



CANADA

House of Commons Debates

VOLUME 142 • NUMBER 044 • 2nd SESSION • 39th PARLIAMENT

OFFICIAL REPORT
(HANSARD)

Tuesday, February 5, 2008

—

Speaker: The Honourable Peter Milliken

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HOUSE OF COMMONS

Tuesday, February 5, 2008

The House met at 10 a.m.

Prayers

• (1005)

[English]

BUSINESS OF THE HOUSE

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, I rise on a point of order. There have been discussions among the parties, and the other parties are aware that I am seeking unanimous consent for the following motion:

That, notwithstanding any standing order or usual practices of the House, a bill entitled "An Act respecting payments to a trust established to provide provinces and territories with funding for community development" be permitted to be introduced and read a first time today; when "An Act respecting payments to a trust established to provide provinces and territories with funding for community development" is read a first time, it shall be deemed to have been read a second time and referred to a committee of the whole, deemed considered in committee of the whole, deemed reported without amendment, deemed concurred in at the report stage and deemed read a third time and passed.

The Speaker: Does the hon. government House leader have the unanimous consent of the House to propose the motion?

The opposition House leader is rising on a point of order.

Hon. Ralph Goodale (Wascana, Lib.): Mr. Speaker, we do not intend to delay this matter, but I wonder if the government House leader, or perhaps the Minister of Finance, could inform the House whether the trust that he has referred to in the title of this legislation has in fact been established.

Is the indenture document available? Can that document be tabled in the House at the same time as the legislation? Can the minister give us his assurance that the distribution formula for the funding among provinces and territories will be fair to all of the provinces and territories suffering the economic difficulty to which the bill refers and that the money available will be distributed in a fashion relative to the needs in the different regions across the country?

Hon. Peter Van Loan: Mr. Speaker, for some time the other parties have been seeking for this to be accelerated.

Obviously the distribution will be fair.

Obviously the trust has not been established, as we are seeking parliamentary authority to do exactly that, and this will not be able to happen until that has been done.

Of course we will want to have the agreements in place with the provinces, but the distribution arrangement will be fair, and I assume that all understand and appreciate that.

The Speaker: The hon. member for Vancouver East.

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, I am rising on the same point of order. I, too, certainly do not want to delay the proceedings, but I think there are some basic questions that need to be answered by the government.

We are prepared to give quick passage to this, but frankly, it is the responsibility of the government to be very clear about what the terms of reference are for this trust. We need to see that information. Also, we would like to know what the length of term is for this \$1 billion fund.

Certainly in the House the NDP has put pressure on the government for this and we are glad the government has now acknowledged that the money needs to be delivered, but for heaven's sake, how about giving some very basic information so that we know exactly what the terms of this motion are rather than legislation that we have not even seen yet?

I would ask the government House leader to give some basic information to all members today before we vote.

Hon. Peter Van Loan: Again, Mr. Speaker, the other parties have received copies of the draft legislation in advance to facilitate these discussions, so to suggest that they have not is simply not the case.

The trust must be established by March 31 of this year, before the end of the fiscal year, in order that those funds are available to flow, and those funds will be available to be dispensed in the time that follows on the basis that the provincial agreements establish.

I do not think there is a lot in question. This has been a matter of debate for some time. The questions we have been asked consistently are about whether will we move to accelerate this quickly. We have moved to fast track it in response to those questions.

The question is very simple. Do the parties, the members of the House, wish to support the establishment of this trust at all stages now?

Hon. Ralph Goodale: Mr. Speaker, obviously we wish to facilitate the establishment of this measure. We do not think it is adequate, but at least it is something.

Routine Proceedings

I would ask the government House leader, or perhaps the Minister of Transport, Infrastructure and Communities or the Minister of Finance, this question: are the discussions with all of the provinces and territories complete and are all of the premiers in agreement with the distribution formula?

The Speaker: I am not sure that these are points of order relating to the procedural question that is before the House. We seem to be straying from it.

Might I suggest that the members might want to have some discussions about these things elsewhere at the moment and then come back with this motion a little later this day if that is the case? I do not know that this is an appropriate way to deal with the procedural question which is now before the House.

The government House leader is rising to answer on this.

Hon. Peter Van Loan: Mr. Speaker, I agree with you that we are facing a series of dilatory questions to which the members making them know full well the answers.

Some hon. members: Oh, oh!

Hon. Peter Van Loan: They know full well that all provinces have not yet entered into agreements. They, particularly the opposition House leader as a former minister of finance, will also appreciate that if those agreements are not entered into by March 31, if the trust is not established by then, the moneys will not be available to flow to those provinces, so that is a matter of those provinces determining it themselves.

It is a very simple question. We have sought the unanimous consent of the House. It is now incumbent upon the House to determine whether or not it wishes to support this.

•(1010)

[*Translation*]

Mr. Thomas Mulcair (Outremont, NDP): Mr. Speaker, I will be brief. With respect to the same issue, last week in this House, in response to a question I asked, one of my colleagues, the member for Pontiac, said the following:

—there is a process to follow for appropriating new amounts of money. This process is called a “budget”.

That was his response, and there is a principle of parliamentary law that says we must take members at their word.

Last week, the member for Pontiac, who is a government minister, said that it was not possible to pay out the billion dollars now, which is exactly what we, the opposition, were asking him to do.

Now, the Leader of the Government in the House of Commons is telling us the same thing: trust him, even if he will not give us any details. I am sorry, but the opposition members are not the ones contradicting themselves. We have been very clear about what we want for months now. The problem is with the government. They are the ones who have to provide explanations.

I invite our colleague, the Leader of the Government in the House of Commons, to take the Speaker's suggestion to meet with us, and to at least have the intellectual honesty to admit that there is a blatant contradiction, and to ensure that everyone has a chance to speak about this important bill.

[*English*]

Hon. Peter Van Loan: Mr. Speaker, the government's intention on this matter was announced some time ago. There have been repeated questions in this House, not about the details of the proposal, but rather about whether it could be fast-tracked. Those were the repeated questions. We have moved in response to that. The same requests have been coming from across the country from premiers, from provinces and from others, from the communities affected.

We have put the question to the House. I have put it to you, Mr. Speaker, that you should ask the House its views. Otherwise, we see that there is a transparent effort simply to obstruct it.

The Speaker: Does the hon. government House leader have the unanimous consent of the House to propose this motion?

Some hon. members: Agreed.

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

Some hon. members: Agreed.

(Motion agreed to)

ROUTINE PROCEEDINGS

[*English*]

NATIONAL COMMUNITY DEVELOPMENT TRUST FUND ACT

Hon. Jim Flaherty (Minister of Finance, CPC) moved for leave to introduce Bill C-41, An Act respecting payments to a trust established to provide provinces and territories with funding for community development.

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

The Speaker: Pursuant to order made earlier this day, Bill C-41, An Act respecting payments to a trust established to provide provinces and territories with funding for community development, is deemed read the second time and referred to a committee of the whole, deemed reported without amendment, deemed concurred in at report stage and deemed read the third time and passed.

(Motion agreed to, bill read the second time, considered in committee of the whole, reported without amendment, concurred in, read the third time and passed)

Hon. Ralph Goodale: Mr. Speaker, I rise on a point of order. Now that this legislation has been passed, I wonder if the government House leader can tell us when the money will in fact flow to each province.

The Speaker: The hon. Minister of Finance on this questionable point of order.

Hon. Jim Flaherty: Mr. Speaker, I will try not to give a questionable reply. In the first place, the money cannot flow, of course, until it is authorized by this House through legislation and, then secondly, after the agreements are signed with the provinces and territories.

*Routine Proceedings***CRIMINAL CODE**

Mr. Borys Wrzesnewskij (Etobicoke Centre, Lib.) moved for leave to introduce Bill C-500, An Act to amend the Criminal Code (trafficking and transplanting human organs and other body parts).

He said: Mr. Speaker, I rise to introduce my private member's bill, an act to amend the Criminal Code (trafficking and transplanting human organs and other body parts).

This horrific underground industry in human organs and body parts is a consequence of three global trends coinciding during the last decade: first, the development of medical technology, allowing the inexpensive transplantation of virtually any body organ; second, the immense increase in global disparities and incomes; and finally, easy and accessible travel to any part of the globe.

Recent articles about the million dollar business of “Dr. Horror”, involved in the illegal harvesting of kidneys of a possible 500 poor labourers in New Delhi, India, and his Canadian connections, as well as a spotlight placed on illegal harvesting of organs of prisoners of conscience in China in the 2007 Matas-Kilgour report entitled “Bloody Harvest”, underscore the urgent need to address this modern horror.

By enacting this legislation, Canada will become an international leader in combating the sinister underground trade in human organs and body parts.

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

* * *

•(1015)

[*Translation*]

COMMITTEES OF THE HOUSE

FINANCE

Mr. Paul Crête (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, BQ): Mr. Speaker, I move that the first report of the Standing Committee on Finance, presented on Thursday, November 29, 2007, be concurred in.

It is with great pleasure that I rise today to ask that the House concur in this first report of the Standing Committee on Finance, as it relates directly to the decision that has just been made. The government had decided to establish a trust whose implementation would have been dependent on the passage of the budget. Following representations arising from a consensus in Quebec and led by the Bloc Québécois, the government agreed to no longer tie to the passage of the budget the motion for the establishment of the trust in question. That is a good move, and we are pleased about it.

However, much remains to be done to provide the forestry and manufacturing sectors with adequate support. That is what prompted, in November, the Bloc Québécois to have a motion passed at the Standing Committee on Finance. This motion was included in the committee's first report, which reads as follows:

—the Standing Committee on Finance recommends that the government promptly introduce the tax measures in the unanimous report of February 2007 entitled *Manufacturing: Moving Forward — Rising to the Challenge*, and that the adoption of this motion be reported to the House at the earliest opportunity.

Now that we have succeeded in getting the government to make funding available for the trust as soon as possible—legislation was passed—the government has to agree to make the money available from this year's surplus. While \$1 billion will go to the trust, another \$10 billion will go to paying off the debt, even though Canada's debt-to-GDP ratio is currently the best among G-8 countries. The problem is that Canada is not doing enough to deal with the crises in the forestry and manufacturing sectors. That is the context in which the report of the Standing Committee on Finance was produced.

Remember that there was no opposition to this report. When the report calling for the implementation of the tax measures in the Standing Committee on Industry, Science and Technology's report on manufacturing was adopted, the Conservative members of the committee were not opposed. The vote was unanimous, without any opposition. All the other parties supported the Bloc motion because there obviously really was a crisis in manufacturing as a result of the increase in the value of the dollar and competition with the rest of the planet due to globalization. Something concrete had to be done.

Why does this matter so much? Manufacturing is a crucial sector in Quebec. It accounts for 536,000 jobs and \$22 billion in wages and salaries. It provided 17% of all jobs in 2005 and nearly 21% of earned income, nearly three times as much as in Alberta. In addition, 90% of Quebec's international exports come from manufacturing. Manufacturing shipments make up 59% of GDP. Even more important, ultimately, are the thousands of jobs that depend on it. The crisis in manufacturing is therefore extremely serious.

Some 78,000 manufacturing jobs have been lost in Quebec just since the Conservatives came to power. Since April 2005, 21,000 jobs have been lost in the forest industry alone, including allied industries and services such as transportation and forest equipment. That is half the Canadian total.

But now they are planning to spread the assistance all across Canada, with every province benefiting. This clearly does not reflect the reality. The fact of the matter is that Quebec and Ontario are most affected by the crisis in manufacturing and forestry, and the allocations should take this fact into account.

Today we are asking Parliament to approve the report of the Standing Committee on Finance, which asks the government to implement the tax measures in the report on manufacturing. The tax recommendations can be implemented very quickly. We saw it today. Two weeks ago, the government was saying that we would definitely have to wait until the budget, everything would be decided in the budget, and we would have to vote in favour of it if we wanted these measures brought forward.

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The government knew, though, that it could introduce a bill and have it voted on, just as the government did last fall at the time of its economic statement. There was a consensus a little while ago and they changed their budget approach to the \$1 billion. Now we are asking the government to continue in the same vein, heed the unanimous recommendations of the Standing Committee on Industry, Science and Technology, and of the Standing Committee on Finance and proceed with the tax recommendations in the report.

● (1020)

Here is the first recommendation:

That the Government of Canada modify its capital cost allowance for machinery and equipment used in manufacturing and processing and equipment associated with information, energy and environmental technologies to a two-year write-off (i.e., 50% using the straight-line depreciation method) for a period of five years. This measure would be renewable for further five-year periods upon due diligence review by a parliamentary committee.

In the last budget, the Conservative government took a tentative step in the right direction and granted this tax advantage for two years. Representatives of businesses in the manufacturing sector, particularly the pharmaceutical sector, told us that a two-year time frame was not enough to convince their parent companies to invest in Quebec and Canada, even though that is what we would like to see.

We hope that the Standing Committee on Finance's first recommendation, which was unopposed in committee, will be heeded here and that the House will adopt the report at the end of this debate, which was initiated by the Bloc. Everyone hopes that the government will extend that period to five years, as recommended by the committee. Support for this is unanimous. The Canadian Manufacturers and Exporters, including the organization's Quebec wing, the federation of chambers of commerce and everyone else wants accelerated capital cost allowance to be extended for five years.

In the last budget, the federal government decided to lower business tax rates, which was good for businesses that are making a profit. However, the measure did nothing at all to make things better for those that are not making a profit. The government says that it does not have the means to implement such a measure, yet all it had to do was keep the tax rates where they were. At any rate, given the current surplus, there should be no problem bringing in a measure like this.

The second recommendation of the Standing Committee on Industry, Science and Technology, which is supported by the Standing Committee on Finance, would affect taxation. It reads as follows:

That the Government of Canada raise the capital cost allowance rate for rolling stock, locomotives and inter-modal equipment to 30% using the declining-balance depreciation method.

Clearly, this recommendation is inspired by the same logic as the first one. In addition, it has important environmental aspects. Rail is a very clean and environmentally friendly mode of transportation. It reduces greenhouse gas emissions and is a more economical and sustainable way to transport goods and people. It is easy to understand why the Standing Committee on Finance sees this as an opportunity to kill two birds with one stone.

I was on the Standing Committee on Industry, Science and Technology when it unanimously adopted the 22 recommendations. I became the finance critic and had these tax recommendations adopted by the Standing Committee on Finance because the unanimous report of the House called for what Quebeckers and Canadians want: economic action by this government, an economic policy to replace the current laissez-faire approach. That is why the committee would like to see this recommendation implemented.

The third tax recommendation by the Standing Committee on Industry, Science and Technology, supported by the Standing Committee on Finance, reads as follows:

That the Government of Canada improve the Scientific Research and Experimental Development (SR&ED) Tax Incentive Program to make it more accessible and relevant to Canadian businesses. The government should consider making the following changes:

1. make the investment tax credits fully refundable;

Businesses, which are promoting research and development today and are competing for contracts, must have refundable tax credits so that they can make the necessary investments in research and development. If they do not make a profit, they are unable to fund their research and development. We have to put an end to this vicious circle and ensure that Canada can move forward by supporting our businesses. That would help them land contracts. I am not talking about subsidies; I am talking about creating a fiscal framework that would enable companies to compete and take their place on the market.

