. This is not the first time I have spoken about the Refugee Appeal Division. It is necessary, and it is the cornerstone of the Immigration and Refugee Protection Act, or IRPA.

It took a bill introduced by my colleague from Laval to finally get the appeal division implemented. Around us here, among our colleagues in this House, there are many who have openly supported the creation of the appeal division, and I want to thank them warmly.

Since I came to Parliament in 2004, I have worked constantly with refugees and immigrants in Quebec and Canada. The Refugee Appeal Division is an important piece that was missing from the legislation, and that absence is currently hurting people who are among the most disadvantaged among us. We know the consequences of the decisions that are made, and that, when mistakes are made, they are not necessarily corrected. I would therefore like to take this opportunity to thank my colleague from Laval for joining me in standing up for the rights of refugees, with conviction and without wavering.

Over the five years that have followed the passage of the Immigration and Refugee Protection Act, the Bloc Québécois has called attention to the injustices and inconsistencies in the area of immigration and refugee protection. The Bloc Québécois has also stood up for the interests of Quebec in this area. By failing to implement the appeal division, the government has made a mockery of refugee law. The Bloc Québécois has done everything possible to put an end to this injustice and used every means at its disposal to do that.

Canada is recognized as having one of the most generous systems in the world. The United Nations High Commissioner for Refugees, the UNHCR, in fact points to Canada's reputation as a leader in the humanitarian cause. On the other hand, the High Commissioner for Refugees believes, and has long been saying, that to add credibility to our system we need to have an appeal division in the refugee determination process. We need to be sure, once and for all, that the legislation that has done so much harm to so many refugees will be fixed and we need to be able to have an appeal on the merits. This procedure would allow for inconsistencies to be remedied as early as possible in the decision-making process.

It is not always possible to understand the intentions of the government, which has obstinately refused to set up the Refugee Appeal Division. We have numerous international organizations behind us. Amnesty International is urging Canada to set up the Refugee Appeal Division. The UN Committee against Torture has criticized the fact that there is no appeal division and has called for major changes. After the esteemed international organizations, we have organizations such as Rights and Democracy and the provincial governments, including the Quebec government. We can also include refugee advocacy groups like the Canadian Council for Refugees, the Centre for Faith and Justice, KAIROS, the Canadian and Quebec bar associations, immigrant service agencies like OCASI and TCRI, and the thousands of people who have signed the petitions presented in this House for more than five years. What is the Conservative government waiting for? The list goes on; it includes numerous professors and experts in international law and justice, including François Crépeau, the professor to whom my colleague in the NDP referred.

The Bloc Québécois had to introduce a bill asking for the implementation of the sections of the Immigration and Refugee Protection Act dealing with the Refugee Appeal Division. This is ironical. I am proud that the Bloc Québécois took this initiative. We asked and demanded several times that this appeal division be implemented and, given the unwillingness and stubbornness of successive governments, we had no other choice than to introduce this bill so the debate would take place once and for all.

We believe that the in-depth changes concerning protection are urgent and necessary. These changes will not happen easily or quickly, but they must happen. Concrete and immediate action must be taken. We must start right now, especially since this will be a lengthy process.

● (1220)

Members will agree that a long trip can only start with a first step. The Refugee Appeal Division is this first step that we are seeking.

I take this opportunity to thank all the organizations that appeared before the Standing Committee on Citizenship and Immigration and which provided us with the information and some wise advice. Their expertise and know-how are now duly recognized and they provided us with precious input. Thanks to them, we managed to convince several colleagues from other political parties in the House of Commons. All these people came here to remind us on many occasions that Canada's humanitarian tradition has long been a model for many countries, and they asked us to maintain it.

Consequently, I take this opportunity to salute them and to pay tribute to them today. The Conservatives, who now form a minority government, have done everything in their power to obstruct the passing of this bill. They flipped-flopped on this file and this is unacceptable. In the past, they supported the implementation of the appeal division when they were in opposition and also took part in an unanimous motion by the committee. This, among other things, was part of their platform.

In getting at the issue, I think that we must remember that deciding whether an individual is or is not a refugee is probably one of the most difficult decisions there is and everybody recognizes this. It is also a terrible decision to have to make since a serious mistake in the determination could cause an individual to be deported back to their country of origin, where they could suffer unfortunate consequences, be threatened or even killed. That is why we have been demanding for so long that Canada, like all other countries, adopt a determination mechanism that would allow the review of decisions, and that is the Refugee Appeal Division.

The Immigration and Refugee Board of Canada, the IRB, has been going through the worst crisis of its existence since the Conservatives have come to power. Besides advocating a return to a partisan board members selection process, they voluntarily put up roadblocks and created the present crisis because more than one third of IRB commissioner positions are now vacant. These people are necessary to make important and crucial decisions for people.

The backlog increases by 1,000 cases every month because the government is improvising on such an important issue. The government must correct the situation. The Conservatives have a moral responsibility to do so. I ask the hon. members to support Bill C-280. The rights of the refugees are at stake.

● (1225)

Ms. Nicole Demers: Mr. Speaker, my colleagues who spoke before me, with the exception of the government member, aptly demonstrated how relevant this bill is and how important and fundamentally essential it is to the successful integration and acceptance of refugees who come here to have a better quality of life and be free at last.

Before the government and members make a decision, they should think about a few things. To gain the confidence of the people we represent, it is essential to show our commitment to a few things like transparency, consistency, relevance and fairness.

Earlier, my colleague from Fleetwood—Port Kells proved that this government is not transparent, fair, relevant or consistent. This member voted in favour of the refugee appeal division in 2004. Now she is speaking against the refugee appeal division. I think this shows a lack of consistency. Resorting to obstruction tactics to prevent a bill from going through, from being voted on, and to prevent us from doing what we came here to do shows a lack of transparency.

Doing everything possible to say that this bill will paralyze the refugee process instead of accelerating it shows a lack of relevance. Denying people access to freedom, to a better life, to a life that will allow them to work at last, to be happy and to take care of their family and their children shows a lack of fairness.

I am asking government members not to forget that this bill is seeking fairness for all refugees who are counting on our goodwill.

The Acting Speaker (Mr. Royal Galipeau): The time provided for debate has expired.

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

Some hon. members: Agreed.

Some hon. members: No.

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

Some hon. members: Yea.

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

Some hon. members: Nay.

The Acting Speaker (Mr. Royal Galipeau): In my opinion, the nays have it.

And more than five members having risen:

[*English*]

The Acting Speaker (Mr. Royal Galipeau): Pursuant to Standing Order 98 the recorded division stands deferred until Wednesday, May 30, 2007, at the beginning of private members' business.

GOVERNMENT ORDERS

[*Translation*]

CRIMINAL CODE

The House resumed from May 17 consideration of the motion that Bill C-10, An Act to amend the Criminal Code (minimum penalties for offences involving firearms) and to make a consequential amendment to another Act, be read the third time and passed.

Mr. Réal Ménard (Hochelaga, BQ): Mr. Speaker, it is my pleasure to speak to Bill C-10 concerning offences involving firearms. This bill is a follow-up to Bill C-9, concerning reduced access to conditional sentences.

I would like to make it clear that the Bloc Québécois is concerned about and condemns all offences involving firearms. Everybody understands that offences involving firearms are serious, and that is why, since 1997, the Bloc Québécois has been steadfast in its demands for a mandatory gun registry, a public registry that police officers consult 6,500 times a day. We believe it is inconsistent to seek to implement a mandatory minimum sentencing strategy for offences involving firearms while attacking the very existence of a gun registry, which is a true public safety tool, as I will demonstrate.

Bill C-10 imposes mandatory minimum sentences. Right off the top, there is a problem with that because when it comes to sentencing, when a court must sentence an individual, the first consideration must be individualization. The judge must consider all of the factors that shape the context of the offence. That is the first consideration.

It is certainly true that the Department of Justice—not the Bloc Québécois, not the NDP, not the Liberals—awarded contracts to carry out studies. It asked professionals, in this case criminologists, to carry out studies. They looked at the experience of countries that had adopted mandatory minimum penalties, in particular for crimes committed with a firearm, to see if that had any deterrent effect. After all, that is the goal. There are certainly some maximum penalties in the Criminal Code. Those penalties must be severe when one is dealing with crimes committed with a firearm because the potential for destruction is extremely high and very real. Usually, we put our trust in the judge and we can say that a judge or a magistrate, whether in a trial court or an appeal court, should be able to give proper weight to the facts and circumstances and determine the appropriate sentence.

Every time there is a mandatory minimum penalty, there is cause for concern. I recall that the Department of Justice called on one of the most renowned criminologists, Professor Julian Roberts, of the University of Ottawa, who testified before the Standing Committee on Justice during the review of Bill C-9 and Bill C-10. What did that criminologist say about a study carried out in 1977 by the Department of Justice? He concluded that mandatory prison sentences had been introduced by many western countries, among them, Australia, New Zealand and others. He emphasized that the studies that reviewed the impact of those laws showed variable results in terms of the prison population and no discernable effect on the crime rate.

Julian Roberts, who was asked to review all the existing studies on this subject, concluded that, in the case of mandatory minimum sentences, in those countries where there are mandatory minimum sentences no positive or negative effect on the crime rate can be seen.

● (1230)

When the Minister of Justice appeared before the committee, he was unable to table any scientific evidence to contradict those words.

The bill provides that, for some 20 offences—of which the most serious are attempted murder, discharge of a firearm with intent, sexual assault, aggravated sexual assault, kidnapping, hostage taking, robbery and extortion—where there is a minimum sentence of three years, a minimum sentence of five years should be imposed and that where a five-year minimum sentence is now provided, a sentence of seven years should be imposed.

Initially—and this was defeated in committee—there were even offences for which, in the case of a second offence, the minimum sentence could be up to 10 years. I emphasize that minimum sentences remove any kind of discretionary power a judge may have to consider the circumstances and evaluate the factors related to the incident. That is extremely prejudicial to the administration of justice.

Why should we not worry about a government that says it wants to get tough on criminals? Committing an offence with a firearm is certainly reprehensible, and we are not being complacent about that. We recognize that there may be cases where the judge will impose a 10 year sentence. There may even be cases, for example if there was an attempted murder or a homicide, where the sentence could be as much as 25 years. It is quite acceptable to have such sentences. But it is never acceptable to rely on an automatic process and to remove the judge's discretion in assessing the events which led to the offence.

Let us take a look at societies. If imprisonment through mandatory minimum sentences really were useful in making societies more secure, reliance on such penalties would necessarily have a visible positive effect. The United States would be a model society. The incarceration rate is 10 times higher in the United States than in Canada. Mandatory minimum sentences are used much more in the United States than in Canada. I have some statistics that show that following the American model with more imprisonment, for longer periods, is a bad strategy. Here are some of the statistics: three times more homicides are committed in the United States than in Canada. Fewer violent crimes are committed in Quebec than anywhere else in Canada.

Look at the Conservatives and their legal activism. They have introduced about 10 bills. When they are good, we support them. For example, we supported the bill on street racing. We supported the bill on DNA data banks. In the 1990s, it was the Bloc Québécois that applied pressure, especially my former colleague from Berthier, Mr. Justice Michel Bellehumeur, who was appointed to the bench because of his merits. Mr. Justice Michel Bellehumeur campaigned, with my support, to create a new law to deal with a new phenomenon: organized crime and criminal motorcycle gangs. There were 35 of them in Canada around 1995. I well remember the former justice minister Allan Rock—who became Canada's ambassador to the United Nations but has been recalled since, if I am correctly informed—who was kind enough to let me meet some senior public servants. He attended the meeting as well. At the time, criminal biker gangs were fighting among themselves for control of the narcotics trade in our big cities, including Montreal. I well remember discussing this with senior public servants, who felt we could break up organized crime using just the existing conspiracy provisions in the Criminal Code.

● (1235)

I was convinced, as were Michel Bellehumeur and all the hon. Bloc members then, that a new offence was needed. At the Bloc's initiative and thanks to its resolute leadership—the government and public service did not really see things this way at the time—some new offences were created, such as working on behalf of an organized gang. At the time, we had the three-fives theory: if five people committed five offences for a gang over the previous five years, they would be charged with a new offence established by Bill C-95. However, the police told us that this was not working and we had to go from five to three. This amendment was taken up by the government in Bill C-24.

All of this is to say that the Bloc Québécois is not soft on crime. When we need to clamp down and ensure that our toughest criminals are behind bars, we are ready to do so. We have always brought forward very positive proposals. In just a few days, the Bloc Québécois is going to announce its proposals for improving the criminal justice system. That is our responsibility as parliamentarians and as a party with seats in the House of Commons.

It is extremely contradictory—and I am sure this has not escaped my colleagues—to repeatedly introduce bills to toughen sentences and yet not attack the root of the problem, which is granting early parole to some offenders. We in the Bloc Québécois will have an opportunity to express our views on this in the near future. But I am certain that all my caucus colleagues would agree that the government should have tackled the parole system in January, when this Parliament began. That would have been a wiser course of action.

Moreover, a parliamentary committee had expressed concern about a number of provisions that could raise concerns among members of the public. My colleague Pierrette Venne was sitting on the committee at the time. Instead, the government chose an approach that implied that Canadian communities are safer when mandatory minimum sentences are in place, even though scientific literature does not support this view. Few witnesses aside from the police testified before the committee that our communities would be safer if we had mandatory minimum sentences.

I would like to quote an eminent criminologist, André Normandeau, who has researched and written extensively about the concept of neighbourhood or community policing, which has become a reality. I do not know whether community policing exists in English Canada, but it has become commonplace in Quebec. I will quote him directly so as not to be accused of misrepresenting what he said.

André Normandeau, a criminologist at the Université de Montréal, said:

> Minimum sentencing encourages defence lawyers to negotiate plea bargains for their clients in exchange for charges that do not require minimum sentencing.

This shows the perverse effect of plea bargaining between defence lawyers and lawyers for the crown to drop charges that carry mandatory minimum sentences for charges that do not. Mr. Normandeau added:

> Minimum sentencing can also force a judge to acquit an individual rather than be obliged to sentence that individual to a penalty the judge considers excessive under the circumstances, for cases in which an appropriate penalty would be a conditional sentence, community service or a few weeks in jail.

It was evidence like that that prompted all my predecessors, be it Richard Marceau, the former member for Charlesbourg—Haute-Saint-Charles, or all my predecessors in the Bloc Québécois, to consistently say the same thing. My position in this matter is not original.

● (1240)

I am part of the long tradition in the Bloc Québécois. Every time we have mandatory minimum sentences and someone is trying to cut into judges' discretion to impose the sentence they consider appropriate, we think that it is not going to be in the interests of the administration of justice.

Some witnesses even took this line of reasoning farther, and gave us an example that much ink was spilled over at the time, and that got a lot of media coverage: the Latimer case. I do not know whether our colleagues will remember the Latimer case. He was a father in western Canada who helped his daughter to put an end to her horrific suffering. It was a case of assisted suicide. However, assisted suicide was not recognized as such by the court, and he was found guilty of homicide.

Consider what the witnesses told us in committee. To demonstrate the rigidity of mandatory minimum sentences, we can cite the case of Robert Latimer, the father who killed his severely disabled 12-year-old daughter. He killed her—and we have to remember this—out of compassion. This man was convicted of second-degree murder. In the Criminal Code, second-degree murder is an automatic sentence, so the judge was automatically forced to sentence him to 25 years in prison, when the jury—because this was a jury trial—wanted a much more lenient sentence.

These are some examples, and I know that if my colleague from Marc-Aurèle-Fortin has an opportunity to speak today he will also point out flaws in Bill C-10 and the extremely pernicious and perverse nature of mandatory minimum sentences. This does not mean that we are lenient when we have to deal harshly with crimes that are committed with a firearm.

I said earlier that the Bloc Québécois would have been extremely happy if, when we began our examination, we had been able to discuss the entire question of parole. That is quite unfortunate. I do not know whether the expression "dishonest" is parliamentary, but I will use it. What is dishonest in the Conservatives' discourse is that it suggests, when we look at what is in their legislative arsenal and the nine bills that have been introduced, that we are living in a society where violence is getting worse, where crime rates are on the rise, a society that is therefore much more disturbing than the one we lived in 10, 15 or 20 years ago.

Statistics show a completely different reality. That does not mean that we must avoid imposing sentences or controlling some individuals. We can all easily understand that imprisonment is the appropriate solution in certain cases. That is obvious. However, let us look a little more closely at the statistics. In the recent past, from 1992 to 2004, the number of violent crimes has been decreasing in Canada. When I say violent crimes, I mean homicide, attempted murder, assault, sexual assault, kidnapping and robbery. There were 1,084 of those crimes per 100,000 inhabitants.

At the beginning of the period, there were 1,084 of those crimes per 100,000 inhabitants. In 2004, that number had fallen to 946 per 100,000 inhabitants. In fact, Quebec, with 725 violent crimes per 100,000 inhabitants is the place with the fewest violent crimes. The number of homicides also diminished. In short, in general terms, the Conservative logic does not stand statistical analysis.

In concluding, I will say that we are taking all crimes involving firearms very seriously. We remain convinced that the best way to counter such crime is obviously a public firearm registry with compulsory registration. We know that the present registry is consulted 6,500 times daily by police forces across Canada.

● (1245)

We do not believe in the reasoning behind mandatory minimum sentences and that is why we cannot support Bill C-10.

● (1250)

[*English*]

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, I would like to commend the member for his good work in committee on this particular bill.

I would like to ask him why he believes that the Conservatives, and I guess the NDP, are ignoring what happens in committee? Why are they ignoring the evidence, some of which he just mentioned and I have other evidence from committee, that basically shows that long, lengthy mandatory sentences would make society more dangerous? The member mentioned plea bargaining or prisoners being more dangerous when they get out.

Our committees perform very important work, and all parties agree that the major work is done in committees. The government is now ignoring all the results of committee work. Are the Conservatives doing it just for ideological reasons? Are they saying they will make society less safe just for ideological reasons? That does not make any sense. It is not because they cannot read or understand what people are saying. They understand what witnesses and experts say in committee. Do the Conservatives not agree with committees at all?

The Conservatives are sort of the laughing stock of accountability this week because of the leaked document from the Prime Minister's Office. The government whip said today that the party did produce it and suggested that it was for blockading or obstructing committees.

Why does my colleague think the Conservatives, and much to the surprise of many the NDP, support the bill given all the evidence that he has outlined, that I outlined in my speech, and that witnesses and experts have outlined that suggest these lengthy mandatory minimums would make society more dangerous? We heard more overwhelming evidence in committee than we normally hear on a topic.

[*Translation*]

Mr. Réal Ménard: Mr. Speaker, I thank my colleague from Yukon for his question. Far be it from me to put the New Democrats and the Conservatives on the same footing. I believe this would not be fair, given the fine analysis that was made by the NDP justice critic. So I would not put the NDP and the Conservative Party on the same footing. However, I appreciate my colleague's concern toward the somewhat narrow-minded, stubborn and rigid nature of the government. Of course, when witnesses come to us with scientific literature supporting their views, we would expect this to be taken into account in the development of public policies.

It is obviously our duty to pass legislation on the basis of compelling evidence, and I know that this government does not have much consideration for such arguments. I share the member's sadness, I invite him to remain strong in this ordeal and I remind him that it will be up to our fellow citizens to dismiss this bad government as soon as they have an opportunity to do so.

[*English*]

Mr. Joe Comartin (Windsor—Tecumseh, NDP): Mr. Speaker, as I was saying to my colleague from the Bloc, it is now my turn to point out all the inconsistencies of the two opposition parties to my right.

However, let me start with an acknowledgment that this is a piece of legislation that does divide the House. I think that division is also reflective of the situation in the country. I do not believe that there is a member in this House who does not want to do whatever we can do to protect our citizens. That is the absolute first and primary responsibility of any democratically elected government. It is not a responsibility that I believe any members in this House ignore or shirk in any way.

What Bill C-10 is really about is what methods best protect our citizens.

There are givens. The NDP recognizes that the overall violent crime rate in Canada has been dropping. I think this is quite provable by solid statistics for at least the last 25 years, as we have been keeping better statistics around crime rates. There is really no debate with regard to this. It is an accepted fact.

However, there are within that criminal activity certain areas where in fact from time to time we will see spikes in certain crimes or where some crime rates in fact are going up. One of the areas in which we have seen an increase has been crime with the use of guns, the use of handguns and illegal guns in particular, but long guns as well, and involving street gangs and youths in particular.

I have to say that most of those guns that get into the hands of the street gangs and the youth of this country and are then used in serious criminal activity almost always flow from organized crime activity. Many of the guns are smuggled in from the United States, where organized crime is the major actor behind that conduct.

That is the reality of what we are faced with in this country at this time. What we attempted to do with this legislation was to take a significant overreaction by the Conservative Party in the form of the present government and reduce the more radical parts of the bill to achieve what we felt was the proper method to respond to that specific crime statistic and crime conduct.

Is this perfect? I will be the first to admit that I do not think so. Is it better than what the Conservatives proposed? Yes. Is it better than what the Liberals proposed in the last election? If the Liberals' promise had been carried out, there would have been even more severe minimum mandatory penalties, not nearly as well focused, and that is a key point.

I also want to say for my colleagues from the Bloc that it is interesting to hear them rant against this bill, but we in this House passed mandatory minimums to fight impaired driving. Again, it was a condition in the country that had to be dealt with. The rate of impaired driving was going up. The casualities on the ground, on our streets and in our cities were horrendous. We used mandatory minimums to deal with it, and the Bloc supported it, as did the Liberals and the Conservatives and my party.

In the last Parliament, led to a significant degree by a charge from both the Bloc and the Conservatives, we introduced a whole bunch of mandatory minimums into child abuse charges, some of which I simply could not accept because they were so overblown and so irresponsible, in effect, but the Bloc members supported that. Not only did their member on the committee who led the charge support it, but when the bill came to the House they supported it 100%. There were a lot of mandatory minimums in that bill.

● (1255)

As the last speaker mentioned, the Bloc members also led the charge in introducing, properly so, mandatory minimums with regard to organized crime.

In each case, with the exception of some of those in the child abuse file, it was appropriate for this legislature to do that. It was appropriate because we had a specific problem in this country with regard to that criminal activity. If we are going to use mandatory minimums, we have to be sure we use them in a focused manner.

Again, I am highly critical of the Liberals. When they were in power, they introduced between 45 to 60 new mandatory minimums, depending on how we use the sections, in their 13 years in government. Thus, when they stand in the House and criticize the NDP for supporting mandatory minimums, they are being highly hypocritical, quite frankly, in particular because they used that method so often that it loses its effectiveness.

We saw this in particular with regard to impaired driving. We put together a program in this country, led by citizens' advocates, our police, our judiciary and, yes, members of the House at that time. The message that went out to the country was that we had a major problem with impaired driving and our laws were not adequate to deal with it, not only with regard to the actual legislation but also the enforcement.

In that period, we brought in the use of the breathalyzer, which as an enforcement tool was phenomenal. I happened to be practising criminal law at that time, doing defence work, and I know how easy it was to get people off on the impaired driving charges at that time, but as soon as the breathalyzer came in and there was a scientific method to show that the person in fact was impaired, the ability to get acquittals dropped dramatically.

We had a really good enforcement methodology, a good technique and a new technology. As governments, both provincial and federal, we spent the money to make sure that our police officers across the country had access to that technology. We had a major advertising and promotion campaign to fight against impaired driving, to get the message out to society at all levels that it was wrong, and yes, we introduced mandatory minimums. We had mandatory minimum suspensions for licences. We had mandatory minimum fines. Also, if there was more than one conviction, if there were subsequent convictions, the person was looking at jail time.

That is the system we have in this country. Again, is it perfect and has it stopped impaired driving completely? No, but we have reduced the rate of impaired driving in this country quite dramatically.

That is what we are trying to do. That is what the NDP is trying to do in supporting the legislation as it has been amended. We have to do the same thing. We must have legislation in place that sends a message from this House, the House that governs this country, that we are going to be very serious in how we treat individual criminals who are convicted of serious crimes involving guns. This is the message that goes out with the passage of the bill.

At the same time, we know it is not enough. In fact, I again will be critical of the government and the Conservatives for trying to get the message out that this is the be-all and end-all and we are going to make our streets safe by passing this particular bill, 100%. That is a false message. That is not what is going to happen. It is going to have some impact, but we need to be doing much more. In fact, the impact of the legislation, I always say, is relatively minor compared to what we have to do in other areas, enforcement being one of those other two areas.

● (1300)

Part of this was interesting in that we had the opportunity to go to Toronto and take some evidence from the chief of police there, Chief Blair, and hear about some of the experiences he had in dealing with some of the street gangs, the exact people we are trying to get at with this legislation, and about some of the methods he put into place. He was able to do so only because additional moneys were given to him by the province of Ontario and the city of Toronto to focus specifically on the gangs and specifically on gun crime.

He was quite successful. The violent crime rate in one area of the city was reduced by 40% in one year. It was a phenomenal experience and is attributable to his skill and that of his officers, but also, at the governmental level, resources were deployed. We need to do that in a number of other communities across the country. The government needs to help in that regard, because certainly there are provinces, and I think in particular of Manitoba and Saskatchewan, where additional resources are needed for provinces that are not as wealthy as Ontario and do not have the ability to deploy resources.

Coming back to it, what we are dealing with here is legislation, yes, recognizing that it is of small impact, and enforcement, yes, because it has a much greater impact, but there is a third area in which we need to be doing much more work. Again I am critical of the government because it has not spent enough money. There are all sorts of programs that need to be deployed, again specifically targeting youth, and particularly the youth in our inner core cities, not exclusively but primarily, programs that will get them before they get attracted to those street gangs and get involved in criminal activity at a very young age.

That is not happening right now. The government has spent very little money in this regard. It is not well targeted, but at the very base it is no sufficient. We can pass this bill, and we should, but we cannot say to the country that we really are doing what we are supposed to be doing to prevent these crimes from happening unless we put additional resources into crime prevention. There are a lot of good programs out there, a number of which we can identify, and we should be assisting them to a much greater extent than we have up to this point.

There is one final area that I want to cover with regard to the nature of this bill and what could have been done in addition to it. I have said this in the House repeatedly. Every time I get up to speak to a government crime bill, I raise it, and I am going to do so again. Perhaps at some point the government will finally get the message.

I accuse the government of this and I will convict it as well: the government has been guilty of highlighting specific crimes with specific bills. Then the government is critical of the opposition for taking too long to get those bills back through the House. This bill in particular is a classic example of how the alternative would have been so much more effective and efficient, both in using the time of the House and in terms of dealing with the problem.

We have a bill, Bill C-10, which deals with mandatory minimums for gun crimes, for guns that are used in serious violent crimes. In effect that is what the bill is about. Currently before our justice committee we have another bill that deals with crime of a serious violent nature involving guns. It is a bail bill. It is a reverse onus bill. It is one that all the parties support. It is one that would go through very quickly.

It is one that could very easily have been combined with Bill C-10 a year ago, so that Bill C-10 would have been about both mandatory minimums and bail review, the reverse onus of bail. That bill would now be before the House. We would be voting on it either this week or next and it would be on its way to the Senate and hopefully shortly after that would be the law of the land.

However, what is going to happen is that the bill is not going to get back to the House before we break for the summer. It is probably not going to get through the process until the latter part of this year and then go on to the Senate and royal assent and the rest of it. Roughly a year later, it is going to come into effect.

We need that bill. We need it in conjunction with this mandatory minimums bill that we are dealing with. It was a logical one to do.

● (1305)

This can be repeated. I do not know how many crime bills we have had from the government. I think there have been 10, 12 or 15 up to this point, since January of last year. Any number of them could have been combined and we could have gone through this.

For members of the House, who already know this, but for the Canadian public as well, the same witnesses repeatedly appear before committee, whether it is the police associations, the Canadian Association of Chiefs of Police, sometimes retired judiciary people, advocates around crime, defence lawyer associations, bar associations or academics in this field. We keep hearing the same people over and over again. They could have come once to give us their evidence on a whole bunch of points. However, the government is insistent, and I accuse it of doing this for straight partisan purposes, to try to highlight that it is tough on crime, that will do this, then it will do that and it will do the other thing.

The reality is it could have been done all at once. If there were one all encompassing bill, we could have done that. With those 10, 12 or 15 bills, we could have done all of that and we could have added in a whole bunch of the private members' bills on crime. I cannot even remember all the numbers of the bills that I am supposed to deal with as the justice critic for my party, and I am sure the justice critics of the other parties are in the same boat. There have been that many, if we combine both the government bills and the ones coming as private members' bills.

There have been well over 20 in the last 15, 16 months. All of them could have been combined in an omnibus bill. A lot more amendments need to be made to the Criminal Code to clear up some of the problems, and to the Evidence Act and other parts of the criminal process.

The justice department, through the work it has been doing over the last number of years, very well qualified, would know what sections we need to encompass in an omnibus piece of criminal law. If we had done that, the government would have been unable to say that it was in favour of mandatory minimums, that it was in favour of this or that. It lost that political flavour, and that is to its eternal shame.

The NDP will support the bill now that it has been amended in line with what members believe is a responsible, focused way to deal with mandatory minimums vis-à-vis crimes that involve guns of a serious violent nature.

I encourage the government, once again, to look at its crime agenda legislation and find ways of bringing the bills together so we can get this done in a much more efficient way and Canadian people overall can be better protected than they are at the present time.

● (1310)

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, I agree with much of what the member said, in particular the other major steps that need to be taken to reduce crime. I commend him for mitigating an overreacted bill.

I have a comment and then I will ask a question.

First, I put on the record for the public the fact that the bill does not increase maximums. It does not allow judges to give more severe penalties. One would think that if someone wanted to be tough on crime, there would be more maximums. This does not allow judges to impose increased penalties.

If it does not do that, which is a surprise to many people, what does it do? It reduces the judge's discretion at the lower level. Those who commit less serious crimes in that category would get lighter sentences as opposed to the maximum sentence.