The government should also consider the following changes:

2. exclude investment tax credits from the calculation of the tax base;
3. provide an allowance for international collaborative research and development;

In the current wave of globalization, this last change would facilitate partnerships with interested companies in the U.S., Europe and all the other countries in the world. It would also restore Quebec and Canada to their former positions as leaders in research and development. Currently, R&D is lagging somewhat here.

The government should also consider the following change:

4. expand the investment tax credits to cover the costs of patenting, prototyping, product testing, and other pre-commercialization activities.

● (1025)

It became clear that our businesses needed a boost, an advantage, in order to spark their interest in research and development. It was with this in mind that the measure was included in the report prepared by the Standing Committee on Finance.

All of these measures came from the recommendations made by the Standing Committee on Industry, Natural Resources, Science and Technology. Before the budget, the Bloc Québécois estimated the needs in the area of \$4.5 billion. I would remind the House that this year, if no action is taken, a few minutes ago, a billion dollars was allocated to the trust. That money will be available immediately, thanks to the efforts of the Bloc Québécois to be the voice of the consensus in Quebec on this.

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There is still \$10 billion left, which will be paid against the debt, even though it is not needed at this time. Canada's debt-to-GDP ratio is one of the best of all G-7 countries. What is less positive is that we are not helping our businesses enough to be competitive. From that perspective, one would think that, with the \$10 billion surplus, the federal government could, in order to restore its reputation as a fair government, help seniors with the guaranteed income supplement in the amount of \$3 billion. We would like \$4.5 billion to be allocated for immediate economic renewal measures. A payment of \$1 billion was just passed, for communities affected by the forestry crisis. Additional money is also needed to help our businesses. We just saw some measures put forward for this year's budget. This could mean some \$1.5 billion and \$500 million for Technology Partnerships Canada. That program already exists and has helped businesses create new products.

We have a fantastic example in Rivière-du-Loup. Premier Tech is a company that has benefited from assistance measures. It has partnered with the federal government on two occasions and the amounts received definitely led to the creation of hundreds of jobs. This program was abolished by the Conservatives. They established a new program that helps only the aviation industry. This sector needs assistance and we see that it works. However, the fund should be reactivated to help other sectors that are creating new products. We believe that an amount in the order of \$500 million could be allocated for this year.

Therefore \$1.5 billion is required for equipment upgrades, \$500 million for Technology Partnerships Canada and \$1.5 billion for assistance to workers affected by this crisis. We feel that these amounts are reasonable and are options the government should choose in the coming days and weeks.

Why table this motion today? Because we realized that, by hammering away with solid arguments, we could manage to move the government. We have made it take action on the trust. We will now work on having it allocate a portion of the current year's surplus right now, soon, in the days to come, so that we can move on helping the manufacturing and forestry industries that are currently in the grip of a serious crisis.

Last fall, the Minister of Finance, with his rose-coloured glasses, told us that everything was going well. We laid the figures on the table, we showed him that although jobs were being created in the energy sector, the manufacturing and forestry industries were not doing well. We told him all over again, we laid the arguments on the table, we provided statistics, we obtained strong support throughout Quebec and across Canada and, finally, the government agreed to create a one billion dollar fund, with the rather petty approach of tying it to the budget. We continued to fight for the immediate release of the money.

Last fall, the Bloc Québécois made public some proposals that are also found in the unanimous report of the Standing Committee on Finance we are debating this morning in this House. That is what needs to happen next. This needs to happen. The government needs to accept the proposals of the Standing Committee on Finance, and of the Standing Committee on Industry, Natural Resources, Science and Technology. They are proposals by the Bloc Québécois, which worked out the numbers and put them on the table last fall.

As far as the higher dollar is concerned and the parity we have seen for the past few months, we still have not felt its impact in terms of job creation. The negative impact will be felt in the coming months. We know that the U.S. economy is experiencing a major slowdown, and may be heading into a recession. We have the means to intervene, but the federal government is acting like a homeowner who is obsessing over putting all his money into paying down his mortgage as quickly as possible without spending the bare minimum to maintain his house and improve it.

● (1030)

I gave that example to the representative from the Coalition pour le renouvellement des infrastructures du Québec, the mayor of Laval, who said it is not just a matter of fixing up the back deck; the foundation is in disrepair.

Part of the investment the Bloc would like to see can be done by injecting money into infrastructure in the next budget. The gas tax rebate for municipalities needs to be stepped up. Instead of a slow 1¢ or 2¢ increase until 2010, in the 2008 budget, there needs to be a 5¢ increase. That would put \$1 billion back into the economy that could be spent on improving infrastructure.

There is concern among the public and the financial sector. We see it in all the newspapers. They say that companies would like the federal government to be innovative and ensure that new tax cuts are targeted, through refundable tax credits, for example. The Bloc Québécois is speaking on behalf of employers, workers and all those who are having a very difficult time dealing with the current crisis. This is not just a matter of principle.

In Donnacona in Mauricie and in Shawinigan and Cabano, where I went during the prebudget consultations, in the eastern regions of Quebec, people told us that it was urgent that the federal government live up to its responsibilities, that it use a significant portion of this year's surplus to restart the economy, and that it do so, not in the form of subsidies, but rather a positive tax base.

Of the \$10.3 billion surplus remaining after \$1 billion is allocated to the trust, they are prepared to allocate \$3 billion to the debt. That still leaves \$7 billion that can be committed in the days to come. This morning we saw that we are entitled to do it, we can do it, and it is legal. The only thing missing is the political will, and that is what we want. We want the federal government to come around to putting this forward. As it did in the case of the trust, we hope that it will also recognize the merit of the Bloc's arguments and the arguments presented in this House.

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I hope that we will have massive support by all parties in this House for approving the report. There would be nothing better than a report approved unanimously by this House to tell the federal government that these measures have to be put in place as soon as possible, that we have to use our share of the available surplus and that the next budget also has to go in the same direction. These are the two actions that we must continue to put forward.

Before we came to this House, the Bloc Québécois committed itself to using every parliamentary tool to achieve these results. Last week, a major offensive was undertaken in five different committees, and today we are continuing, by using another tool: the fact that the report of the Standing Committee on Finance can be approved. We are returning to the fray in question period now that Parliament has resumed.

The people of Quebec and Canada, and many communities, expected this billion dollars for the trust to be available now. We have won this victory. Those people also expect that a significant portion of the surplus for the current year will be reinvested in the economy so that we can deal with the manufacturing and forestry crises, the slowdown in the American economy and the rise in the value of the dollar. It is our responsibility, as parliamentarians, to move forward on this.

I hope that the Bloc will receive all parties' support in this House in voting for this motion. We would point out, and I will conclude on this point, that support in the Standing Committee on Finance was unanimous. The Liberals and New Democrats voted for this motion, while the Conservatives abstained. I hope that we will find the same kind of unanimity and that the Conservative Party, which has started to budge in response to our arguments, will move forward. This is important for the economy, for jobs, for families and for communities in Quebec and Canada.

•(1035)

Mr. Louis Plamondon (Bas-Richelieu—Nicolet—Bécancour, BQ): Mr. Speaker, I would like to make two short remarks.

I would like to invite my colleague, whose remarks were both eloquent and relevant, to comment on two things. I believe that the suggestions put forward on behalf of the Bloc Québécois by the party critic are achievable and constitute an appropriate response to the expectations of various stakeholders in the manufacturing and forestry sectors.

In his speech, my colleague mentioned this morning's passage of the billion dollars to be distributed on a per capita basis, that is divided among all of the provinces. My colleague expressed surprise, and with good reason. For example, he said that 75% of the manufacturing and forestry industries at issue are in Quebec and Ontario. In Quebec alone, 40,000 jobs have been affected. Yet the government will give the same amount of money, \$130 million, to Alberta, where no plants have shut down and where there is little, if any, forestry.

Given his wealth of experience, I am sure that my colleague can provide a historical overview. For example, when the mad cow crisis happened, did Newfoundland and Labrador get any money? No, money was given to the province that was affected by the mad cow problem. When extreme drought was decimating agriculture—I am thinking of the grasshopper problem a few years back—the

government distributed \$1 billion according to the needs of each province. Quebec received about \$40 million and western Canada got about \$950 million because the problem was worst there. Should the same formula not apply in the case of this \$1 billion aid package?

My second question is a short one. Is my colleague surprised to see that all of the Conservative members from Quebec have kept quiet on this issue? They have not said a word about this, nor have they risen in the House, asked questions, made one-minute statements or speeches, or spoken up in public to protect Quebec's interests in this matter.

Mr. Paul Crête: Mr. Speaker, I want to thank my colleague from Bas-Richelieu—Nicolet—Bécancour for his remarks.

Regarding the allocation of the billion dollars that we just voted for, that will be decided when we determine how the funds in the trust will be allocated. We will have to fight again because it simply does not make any sense and is totally out of keeping with the economic reality.

I gave some examples to illustrate the seriousness of the crisis in manufacturing. Some 78,000 jobs have been lost in Quebec since the Conservatives came to power, 21,000 of them just in forestry. These figures do not include the period since the summer of 2007. In the meantime, jobs continue to be lost. Quebec and Ontario are the heart of the manufacturing industry.

A fund was created in the case of mad cow disease. The people affected by the crisis could take advantage of the fund, and that is how it should have been.

That is why it is important this morning to adopt the report that was submitted on tax measures for these industries. The tax measures will benefit the existing industries, especially the refundable tax credit.

Companies in Quebec that are currently fighting hard to offer innovative products and keep their market share unfortunately cannot decide to invest in research and development because they are not generating the profits needed to take advantage of the tax deduction. Oil companies, on the other hand, are raking in huge profits and get tax credits as well, which have the effect of reducing their taxes payable. Even if manufacturers do invest in research and development, they are not making any profits and do not benefit, therefore, from the tax credit in the same way, because it is not refundable.

In my view, there is an injustice here. There is an obvious emergency and the money should be made available as quickly as possible. We managed to get the Conservatives finally to move on this issue, thanks to the consensus in Quebec, as conveyed to the House by the Bloc Québécois. I agree with my colleague that a lot of Conservative members must have been very surprised this morning. Ever since Christmas they have been defending the Prime Minister's claim that we would have to wait for the budget and nothing else could be done. He could not remember that they had done it differently with the economic statement last October.

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Now the Conservative members have just been astounded by something else, and I want to conclude on this point. The Minister of the Economic Development Agency of Canada for the Regions of Quebec said yesterday that it was all thanks to the Bloc Québécois. We hear the Conservative members from Quebec say over and over that the Bloc is not good for anything. Yesterday, the Minister of the Economic Development Agency of Canada for the Regions of Quebec said that it was the Bloc that forced them to move.

We are here to defend the interests of Quebec, and we proved it this morning. However, the battle is not over. There is more to do. We will win because we have Quebec behind us.

• (1040)

Mr. Bernard Bigras (Rosemont—La Petite-Patrie, BQ): Mr. Speaker, I would like to start by congratulating my colleague on his speech about the motion adopted on November 28, 2007. He gave an excellent presentation on how the report of the Standing Committee on Finance can benefit the Quebec economy and the manufacturing industry. For example, it is increasingly clear that our industries need to be more productive in the future and will need to upgrade their equipment.

However, my colleague did not really address the fact that making tax benefits more accessible to the manufacturing industry helps build a more sustainable economy in Quebec. Why? Because in Quebec, in certain sectors of economic activity—particularly the manufacturing sector—there are businesses with old technology. So they need more accessible tax benefits, such as refundable tax credits for research and development, and capital cost allowance with a two-year write-off, for a period of five years. For example, I was thinking about recommendation No. 2 from the report of the Standing Committee on Finance, which recommended a 30% capital cost allowance rate for rail rolling stock and locomotives.

Does the member admit that not only will this report help make the manufacturing industry more productive, but that it will also help change industrial processes, making our economy greener and more sustainable?

Mr. Paul Crête: Mr. Speaker, I fully agree with what my colleague from Rosemont—La Petite-Patrie is saying. A year ago, I was industry critic. The Standing Committee on Industry, Natural Resources, Science and Technology made the recommendations that the Standing Committee on Finance is now proposing to the House. This was all done in a context of sustainable development.

There is no finer example than public transit in terms of capital cost allowance. If there is investment in cleaner transportation, jobs will be created. For example, the Bombardier plant in La Pocatière manufactures railway cars, locomotives and that type of vehicle. What is more, they are helping the environment. We are incorporating the idea of sustainable development and making great strides.

The current government has always made a distinction between economic development and the environment, but we now need an approach focused on sustainable development, as my colleague was saying. We have to make sure that any economic decisions are made with a view to sustainable development. In future, there can no longer be reckless development that does not take into account the impact on the environment.

The measures being proposed today would help achieve balance. The federal government has helped the oil sands industry and the oil industry very generously over the past few decades with all sorts of tax credits. Now it has an opportunity to help us have a cleaner manufacturing industry.

This industry has already made a significant effort in Quebec compared to the other provinces. We can report on the progress it has made. Nonetheless, this type of credit would allow stakeholders to go even further and, ultimately, we would have cleaner industries. This will allow development instead of the current laissez-faire approach that is resulting in job losses. Products will always need to be manufactured somewhere, but we cannot continue the current practice of offshoring. In some countries, of course, jobs are a matter of day-to-day survival and that is harder to reconcile with environmental issues. Nonetheless, if there is one thing we can do for this planet, it is to ensure that development is accompanied by acceptable environmental sustainability. The little things we do today can have a very positive impact in the future. Companies may get tax credits to improve their productivity and will thereby contribute to sustainable development for Quebec and Canada.

• (1045)

[English]

Mr. Rick Dykstra (St. Catharines, CPC): Mr. Speaker, I also thank the hon. member for Montmagny—L'Islet—Kamouraska—Rivière-du-Loup for providing me with the opportunity to talk about what this government is doing to help the manufacturing sector. I also want to say that the finance committee is trying to work through these issues with all parties. I certainly appreciate the member's efforts in that regard.

I want to mention a few facts about our economy because, quite frankly, our economic fundamentals are exceptional. We are experiencing the second longest period of economic growth in the history of our country. Core inflation has remained within our set range of 1% to 3%. Our unemployment rate is the lowest in more than 30 years and there are more Canadians participating in the workforce than ever in the history of Canada.

We are reducing debt and we are on the best financial footing of any country in the G-7. We are the only country of the G-7 with ongoing budget surpluses, plus a falling debt burden.

Nevertheless, we must remain prepared for the challenges that confront us, including a significant rise in the Canadian dollar and its impact on the manufacturing sector, increased competition from emerging economic giants, such as China and India, and a shortage of skilled workers and an aging population.

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As the world changes, Canadians need to work together to make Canada even more prosperous and strong, which is why our government developed Advantage Canada, a strategic, long term economic plan designed to improve our country's economic prosperity both today and in the future. This plan sets Canada on a path toward achieving five key advantages that will strengthen our nation and show a modern, ambitious and dynamic Canada to the rest of the world.

First, the plan will create a tax advantage for Canada by reducing taxes for all Canadians and establishing the lowest tax rate on new business investment in the G-7.

Second, a fiscal advantage will eliminate Canada's total government net debt in less than a generation and will create a strong foundation on which to build sustainable prosperity.

Canada's entrepreneurial edge will reduce unnecessary regulation and red tape and lower taxes to unblock business investment. By building a more competitive business environment, consumers will receive goods at lower prices and Canadian businesses will be better equipped for global success.

The Advantage Canada plan will also create a knowledge advantage by developing the best educated, most skilled and most flexible workforce in the world.

The fifth part of the plan focuses on an infrastructure advantage in order to create modern, world-class infrastructure to ensure the seamless flow of people, goods and services across our roads and bridges, through our ports, our gateways and via our very important public transit systems. Each component of the Advantage Canada plan will benefit the manufacturing sector.

Today's motion asks the government to introduce tax measures to support Canadian manufacturing. Recently, the Minister of Finance was in Quebec City as part of the government's prebudget consultations to hear about the challenges facing the manufacturing sector. The finance committee went to Montreal to listen to manufacturers about the types of steps that we need to take to enhance the manufacturing sector in our provinces, territories and throughout the country.

Although it has been a difficult period for many, manufacturers in Canada have been resilient. In the face of adversity, they have acquired more and better technology and equipment. They have improved productivity, have become more diversified and have broadened their reach in this highly competitive, global marketplace. Manufacturers are responding to this difficult situation and so are we.

The government is lifting the tax burden by lowering taxes of every description, including a historic reduction in business taxes.

• (1050)

Canada's strong economic and fiscal foundation has provided the government an opportunity that few other countries have: to put in place historic, broad based tax reductions that will strengthen our economy from one end of the country to the other.

I am talking about the comprehensive tax reduction action that this government has taken since coming into office. Many of the tax

reduction initiatives brought forward by our government are broad based, while others will provide direct strategic tax relief to the manufacturing sector.

The capital cost allowance system determines how much of the capital cost of an asset a firm may deduct each and every year. The rates are generally set so that the deductions for capital costs are spread over the useful life of the asset. This ensures the accurate measurement of income for tax purposes and promotes neutrality with respect to investment decisions. Where a capital cost allowance rate is too low to reflect an asset's useful life, an increase to that rate can reduce the tax burden on investment and increase the efficiency of the tax system.

As part of the government's continuing review of capital cost allowance rates and to further the Canadian tax advantage, budget 2007 contained a number of changes to capital cost allowance rates to better reflect the useful life of assets. For example, budget 2007 increased the capital cost allowance rate for buildings used for manufacturing or processing to 10% from 4%. This change will better reflect the useful life of the buildings in the sector because, as we know, in the manufacturing business buildings tend to need repair and rework based on the fact that they are used sometimes on a 24-hour basis. Those repairs should be reflected, quite frankly, in the ability of the company to make and earn a profit.

This year's budget also increased the capital cost allowance rate for other non-residential buildings to 6% from 4%. Furthermore, the budget increased the capital cost allowance rate for computers, an important asset for the manufacturing sector to 55% from 45%.

In addition to those rate changes, to better reflect the useful life of assets in recognition of the economic challenges facing the manufacturing and processing sector, budget 2007 introduced a new temporary investment incentive for manufacturing and processing businesses.

For investment in eligible machinery and equipment, until the end of the 2008 year, businesses engaging in manufacturing or processing will be eligible to claim an accelerated capital cost allowance at a rate of 50% on a straight line basis. This rate will allow these investments to be written off in a two-year period on average after taking into account the half year rule which treats assets as if they had been purchased in the middle of the year.

Taken together, those measures will provide a much more favourable climate for manufacturing and processing businesses to accelerate or increase their investment in buildings, in machinery and in equipment. What is more, those measures will assist the manufacturing sector in restructuring to meet the challenges they are currently facing.

Ours is not a government that rests on its laurels. Even after the budget of 2007, we knew we had more work to do for individual Canadians, for families and, in particular, for businesses across the country, which is why in the economic and fiscal update we are reducing the general corporate income tax rate to 15% by 2012. This broad based tax reduction will improve the investment environment for every sector of the economy, including the manufacturing sector.

Tax reductions announced by this government, the majority of them broad based, will result in \$8.2 billion in tax relief for manufacturers and processors. This includes tax reductions totalling \$2.6 billion over this and the next five years in the recent economic statement of October 30, 2007, and \$5.6 billion for measures announced in the last two federal budgets and the tax fairness package.

• (1055)

However, It is not only the federal government that can provide tax relief to Canadian businesses. Provinces also have an important role in improving Canada's business tax competitiveness.

To encourage further provincial action, budget 2007 put in place a financial incentive to facilitate the elimination of provincial capital taxes and indicated the government's willingness to work with the provinces to complete the sales tax harmonization initiative. Canadians are already reaping the rewards of the first of these measures.

Since the announcement of the measure to encourage provinces to eliminate their capital taxes as soon as possible, both Quebec and Ontario have acted to qualify for the incentive and Manitoba has also announced its intention to do so.

Canada now has a solid, statutory, corporate rate advantage over our partners in the United States and this advantage will continue to grow year after year through 2012.

In addition, as a result of this government's actions, Canada will meet the Advantage Canada goal of establishing the lowest overall tax rate on new business investment by 2011.

As I said at the outset, I am glad the hon. member's motion provided me with the opportunity to tell the House what action this government has taken to assist our manufacturing sector.

[*Translation*]

Mr. Paul Crête (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, BQ): Mr. Speaker, I listened carefully to the speech by my colleague, with whom I have the opportunity to work on the Standing Committee on Finance. Our economy has indeed performed extremely well in the past decade, thanks to the concerted efforts of people across the country.

But times have changed. The United States is on the brink of recession, and Canada's manufacturing and forestry industries are in a major crisis. The government acknowledged as much this morning when it decided to make the \$1 billion trust fund available more quickly, before the budget is tabled.

Last year, there were warning signs. The Standing Committee on Industry, Science and Technology produced a unanimous report with 22 recommended measures for the Minister of Finance to include in the budget. But they were not in the budget. We expected to see them in the economic statement in the fall, but only one recommendation was implemented.

Does my colleague not recognize that Canada needs much stronger action now and that our businesses need a tax base that will promote research and development?

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When the current government decided to reduce corporate taxes across the board, it was using one of the tools at its disposal. The Standing Committee on Industry, Science and Technology had stated unanimously that this was not the priority, because it would give money to businesses that already made huge profits, but it would not encourage less profitable companies to increase their R&D.

Does my colleague not recognize that refundable tax credits for research and development would give our businesses a tremendous boost? Is this not one of the measures the government absolutely must put in place as soon as possible, using this year's surplus, now that it has \$3 billion to pay down the debt and it could spend \$2 billion to help businesses in the same way, without hurting—

The Deputy Speaker: The hon. member for St. Catharines.

[*English*]

Mr. Rick Dykstra: Mr. Speaker, my colleague made note of the industry report, which was debated at great length in the finance committee prior to our coming back here in December. He spoke well of the report. The industry committee was ably chaired by the member for Edmonton—Strathcona who also came to the finance committee to speak to this report when it was being debated.

Although my colleague questions and honours the report itself, he did not want the chair of the industry committee to speak to the issues that he is speaking to today. I never had the chance to ask him why he would not let the chair speak but I will leave that as it may.

One of the most important aspects in that report, which was submitted to the finance minister, was the accelerated capital cost allowance, the two year program that would benefit industries all across this country. In fact, the most important part of that report was implemented in the 2007 budget. Prebudget consultations were held across the country and Canadians and businesses told us that this was a good idea and that it was important to have it in the budget. Hopefully there is the potential to extend that program.

The Minister of Finance listened closely to the comments and has read the submissions that were made at the prebudget consultations to consider further extending the two year manufacturing accelerated capital cost allowance. We will need to wait for the budget but I know he listened very closely.

• (1100)

Mr. Bill Siksay (Burnaby—Douglas, NDP): Mr. Speaker, I am really glad that we have the opportunity this morning to discuss concurrence in the industry committee report, "Manufacturing: Moving Forward—Rising to the Challenge".

One of the suggestions that the NDP member on that committee made in a supplementary opinion that was attached to the report was to call for specific sectoral manufacturing strategies.

New Democrats have long called for a specific auto strategy. I know the member, being from St. Catharines, will know the importance of having a specific auto strategy, but for years we have not had that kind of specific strategy to deal with the auto industry and we still do not.

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We also called for specific strategies for the textile industry, aerospace, shipbuilding, plastics, food processing and chemicals.

I wonder if the member could comment on the need for those specific sectoral strategies, and particularly the need for an auto strategy which we have yet to see in Canada.

Mr. Rick Dykstra: Mr. Speaker, I thank the member for his appreciation for the hard-working employees of the auto sector. The members of the CAW and members of the community of St. Catharines work extremely hard and are dedicated individuals to that sector. Productivity and quality coming out of the Glendale plant in St. Catharines could not be better. It is one of the best not only in our country but in North America. I appreciate his noting that.

There is certainly from a broad base perspective a focus that we have taken as a government to ensure that all sectors in this country are ably prepared to tackle the issues that they face today and to continue to be competitive. Not only that, but we have to make sure that over the long term they are going to be competitive, that they are going to be able to remain in business, that they are going to stay in communities like St. Catharines, Burlington, Peterborough and Oakville.

I certainly look to the Minister of Industry and his efforts to come forward with a further plan that will see from a strategic perspective investments in some of the areas that we need to make and that we have made. I think of training and re-educating and the role that we need to play to ensure that we remain competitive and continue to work toward a much more competitive environment here in our country.

[Translation]

Mr. Bernard Bigras (Rosemont—La Petite-Patrie, BQ): Mr. Speaker, I was somewhat surprised to hear my Bloc Québécois colleague tell us that, during deliberations of the Standing Committee on Finance, the Conservatives abstained from voting on this motion and the report. This only shows that the Conservatives and the governing party want to keep the manufacturing industry in the stone age relative to the modern economy. Opportunities abound, however, for example in this report and this recommendation, to promote what I call intelligent transportation, a more sustainable intermodal transportation. The government and the Conservative MPs refuse to support this type of measure.

This is completely unacceptable, especially since we know that the federal government has decreased investments in the rail system over the past few years, even though that system represents the future of transportation. Cleaner methods of transportation, such as marine, for example, must be used and links must be created, particularly with the regions in Quebec and northern Quebec.

Does the hon. member see that, by refusing to support this kind of report, the government is holding the manufacturing industry back and not allowing it to change its industrial processes? Not only is this hindering the productivity of businesses, but at the same time, it goes against a rule that ought to be generally accepted, that is, to support decisions that encourage sustainable development.

● (1105)

[English]

Mr. Rick Dykstra: Mr. Speaker, I can think of no better sustainable decision than the 2007 budget. Whether we talk about the infrastructure investments in it, whether we talk about equalization, whether we talk about specific investment in Quebec, the 2007 budget did all of those things.

The member spoke about going back to the stone age. I certainly do not advocate it, but if he is a fan of the *Flintstones*, I will not criticize or go there. I do not have the time to do it. However, I will say that the important word in the stone age is “stone”. Across this country we had seen a lack of investment in infrastructure over the past number of years.

In the 2006 budget there was an investment of over \$16 billion in infrastructure. In the 2007 budget there was an investment of \$17 billion in infrastructure, not including the \$1 billion in the 2006 budget for universities, specifically for infrastructure. There is over \$33 billion to partner with the municipalities, to partner with the provinces to rebuild an infrastructure system.

As the member mentioned the word, a lot will be made out of stone. If he believes that is not an important component of this country and the infrastructure that we certainly rely on, I would argue that sadly, the member is mistaken.

I would suggest that the hon. member be careful about the words he uses, because I can assure him there are communities, companies and people across this country who are waiting for bridges, for investments in roads, for sewer and water—

The Deputy Speaker: Order. I do not want the Chair to be accused of having a heart of stone, but that part of the debate has come to an end. Resuming debate, the hon. member for Markham—Unionville.

Hon. John McCallum (Markham—Unionville, Lib.): Mr. Speaker, I will be splitting my time with the member for Kings—Hants.

Here we are, 364 days after the industry committee tabled its report in the House with 22 separate recommendations, all put forward by the manufacturing sector itself, and what action have we seen from the government? Actually, we have seen it implement one-half of one of the 22 recommendations.

Industries told committee members that the government should modify the capital cost allowance to allow for a direct two year writeoff of machinery and equipment and that this should be made available to them for five years. The members of the committee, understanding the planning horizon that many of these industries need to make large capital acquisitions, recommended this sensible approach to the government.

The finance minister, though, thought he knew better than industry. He felt that his years as a lawyer and a politician had taught him more about the needs of manufacturers than manufacturers themselves. As a result, he only provided this benefit for two years instead of the five that the manufacturers had requested. Let us look at the results of this brilliant insight by the Minister of Finance.

In January 2007, the Conference Board of Canada's business confidence survey indicated that 56% of business leaders thought it was a good time to undertake investment expenditures. Just last week, that is, a year after the fruits of the labour of the finance minister should have become evident, it released its winter 2008 business confidence survey and only 46% of business leaders felt the way they had last year. On top of that, business confidence has hit a nine year low in this country. That is lower than it was in the aftermath of 9/11 and lower than it was at the time of the SARS difficulties, hardly a vote of confidence in the economic policies of the Minister of Finance.

That brings us to today. As I mentioned, it is one year less a day since my colleagues in the industry committee tabled this fine report. For 364 days now, the government has let the report sit on a shelf collecting dust while it runs around the country telling Canadians that everything is just fine. However, a quick look at Statistics Canada's monthly employment surveys will tell a very different story from the rosy picture the government is trying to paint.

Since this report was tabled, 135,000 manufacturing jobs have simply vanished, gone up in smoke. That is a big number and it is important because each one of those 135,000 jobs represents a Canadian who is a breadwinner for his or her family, people who have to make mortgage payments, buy groceries and make sure their kids get to hockey practice.

Back in November, the Liberal members of the finance committee secured a series of meetings to hear from representatives of sectors like tourism, forestry, retail and manufacturing. These meetings actually led the member for Montmagny—L'Islet—Kamouraska—Rivière-du-Loup to table the motion that we are debating today.

During the course of those meetings, Jim Stanford, chief economist of the Canadian Auto Workers, told the committee that unless the government began to get engaged, the manufacturing sector could easily lose 300,000 more jobs in the next two to four years, but the government has shown no sign whatsoever that it will engage on this subject of such importance to all Canadians.

I believe this neglect of the manufacturing sector and this neglect of the unanimous industry report by the government illustrates the two fundamental differences between Conservatives and Liberals when it comes to economic policy. Let me list those two differences.

First, Liberals are the party of fiscal prudence and Conservatives are not. Second, Liberals believe in an active but prudent approach to economic policies and Conservatives believe in a combination of laissez-faire and "I don't care". Let me go through each of those two positions.

• (1110)

In terms of fiscal prudence, any objective observer of history, north and south of the border, will have noticed that Conservatives and republicans are the parties that run big fat deficits. Look at Ronald Reagan in the 1980s. Look at George W. Bush today. Look at Brian Mulroney, who left, in 1993, a \$42 billion deficit for the Liberals to clean up. Look at the former premier of Ontario, Ernie Eves, along with his three colleagues who are currently members of this cabinet, who ran an election in the year 2003 on a balanced budget they said. Except when Dalton McGuinty got in, he called in

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the auditors and, lo and behold, there was a big, ugly, fat \$5.8 billion Conservative deficit for Dalton McGuinty to clean up. These are historical facts. I might add that Bill Clinton, a democrat, ran uninterrupted surpluses.

So, the general moral of the story is that Conservatives and republicans ran big, huge deficits, and leave that mess for succeeding Liberal and democratic governments to clean up.