What does the NDP believe is accomplished by reducing the discretion of judges for less serious offenders in that category, the ones who would be getting lower sentences?

Mr. Joe Comartin: Mr. Speaker, there are really two parts to the question asked by my colleague, the member for Yukon.

In terms of the judicial discretion, it limits the judge's discretion, and I recognize that. What it does accomplish is it is part of the message we are trying to send to the country as a whole, to law-abiding citizens who are frustrated at times when they see sentences they believe are too lenient. We know that happens. Judges are not perfect. I am a very strong proponent, as I think most members of the know, of our judiciary.

I think there is no better judiciary in the world than ours. There may be some that are as good, but there are none that are better. However, judges are not divine. They are human and they make mistakes from time to time. We are saying to them that when the crime is of a certain nature, this is the minimum they have to give.

It does not do anything for discretion except to limit it somewhat, but it does make the sentences more consistent across the country. We get some variation across the country, so to some degree it tightens that up in terms of what it does with regard to the lower end and not having any increases at the other end.

The vast majority of these crimes, if we try to add mandatory minimums at the top end, I believe those would be struck down by our courts, under the charter, as being cruel and unusual punishment. With respect to any attempt to add mandatory minimums at the top end beyond the seven years, I think the Supreme Court and other courts of appeal have made it clear that the seven years is the maximum they are prepared to tolerate under the charter with regard to these types of crimes.

At the lower end, I agree. This is a valid criticism of the legislation. We are probably sacrificing a few people who judges might, because of extenuating circumstances, give lower penalties than the mandatory of five years. Of course, the mandatory for these in just about every case where it is now four at the present time will go to five. It will not be a big difference.

There are cases of extenuating circumstances. I always think of a story I was told as I was lobbied by some groups that were opposed to the mandatory minimums. It was about an individual who had suffered a severe head injury as the result of a trauma in a motor vehicle accident. He was married, had children and was living a pretty normal middle class life by Canadian standards. There was a complete change in his personality. His intelligence level was lowered dramatically. He came under the influence of his brother who was a long-time criminal and was involved in a serious robbery involving guns.

If one takes that kind of fact situation, one would think he would get five years. What one hopes for, and what in fact happened in that case, is a negotiated deal where the charges are reduced on the basis of what the crown says. The fall back is that if the issue is to be dealt with, to a great extent it will be our crowns who will have to deal with it.

● (1315)

[*Translation*]

Mr. Serge Ménard (Marc-Aurèle-Fortin, BQ): Mr. Speaker, I want to say at the start, rather like my colleague from Windsor—Tecumseh, that I believe the majority of members in this House want to work effectively against crime, particularly the most violent kinds of crime. Where we do not agree is on the way to achieve that. As representatives of a democracy, are we going to give the people of this country what they expect or are we going to give them the benefit of what we learn, given our role, from the consultation that we have to carry out, from deeper examination of the references to the science of criminology, which is not an exact science like mathematics, physics or chemistry, but which is certainly a science on the same level as psychology or sociology, in deciding what are the most effective methods? On the government side, they are trying to give the impression to the people that they are doing something to address those crimes that we all want to deal with.

The reason that we object to the bills that are now before us is that they will do absolutely nothing to reduce the number of violent crimes in Canada. While that number is to be deplored, it is still lower than in most other parts of the world. It is also true that it is lower than in those countries that we consider to be civilized countries, without giving too many examples. It is also much lower than the model from which the Conservatives have taken their inspiration, that is to say, our neighbours to the south. We know that our southern neighbours have a homicide rate that is three times higher than in Canada, and four times higher than in Quebec. Yet, that country puts six times as many people in jail as we do in Canada. On a per capita basis, there are six times as many people in prison in the United States as in Canada. However, in sociological terms our two countries are similar. The difference, which I am only too willing to point out, is that we are less accepting of extremes of poverty and the gap between the rich and poor. That definitely has sociological consequences. In that respect, if you ask any educated American, and I have done so many times, why there are so many homicides in the United States compared to Canada, the inevitable answer is the lack of gun control and the wider circulation of firearms.

The solution we know—I believe it has been confirmed— is to first deal with weapons and not to try to correct the situation after the crimes have been committed. That is also what is paradoxical, and there is the same paradox in the United States. People want tougher sentences, but wider access to firearms whereas, if we did the opposite, we would get the opposite result: that is a reduction that would probably be comparable to other civilized countries, when we think of western countries, Australia, New Zealand and many other countries. Including those in central Europe.

We are absolutely convinced—and it is science that tells us, namely criminology— that minimums do nothing. Why do they do nothing? First, because the criminals do not know them. Not only do they not know them, even we, we do not know them. If journalists asked members, after we had voted on this issue, to explain what minimum related to what law they had voted for, I am convinced that less than half the members, and perhaps a great deal less than half, would be able to answer that question.

● (1320)

I am convinced that, in this House, not even 5% of members know how many minimum sentences there are in the Criminal Code. If we do not know that number, how can we think that offenders will know what offences are punishable by a minimum sentence? To start with, they do not know that. Then, when they are about to commit a crime, they do not think about the sentence which they could be given. They are too busy preparing to commit their crime, and most of the time, we do not know about their intention.

Some crimes are essentially impulsive actions, such as crimes inspired by jealousy or, in some cases, by anger, but they are the exception. Nevertheless, do Conservatives think that criminals make a cold-blooded calculation under those circumstances and, if the risk is too great, decide not to commit the offence whereas if the risk is less great, they decide to act? This is not the way criminals think when they commit a crime. This is not even the way ordinary people think. Therefore, this approach is useless.

Science simply confirms how useless it is. The Canadian experience on minimum sentences is quite interesting. Let us take a look at the harshest minimum sentence which ever existed, except for major crimes such as first or second degree murder, where the minimum is not 20 or 25 years, but life imprisonment without eligibility for parole for 25 years in the case of first degree murder and for 10 to 20 years in the case of second degree murder, as recommended by the jury.

In Canada there was a seven-year minimum prison sentence for importing marijuana. When I was in university, I had never heard of marijuana. I was called to the bar in 1966 and I was immediately hired at the Montreal crown prosecutors' office. I worked there for 11 months and then I was hired at the federal crown prosecutors' office where I started handling cases involving hashish and marijuana. That is when I became informed on marijuana and hashish. At the time it was referred to as Indian hemp—the common name for the plant according to *Flore laurentienne* by Brother Marie-Victorin—but the plant had no hallucinogenic effects. This is no longer the case today. It has been imported and today's crops are much stronger.

At the time, there was no marijuana in Canada. I had never heard of it when I was a student. I completed my education a long time ago: in 1966. That is when the trend began. There were seven-year minimum prison sentences and, contrary to what the Conservatives might say sometimes, that these minimum sentences were never imposed, I am here to say that they were at first. Not only were seven-year minimum sentences or more imposed for importing marijuana, but I saw a case where a two-year prison sentence was imposed for simple possession.

It finally became apparent that marijuana was one of the least dangerous drugs. Nonetheless, all this realization and change came about when the seven-year minimum sentence already existed in law. The effectiveness of such a severe sentence—as a deterrent—can be measured. In Canada we have had the opposite experience and enjoyed some success. Obviously, this will never be absolute and we will never get rid of certain types of crimes. However, we have made remarkable progress when it comes to drinking and driving, so much so that it is no longer the number one cause of accidents in Canada.

Unlike the hon. member for Windsor—Tecumseh, I remember when there were minimum sentences for repeat impaired driving offences: 15 days for a second offence and 3 months for a third offence.

Nothing has changed in the law when it comes to degree of incarceration, but a lot of progress has been made.

● (1325)

How have we done that? We did it through greater awareness and through education. We also did it when we finally made it easier to prove the offence by introducing breathalyzers and enabling police officers to set up roadblocks. At the beginning, during holidays, the first roadblocks found that approximately 10% of drivers were drunk, while today it is less than 1%. This is objective and compelling proof. We have not increased the severity of the laws and crime has decreased. In the other case, there was a considerable increase in marijuana trafficking, although the sentence is severe.

Bank robberies is the third example. When I started practising, if a person was killed during a bank robbery, it was called constructive murder. This was the case as soon as a person was killed. Some people were found guilty of murdering their accomplice even though they had been killed by a security officer. If that was how the robbery ended, it was the death sentence. My colleagues no doubt know that since the death penalty was abolished in Canada, the homicide rate has steadily decreased, to the point where it is no longer an argument for those who want to reinstate the death penalty. No one is talking about it. It is obvious that the severity of the penalty is not what stops people.

A few years ago, a very good, successful film was made in Quebec called *Monica la Mitraille*. Monica la Mitraille was a remarkable woman—and I am not being complimentary—who led a group of bank robbers. She was remarkable in the literal sense of the word. At the time, if a person committed murder, they were sentenced to the death penalty. She was not the only one.

I began practising in the late 1960s and practised until 1993, when my political career began. I recall that, early on, in Montreal, there were a great deal of bank robberies, enough to fill the newspapers. There was at least one a day to draw the attention of the *Journal de Montréal*, as well as the trials and so on. There are hardly any bank robberies any more today. Is that because of more severe penalties? Not at all. Banks are now built better. Prevention has made it more difficult to commit bank robberies and the potential proceeds are limited compared to the risk of getting caught.

Thus, if we want to lower crime rates, we have to think more about the "before" and less about the "after". But, when we think about the "after" and we still go on the assumption that criminals plan based on sentencing, we think about the worst possible way the crime might be committed and then declare that it warrants a particular sentence. That is how minimum sentences are set. Minimums of five years or seven years are not negligible minimums. That is because we thought about the most serious cases. However, we are forgetting something. The sentences set out for the most serious cases are the same sentences that judges must impose on less serious cases. This is where the injustice lies and what I find most appalling.

I always thought our system of criminal law was exceptional, figuring that it is better to run the risk of releasing a guilty party, rather than convicting an innocent person. Much the same applies to sentencing. Why would we risk imposing the minimum sentences intended for the most serious cases on less serious cases? This type of injustice is just as serious as convicting an innocent person.

There is one more thing that could be convincing. I remember already having this debate here in the House. People have given me examples of circumstances in which the minimum would clearly be appropriate and in which a judge did not impose such a sentence. For one thing, I have heard very few details to explain such exceptional sentences.

● (1330)

Moreover, we are never told about the outcome at the appeal level. Considering the number of rulings made each day under the criminal justice system of a country of 30 million people, it is inevitable that judges, who have a great deal of discretion—and it is important that they have such discretion to be able to properly review each specific case before deciding to deprive an individual of his freedom—impose thousands of sentences. It is also inevitable that, in such a subjective area—this is not an exact science—mistakes are sometimes made. Is the solution to turn this Parliament into a court of appeal? Under our system, there is a way to correct these exceptional sentences, and that is through the appeal process. Some may give me more examples. If I am asked whether I think that a sentence imposed in a specific case—about which I am only informed of a couple of facts—is justified or not, my answer will be the same, namely: was the decision appealed and what did the court of appeal decide? We, as a Parliament, should only get involved if the court of appeal were to make a number of rulings that we would deem unjustified. It is important that sentences be fair and appropriate, and that they be perceived as such. This is a fundamental rule in the fight against crime. When a judge imposes a sentence, he must take into consideration who the offender is, and he must determine why he committed these crimes, whether they are part of a continuing process, whether the offender can be rehabilitated, and what role he played in the crime that took place. Those are the questions that the judge must ask himself. This is not an automatic process, where the judge concludes that he must impose this or that sentence, because he is bound to do so under a minimum penalty provision in the legislation.

I am convinced, and so is the government itself, that the only reason why it wants to impose these minimum penalties is not because this will help reduce the number of such crimes. In fact, I would be curious—and I do not think that the government ever mentioned it—to know what the goal is here. On the basis of what criteria would we be able to determine, five years from now, whether this legislation has been successful or not? Personally, I believe that, regardless of the legislation, things will go in a certain direction because of circumstances that have nothing to do with whether or not minimum penalties are imposed.

What is remarkable is that this government has decided not to get involved beforehand, or to get involved beforehand, but by imposing criteria. I find it strange. It wants to increase penalties, but at the same time it wants to make it easier to have access to firearms. This is the American way, and we know what the results are.

With respect to prevention, it has cut all grants for crime prevention projects while criteria are being defined. For one thing, that is killing a number of these projects, which are not receiving grants in a timely manner. Among other criteria, the government wants to provide grants only for short term projects that show demonstrable results in the short term. I would like the government to apply the same criteria to their bills. This means no more grants for the Société québécoise de criminologie and in-depth studies on crime. That is typical of this government. It pretends. It sees a problem and pretends to act on it. Its reaction is the most basic: if crimes are committed, it is because the punishments are not severe enough. So, it increases the punishments instead of doing as we have so often done in Quebec, through prevention for example, with remarkable success.

● (1335)

[*English*]

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, the last two speakers mentioned impaired driving and the successful effect of minimums. I want to make sure that people realize we are comparing apples and oranges here. It is not the same thing. I would not want people to have the view that it was just minimum prison sentences that had an effect. As the member just mentioned, and appropriately, it was the increased enforcement of roadside checks, regardless of the penalty. As criminologists say, the chance of getting caught is what reduces offences. Some of those minimums are related to fines and prohibition of driving; they do not put criminals in jail where they could learn more crimes.

The member talked about the United States. Would he like Canada to move more toward the system in the United States where there are three and a half times the number of murders? That country has already tried mandatory minimums. Perhaps he would confirm that many states are removing the minimums because they found that they did not work.

By keeping prisoners in jail longer, they could learn more crimes and could become more dangerous to society when they come out. This would make Canada more dangerous. Does the member think it would be better to invest money in more rehabilitation, in education, in adapting criminals? In that way when they did come out they would be less likely to reoffend and it would make Canada safer. The possibility of reoffending is a major problem today.

[*Translation*]

Mr. Serge Ménard: Mr. Speaker, the hon. member for Yukon must be a good lawyer; he only asks questions to which he already knows the answer. The answer is yes. The money would obviously be better invested in crime prevention and in education.

In fact, as I said earlier, the U.S. homicide rate is four times higher than that of Quebec, and three times higher than that of Canada as a whole. In Quebec, we have taken the Young Offenders Act very seriously. Our attitude was that the young offenders should be reformed rather than punished. We had already achieved quite spectacular results, with a crime rate 50% lower, or rather with Canada's crime rate being 50% higher than that of Quebec. I am talking about youth crime. This rate is then reflected in the various cohorts as offenders grow older.

My colleague raised two important points in his question. First, prison is crime school. I know very few people who received a harsh sentence and who managed to take control of their life—I know a few of them. Generally, the risk is very high that those who are incarcerated will be worse criminals when they get out than they were when they were sent to prison. Moreover, imprisonment is very expensive compared to other measures. According to the latest statistics, I believe that the present cost of keeping someone in prison in Canada in $88,000 a year. Imagine how much we could invest. That is what the Supreme Court indicated, very intelligently, when commenting on sentences to be served in the community.

However, provincial governments must invest in monitoring. I understand that this may be difficult. Nevertheless, I tried to do it in Quebec when I was public safety minister. It is true that many of our colleagues are opposed to that idea. When making budget cuts, we always cut funding for monitoring, but I always said that we must invest in monitoring. Many convicted criminals could serve their sentence in the community, with proper monitoring to ensure that they do not reoffend, at a much lower cost than $88,000 a year.

So, prison is less effective, more dangerous and a lot more expensive. With that money, we could do a lot more in the area of prevention and be successful, as we were in the case of impaired driving.

● (1340)

[*English*]

Hon. Larry Bagnell: Mr. Speaker, does the member think that if we put in unnaturally long, unfair sentences in certain circumstances, prosecutors would make deals and either prosecute as a summary conviction or make other deals to avoid an unjust sentence? The person would not get the reasonable jail sentence that he might normally get and he would be out sooner than would have occurred under the previous system.

[*Translation*]

Mr. Serge Ménard: Mr. Speaker, I can give the member an answer—and I think he knows what that answer might be—but I also can give him glaring examples.

Could the member repeat the last part of his question?

[*English*]

The Acting Speaker (Mr. Andrew Scheer): Perhaps the hon. member for Yukon would like to repeat his question. I am not sure if the hon. member for Marc-Aurèle-Fortin heard the last part of his question.

Hon. Larry Bagnell: Mr. Speaker, it was just about whether the prosecutors might plea bargain.

[*Translation*]

Mr. Serge Ménard: Mr. Speaker, the answer is yes. That is what usually happened, especially with marijuana after about four or five years. It did not make sense. I remember people coming back from Acapulco with a small amount of marijuana because it was a lot better than what they could get here. Suddenly, they discovered they were facing a minimum sentence of seven years.

I think it perverts the legal system. The agreement was: "That is right, you will not be accused of possession even though it is for your own use. You will be accused of possession for the purpose of trafficking". I remember it had become virtually automatic by a certain point. I evidently took the Crown by surprise when I said that someone had brought back a small amount of hashish from Morocco and had been accused of possession for the purpose of trafficking. I said I wanted to have a jury trial. I was told, "You cannot do that; we are not going to have a jury trial, because it is about possession for the purpose of trafficking". I was convinced, though, that it was for this person's own use.

Personally, I have never liked plea bargaining. I practised criminal law for over 30 years and I think it perverts the legal system. One of the things that plea bargaining leads to is not just the difficulty of introducing evidence but also situations like that one. Things like that will happen, inevitably.

Here is another example. When I started practising, there was a very strange charge in the Criminal Code of taking a motor vehicle without the owner's permission. Fresh out of university, I innocently said to myself that taking a motor vehicle without the owner's permission was theft and I wondered why this provision existed. It was because, for this offence, there was no minimum sentence of one year in jail. For automobile theft, a minimum sentence of one year in jail had been introduced. But then a problem had to be solved because it did not make sense to send too many people to jail. So another offence was created. It was exactly the same thing, except that in this case, there was no minimum. That is another harmful effect of provisions like these. They pervert the legal system.

● (1345)

[*English*]

The Acting Speaker (Mr. Andrew Scheer): At this point in the debate the speeches will be 10 minutes and the period for questions and comments will be 5 minutes.

[*Translation*]

Resuming debate. The hon. member for Montmagny—L'Islet—Kamouraska—Rivière-du-Loup.

Mr. Paul Crête (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, BQ): Mr. Speaker, I rise after my colleague for Marc-Aurèle-Fortin. He has demonstrated the expertise developed in his career as a litigator, as Quebec's justice minister, and through various experiences that he has shared with us. We have had a good indication, from inside the justice system, of the extent to which the bill tabled by the Conservatives diverges from the justice system that we want to have.

Personally, I have no experience in this area. My reaction to this bill is more like that of any citizen, a father, a member of society, someone who has not necessarily had much contact with the justice apparatus as such but who tries to assess the common-sense merits of measures such as this one.

It seems to me that the approach adopted by the Conservatives is more harmful and inefficient than others and that it will do nothing to improve the safety of citizens. It is harmful because it strips the judges of some of their responsibilities such as evaluating in a concrete manner the particular situation of each accused, of each individual found guilty, and determining the sentence. Imposing mandatory minimum sentences will have consequences for our justice system. It may well have the opposite effect to that desired by the current government.

This seems to stem from the desire to lower the crime rate. But when it comes to solutions, the other side of the House has adopted an approach developed in the U.S. that has not given the results we would like to achieve here.

Minimum sentences will needlessly tie the hands of judges.Judges are in the best position to determine the most appropriate sentence in light of the facts presented. I am certain that, if this law is enacted, in a few years situations will arise where judges will be very uncomfortable handing out a minimum sentence because it will not correspond to the desired outcome. It may even influence whether or not an individual is found guilty. At that point, the outcome may be the complete opposite of what was desired in the beginning. In addition, many experts are saying that the use of minimum sentences does not lead to a reduction in the crime rate or recidivism rate. This presumption is in part due to the show put on in the media.

This focuses on very specific situations without providing context. A snap decision has been made about penalties that may not seem harsh enough. Yet we have a whole legal system that includes appeal rights and the ability to pass judgment on the situation as a whole. I do not think that the Conservatives' plan will produce the desired results.

Criminologists are the experts. They have worked in the field and can provide expert advice, as was done with the Young Offenders Act. Quebec developed a preventive model that produced very good results. When the American approach blew in on a breeze from the right, the government wanted to go ahead with legislation to amend this situation. Major intervention was needed to ensure that the legislation made as few changes as possible with respect to young offenders in Quebec. Unfortunately, the bill before us could very well have similar consequences. When people read a newspaper article, it is very easy for them to say how awful it is that the sentence is not harsher than it is. It is important to know the details, to understand how things happened. Judges are competent individuals who have honed their expertise and who must consider a wide range of facts before handing down a sentence. In my opinion, automatic minimum sentencing will not help the justice system be truly just, which is the desired outcome. We believe that any measure to automate sentencing is a dangerous approach.

The Bloc does not believe that this is the way forward. We think it would be better to maintain the system that was developed in the past. It gives judges freedom and enables them to reach conclusions that reflect reality. Let us never forget that both sides have the right to appeal. The sense of responsibility will never disappear. People must be aware of that reality. This measure would take some of that responsibility away from judges. They would be forced to make automatic decisions.

● (1350)

If justice were administered by machines, as per the government's wishes, the result would not be desirable, whether it is for crime assessment, the impact on victims and the criminal, and the way of working toward rehabilitation. We will not contribute to rehabilitation with a measure such as the one we have before us.

The Bloc Québécois defends a model of justice based on a personalized process to ensure as much as possible that the least number of people become hardened criminals and the highest number of people are rehabilitated. Thus, they will be able to rebuild their lives, become law-abiding citizens once again and contribute to the development of society.

Way too many examples from the United States show that the approach provided by this bill has the opposite effect of what was intended in the first place. Thus, we end up with criminals with a greater likelihood of further criminal behaviour. I believe that the result is not what we were hoping for in the system in Quebec and in Canada.

If the federal government absolutely wants to make reforms, it must instead look at the nearly automatic nature of parole. Under the current system, many criminals are released after serving one-sixth of their sentence, while any release should be based on merit. We believe that the government would be better to look at this issue and to let judges maintain the right to make their decisions and to take all the circumstances into account. However, we must ensure that parole is not so automatic.

I believe that this approach is the right one. Let us remember the approach taken by the government throughout the consideration of this bill. Indeed, several amendments made in committee were agreed to. However, in the House, the government reversed all these decisions with the support of the NDP and came back to committee with a bill that the majority did not want.

In my opinion, the House of Commons should not support this bill. If it is adopted, in a few years, we could find that its impact has been the opposite of what was initially expected and that crime and especially repeat offences have gone up. People will receive minimum sentences and will experience the penitentiary system. In my opinion, this will have a negative impact. That is why it is important to find a different solution.

This bill is at third reading and will be voted on shortly. I invite the government to reconsider the whole situation, review all the expert advice we received and send this bill back to the committee for further discussion. If we adopt this bill as is, within a few years, we will probably have to review the work that has been done here, because the bill will not have produced the desired results.

I would have liked the House to take into account the expert advice we received and the committee's opinions in order to prevent the adoption of a bill that will not create a justice system that truly renders justice. That is why the Bloc Québécois will vote against this bill.

[*English*]

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, we have been debating this bill all morning and one of the items that has not come up is the over-incarceration of certain minority groups in the country. That is not being dealt with at all by the government's plan to deal with criminal justice. I am just wondering if the member thinks that this particular bill, as well as Bill C-9, would just exacerbate that problem.

In particular, in relation to aboriginal people under the principles of sentencing in the Criminal Code, there is actually a section that allows judges to take into account the specific situation of aboriginal people and the conditions related to the crime.

By removing their ability to make decisions in that area now with a mandatory minimum, it could almost be declared unconstitutional. Certainly, if it is not legally unconstitutional, it is at least against the spirit of that part of the Criminal Code which would allow a judge to look at the situation that aboriginal people were in.

Does the member think this also frustrates and exacerbates this problem that is in society, as opposed to helping to improve it?

● (1355)

[*Translation*]

Mr. Paul Crête: Mr. Speaker, I thank my colleague for his question. He very clearly illustrates the negative impact this bill will have. If we look at how justice has been rendered in the past among aboriginal peoples, with an emphasis on forgiveness, collective decision-making and correcting behaviour, it is clear that aboriginal peoples will be hit hard by the proposed changes. They are being taken even further away from their original model, their justice system, and subjected to a far more punitive model.

In the past, we saw how detrimental it was for aboriginal peoples to have to go through the traditional system, especially at the penitentiary level. I do not know whether we can expect judgments that challenge the legality of the legislation, but in practical terms, in the day-to-day application of this bill not only to aboriginal peoples, but also to many other segments of our population, people who make a mistake or commit a crime for the first time in their lives, mandatory minimum sentencing will result in more crime. Unfortunately, there is a strong possibility that crime will increase rather than decrease in the end.

[*English*]

Hon. Larry Bagnell: Mr. Speaker, witness after witness said there would be much more productive progress in reducing crime if we invested in prevention, in the root causes of crime, in poverty, and in reducing drug addictions. Over half of crimes are committed either under the influence of something or to obtain the funds to purchase the influence. Does the member think there would be a far more productive agenda to reduce crime if we invested our focus and funds on prevention?

[*Translation*]

Mr. Paul Crête: Mr. Speaker, I am deeply convinced that prevention is the way of the future. This does not mean that all people can be rehabilitated. But more effort must be put into crime prevention and ensuring that people do not enter into the vicious circle of the criminal system. Additional efforts can be made about this in terms of money.

The Bloc Québécois also proposes to reconsider the nearly automatic nature of parole. Before releasing people in the community, it would be possible to make sure that they stay out of trouble and that they are ready for reintegration. We should be able to say that we have put all the chances on our side in order to achieve the desired results, so that they become fully participating members of our society, citizens that we can be proud of. The present approach of the government to move to minimum sentences is completely incompatible with this practice. Unfortunately, the government did not listen to the arguments presented by several experts in this field. If it had listened, we would have a bill emphasizing prevention instead of minimum sentences, which will not reduce the crime rate.

STATEMENTS BY MEMBERS

[*English*]

AMYOTROPHIC LATERAL SCLEROSIS

Mr. David Tilson (Dufferin—Caledon, CPC): Mr. Speaker, last year I introduced a private member's bill that would designate the month of June as amyotrophic lateral sclerosis month. This disease is more commonly referred to as ALS or Lou Gehrig's disease. The bill would ensure that June of every year in Canada would be known as ALS month.

Currently, 3,000 Canadians live with this disease with two to three Canadians lose their lives to ALS every day. ALS is a rapidly progressive and ultimately fatal neuromuscular disease that causes nerve cells to degenerate. With this disease the voluntary muscles

weaken and become immobile. This disease has affected me deeply on a personal level as I lost my father to this disease a number of years ago.

The ALS Society greatly benefits people living with the disease by raising public awareness of ALS and through annual fundraising events. I strongly urge Canadians to get involved with the ALS Society or donate funds so a cure for this extremely destructive disease may be found as quickly as possible.

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● (1400)

SENIORS

Mrs. Susan Kadis (Thornhill, Lib.): Mr. Speaker, June is seniors month in Ontario, an opportunity for us to recognize and pay tribute to the significant contributions made by seniors to the quality of life in our communities.

This year's theme is "Active Living: Share Your Experience". Older Ontarians have worked hard and continue to contribute to the prosperity we all enjoy today. Celebrating seniors month has become our collective way of honouring and giving something back to them.

Thornhill has many active and vibrant seniors groups. It is always a pleasure to meet with groups such as the Giuseppe Garibaldi Seniors Club which holds many events for the Thornhill Seniors Centre. They are incredible. Recently, the club used funds from the new horizons for seniors program, a Liberal initiative, to purchase new technology for the centre.

On my recent visit to the Glynwood Retirement Community, I was impressed by the desire of residents to share their knowledge and experience on the many issues facing Parliament. Seniors are living healthier and longer lives and we, the next generation, have a responsibility to support their continued well-being and participation.

I encourage everyone to join in the celebrations as we thank our seniors for their invaluable contributions. I continue to be greatly inspired by them.

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[*Translation*]

BENOÎT SAUVAGEAU

Mr. Louis Plamondon (Bas-Richelieu—Nicolet—Bécancour, BQ): Mr. Speaker, I would like to take advantage of this day dedicated to former parliamentarians to honour our former colleague, Benoît Sauvageau, who died unexpectedly in August 2006.

Not only was he a well-liked, dedicated, hard-working and respectful member who was very attentive to the needs of his constituents in Repentigny, but he was also a formidable parliamentarian and was involved in many files to defend the interests of Quebec.

Benoît was critic in a number of areas. Each time, he accepted his assignments diligently and competently, and always respected all parliamentarians.

Benoît was also very dedicated to his family, and particularly to his wife, Jacinthe, and his wonderful daughters, Catherine, Laurence, Elizabeth and Alice.

We have lost an exceptional parliamentarian, but we will remember the work he did here, in Ottawa, and we will always be inspired by his determination and know-how.

The entire Bloc Québécois family will remember you, Benoît, as a friend, and as an outstanding spokesperson for Quebec.

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[*English*]

FOREST INDUSTRY

Ms. Catherine Bell (Vancouver Island North, NDP): Mr. Speaker, last week in Campbell River we had a forum to discuss the impacts of raw log exports on jobs, families and communities. That very week also saw our last remaining sawmill on Vancouver Island North shut down for the second time in two months due to a shortage of logs.

It is ironic that there are no logs when in the first three months of this year 800,000 cubic metres of logs were exported from B.C., the equivalent of 580 full time mill worker jobs. The irony is not lost on the laid off mill workers in Campbell River. They know what thousands of other unemployed mill workers know, that the export of raw logs means the export of their jobs.

The people of Vancouver Island North will not sit idly by and watch their communities crumble due to the crisis in the forest industry. They are calling on the federal and provincial governments to take action, to invest in the forest industry, to help reinvigorate the lumber processing sector, and to stimulate value added manufacturing.

Speakers told us at the meeting how value added products could be made with our logs without penalty under the softwood lumber agreement. Why is it not happening? Why will the federal government not wake up and help forest dependent communities to flourish rather than to falter?

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FORMER PARLIAMENTARIANS

Mr. Larry Miller (Bruce—Grey—Owen Sound, CPC): Mr. Speaker, today we honour parliamentarians who have passed away in the last year. This commemoration is one of the special days during which our national flag is lowered to half-mast.

This gesture is done out of honour and respect in conjunction with the Canadian Association of Former Parliamentarians. This group provides non-partisan support for the parliamentary system and fosters good relations between the Senate, this House of Commons and former parliamentarians.

By honouring this fine group of people who have served their country, and in doing so with the former parliamentarians, we make a continuing commitment to strengthen the institutions of democracy and public participation in the political process in Canada.

As members of Parliament, we are privileged to represent Canadians in this great House that Sir John A. Macdonald built. There have been 4,015 MPs in the history of Parliament and it is an honour for each of us to serve our country.

Congratulations to the members of the Canadian Association of Former Parliamentarians for keeping alive the memory of those who have gone before us in this House.

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[*Translation*]

ROYAL SOCIETY OF CANADA

Hon. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): Mr. Speaker, the Royal Society of Canada, the largest scholarly society in the country, was founded in 1882 by the governor general of the day, the Marquess of Lorne. Celebrating its 125th anniversary this year, the society maintains its objectives of fostering the highest levels of learning and recognizing outstanding achievements.

RSC members include various institutions, such as Canada's largest universities. The RSC is also involved in international research partnerships. A major player in the areas of knowledge and culture in Canada, the RSC continues to build on its remarkable traditions. Congratulations to the Royal Society of Canada.

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● (1405)

[*English*]

RCMP HERITAGE CENTRE

Mr. Tom Lukiwski (Regina—Lumsden—Lake Centre, CPC): Mr. Speaker, this past week I had the honour of participating at the opening ceremonies for the Royal Canadian Mounted Police Heritage Centre that took place in my riding of Regina—Lumsden—Lake Centre.

The new $40 million building is truly one of a kind, holding nearly twice the amount of exhibit space as its predecessor. It uses interactive displays and multimedia technology to illustrate the RCMP's prominent role in Canadian history.

Regina has always had a special connection with the RCMP. With the RCMP Training Academy stationed in the city and our government's commitment of $10 million to support the Canadian Police Research Centre, I expect the new RCMP Heritage Centre will attract thousands of tourists every year to experience the proud history of our RCMP and the impact they have had in shaping our great country.

Canada's new government is committed to strengthening the RCMP with the most modern and efficient tools available to ensure that their legacy continues. The new RCMP Heritage Centre serves as a tribute to all the men and women who have served in an RCMP uniform.

[*Translation*]

OLIVIER AWARDS GALA

Ms. Christiane Gagnon (Québec, BQ): Mr. Speaker, the ninth Olivier awards gala, emceed by Martin Petit, was held last night. The gala, televised for French speaking audiences in Quebec and Canada, highlights Quebec's performing artists and all those working in comedy.

My Bloc colleagues and I wish to congratulate the nominees and the winners. We would like to recognize in particular the Grandes Gueules, Mario Tessier and José Gaudet, who won five Olivier awards, including the Olivier of the year and a special Olivier, a fitting reward for their 15 years of performing comedy. Laurent Paquin won two awards, one for show of the year and another for writer of the year. Many other artists won Oliviers but, unfortunately, we cannot mention them all.

The ability to laugh at oneself is a characteristic of Quebeckers. We would like to congratulate all winners and those who use their talents to make Quebeckers laugh.

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CANADA SUMMER JOBS

Mr. Jacques Gourde (Lotbinière—Chutes-de-la-Chaudière, CPC): Mr. Speaker, our government has accelerated the second phase of funding for the Canada summer jobs program in order to help students quickly acquire the best work experience possible during the summer months.

Canada summer jobs is focused on encouraging employers of not for profit, public sector, and smaller private sector organizations with 50 or fewer employees to create jobs.

This morning, on behalf of our government, I announced that employers and students in Laurier Station will receive $7,728 in funding for the Regroupement des jeunes de Lotbinière.

This announcement follows announcements for the Centre Kéno-Patro, the Association Les Roul'Entrain and the Association québécoise des enfants dysphasiques de l'Estrie.

The second phase will also allow Véloroute des Bleuets to fill the 12 or 13 positions it needs.

Our government has the will and the means to take swift action. We are committed to helping young people acquire the skills, knowledge and experience they need to prepare for their future. We are getting things done.

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[*English*]

MATTHEW MCCULLY

Hon. Anita Neville (Winnipeg South Centre, Lib.): Mr. Speaker, I rise today to remember Corporal Matthew McCully, "Matty" to his fellow soldiers, who was killed last week in Afghanistan.

Corporal McCully was part of a Canadian team helping to train the Afghan national army to bring stability to Afghanistan.

The fragility of Afghanistan's security situation has once again been tragically driven home.

On behalf of my colleagues and all Canadians, I extend condolences to the McCully family in their time of sorrow and grief.

Like all Canadians, we remain steadfast in our support for our troops as they risk their lives in Afghanistan.

We are proud of Corporal McCully's contribution to Canada and to this mission. We are also grateful for the sacrifices that the brave men and women of the Canadian Forces and their families continue to make for this nation.

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SHAWN MCCAUGHEY

Mr. Dave Batters (Palliser, CPC): Mr. Speaker, I rise today in the House of Commons to pay tribute to the life of Snowbird 2, Captain Shawn McCaughey. We lost Captain McCaughey far too soon in a training accident on May 18.

Shawn fulfilled a lifelong dream when he became a Snowbird. He and his teammates received a huge ovation in the chamber last June, one day after they had buzzed the Peace Tower.

The Snowbirds exemplify the excellence of our Canadian Forces. The squadron is a vital recruiting tool for our military. The team also inspires our pilots to hone their skills and to be the best they can be.

Shawn, or "Deuce", was an elite pilot and yet he was very modest. He is remembered as a really great guy, with his trademark smile and keen sense of humour. He will be dearly missed by all who knew him.

I know all members of the House and all Canadians join me in extending our deepest sympathies to Shawn's fiancée, Claudia, his parents, Ken and Rose, and sister Jennifer. Also, our thoughts and prayers go out to Shawn's family at 15 Wing in Moose Jaw.

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● (1410)

RAIL TRANSPORTATION

Mr. Alex Atamanenko (British Columbia Southern Interior, NDP): Mr. Speaker, last week I had an informative meeting with the general mill manager of Zellstoff Celgar pulp mill in Castlegar, B.C. regarding the CN and CP railways. According to Mr. Hitzroth, the Castlegar plant is paying premium prices for service that has deteriorated considerably over the past few years. This decline in rail service is threatening over 400 jobs at the Zellstoff Celgar mill.

Similar complaints are being expressed by the Canadian Wheat Board and many rural communities, especially those on secondary lines. These days the railways are reaping record profits and do not much care and, unless forced to, they never will.

The most immediate concern is the CP maintenance workers' labour strike. The government must step in and put pressure on CP to get back to the table, negotiate in good faith and hammer out a quick and reasonable settlement with its workers.

There has been enormous taxpayer investment in the Canadian railway system and the government must act. Our resource based and rural communities deserve to have a safe, quality and affordable service that all Canadians have paid for.

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SHAWN MCCAUGHEY

Mr. John Cannis (Scarborough Centre, Lib.): Mr. Speaker, last week, Canada lost another member of its military family. Captain Shawn McCaughey, a member of Canada's world famous Snowbird squadron, was killed, unfortunately, when his plane went down during a practice session in Montana.

Captain McCaughey was 31 years old and a very beloved member of his squadron and the military community at 15 Wing Moose Jaw.

The Snowbirds carry this country's flag at air shows and other flight demonstrations around the world. They are standard bearers of excellence and professionalism in our military. Captain McCaughey was a proud member of this superb team of flyers.

On behalf of the leader of the Liberal Party, my caucus, all members and all Canadians, I too wish to extend my most sincere condolences to the family and colleagues of Captain McCaughey.

We also offer our gratitude to the Snowbirds, all the pilots and the support staff who work together on behalf of us and Canada.

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[*Translation*]

MEMBER FOR LA-POINTE-DE-L'ÎLE

Ms. Johanne Deschamps (Laurentides—Labelle, BQ): Mr. Speaker, on May 21, our colleague, the hon. member for La Pointe-de-l'Île, received the Marie-Victoire-Félix-Dumouchel prize, recognizing the contribution of a woman to Quebec's public life and her patriotic commitment to Quebec. This is a prize that is awarded each year by the Rassemblement pour un pays souverain, a sovereignist coalition. Incidentally, our colleague is the second recipient of this prize.

The hon. member for La Pointe-de-l'Île won this prize because of her great contribution to Quebec politics, both in Quebec City and in Ottawa. Minister responsible for the status of women in the Lévesque government in 1984 and a Bloc Québécois member of Parliament since 1993, she has developed an uncommon expertise in foreign affairs. A teacher and historian by trade, and a tireless worker, she has forged ties in Ottawa as well as abroad. Everywhere she goes, she speaks of sovereignty with conviction, reason and passion.

Congratulations on receiving this highly deserved Marie-Victoire-Félix-Dumouchel prize.

[*English*]

JORDAN MANNERS

Hon. Judy Sgro (York West, Lib.): Mr. Speaker, a terrible tragedy occurred in my riding of York West last week. Jordan Manners, a 15-year-old student, was shot and killed at C.W. Jeffreys Collegiate Institute.

Jordan will be remembered as a joyful, helpful, artistic young man who loved to play basketball and who dreamed of becoming an actor. Violence clearly has no place in our schools. Our precious children have a right to a safe school environment. We must all work harder in a cooperative manner to reduce violence and the proliferation of guns in our communities.

On behalf of all members of the House of Commons, I would like to extend my deepest sympathies and heartfelt condolences to Jordan's family and friends, the students and staff of C.W. Jeffreys Collegiate Institute and our entire community. Our thoughts and prayers are with them all.

* * *

● (1415)

STANLEY CUP

Mr. Pierre Poilievre (Nepean—Carleton, CPC): Mr. Speaker, it is time to do some duck hunting.

After years in the wilderness, Lord Stanley's cup is readying to come home to the nation's capital where it was born. The Ottawa Senators play in the first game of the Stanley Cup series tonight. No Canadian team has won the cup in over a decade. However, that is about to change. The Senators have made short work of their opponents, the Penguins, the Devils and the Sabres, all in five games.

Anaheim might have the fancy beaches and surfboards but we have frozen ponds and hockey sticks. It might have Disneyland but we have road shinny. It might have big money but we have the big heart.

Destiny is knocking and history will soon be made in our nation's capital. This is our national sport and we want our cup back.

ORAL QUESTIONS

[*Translation*]

THE ENVIRONMENT

Hon. Stéphane Dion (Leader of the Opposition, Lib.): Mr. Speaker, the next G-8 meeting will be very important for helping humanity fight the worst environmental threat it is facing, and that is climate change.

The German presidency is insisting that the final declaration include mandatory reduction targets for greenhouse gases, which the Bush administration is opposing.

We want the Prime Minister to tell us which side Canada will be on. Will it put its weight on the accelerator or on the brakes?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, I want to thank the Leader of the Opposition for his question.

At the G-8 meeting, an important meeting indeed, Canada, for the first time, will have a plan for the absolute reduction of greenhouse gas emissions.

[*English*]

Hon. Stéphane Dion (Leader of the Opposition, Lib.): Mr. Speaker, the Prime Minister did not answer the question. It is a bad start. It is quite rich for him to say that on the very day that a report shows his pale plan would deliver seven times less in greenhouse gas reductions than the climate change plan that I released in 2005 and that he killed.

The German president insists on supporting the UN-led efforts on climate change and the Kyoto protocol. Will the Prime Minister support the German president on this?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, once again I thank the Leader of the Opposition for his question, his first environment question in almost four months. I appreciate his renewed interest in the matter.

In the meantime, the Leader of the Opposition should know that this will be the first time ever that a prime minister of Canada will be attending a G-8 with an actual plan to have absolute reduction of greenhouse gas emissions in Canada.

Hon. Stéphane Dion (Leader of the Opposition, Lib.): Mr. Speaker, I think the Prime Minister himself does not believe his own distortions. He knows very well that in June 2005 the prime minister at the time came forward with a plan for greenhouse gas reductions seven times more than what he wants. He knows very well that a full year was wasted when he killed the plan and the billions of dollars in greenhouse gas reductions. There are a lot of programs that he really just took parts of, and in changing the names, he is trying to fool the Canadian people.

Will he show this kind of awful behaviour at the G-8 meeting? Will he try to fool the world after he tried to fool Canadians?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, what I know and what all Canadians know is that the Leader of the Opposition, despite being an advocate for Kyoto, has never produced a plan that would meet the Kyoto target, and when he was in government he never put one in place. That is a fact.

The Leader of the Opposition did ask a valuable question about the G-8 communiqué. The fact of the matter is that in order to have an effective international protocol post 2012, we need to have all major emitters, including the United States and China, as part of that effort. Canada will be working to try to create that consensus.

Mr. Michael Ignatieff (Etobicoke—Lakeshore, Lib.): Mr. Speaker, we are entitled to know what working toward a consensus means, because the leading industrial nations are calling for a global action plan on climate change but the United States is standing in the way, and Canada stands by in silence. All of the excuse making does nothing to hide the government's failure of leadership.

The world is at a crossroads. Why does the Prime Minister choose the path of silence and the path of failure?

● (1420)

Mr. Mark Warawa (Parliamentary Secretary to the Minister of the Environment, CPC): Mr. Speaker, that is from the member who said that the Liberal Party did not get it done.

The facts are that Canada is working in collaboration with all international partners to reduce greenhouse gas emissions and will be bringing to the G-8 a plan that provides a 20% reduction by 2020. That is one of the toughest plans in the world.

Mr. Michael Ignatieff (Etobicoke—Lakeshore, Lib.): Mr. Speaker, that is with a baseline of 2005 instead of 1990.

[*Translation*]

According to the Minister of the Environment, Canada should not put any pressure on the United States at the next G-8 summit. That is ridiculous.

The United States is against the Kyoto protocol, against long term targets and against a global action plan.

The Bush administration is standing in the way and Canada stands by in silence.

Why is the Prime Minister refusing to support the calls of the other G-8 partners for a global action plan?

[*English*]

Mr. Mark Warawa (Parliamentary Secretary to the Minister of the Environment, CPC): Mr. Speaker, the hon. member mentioned the baseline of 2006. If our plan had been introduced and we had been in government 10 years ago, we would have reached the Kyoto target.

The fact is that 13 years of the Liberals' inaction created an environmental mess. That member himself said they did not get it done. We are getting it done.

* * *

[*Translation*]

FESTIVALS AND SPECIAL EVENTS

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, the government promised to allocate $60 million over two years for festivals and special events. However, the eligibility criteria for the program have not yet been announced. As we all know, the vast majority of festivals take place in the summer. Millions of dollars in spinoffs and thousands of jobs are therefore on the line. The National Assembly of Quebec has the solution. Ottawa should transfer the funds to Quebec, because it already has a similar program with well-established criteria.

Does the Prime Minister plan to proceed with the unanimous motion of the National Assembly and transfer a fair share to the Government of Quebec?

[*English*]

Hon. Bev Oda (Minister of Canadian Heritage and Status of Women, CPC): Mr. Speaker, the government announced new funding for a new program, not a transfer to provinces. This program is to celebrate arts and heritage events, both small and medium, not only large festivals.

We want to benefit the communities across Canada, not take advantage of them. There will be wide consultation, with criteria that are transparent and accountable. This program is to help communities celebrate their arts and heritage and to make sure that it really benefits the communities.

[*Translation*]

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, I do not understand how the minister can say it is to help communities, when the money will not be available until September. She needs to wake up and realize that festivals take place in the summer. The Montreal International Jazz Festival is not held in February in the streets of Montreal; it will take place this summer. Yet, the minister was quick to ask only her colleagues for suggestions, in order to give them an advantage.

Will she respond favourably to the National Assembly of Quebec, the Government of Quebec, and allocate the money? The criteria are already in place; festivals need it and communities throughout Quebec need it.

[*English*]

Hon. Bev Oda (Minister of Canadian Heritage and Status of Women, CPC): Mr. Speaker, as I said, this is new programming. In fact, the festivals that the member referred to are already getting funding from the federal government through existing programs. Quebec events this year will receive over $13 million in support for festivals.

These current programs will continue. They exist. Therefore, the new program will be formulated to address new needs and real needs and benefit communities right across Canada.

[*Translation*]

Mr. Maka Kotto (Saint-Lambert, BQ): Mr. Speaker, those answers suggest a certain degree of stubbornness, so I will ask the question again. The $60 million over two years to fund festivals taking place this summer is gathering dust in government coffers because the Minister of Canadian Heritage has so far been unable to determine criteria for the allocation of funds. This is unacceptable and threatens the survival of many of Quebec's 300 festivals.

Will the Prime Minister yield to the National Assembly's unanimous demands and transfer Quebec's share immediately given that the province already has criteria in place that members of the cultural community agree on?

● (1425)

[*English*]

Hon. Bev Oda (Minister of Canadian Heritage and Status of Women, CPC): Mr. Speaker, as I said, there is festival funding support from the federal government. Those applications were received from festivals right across Canada, including Quebec. Quebec is receiving $13 million to support those festivals that are occurring this year.

We want to make sure that the new program certainly will meet the needs of the communities and will support the communities right across Canada in small and medium size festivals, not only large festivals.

[*Translation*]

Mr. Maka Kotto (Saint-Lambert, BQ): Mr. Speaker, the National Assembly and festival organizers believe that the Government of Quebec is the only appropriate intermediary to distribute these funds. This would also make it possible to avoid another sponsorship scandal.

When will the Prime Minister transfer Quebec's share of the $60 million over two years, thereby avoiding negative financial and cultural consequences for many festivals?

[*English*]

Hon. Bev Oda (Minister of Canadian Heritage and Status of Women, CPC): Mr. Speaker, I thank the member opposite for reminding us about the sponsorship scandal. That is why this government is coming up with a brand new program to address the real needs of community based festivals. We are going to make sure that communities benefit, not use taxpayer dollars for political gain. It is about helping communities celebrate their arts and heritage, not just flowing money into party coffers.

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CORPORATE TAKEOVERS

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, Canadians are concerned about the foreign takeovers that are taking place.

After 13 years of promoting the foreign takeover of our economy, the Liberals have finally taken notice of a problem they helped cause. In fact, over the past 20 years, over 11,500 foreign takeovers have been approved. Not a single one was turned down. Liberals and Conservatives would have us believe that this is because there were no problems or difficulties or negative consequences for Canada or Canadian workers. Tell that to the workers on the street right now.

Will the Prime Minister support our request for emergency hearings, yes or no?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, as I have said before, there are of course foreign takeovers going on in Canada and likewise growing Canadian investment overseas. That is part of being in a globalized economy.

I would point out to both the official opposition and the NDP that the budget did promise the government would review competitiveness policies, including foreign investment legislation, and we are in the process of doing that.

[*Translation*]

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, we are in the middle of an emergency. I was in the Saguenay region last week, and if the minister responsible for that region was not so busy hiring his friends and hiding his travel expenses, the Prime Minister might be aware that Alcan workers are worried about their future. People in the region are wondering why the government is not doing anything. Maybe he would understand that their concerns are serious and well founded.

Why is the Prime Minister still applying the Liberal policy of approving any and all foreign acquisitions?

Hon. Maxime Bernier (Minister of Industry, CPC): Mr. Speaker, I am surprised at the NDP leader's question about acquisitions by foreign interests here in Canada. Let us talk about the automobile industry. Everyone is concerned about the future of the auto industry. Nevertheless, there has been a lot of foreign investment in that industry, and the NDP did not oppose those investments. We now have a law in Canada, the Investment Canada Act, which ensures that Canadians benefit from foreign investment. That law will be respected.

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AFGHANISTAN

Hon. Denis Coderre (Bourassa, Lib.): Mr. Speaker, there was something cynical in the Prime Minister's diversionary surprise visit last week. Everyone knows why he was in Afghanistan: crisis management and polls. But it gets worse. It seems as though the Prime Minister has two different lines on the status of the combat mission after February 2009, depending on his audience.

At a time when the Dutch are showing transparency and are starting a debate on extending their mission, will the Prime Minister act like a statesman and admit once and for all that his true intention is to have our sons and daughters still fighting after February 2009?

[*English*]

Hon. Gordon O'Connor (Minister of National Defence, CPC): Mr. Speaker, as I have said a number of times, and as the Prime Minister has said a number of times, our current military mission is to the end of February 2009. The government will consider the future at some date later this year or into the next year, at which time if any changes are proposed they will be brought forward to Parliament for debate and discussion.

● (1430)

Hon. Denis Coderre (Bourassa, Lib.): Mr. Speaker, that is not what the Prime Minister said in Afghanistan.

If there are any doubts about the incompetence of this government, we need only look at the Afghan detainee scandal. There now have been media reports that the government has taken absolutely no steps to verify the claims of abuse and torture that have been raised in this House over the past month. Either nobody knows or nobody cares, and neither one of those options is acceptable.

My question is pretty simple. Why does the Prime Minister not show transparency and accountability when it comes to respecting the Geneva convention? What is he hiding from Canadians?

Hon. Peter MacKay (Minister of Foreign Affairs and Minister of the Atlantic Canada Opportunities Agency, CPC): Mr. Speaker, as the hon. member should know, what this government has done is expand and enhance the previous agreement that was put in place by his government.

We have taken significant steps to include the independent monitoring of the Afghanistan Independent Human Rights Commission. We have tasked our ambassador in Afghanistan to work very closely with Afghan officials so that they clearly know their responsibilities and Canada's expectations when it comes to detainees.

NATIONAL DEFENCE

Hon. Dan McTeague (Pickering—Scarborough East, Lib.): Mr. Speaker, every member of Parliament in this House supports our troops in Afghanistan. Now the Government of Canada must support our fallen soldiers and their families.

Clearly I want to ask the Prime Minister, will he now inform this House that effective immediately this government will now pay the full costs of the funerals for our Canadian fallen heroes?

Hon. Gordon O'Connor (Minister of National Defence, CPC): Mr. Speaker, since I have been in office I have directed the department to pay the full funeral costs of fallen soldiers. I also directed the department to review the previous Treasury Board policy set by the Liberals to come to a proper resolution and line it up with current realities.

Hon. Dan McTeague (Pickering—Scarborough East, Lib.): Mr. Speaker, it is fairly clear that Canadians do not care about bureaucratic submissions to the Treasury Board, as we learned yesterday, asking for more funds. Canadians want funeral cost aid in full right now.

[*Translation*]

Will the Prime Minister give a personal guarantee—which we have not heard—here and now, that effective immediately, the Government of Canada will pay the full costs of the funerals for our soldiers who have paid the ultimate price? Yes or no?

[*English*]

Hon. Gordon O'Connor (Minister of National Defence, CPC): Mr. Speaker, I will give a better guarantee than that. We have been doing it since I have been in office. Any family that has had to bury one of its loved ones is entitled to full recompense for the funeral.

* * *

[*Translation*]

SUMMER CAREER PLACEMENTS PROGRAM

Ms. France Bonsant (Compton—Stanstead, BQ): Mr. Speaker, Canada summer jobs is another example of the government's masterful bungling. Last week, the government tried to put out the fire it had lit itself by getting in touch with groups that had been arbitrarily refused jobs.

Rather than trying to save face by allocating these jobs at the last minute, will the government agree to transfer this program to Quebec, as requested by the Quebec Minister for Intergovernmental Affairs?

[*English*]

Hon. Monte Solberg (Minister of Human Resources and Social Development, CPC): Mr. Speaker, the government moved very quickly to ensure that groups that felt they were not getting a proper hearing were getting it.

The truth is that under Canada summer jobs today, thousands and thousands of groups and students are getting high quality jobs at higher than average rates. This is something we should all celebrate. It is terrific news.

[*Translation*]

Ms. France Bonsant (Compton—Stanstead, BQ): Mr. Speaker, what the government is not saying is that, this year, it has managed to keep up appearances. But the reality is that, next year, it will cut funding for this program by over half or $45 million. This job training program falls within Quebec's jurisdiction.

Will the government listen to reason and not make any cuts to the program and transfer it to Quebec?

[*English*]

Hon. Monte Solberg (Minister of Human Resources and Social Development, CPC): Mr. Speaker, when we laid out our approach regarding labour market agreements in the budget, we did talk about the need to have a conversation with provinces regarding the future of different programs that currently fall under the rubric of the federal government. We intend to have that conversation.

* * *

● (1435)

[*Translation*]

MINISTERIAL EXPENSES

Mr. Jean-Yves Roy (Haute-Gaspésie—La Mitis—Matane—Matapédia, BQ): Mr. Speaker, after he tried to conceal his travel expenditures, we learn today that the Minister of the Economic Development Agency of Canada for the Regions of Quebec awarded a contract to a permanent employee in his riding office. In keeping with his usual style, he insists once again that all the rules were followed.

If the minister maintains that all the rules were followed, how can he explain forgetting the House rule that permanent employees of a member cannot get departmental contracts at the same time?

Hon. Jean-Pierre Blackburn (Minister of Labour and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC): Mr. Speaker, I think it is only natural that someone who performs a professional service would be paid for it.

Mr. Giguère was the senior assistant in my riding office in Jonquière-Alma, he was the mayor of Jonquière, he was the director of public relations for Hydro-Québec, and he was also a former Liberal candidate and a former candidate for our party. This man, who is well known in our community, divided his time between two kinds of work: taking care of the needs of the riding office and taking care of cabinet needs. He was paid for each kind of work out of the envelopes provided for each.

Mr. Jean-Yves Roy (Haute-Gaspésie—La Mitis—Matane—Matapédia, BQ): Mr. Speaker, the minister says that all the rules were followed but admits he wanted to increase his employee's salary, not hesitating thereby to endorse double dipping.

After the travel expenses and contracts to raise a friend's salary, how can a minister in a government that preaches transparency defend the kind of double dipping he denounced in the Liberals?

Hon. Jean-Pierre Blackburn (Minister of Labour and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC): Mr. Speaker, I would like to remind the House that there was no double dipping. The work that Mr. Giguère did was divided in two: one part was for the needs of the riding office and the other was for the cabinet. I have to go all over the Saguenay—Lac-Saint-Jean region, as well as elsewhere, and there are speeches I need.

Mr. Giguère had a perfectly valid contract. His work was completed and delivered and is available on the Internet under the Access to Information Act. It was duly approved by the department's financial controller.

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[*English*]

FIREARMS ADVISORY COMMITTEE

Hon. Judy Sgro (York West, Lib.): Mr. Speaker, Conservatives were so proud of their new firearms advisory committee they kept it absolutely secret, as they turned the committee into a gun-loving, secret society. That is until the muzzle slipped and the member for Yorkton—Melville boasted that the Conservative faction was stacked with pro-gun activists opposed to gun control.

Did the secretive government deliberately keep this under wraps because it knew how offensive it would be to the moderate voters the Prime Minister so desperately wants?

Hon. Stockwell Day (Minister of Public Safety, CPC): Mr. Speaker, the firearms advisory committee was set up along criteria that was put in place in 2003-04 by my predecessor, the minister of public safety at the time, and we have continued to follow that criteria.

I am also happy to say that this particular committee, very qualified people on the technical areas related to firearms, is one of about 500 individuals and organizations advising me on how we should be moving ahead with a more efficient gun system.

Hon. Judy Sgro (York West, Lib.): Clearly, no one believes the minister, Mr. Speaker. He was so proud of the firearms secret society that there was no announcement, no biographies released and no press conference.

Does the minister agree with the member for Yorkton—Melville when he says, "The difference between the Liberal government and the [conservists] is obvious by the people who make up the committee?"

Why did the government change it from the firearms advisory committee to the firearms advocacy committee?

Hon. Stockwell Day (Minister of Public Safety, CPC): Mr. Speaker, I am not sure who the "conservists" are, but I think she is serious about her concern, and I share that concern.

Not only are the names of the people on that particular committee available, but is she asking that we put the names out of all the 500 different organizations and individuals we consult? We could do that; it is not an issue. We have nothing to hide.

We want to see an effective firearms system that will lead to a reduction in crimes with firearms. We think we can accomplish that by doing it in a common sense way.

Hon. Sue Barnes (London West, Lib.): Mr. Speaker, the secret society for firearms is the latest salvo in the Conservative plan to eviscerate gun control laws.

One Conservative appointee said that the Virginia Tech shooting could have been stopped if the students were armed. Another said that the weapon used at the Dawson College shooting was "fun".

If the government really supports the police, why was the Canadian Police Association left off this list? Could it be because it dared to support the gun registry?

● (1440)

Hon. Stockwell Day (Minister of Public Safety, CPC): Mr. Speaker, this specious attempt to try to take some fragmented quotes from people and tag them on to our policy is ridiculous. I just wish the opposition would get onside with us.

We want to see more dollars going into an increased number of officers on the street, especially directed toward the smuggling of firearms. We want to see the very strict control of handguns. We want to see that dealt with in an even stricter fashion. We want to see prohibition orders that are applied to people who have lost the right to have firearms maintained and not done away with as the Liberals allowed to happen. We want to see firearm control that works. We wish they would support us on that.

Hon. Sue Barnes (London West, Lib.): It is strange, Mr. Speaker. An email from the office of the member for Barrie dictates how to respond if pressed on the bias of the Canadian firearms advisory committee. Even the government was afraid to publish the list of members when the appointments were made.