My second point is that Liberals are fiscally prudent. Conservatives are not. Liberals believe in an active but fiscally prudent government. We would not sit by wearing our laissez-faire spectacles or our "I don't care" attitude and simply watch as hundreds of thousands of manufacturing jobs go down the drain. We would take an active approach. The proof of that is that our leader, Stéphane Dion, has recently announced two—

Some hon. members: Oh, oh!

• (1115)

The Deputy Speaker: Order, please. The member has been here a long time. He knows he should not be referring to people by their name.

Hon. John McCallum: Thank you, Mr. Speaker. My apologies for that slip.

The Leader of the Opposition has recently enunciated two parts of the Liberal platform which speak to this active but fiscally prudent attitude toward economic policy.

First, he would create a \$1 billion fund to invest in the manufacturing sector in such a way as to leverage further investment and jobs. This is in addition to the \$1 billion for communities that was just passed in the House earlier today. This is an active policy of investing in industry along the lines of the industry committee recommendations and something that this government, and particularly this finance minister, has steadfastly refused to have anything to do with.

In addition, there was a report in the *Globe and Mail* this morning about industry pushing for R and D tax credits to be refundable. Our leader was ahead of the curve on this one. In that same speech, he said that a Liberal government would allow partially refundable R and D tax credits so that firms making investments in R and D, which are critical to the future of our economy, would get some credit for those whether or not they were making a profit.

Those are just two examples of what I mean by an active approach to government, particularly when the economy is weak, particularly when sectors like manufacturing have been hammered by the combination of a high dollar, high energy cost and a weakening U.S. economy. We on the Liberal side will come forward with active measures to support those sectors and to support Canadians whose jobs are at risk.

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In contrast, the finance minister actually used the words “shell game” when asked whether his funds would provide any support to Canadian manufacturing. It is clear he has ideological blinkers. It is clear that he is in a world of extreme laissez-faire, “I don’t care”.

In conclusion, the big contrast between the Liberal Party and the Conservative Party is, on the one hand, we are the party of fiscal prudence and, on the other hand, we believe in a strong, active but fiscally prudent approach to the economy, so that those sectors which are bleeding jobs will have some help and some partnership from a government that actually cares about its citizens and their jobs.

Mr. Dean Del Mastro (Peterborough, CPC): Mr. Speaker, I would just like to sum up my hon. member’s statements into a few words. If I could sum it up for the viewers at home, I would say the Liberal Party has never seen a tax it did not like; it has never seen a tax it would not hike; it brings in spending programs; and it likes to really handcuff the hands of business.

However, what I would like to speak to is what the finance committee actually did hear from some experts like Don Drummond, the TD Bank chief economist. Don Drummond said he thought the federal government had made tremendous strides on the corporate income tax side, to its credit. We are heading to a very competitive structure. We are there for business. I am not exactly sure what the member is speaking about.

If the member wants to speak of deficits and governments that ran deficits, surely to goodness he remembers Mr. Trudeau who originally put this country into debt in the first place. Then of course I heard him saying that he would like to run as a democrat in the United States. I suppose he will also be sponsoring private health care. I would love to hear what he has to say.

Hon. John McCallum: Mr. Speaker, the member does not have his facts straight. Let me just take the case of spending and taxes.

An hon. member: You had a chance and you never did it in 13 years.

• (1120)

Hon. John McCallum: Mr. Speaker, on corporate tax cuts our party recommended those before the Conservatives did. That is one area in which we do agree. But on personal income tax cuts, we had a \$100 billion tax cut for personal taxes in budget 2000.

All that the current government did on broad based personal income tax was that when it got into power it increased the lowest personal tax rate from 15% to 15.5% and then in the next year it brought it from 15.5% to 15%. It had a rise and a fall and somehow we ended up in the same place and it claims to have cut taxes.

Finally, on spending, as Andrew Coyne and other Conservatives have pointed out, this is the biggest spending minister in Canadian history. The spending under this government has gone up faster than under the Liberals and it hardly looks like a Conservative government in that respect.

[Translation]

Mr. Paul Crête (Montmagny—L’Islet—Kamouraska—Rivière-du-Loup, BQ): Mr. Speaker, I listened carefully to my hon. colleague’s remarks. There were reports in the papers this morning about a problem arising from the fact that, regarding the investment tax credits, which Canada claims to be the most generous in the

world—the reality is that the people from Telus said so in a brief to the minister—the Canada Revenue Agency ensures that there are very narrow opportunities and, as a result, the desired effects are not being achieved with these types of measures.

Over the past decade, Canada has put \$94 billion into its surplus. Instead of paying off the mortgage early, is it not time that funds be allocated promptly, in terms of investment, to give our manufacturing and forest industries a chance to move forward? Is it not time that the government follow up on the recommendation that investment tax credits be made refundable as soon as possible to send a positive signal at a time when the economy is slowing down, which is unfortunately hurting everybody?

Hon. John McCallum: Mr. Speaker, the hon. member and I are more or less in agreement on that point. He said he would like the credits to be made refundable, and I just said that the Leader of the Opposition recently announced in a speech that we too were in favour of these credits being refundable. We did not suggest that they should be 100% refundable, because ours is also the party of fiscal prudence. We would have to see how much money we have, but the credits would be at least partially refundable. That is what the leader of our party said he would do.

[English]

Hon. Scott Brison (Kings—Hants, Lib.): Mr. Speaker, it is with pleasure that I rise today to speak on this motion at a critically important time for Canada in the global economy.

We live in a time of unprecedented rapidity of change, a hyper-competitive global economy where a country or a company is either moving forward or is falling behind. We cannot sit still.

The week before last, I was at the world economic forum in Davos, Switzerland, surrounded by political and business leaders from around the world, people who represented some of the fastest growing economies and companies in the world. The focus at Davos was on issues like science, research and development, the importance of science to competitiveness, and the issue of climate change and the greening of the global economy.

In fact, *European Business* magazine’s issue that particular week was “Profit from a changing climate”, which said that greening one’s economy can in fact create jobs, opportunity and prosperity, and that we are heading toward a global carbon-constrained economy. In that kind of environment, as a price is put on carbon by multilateral government organizations and individual governments, we will see that environmental laggards will become economic laggards.

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The focus was on competitiveness in a cleaner, greener environment. Here in Canada we have a government that has not focused on competitiveness, has not focused on environmental stewardship, and in fact has focused only on short term politics as opposed to building competitiveness. Its tax measures have been more focused on buying votes than on building a richer, fairer or greener Canada.

It was also announced at the world economic forum, in its most recent study, that Canada has slipped in terms of our global competitiveness this year to number 13 in the world.

This is a time when countries like Ireland, the Netherlands, Sweden, Finland, Australia and New Zealand have reformed their tax systems to be more competitive, to attract capital, to grow their economies, and to build higher wage jobs and greater prosperity for their citizens.

In Canada, we have not had significant tax reform in fact since 1971 with the Carter commission under the Chrétien government and the government of the member for LaSalle—Émard. We saw the biggest personal tax cut in Canadian history, but we really need overall tax competitiveness.

Instead, this government has chosen to cut consumption taxes with the GST. It was repeated by economists around the world that in fact it makes more sense, instead of cutting the GST and that \$14 billion per year that it takes out of revenue, to cut personal income taxes, for instance, focusing on low and middle income Canadians.

With \$14 billion a year, we could raise the basic personal exemption, the threshold at which Canadians start to pay taxes, to about \$20,000. That would take millions of low income Canadians off the tax rolls altogether. It would be fairer. It would also provide tax relief to all Canadians at every income level, particularly favouring low and middle income Canadians. It would build a more competitive tax system because economists are united around the world that if we are going to cut taxes for competitiveness, to create jobs and prosperity and for better fairness and equity, it is better to cut income taxes than consumption taxes.

The government has taken a different approach. It is the government and has the right to do that. I just believe that there are fairer and more competitive approaches to tax reform.

Furthermore, beyond that, there has been some discussion this morning on competitiveness and manufacturing. I serve on the industry committee and the recommendations presented by the industry committee a year ago could make a huge difference. As my colleague from Markham has said, the government has chosen to only respect and follow one-half of one recommendation.

Today in *The Globe and Mail*, there is an article entitled “Business pushes for new tax relief, Finance Minister under pressure to offer new subsidies but slowing economy eroding federal coffers”.

●(1125)

Why is the government seeing the federal coffers decline? It is not only the slowing of the economy. It is the fact that we have the biggest spending government in Canadian history. It is a government that has not only chosen to increase spending like a drunken sailor.

At the same time it is cutting a consumption tax instead of focusing on business taxes, personal income taxes and competitiveness.

Furthermore, the article says that companies pitch Ottawa on scientific innovation. Our leader has presented making the SR and ED program refundable, such that all companies can benefit, through the tax system, from sound investments in research, development and commercialization, because science matters.

When we speak of science, it is important that at the very top decision making levels of government, governments in today's economy understand the importance of science. I was particularly dismayed when the Prime Minister not only fired the national science adviser to the Prime Minister, but completely eliminated the position. There is only one other jurisdiction in the world this year that has demoted and reduced the role of the national science adviser, and that is the Bush administration.

The national science adviser provided to the Prime Minister the kind of sound advice, whether it was on climate change, or stem cell research, or reproductive technology, or the green economy or on innovative new areas such as cleantech. I believe cleantech will be the fastest growing area of the global economy. We are seeing venture capital firms, such as Kleiner Perkins and others, which were behind the Internet revolution, now investing massively in this area. This is an area where Canada could excel.

David Rubenstein from the Carlyle Group, speaking at a venture capital conference in Quebec City a few months ago, and who was also at the Davos conference two weeks ago, said to me personally, “Canada has the potential to be a global leader in clean energy and cleantech”.

To that end and further, in today's *Report on Business* is an article “Energy players in carbon capture drive”. Currently a group of energy leaders and businesses in Alberta is focused and prepared to make massive investments in a CO₂ sequestration project. It says that the federal and provincial government plans to back its development are still at a preliminary stage.

Business is ready to act. Business is looking for sound signals and strong investment alongside of business to leverage on government and business investment to make the kinds of investments that can not only reduce Canada's carbon footprint, but can also make Canada a leader in clean energy. This is another area on which the government has not focused. We know its interest in climate change is perfunctory at best. We also understand the government has no real interest in long term competitiveness. It is more focused on short term, vote buying schemes.

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It is critically important for Canadians, whether they are in the manufacturing sector, the forestry sector or agriculture, to see a government with a plan. Our Liberal leader recently spoke in Hamilton to launch a Liberal industrial strategy around manufacturing, including the \$1 billion advanced manufacturing prosperity fund, the AMP program. Our leader spoke of partnering and leveraging with private sector capital to create the kinds of high wage jobs that could make Canada more competitive, to stand shoulder to shoulder with Canada's manufacturing sector, not to abandon them with the laissez-faire "I don't care approach" of the Conservative government, but to stand with them and to help their businesses become more competitive. We need to reform our SR and ED program to ensure Canadian businesses have the capacity and the incentive to investment in cutting edge research and development that can create the kinds of discoveries which lead to greater competitiveness.

Furthermore, the previous Liberal government made a significant investment in the forestry sector, a \$1.5 billion focused forestry fund that the Conservative government eliminated in one of its first acts as a government. The \$1.5 billion, which was introduced two years ago by a Liberal government, focused on helping forestry communities diversify and succeed. The government replaced it with a less generous \$1 billion program, less focused. The Conservative program was focused on all industries, not only the forestry industry.

• (1130)

The government is offering too little, too late, without vision, without focus and without an absolute plan to help bring Canada forward.

The Liberal Party and the Liberal leader are offering Canadians a plan to build a richer, fairer, greener Canada to be more competitive to create the kind of sustainable wealth that Canadians deserve and also to ensure that Canada plays its role as a responsible environmental citizen of the world. This is the kind of plan Canadians deserve and this is the kind of responsibility parliamentarians have to present those kinds of plans, to debate them and to earn their support among Canadians.

Ms. Chris Charlton (Hamilton Mountain, NDP): Mr. Speaker, I always enjoy the political jousting between the Conservative Party and the Liberal Party about "my corporate tax cuts are bigger than your corporate tax cuts". In my community of Hamilton, which is Steeltown, they are focusing on a very small part of the report we are debating today.

I did not hear the member speak about other parts of the report, the recognition of foreign credentials. This would make a really profound difference in the lives of a number of newcomers, not just in my community but right across the country.

I did not hear anything at all about support, for example, for the building trades, which have mobile workers. They asked both the former Liberal government and the current government for meaningful tax credits that would allow them to subsidize their accommodation and travel expenditures so they could take work that would be available in other parts of the country.

Support for post-secondary education and training has been not mentioned by either of those two parties.

What about anti-dumping legislation? A motion was before the House this morning to expedite a \$1 billion fund to communities in crisis. While we applaud that, it does nothing for Hamilton because we are more than a one industry town.

Nonetheless, we have lost thousands and thousands of decent paying industrial jobs. Our community is being devastated, and all I am hearing this morning is "my corporate tax cuts are bigger than yours". That does not speak to the needs of my community. Would the member elaborate on that?

Hon. Scott Brison: Mr. Speaker, I very much appreciate the intervention from the hon. member. In a 10 minute speech there are only so many subjects one can cover. However, I agree with her completely about the importance of streamlining the recognition of foreign credentials.

Labour mobility within Canada is something with which the federal government ought to be seized, working with provincial governments to bring down those barriers and to help ensure more seamless movement of people within Canada and for talent to come to Canada. They are both very important issues.

On foreign credentials, we ought to look at the U.K. model. Foreign nationals can begin their professional accreditation in their country of origin such that by the time they come to Canada much of that work, if not all of it, has been completed. This kind of innovative approach is one that we should do. I share with the member the focus on post-secondary education and lifelong learning as competitiveness.

In terms of the corporate tax issue, we can stand for better post-secondary education, lifelong learning, better labour mobility and streamlining foreign credentials and still believe that tax competitiveness, corporate and personal, is important. That is where I would differ with her.

Unlike the Canadian New Democrats, other social democratic parties around the world, whether it be in the U.K. with the Labour Party or in Scandinavian countries such as Sweden, the Netherlands and Finland, have embraced progressive social policy and innovative competitiveness policy.

Therefore, it is not impossible for a political party or a country to embrace both the need to be competitive to create the revenues to actually grow the economy and to make the kinds of innovative social investments of which the member speaks. We have to do both.

Routine Proceedings

•(1135)

Mr. James Bezan (Selkirk—Interlake, CPC): Mr. Speaker, I would like to set the facts straight for the hon. member. We all realize we have this competitiveness issue in Canada right now because of the exchange rate. There is no question that the weak U.S. dollar has driven currencies, not only in Canada but currencies around the world, up. This makes all of us less competitive against U.S. businesses. We have to realize that fact. Measures have definitely been taken by the Bank of Canada to reduce rates in the hope of balancing off the pressure of the rising and escalating dollar. This volatility hurts everyone in Canada who is manufacturing and exporting products. Therefore, we have to be serious about what is happening.

Our government has taken serious steps forward and has provided over \$9 billion in support.

We have provided the \$1 billion to assist one industry towns through the community trust. This will help communities look at new ways to be innovative and to ensure their local economies thrive. I represent a rural area and I know many communities in my riding will embrace this.

We have provided \$8 billion in tax relief. This tax relief really helps the competitiveness issues that we face.

We have provided \$1.3 billion for the accelerated capital gain write-off. This will help businesses acquire new equipment. We renewed that in the last budget, and we know it will help people retool and become more competitive. We have already seen that happen in the meat industry in Manitoba. Packers have gone out and bought new technology, very expensive robotics, and this has really helped them.