Why does the advisory committee only hear the voices of the pro-gun lobby? Where is the balance now, as we had when we were in government?

Hon. Stockwell Day (Minister of Public Safety, CPC): Mr. Speaker, I think she will want to rethink those comments. If she thinks balance is taking $1 billion and wasting it on a firearms system that does not work, then that is a pretty scary view of balance.

We wish the opposition would support what we are doing, which is going to see a reduction in crimes with firearms. She might want to reflect on the comments of her own members. One recently talked about a ban on handguns. There already is a ban on the use of those handguns to many citizens. We want to make that more strict.

Members of the Liberal Party, for instance, the member for Huron —Bruce, said that he would vote against his own government if it brought in the ridiculous kinds of things about which she has talked.

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HEALTH

Mr. Bill Casey (Cumberland—Colchester—Musquodoboit Valley, CPC): Mr. Speaker, cancer is a disease that touches millions of Canadians every day. In the last election, this party made a commitment to Canadians to establish a Canadian cancer strategy.

Could the Minister of Health inform the House on the progress the Conservative government has made to support Canadian families dealing with cancer?

Hon. Tony Clement (Minister of Health and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC): Mr. Speaker, last November the Prime Minister and I announced the creation of the new Canadian Partnership Against Cancer, which is an agency designed to work on surveillance, on research and on the prevention and treatment of cancer across the whole country.

This morning I met with the board of directors of this new agency, including Mr. Lozen, who is the chair of this agency. I am pleased to announce that this new agency is up and running. I am certainly looking forward to its pan-Canadian efforts to lead the fight against cancer, something this government has stood for and in fact acted on. We are very proud that we did.

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GOVERNMENT POLICIES

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, on Friday last week people were asking why the Conservative government would not let Parliament work. Hard-working families are frustrated about job loss and foreign takeovers. They are frustrated that this House is not fixing climate change. However, the government makes it a priority to produce a 200 page manual on obstructing parliament, which has nothing to do with these priorities.

Has the Prime Minister decided that obstruction of Parliament is more important than working on the priorities of Canadians?

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, on the contrary, we have been trying to get legislation through this Parliament. The difficulty is that with the opposition, in particular the Liberal Party, it is very difficult to do so.

Bill C-10, the mandatory penalties for gun crime, something that I know Canadians care about a great deal right now, was held up at committee for 252 days and then all the relevant portions of it were gutted by the Liberals. We had to rely on the hon. members of the NDP to restore those provisions. I could go through justice bill after justice bill where that has been the case.

What is more, they have used other devices, like concurrence motions, to take up, on 20 occasions, three weeks of House time with delay and obstruction tactics.

We are the ones who are trying to get the job done. It is the opposition parties that have been obstructing.

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, the government House leader knows the difference between parliamentary debate and amending bills and the straight-out filibustering and foolish behaviour in which the Conservative MPs are engaged.

It would be nice if just once the government House leader treated the House with the respect it deserves. He is not fooling anyone. We all know that the Conservatives are trying very hard to get an early summer break to try to escape public scrutiny.

Again, does the government have any respect for the House? Does it have any respect for ordinary Canadians?

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, we came here with five clear priorities and we have been delivering on those priorities, or we have been trying to, except for one thing. The opposition parties continue to stand in front of our priority on getting tough on crime, on making our streets and communities safer.

I talked about mandatory penalties for gun crimes. I know that is heavy on the minds of Canadians. It was held up just at committee, not in the House, 232 days.

Let me talk about Bill C-23, the Criminal Code, 224 days and counting at committee; age of protection, 175 days at committee.

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● (1445)

CANADA SUMMER JOBS

Mr. Michael Savage (Dartmouth—Cole Harbour, Lib.): Mr. Speaker, since the House last met, the summer grants program has continued to spin out of control. We have Conservative MPs making up policy on the fly, ministers announcing different solutions and one who even blamed the bureaucrats.

Conflicting stories add to the incompetence of killing a program that worked and bringing in one that has demoralized students and left non-profit organizations sitting by the phone hoping for good news.

Will the minister accept responsibility for this bungling, or does he share the view of the Minister of Foreign Affairs that it was the fault of our hard-working public servants?

Hon. Monte Solberg (Minister of Human Resources and Social Development, CPC): Mr. Speaker, Canada summer jobs provides thousands of great paying jobs to students who are getting the best work experience they have ever had. That is a big improvement over the old program.

Under the old program, which the member refers to, big companies like Wal-Mart, Canada Safeway, Bacardi and Ford got thousands and thousands of dollars. We do not want to go back to that.

We are responding to the needs of the not for profit sector. That is important. We are getting things done for people who are really making a difference in their communities.

Mr. Michael Savage (Dartmouth—Cole Harbour, Lib.): Mr. Speaker, the bottom line is the government killed a successful program simply because it was a Liberal program, no other reason, just politics. Piecemeal solutions and on the fly policy adjustments simply add to the confusion.

The minister could provide some clarity. Tell us the details. What was the original budget? What is the budget now? What are the new criteria for funding as of last week? Could he assure the House that the bungled operation will be a one year experiment only, one that went horribly wrong? Maybe he should go back to the Liberal program that had worked successfully since 1994.

Hon. Monte Solberg (Minister of Human Resources and Social Development, CPC): Mr. Speaker, I know Wal-Mart would love it if we went back to the old program. Ford would think it was terrific. Bacardi would probably pour a stiff drink and celebrate, but we do not want to go there.

What we are doing is ensuring that jobs are going to students and that they are the best quality jobs we can find. That is what is important. This is part of the youth employment strategy. It really is about the students, not about the member.

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CORPORATE TAKEOVERS

Hon. Scott Brison (Kings—Hants, Lib.): Mr. Speaker, the global economy has changed massively, yet Canada's guidelines for foreign investment just have not changed with it.

Will the government appoint a panel of experts to review the Investment Canada Act, given the spate of foreign takeovers and will the government hold back any decisions on major foreign acquisitions and any changes to foreign ownership rules until that process has been completed?

Hon. Maxime Bernier (Minister of Industry, CPC): Mr. Speaker, I am very surprised that the member opposite did not read the budget. It was in the budget. We said in the budget a couple of weeks ago that we are going set up a competition panel to review all the competition policy in this country. So I am very surprised at this question.

We have the Investment Canada Act and we will respect the act.

Hon. Scott Brison (Kings—Hants, Lib.): Mr. Speaker, the minister does not think we have to change the Investment Canada Act. In fact we do and we should be listening to the experts and the business leaders like Gord Nixon who is saying that it is scary to let the country go 100% foreign owned, or Dominic D'Alessandro who is saying that ownership matters a lot. "I...worry that we may all wake up one day and find that...we have lost control of our [economic] affairs".

Will the minister listen to these business leaders and appoint an expert panel to review the Investment Canada Act? Will he listen to Canadians who want to keep the Canada in Bell Canada and will he stop listening to the Montreal Economic Institute where he is taking his orders from to just eliminate the foreign ownership rules altogether?

Hon. Maxime Bernier (Minister of Industry, CPC): Mr. Speaker, we will listen to the Certified General Accountants Association of Canada. It said today that the intake and economic productivity is all together. It is saying that the sponsorship scandal by the former government was very disturbing to our economy.

That is why we have legislation that is accountable and transparent. We do not have any scandal in this government.

I want to add it is why Canadians said to the former government that it was time to change. We have changed the policy here—

● (1450)

The Speaker: The hon. member for La Pointe-de-l'Île.

* * *

[*Translation*]

AFGHANISTAN

Ms. Francine Lalonde (La Pointe-de-l'Île, BQ): Mr. Speaker, when we asked the government about allegations of torture on Afghan detainees, we were told that these allegations were unfounded. However, today we learned that these serious allegations were never verified by Canadian authorities.

How can the government justify this laissez-faire attitude and not following up on such serious allegations? Why did it not take its responsibilities, rather than merely playing the role of informant to Afghan authorities?

Hon. Peter MacKay (Minister of Foreign Affairs and Minister of the Atlantic Canada Opportunities Agency, CPC): Mr. Speaker, on the contrary, our government took many steps regarding this issue.

[*English*]

We immediately took steps to enhance the agreement that was put in place by the previous government. We have been working very closely with officials on the ground in Afghanistan. Our new ambassador there has assumed an important leadership role in coordinating not only with the government but also with the independent organizations that are also given increased powers to investigate with respect to allegations of abuse.

We continue to work very closely with all of those organizations to improve the atmosphere with respect to this issue.

[*Translation*]

Ms. Francine Lalonde (La Pointe-de-l'Île, BQ): Mr. Speaker, according to legal scholar Amir Attaran, there is another explanation for Ottawa's silence, namely that:

> Canada is well aware that there are serious problems with detainees, and that it could be accused of war crimes...That is why it does not want to know.

Is this not the real reason behind the government's silence?

Hon. Peter MacKay (Minister of Foreign Affairs and Minister of the Atlantic Canada Opportunities Agency, CPC): Mr. Speaker, the hon. member is wrong. This government is taking a lot of steps. Making such allegations of torture and war crimes does not help promote progress in Afghanistan.

We are working with the other organizations and with the Government of Afghanistan. The atmosphere is more productive, and we feel it is necessary to continue making progress in Afghanistan.

* * *

MINISTERIAL EXPENSES

Mr. Marcel Proulx (Hull—Aylmer, Lib.): Mr. Speaker, we learned today that the Minister of the Economic Development Agency of Canada for the Regions of Quebec granted a speech-writing contract worth $24,804 to a full time staffer in his constituency office. Yet, federal law clearly prohibits granting contracts to government employees. And that is not all. The employee, Daniel Giguère, maintains that he was asked to write speeches that were not related to the minister's duties.

Why should taxpayers pay for such speeches? Will the minister promise to pay back the money paid to this constituency office employee?

Hon. Jean-Pierre Blackburn (Minister of Labour and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC): Mr. Speaker, all actions were perfectly legitimate. We were following a departmental recommendation and it was approved by the department's financial controller.

* * *

[*English*]

JUSTICE

Mr. Ed Fast (Abbotsford, CPC): Mr. Speaker, last week this country was yet again gripped by another school shooting. A young boy of 15 was senselessly shot and killed and another school was placed under a lockdown order.

Can the Minister of Justice tell the House what our government is doing to address these needless tragedies?

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, all Canadians mourn when they hear of the death of a young person in these circumstances.

Our crime fighting agenda has been very clear. We have taken aim at the illegal use of firearms. We introduced almost a year ago Bill C-10 which would give mandatory penalties for people who commit crimes with firearms. I urge all hon. members to work expeditiously to get these bills passed before summer so that police will have the tools they need to keep our streets safer and our schoolyards safer.

* * *

[*Translation*]

FESTIVALS AND SPECIAL EVENTS

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, the Minister of Canadian Heritage had a very simple task: to make sure funding would be available for summer festivals. But as a result of her interference and incompetence, summer festivals will not be receiving the promised funding and will suffer the consequences. It is still possible to fix this debacle.

Will the minister get to work, meet with festival organizers and make the $30 million available now?

[*English*]

Hon. Bev Oda (Minister of Canadian Heritage and Status of Women, CPC): Mr. Speaker, in fact that is exactly what I am doing. I met with a group of people in Winnipeg just this past week. They were quite eager and enthusiastic that they also have input to make sure that the new funds for a new program are going to benefit them and their communities. This is not only for large festivals. It is for small and medium size festivals that really have a meaningful place in bringing communities together right across this country.

● (1455)

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, after all the games the minister played with this fund, it is unacceptable that she comes in now and says "the dog ate my homework". Big deal that she is going to have a plan in place for the fall. Eighty per cent of the festivals take place in the summer. We need some leadership at Canadian Heritage. We do not need more grade school excuses.

Is the minister trying to stall on the summer fund so that she will have a $30 million honey pot to deliver for all the back to school sidewalk sales in every Conservative riding across this country?

Hon. Bev Oda (Minister of Canadian Heritage and Status of Women, CPC): Mr. Speaker, as I indicated earlier, there are programs that exist right now that are supporting festivals. Those programs were in existence last year. They will be in existence this year and next.

This is a new program. It did not exist last year. That is why I say there are many festival organizations that are quite eager. They are supportive of the fact that we are listening to them and we are going to make sure that the criteria are accountable and transparent.

* * *

[*Translation*]

ECONOMIC DEVELOPMENT AGENCY OF CANADA FOR THE REGIONS OF QUEBEC

Mr. Marcel Proulx (Hull—Aylmer, Lib.): Mr. Speaker, while the minister is awarding questionable contracts to his friends, the Laiterie de l'Outaouais is trying to obtain crucial funding, which the Economic Development Agency of Canada for the Regions of Quebec is still refusing to give it. The dairy does not need the minister's little political games, it needs the agency's commitment in order to go ahead.

Could the Minister of the Economic Development Agency of Canada for the Regions of Quebec give the dairy the $300,000 it needs for its project, or has the money already been spent on contracts of questionable value?

Hon. Jean-Pierre Blackburn (Minister of Labour and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC): Mr. Speaker, when it comes to regional economic development, this is how we have to work. We have to consider how this province and this country operate.

As minister responsible for regional economic expansion, I can say that the Laiterie de l'Outaouais application is under study. Yes, we will support secondary and tertiary processing. No, we will not support primary processing. We are trying to find ways to help the Laiterie de l'Outaouais. We need to let the application take its course within our department.

* * *

[*English*]

GOODS AND SERVICES TAX

Mr. Rick Dykstra (St. Catharines, CPC): Mr. Speaker, the Liberal tax and spend philosophy has Canadians worried. Apparently, the Liberals think Canadians do not pay enough taxes and they want them to pay more.

The Liberals, who once promised to scrap the GST, have shockingly revealed their plan to increase the GST should they ever, I repeat ever, get back into power. Constituents in my riding and across Canada are worried.

Will the Parliamentary Secretary to the Minister of Finance please inform the House how much this Liberal tax increase would cost every hard-working Canadian in this country?

Ms. Diane Ablonczy (Parliamentary Secretary to the Minister of Finance, CPC): Mr. Speaker, I thank my hon. colleague for his question and also for his outstanding work on the House finance committee.

We know that the Liberal philosophy has been a tax and spend philosophy. That is why Canadians took very seriously the Liberals' comment just recently that raising the GST would be consistent with the Liberal approach. We know that is true.

The fact of the matter is that reductions in the GST have helped the poorest Canadians and many seniors who do not pay any other tax. If our GST cuts were reversed, it would actually cost Canadians $10 billion.

* * *

[*Translation*]

TELCOMMUNICATIONS

Ms. Louise Thibault (Rimouski-Neigette—Témiscouata—Les Basques, Ind.): Mr. Speaker, new pricing rules for local telephone services announced by the CRTC are quite simply unacceptable because they enact increases in rural areas. They represent a real obstacle to the development and occupation of rural areas. Once again, rural areas are penalized.

How could the Conservative government ignore such a vital reality as the rural areas? When will it reverse this decision and thus show that it truly cares about the rural as well as the urban population?

● (1500)

Hon. Maxime Bernier (Minister of Industry, CPC): Mr. Speaker, I would like to remind my colleague that this government does have the interests of rural areas at heart, contrary to what she just said.

Why? In our plan, only major urban centres will be deregulated in the near future. The status quo is in effect for rural centres and remote areas of Canada. We believe that these regions must have competitive rates. We did not deregulate these regions because there is no competition in these regions at present.

[*English*]

EQUALIZATION

Hon. Ralph Goodale (Wascana, Lib.): Mr. Speaker, later this afternoon the premier of Saskatchewan will appear before the finance committee to explain his deep disappointment in the 2007 federal budget and especially the broken Conservative promise about equalization. The government has boasted that complaints from provinces would be ended, but that is not true. At least five provinces are very angry.

Will the government confirm that it never once mentioned to Saskatchewan that the Conservative equalization promise to Saskatchewan would be capped and therefore killed?

Hon. Gerry Ritz (Secretary of State (Small Business and Tourism), CPC): Mr. Speaker, what a banner day for the residents of Saskatchewan. The member for Wascana has had an epiphany on his way to retirement in Florida. So what? That is what they say. He had the job for a whole year. He wrote three different budgets. He did not address the fiscal imbalance at all. We will take no lessons from that member.

We have listened to the premier of Saskatchewan. He is getting the best deal of any premier in this country, more new dollars per capita than anyone else.

* * *

[*Translation*]

EMPLOYMENT INSURANCE

Mr. Yves Lessard (Chambly—Borduas, BQ): Mr. Speaker, the Supreme Court has found that the trade unions' argument that surpluses in the employment insurance account should be used exclusively for EI contributors was worth hearing.

Could the Conservative Party, which has always professed support for an independent account, not go ahead and immediately establish such an independent employment insurance account?

[*English*]

Hon. Monte Solberg (Minister of Human Resources and Social Development, CPC): Mr. Speaker, I want to thank the member for this important question. Obviously, I will not comment on the court case. I will simply reiterate something the Prime Minister has said in this place, which is that we are interested in ideas regarding an independent employment insurance account and are prepared to consider any and all ideas on this issue.

* * *

PRESENCE IN GALLERY

The Speaker: I would like to draw to the attention of hon. members the presence in the gallery of the Hon. Lorne Calvert, Premier of Saskatchewan.

Some hon. members: Hear, hear!

The Speaker: I would also like to draw to the attention of hon. members the presence in the gallery of the Hon. Michael Murphy, Minister of Health for New Brunswick.

Some hon. members: Hear, hear!

ROUTINE PROCEEDINGS

[*English*]

GOVERNMENT RESPONSE TO PETITIONS

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, pursuant to Standing Order 36(8), I have the honour to table, in both official languages, the government's response to 64 petitions.

* * *

COMMITTEES OF THE HOUSE

JUSTICE AND HUMAN RIGHTS

Mr. Art Hanger (Calgary Northeast, CPC): Mr. Speaker, I have the honour to present, in both official languages, the 14th report of the Standing Committee on Justice and Human Rights in relation to the judicial appointment process.

HUMAN RESOURCES, SOCIAL DEVELOPMENT AND THE STATUS OF PERSONS WITH DISABILITIES

Mr. Dean Allison (Niagara West—Glanbrook, CPC): Mr. Speaker, I have the honour to present, in both official languages, the 17th report of the Standing Committee on Human Resources, Social Development and the Status of Persons with Disabilities.

* * *

● (1505)

PETITIONS

INCOME TRUSTS

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I present this income trust broken promise petition on behalf of Mrs. Irene Corridore from Ontario who remembers the Prime Minister boasting about his apparent commitment to accountability when he said that the greatest fraud was a promise not kept.

The petitioners would remind the Prime Minister that he promised never to tax income trusts but recklessly broke the promise by imposing a 31.5% punitive tax which permanently wiped out $25 billion of hard-earned retirement savings to over two million Canadians, particularly seniors. Not only was this profoundly unfair, but expert testimony proved that the decision was based on flawed methodology and incorrect assumptions.

The petitioners, therefore, call upon the government, first, to admit that the decision to tax income trusts was based on flawed methodology and incorrect assumptions; second, to apologize to those who were unfairly harmed by this broken promise; and third, to repeal the punitive 31.5% tax on income trusts.

GUN REGISTRY

Mr. Mike Allen (Tobique—Mactaquac, CPC): Mr. Speaker, I am proud to present, on behalf of over 150 constituents of my riding and from outside, a petition asking the government about the waste of money in the long gun registry and pointing out that it unfairly targets law-abiding citizens, farmers, sport shooters and hunters.

The petitioners call upon Parliament to end the registration requirement for non-restricted long guns.

ASBESTOS INDUSTRY

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, I have signatures from hundreds of Canadians from all over Newfoundland and Labrador who remind the House of Commons that asbestos is the greatest industrial killer that the world has ever known and yet Canada continues to be one of the world's largest producers and exporters of asbestos.

They point out that Canada allows asbestos in construction materials, textiles and even in children's toys, and that Canada spends millions of dollars subsidizing the asbestos industry and blocking international efforts to curb its use.

The petitioners call upon Parliament to ban asbestos in all its forms, to introduce a just transition program for asbestos workers and the communities in which they live in, and to stop blocking international health and safety conventions designed to protect workers from asbestos, such as the Rotterdam Convention.

PASSPORT CANADA

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, I am pleased to rise in the House once again to present a passport petition from people in my riding. In fact, just before I came to the House I was speaking with a resident of mine who was trying to drive the 10 hours to a passport clinic for his daughter and had his car wiped out by a moose.

It raises the issue, which is in this petition signed by hundreds of people from the Timmins region, that since we do not have walk-in services anywhere in northeastern Ontario and we are dependent on passport services because we do represent a mining region where people do a lot of international travel, we are in a situation where our region has been unfairly left out of the national service because we need to have mail-in service and obviously the mail-in service is nowhere close to what we would see at a walk-in passport office.

Therefore, given the fact that it is between a 10 and 12 hour drive for many of my residents to get to a passport office, they are looking to work with the government. The petitioners are calling for a passport service that would support not just the people of northeastern Ontario but also northwestern Quebec.

I am very proud to speak to that issue today and to bring forward this petition.

[*Translation*]

EMPLOYMENT INSURANCE

Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ): Mr. Speaker, I am pleased to present a petition signed by 270 people, a vast majority of whom reside in the riding of Montmorency—Charlevoix—Haute-Côte-Nord. The petitioners call upon the Conservative government to give a royal recommendation to Bill C-269, An Act to amend the Employment Insurance Act (improvement of the employment insurance system), so it can be adopted quickly at third reading. This bill is aimed essentially at correcting flaws in the Employment Insurance Act to make it more responsive to the needs of residents of the Upper North Shore.

● (1510)

[*English*]

VISITOR VISAS

Mr. Rick Casson (Lethbridge, CPC): Mr. Speaker, I table a petition today that was presented to me by the Polish community in Lethbridge and area. It asks the government to lift the visa requirements for visitors from the Republic of Poland because Poland does not require visas for Canadian visitors to Poland.

Lifting the visitor visa requirements would increase family visits, tourism, cultural exchanges and trade missions. The Canadian Polish Congress representing 800,000 Canadians of Polish heritage strongly recommends the lifting of such visa requirements for Poland.

BANKING FEES

Mrs. Irene Mathyssen (London—Fanshawe, NDP): Mr. Speaker, I have a petition from the good citizens of London—Fanshawe who are concerned about record bank profits of over $19 billion by the six banks.

Unlike other countries, customers in Canada are faced with fees when they deposit, withdraw or transfer their own money using automated teller machines.

The NDP has proposed legislation that would eliminate ATM fees and my constituents call upon the government to pass this legislation and eliminate such fees.

VISITOR VISAS

Ms. Judy Wasylycia-Leis (Winnipeg North, NDP): Mr. Speaker, I have three petitions coming from a very vibrant Polish community in my constituency, which joins with many other Polish Canadians across Canada, asking the government to lift the visa requirements for people coming from Poland.

The petitioners believe that this makes sense in terms of Poland's involvement in the European Union. They also believe that this would increase family visitation, tourism, cultural exchanges and trade missions and, therefore, would benefit both of our countries.

On behalf of all of those citizens, the petition calls upon Parliament to lift the visa requirements for the Republic of Poland.

PET FOOD

Ms. Olivia Chow (Trinity—Spadina, NDP): Mr. Speaker, I have hundreds of petitions from people from across Canada asking the government to create mandatory regulations and inspections to ensure the food that our cats and dogs are eating is safe and of high quality.

The petitioners are concerned that the contaminated pet food that was sold in Canada is causing harm to animals; that no federal department or agency is responsible for monitoring or informing the public about potentially harmful pet food; and that the United States, the United Kingdom and the European Union all have regulations for the manufacture of pet food. They, therefore, call upon the government to take action.

CITIZENSHIP AND IMMIGRATION

Ms. Peggy Nash (Parkdale—High Park, NDP): Mr. Speaker, I have two petitions to present.

The first one is from 268 people across Canada in support of my once in a lifetime bill. The petitioners recognize that family reunification should be a key component to a fair immigration policy and that the current family class rules are too restricted and mean that many close relatives are not eligible for sponsorship.

The petitioners are calling upon Parliament to ensure that Canadian citizens and landed immigrants are given a once in a lifetime opportunity to sponsor a family member from outside the current family class as currently defined in the Immigration and Refugee Protection Act by passing my private member's bill, Bill C-394.

MINIMUM WAGE LEGISLATION

Ms. Peggy Nash (Parkdale—High Park, NDP): Mr. Speaker, my second petition is signed by 340 people from my riding of Parkdale—High Park who recognize that the federal minimum wage was eliminated in 1996 by the Liberal government, that a $10 an hour minimum wage would just approach the poverty line for a single worker and that the federal government, if it established a minimum wage, would set a benchmark of best practice in labour standards right across Canada.

The petitioners are calling upon the Parliament of Canada to ensure that workers in the federal jurisdiction are paid a fair minimum wage by passing my Bill C-375 to re-establish a federal minimum wage and set it at $10 an hour.

* * *

QUESTIONS ON THE ORDER PAPER

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, I ask that all questions be allowed to stand.

The Speaker: Is that agreed?

Some hon. members: Agreed.

S. O. 52

POINTS OF ORDER

ORAL QUESTIONS

Hon. Peter MacKay (Minister of Foreign Affairs and Minister of the Atlantic Canada Opportunities Agency, CPC): Mr. Speaker, I rise on a point of order to respond to a point of order that was raised in the House on May 18 in response to a question during question period by the hon. member for North Vancouver. He, subsequent to question period, raised a point of order in my absence, so this is the first opportunity that I have had to respond.

In my response, I apparently said something to which he took offence. I certainly would not do so and did not suggest any criticism of the hon. member; however, if my comments may have been taken that way I want to clarify for the record and respond of course that no insult was meant.

I certainly had no knowledge of a medical condition that he revealed during that point of order. I would never have made such a comment otherwise and I would like to withdraw the offending remarks which were: "it is nice to see the hon. member here".

* * *

● (1515)

REQUEST FOR EMERGENCY DEBATE

GASOLINE PRICES

The Speaker: The Chair has received notice of an application for an emergency debate from the hon. member for Scarborough—Agincourt, and I would hear him now.

Hon. Jim Karygiannis (Scarborough—Agincourt, Lib.): Mr. Speaker, I rise today to ask for an emergency take note debate on the price of gasoline Canadians are paying at the pumps.

Last week, the Conservatives heard from Canadians that their number one issue, overwhelmingly, was the price of gas. Canadians are saying that they are being gouged at the pumps.

Let us look at some of the figures.

Crude oil today is $64.20 a barrel. In February 2006 crude oil was the same as it is today, $64.20. The average price of gasoline today is $1.09 right across Canada, while in February 2006 the average price was 85¢. That is a difference of 24¢ per litre.

The price of crude oil on May 28, 2007 is $64.20 per barrel and the price of gasoline is $1.09. The last time that we had a price of $1.09 per litre of gasoline was July 31, 2006 and the price of crude at that time was $78 per barrel. That is a difference of $13.80 per barrel. Across Canada, an extra margin of 1¢ per litre generates an additional profit of $1 million per day.

In December 2005, gasoline prices were approximately 82¢ per litre. Today, the average price for gasoline is $1.09 per litre. This is an increase, under this government, of 32%.

Let us look at the net earnings by company.

Suncor had net earnings of $2.971 billion in 2006 and $1.158 billion in 2005. That is an increase of 156% or $1.813 billion.

Petro Canada had net earnings of $245 million in 2006 and $115 million in 2005. That is an increase of 113% or $130 million.

Husky Energy had net earnings of $2.726 billion in 2006 and $2.003 billion in 2005. That is an increase of 36%.

Let us look at net income by company.

Imperial Oil had a net income of $3.044 billion in 2006 and $2.600 billion in 2005. That is an increase of 17% or an increase overall of $444 million.

Chevron had a net income of $17.138 billion in 2006 and $14.099 billion in 2005. That is an increase of 21% or an increase overall of $3.039 billion.

Profits of $6.149 billion over one year.

When this government and this Prime Minister were in opposition, the hon. Prime Minister said on October 6, 2004:

> It is time we axed the tax on tax. We would also eliminate the GST portion on gas prices that go above 85¢ per litre to prevent the government from reaping windfall profits on top of high gas prices.

Similarly, the then leader of the opposition, the Prime Minister today, on Monday, September 26, 2005, said, "Rather than continue to rake in record high revenues from record high oil prices, will the government simply cut gas taxes for consumers?"

That same day, the hon. Prime Minister continued and said, "Mr. Speaker, every time gas prices rise a cent, almost $40 million goes into the coffers of the government. It should stay in the pockets of consumers".

The Minister of National Defence, the member at that time for Carleton—Mississippi Mills, stated on October 5, 2005:

> Gasoline taxes account for an average 40% of the pump price. GST is charged on the pump price, gasoline taxes included. It is a tax on tax.

Clearly, this government, as one my constituents said, versus jumping into bed with big oil companies, should do the honourable thing: lower the price on gasoline and make sure that Canadians are not gouged every day. Or, as he put it plainly, "It is time that the government started screwing them versus being in bed with the oil companies".

● (1520)

SPEAKER'S RULING

The Speaker: I listened very patiently to the hon. member for Scarborough—Agincourt, who really seemed to have made a speech as though the debate had started rather than to try to give arguments as to why the Chair ought to allow the debate in the first place because there seemed to be a lot of quotes, if the hon. member does not mind me saying so, about what other people said rather than why this was urgent.

However, I am not satisfied that, despite all I have heard from him, the request for the emergency debate today meets the exigencies of the Standing Order at this time and, accordingly, I am not going to allow the debate to proceed on this basis.

I know the hon. member has other avenues available to him and I know he may want to pursue those with his House leader and others responsible for House time.

GOVERNMENT ORDERS

[*English*]

CRIMINAL CODE

The House resumed consideration of the motion that Bill C-10, An Act to amend the Criminal Code (minimum penalties for offences involving firearms) and to make a consequential amendment to another Act, be read the third time and passed.

The Speaker: Is the House ready for the question?

Some hon. members: Question.

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

Some hon. members: Agreed.

Some hon. members: No.

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

Some hon. members: Yea.

The Speaker: All those opposed will please say nay.

Some hon. members: Nay.

The Speaker: In my opinion the nays have it.

And five or more members having risen:

The Speaker: Call in the members.

And the bells having rung:

The Speaker: At the request of the chief government whip the vote on the motion before the House will be deferred until tomorrow at the conclusion of the time provided for government orders.

* * *

[*Translation*]

CANADA ELECTIONS ACT

The House resumed from May 11 consideration of the motion that Bill C-54, An Act to amend the Canada Elections Act (accountability with respect to loans), be read the second time and referred to a committee.

Mr. Réal Ménard (Hochelaga, BQ): Mr. Speaker, I am pleased to speak to Bill C-54, which deals with electoral democracy, one of three such bills introduced by the government.

Electoral democracy is an extremely important issue. However, I must remind members, with sadness, that this is a corrective measure. In fact, had the government listened to the opposition parties, it would not have adopted Bill C-2 with the kind of haste that shows a certain lack of professionalism. During consideration of Bill C-2, representations were made regarding various shortcomings in that bill. One of them dealt with this possible loophole whereby people were using loans to circumvent the $1,100 ceiling on political contributions by individuals and the ban on contributions to political parties or leadership candidates by corporate entities. Candidates to elected office would take out personal loans from friends, from their entourage, which was a form of indirect financing.

Bill C-54 would close that loophole by proposing four objectives that I will share with the House. The bill would put in place a uniform and transparent disclosure system for all loans to political entities, including the compulsory disclosure of loans terms and conditions, and of lenders' and guarantors' names.

Bill C-54 would prevent unions and corporate bodies, with a few exceptions, not only from making political donations according to the Accountability Act, but also from loaning money to individuals.

Third, guaranteed loans for contributions coming from an individual could not exceed $1,000, which is the limit set in the Accountability Act. There is harmonization between what can be donated to a registered political party and the amount individuals can lend to candidates and registered parties.

Fourth, only financial institutions, at commercial interest rates, and other political entities may lend more than $1,000. Rules concerning outstanding loans would be reinforced to avoid candidates escaping their obligations. Loans still outstanding after 18 months would be considered political donations. Riding associations or, where there are none, political parties themselves, would have to reimburse loans not repaid by their candidates.

The bill would correct a loophole, an omission, found in the Accountability Act. The bill on accountability gave us the opportunity to reflect on the whole question of democracy. There can be no real level playing field if there is no control over donations from political parties.

● (1525)

My father was a labourer and I do not have any personal wealth. I must be able to run for office and be elected without any political wealth. No one would like to live with the American model where senators, to be elected to the Congress, must invest several millions of dollars. When, for campaigning, one must have personal wealth or invest several millions of dollars, what does this mean for democracy? It means that one becomes a spokesperson for registered lobbies. Thus, lobbies fund politicians.

The House of Commons, as well as the National Assembly, must be a place where arbitration occurs. Parliamentarians, no matter their political affiliation, must never become prisoners of lobby groups. Oil companies, banks or any other lobby group cannot fund parliamentarians, because, when we have to assess a bill, we must be able to do so without any strings attached. When the price to pay in a democracy requires investing millions of dollars to ensure that we get re-elected, we are not without any strings attached. This is a nice legacy that was given to us by the former prime minister, Jean Chrétien, who followed the model established by Mr. René Lévesque. We will remember René Lévesque—what a great Quebec premier—who was strong, who inspired Jean Chrétien, at least on this issue, of course. Jean Chrétien got his inspiration from René Lévesque, who, very early in his political career, had decided to put an end to slush funds and to regulate and provide a framework for funding from corporations, lobby groups and individuals, to really stick to the notion that, in a democracy, the primary value that must guide us is equal opportunity. That is the first legislation that the Parti Québécois passed in 1976.

Of course, there are great moments in democracy, but there are also painful moments. As I was travelling from Montreal to Ottawa by train yesterday—and I am sure that my colleague from Abitibi—Témiscamingue will agree with me—I was re-reading the proceedings from a symposium which took place at the Université du Québec à Montréal in 1992 about the democratic referendum process. We know very well that the liberal government led by Jean Chrétien literally stole the referendum from Quebeckers. The rules which should govern any democratic referendum were flouted.

As members will recall, Robert Burns, who was the Minister responsible for the Reform of Democratic Institutions in the René Lévesque government, had the Referendum Act passed. Drawing from the experience in other countries, he had first drafted a green paper and submitted it to a public consultation. There have been few referendums in Quebec and in Canada. There was a referendum on Prohibition, which was won by the yes side, and Prohibition was ended. There were also two other referendums in 1980 and in 1995. Since Pauline Marois will likely become the new leader of the Parti Québécois, a new thinking exercise is about to start among the sovereigntists, and we are quite optimistic. We believe that, in the short term, there could be a referendum on the political future of Quebec. Inviting our fellow citizens to a rendezvous with history is a great moment in democracy.

We all know that the sovereigntist movement in Quebec is deeply rooted in democracy, given that three different leaders founded political parties for Quebeckers to democratically express themselves about this great project of making Quebec a sovereign state. Who are those leaders?

● (1530)

There is, of course, Pierre Bourgault, who was a powerful orator, profound, a very good platform presence. There were people who even compared him to Henri Bourassa. Mr. Speaker, you will surely recall Henri Bourassa not because you knew him, but because you have certainly read his speeches. He was definitely an extremely powerful orator.

There were three sovereignist leaders who founded political parties to enable the citizens of Quebec to consider the sovereignist option. There was Pierre Bourgault, René Lévesque, of whom I spoke earlier, and the third, whom I knew somewhat more intimately because he was the leader of my political party, is none other than Lucien Bouchard.

You will recall that Lucien Bouchard was the leader of the official opposition in 1993. What a wonderful time it was in October 1993, when the voters of Quebec gave the Bloc Québécois the responsibility of serving as the official opposition. I remember that there were 54 members of our party seated at the other end of the House. We had succeeded in electing Osvaldo Nunez in the riding of Bourassa. We had won the riding of Anjou and the riding of Ahuntsic. It was the start of a great movement of national affirmation that has never been interrupted, but which has varied in intensity.

All of that leads me to say that we support Bill C-54, An Act to amend the Canada Elections Act regarding limits on loans to candidates. However, I want to remind members that there have been some great moments in Canadian democracy: the legacy of Jean Chrétien limiting the contribution of individuals to $1,100 is certainly a great moment, but there have also been moments that have greatly tarnished democracy. Unfortunately, I feel I must recall that the federal Liberals did not observe the Referendum Act.

I, myself, am writing a text that I hope to see published in coming days, and which concerns some ideas for renewing the sovereigntist movement. I hope that the member for Abitibi—Témiscamingue will do me the honour of reading it for I know he has a keen intellect and that he literally reads everything that comes into his hands. I have asked the Library of Parliament how much the federal government spent during the 1995 referendum. If I were to make a little survey among the many members of this House who are listening to me— and I thank them for doing so— to know how much the federal government spent illegally, because that was not accounted for either on the "Yes" side or the "No" side, what would be the answer?

Mr. Speaker, do you think they spent $5 million? That was the ceiling allowed under the Referendum Act. Do you think they spent $10 million or even $15 million? Well, they spent $31 million: $16 million during the referendum campaign and $12 million on promoting Canadian unity. Obviously they have the right to be federalists. Remember what Lucien Bouchard said at the Dorval airport the day after the referendum was lost to the yes side in 1995. He said that no is no, but when the day comes that it is yes, it will be yes.

The sad part about the example I am giving you of this anti-democratic bungle, this shameful behaviour by the federal Liberals by which they did not respect Quebec's referendum legislation, is that they invested heavily in propaganda and these expenses were not accounted for. They achieved this in a number of ways. How can we forget Chuck Guité. I even wonder if the name "Chuck Guité" is parliamentary since there is so much disgrace associated with his name. If ever this name becomes synonymous with disgust and becomes unparliamentary, do let me know, Mr. Speaker.

● (1535)

Chuck Guité was the one who broke every accounting rule imaginable and who rented every available billboard in Quebec. At the time the Clerk of the Privy Council told Prime Minister Jean Chrétien that he could not allow the national unity reserve to go unchecked.

All that to say that among the unfortunate experiences of anti-democratic bungles, there was the non respect of the 1995 referendum when three major misdeeds and abuses of democracy occurred.

First, Chuck Guité rented billboards. Then, the investigations indicate that the electoral body was unduly and artificially inflated by allowing people to vote who, if normal administrative channels had been followed, would not have had the right to vote. People were naturalized, of course. The problem is not that they were naturalized—we want to allow everyone to exercise their right to vote—but that normal administrative channels were not followed.

The Referendum Act has great democratic value.

We had the yes side and the no side. The government informed the National Assembly of the question to be debated for 35 hours. The president of the National Assembly apportioned the speaking time among the parties, the time allocated to the government and to the opposition being proportionate to the number of seats held by each.

At the time, Rodrigue Biron from the Union nationale sat at the National Assembly, as did socreds, although they were no longer called that, and their leader was Fabien Roy. The debate went on for 35 hours.

While the government has the prerogative to announce the question to be voted on at the time of a referendum, it is not allowed to spend more than those opposing its option. There lies the strength of Quebec's referendum democracy.

The yes side and the no side had equal opportunities. Both sides could speak at the National Assembly, and the public funding available to them was distributed fairly.

I am having a hard time getting over this stolen referendum in 1995. It eventually led to the sponsorship scandal. As we know, the Liberals in Quebec were all but decimated. I think there are more Bengal tigers at the Biodome, in my neighbourhood, than there are Liberals in Quebec. This goes to show the magnitude of public chastisement. It does not take anything away from the merit of the individuals involved, but it means that, next time the National Assembly decides to hold a referendum, the rules of the game will have to be adhered to.

In this Parliament, we have three bills in support of referendum democracy: one—Bill C-54—concerns loans to individuals; another concerns the selection of senators at the other place; and yet another, which we in the Bloc Québécois also support, concerns fixed election dates, something that already exists in a number of provinces. That shields us from all the scenarios of partisan vagaries, where the Prime Minister tends to call an election when his party is ahead in the polls.

I will conclude on that and I will gladly answer any questions.

● (1540)

Mr. Marc Lemay (Abitibi—Témiscamingue, BQ): Mr. Speaker, I listened carefully to the speech made by my colleague. Unfortunately, the member will not become a member of the Barreau du Québec because he does not want to, not because he is unable to. He does not want to take the bar exam, even though he just completed a law degree, which may be why he is speaking to us with such eloquence today.

Let us move on to serious things and talk about Option Canada, a subject I know he can debate at length. My colleague talked about what happened, about the various referendums, about how certain members of the federal government—a Liberal government at that time—got their hands on a large sum of money to—and I will use the same word that was used by my colleague from Hochelaga—steal the referendum.

What does he think about Option Canada, an initiative where funds were misappropriated without any regard for the Quebec Referendum Act?

Mr. Réal Ménard: Mr. Speaker, I thank my colleague for his question. One of his endearing character traits is the balance he achieves between his passion for defence attorneys and his role as a member of the House of Commons. I thank him for never crossing the line that would make him a greater advocate for the people before the courts than for his constituents.

As for his disappointment that I will not be taking the bar exams, I will simply say that one cannot do everything in one's life. I cannot keep in shape, represent the people of Hochelaga, be the critic for justice, take care of Montreal and do the bar exams all at the same time. There are limits to what a man can do. However, I thank the member for his good wishes.

He is quite right to remind us that Option Canada, which has been denounced by the Auditor General, is one more example of an anti-democratic flaw. I personally think that all the bills we study that concern our democratic institutions should make us wish to see the Referendum Act respected. I will add that, like my colleague, I am anxious to read the Grenier report tomorrow. I hope that it will include a few lessons. It could even cause the government to change a few laws. Some individuals will be publicly blamed. I am anxious to see to what extent Mr. Justice Grenier's words will cause certain persons to express their regrets, for not respecting the National Assembly's Referendum Act

● (1545)

[*English*]

Mr. Paul Dewar (Ottawa Centre, NDP): Mr. Speaker, I am in support of Bill C-54 and I will outline my reasons and perhaps make a couple of suggestions. I will have the opportunity to formally do that in committee but to get things rolling it is important to put some of those ideas forward in debate.

The one thing we have seen in the history of federal politics in Canada is the problem of big money influencing government, which usually results in the equation of big money plus influencing government equals corruption. We saw the Pacific scandal just after this nation was assembled. The pipeline debate certainly uncovered many problems of the association between government and money. We saw that most recently in Canada with the previous government.

One of the things we need to do is take out not only the fact that this can exist through the rules and that there will be manipulation but the perception by citizens that all of us in this place are running our campaigns fairly and cleanly, and we have not seen that. Canadians have the perception right now that there is a problem between parliamentarians and MPs who run for office and money. This bill would take away people's temptation to access loans from friends who have money to give them an advantage over those of us who do not.

Most of us observed, sadly, the most recent Liberal leadership campaign as an example. We certainly saw it with the member for Eglinton—Lawrence and others who had access to money and loans in ways that most of us would not bother trying to access. What it did was taint the whole process of how we, in the case of the leadership contest, elect leaders.

That was not the first case where this happened. We saw people, because of who they knew, accessing hundreds of thousands of dollars in loans for their leadership. The problem with that, which we have discussed in the House and in committee, is that if I receive hundreds of thousands of dollars in a loan from a friend and decide that I cannot pay it back, there is no recourse. The money is simply a loan that I did not pay back or an IOU that I did not honour.

If one were to explain that, most people would see that as simply a donation. A loan that was not paid back means money in one's pocket from someone else's pocket. That is the direct connection between how funds were raised for leadership contests and that at the end of the day the person responsible for paying back the loan really did not have to.

I recall extremely clearly that during the debate on Bill C-2, the government's accountability act, we presented an amendment because we saw that big money was influencing leadership contests. We saw that it was wrong so we introduced an amendment, which is very similar to what we have in front of us, but that is not a problem. It is something we are willing to share with the government. In fact, we have seen that happen on numerous occasions with the present government and previous governments.

However, it is passing strange that at the time the government did not see the importance of passing such an amendment to the accountability act. We had previously put forward the idea of banning union and corporate donations and thought it made infinite sense to close the loan loophole. At the time the Conservative and Liberal Parties voted against that amendment. We are happy that the government, through this bill, has seen the error of its ways and has provided us with a way to close the loan loophole.

● (1550)

When people have access to money, and in this case loans, there is not a lot of difference between handing that money over in a straightforward manner and doing it through a loophole. We saw this in the most recent leadership contest for the Liberal Party. It is also important to note that this has happened in the past with the Conservative Party.

It is important for us to take a look at what will happen not just in the future in terms of loans, but also to look at what has recently happened. When the Prime Minister ran for the leadership of the Conservative Party, many of us called for full disclosure of his donations. I think Canadians would like to have a gander at that. It is part of the idea of transparency.

When people donate to parties and leadership candidates, taxpayers pay money for that. It is a tax write-off. Most people will know that when a donation like that is written off, be it for the leader of the Conservative Party, or for the Liberal Party, or for the NDP, or any other party, taxpayer money is put down. Most reasonable people would say that should be transparent. Canadians should be able to see who donated money. This is extremely important when a party is nominating someone for prime minister.

I think back to not only the most recent leadership contest, but the previous leadership contest for the Liberal Party. We know there was really only one candidate and that candidate raised over $10 million. It turned out not to be a contest at all. That money did not only come out of the pocket of the leader at the time. It was also donations made on the taxpayers' dime. Why? Because of this rebate.

We have to understand that this tax credit is taxpayer money. This means that taxpayers are participating in the donation scheme. We believe leadership contests, like the last Conservative Party contest, should be transparent. We should see the full list of donors and exact numbers. Hopefully, we can agree to this in committee. The reasonable thing to do is to look at the bill not just from this point forward, but also to look at what has happened in the most recent past.

Democratic reform was one of the centrepieces in our ethics package that my predecessor, Mr. Broadbent, brought forward before the last election. We are delighted to see that the government has seen fit to take on some of those ideas. I think of the scrutiny of lobbying where there is still more to do. I think of access to information. The government has really failed on that. The government brought forward fixed election dates and we support that of course. It was something that we put forward.

Mr. Broadbent brought forward the whole issue of loans in leadership contests and loans in general. We know the member for Mississauga—Streetsville had some problems in the recent election in terms of how he declared the finances for his campaign. This bill would provide Canadians with the opportunity to have a clear and transparent view of how their dollars are being used to support candidates in the election process. That is fair, transparent and just.

Mr. Broadbent made the ethics package debatable. A number of people saw the idea as something that should have happened a long time ago. When I went door to door and talked to people about our ethics package, they were hopeful the whole thing would be adopted.

● (1555)

The fact that we are adopting the idea of covering the loans loophole and shutting it down will be welcomed. Canadians will want to see us go back in time, not only deal with the present and a go forward basis. They will want to see us look back to how money was spent in the most recent Liberal leadership contest, with the most recent election and with the most recent leadership contest with the Conservative Party.

This is simply to ensure, as I mentioned at the beginning of my comments, that not only are the rules fair, but that the perception by citizens of their elected members is clear and pristine, that there is no shadow of a doubt as to where people received money from and that there is 100% integrity in the system. We need to do that. Democratic reform is not only about making every vote count. We believe it is something we can achieve by bringing in proportionality to the system. We also believe there should be a full view of the donations that presently elected members received or someone who participated in a leadership contest received.

The history of election financing was mentioned by one of the Bloc members, who said that this was dealt with in the 1970s in Quebec. Premier Doer of Manitoba followed suit when that province closed all loopholes and ensured that there were no donations from both unions and corporations. That was one of the first things his government did. Manitoba, as well as other jurisdictions, also dealt with the loan issue. This is not cutting edge. We are catching up, and now is the time to do so.

Some things the government can do to further the cause of accountability, when looking at financing, is to ensure that not only will the loan loophole be closed, but ensure that the Chief Electoral Officer has some oversight as well. I think this would be welcomed, particularly in the area of leadership contests.

We only have to think of the recent leadership contests of both the Conservative Party and the Liberal Party. There was no transparent view or window into the financing of those leadership contests. We know millions of dollars were raised. I have already mentioned that these dollars were raised not only by individuals, but with the support of taxpayers because of the way funds are credited when people donate.

What the government really needs to do is to ensure that not only is the loan loophole closed, but that the Chief Electoral Officer has oversight to leadership contests as well. This would be another addition that would be welcomed. I know the NDP made very clear who donated to whom. It was transparent and there were no question marks. It can be done and should be done.

For the whole notion of reaffirming confidence in federal politics, this should have been done before. The NDP tried to get an amendment through in Bill C-2.

If the government wants to become accountable with respect to loans in a genuine way, we have to ensure that it allows people the ability to run for office. I know in our party one of the things we have taken on fervently is to ensure that for people who do not have the money to run for a nomination and to run for office, we must be able to support them, people who traditionally have been on the outside of politics and unable to participate.

One thing the NDP has done, particular for women candidates, is provided them with financial support. This is not done outside the party structure. It ensures that women have financial means and it provides support when needed.

We do this because it is not enough to say that we want more women nominated and elected. We have to address where there are gaps. We know historically there has been a gap for women running in politics because of their lack of access to money. This is underlined when there are predominantly male candidates, and we saw this in the leadership contest, who have access to these loans. They have friends who can loan them hundreds of thousands of dollars.

● (1600)

For many women, traditionally, that has not been the case. They have been unable to access money to the degree that men have in terms of the kind of loan loophole we have seen.

We need to do more to address that. We need to see more support for people who have had challenges in terms of being nominated and elected. I think of women and people from ethnocultural communities. I think of our Inuit first nations aboriginal peoples as well. This is one facet, one idea, where the time has come to close a loophole. However, we should also address the barriers that exist for those who have challenges of being nominated. That would be the next step.

In terms of what can be done to further the cause of transparency and accountability in election financing, we need to address not only what loopholes exist, how money is raised and who can donate, but we also have to ensure that all Canadians from coast to coast to coast are aware of this. When someone donates money, part of the public purse donates. We do this because we want to make the process more fair.

The first steps were taken in the seventies in Quebec, followed by the Doer government in Manitoba. This is what we are attempting to do here. I give Mr. Chrétien the credit for starting this federally, and we supported that. However, Canadians need to know that when people donate, there is a tax credit. We need to have all the evidence and information out there, so people know what they are supporting.

For many people, the problem in confidence and perception of politics is they are not fully aware of how the system works, and I do not fault Canadians. We were not as transparent as we should have been. The loan loophole is an excellent example. It is a quiet secret, this parlour conversation that went on for years about not worrying about getting money because something could be done. I think those days are over. We have to be clean, clear and concise with Canadians about how elections are funded. When people make a donation, there is a tax credit.

I know in my campaign that was something we told people so they would donate, but other Canadians who do not donate need to know that is how the system functions. We need to do a public relations exercise to say that we have closed these loopholes and that we have come in with these changes because we want to ensure there is more confidence in the system.

We need to bring the bill forward to committee, make some of the changes the NDP are suggesting, provide Canadians with the information and ensure that absolute transparency is there. We need to look to the recent leadership contests and ensure that all leadership contestants are clear about who lent them money and that this needs to be repaid. Ordinary Canadians need to know, without a doubt, how much money was donated to which candidate and exactly from where that money came. If there were loans, not only will we close those loopholes, but we will ensure it is known who received money from whom and when in the most recent contest.

The NDP supports the bill. In fact, it was our amendment at committee. We are glad to see the government has seen the light and will shine it on the electoral system. I look for the support of the other parties to get behind it as well.

● (1605)

[*Translation*]

Mr. Marc Lemay (Abitibi—Témiscamingue, BQ): Mr. Speaker, it is my pleasure to rise today on this bill and continue in somewhat the same vein as my colleague in the NDP.

In my occupation as a criminal lawyer, it is often said that the judges before whom we stand must not only be impartial but also appear impartial, free of any partisanship and able to listen to the arguments of both opposing lawyers. As we know, in the criminal law there is a crown prosecutor and a defence attorney. The court, presided over by the judge, must therefore be totally impartial.

Why do I digress in this way? Because Bill C-54 is very interesting. It recalls a bit of Quebec's past, quite a few years ago. Without delving too deeply into history, we should remember the 1970s in Quebec. There were political parties and what was called the famous secret fund of one party.

We had a television series called *Duplessis*. Here we could see the hon. Donald Martineau getting a cut on all the contracts awarded by the Duplessis government. This helped to replenish the campaign funds. So anyone who wanted a government contract, therefore, had to donate to the campaign fund. The approach that the Union nationale developed in Quebec was to take its cut directly on the contracts that were awarded. We are talking here about 1945, 1950 or 1955. Unfortunately, though, this continued into the 1960s in Quebec. It was not until the Parti Québécois came to power in 1976 that a bill was introduced in 1977 under the hon. René Lévesque to clean up party finances and put an end to secret funds.

Unfortunately, secret funds still exist, or at least still existed until Bill C-2 was passed. Our friends in the Liberal Party took ample advantage of them, as did the Conservative Party. I will return to this in a minute.

What Mr. Jean Chrétien left us when he departed was a new law on party finances. It is probably the only thing that history will retain of Mr. Jean Chrétien's presence here.

An hon. member: Oh, oh!

Mr. Marc Lemay: Well, in any event that is what we will remember, no matter what the member for Hull—Aylmer may think. It is about the only thing that we recall about Jean Chrétien. He cleaned up the financing of political parties. Despite what the hon. member for Hull—Aylmer says, he must also understand that was the end of secret funds.

They found a new way of operating. The Conservatives tabled a bill that, on the face of it, was rather brilliant, Bill C-2. They proceeded quickly. It was urgent because it was an election promise by the Prime Minister and it was absolutely essential that it be passed quickly. I do not know whether you remember it, Mr. Speaker. Since I am a lawyer, just for fun I took a look at it. It must have been almost as thick as the Income Tax Act, about four inches. It amended nearly 200 federal laws. The concept was enormous. The basic idea was excellent, to clean up financing.

● (1610)

They called it the Accountability Act. It was intended to restrict financing and ensure that no one could ever again get around a law that made it possible to donate large sums of money about which nothing was ever heard. But then something happened. We became aware of something, and I am not the one who says so. Our good Liberal friends found a way to do it. I imagine that the lawyer who found this way of doing it must have been paid a great deal more than we are. They found a good solution: loans. They call it a loan and they do not mention it again.

For those who are watching us on television, here is how it works. Suppose, for example that I am Bob Rae or the honourable member for Saint-Laurent—Cartierville, who is currently the leader of the opposition. Bob Rae received $705,000 and the honourable member for Saint-Laurent—Cartierville received $655,000. How did they proceed during the leadership campaign? By means of loans.

What took place? Someone loaned the money. My name is Joe Blow and I really like a leadership candidate or a candidate for election but I can no longer make a donation of $20,000, or $50,000 or $100,000, as was previously the case with the Liberals and some Conservatives. So, what can I do? I give him a loan. Nobody ensures that the loan will be repaid. So, if the loan is not repaid, what does the loan become? It becomes a donation, but we do not say that. That is how the Liberals have been financed, and how, for the most part, they financed the party's latest leadership campaign. Obviously, we obtained this information from a source, namely the *Ottawa Citizen*. There should be no doubt about that. It is not the newspaper that I read every day but I do read it occasionally. We can read right there that considerable sums of money were loaned to them. That is where this Bill C-54 comes into play.

If my name is Bob Rae and I receive a $580,000 loan at a 5% interest rate from someone named John Rae, who, by some unfortunate chance, is a former vice-president of Power Corporation, would I not have a debt toward this individual? The hon. member for Saint-Laurent—Cartierville received a sum of money—I asked a question and we did not get the answer—from someone named Stephen Bronfman. He received $50,000 from that man for his leadership campaign. If he has not paid it back, would the hon. member for Saint-Laurent—Cartierville not have a debt toward this individual should he become prime minister one day?

This is the message that I am trying to convey to the public and this is the purpose of Bill C-54. I agree with my colleagues from the NDP, and this is something we said during the study of Bill C-2. We said that there was a loophole, because it was possible to circumvent the rules by making a loan. Let us take a look beyond this legislation.

What does the Quebec Election Act say concerning loans? They are not contributions. I will read section 88, and I will try to read it slowly, so my friends opposite and especially my good Liberal friends can understand it. It says: "... are not contributions: volunteer work and the goods or services produced by such work". Thus, the work of volunteers who are in our offices is not a contribution.

● (1615)

The act also refers to "anonymous donations collected at a meeting or rally held for political purposes". There is nothing complicated there. After delivering an extraordinary speech, I pass the hat around and I collect $150 or $200. There is no problem, because this is not a contribution under the act—I am talking about the Quebec act.

The act also refers to "a loan granted for political purposes by an elector or a bank, trust company or financial services cooperative at the current market rate of interest at the time it is granted, or a guarantee granted by an elector as surety;"

I now turn to section 105, which reads:

"Every loan shall be evidenced in a writing setting out the name and address of the lender, the date, amount..."

Section 106 is interesting. Again, I am talking about the Quebec Election Act:

"The official representative shall, at least once a year, pay the interest due on the loans he has contracted."

Therefore, we will support Bill C-54, so that it is reviewed at second reading. This bill is interesting, because we would have liked to know, from our Liberal friends, and of course our Conservative friends, who are getting loans, how the Prime Minister's leadership campaign was funded. According to some data, we are talking here about an amount of $1.1 million. Who provided financial support to the Prime Minister? I imagine that all those who are listening to us would also like to know the answer to that question.

With all due respect to this House, I believe that before going any further we have to stop playing hide-and-seek. Everyone in this House and outside, including those who are listening today, knows that it takes money to run an election campaign. Some ceilings have been set. Now, an election campaign is said to cost $89,000 per riding, depending on its size. How are we going to fund election campaigns?

We must stop playing hide-and-seek by saying "I will get a loan from someone and forget to repay it. Since that someone really likes me, he too will forget about it". Unfortunately, this is how election campaigns have been funded all too often in the past.

We will have to take a good look at this bill to see how it deals with this. I would like to draw members' attention to a government press release about this bill that reads in part as follows:

> Only financial institutions (at commercial rates of interest) and other political entities could make loans beyond that amount. Rules for the treatment of unpaid loans would be tightened to ensure candidates cannot walk away from unpaid loans.

Loans that are not repaid after 18 months would be considered political contributions. In my opinion, this is an important point. We have to clean up politics.

Why do we politicians have such a poor image? Because too often, we conceal things from voters. We do not tell them the whole truth. We do not reveal everything about where the money for an election campaign came from. People still have this idea of the party slush fund, where someone says, "I'll give you $1,000. I expect you to do things for me, and once you're in power, I'll have an in with you and be able to get favours". This has to stop.

I hope that this bill will help us clean up politics. The Conservatives' idea behind Bill C-54 is good. However, I hope that when the bill goes to committee, protection for whistleblowers can be added and reform of the Access to Information Act discussed.

● (1620)

I will start with the reform of the Access to Information Act. It is thanks to this legislation that we have all the information we have today and that journalists can obtain that information. We often hear that thanks to the Access to Information Act, information has been uncovered or obtained, or that information obtained under the Access to Information Act has revealed something. The Access to Information Act must be reformed so that it can go even further in controlling ethics.

Our good friends, the Conservatives, who boast about how they have cleaned up government, need to do their part as well. They have not done much to protect whistleblowers. When the bill goes to committee, the committee will have to find a way to strengthen that protection. People who work in departments and witness goings-on in political offices that are illicit or illegal or violate current legislation should be protected.