The \$2.5 billion in corporate tax reductions have now brought us down to the lowest level—

The Deputy Speaker: I have to give the hon. member for Kings—Hants a brief opportunity to respond.

Hon. Scott Brison: Mr. Speaker, first, in terms of the accelerated capital cost allowance, I agree that having accelerated the capital allowance makes sense, in light of the decline of the American dollar, to encourage Canadian manufacturers to invest in productivity enhancement and to build competitiveness during a difficult time. That is why I believe the government ought to have made it a permanent as opposed to a two year program.

The difficulty with having it as a two year program is we force manufacturers, which make these kinds of massive capital investment decisions over the long term, to accelerate their decision making and their purchases to a two year period, which is a very short period. This is not sensible. It is not good business. That is why Canadian manufacturers are looking for a permanent, or at least a five year, accelerated capital cost allowance.

Second, the member boasted about the government's \$1 billion program for communities, which was brought forward several weeks ago. The fact is that \$1 billion program was brought forward to replace a \$1.5 billion Liberal program that the Conservative government killed—

The Deputy Speaker: Resuming debate, the hon. member for Sault Ste. Marie.

Mr. Tony Martin (Sault Ste. Marie, NDP): Mr. Speaker, I appreciate the opportunity this morning to talk to this very critical and crucial issue, particularly as it concerns the working men, women and families of this country in small town Canada, where their economies and lives are so dependent on one major industry and how today in our world, in this Canada of great wealth, many of them find themselves hanging on by their fingernails.

Some towns are actually making plans to wind down. People and families made investments in their homes, cottages, camps and small businesses based on the understanding that if they got up in the morning to go to work and worked hard, and if the company they worked for acted in the best interests of everybody concerned, they would have jobs, and jobs for a long time to come, only to realize in the last couple of years that this in fact is not the case any more. The rules have changed and, what is most important in the discussion we are having today, governments have turned their backs on them.

We have to look at this question in the context of what has been happening to the resource based economy of this country over the last 10 to 15 years. It has been ignored. The investments that used to be there to make sure of those industries, which have supported the larger economy of Canada over the years so ably and so well, are no longer available.

The financial institutions and government agencies put in place over the years to be there in just such circumstances now have found a new suitor, a new attraction, in the evolving and very exciting virtual economy, the e-commerce economy, the IT economy that began to flow out there and gave people a return on investment almost immediately.

What we were looking for in small town Canada and particularly in northern Ontario was an opportunity to restructure in these new circumstances, but alas, the money was not there. Now we find ourselves at the last hour with a government that has finally woken up to the fact that it needs to act, however modestly, and act immediately.

We also need to speak about this issue in the context of the priorities of not only this government but previous governments over the last 10 or 15 years as well. At a time when this country was generating some significant wealth, and some would say great wealth, rather than investing in the kind of infrastructure and change that would give small town Canada a chance in the global economy, it was decided that it was more important to deliver corporate tax breaks to friends and benefactors of government. Not just this government did that. This goes back 10 or 15 years to the previous government as well.

That is what was done. Instead of using the significant money that government was generating over those years through the healthy tax system and tax base to reposition ourselves, to put in place those vehicles that small towns and resource based companies needed if they were to have a future and be able to make decisions that were positive and constructive in the long haul, that is what was done.

Routine Proceedings

We needed those investments made instead of having the priority that obviously was out there, and still continues to be out there, which is that money that is so desperately needed, particularly in smaller communities and resource based sectors of our country like those of northern Ontario, has been put into corporate tax breaks that will never ever have any positive impact on the areas of the country that we are speaking about here today. I represent and speak about those very areas as the FedNor critic for the New Democratic Party caucus.

We also need to look at this issue from the perspective of the very human impact that this is having on communities. In my own region of northern Ontario, I know this, and I know it when I speak to people such as our members from British Columbia, who represent large tracts of rural British Columbia, and our members from New Brunswick, particularly the northern part of New Brunswick, who also speak on behalf of small towns that are dependent for their very lives on the resource sector. I know that this is having some very major and personal impacts on men and women, families, relationships and communities.

● (1140)

I spoke before the Standing Committee on Finance as it entertained a motion by the Bloc to flow some of the excessive surplus in the government's EI account. The Bloc suggested that perhaps some money might be freed up in these difficult and dire circumstances to help older workers, for example, who have to deal with the impact of this reality.

I shared with the committee the names of some towns in northern Ontario that have been impacted so that we could put a face on this issue in a more meaningful way. These towns now are desperate for any assistance they can get and very clearly are looking to the federal government because it is the vehicle with access to the most money in our system of doing business on behalf of the public and the public good.

I mentioned companies such as Tembec in Smooth Rock Falls, where 230 people have lost their jobs. Also, 65 people have lost their jobs at Tembec in Kapuskasing. In Opatatika, Excel eliminated 78 jobs. Tembec in Timmins eliminated 100 jobs. Columbia Forest Products in Hearst eliminated 76 jobs. Domtar in Chapleau cut 67 jobs. Cascades in Thunder Bay cut 500 jobs. Bowater in Thunder Bay cut 257 jobs. These jobs represent men and women who get up every morning, go to work and work hard, come back home and try to put food on the table and pay the rent for their families in their northern Ontario communities.

Another 100 jobs at Bowater were cut and it just announced the elimination of another 512 jobs. Smurfit Stone Consolidated in Kenora, a community I visited just a week or so ago, eliminated 350 jobs. At Devlin Timber in Kenora, 45 jobs are gone. Again in Kenora, at Weyerhaeuser 41 jobs are gone. Norampac in Redrock cut 300 jobs. Patricia Logging in Dryden cut 35 jobs. At Weyerhaeuser and Domtar in Dryden, 510 jobs were lost.

Uniboard in New Liskeard lost 55 jobs. Bowater Woodland in Ignace lost 25 jobs. At ForestCare, in Wawa, the town I was brought up in, 63 jobs are gone. Weyerhaeuser in Sturgeon Falls cut 125 jobs. Domtar in Espanola-Nairn Centre cut 250 jobs. Domtar in Cornwall cut 910 jobs. Domtar in Ottawa cut 185 jobs. Domtar in White River

cut 236 jobs. Interlake Paper in St. Catharines lost 45 jobs. Sturgeon Timber in Dorion cut 70 jobs. Longlac Wood Industries in Longlac cut 350 jobs. Columbia Forest Products in Rutherglen lost 63 jobs.

Those numbers add up to over 5,200 jobs in the last few months. All of these jobs are just gone. As I said before, these are jobs that represent men, women and families across this province, and particularly in northern Ontario, people who have children and communities, people who are hanging on by their fingernails. They are desperate in regard to what they could and should be doing. They are looking for help. They are looking for some assistance during these difficult times.

Anecdotal stories are being told in some parts of northern Ontario about some of our richer neighbours, particularly those to the south, who are now coming into these areas and looking to buy summer homes or cottages. They are using credit cards to pick up homes that were purchased as major investments by these northern Ontario families over the years as they thought they could bring up their families and retire there. They also had hoped to be able to turn over their homes to their families so that they could take advantage of it as well.

● (1145)

Today, there are men, women and families, across northern Ontario in particular, having to walk away not only from their jobs but from the major investments they have made in their homes, their cottages and camps and, in some instances, small businesses. That is the situation.

We have very tough circumstances where the resource sector is concerned, particularly the forestry sector at this time. We have a government that seems more interested in rolling out tax breaks for those who do not need them, who already have enough, thanks very much, at a time when it should be investing in infrastructure and coming to the aid of some of these communities that we at this end of the House all speak about so directly, personally and passionately.

This is also being done in the context of a previous Liberal government that entertained a forestry coalition lobby, so the Liberals cannot say they did not know about this. In fact, the Conservative caucus of the day, which is now government, was lobbied at the same time. The NDP also was lobbied by a forestry coalition from northern Ontario. It told us three years ago that this was coming, that the impacts were already being felt, the government needed to come to the table and there needed to be a summit of some sort, a gathering of folks to sit down and figure out where we would go next in these very challenging and trying circumstances.

I believe the coalition was asking for something like \$2.5 billion over a three year period in order to afford the investments that its members felt they needed to make in new technology, in re-situating themselves and restructuring plants and in dealing with employment issues in their towns.

Routine Proceedings

What did coalition members get from the then Liberal government? At the end of the day, they got a deathbed promise of \$1.5 billion, but once the Conservative government got into power, we discovered that was not rooted in any note to treasury. In fact, there really was no money dedicated. It was just a promise on paper that was delivered knowing there was an election coming, just so the Liberals could speak about it in the parts of this country where it would be important.

That was playing politics with the lives of men, women and communities in a most despicable way. There was no commitment. There was no real effort. There was no work done to make sure that even the last deathbed commitment the Liberals made would have to be honoured by whatever government was in power after the election.

Then what did we get? We got a government that finally woke up to the fact that there may be a problem in our forestry sector. Just after Christmas as we were returning to this place, the government said it was willing to roll out \$1 billion to these communities, these companies and this sector, but it was going to be tied to whether the opposition parties would support the government and pass the budget, which will come down later this winter or in early spring.

We in the NDP saw it as a form of blackmail, with the government saying that it would do this but we had to pass its budget. We must understand that none of us know what else is in the budget. There again could be billions more in corporate tax breaks, which we know is not in the best interests of communities, particularly these communities, in this country. At the end of the day we might not be able to support the budget, even though we understand that this \$1 billion, aside from the fact it is not near enough, might go a ways in dealing with at least some of the issues and challenges that folks are facing.

• (1150)

After hearing about the \$1 billion and how it was tied to the budget, the government heard those of us who stood in the House over the last couple of weeks asking it to deliver it, to get it out there and to not hold it back. We said that the money was needed yesterday. We said that it needed to get it out today so that communities could have some hope. Members of the Bloc also asked for it and we appreciated the support.

The government finally capitulated and made the announcement yesterday, which is why we are standing here today as a caucus saying that we will support this even though we know, and anybody in the forestry sector looking at the tremendous challenge that is now in front of us know, that some three, four or five years later after they raised the flag for the government initially, that it will not be enough.

The Communications, Energy and Paperworkers Union had the following to say after the announcement of the \$1 billion:

Today's announcement doesn't even put a stitch in the wound of an industry that is bleeding jobs. "We need a national strategy for forestry that will help workers, industry and communities rejuvenate the sector through creation of value-added jobs from the resource," he adds. "Clearly governments should invest in the development of new and innovative products".

It goes on to say:

"We need a national summit of all stakeholders in the industry," ... noting that he is already in discussions with some company presidents on this and other renewal initiatives.

The leaders with whom I met, in northwestern Ontario particularly, are in agreement with the need for a summit and a national forestry strategy to be put in place and the kind of money necessary then to be put on the table to support the plan going forward.

CEP goes on to say:

We have asked repeatedly for meetings with politicians of all stripes — we even went to their house — the House of Commons — and invited them to come and talk to our forestry symposium a year ago. But our calls for a thoughtful approach to the crisis have been largely ignored.

It goes on to say:

Among the specific measures that CEP has called for are joint union, management and government task forces on the future of mills.

CEP is also looking at calling the companies back to the bargaining table a year earlier than scheduled in response to the crisis in the forest sector.

All of the people engaged, the workers, the community leaders, the unions and even some of the company owners have been telling us and the government for quite some time that something substantial needs to be done if we are to salvage this sector of our economy that has been so important. It has been the bedrock of the Canadian economy for many years. They are saying, as the New Democratic caucus believes, that forestry will continue to be a bedrock for the Canadian economy going forward, particularly if it is managed properly in a sustainable fashion and using all the intelligence and new technology that is available and bring that forward to the equation.

I would like to tell the folks who are listening, particularly those who are living in some of these very damaged and troubled small communities, that they should not let anyone tell them that it cannot be done because it has been done before. I remember, and I shared this with the finance committee yesterday, being in government in Ontario in the early 1990s when a huge recession hit. Resource based companies across northern Ontario were asking for help from the government of that day. The governments came to the table, not only the provincial government, of which I was part, but the federal government as well. It was a federal government of a Conservative stripe as well as federal government of the Liberal stripe because in 1993 there was a change. Those governments came to the table and participated in a way that saw many companies that were on the ropes and in bankruptcy, revive and, in fact, still operating today and some of them are very healthy.

In my own community there was Sault Ste. Marie, Algoma Steel, St. Marys Paper and the ACR that the government, unions, financiers and owners of the companies made commitments.

• (1155)

I was at a retirement party on Saturday night in Sudbury for Shelley Martel, who was the minister of northern development and mines at the time in the Ontario government of the NDP. She spoke very passionately, knowledgeably and eloquently at that particular point in time about the work that went on in northern Ontario to save so many really important companies and industrial enterprises in that part of the country.

Routine Proceedings

I say to my colleagues in the House today that it can be done again. The \$1 billion is important and we should get it out there, but it is not enough. More needs to be done.

• (1200)

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, in my experience, for every complex problem there is a simple solution and it is wrong.

The member talks a fair bit about the forestry industry and says that \$1 billion are not enough. The industry across the country has said that very clearly. To Canadians, \$1 billion is a large number, but when we look at the number of people impacted in these resource sectors, it does not have the impact that will make a real difference to the inevitable if there are no real solutions, so to that extent I agree.

However as a principle, I do not think we can harness a particular initiative in a committee report or a committee study that will address everything all at once. If we have the manufacturing sector, particularly in Ontario or Quebec, that will be hammered because of the financial pressures and the job losses that will occur from there, there is no simple solution for that.

If we believe that we need to deal with climate change and greenhouse gas emissions, there is a significant linkage to health issues and to our responsibilities as a country. If we were to spend the money there would that be the right place to spend it? Not all of it, but how much?

We could look at the employment situation. These are some of the issues and there are many different aspects.

I wonder if the member would agree that a balanced approach, which is fiscally responsible to ensure we do not get into a deficit scenario, which would not give us the wiggle room to help anybody, is the best approach.

Mr. Tony Martin: Mr. Speaker, I would agree with the member that it is not a simple challenge and there is no simple solution, but I am hoping he is not saying that it cannot be done because it has been done before where we have had regions and sectors of our economy in big trouble.

I go back again to the recession of the early nineties when we were the government in Ontario. We came with all guns blazing and brought all the people to the table. It was difficult and hard work negotiating a restructured company in all of those instances but we did it and we were successful. Each one of those companies, without exception, came out from under that blanket of protection to become profitable and successful again.

As a matter of fact, if we look today at northern Ontario, we will find that with each one of those industries, where the union, the government, the ownership, management and financial institutions were brought to the table with leadership and resources from the provincial and federal governments, there was great success.

I am suggesting that the \$1 billion today is a start. It would get us on the road. More will be needed but, even more important, as the CEP has said and which I read into the record this morning, we need a summit of all the folks involved and who have a responsibility, and we need a commitment to a national forestry strategy in this country

that will take us down that road. No, it is not simple but it can be done.

[*Translation*]

Mr. Paul Crête (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, BQ): Mr. Speaker, I listened to my colleague's speech with interest. However, it is the strength of conviction that he demonstrated yesterday, particularly during a debate on similar motions at the Standing Committee on Finance, that I would like to highlight. That is the kind of spirit that we wanted to bring to this House.