Whistleblowers are entitled to $1,500 for legal costs. Let us add a zero to that. One thousand five hundred dollars is not much, since there is no lawyer who will work for less than $100 an hour. This means that the person would be entitled to 15 hours. We know the whistleblowing procedures, what those who work in political offices or within a department experience, which we must respect when they decide to publicly blow the whistle or send information. They must be protected. I think this $1,500 limit for recourse must absolutely be increased. I strongly suggest that it be increased to $15,000. There would be no problem. We will see how this will be debated in committee, but I think this limit must absolutely be increased.

I hope my Conservative friends who are listening will understand that the public sector integrity commissioner must be given the power to enforce the Public Service Disclosure Protection Act. To ensure that the translation is correct, I will repeat. The public sector integrity commissioner must be given the power to enforce the Public Service Disclosure Protection Act. It is this public sector integrity commissioner who must be in charge of getting things in order and enforcing this act.

I hope my Conservative friends will understand this as well, and that the members of the committee will consider the suggestion to make it impossible for the government to exclude crown corporations and any other entity from the application of the Public Service Disclosure Protection Act. Crown corporations—VIA Rail, Air Canada or any other company under federal jurisdiction—must have access.

I will close by saying that we will be in favour of this bill, the purpose of which is to counter the misappropriation or bypassing of campaign financing rules, because it is very important. We also agree with this bill because it will fix the problem of loans, which helped bypass the political contribution restrictions.

● (1625)

[*English*]

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

Some hon. members: Question.

The Acting Speaker (Mr. Royal Galipeau): 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. Royal Galipeau): I declare the motion carried. Accordingly, the bill stands referred to the Standing Committee on Procedure and House Affairs.

(Motion agreed to and bill referred to a committee)

* * *

[*Translation*]

AIR CANADA PUBLIC PARTICIPATION ACT

Hon. Lawrence Cannon (Minister of Transport, Infrastructure and Communities, CPC) moved that Bill C-29, An Act to amend the Air Canada Public Participation Act, be read the second time and referred to a committee.

He said: Mr. Speaker, I am pleased to rise here today in support of Bill C-29, an act to amend the Air Canada Public Participation Act.

This government is firmly committed to supporting our country's linguistic duality.

This bill is an important part of this government's efforts to promote and protect the linguistic rights of all Canadians. Respecting the French fact is what a federalism of openness is all about.

The proposed amendments are in line with the government's response to the report of the Standing Committee on Official Languages entitled "Application of the Official Languages Act to ACE Aviation Holdings Inc. following the Restructuring of Air Canada".

On April 10, 1937, long before we were born, Parliament created a national airline in order to provide essential air transportation, cargo and mail services across Canada. That airline would one day become known as Air Canada.

As a crown corporation, the airline has been subject to the Official Languages Act since that legislation came into effect in 1969.

When Air Canada was privatized in 1988, various public welfare obligations, particularly the obligation to respect the Official Languages Act, were imposed on the airline because of its status as a former federal crown corporation.

The government felt at the time that the various rights granted by the act, namely, the language of work and the obligation to serve the public in both official languages, had to be maintained for Air Canada employees and all Canadians.

This is also one of the determining factors in the government's current decision to ensure that the airline upholds its linguistic obligations.

The Government of Canada really cares about preserving the value and spirit of Canada's linguistic duality, so dear to Canadians.

[*English*]

As recently as the year 2000, language obligations were further enhanced when Air Canada acquired Canadian Airlines International. Along with other modifications, the Air Canada Public Participation Act was amended to place a duty on Air Canada to ensure that its airline subsidiaries, which were the carriers that now make up Air Canada Jazz, provided bilingual service to the public pursuant to the Official Languages Act.

As we know, Air Canada filed for bankruptcy protection under the Companies' Creditors Arrangement Act on April 1, 2003. For the next 18 months the company underwent a period of significant restructuring. Air Canada successfully emerged from bankruptcy protection in 2004, but the Air Canada that emerged from restructuring did not look the same as the organization before restructuring. As a result, some of the provisions in the Air Canada Public Participation Act relating to official languages ceased to apply.

For example, as a result of spinning off what had been internal divisions of Air Canada into separate companies, language of work protection and service to the public obligations no longer apply to spun-off post-restructuring entities such as Air Canada Cargo, Air Canada Technical Services and Air Canada Ground Handling Services.

● (1630)

However, obligations under the Air Canada Public Participation Act to adhere to the provisions of the Official Languages Act continue to apply to Air Canada, the mainline carrier.

[*Translation*]

Air Canada main component is required to keep its head office in Montreal and its maintenance centres in Montreal, Winnipeg and Mississauga. However, due to its reorganization, the size and staff of Air Canada main component have been cut in half.

At present, the law no longer applies to the limited partnerships that are now part of the holding company established in 2004, ACE Aviation Holdings Inc., which is not subject to official languages obligations. Furthermore, ACE Aviation Holdings, which is now the parent company for the entire group of Air Canada companies, is not required to keep its head office in Montreal.

Air Canada main component is no longer required to ensure that Air Canada Jazz, a regional carrier for Air Canada, provides service to the public in both official languages, as it is no longer a subsidiary of the Air Canada carrier, but rather a company in its group.

In May 2005, the former government tabled Bill C-47 which made a certain number of amendments to the Air Canada Public Participation Act. This bill would have restored most of the linguistic obligations that applied to the Air Canada family of companies prior to restructuring.

[*English*]

As members may recall, all parties in the House broadly supported the amendments proposed in Bill C-47, but that bill died on the order paper, leaving a legislative gap in the scope of the application of the Official Languages Act to a restructured Air Canada.

[*Translation*]

On June 15, 2006, the Standing Committee on Official Languages tabled a report concerning the application of the Official Languages Act to ACE Aviation Holdings Inc. In its report, the committee recommended that the government table a new bill similar in scope and application to Bill C-47, in order to restore the linguistic obligations of the Air Canada group of companies.

On October 16, our government tabled a response to the Standing Committee on Official Languages. I would like to quote part of that response if I may:

> The Government believes that the linguistic rights that have been acquired by Air Canada should continue to be preserved.
>
> As a symbol of Canada around the world, the carrier should continue to be bound by the obligation to adhere to linguistic obligations it agreed to when it became a private company in the late 1980s and as subsequently amended.

Today, the government is seeking support for Bill C-29, a bill that responds to the recommendations of the Standing Committee on Official Languages.

The proposed bill stipulates that Air Canada Jazz and any future airline affiliated with ACE Aviation Holdings Inc. will be subject to Part IV, that is, to the Official Languages Act provisions governing service to the public.

ACE Aviation Holdings Inc. will be obligated to ensure communications with the public in both official languages and to keep its head office in Montreal. This provision will ensure that obligations similar to those Air Canada was subject to as the parent organization of a group of companies prior to restructuring will also apply to the new parent company of all of the holdings within this structure.

● (1635)

[*English*]

Under the new legislation, former divisions of Air Canada that became limited partnerships, that is, technical services, cargo, and ground handling, and which are federally regulated undertakings, will be subject to the Official Languages Act in its entirety.

[*Translation*]

I believe that this bill makes it very clear that our government is committed to this country's official languages. It has considered the recommendations put forward by the Standing Committee on Official Languages, and it is restoring the pre-restructuring language rights of Canadians who work for Air Canada or who travel aboard its aircraft.

Mr. Marc Lemay (Abitibi—Témiscamingue, BQ): Mr. Speaker, I listened carefully to the minister's speech on Bill C-29. The Bloc Québécois supports this bill and my colleague from Gatineau will elaborate on our position later.

My riding is in a region and I would like to address three points. I read, I heard and I listened. Air Canada Jazz serves my region. The problem is that there was an amalgamation, with Air Nova among others. Everything was all thrown together. Air Canada Jazz now has a lot of anglophones and this is a huge concern for Quebec's regions, especially Abitibi-Témiscamingue.

I also wonder about Aeroplan which is a bonus points program. I do not have to explain this program in detail to the minister. There is also the issue of airplane maintenance. I forgot about Air Canada Vacations; we also deal with that service.

Can we be assured with this bill that the Official Languages Act will be complied with in regards to airplane maintenance, Aeroplan, Air Canada Vacations and Air Canada Jazz when services are provided?

What will happen when we need a hand because our lost luggage ends up in India? I do not know if this ever happened in the minister's riding, but it happened back home. Given this, could the luggage service be repatriated to Quebec?

● (1640)

Hon. Lawrence Cannon: Mr. Speaker, did my hon. colleague just suggest that luggage be repatriated to Quebec? I may have misunderstood.

Mr. Marc Lemay: The service.

Hon. Lawrence Cannon: Thank you. To answer my colleague as precisely as possible, the bill intends to correct something that was done during reorganization—I mentioned it in my speech—when the restructuring happened. We need to enhance the safeguards, as the Standing Committee on Official Languages and the Commissioner of Official Languages has been demanding for quite some time. That is what this bill endeavours to do.

With regard to the additional services that have been added in the past few years, since the company is now privately owned, the bill does not set out to adjust the provisions of the Official Languages Act with regard to projects, affiliate companies or sub-services that may have been developed since the reorganization. We will restore things to where they were in the past in order to go forward. We obviously will not be going back to where we were with Aeroplan or Air Canada Vacations, as the member said.

With regard to maintenance, we are still obligated to serve three regions: Winnipeg, Montreal and Mississauga. I can, however, assure my hon. colleagues that the head office will remain in Montreal.

Mr. Yvon Godin (Acadie—Bathurst, NDP): Mr. Speaker, I would first like to say how pleased I am to see Bill C-29 being submitted to the House. It has long been awaited. How many times in the last few months have we asked for this bill to be introduced in the House? I do not know if it has anything to do with the controversy around official languages, but the bill seems to be finally welcome for the Conservative government. Nevertheless, I would like to thank the minister for finally introducing it in the House, even if I am worried. We will be able to study the bill in committee.

My first question to the minister is the following. Does he agree that we should refer this bill to the Standing Committee on Official Languages? This is a good committee. The minister himself said that the Standing Committee on Official Languages made a very good recommendation—along with the Commissioner of Official Languages. I know that, at this time, the Conservatives do not want to appoint a chairman for the committee to resume its proceedings, perhaps because the committee works too well. Perhaps the Conservative government does not want to invest too much effort in our country's official languages. I do not know, but things must be said. I am trying to say it as politely as possible. However, I am worried.

Let us take part 3, titled "Affiliates". The proposed subsection 10.2(4) says:

> Only Parts IV, VIII, IX and X of the Official Languages Act apply in respect of
>
> (*a*) the air service undertaking owned and operated by Jazz Air Limited Partnership, a limited partnership registered on September 13, 2004 under the laws of the Province of Quebec; and
>
> (*b*) any new undertaking that provides air services.

Then, there is the proposed subsection 10.2(5):

> With respect to a new undertaking that is acquired after the day on which this section comes into force, the Parts of the Official Languages Act referred to in subsection (4) commence to apply after the expiry of one year, or any longer period that the Minister may fix, after the day on which the new undertaking is acquired.

That part worries me because, should Air Canada acquire something, it should respect the official languages of our country. That should be the case right from the start and we should not have to wait for four or five years. If we believe in the Official Languages Act, if we believe that it should be respected, I cannot see why we should give Air Canada the opportunity to say that after buying a new company, it should be exempted from it for several years to give it time to train employees. That provision creates a problem. I find it unacceptable if we want to give services in English and French in our great country where there are supposedly two official languages, despite the fact that we lost the official languages committee.

● (1645)

Hon. Lawrence Cannon: Mr. Speaker, I can see my colleague from Acadie—Bathurst's determination and dynamism when he talks about this file. He gets carried away and all wound up, just like I do, when we talk about maintaining and promoting the language. He is absolutely right. I also agree that his committee is a good committee.

However, we were inspired in our efforts to follow up on what had been done previously, to send this bill to the Standing Committee on Transport, Infrastructure and Communities. Let me point out to my colleague that as soon as I had a chance to raise this issue with him, I told him that this had been done by my predecessor, the hon. Jean Lapierre, who is no longer in the House.

We are fundamentally bringing back the bill that the former government, the Liberal government, had introduced. I think there was unanimous consent in the House to proceed in this fashion. I do not see why the House would object to the passage of this bill that restores things to how they are supposed to be. I look forward to my colleague's support for this bill.

[*English*]

The Acting Speaker (Mr. Royal Galipeau): It is my duty pursuant to Standing Order 38 to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Nanaimo—Cowichan, Aboriginal Affairs; the hon. member for Rimouski-Neigette—Témiscouata—Les Basques, Service Canada; the hon. member for Windsor West, Automobile Industry.

[*Translation*]

Ms. Raymonde Folco (Laval—Les Îles, Lib.): Mr. Speaker, I rise today on behalf of the Liberal Party as the critic for la Francophonie and Official Languages to take part in the debate at second reading of Bill C-29, An Act to amend the Air Canada Public Participation Act.

This bill should have been adopted a long time ago. I find it ironic that the intent of the bill is to make sure that Canadians and others that travel with Air Canada are served in the official language of their choice, when we have seen, in the past few weeks, a shameful, deliberate attempt by the Conservative government to misinform Canadians and to undermine the work of the members of the Standing Committee on Official Languages, just as the committee was about to hear from language advocacy groups regarding these very services that are guaranteed by the Charter of Rights and Freedoms. It is one of the strengths of Canadian democracy, fostered by Liberal governments since Confederation.

Our national airline must reflect our linguistic duality. It must be the symbol of the pluralistic society in which we live and an integral part of our best business practices.

Mr. Speaker, before going any further, I would like to mention that the Liberals support the principle set in Bill C-29. A lot of work remains to be done before this bill becomes law. Therefore, we on this side of the House wish to inform the Conservative-Alliance-Reform government that we will do everything we can to have the bill amended, so as to include the recommendations made by Dyane Adam in her last report as official languages commissioner, in which she recommended that the Official Languages Act apply to all new corporate entities belonging to ACE Aviation Holdings Inc., and to any other corporation bought in the future by Air Canada.

I remind this House that, between April 1, 2006 and March 31, 2007, Air Canada has been the target of the largest number of complaints among the 10 most frequently reprimanded institutions by the commissioner, and among those mentioned by commissioner Fraser in his first report to Parliament.

Out of the 162 complaints filed with the commissioner, 126 were allowed. The commissioner specifically referred to the Thibodeau case, where the Federal Court accepted the commissioner's arguments to the effect that "Air Canada's subsidiaries had an obligation of result and not an obligation of means towards the travelling public and the complainant".

In other words, the fact that Air Canada is an exclusively private corporation that has belonged to ACE Aviation Holdings Inc. since 1988 does not exempt it, or its affiliates, from its obligations under the Official Languages Act. Air Canada has always been subjected to the Official Languages Act, and it must serve its clients in both official languages. This is also in line with the corporation's project to extend its activities around the world. Organizations such as Foreign Affairs and International Trade Canada, the Canada Border Services Agency, Passport Canada and Citizenship and Immigration Canada follow up on the commissioner's report on Canada's linguistic duality abroad, and Air Canada must do the same, as one of Canada's symbols.

Canada's image abroad and its prestige as a country lie in our linguistic duality. The Prime Minister comes from a province where 31% of the population speaks French.

Even if the Prime Minister admits that his parents probably sent him to a basic immersion course more for the sake of peace than to allow him to learn and contribute to the making of a new federal theology—quoting the Prime Minister—it is that same immersion course that allows him today to address the people, here in Ottawa and nationally, first in French, then in English, even if, 40 years later, the Conservative Prime Minister believes that the "religion of bilingualism is the god that failed"— I did not know that bilingualism was a religion—and even if the Conservatives and former members of the Alliance and the Reform, and their leader apparently do not believe that there is a good economic, social and cultural reason for mastering and protecting the French language.

● (1650)

It is ironic that for our Prime Minister, who speaks before Canadian civil servants, during ceremonies pertaining to the monument in Vimy, France, at the dinner for Canadian parliamentarians held by the Canadian Council for Israel and Jewish Advocacy, in Ottawa, before the leaders of APEC or at the last NATO summit, the French language has no value.

It is only because of his parents who believed in a bilingual Canada that our Prime Minister is served so well by bilingualism today. Bilingualism has the value of an economic, social and cultural symbol.

[*English*]

Therefore, I am requesting, at this early stage in the debate and contrary to what the Minister of Transport has just informed us, that the bill be sent for study to the Standing Committee on Official Languages where it can be amended.

[*Translation*]

We know that the proceedings of this committee were completely stopped because the Conservative government refused to designate a new chairman when the preceding one was forced to resign. In this manner, the government continues to impede an important aspect of parliamentary debate.

● (1655)

[*English*]

However, if those and other amendments are not integrated into the bill, let this be sufficient notice, as the critic for my party, that I will recommend to my colleagues in the official opposition to vote against this bill when it returns to the House for report stage and third reading.

I would like to add an argument to the fact that this bill should go to the Standing Committee on Official Languages considering that we are discussing official languages and their role in a company that stands for the symbol of Canada.

[*Translation*]

The myth of the two solitudes no longer exists in Canada. Although very few people probably realize that long before the coming into force of official bilingualism some 40 years ago, as early as 1877, French enjoyed official status in the Northwest Territories. In fact, the first throne speech delivered at the time by Lieutenant Governor Joseph Royal was delivered in French and English.

Despite a relentless fight over the years to abolish linguistic duality in Canada, we have seen our identity strengthened not only in Quebec, but also in Ontario, New Brunswick, British Columbia and in all the small communities in those provinces. Yes, this comes at a cost to Canadian taxpayers. To us, the former Liberal government, these costs are more than worth it. In 2003, we allocated $751 million to the action plan for official languages. By the time the Conservatives came into power, we had spent $123 million. So far nothing leads us to believe that this government intends to renew this commitment beyond 2008. The Commissioner of Official Languages has called on the government to make a commitment and adopt a strategic plan not just to preserve the principles of our linguistic duality, but to exceed them. Where are the Conservative government's plans?

Pierre Elliot Trudeau dedicated his life to defending the right to learn and the right to use both official languages, not only at home, but also at work, in public services, in communications with public services and in the hiring methods of Canadian companies, both private and public.

An article in the *Globe and Mail* on May 22, 2006, quoted parents whose children are getting their education in French in Regina as saying that people who speak both of Canada's official languages have opportunities that are not available to the majority of unilingual Canadians. If the opportunity is there, why not give our children everything in our power we can?

In Vancouver, parents have gone to great lengths to register their children in a French immersion program because, in the world in which our children are living today, this ever-growing global village, society demands it. The Prime Minister's parents recognized this and gave him this opportunity because it existed.

In February 2002, the Standing Joint Committee on Official Languages produced before Parliament a report entitled "Good intentions are not enough!", and attached a dissenting report from Alliance members sitting on the committee. Some of these people are now members, I believe, of the government party. They said at the time that maintaining Air Canada's bilingual corporation status would slow down its competitiveness.

Witnesses do not agree with this at all. Three union representatives of Air Canada's employees, among whom was Mr. Serge Beaulieu, president of the Montreal regional board of the Air Canada Pilots Association, and Mr. Edmond Udvarhelyi, the union representative of local 4001 of CUPE, said before the committee in October 2001 that out of 3,500 pilots at Air Canada, fewer than 300, that is a little less than 8%, were French speaking. Before it merged with Canadian Airlines International, the percentage was 16%. The company's recruiting policy constantly disregards its obligations. Moreover, Air Canada never made any effort to advertise its job offers in minority language newspapers, using the pretext that there were no qualified French-speaking pilots. However, an average of 25 potential pilots graduate each year from the three-year training program of the Quebec centre of aerospace training of the Chicoutimi CEGEP in Quebec. According to witnesses, this program is equivalent to those offered in Ontario and Alberta. This means that, even though the pool of candidates was expanding, Air Canada continued to ignore minority language media.

According to the report that was made public at the time by the standing committee, commissioner Fortier filed 11 complaints in 1990 before the federal court relating to Air Canada's unwillingness to advertise in French newspapers in the Winnipeg and Moncton regions. Afterwards, the company reached an agreement whereby it would advertise in French newspapers.

● (1700)

Then, when it acquired its subsidiary carriers, Air Canada's responsibility for advertising was automatically transferred to the subsidiaries, which are not subject to section 30 of the act, requiring communication with members of the public in both official languages.

At page 68 of Commissioner Fraser's report, we read that investigations into over 100 complaints revealed that many airport authorities did not consider themselves obligated to communicate with the general public in both official languages. What measures does the Conservative government intend to take to ensure equal status to both official languages in providing public services? Recently, the commissioner commented on "the lack of clear rules or policies".

If Air Canada really wants to be more competitive internationally, any new subsidiaries, of which it hold 50% or less of the shares, have to—I repeat, have to—meet the linguistic obligations under Canadian law.

As reluctant as government members are to admit it, surely some good had to come out of the past 40 years. For example, a survey conducted by Decima Research in September 2006 and mentioned in the commissioner's report shows that seven out of ten Canadians say they personally favour bilingualism for the entire country; among young Canadians aged 18 to 34, support for bilingualism has reached 80%; nine out of ten 10 Canadians feel that bilingualism is a factor for success internationally.

Bilingualism is more than just a thread in the social fabric of this country; it absolutely defines us as a country. Children of immigrants, whether they speak a third language at home or not, have embraced our linguistic duality not only because of the fantastic economic opportunities it provides, but also because of the cultural sensitivity they develop through learning about and experiencing the realities that immersion in a new environment entails.

When language becomes incarnated in a reality, it helps to harmonize society. These are positive measures that businesses representing our interests at home and abroad ought to take.

I am very aware of the fact that there are provincial jurisdictions to be respected. However, in our agreements with the provinces, we must provide for measures to make French and English instruction in primary schools mandatory. French must become a mandatory subject like reading, writing and mathematics. It is the only way for bilingualism to become an integral part of the structure of our society. In Europe, these subjects are mandatory right from the primary level.

Mr. Speaker, I am not sure how much time I have left, but I would like to speak about our trade differences with respect to the General Agreement on Tariffs and Trade. During the last series of talks and previous consultations initiated by other federal governments with the public, it came to light that there are many countries in the world where the first language is neither French or English. I am thinking of certain Asian, Latin American or African countries. For most of these countries, French or English is a second language spoken at home, school or in the workplace. This should encourage companies such as Air Canada to provide services in both languages and thus appeal to a growing market.

A study by J. Carr states that money and language share the same characteristics: he suggests that money enables more than negotiations, and a common language makes transactions and lower costs possible. In the end, everyone wins owing to a better understanding.

I will close by stating that the Conservative government is wrong to state that our linguistic duality has no economic value. The opposite is true. Our ability to communicate in both official languages contributes to a better understanding of the other, gives us an opening onto the world and makes it easier to do business in all countries.

● (1705)

Mr. Laurie Hawn (Edmonton Centre, CPC): Mr. Speaker, I was very interested in what my colleague had to say.

[*English*]

She touched on a number of issues, some of them actually relevant to the topic at hand, which is Bill C-29. I was impressed to see that she spoke at least a little to the bill.

I have a point to make. I know a lot of people who work for Air Canada and I know many aviators who fly with Air Canada. There is no question that we all fly on Air Canada a lot and there is no question that French and English have a pretty much equal place.

However, I do have a question. In the last Parliament, we had Bill C-47, essentially identical to Bill C-29, and my hon. colleague and her government at that time were quite happy to refer that bill to the transport committee rather than the official languages committee.

I am curious. Why has their agenda changed? What kind of an agenda do they have which now demands that the bill appear before the official languages committee and not the transport committee? This is essentially a transport issue.

[*Translation*]

Ms. Raymonde Folco: Mr. Speaker, this is a problem that has to do with Air Canada, which, obviously, is a Canadian transportation company, but it is also a problem that has to do with official languages and the relationship between Canadian citizens and the only company providing air transportation throughout Canada.

Mr. Yvon Godin (Acadie—Bathurst, NDP): Mr. Speaker, I understand that my colleague said that the bill should be referred to the Standing Committee on Official Languages, if it ever meets again. I know that Conservatives have not been too keen on a Standing Committee on Official Languages ever since the Official Languages Act came into existence. It is the only act that mentions a standing committee to which the Commissioner of Official Languages must report.

We all know what has been going on in the House of Commons for the past two weeks since the government refused to appoint a chair to the Standing Committee on Official Languages. It is preventing the committee from doing its work. Perhaps that is why the government does not want to refer Bill C-29 concerning Air Canada to the Standing Committee on Official Languages. Perhaps the government does not really believe in official languages. I would like to hear what the member has to say about that.

I would also like her to discuss another point. It is true that the bill was introduced in the House of Commons by the Minister of Transport, Infrastructure and Communities. However, in this particular case, the subject of the bill deals exclusively with the official languages issue, respect for official languages, and service in our country's two official languages.

Does my colleague agree that the best committee to study this bill is the Standing Committee on Official Languages? That committee is capable of ensuring that the bill is studied thoroughly, and, because the Commissioner of Official Languages reports to that committee, it is the right committee to study this bill, which is really important to both francophone and anglophone members of the public. The notion of official languages means receiving services in both languages across the country, which includes anglophones in Montreal and Quebec City. Francophones and anglophones all over this country must have access to services in their own language.

Ms. Raymonde Folco: Mr. Speaker, I totally agree with my colleague from New Brunswick. In my view, as I have said, we have a Standing Committee on Official Languages. It exists. Unfortunately, it does not work. It exists under a provision of the standing orders of this House and it is composed of parliamentarians of all parties represented in this House. It is not working because the Conservative members of the committee decided, last week and two weeks ago, that they did not want to put forward the name of a new chair. We are therefore at an impasse which forces the three opposition parties to continue working in an unofficial way. We have no other choice.

This being said, the committee exists. We are hoping that the Conservatives will finally wake up and understand that they are stalemating debate in this Chamber and that they have acted in an undemocratic and unparliamentary way.

This bill should be referred to the Standing Committee on Official Languages. I would not dream of putting words into the mouth of government members sitting across from me, but if they send this bill to the Standing Committee on Transport, practically no one on that committee will be familiar with the Official Languages Act. It is a complex act, like all acts. By proceeding this way, there will be no committee members who could ask specific questions and obtain specific answers.

Obviously, it is more dangerous to refer the bill to a committee where members understand the act. That is precisely where the government does not want to refer this bill.

● (1710)

[*English*]

Mr. James Moore (Parliamentary Secretary to the Minister of Public Works and Government Services and Minister for the Pacific Gateway and the Vancouver-Whistler Olympics, CPC): Mr. Speaker, I have a question for my colleague with regard to official languages. WestJet flies to Quebec City. WestJet flies to Moncton. Should WestJet, by law, have to abide by the Official Languages Act?

[*Translation*]

Ms. Raymonde Folco: Mr. Speaker, I am not aware of all possible relationships between WestJet and Air Canada. In my speech, I simply asked that everything that comes out of Air Canada today and that will come out of it in the future be subject to the Official Languages Act.

I am not surprised by the other side's negative reaction. The quote I mentioned earlier was taken from the *Calgary Sun* of May 6, 2001, at the time when Mr. Stephen Harper belonged to...

[*English*]

The Acting Speaker (Mr. Andrew Scheer): Order, please. We do not use proper names.

[*Translation*]

Ms. Raymonde Folco: I apologize, Mr. Speaker. The current Prime Minister, who was not Prime Minister at the time, made erroneous statements, such as:

[*English*]

> Most francophones actually live in French unilingual regions of Canada—mainly Quebec....

[*Translation*]

That is absolutely false. That shows to what extent the person who is now Prime Minister of Canada has absolutely no understanding of the dilemma that he has presented to minority francophones everywhere in Canada, be it in the west or in the Atlantic provinces.

The Acting Speaker (Mr. Andrew Scheer): Questions and comments. The hon. member for Gatineau.

Mr. Richard Nadeau (Gatineau, BQ): Mr. Speaker, I rise today, in the name of the Bloc Québécois, with regard to the bill—

[*English*]

The Acting Speaker (Mr. Andrew Scheer): Order. We are still on questions and comments.

[*Translation*]

Do you wish to ask a question?

Mr. Richard Nadeau: Mr. Speaker, I salute the member for Glengarry—Prescott—Russell. These things happen. I would like to see more of my colleague, but as luck would have it, he sits on the Standing Committee on Official Languages! Maybe one day I will get to see him more often, because I trust his good faith.

My question is for the member for Laval—Les Îles. Earlier, she mentioned that, in recent history, our Prime Minister has had a rather obtuse vision of bilingualism in Canada as a whole, illustrated by the way he defines it as it applies to minority communities. I would like my colleague to juxtapose this vision she spoke of with the actual situation Air Canada faces with regards to bilingualism.

Ms. Raymonde Folco: Mr. Speaker, my colleague opposite said earlier that, according to him and Air Canada, everything was bilingual. However, I want you to know that I travel a lot with Air Canada, as all members do. We always fly with Air Canada. I can also tell my colleague from the Bloc, to answer his question, that it is true that Air Canada is not completely bilingual—not as bilingual as it should be.

Many services, whether in airports or aboard planes, are not available in French. Not only have I experienced it myself hundreds of times, but numerous francophone travellers have told me exactly the same thing.

During my speech, I referred to the number of complaints sent to the Commissioner of Official Languages by francophone travellers regarding the fact that, for a long time, Air Canada did not follow the law. Moreover, when forced to obey the law, Air Canada found a loophole: it stopped hiring francophone employees and stopped advertising in French newspapers across Canada. It is as if we said that we did not hire visible minorities because there were no visible minorities that were qualified to do the job. Francophones were treated the same way all across the country.

● (1715)

Mr. Richard Nadeau (Gatineau, BQ): Mr. Speaker, at the risk of repeating myself, I wish to say that I rise today to speak to Bill C-29, An Act to amend the Air Canada Public Participation Act. We know that the government wants to amend the Air Canada Public Participation Act in order to take into account the restructuring it went through after it emerged from bankruptcy protection under the Companies' Creditors Arrangement Act.