At present, citizens throughout Quebec and Canada are looking for their government to take a dynamic approach to helping the manufacturing and forestry industries. I know that we are badly in need of a real industrial strategy, something that is lacking in the current government's approach. Nevertheless, we should realize that a few months ago we went through a period where the Minister of Finance said that everything was fine, everything was rosy and that since everything was going well in the energy sector, everything else, including the manufacturing industry, would take care of itself.

This morning, businesses launched a newspaper campaign asking for exactly the same thing we want—refundable tax credits, among other things, for research and development.

I would like to hear what my colleague has to say. Beyond the need for an industrial strategy, is it not important for the House to make a decision today, to vote on the report and force the government to actually put proactive measures in place—the measures proposed by the Standing Committee on Industry, Science and Technology almost a year ago and recommended by the Standing Committee on Finance? We are still waiting for the Minister of Finance to take action in this regard.

Do the people in his riding not expect much more than the \$1 billion finally announced this morning, which we managed to separate from the budget? Now, that much has been accomplished. But should we not do much more than this and do it quickly?

• (1205)

[*English*]

Mr. Tony Martin: Mr. Speaker, we need to reclaim the spirit that existed in the early nineties when the federal and provincial governments came together with the unions, the communities and the leaders to negotiate deals to restructure Algoma Steel, St. Marys Paper, the Algoma Central Railway in Sault Ste. Marie, Spruce Falls Power and Paper Company in Kapuskasing, Bombardier and Provincial Papers in Thunder Bay, the Atikokan Forest Products Ltd. and Proboard Ltd. in Sapawe, Ontario and 21 other sawmills across the north where the banks had pulled their lines of credit.

The provincial government of the day passed worker ownership legislation to permit the people of Kapuskasing to invest in their mill and in their future. At that time, as well, the provincial government had the political will to maximize the resources of Ontario Hydro to help both Elliot Lake and Kapuskasing manage difficult change and went on to further expand the role and mandate of the Northern Ontario Heritage Fund Corporation so that it could really respond to those companies in need.

Routine Proceedings

What I am saying is that we do not need anyone to tell us, those communities and those areas of the country that are struggling because of this forestry crisis that we are in, that it cannot be done. It can be done. It has been done before and we can do it again.

Mr. Bill Siksay (Burnaby—Douglas, NDP): Mr. Speaker, I thank my colleague for his important contribution to the debate today on the concurrence motion on the report from the industry committee about manufacturing in Canada.

It is very important what he has been saying about the need for a particular sectoral approach to deal with the manufacturing industries in Canada. Our member on the Standing Committee on Industry, Science and Technology made the point in his supplementary to the report that there was nothing in the recommendations of the report that dealt with specific sectoral strategies.

For a long time New Democrats have called for specific sectoral manufacturing strategies for the auto sector, shipbuilding, forestry and the textile industry, among others. Unfortunately, the recommendations of the report ignore that.

Given the experience that the member had in the Ontario government in the 1990s where that kind of approach bore real fruit in terms of dealing with the communities affected by a recession, could the member talk about why he thinks that approach is still largely ignored by our federal government and why the federal government will not engage in a sectoral strategy and why it will not put these kinds of plans in place when his experience has shown that they are so effective?

Mr. Tony Martin: Mr. Speaker, it goes back to the Conservatives' very ideological stance where business and industry are concerned, which is to let the market decide. If we had decided that was the way to go back in the early 1990s, there would be no Algoma Steel to be bought up by Essar Global and to be looking at further investments in our community and contributing to the economy of northern Ontario. There would be no Spruce Falls in Kapuskasing putting out paper any more.

As a matter of fact, I remember at that time the then leader of the official opposition in Ontario, Mr. Harris, who went on to be the premier of Ontario, saying to let the steel industry go, that it was a buggy whip industry. All of us who lived in Sault Ste. Marie and who lived in northern Ontario knew that those industries were still viable, that people were still out there buying steel and making things out of steel and steel needed to be made somewhere, so why not in our communities? Why not northern Ontario when it comes to manufacturing? Why not the Niagara Peninsula? Why not make things in Hamilton and Welland that we can sell in our domestic market and the world market? An example would be the wonderful job the workers in Windsor do in making cars. They have invested so much time and energy in training and getting the knowledge they need to be the best at what they do.

Here is a government today that has thrown up its arms and said that the market will decide. If the market is to decide on so many of those fronts, as it is, and government does not come to the table and give some leadership, if it does not provide some resources and enter into sectoral strategies, we will be the drawers of water and the hewers of wood as is so often spoken of in those books written about Canadians by people who know nothing about us.

● (1210)

[*Translation*]

Mr. Pierre Paquette (Joliette, BQ): Mr. Speaker, first I want to thank my colleague from Montmagny—L'Islet—Kamouraska—Rivière-du-Loup for moving concurrence in this committee report. His timing could not be any better since the government asked the unanimous consent of the House this morning to pass a bill aimed at creating a trust that will be available to the provinces—and to Quebec—whose manufacturing and forestry industries are in trouble.

All the opposition parties gave their consent because this is a small step toward a real strategy to help the manufacturing and forestry industries. No one in this House, except for the Conservatives, and that includes the Prime Minister, the Minister of Industry and the Minister of Finance, can imagine that this will be enough. Let us not be mistaken about that.

This motion brought forward by my colleague from Montmagny—L'Islet—Kamouraska—Rivière-du-Loup will allow us today, in the minutes following the adoption, by unanimous consent, of the bill creating the trust, to set things straight for those who may not have a good grasp of the situation.

The report in which my colleague moved concurrence clearly shows the willingness of opposition parties—and hopefully the government will adopt the same attitude—to be extremely precise with regard to a number of solutions and proposals that would really help the manufacturing and forestry industries.

The motion passed on November 28 by the Standing Committee on Finance states, and I quote:

—the Standing Committee on Finance recommends that the government promptly introduce the tax measures in the unanimous report of February 2007 entitled *Manufacturing: Moving Forward — Rising to the Challenge*, and that the adoption of this motion be reported to the House at the earliest opportunity.

Today seems to me to be the first and the perfect opportunity to do so since Parliament has reconvened. I will say again that it puts into context the bill passed this morning to establish a trust which will provide \$1 billion over three years to all the provinces, including Quebec.

Let me also repeat that the Conservative plan had three flaws, and by “plan” I mean the beginnings of one made public in January. The first flaw is the Prime Minister's attempt to blackmail the sectors, regions, communities and workers affected by the crisis in the manufacturing and forestry sectors, and parliamentarians as well, for partisan purposes.

Routine Proceedings

Aggressively pounding his fist on the table, the Prime Minister declared that, if the opposition parties wanted the plan, as rudimentary as it was, they would first have to swallow the bitter pill of the upcoming Conservative budget. Given that Conservative budgets may contain all sorts of things that are difficult to digest and which can sometimes be extremely harmful to the economic and social health of Canada and Quebec, no one gave in to his blackmail. None of the opposition parties in this House has given the Conservative government, the Prime Minister or the Minister of Finance a blank cheque by agreeing to support the budget because it represents the beginnings of an aid package for the manufacturing sector. This kind of blackmail was in fact denounced in all the regions of Quebec, as I assume it was in all regions of Canada as well.

In view of the consensus in Quebec and under pressure from the Bloc Québécois and labour, the Prime Minister backtracked. Even the Ontario government was behind us on that. Premier McGuinty described the blackmail as nonsense, saying that it was inappropriate at a time when tens of thousands of individuals and their families are going through extremely tough times.

There are two other problems with the Conservative plan that have yet to be solved. The government must be very aware of the fact that even though there was unanimous consent of the House to pass the bill that creates the trust, we will remain vigilant and we will not stop applying pressure. The motion brought forward by my colleague from Montmagny—L'Islet—Kamouraska—Rivière-du-Loup today is totally in this spirit, as was the one from the member for Montmorency—Charlevoix—Haute-Côte-Nord that was debated yesterday during private members business. That motion proposed a strong, detailed, effective and realistic assistance plan for the forestry industry.

• (1215)

The finance committee report before us today mirrors some of the proposals made by the Standing Committee on Industry, Science and Technology. A number of solutions are available to the government. Motions are currently being considered in five parliamentary committees and all of these motions offer solutions to the problem.

The government must understand that now that this trust that will provide \$1 billion over three years has been created, it must immediately announce further measures, which it can afford to do. I will remind the House that, in his budget statement, the Minister of Finance announced surpluses for March 31. We are not talking months or years here, but a few weeks.

These projections will be achieved, or close to it. In the budget statement, the Minister of Finance announced surpluses totalling \$11.6 billion. The government is now putting \$1 billion in the trust for community assistance—I do not remember the exact name of that trust. This leaves \$10.6 billion that could be used to make the plan a whole lot better.

As members know, we proposed to use these \$4.5 billion for various initiatives. I will get back to this later on in my speech. So, there will still be money left to pay off the debt, to help the elderly, and to make necessary investments for the environment. That money is available and we do not want it to be fully applied against the debt.

Let us not forget that, as we are speaking, Canada has the lowest debt load among G-7 countries. Some huge efforts were made over the past 10 years. It is now time to look after those to whom the Quebec society, the Canadian society, the federal government and all politicians are indebted, namely the people and the communities—often one industry towns—whose jobs and future are threatened by business closures. We must help the unemployed, who were hit extremely hard by the budget cuts made in the nineties.

As a society, whether it is the Canadian or Quebec society, we are indebted to these people, and the time has come to use the government's anticipated \$10.6 billion surpluses to pay off that debt. We know full well that, in the end, there will still be about \$3 billion left to put against the debt. It would be totally illogical from an economic point of view, irresponsible from a financial point of view, and inhuman from a social point of view to use all of these \$10.6 billion to pay off the debt.

As I mentioned, the motion before us proposes measures that can be implemented immediately. There is no need to wait for the budget. The money is there and we know that it will be available. Over the next few days, the Minister of Finance, the Minister of Industry and the Prime Minister are going to announce new measures to help the manufacturing and forestry sectors. So, we must not wait, because everyone, in every region of Quebec and, I suppose, of Canada, feels that what the Conservative government and the Prime Minister announced in January is insufficient.

So we do not need to wait and see whether it actually will be insufficient, as the Minister of the Economic Development Agency of Canada for the Regions of Quebec said yesterday. Everyone can see that it is. He himself opened the door to the fact that this first step, this draft plan for aid to the manufacturing and forestry sectors, was insufficient and that more money was needed in the budget. We cannot wait for the budget. First, we do not know when the budget will happen. There has been no indication in that regard from the Minister of Finance or the government. Every day, every week that goes by brings new human tragedies, new closings and new layoffs. So if we do not want to find ourselves in an even more catastrophic situation, we have to act now.

As I said, the second flaw in the Conservative plan, after the government engaged in this political blackmail, is the fact, and this is still true, that the amounts announced are plainly not enough. It should be at least as much as \$4.5 billion from this year's surplus. As I said, \$1 billion has been allocated to create this trust and that leaves at least \$3.5 billion to be invested. As I said, that leaves money for other priorities, such as retroactive payment of the guaranteed income supplement for people who failed to apply because they were not informed, and also investments for the environment.

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•(1220)

Obviously, we want to see new announcements by the government in the budget to supplement what will be done. We are very aware of the fact that in the next fiscal year the surplus could be a little lower than \$11.6 billion and that it will probably be more like \$8 billion. It would therefore be wise, in fiscal terms, to use the latitude there is now to invest in the recovery of the manufacturing and forestry sectors.

There is still a third flaw in the Conservative plan: the per capita allocation formula we have been told about. This makes no sense. When we had the mad cow crisis, there was no per capita fund announced. Instead, there was a response to the particular needs of western Canada and Alberta, regions that were more affected than others or than Quebec. Quebec would obviously have liked to have more for its producers, but preference was given to the regions and provinces where the problem was concentrated.

In this case, although manufacturing is essentially located in Quebec and Ontario, it has been announced that funding will be on a per capita basis and not according to needs. That means that Alberta will receive more money per person than Quebec. And yet we know that the manufacturing sector is three times larger in Quebec than in Alberta. This makes no sense. Prince Edward Island will receive three times more than Quebec. This is completely unfair and illogical on the part of the Conservatives. The situation must be remedied.

As I said, in Quebec, the manufacturing sector accounts for about 17% of jobs and 21% of income from employment, and that is nearly three times higher than in Alberta. This sector is currently in trouble. They know, as I do, that a majority of the job losses that have occurred in the last two years in the manufacturing sector were in Quebec. They know, as I do, that 93% of the job losses throughout the entire Canadian manufacturing industry occurred in Ontario and Quebec. However, those two provinces would receive aid on a per capita basis.

Obviously, since Ontario has a somewhat higher population than the other provinces and Quebec, it will receive a considerable amount of money that will still be insufficient. We must not forget that there is a major crisis in the automobile industry, and it will only get worse. But proportionately, Quebec is currently experiencing more serious difficulties. A number of our sectors, such as the forestry sector, are vulnerable because of trade disputes and decisions over which they have no control bequeathed to us by American protectionist lobbies.

So, this allocation formula is completely unfair. I am happy to see that there is perhaps a glimmer of intelligence and foresight. Are the Conservatives seeing the light at the end of the tunnel? Perhaps they were on the road to Damascus like St. Paul. Who knows. But in the bill creating the trust, there is no mention of how the money will be allocated, which, I hope, gives the government an opportunity to put things right after the Prime Minister's disastrous and unfair announcements. The \$1 billion should be allocated based on need. Since Quebec is experiencing more difficulties, it should receive at least half of the money. As I said, half of the job losses have been in Quebec.

In addition to the \$3.5 billion that we would like to see added to the aid package, we would like the distribution of those funds to be based on need so that we do not end up in a bizarre situation that sees Alberta, with its overheated economy, receive money to deal with the economic crisis. That would make no sense at all. That has to change, just as things had to change when the Prime Minister made the act to create the trust and distribute the \$1 billion that was allocated over three years conditional on support for the budget.

We hope that the Conservative Prime Minister will change his mind about this unfair distribution, just as he did in that particular case of political blackmail. I am pleased to see that the Bloc Québécois' pressure has produced results. I would like to quote the Minister of the Economic Development Agency of Canada for the Regions of Quebec, the member for Jonquière—Alma, who said the following in *Le Quotidien* this morning:

It seems that nothing can be done about the Bloc Québécois' refusal to support the next budget. We had to find another solution to help workers who need help right now to get through the forestry crisis. The Prime Minister's proposed notice of motion would give \$217 million to Quebec.

•(1225)

I would like to point out that \$217 million over three years is about \$70 million per year and about \$35 million for each sector, forestry and manufacturing. As the Minister of the Economic Development Agency of Canada for the Regions of Quebec said, nobody is going to be sitting down to a steak dinner. Instead, people will be handed a bowl of stale peanuts to snack on. Even so, in the remarks I just quoted, the Minister of the Economic Development Agency of Canada for the Regions of Quebec recognizes that the Bloc Québécois' firm stance persuaded the government to think things over and realize that there would be a price to pay politically and electorally. Thank goodness this is a minority government. To avoid paying the price, they realized that they had to separate the aid program, the creation of the trust, from the budget. As the Minister of the Economic Development Agency of Canada for the Regions of Quebec said, the only reason the government decided to act was that the Bloc Québécois refused to back down.

In today's edition of *Le Devoir*, February 5, 2008, the same minister said:

I asked the Bloc Québécois if they were going to support the budget or not and their silence clearly demonstrated that they had no intention of supporting the budget. Thus, under the circumstances, we must act responsibly. That is why we are going to introduce the bill, just to be sure.