I would like to point out that the Bloc Québécois is favourable to the intent of this bill. The Bloc Québécois considers that Air Canada, no matter what its financial structure, must be subjected to three conditions: first, keeping a maintenance centre in Montreal; second, keeping the head office in Montreal; and, third, applying the Official Languages Act to its air transportation activities. And to make sure that the government and all the members of the House understand, I will repeat more slowly this third point. We are asking that the Official Languages Act be applied to its air transportation activities. It is indeed a very important point of consideration for this bill.

As official languages critic for the Bloc Québécois, I must say that it is very important for the Bloc Québécois, for all Quebeckers and for all Canadians to be able to express themselves in the language of their choice when dealing with Air Canada airline subsidiaries, with French obviously being one of those languages. Anyone must absolutely be able to use French—it is a *sine qua non* condition—without any problems or difficulties for someone who uses French with Air Canada airline subsidiaries.

Since this bill maintains and sets out some of these obligations, the Bloc Québécois is in favour of it in principle, as I said earlier. We do, however, regret certain shortcomings, which may be remedied during the committee study. The Standing Committee on Official Languages is the appropriate place to debate this bill, once it passes second reading.

This bill would ensure that the obligations set out under the Air Canada Public Participation Act are maintained despite the restructuring of the Air Canada group. Since we supported those obligations, we cannot oppose adapting them and clarifying their meaning.

The former Minister of Transport, Jean Lapierre, until recently the hon. member for Outremont, said:

> It is imperative that the important obligations set out in the Air Canada Public Participation Act continue to be respected. I have committed to Air Canada that they would be subjected to 'no more, no less' regulation.

Furthermore, there is now some urgency to adapting the legislation since, in his news release, the minister stated:

> Neither act however, applies to the operations that have been spun-off into limited partnerships under the direct or indirect control of ACE Aviation Holdings Incorporated and are now affiliates of Air Canada, such as Jazz Air Limited Partnership.
>
> In addition, ACE Aviation Holdings Incorporated, the parent company that controls, directly and indirectly, all the entities within the new corporate structure of Air Canada, is not covered by official language obligations or the requirement related to head office location.

That is why it is so important to pass this bill immediately.

Although we do not agree with this very uncompromising interpretation, there is no doubt that it will give the Air Canada group a strong argument to justify its failure to meet its obligations. That is entirely understandable.

● (1720)

Mr. Speaker, I would like to share some concerns and express some reservations, at the very least, about this bill.

We think that the legislative protection is not very strong with respect to these two very important points: Air Canada's head office and the maintenance centre.

Since the advent of Air Canada Technical Services as a limited partnership, the requirement that Air Canada keep a maintenance centre in Montreal rings hollow because Air Canada Technical Services is under no such obligation.

Furthermore, all the provisions on keeping headquarters in Montreal can easily be circumvented. There are no criteria defining the head office. So nothing is stopping ACE Aviation Holdings Inc. and Air Canada from moving their real decision-making centre out of Montreal, and to keep some sort of a branch in the city. It would be advisable to find ways to reinforce these measures to ensure they are effective.

Let us now talk about the concerns regarding the Standing Committee on Official Languages. This is what the committee said of Bill C-47 in its report on June 16, 2006:

> Aeroplan would not have been subject to the same provisions as the former internal divisions of Air Canada, because the company would not fall under the legislative jurisdiction of Parliament;
>
> As a separate entity prior to restructuring, Air Canada Vacations would not have been subject to the Official Languages Act.
>
> According to the Commissioner of Official Languages, some aspects of this bill left room for interpretation that could potentially have reduced the linguistic obligations of Air Canada, ACE Aviation Holdings Inc. and their subsidiaries.

Here are the five recommendations of the committee:

> That the Minister of Transport, Infrastructure and Communities reintroduce in the shortest possible time another bill repeating the provisions of Bill C-47, and adding the amendments suggested by the Commissioner of Official Languages when she appeared by the Standing Committee on Transport on November 22, 2005;
>
> That the new bill stipulate that Air Canada continue to be subject to the Official Languages Act in its entirety;
>
> That the new bill stipulate that the divisions of Air Canada that became limited partnerships during or after the restructuring (including Air Canada Technical Services, AC Cargo, Air Canada Ground Handling Services and Air Canada Online Services) are subject to the Official Languages Act in its entirety;
>
> That the new bill stipulate that the companies that were Air Canada subsidiaries prior to the restructuring, including Jazz Air, Air Canada Vacations and Aeroplan, are subject to Part IV (language of service) of the Official Languages Act;
>
> That the legislative review of the new bill be referred to the Standing Committee on Official Languages.

As we can see, there is a well established structure, with the ABCs spelled out, precisely to make sure that current Bill C-29, former Bill C-47, will go forward and help us find a solution to this problem.

Parts of the previous comments are taken from recommendations to which the government did not even bother to give an answer. Those recommendations were made by the Standing Committee on Official Languages at that time, with the approval of the Commissioner of Official Languages, in view of making this bill as clear as possible, in accordance with the official languages policy.

● (1725)

In those days, the government did not see fit to accept all the elements. The Bloc Québécois has now put them all back on the agenda. This can serve as a reference point in due time.

At the risk of repeating myself, part of the previous comments are taken from recommendations which the government did not even bother to answer. Worse still, the government seems to scoff at francophones in its answer, in a fine statement of principle that reads:

> The Government believes that the linguistic rights that have been acquired by Air Canada should continue to be preserved. As a symbol of Canada around the world, the carrier should continue to be bound by the obligation to adhere to linguistic obligations it agreed to when it became a private company in the late 1980s and as subsequently amended.

However, it also says:

> Bill C-47 proposed a number of amendments to the Air Canada Public Participation Act that would have restored many of the linguistic obligations at a number of these entities in the Air Canada family of companies to the same level that existed prior to restructuring.

The government has simply presented a bill identical to C-47. Bill C-29 has the same shortcomings that were recognized by the government. That is rather interesting. Is that not an unbelievably boorish way to behave toward the French language? I say that for the simple reason that the flaws of one become the flaws of the other when power is acquired. This is rather deplorable. The Bloc Québécois, together with all the hon. members who are committed to doing so, will ensure that this bill respects the Official Languages Act to the letter when it comes to Air Canada.

There is nonetheless an injustice toward Air Canada and there needs to be better protection of the workers and users. Most of all the need to provide a bilingual air service and the opportunity for francophone workers to work in their language are the best arguments in favour of the obligations imposed on Air Canada. However, these reasons do not explain why this corporation alone has to be subject to these restrictions. It would be appropriate to consider the opportunity of imposing the same rules of the game to all the players in the industry, including Air Canada Jazz, by leveling their obligations up and not down. Bill C-44 could be the vehicle for this reform.

In that vein, the current Prime Minister promised during the 2004 election campaign—which was not so long ago—that under the Conservatives, which is the party currently in power, all the airlines would be required to offer services in both official languages. This answers the question asked earlier by the Parliamentary Secretary to the Minister of Public Works, who, I presume, is listening to my speech from his office.

That is also Air Canada's point of view.

This is also an opportunity for everyone, in other words, one rule for all in a world where there is air service. Everyone living in Canada or Quebec, regardless of the point of departure or arrival within Canada, should get the same service.

Allow me to make a slightly tougher analysis of the bill. The bill has only seven clauses. However, only one, clause 5, is really relevant. It provides the following additions to the Air Canada Public Participation Act. When I talk about the act, I will refer to it as such.

By adding section 10.2 to the act, the government brings under the Official Languages Act the corporations that used to be an integral part of Air Canada. This includes, based on our interpretation and that of the Standing Committee on Official Languages, Air Canada Technical Services. By the way, Mr. Speaker, you will be stunned—and you might fall off your chair—to learn that the Air Canada Technical Services website is not even available in French.

● (1730)

It is completely appalling. Let us continue. Among other things, Air Canada Ground Handling Services takes care of passenger check-in, baggage handling and refuelling. There are also Air Canada Online Services and Air Canada Cargo. By regulation, the government can name those corporations. That is the only difference between Bill C-47 and Bill C-29.

Moreover, this section provides that parts IV, VIII, IX and X of the Official Languages Act, regarding service delivery in both official languages and implementation of the act, will apply to Air Canada Jazz. It is worth noting that, in the past, this subsidiary was not technically covered by the Official Languages Act. This aspect of the bill is positive. Unfortunately, Air Canada Jazz is not subject to parts V (language of work), VI (equal participation of English-speaking and French-speaking Canadians) and VII (development of communities and linguistic duality), in accordance with a legislative change adopted in 2000. Finally, the new corporations of the group that will offer air service will also be subject to it except if they only offer services abroad.

Let me continue the review of the bill. By adding clause 10.3 to the act, the government is proposing to force the body corporate ACE Aviation Holdings Inc. to serve the public and communicate with it in both official languages. However, that obligation is not imposed by virtue of the Official Languages Act. Moreover, the corporation must maintain its head office in the Greater Montreal area.

Finally, the obligation to keep Air Canada's head office In Montreal and its maintenance centres in Montreal, Winnipeg and Mississauga continues to apply, as do the company's obligations under the Air Canada Public Participation Act and the Official Languages Act.

It is obvious that the bill exists for good reasons. Maybe it is not perfect, but we have an official languages committee. There are people of good faith in this House who, I am convinced—or I hope, should I say—will make sure that the Standing Committee on Official Languages, which is the standing committee created by virtue of the Official Languages Act, is put back on track. That committee exists to ensure the respect—I repeat "respect"—of the English and French realities of Canada. It exists particularly to ensure the respect of people who want to speak, work, receive services and be represented by the House of Commons and by the Canadian Parliament.

Keeping this in mind, the House of Commons must absolutely do all it can to ensure the operation of the official languages committee and to make sure that it properly represents all the Canadians who elected 308 members to this place. We have been elected to ensure that bills like this one can be studied in committee to promote the status of the official languages in this Parliament, in this government and in Canada.

● (1735)

[*English*]

Ms. Olivia Chow (Trinity—Spadina, NDP): Mr. Speaker, my question for the hon. member is, why just Air Canada? It is important that airlines like Porter Airlines or WestJet also meet all official language requirements.

Airlines flying from Toronto Pearson International Airport are under a lot of stress because while Pearson has 33% of Canada's air traffic, it has to pay 63% of the national rent. A fair rent deal at Pearson airport is important because Porter Airlines, for example, has a monopoly at the Toronto airport and it is important to create a level playing field. A fair rent deal for Pearson would improve flight service for travellers, create economic growth and employment opportunities.

If we do that we have to also reduce the rent for Pearson but also ensure that all the airlines deliver quality services in both languages. Is that the intent of the bill eventually, that we would include all the other airlines?

[*Translation*]

Mr. Richard Nadeau: Mr. Speaker, I thank my colleague from the Toronto area for her question.

The bill affects specifically Air Canada. However, I must admit that in a country which prides itself on being bilingual, in a country which has recently begun to acknowledge the presence of various nations—including the Quebec nation, the Canadian nation and the Acadian nation—in a country that sees itself as different from its neighbours to the south because it has French-speaking and English-speaking cultures, we must ensure that this reality is reflected in all of our institutions. Otherwise, people who read the Constitution of Canada are basically lied to.

With this in mind, the type of investment that is needed to ensure that the Godins of this world, as well as the Nadeaus, the Proulx, the D'Amours and even the Bartozoïcs who speak French can be served in French—including anglophones who may want to be served in French—it is crucial, as the Canadian federal state, that we set an example for all the companies that are established within this Canadian federal state, so that Canadians can be served in either official language no matter where they are.

When it comes to air transportation, it is a very specific situation where everyone should be able to be served in their own language, in French or English, the two official languages of Canada.

Mr. Yvon Godin (Acadie—Bathurst, NDP): Mr. Speaker, I would like to ask the member for Gatineau for his opinion.

The chair of the Standing Committee on Official Languages has lost the confidence of its members. Is it not ironic to have this bill before the House at this time, especially since it was tabled on October 18, 2006, if I recall correctly?

The government states that it believes in official languages, that it respects official languages and that it does everything it can for official languages. However, we now have an entire committee on standby, even though there is still a lot of work to do. That being said, it is still a very nice bill to debate, especially since it deals directly with official languages. Air Canada's Vice-President even testified before the Standing Committee on Official Languages. Would it not be important that this bill be studied by the Standing Committee on Official Languages and that the government, if it really respects the official languages of Canada, name a new chair to make sure that the committee could resume its work and carry on with its responsibilities?

● (1740)

Mr. Richard Nadeau: Mr. Speaker, I thank my colleague from Acadie—Bathurst for his question.

The bill was effectively introduced in this chamber on October 18, 2006. In keeping with the legislative process, we are proceeding today with the second reading. This may be the light at the end of the tunnel with regard to the Standing Committee on Official Languages. I am optimistic and I hope that no one will put a damper on my optimism.

If this bill is adopted, the Standing Committee on Official Languages will have to review it according to the recommendations issued by that same committee and by the former Commissioner of Official Languages, Ms. Dyane Adam.

In that spirit and in the light of the question that I was asked, I wish with all my heart that the Conservatives who are now in power will stop boycotting the Standing Committee on Official Languages and will ensure that a Conservative member serves as chair in order to get the process flowing again and to get the committee running for legislative measures like this one or issues that must be addressed with witnesses who can help us increase our understanding.

Let us not forget that enlightenment comes when ideas collide, but if we keep the committee in the dark, we are abusing democracy.

Mr. Yvon Godin (Acadie—Bathurst, NDP): Mr. Speaker, I am pleased to rise and speak on Bill C-29, An Act to amend the Air Canada Public Participation Act.

As I mentioned when I asked my question to my friend from Gatineau, this bill received first reading on October 18, 2006. It is ironic that the Standing Committee on Official Languages is no longer sitting because the government decided not to appoint a new chair after the committee members lost confidence in the chair.

Bill C-29 is finally called for second reading, and we are certainly not opposed to that. Personally, I asked repeatedly when the bill would be called again so that we could debate it and amend the legislation for ACE Aviation Holdings Inc., Air Canada's parent company.

The committee still exists, but the Conservatives are pouting. Still, they have to realize that there is a process for the Standing Committee on Official Languages, and that that process must be followed. If we believe in democracy, then we must follow the democratic process. The Conservatives are going to have to stop their childish pouting. We no longer had confidence in our chair. The people who are watching must be wondering what I am talking about.

I have been a member of this House since 1997, and I have seen just about everything. This chair decided, in our democratic system, to go against the majority of committee members. Whether this government is in a minority situation or not, it does not have that right. It is antidemocratic to do such things. Not only did he cancel a Tuesday meeting because we wanted to discuss the court challenges program, but he decided to cancel all the meetings on that topic. We felt it was important to stress that one person could not tell everyone what to do. The majority rules, and things have to be done democratically.

The member for Trinity—Spadina wanted to know why the other airlines were not bilingual and asked whether they should be. I believe that they should be bilingual, because I think it would be good for Canada. If a national airline like WestJet flies all over the country, I believe it should provide services in both of Canada's official languages, especially since both official languages are recognized by Parliament, by the government and by the laws of our country.

What is special about this case? Why are we talking about Air Canada or ACE Aviation Holdings Inc? Well, during its first years, Air Canada was owned by the Government of Canada. The company was subject to the Official Languages Act. In the late eighties, the government decided to get rid of its responsibilities regarding Air Canada and to sell the company to the private sector. Since then, the majority of the shareholders are from the private sector. When the government decided to sell Air Canada to private interests, it passed a bill whereby Air Canada must respect official languages, since it had been a crown corporation.

[*English*]

Today Air Canada is telling us that it is hard for it to be competitive when other companies do not need to follow the official languages law. We told Air Canada many times at the parliamentary committee that when it bought the enterprise and became privatized that it knew what it was buying. It knew it was buying a company that had to respect both languages. The government was clear at that time, at the end of the eighties, that any company that bought Air Canada would need to serve people in both languages. I do not expect anglophones from Montreal to get on an Air Canada plane and nobody is able to speak their language because our country has two official languages and it is the law of our country.

I found it sad that when Air Canada went under bankruptcy protection that a judge decided that nobody should interfere in the official languages. I find it sad that a judge decided that the official languages, even though it is the law of our country, could be put aside. It was insulting to hear a court say that the official languages law is not important in our country even if it is the law. That is what really happened when Air Canada went under bankruptcy protection.

● (1745)

[*Translation*]

When Air Canada was placed under the protection of the Bankruptcy Act and went to the court, the judge said very simply that even the Commissioner of Official Languages could not ask it questions anymore. Air Canada had to be left alone because it was reorganizing. So we take the law and we set it aside. But the court's role is to interpret the law and not to say to set it aside because a company is in trouble. This is not the mandate of the court. This decision was insulting to official language communities.

Personally, I found it insulting. I say it here, in this House, and I will say it outside the House as well as everywhere people can hear me: it was insulting that a court could decide that the Official Languages Act was not important.

The federal government—the Conservatives—is telling us today that the Standing Committee on Official Languages is not important since the committee members do not have confidence in the chair, who has decided not to respect the committee's agenda and that, consequently, the government will not appoint another one. This shows how much the government respects the official languages in our country.

The Conservatives can make up any story they want. They can tell Canadians any story they like. They can tell our people in Acadia any story they want. They can tell their stories in Caraquet, in Shippagan, in Lamèque, in Pigeon Hill, in Miscou, in Pointe-Verte, Petit Rocher or Beresford. They can come tell us their stories, but that is not acceptable. It is unacceptable for the government to do that. The government did not do this to us; it did this to all Canadians.

As I understand it, this is how Parliament works. As elected representatives, we have the right in this House of Commons to debate bills, vote on them and decide whether to pass them or not. Ordinary citizens cannot come to the House of Commons and say that they do not think a certain bill is acceptable, that it is bad and that this or that provision must be changed. In this country's democratic system, we have agreed to have parliamentary committees that can organize meetings and invite citizens to express themselves.

Then we, the parliamentarians, can study the bills and what citizens tell us, then draft amendments to improve those bills. That is democracy, with everyone participating: members of Parliament and citizens. They say that five heads are better than one. As for me, I think that 33 million heads are better than one, especially if that one head is a government that wants to tell us that there will be no meeting if we do not want to listen to a certain person.

Let us get back to the new Bill C-29. The main idea is that Part IV (communications with and service to the public) of the Official Languages Act will apply to Air Canada Jazz, but not Parts V (language of work), VI (participation of English-speaking and French-speaking Canadians) or VII (advancement of English and French), as per the legislative amendment adopted in 2000.

So Air Canada had a change of heart and, instead of buying new planes and offering services across the country, it decided to amalgamate with another company, just like it did with Jazz, Air Nova and Air Alliance before. From now on, they will not comply with Parts V, Part VI or Part VII.

This concerns us, because it is a way of doing through the back door something that cannot be done through the front door. Thus, the fact that Air Canada's services have to be provided in both official languages must be protected, because when it was bought by the private sector, the private sector knew right at the beginning that it had to respect the official languages of our country.

This does not change the fact that the government could change its mind and pass a bill saying that all national airlines must serve the whole country—WestJet will operate from the West to the Atlantic provinces— and that the service will be offered across Canada in both official languages. I would not be against that.

● (1750)

I am sure that Air Canada would not say no to this. But in the meantime, Air Canada must acknowledge that the act and regulations were clear from the beginning.

You cannot buy Air Canada and say after 10 years that the company would like to be left alone; that, after 20 years, it would want to run its operations without having to abide by the legislation because it is not fair; that it would want to change the rules.

We know that Air Canada violated the Official Languages Act. How many complaints have been filed? Air Canada will say there were not that many, perhaps only 134 complaints in one year. I remember asking Air Canada whether, out of the 134 complaints, 50% came from English-speaking people and 50% from French-speaking people. I was told that all 134 complaints came from French-speaking people. The only verbal complaints that it had came from the fact that, sometimes, people did not like flight attendants speaking French on the plane. This is a problem, because I think it is a lack of education on the part of Air Canada. We must show people that we have two official languages in our country and that we respect them.

We should not be afraid of our two official languages, but some people are. They think we are asking too much of them and that it is costly to them. Some countries have four official languages. We must be able to provide the service in both languages so as to respect people.

Antonine Maillet put it so well. I often mention it. Antonine Maillet is a New Brunswick writer and she said that we do not want all francophones to speak English and all anglophones to speak French: we just want both communities to be served in both languages. Bilingualism and official languages are also about providing opportunities to people in their community, so that they can express themselves and live in their own language, regardless of where they live.

Two years ago, Acadians celebrated their 400th anniversary. Quebec will celebrate it next year. This shows that Acadians were here before Quebeckers. We had a nice celebration. In our country, the francophonie goes back a long time.

It seems as though communities want to fight each other. That is not right. I find it regrettable from a language point of view, because there are countries where people learn up to six languages. I tell my children that I want them to learn English, not because they will have better opportunities to find a job, but because it is enriching to learn languages. This is what we should tell our children.

We travel all over the world and people speak two, three or four languages. There is nothing better than to be able to learn another language.

Personally, I tell my children to learn English, and this has nothing to do with finding a job. I want them to learn it and be able to speak both languages. I want them to be able to talk to people when they go to Ontario, British Columbia and Saskatchewan. I do not want them to need an interpreter. This is how I see things. Is this what my children want to do? That is another story, but I can say that they have already learned to speak English quite well, and I am proud of that.

● (1755)

[*English*]

I am happy that we were able to create that in my family. I pushed for it. We should do it more, be more open to it and look at it like anything else. People go to trade schools. They also go to university to become doctors which requires nine years of study. I am sure in those nine years they could learn another language. It is not that hard. People just need the will to do it.

I do not think we should be scared of it but we do need to respect the two official languages in our country and we should proud of them. I am very proud of New Brunswick but I would like to be proud of the whole country. New Brunswick is the only officially bilingual province where people can obtain services in both languages.

At one time people were fighting among themselves but today I see people getting along better and doing things together. I believe that if we promote that we will have a better country in which to live.

[*Translation*]

I was saying that, at the Standing Committee on Official Languages, we heard complaints about Air Canada. For example, I remember well the former hon. member Benoît Sauvageau, who has passed away. He worked hard in order to have the small complaints card onboard Air Canada and Jazz flights. However, Air Canada representatives said it would cost too much.

Mr. Sauvageau went so far as to have it done himself. All those who attended the Standing Committee on Official Languages will certainly remember that he had the complaints card made himself. He showed that it was not expensive at all. It was done professionally.

During one of our recent meetings of the Standing Committee on Official Languages, the vice-president of Air Canada commended Mr. Sauvageau's initiative. The complaints card is now on Air Canada flights to give people who are not satisfied with the service the opportunity to file a complaint.

I want to thank the late Benoît Sauvageau who worked hard for official languages and who helped the cause of official languages.

I remember one time in the Standing Committee on Official Languages when we were questioning Air Canada representatives. All the safety instructions during takeoff were in both official languages. However, the instructions in case of an emergency were all in English. There was a taped recording played upon descent. Imagine getting on a plane and the instructions are on tape. Imagine what the tape will say when the plane is getting ready to land. It got to the point where the name of the passenger sitting near the emergency exits was verified to ensure that the person could speak English because the instructions had to be given in English only. We have made progress since then, but we still have a long way to go.

There is a section of the bill that concerns me. If we look at clause 10.2(4) of the bill, it says:

> Only Parts IV, VIII, IX and X of the Official Languages Act apply in respect of
>
> (a) the air service undertaking owned and operated by Jazz Air Limited Partnership, a limited partnership registered on September 13, 2004 under the laws of the Province of Quebec; and
>
> (b) any new undertaking that provides air services.

Clause 10.2(5) of Part 3 states:

> With respect to a new undertaking that is acquired after the day on which this section comes into force, the Parts of the Official Languages Act referred to in subsection (4) commence to apply after the expiry of one year, or any longer period that the Minister may fix, after the day on which the new undertaking is acquired.

This part of the bill frightens me because I cannot believe that, if Air Canada purchases another company, anyone can learn another language in just one year. I cannot believe that. This would therefore force the minister to grant two, three or four years, and we will once again be in the same position as when Air Canada bought Canadian International. It will be the same situation.

Thus, Air Canada must know, when it purchases a company, that the staff must be bilingual, because current legislation clearly states that Air Canada must provide services in both official languages.

In closing, I would hope that the government will consider at least some of my suggestions and that, in committee, there will be no filibustering on the part of the government. I hope that the Standing Committee on Official Languages will resume its proceedings and that the necessary amendments can be made, since the minister has said here this evening that he believes in official languages. Only time will tell.

● (1800)

Mr. Pierre Lemieux (Glengarry—Prescott—Russell, CPC): Mr. Speaker, I would like to respond to what my colleague said. He spoke about the Standing Committee on Official Languages. If this committee is not working today, it is not for the reasons he gave.

The Standing Committee on Official Languages is not working because the Opposition members voted against its chair, forcing him to resign.

[*English*]

When the opposition forced his resignation, the committee, as it existed at that time, ceased to exist and its good work came to an end. I mention this because we are discussing a bill that was in front of the committee.

The bill we are discussing today was part of the good work done by the official languages committee, the committee that the opposition terminated. The bill we are discussing today is a bill that has been put forward by our government.

[*Translation*]

In fact, this is a government bill, tabled by our government. The Standing Committee on Official Languages was involved in its drafting.

[*English*]

Therefore, I want to correct the record. The official languages committee is not sitting today because the member who just spoke tabled a motion against the chair who had done such good work. The opposition voted against the chair and forced his resignation and the good work of the committee came to an end.

Could my hon. colleague comment on that?

[*Translation*]

Mr. Yvon Godin: Mr. Speaker, if the hon. member wishes to set the record straight, he needs only to say where he was on that Tuesday morning, at 8:58, when the chair cancelled the committee meeting, while the committee members and witnesses who had travelled from Winnipeg and Montreal were in attendance. The government had paid for these witnesses to come and testify.

The member knows very well that he voted with us to have these witnesses before the Standing Committee on Official Languages. If he wanted to tell the truth in this House, he would say that the Conservatives were embarrassed because the members of the Standing Committee on Official Languages were doing a good job. The Conservatives claim to have been doing good work, but the fact is that the chair did not even travel with us across the country, from Newfoundland to Vancouver, to attend the hearings of the Standing Committee on Official Languages.

Two minutes before it was scheduled to begin, the meeting was cancelled by the chair of the Standing Committee on Official Languages. Not only was that committee meeting cancelled, but so was the Thursday meeting, because the chair did not like the committee's agenda. A committee chair does not have that power. The Conservatives may allege whatever they want, the fact remains that a chair may have the power to cancel a meeting. Indeed, if on a Tuesday morning the witnesses do not show up, it is natural for the chair to have the power to cancel the meeting, but he cannot do so because he does not like the agenda and he thinks that the committee has become too partisan.

If the member has a sense of honour, he will admit that this is what happened. It is true that the Standing Committee on Official Languages has done good work. I have been sitting on that committee since 1997. The members of that committee have worked hard and brought forward good proposals.

The same member was with me when we toured Canada. He has heard Canadians say that it was unacceptable to cancel the court challenges program. The member is aware of all that. He should not attempt to confuse the House.

● (1805)

Mr. Jean-Claude D'Amours (Madawaska—Restigouche, Lib.): Mr. Speaker, I would like to talk to the hon. member for Acadie—Bathurst, who sits with me on the official languages committee and comes from the same province as I do. I find comments like those of the hon. member for Glengarry—Prescott—Russell a bit absurd. I am a member of the Standing Committee on Official Languages. As the member for Acadie—Bathurst put it so well, it is unacceptable that a chair would decide not to listen to witnesses because he does not feel like listening to them.

We must show respect. We have been elected by the Canadian people. Those who follow the news regularly may notice that it is not always easy to keep people's respect for the members of Parliament. One must work hard for that. It is gestures like the one the Conservative chair of the committee made that make people wonder about the work we do here in Ottawa. But most of us are trying to make things go forward. It is always a minority that gives the majority a bad name.

But what I wanted to say is that the only thing that is not found in the title of the bill is the fact that it relates to official languages. Maybe that should have been mentioned because that can be confusing. People think that since the bill is about Air Canada, it is about transportation. In fact, the bill is concerned with transportation because it relates to Air Canada, but it is about official languages.

It is hard to conceive that the minister would want to send the bill to the Standing Committee on Transport, Infrastructure and Communities since it should be sent to the Standing Committee on Official Languages.

How does the member for Acadie—Bathurst see the situation? Is there any respect in this House when the Conservatives do not want the Standing Committee on Official Languages to operate?

Mr. Yvon Godin: Mr. Speaker, first of all, what is important today is Bill C-29, which ensures that Air Canada respects the official languages. Just because the company changes, that does not mean Air Canada does not have to assume its responsibilities any more.

But let us go back to the Standing Committee on Official Languages. This is where we have to be very clear. Why is the government saying that it had nothing to do with the decision made by the chair? Why is it supporting this decision then? This means that it agreed—agreed with the fact that the chair was preventing the committee from sitting.

The chairman said that it was due to partisanship. If anybody showed any partisanship, it was the chair himself. The abolition of the court challenges program was challenged across the country, everywhere we went. The Conservative MPs know it because they came with us on this trip, except for the chairman who was not there. They knew it. There were the ones who showed partisanship. They cancelled the Standing Committee on Official Languages meeting because they did not want to hear what the witnesses had to say. It is quite simple. This is what they wanted. They did not want to hear the truth. The Conservative government is hurting our people; it is hurting the whole francophone community.

I hope that we can hear the Minister for la Francophonie and Official Languages explain to us later, maybe, how she is helping us in that regard. She should be ashamed of herself for not standing up to the Prime Minister and telling him that what he is doing to our francophone communities is not acceptable. I am looking forward to hear what the Minister for la Francophonie and Official Languages will say.

Mr. Richard Nadeau (Gatineau, BQ): Mr. Speaker, I have a question for my colleague from Acadie—Bathurst who has a long and rich experience as a member of the Standing Committee on Official Languages.

Let us take the example of a bill such as this one that deals with Air Canada. Problems arise in far too many instances with regards to services provided, or that should be provided, in French or that are requested in French in the context of air travel.

How can we ensure, through the House and the work of parliamentarians, that we will come up with an efficient bill that will offer a solution to the problems that are too often reported, namely that the French fact is not respected in air transportation?

● (1810)

Mr. Yvon Godin: Mr. Speaker, I would like to thank my colleague for Gatineau. I do hope that, in the next few days, the government will see the light at the end of the tunnel. What is going on in Parliament is not normal in a democracy. I explained very clearly a moment ago that denying citizens the right to express themselves before Parliament is an assault on democracy. It can be called nothing else. It wounds democracy.

The four whips will convene tomorrow morning. We will meet to discuss the situation. Let us hope the government revises its position and acknowledges that these things are simply not done. A chair cannot simply decide that he does not agree with the committee's agenda. That is not done in a democracy. In a democracy, the majority rules and he needs to recognize that.

The Conservatives say they were elected to be the government. That is true, but it is a minority government. We need to work together. For that to happen, it needs to let the committee do its work. It was working well. Right up until the last minute, even after the committee was shut down, they were saying how it was doing great work. Unbelievable! The committee does great work but it is still shut down. That is unacceptable.

I trust a reasonable decision will be taken. The government will need to think about things. The ball is in its court. Otherwise, we will have to change the rules of the House. If it refuses to name another chair, we will need new standing orders. The rules will change. Is that what the government wants? That is what will happen. If that is the road it wishes to embark on, we will change the rules. It must never forget that it is a minority and not a majority government.

Hon. Josée Verner (Minister of International Cooperation and Minister for la Francophonie and Official Languages, CPC): Mr. Speaker, as Minister for la Francophonie and Official Languages, I am proud to present, together with my colleague, this bill to amend the Air Canada Public Participation Act, which will ensure respect for the linguistic rights of Canadians.

This is another example of our government's commitment to the official languages and linguistic duality. Our government is strongly committed to promoting both official languages. We believe that linguistic duality is a fundamental aspect of our identity. It is an economic, social and cultural asset for Canadian society and for Canada on the international scene.

Our new government has signed service and education agreements with the provinces and territories totalling $1.18 billion over four years. Dozens of other funding agreements with official languages community groups and organizations have been signed as well.

In addition, in the 2007 budget, the new government of Canada also increased funding for official languages minority communities by providing an additional $30 million over two years. These monies will fund cultural and extracurricular activities as well as community centres. The $30 million is in addition to $642 million over five years allocated by the Action Plan for Official Languages, which seeks to promote and develop the official languages in Canada.

We have proven, and our actions will continue to prove, that respect for the Official Languages Act in every department, including Transport Canada, is a priority for us.

I would like to present a brief history of Air Canada in order to support the proposed amendments to the Air Canada Public Participation Act.

Air Canada, as we know it today, was established in 1937 by legislation whose purpose was to create a national airline for Canada, the Trans-Canada Air Lines.

[*English*]

During the second world war, Trans-Canada Airlines was charged with carrying Canadian armed forces and Canadian government officials and diplomatic dispatches regarding urgent war business over the Atlantic Ocean between Canada and the British Isles. What began as an urgent war measure became the springboard for Trans-Canada Airlines' expansion into the international commercial air market.

Trans-Canada Airlines was renamed Air Canada through an act of Parliament on January 1, 1965. This change reflected its changed status from one of a national air transportation, cargo and mail service carrier to one of a Canadian based international commercial airline. Consideration was also given to the fact that being bilingual, the name Air Canada better reflected Canada's two official languages.

● (1815)

[*Translation*]

Throughout its history, Air Canada has shown its will to correctly reflect Canadian linguistic duality. For example, as early as 1963, Air Canada set up an internal committee on bilingualism to examine its policies and practices and recommend corporate improvements.

In 1968, more than 34% of all Air Canada employees, including 57% in Quebec, were classified as bilingual. In 1969, when the Official Languages Act was passed, Air Canada made sure that its corporate policies were in line with official languages requirements, just like other federal institutions.

As members will recall, on two occasions, the Government of Canada imposed official languages requirements on Air Canada through the Air Canada Public Participation Act in order to ensure the continued protection of the linguistic rights of Canadians. Full obligations under the Official Languages Act were imposed on Air Canada, once when privatization occurred in 1988-89, and again in 2000 when Air Canada purchased Canadian Airlines International.

In 2000, these obligations were extended to require that Air Canada make sure that its subsidiaries that provide air services serve their clients in both official languages.

In 2002, in response to a report from the Standing Committee on Official Languages, Air Canada tabled its Linguistic Action Plan 2001-2010, in which it renewed its ongoing commitment to both official languages and put forward a 10-year plan describing how it intended to further that goal. The action plan was updated in 2004.

Furthermore, on November 25, 2004, an Air Canada senior executive appeared before the Standing Committee on Official Languages. He said to the committee that during the restructuring process of Air Canada, when the company had to identify $2 billion in savings, only three budgets had not been reduced: safety, security and official languages.

Air Canada showed on a number of occasions that it was willing to meet its responsibilities when it comes to official languages.

However, on October 1, 2004, as part of its corporate business plan, Air Canada made major changes to its corporate structure aimed at maximizing efficiency and boosting investment. Air Canada then created independent trading units under a new parent company, ACE Aviation Holdings Inc. Therefore, the Air Canada Public Participation Act now applies to only one part of Air Canada.

The former internal divisions and subsidiaries of Air Canada, including Jazz, have now become independent companies and are not subject to the official languages obligations set out in the Air Canada Public Participation Act.

[*English*]

In response to Canadians, Air Canada's employees and the Standing Committee on Official Languages, the Government of Canada committed to introduce legislation to ensure that there would be no erosion of Air Canada's official languages act and headquarters location obligations as a result of its corporate restructuring.

● (1820)

[*Translation*]

Since then, Air Canada has showed its intention to keep up its efforts and initiatives to respect and improve the quality of its services in both official languages. Last November, at the Standing Committee on Official Languages, a senior executive presented Air Canada's hiring policy which focuses on hiring bilingual candidates. The company has also transferred a good many flight attendants in an effort to increase the bilingualism ratio.

This is why I will gladly support this bill before the House. The House intends to maintain this commitment and to respect the obligation it has under the Air Canada Public Participation Act to give Air Canada's employees the right to work in the language of their choice. It will also ensure that the linguistic rights of Canadians are preserved as far as the services offered by this company are concerned. This bill will help the company keep contributing to the social fabric of Canada and to play its role as an ambassador of Canadian values abroad in the years to come.

Mr. Yvon Godin (Acadie—Bathurst, NDP): Mr. Speaker, I wish to thank the minister for her speech on Bill C-29.

I would like to know, if possible, why a government that supports official languages and prides itself on bringing Bill C-29, which is in fact the continuation of Bill C-47, back to the House has taken so much time to do so—from October to this week—and has also refused to designate a chair for the official languages committee. Is it because it was not important?

How many times have I reminded the Leader of the Government in the House of Commons of the importance of Bill C-29?

Maybe she could also clarify what the member for Glengarry—Prescott—Russell meant when he said that I misled the House about the Standing Committee on Official Languages. He seemed to say that we are the ones who cancelled the hearing. Where was the Parliamentary Secretary to the Prime Minister and Minister for la Francophonie and Official Languages two minutes before the hearing started, when the clerk said that the committee hearing was cancelled?

That evening, on the five o'clock news with Don Newman, we learned that the committee had been shut down for being too partisan. The member has no respect for the members of the committee. Can you imagine? How has the simple examination of the court challenges program become a partisan issue? Where does the minister, who is a francophone, stand as far as the francophones of the country are concerned? I would also like to hear her comments about Air Canada and the other companies it may buy.

Hon. Josée Verner: Mr. Speaker, as I said many times in this House, I have a great deal of respect for the chair of the Standing Committee on Official Languages and for all my Conservative colleagues sitting on this committee.

The committee has done an excellent job, most notably the tour of the country, from coast to coast. Our colleagues were there, including my parliamentary secretary. A phenomenal job has been done. The committee tabled a report about two weeks ago. It contains 39 recommendations that we will examine. Of course, we will respond within the required 120 days.

I also have a lot of respect for my colleague who is here in this House and with whom I had the opportunity of making announcements regarding minority communities, notably for L'écho d'un peuple. For instance, we announced $195,000 in funding for this extraordinary show intended for the Francophonie and all Canadians.

More recently, the Festival franco-ontarien received $130,000 to help the development of francophone communities throughout the country.

● (1825)

Mr. Richard Nadeau (Gatineau, BQ): Mr. Speaker, I am speaking to the minister, who is responsible for official languages.

Earlier, we heard her very disappointing answer regarding the way that the Standing Committee on Official Languages was put on standby—let us hope that it will not be for too long. We have serious doubts when we hear the minister.

The minister says that she is giving $30 million to the francophone communities outside Quebec. She should know that, in 1996, the Franco-Saskatchewaners were asking for $22 million for themselves alone, simply to be able to operate for a year. The principle of redress has yet to be implemented at the federal level, even if studies by Roger Bernard, from the Fédération de la jeunesse canadienne-française, were referring to it more than 15 years ago. It is completely lamentable to hear that kind of explanation of how the government highlights the official languages. Bill C-29 is another example. Following the recommendation of the Commissioner of Official Languages, the bill must be sent to the Standing Committee on Official Languages to be looked at.

How will she do it, with all that rhetoric that shows her inconsistency in regard to the recommendations made by knowledgeable people?

Hon. Josée Verner: Mr. Speaker, of course, Bloc members would have been better to support Bill S-3 in the fall of 2005. I believe it is through this action that they could have shown French-speaking communities outside Quebec that they were willing to support them. Now, the member refers to claims dating back to 1993—

Mr. Richard Nadeau: To 1996.

Hon. Josée Verner: He refers to claims dating back to 1996 and I would invite him to express his griefs to the government that was in office at the time.

For our part, we announced an additional $30 million for communities and we intend to ensure that these $30 million are well spent to promote the Canadian francophonie.

Mr. Jean-Claude D'Amours (Madawaska—Restigouche, Lib.): Mr. Speaker, it is somewhat mystifying to hear the minister make these kinds of remarks. First of all, let us set the facts straight. We are no longer talking about the chair of the Standing Committee on Official Languages—which is unfortunate—we are talking about the former chair of official languages because of his actions and the lack of respect he has shown towards language communities in Canada.

However, the minister says she is proud that her government has decided to meet with these communities. There is however a reality, which is that the then chair of the Standing Committee on Official Languages did not take the time to travel to the different regions of the country to meet with these communities and get a sense of the problem. This might have been an important and necessary thing to do in order to better identify the issues down the road.

The big issue under debate just happened to be the court challenges program. Several months later, the government, by way of the chair, cancelled the court challenges program, cancelled the Standing Committee on Official Languages and now they try to tell us they care about official languages. In my opinion, the minister should take back which she said and say the exact opposite.

The Acting Speaker (Mr. Andrew Scheer): The Minister for la Francophonie and Official Languages has one minute to answer the question.

Hon. Josée Verner: Mr. Speaker, that will be enough to tell my colleague from the opposition that those who showed disrespect to minority communities are the Liberals and the members of the NDP who voted against our budget measures for the country's minority communities. They voted against investing $30 million in our youth and against money for the construction of community centres.

Mr. Jean-Claude D'Amours: That is a Liberal project.

Hon. Josée Verner: The member says it is a Liberal project. From what we hear from the Liberals these days, now that they are in the opposition, it seems that they were on the verge of implementing projects, but, as it was often the case, they did not deliver, and it is too bad.

ADJOURNMENT PROCEEDINGS

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

● (1830)

[*English*]

ABORIGINAL AFFAIRS

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, the original question that I put before the House a number of weeks ago touched on two issues. One was the lack of apology from the government for the sad history of residential schools and the subsequent impact on first nations communities. The second question was on the Conservatives' own blue ribbon panel that disputes the fact that $10 billion ended up in the hands of first nations communities and it is on this panel's findings that I will be focusing.

The blue ribbon panel's report on spending indicated that in 2004-05 first nations communities across this country received only $4.9 billion in grants and contributions. A subsequent Assembly of First Nations document that was updated, a more recent one, indicated that figure was at $5.4 billion. This is largely different than the $10.1 billion that is bandied around both in the House and in public.

In a speech that National Chief Phil Fontaine gave at the Canadian Club on Tuesday, May 15, he outlined some of the problems around why it is so important to be talking about the reality of these numbers. He put a face to poverty in first nations communities in this country.

In his speech he talked about the fact that Chief Shirley Castel tells us that some two bedroom homes have as many as 28 people living in them and that overcrowding in Canada is generally 7%, according to Statistics Canada, but for people in rural areas in first nations communities it is 19%.

He goes on to talk about the fact that aboriginal children across Canada live in poverty and that number is one in four. Also, first nations child welfare agencies receive 22% less funding per child than provincial agencies. He goes on to say in his speech that this is blatant discrimination.

Much work has been done around this myth and I want to highlight a document entitled "The $9 Billion Myth Exposed: Why First Nations Poverty Endures". Really, we are talking about inadequate housing. We are talking about lack of access to clean drinking water and educational standards that do not meet the norm in the rest of Canada. This document talks about the fact that there has been a 2% funding cap since 1996. It says:

> Due to the 2% cap on core services that has been in place since 1996, the real purchasing power of First Nations has steadily decreased due to annual increases in population growth and inflation. The total purchasing power lost by First Nations communities since 1996 is now 23 cents for every dollar, and we are losing more every year that the 2% cap remains in place.

Later on in this article on the $9 billion myth, it talks about the age of many first nations communities. It says:

> More than half of First Nations peoples are under 23 years old. Freezing their budgets at a 2 to 3% growth rate means that First Nations governments can't keep up with the demand of their growing population, as well as inflation, aging and poorer health and social status. INAC has found that on-reserve per capita expenditures for basic services have declined by 6.4% since 1996-1997.

In case we think that these numbers only come from the Assembly of First Nations or first nations communities across this country, I would like now to turn to some of the government's own documents.

The government conducted a cost drivers project that looked at a number of funding factors in first nations communities from coast to coast. The government's own documents acknowledge serious shortfalls in education, housing, community infrastructure, water and so on.

Since I am running out of time I cannot quote from these government documents that clearly outline the problem.

The overwhelming needs are there, so the question to the minister still remains. How much money will actually end up in the hands of first nations people and their communities in this country?

Mr. Rod Bruinooge (Parliamentary Secretary to the Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians, CPC): Mr. Speaker, I would like to thank the member for her question because in fact this is one of the very reasons why I got involved in politics. For the first time in my life I was able to join a party that was interested in actually reforming the very system that prevents the money needed by first nations people, aboriginal people, in order to improve their lives, from reaching them.

It is our party that actually sees this system as the very barrier this member talks about. Thankfully, our government has been able to begin to chip away at a system that has suppressed first nations people for a very long time, going back over 100 years as we look back to the Indian Act, a document that was prepared from pre-Confederation documents. Of course everyone realizes it is an antiquated piece of legislation that only suppresses the very people it espouses to help. This reform is something that our government is very interested in pursuing.

Some have suggested that more money is necessary to fix these problems. I would argue that although more money may need to be invested at some point, it is actually the system itself that needs to be fixed. Before we can invest more dollars, we need to ensure that the money is actually going to make a difference in the lives of the people it is meant to help.

One of the things that we are doing as a government is bringing forward Bill C-44, an important piece of legislation. The bill actually begins to target this system and actually will extend human rights to first nations people.

Most people in Canada do not realize that the Canadian Human Rights Act does not apply on first nations reserves. This is a shameful fact about our history. Canada, one of the best countries in the world to live in, has not extended human rights to first nations people. We have an excellent record on human rights, yet we have not extended these benefits to first nations people.

Thankfully, right now our committee has the opportunity to bring forward this important and historic piece of legislation. I would sure like the member to endorse extending human rights protections to first nations people. I know the member wants to head home as soon as possible to her summer estate. That is why she has put off extending the Canadian Human Rights Act to first nations people on reserve until some time in the fall. I challenge her to change her mind and actually endorse extending human rights to first nations people.

● (1835)

Ms. Jean Crowder: Mr. Speaker, I am fully prepared to stay here until the job is done. Of course what we are talking about with Bill C-44 is actually the repeal of section 67, which allows people to file complaints against the Indian Act. First nations on reserve already have access to the Canadian Human Rights Act. In fact, the Assembly of First Nations has filed a complaint under the Canadian Human Rights Act about the serious underfunding of 22% for child services.

I still am looking for an answer about how much money actually ends up in first nations communities and in the hands of the people who live in those communities. We have seen this over and over, and again, from the government's own documents such as the government's cost driver report, which talks about the fact that "after nine years of a 2 percent cap the time has come to fund First Nations basic services costs so that population and price growth are covered in the new and subsequent years". The report goes on to talk about the very serious needs around improved comparability. When will the—

The Acting Speaker (Mr. Andrew Scheer): The hon. Parliamentary Secretary to the Minister of Indian Affairs.

Mr. Rod Bruinooge: Mr. Speaker, the member has asked a question about the dollars that are being invested in our aboriginal communities in Canada. In the past budget, the minister brought forward $10 billion in spending. This is a substantial increase over previous budgets.

I know that the previous Liberal government left the plight of aboriginal people off its radar for many years. Although the Liberals pretended to bring forward these concerns, it was not until the last moment that they tried to bring forward what many have called a pitiful attempt at the very last moment, and which some people have called the Kelowna accord. We have had that discussion many times in this House. We know that in fact there was no accord. There was no agreement. There was only a press release.

Our minister has moved forward with real funding dollars. On top of those dollars we are going after reform of the system. As I said to the member earlier, hopefully she will be able to come on board.

[*Translation*]

SERVICE CANADA

Ms. Louise Thibault (Rimouski-Neigette—Témiscouata—Les Basques, Ind.): Mr. Speaker, this adjournment debate gives me the opportunity to once again share my concerns—and those of my fellow citizens—about a situation that is still going on at the Rimouski office of Service Canada. This situation has to do with the fact that the office has been managed on an interim basis for quite some time from Gaspé, and we have no way of knowing why or for how long.

Why is this worrisome? I will give an example that everyone will understand: Canada summer jobs. This is an excellent example of centralization and bungling. What justifies my comments? Reality.

The minister decided to centralize the handling and processing of applications in Ottawa for private companies and public agencies, and in Montreal for NPOs. However, in Rimouski, among other places, the minister had an organization and competent and experienced public servants who, year after year, were able to process these files. But no, in 2007, the Minister of Human Resources and Social Development had to decide that the program had to be completely overhauled and managed differently. We know the mess that followed.

A week ago, evidently, after an outcry from the agencies—a legitimate one at that—it was decided to take a second look and announce a second round of funding. We should note that the minister is doing so ignoring the criteria that he himself established.

I am using that example to restate my question. The Rimouski office, which serves the huge Bas-Saint-Laurent area, is under interim management out of Gaspé. Its role is changing without notice, consultation or debate. Is what seems to be coming really being done to improve service delivery? The current situation is more akin to control changing hands and centralization, as in the example of Canada summer jobs I cited earlier. Does Rimouski have to kiss permanent management goodbye? Is the lack of action on appointing a director hiding something else?

This is why I have restated my question of May 1 last.

● (1840)

[*English*]

Mrs. Lynne Yelich (Parliamentary Secretary to the Minister of Human Resources and Social Development, CPC): Mr. Speaker, the member asked the Minister of Human Resources and Social Development if the government intended to leave the Rimouski regional Service Canada office without management.

The fact is the Rimouski region is being served better than ever under the new mandate of Service Canada.

Canadians in Rimouski and across the country can access a complete range of government services and benefits in person, by telephone, on line or by regular mail.

Over the last year more than 100 new service points were created across Canada. That means a total of 543 Service Canada centres. Seventy-nine of these are in Quebec. Never before has the presence of the Canadian government been felt in so many regions and communities including throughout Quebec and the member's riding.

The new government has been listening to Canadians who wanted Service Canada to be managed differently. Canadians were looking for better client service and we all wanted to see people helping people.

Listening to Canadians the new government is getting things done. To make Service Canada more efficient and effective in its client service, we moved from administrative and regional centres to making each Service Canada centre a self-sufficient entity responsible for serving Canadians.

In the member's riding there are three managers responsible for serving citizens. Under the former structure there was only one. The member and her constituents will no doubt be relieved to see that we have tripled the resources dedicated to assisting with accessing Government of Canada benefits and programs.

In order to meet the public's needs we have staffed these managers with a large number of citizen service agents in the five Service Canada centres in the Bas-St-Laurent area.

The changes to the roles and responsibilities of Service Canada centre managers are administrative in nature and will in no way jeopardize service or partnerships; in fact, it is quite the opposite. In the member's riding her constituents are already beginning to see ways in which service is improved.

Ninety-three per cent of Canadians now have access to these Service Canada centres. However, we as government believe we can do better than that. So in Quebec we have added 31 mobile sites to the 79 Service Canada centres already in place.

The addition of mobile Service Canada centres is an innovation whose time has come. It is a better use of resources which every taxpayer can appreciate because it offers more access to more people. This is a major and welcome innovation for those communities where it makes more sense for Service Canada to come to the citizens than waiting for the citizens to come to it. As I alluded to earlier, it brings the presence of the Government of Canada into even the most remote parts of Quebec.

Are there changes with the arrival of Service Canada? We have enacted changes that will ensure that Service Canada is a client oriented agency. Canadians want better client service. They want better value for money. They know how to use the Internet and other technologies, but they want reasonable access to service centres and they want and need face to face interaction. That is what Canada's new government has provided.

Canadians, particularly Quebeckers, are practical people. They appreciate that their new government understands them and is listening to them, and we are getting things done.

● (1845)

[*Translation*]

Ms. Louise Thibault: Mr. Speaker, I will put my question very directly.

By saying that there are now three managers, did the government's spokesperson mean that the director position at the existing office will not be filled and that, from now on, Rimouski will be under interim management?

I would like to raise another point. As far as this range of services is concerned, one has to realize that the situation is not the same everywhere. I was not talking only about my riding. I mentioned that the Rimouski office was serving the Bas-Saint-Laurent area. No passport services, among others, are provided. My colleague MPs and I are very proud to offer such services at our constituency offices, but do not come and tell us about services not provided in the regions.

I also have a third point. We live in a rural area and the fact is that there are residents—there may not be many but there are some—who do not have access to Internet.

So, those are my three other questions.

[*English*]

Mrs. Lynne Yelich: Mr. Speaker, the hon. member's supplementary question allows me the opportunity to again highlight some of the government's accomplishments and assure all Canadians, including the people in the hon. member's riding, that they get quality access to services no matter where they live.

Our new government has worked hard to streamline operations at Service Canada in our efforts to provide a client centred model. I would like to state for the record a few of these changes in the House this evening.

We have implemented a service charter. We have implemented a code of service standards. We have implemented an office of client satisfaction. In addition to this we have opened more than 100 new service points across the country and increased the number of service points for official minority communities. Now we have officers who go to remote communities to offer all services to citizens no matter where they live.

Canada's new government is getting the job done. The excellent advances at Service Canada—

The Acting Speaker (Mr. Andrew Scheer): The hon. member for Windsor West.

AUTOMOBILE INDUSTRY

Mr. Brian Masse (Windsor West, NDP): Mr. Speaker, it is a pleasure to rise this evening and to once again raise the issue of Canada's position with respect to the trade agreement with South Korea. The trade agreement with South Korea would result in the loss of manufacturing jobs across this country and, in particular, in the auto industry.

I have been raising this issue since 2004 when the then prime minister, the member for LaSalle—Émard, entered into negotiations for a trade deal with South Korea.

We are concerned about this trade deal because of the vulnerability of the manufacturing industry. Since 2003, over 250,000 manufacturing jobs have been lost and since January approximately 50,000 manufacturing jobs have been lost, often in the automotive sector.

It is important to note that the present government has not put forth an automotive sector strategy. The Minister of International Trade, a former Liberal and industry minister at the time, promised me a number of times in this chamber, as well as at committee, that he would bring forth an auto policy but he never did. As a Conservative, he has continued the trade negotiation talks with South Korea.

I note the detriment to this, which was basically offered up by Department of Industry officials who admitted in a meeting that South Korea would be out of the deal if they did not get the automotive sector on the plate. Why South Korea wants greater automotive access into Canada is because right now it has non-tariff barriers that actually prevent the sale of Canadian vehicles in South Korea. With the trade deficit being so huge right now I do not know why the Conservative government would want to expand that and create greater problems for the Canadian manufacturing sector. It is beyond me.

We just need to look at the facts. In 2005, South Korea exported 118,000 vehicles to Canada. What did we export into South Korea? We exported 400 vehicles. What an incredible imbalance. This is unacceptable. The government continues to go down a path that will further expose the Canadian market to these vehicles. I think the government is doing it for some type of political gain to say, for example, that it might perhaps beat the Americans to a deal with South Korea.

Even though the United States has concluded negotiations, the truth of the deal is coming out. Many people in the manufacturing sector and the agricultural sector are telling the United States government not to go forward with this plan. What is interesting is the fact that at least the United States congress will have a chance to debate the deal and actually vote on it.

I am asking the government if it will allow Parliament to have the opportunity to see the deal, debate the deal and, more important, vote our conscience on this deal. We need to know how it could affect Canadian manufacturers and Canadian citizens. We should at least get the same opportunity as the United States is giving so there can be accountability. I ask the government to at least do that if it is not going to back away from these negotiations and continues to offer up the automotive sector as a sacrificial lamb at the expense of Canadian workers.

● (1850)

Mr. Ted Menzies (Parliamentary Secretary to the Minister of International Trade and Minister of International Cooperation, CPC): Mr. Speaker, let me begin by thanking the hon. member for his interest in the government's efforts to expand export opportunities for Canadian businesses in South Korea through the negotiation of a free trade agreement. The government shares the hon. member's interests.

Indeed, some within the automotive industry are calling on the government to ensure that Canada's ongoing negotiations with Korea result in improved access to Korea's automotive market through the elimination of tariff and non-tariff barriers. This is why we have consulted with all interested stakeholders in Canada, including automotive manufacturers and workers, since the negotiations with Korea were first launched. This has included both one on one meetings with stakeholders, as well as regular meetings of a dedicated automotive consultative group that meets in advance of each round of negotiations. These consultations date back almost two years and will continue as long as the negotiations proceed.

I can therefore assure the hon. member that Canada's negotiators are doing their utmost to effectively address the concerns and interests of Canadian stakeholders.

The hon. member is surely well aware of the importance that trade plays in Canada's economy, contributing to over 40% of Canada's gross domestic product.

In "Advantage Canada", the government's plan to strengthen Canada's economy and make it more competitive, we made clear our determination to pursue bilateral agreements with targeted countries. Canada is unfortunately lagging significantly behind its key competitors, not having concluded a single FTA since 2001. Since then, Canada's main competitors have been aggressively concluding agreements.

The early April conclusion by the United States of an FTA with Korea risks putting Canadian businesses at an unequal footing unless Canada can negotiate a comparable agreement to level the playing field.

Korea also has FTAs with trading partners such as Singapore, Chile and EFTA and ASEAN countries, and will soon begin negotiations with the EU. It is therefore important for Canada to ensure that Canadian exporters and investors have competitive terms of access to Korea's markets.

South Korea is a valued trading partner for Canada and represents a gateway to northeast Asia, a region of strategic importance to global value chains. In 2006 Korea was Canada's seventh largest trading partner, with Canadian exports totalling a record $3.3 billion.

A free trade agreement with Korea would offer the possibility of enhanced market access for a wide range of Canadian goods, services and investment opportunities, including due to Korea's relatively high average tariff.

For example, we expect gains in agriculture, particularly in beef, pork, canola and barley, fish, forestry, medical devices, pharmaceuticals and financial and professional services. In this regard, the government has received broad based support from stakeholders across Canada for FTA negotiations with Korea.

The government is aware of the concerns that have been expressed by the Canadian auto industry with respect to the closed nature of Korea's automotive market. FTA negotiations with Korea provide an excellent opportunity to address industry concerns regarding tariff and non-tariff barriers in Korea.

● (1855)

Mr. Brian Masse: Mr. Speaker, that simply is not acceptable. Right now we have a $2.6 billion trade deficit with South Korea. Our largest export right now is wood pulp, which is 25¢ per pound, versus Korean vehicles that are shipped into Canada at $15,000 each.

It is important to note that under Liberal and Conservative auto policy we have gone from being a manufacturer with a surplus and a net export to having a deficit, and we have dropped to 10th in the world. That is unacceptable.

As well, with the shutting of the tariff, we see state sponsored Korean automotive companies like Hyundai and Kia getting tens of millions of dollars. On top of that, the government has brought in feebates that will also provide Canadian taxpayer money to these foreign state owned companies. That is unacceptable and it puts auto workers and Canadians out of work.

A prophecy that comes to the conclusion here is when the Minister of Industry himself said that the auto industry would collapse under a Conservative government.

The Acting Speaker (Mr. Andrew Scheer): The hon. Parliamentary Secretary to the Minister of International Trade.

Mr. Ted Menzies: Mr. Speaker, contrary to statements made by the hon. member, the government is certainly not quietly negotiating trade deals with Korea. Rather, we have been upfront about these negotiations and have consulted with interested industry stakeholders every step of the way, including all segments of the Canadian automotive industry.

An FTA with Korea would help ensure that Canadian manufacturers would have effective access to Korea's automotive market through the elimination of tariff and non-tariff barriers.

On this last element, let me be very clear. The government is committed to ensuring that a Canada-Korea FTA creates new opportunities for the Canadian automotive manufacturers.

Importantly, benefits for Canada, however, are not limited to the automotive sector and span a wide range of goods and service sectors and also include potential new investment opportunities.

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

(The House adjourned at 6:57 p.m.)

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