That said, once again, we see the determination of the Bloc Québécois at the root of this particular matter. We cannot take all the credit, but this is a perfect example of how the Bloc Québécois serves the people of Quebec.

I must say that the Minister of the Economic Development Agency of Canada for the Regions of Quebec is entirely mistaken. Our decision to support or oppose the upcoming budget will be determined by what is in the budget. We have no ideological prejudices, unlike the Conservatives. We asked for a number of things, including measures to help the manufacturing sector.

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If they appear in the budget, our party has no problem voting in favour of the budget, as we did last year hon. members will recall. I was the Bloc Québécois finance critic at the time. I had made it clear that we wanted to see a financial solution to the fiscal imbalance. This did not resolve the fiscal imbalance and the members opposite should not, as usual, make the mistake of thinking that it did. We were looking for a financial solution of \$3.9 billion for the third year. In the budget, there was \$3.3 billion for the third year. The Bloc Québécois felt very comfortable voting in favour of the budget, as a first step toward a final settlement of the fiscal imbalance. This would require a withdrawal of the federal spending power in Quebec's areas of jurisdiction and would also require negotiations for the transfer of tax room used by the federal government to Quebec and the provinces that want it, for instance.

As proposed by the Séguin commission, our proposal involves transferring the GST to Quebec. That transfer should be orderly, coordinated and disciplined, unlike the government's approach of reducing the GST by one percentage point a year and telling the provinces to move into the room created. That is not what we are talking about. We mean a real, coordinated transfer of the GST.

Naturally, it is going to take some income tax points to ensure that Quebec will have the tax room required to assume its responsibilities. In exchange, Quebec is prepared to relinquish funding from the federal government for health, post-secondary education and social programs. Equalization payments will not be touched. That is in the Constitution and is another matter. They represent an unconditional transfer, which is what Quebec wants.

Although the Minister of the Economic Development Agency of Canada for the Regions of Quebec was right when he said that the Bloc Québécois forced the government to take action, he is wrong to believe that we will vote against the budget. If the budget contained measures affecting, for example, refundable tax credits to help companies that do research and development but that do not turn a profit, or if it announced that the accelerated capital cost allowance, which is now over two years, was extended to five years, we would support these measures. All these measures are found in the report of the Standing Committee on Finance, which accepted the recommendations already made by the Standing Committee on Industry, Science and Technology.

As we can see, the solutions are known and the money is there given forecast surpluses. We will be able to include other measures in the budget. The only missing component is the political will of the Conservatives and of the Prime Minister. Let us hope that pressure from Quebec society, the consensus in Quebec, will force this government to take action in the interests of Quebec, the manufacturing and forestry industries and the workers in those industries.

• (1230)

Mr. Yves Lessard (Chambly—Borduas, BQ): Mr. Speaker, I want to begin by congratulating the hon. member for Joliette, for the quality and relevance of his remarks.

At this point, I think it is quite appropriate to show and reaffirm that the Canadian government has the means to take action, and that it must do so right away. The crisis is going on now, and people are suffering now.

I have a question for my colleague. He spoke very briefly about the impact of this on workers. For example, the measures proposed by the Bloc include \$1.5 billion to help workers. Out of that amount, \$60 million would be allocated to POWA, the Program for Older Worker Adjustment. When plants shut down, 20% of the workers affected are over 55 years of age. I wonder if my colleague could elaborate on the relevancy of this measure.

Mr. Pierre Paquette: Mr. Speaker, I thank the hon. member for Chambly—Borduas for his question, because it gives me the opportunity to talk about an issue that I really care about.

As the member for the riding of Joliette, I have to deal with two plant closures, in the town of Saint-Michel-des-Saints. Indeed, *Louisiana Pacific* decided to shut down its two plants, in August 2006. These closures occurred some time ago, and about 250 workers lost their jobs. We are talking here about a sawmill and a waferboard plant.

Many of the workers who were laid off had worked for these plants for 30 years, and they cannot easily retrain, because they have basic training and not enough education. Moreover, even if these people are willing to leave the area and move, for example, to the south of the Lanaudière region, or to the greater Montreal region, employers will give priority to young people, rather than to older workers who are near the end of their working years, in order to have some continuity.

However, these workers have a right to be able to remain in the community to which they brought a contribution for several decades.

There was a program prior to 1998, but it was abolished by the Liberals. At the time, they announced that they would set up another program. Yet, 10 years later, we are still waiting. The program would help workers who cannot be retrained to finish up their professional career with dignity and receive income from public or private pension plans. I believe that this measure would not only mitigate personal economic insecurity—these people face hardships—and family problems, but it would also help retain communities capable of moving towards other niches.

Take Saint-Michel-des-Saints, for example. A large number of recreation and tourism projects are being studied. Let us give these projects the time needed to develop so that more young people will find employment. We must not have any illusions. It will take several years for northern Lanaudière to become an international recreation and tourism centre.

These workers should be able to finish up their career with dignity with the implementation of an income support program for older workers, better known as the older worker adjustment program. That is the best solution in economic, financial and human terms.

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•(1235)

[English]

Mr. Bill Siksay (Burnaby—Douglas, NDP): Mr. Speaker, I appreciate what the member has been saying about workers in communities affected by crises in the manufacturing industries and how they are interested in staying in their home communities and how we should be doing whatever we can to ensure that is possible. However, there are other workers in all regions who are interested in travelling and taking up jobs in other parts of the country.

One of the things the body of the report that we are debating talks about is labour mobility. Unfortunately, there are no recommendations that deal specifically with labour mobility, recommendations like the private member's bill that my colleague from Hamilton Mountain put forward. That bill suggests tax credits for workers, particularly those in the building trades, who are prepared to move to other regions of the country to take up work and that they be provided assistance to do that.

We know there are trained workers in a number of industries who are willing to make that move but cannot do it because they do not have that kind of assistance. I wonder if the member might talk a bit about labour mobility in that vein.

We also know there is a recommendation in the report that the temporary foreign workers program be augmented. This has always been of concern to me, especially when Canadians are available to do work but do not have the means to travel to take up jobs in other regions of the country, and instead, workers are being brought in from offshore.

In Canada in the past often the plan has been to bring in temporary foreign workers but to put them in the stream to become citizens, to land them as permanent residents, make sure they enjoy all the labour rights and become full citizens. It is not a guest worker program. I wonder if the member might comment on the temporary worker program in that regard as well.

[Translation]

Mr. Pierre Paquette: Mr. Speaker, I thank the member for his question, which is very relevant.

We have a duty as parliamentarians to make sure our constituents have the support they need to lead fulfilling lives. For example, if workers want to stay in their community, it is our job to find ways to help them do just that, but if they want to move, we must also be able to help them with various tax programs or even changes to the employment insurance system. A number of unions in the construction industry have suggested such changes. Every year, they come here to Ottawa to talk to us about that. We would therefore be addressing a problem.

The government is hiding behind the fact that some regions or sectors are experiencing labour shortages. This is true, admittedly. But a worker in Abitibi who loses his forestry job cannot necessarily become a miner overnight. These people need income support so that they can get the retraining they need.

As well, regions sometimes have very temporary labour needs. People will be reluctant to leave their area to go to Alberta, for example, for fear they will be sent back again six weeks later. We

have to find a way to minimize the costs to individuals and distribute labour in the way that makes the most sense economically. The measures described by the member are consistent with this approach.

I will close by saying that the Bloc Québécois is looking at introducing a sort of improved employment insurance for workers who agree to train for a period of two years, for example. As I mentioned, employment insurance provides coverage for a maximum of 42 weeks, if memory serves. Yet training to move from one specialty to another rarely takes less than two years. Consequently, it seems to me that in light of the new realities in the manufacturing sector, we need to review—

The Acting Speaker (Mr. Andrew Scheer): We now move to questions and comments. The hon. member for Saint-Maurice—Champlain.

Mr. Jean-Yves Laforest (Saint-Maurice—Champlain, BQ): Mr. Speaker, I too would like to commend my colleague for his excellent speech on the motion introduced this morning. One aspect of his speech that struck me was the issue of distributing the proposed aid package to the manufacturing and forestry industries, namely through the trust the government is currently putting in place. My colleague was saying that in the mad cow crisis, the previous governments implemented a program that targeted, in a way, areas where the crisis affected producers the most. The current trust does not have that same measure. I would like my colleague to elaborate on that.

I am thinking here of another example concerning the Government of Canada. In times of crisis, the Economic Development Agency of Canada for the Regions of Quebec can take measures only when losses as a result of the crisis exceed \$10 billion. If disaster strikes and it is not significant enough, the government does not step in to help. This is somewhat similar. I would like to have my colleague's opinion on that.

•(1240)

Mr. Pierre Paquette: Mr. Speaker, the hon. member just gave a very good illustration of the inequity this type of distribution can create when it is based on an approach that totally ignores real needs. Quebec is ending up with \$216 million, or 21.7% of the total \$1 billion announced. As I was saying, Alberta is getting a lot more money than Quebec is. While we represent 32.8% of the forestry industry, we are receiving 21.7% of the money. The same is true for the manufacturing industry. I think the government needs to take another long hard look at this issue.

Mr. Jean-Yves Laforest (Saint-Maurice—Champlain, BQ): Mr. Speaker, I would like to say that I will be splitting my time with the hon. member for Chambly—Borduas.

First of all, the motion introduced this morning by the Bloc Québécois picks up on the motion adopted by the Standing Committee on Finance and carries on the attempt to deal with the difficulties that the forestry and manufacturing industries are currently experiencing, especially in Quebec.

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The Standing Committee on Industry, Science and Technology adopted a series of extremely pertinent, logical measures to assist in particular the manufacturing and forestry industries, especially in Quebec. The Standing Committee on Finance re-examined this very detailed plan and picked out some extremely attractive and important tax measures the government should definitely consider. This motion was adopted unanimously by the Standing Committee on Finance. It is imperative, therefore, if we want to continue down the same logical path, for all parliamentarians to pass it unanimously so that we send a very clear message to manufacturers and the people working in these sectors, as well as all working people in Quebec who deal with these major problems every day.

The recommendations of the finance committee are taken up in today's motion and focus on capital cost allowances to help companies modernize their equipment in order to remain competitive. Some sectors were specifically targeted, such as energy, information, information technology, the environment and rail transportation. These are all interconnected. When we speak about public transit, we are also speaking about the importance of the environment and about ensuring that companies in these sectors remain competitive with companies elsewhere in the world.

The other major aspect has to do with increasing investment in research and development. Many companies in Quebec do a lot of R and D but do not compete on a level playing field. The government must take action to help these companies become more competitive. The free market clearly favours companies that are doing well at the present time, but this does not mean that companies going through a rough patch should be left to their own devices. The government must take action, especially in Quebec, in view of the importance of the manufacturing sector. Many jobs are being lost, and it is essential to give this sector a boost by means of the measures mentioned in the motion, especially credits for R and D and the modernization of equipment.

The manufacturing industry is in sad shape in Canada, but especially in Quebec, because Quebec and Ontario are the two places the crisis is hitting the hardest. The manufacturing sector in Quebec is vital, accounting for 536,000 jobs and \$22 billion in salaries. That is nearly three times more than in Alberta. Yet the measure the government has proposed will give as much money to Alberta as to Quebec. This is completely absurd.

Manufactured goods account for 59% of Quebec's GDP, which shows just how important manufacturing is to Quebec. In many cases, these services support industry, research and development. The collapse of the manufacturing sector is hurting Quebec's whole economy, and it desperately needs a helping hand.

• (1245)

The forest industry in Quebec cannot be abandoned. Here again, the government must set aside its economic *laissez-faire* philosophy, which holds that only the strongest companies will or should survive. Entire communities in Quebec depend on the manufacturing industry and especially on the forestry industry.

Quebec is inhabited because of the forestry industry. Throughout Quebec, forest resources have been developed in an organized way for hundreds of years. It is important to support the communities whose economies and labour markets are centred around these

industries. Quebec is going through a tough time right now, but that will not always be the case. Companies need help to modernize their equipment and compete better against foreign companies so that they can turn a profit.

Moreover, the plant closures and job losses have a social dimension. The people who are affected are truly in dire straits. We can all imagine what families throughout Quebec are going through. We must look ahead. We must help companies modernize, diversify and make it through this crisis.

In Quebec, 230 towns and cities depend heavily on the forestry industry, and 160 depend on it exclusively. We cannot just sit back and see what happens and say how nice for those that managed to survive. We need a strong assistance program that can offer much more than the \$1 billion proposed, only \$216 million of which will go to Quebec. The next budget must include additional amounts. Two hundred and sixteen million dollars over three years for the whole of Quebec's manufacturing and forestry sectors does not make sense. For example, the Trois-Rivières region needs an investment of about \$300 million just to reopen one plant.

It is as the member for Saint-Maurice—Champlain that I am making a speech on the impact of the manufacturing sector crisis. My riding includes the city of Shawinigan. I raised this matter in the House when the Belgo plant shutdown was announced last fall. I would like to explain how tragic that can be for a city like that. The city's best industrial years were behind it, and it was completely abandoned by successive governments. The town has become utterly depressed. One pulp and paper mill is about to close, and another of the same company's mills is in danger of closing. AbitibiBowater announced that the other mill in that city is on life support.

It is hard to imagine how a city of 50,000 can make it through the closure of two mills within months of each other. The government simply must intervene with effective measures to ensure the survival of the company, especially since it has the means to do so.

The government has taken measures that, once again, send very bad signals to the economy of the Shawinigan region. Last fall, the government closed a Canada Revenue Agency office there and moved it to centralize services in Ottawa. As a result, 20 jobs were cut in Shawinigan alone.

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The government must have a much broader vision for supporting communities. All of its actions should aim to save jobs and focus on people's ability to take charge of their own lives and develop their skills.

In short, the Conservatives' \$1 billion trust will obviously send a message.

•(1250)

The main message is that the government is able to take money from the \$11.6 billion surplus—

The Acting Speaker (Mr. Andrew Scheer): The member for Rimouski-Neigette—Témiscouata—Les Basques.

Ms. Louise Thibault (Rimouski-Neigette—Témiscouata—Les Basques, Ind.): Mr. Speaker, my colleague from Saint-Maurice—Champlain covered a lot of bases. But there is one thing that the Conservative government completely overlooked in its trust fund strategy. This has to do with our private lumber producers, private woodlot owners. I think it is very serious that they were completely ignored in the trust fund. I am referring to Quebec in particular. These 35,000 producers represent 29,000 jobs and, consequently, millions of dollars in direct and indirect benefits.

I would like my colleague to comment on what the Fédération des producteurs de bois du Québec and the regional unions are calling for with respect to timely financial aid measures, as of today, so that private woodlot owners can continue their operations.

It has already been said. The federal government took care of the beef and grain industries when they were in crisis. Why do we not take care of this group and give them transportation assistance? They need immediate, practical measures so that they can continue to support their families, and so that we can keep one of our most important natural resources, the forest, in good shape.

Mr. Jean-Yves Laforest: Mr. Speaker, I thank the member for Rimouski-Neigette—Témiscouata—Les Basques for her question. As a matter of fact, the point she raises is extremely important.

There are about 35,000 private producers in Quebec forests. The government has completely excluded them from the assistance plan. These people have to work without the resources of the big forestry companies. Very often, they have to go into debt and mortgage their home in order to continue the work of developing sectors as part of proper and effective forestry plan in Quebec. These producers have often developed the forests that they own. Frequently, it is a family tradition. The forests are extremely well managed. These producers invest their own money in very expensive equipment.

Very often, these people work for many months without receiving any money at all because the companies that use the wood for pulp and paper or for sawmills do not always take up the wood, all the more so now that restrictions are in effect. These producers still must continue to invest to remain efficient and to properly manage the forests, which certainly make up one of the jewels of Quebec's resources.

Mr. Daniel Petit (Charlesbourg—Haute-Saint-Charles, CPC): Mr. Speaker, I would like my colleague opposite to tell me some more about the subject he mentioned earlier in his remarks.

If we understand the Bloc clearly, he said that they had calculated their demands at \$15 billion, plus \$5 billion in equalization payments, which amounts to \$20 billion. What the Bloc is asking for in return for a vote in favour of the next budget is the entire surplus of Canada. As well, in his argument he told us poignantly that it is important to him. It is just as important for everyone, including this government.

We have presented a budget. Since it is important to him and the residents of his riding, does this mean that my colleague is ready to support the next budget that we table?

•(1255)

Mr. Jean-Yves Laforest: Mr. Speaker, before I reply to him, I would like the member who just raised this question to tell us what will be in that budget.

Can any conscientious person say in advance how he or she will vote without knowing exactly what will be in that budget? I find that absolutely incomprehensible.

In the question he raised, he spoke of \$20 billion. Since the Conservatives have started to read the Bloc proposals carefully, they have backed off on the matter of a billion dollars: they have removed the condition that tied the billion dollars to the budget. That is already a step in the right direction.

Nevertheless, in the Bloc Québécois proposals, there would still be \$3.5 billion to apply to the debt. Moreover, when he said that the Bloc Québécois proposes to transfer \$20 billion and to take the rest of the surplus for—

Some hon. members: Oh, oh!

The Acting Speaker (Mr. Andrew Scheer): Order. Order. It is very difficult to hear the answer.

The hon. member for Chambly—Borduas.

Mr. Yves Lessard (Chambly—Borduas, BQ): Mr. Speaker, I am going to point out that I am happy to speak at this point in the debate on the motion by my colleague from Montmagny—L'Islet—Kamouraska—Rivière-du-Loup. This is a timely motion, even though it was presented at the Standing Committee on Finance on November 28, 2007. That shows how the Bloc Québécois had already been involved for many months in trying to get the government to take initiatives to help these two sectors: forestry and manufacturing. I would even say many years, since this is the kind of thing we were already doing when the previous government was in power.

What makes this motion even more relevant today is that it gives us an opportunity to do something about the measure taken in relation to the \$1 billion trust. Other colleagues have in fact told us that this \$1 billion is too little. In fact, \$1 billion is not enough to meet the crisis. It is allocated unfairly and means that the two sectors concerned are not really being supported to a level that meets the problem they are having. When we look at the \$228 million in Quebec for two sectors, we see that we are getting \$114 million per sector over three years. That means an average of \$36 million per year. When we look at the extent of the crisis in both those sectors, that is too little.

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I will illustrate my point by saying that in Quebec we are talking about 536,000 jobs and \$22 billion in wages, 17% of all jobs in 2005 and nearly 21% of income from employment; that is three times more than in Alberta. In recent years, and particularly the last three years, 88,000 jobs have been lost in forestry and the sawmills. There are 230 towns and villages that depend mainly on the forestry industry and 160 towns and villages that depend exclusively on the forestry industry: nearly one half of the forestry-based communities in Canada. The forestry industry is central to how the land has been settled in Quebec. This is worth pointing out.

The manufacturing crisis, I would point out, is very serious; it looks like this: 78,000 manufacturing jobs have been lost in Quebec since the Conservatives came to power. It is as if our friends from Quebec, who were strutting around just now, had not seen this. As well, 21,000 jobs have been lost in the forestry industry alone, including related service industries like transportation and forestry equipment. That is half of the total job losses in Canada since April 2005. The statistics end in the summer of 2007, however, but there are situations that have worsened in a number of municipalities and my colleague, the member for Saint-Maurice—Champlain, illustrated this clearly a moment ago.

The Conservative government is arguing that it has reduced taxes to help these industries. But when companies are not making any money and people are not working, tax reductions are useless. Where they are useful is in industries that are booming, such as the oil industry. My colleagues who were strutting around do not seem to realize that the oil companies will save \$2.8 billion in taxes over the next three years.

• (1300)

They will save \$2.8 billion over three years. That means \$922 million in 2008 alone. That is what this government has done: it has taken steps to support the sectors of the economy that are working well, but it has done nothing to support industries in difficulty. That is the Conservative doctrine: support the oil industry and the war industry.

Some hon. members: Oh, oh!

Mr. Yves Lessard: Mr. Speaker, they are still making a racket, as you can see.

Their doctrine is to support the war industry. The member for Charlesbourg—Haute-Saint-Charles can tell us later, and his colleague, whose name I forget, because he does not speak very often, and when he does, he does not make much of an impression—

Some hon. members: Oh, oh!

Mr. Yves Lessard: Mr. Speaker, it is the war industry. Last year, the members opposite who are carrying on committed \$17.5 billion in a single week, without any debate in this House, the week after the House of Commons adjourned. Since then, the total has climbed to \$23 billion to finance the war industry. We are in favour of updating military equipment, but at a reasonable pace, in light of the support the rest of the manufacturing sector needs.

Some hon. members: Oh, oh!

Mr. Yves Lessard: Mr. Speaker, I would ask you to call to order our two Quebec colleagues, the member for Charlesbourg—Haute-Saint-Charles and the other member, whose riding I have forgotten because he does not often speak. I did not interrupt his speech earlier. It is quite inappropriate and that is just about all that they want and can do.

An hon. member: What did you accomplish in 17 years?

Mr. Yves Lessard: Let us return to worker assistance.

An hon. member: What did you do in 17 years. Talk about your record.

Mr. Yves Lessard: There is something odd here. They say that we do nothing here. The Minister of Labour and Minister of the Economic Development Agency of Canada for the Regions of Quebec, a member from the Saguenay—Lac-Saint-Jean region, said, just yesterday, that it was the Bloc's fault for forcing them to separate the \$1 billion trust from the budget.

Instead he should have praised the Bloc, because it was the Bloc Québécois who made them realize just how little help these people were receiving. That illustrates how we move things along every week and every day that we spend in this House.

Some hon. members: Oh, oh!

Mr. Yves Lessard: Mr. Speaker, our Conservative colleagues are showing a very poor attitude today by interrupting me with insults and outrageous comments.

I would point out that employment insurance—

Some hon. members: Oh, oh!

Mr. Yves Lessard: Sir, if you are drunk, please leave.

Some hon. members: Oh, oh!

Mr. Yves Lessard: Mr. Speaker, they are behaving like drunkards. This makes no sense and I would ask you to call them to order.

An appropriate measure with respect to employment insurance would be to ensure that the surplus accumulated by employment insurance over the past year, that is, \$1.444 billion, be retained, put into a separate fund and used to support workers, particularly older workers. Thus, \$60 billion would go to older workers to establish the POWA.

Let me say to the hon. member for Charlesbourg—Haute-Saint-Charles that the POWA could help the workers from Saint-Émile who lost their jobs in the shoe industry. I would like to see him, instead of clowning around, rise in this House and assure us that the POWA will be established. That is what the workers of Saint-Émile in his riding, Charlesbourg—Haute-Saint-Charles, are asking for. Yet he cannot do that. All Conservative members from Quebec should be able to do so, since all ridings have been affected.

Every time there are massive layoffs, at least 20% of the workers affected are over 55 years old. Establishing a support program for older workers would help workers in all regions.

Routine Proceedings

Since I am getting a signal that my time is up, I will close by affirming that it is very important that the motion moved by my hon. colleague from Montmagny—L'Islet—Kamouraska—Rivière-du-Loup be unanimously adopted.

• (1305)

Mr. Luc Harvey (Louis-Hébert, CPC): Mr. Speaker, according to my colleague from the Bloc Québécois we were saying things that were offensive and inappropriate. We were simply asking about the Bloc Québécois' record after 17 years of being here in Ottawa. It is a meagre record. One minute would surely give him all the time he needs to explain his record. I am giving him another chance to take stock of what the Bloc Québécois has done in 17 years. He should be able to sum it up in 15 seconds.

Mr. Yves Lessard: Mr. Speaker, I want to thank the hon. member for Louis-Hébert for his question.

I refer him to the mandate the people of Quebec have given us. They are better judges than he is. As for the remarks he made earlier, I will not bother answering.

Nonetheless, two-thirds of the members of Parliament from Quebec are in the Bloc Québécois. Two thirds of Quebecers in Quebec ridings are satisfied with the work we are doing here and the results we are achieving.

Mr. Louis Plamondon (Bas-Richelieu—Nicolet—Bécancour, BQ): Mr. Speaker, I was listening carefully to my colleague, the hon. member for Chambly, when he was talking earlier and I was very impressed with his arguments and his accurate comments.

I have a simple question for him. Is he surprised by the fact that the 10 Conservative members from Quebec have not said a word in the House? I see that the Conservative members from Quebec are leaving. They have not said a word in the House about this matter—not a word during question period, nor during the one minute members' statements, and no speeches or interventions in committee.

Is the hon. member surprised that people who claim to be representatives of Quebec within the government have been completely silent ever since they arrived here two years ago?

In the meantime, the Bloc Québécois has not stopped proposing solutions that have come to fruition. We have made this government take a step back dozens of times, while the Conservative members from Quebec, the “silent ones”—I think they should be called the “Muffler Party”, or the “Silent Party”—have not uttered a word, a speech, a statement or a question. They are certainly muffled.

• (1310)

Mr. Yves Lessard: Mr. Speaker, the remarks of my colleague, the member for Bas-Richelieu—Nicolet—Bécancour, are entirely appropriate. Not only do they remain silent but they scorn the work of the Bloc Québécois, which is continually raising issues both in the House of Commons and in our ridings to move these issues forward. They look down on the work of the Bloc.

They not only belittle the work of the Bloc Québécois, but twice last fall the Bloc presented motions in this House to come to the assistance of the forestry and manufacturing sectors and they voted against them. We tabled a motion dealing with POWA, and they voted against it. It was those people.

The member for Roberval-Lac-Saint-Jean, who was elected last year, the member representing forest workers, voted against our motion. They not only do nothing, they work against proper measures to come to the assistance of Quebecers.

[*English*]

Mr. Bill Siksay (Burnaby—Douglas, NDP): Mr. Speaker, I want to ask my colleague about recommendations 6 and 7 of the report. Recommendation 6 talks about encouraging temporary foreign workers and recommendation 7 talks about Canada encouraging employers to train workers with new skills and to give them a tax credit for that.

In British Columbia we have seen temporary foreign workers brought in on the new rapid transit line in Vancouver, in particular, to do tunnelling. The employer had a new machine that did the tunnelling. It refused to train Canadian workers on how to operate the machine. What can we do to ensure that kind of training takes place?

[*Translation*]

The Acting Speaker (Mr. Andrew Scheer): The hon. Member for Chambly—Borduas has less than two minutes to reply to the question.

Mr. Yves Lessard: Mr. Speaker, I thank my colleague for his question. This is precisely a concern that should be brought to the attention of the House. The Standing Committee on Human Resources, Social Development and the Status of Persons with Disabilities held meetings in Canada's provincial capitals last year to investigate two matters.

First, the members of the committee wanted to investigate access to employment and stability of employment. All the stakeholder groups that appeared before us insisted on the importance of putting in place measures that would enable people to adapt to new trades and to meet new standards. The Bloc is in agreement, provided that people are not forced to relocate.

Mr. Marc Lemay (Abitibi—Témiscamingue, BQ): Mr. Speaker, I know that I will not have much time since we are winding up debate on this motion, which is exceedingly important to the Bloc Québécois, but above all for the regions of Quebec reeling under the full force of the forestry crisis. I represent one of those regions. In the 1960s, there were 45 sawmills and three pulp and paper mills in the Abitibi-Témiscamingue region. Today there is only one pulp and paper mill and, at most, 20 sawmills still active.

We all knew that a forestry crisis was coming and that the government needed to provide appropriate measures to deal with the crisis. This government was elected two years ago and for two years we have been calling on it to prepare to deal with an unmanageable crisis—the forestry crisis—and to develop appropriate measures. Since the government is incapable of producing such measures, we decided to offer some solutions.

Through the standing committee responsible for this issue, we submitted 11 recommendations. I do not want to go further on that point because I know that I do not have much time remaining. However, I do want to speak about the famous \$1 billion that will be held in trust and of which the Bloc will be in favour.

Routine Proceedings

Since October, the Conservatives have been coming into my riding to say how concerned they are about the forestry crisis. A Conservative was even elected in the riding of Roberval—Lac-Saint-Jean, after saying that he would personally deal with this crisis. In my opinion, this member was practically elected on the basis of misleading statements because he is not the one who made the government change its mind. It has taken 10, 15, 20, 50, even 100 members to explain to this government—and especially to the 11 Conservative members from Quebec—that it understood nothing, did not listen to anything and did not want to hear anything. We told the Conservatives that the crisis would strike them with full force.

The Bloc will vote in favour of this trust. Nobody on the other side, especially not the 11 Conservative members elected from Quebec, can say that the Bloc is useless in Ottawa, quite the contrary.

● (1315)

[English]

The Acting Speaker (Mr. Andrew Scheer): Order. It is my duty to interrupt the proceedings at this time and put forthwith the question on the motion now before the House.

The House has heard the terms of 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. Andrew Scheer): All those in favour of the motion will please say yea.

Some hon. members: Yea.

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

Some hon. members: Nay.

The Acting Speaker (Mr. Andrew Scheer): In my opinion the nays have it.

And five or more members having risen:

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

And the bells having rung:

The Acting Speaker (Mr. Andrew Scheer): Accordingly, the vote will be deferred until 5:30 p.m. later today.

* * *

PETITIONS

SECURITY AND PROSPERITY PARTNERSHIP

Ms. Chris Charlton (Hamilton Mountain, NDP): Mr. Speaker, it is my privilege to table three petitions today.

First, I have a petition that has been signed by dozens of people from my home town of Hamilton who are opposed to the so-called security and prosperity partnership.

The petitioners are very concerned about the government's plan for further continental integration because they rightly believe that the SPP is really NAFTA on steroids.

The petitioners believe that this agenda, which was initiated by the Liberals and is now being carried on by the Conservatives, threatens our sovereignty. They are particularly worried about the impact that continental integration will have on undermining Canadian standards related to health, security, energy and food.

They believe that the government is working with the United States and Mexico to put in place a deal that will bypass Parliament and ignore the interests of Canadians. They want to see this deal stopped.

The NDP is the only party opposing the SPP and these petitioners are supporting our call to halt implementation of the SPP.

● (1320)

AGE OF CONSENT

Ms. Chris Charlton (Hamilton Mountain, NDP): Mr. Speaker, I am also rising to table a petition signed by dozens of people on the subject of the age of consent.

The petitioners are aware that Bill C-22, which raises the age of consent to 16, is currently languishing in the Liberal dominated Senate. They are calling on Parliament to pass the bill without further delay.

TAXATION

Ms. Chris Charlton (Hamilton Mountain, NDP): Mr. Speaker, I am rising yet again to table more petitions on the urgent need for this House to pass Bill C-390, a bill that would allow tradespeople and indentured apprentices to be able to deduct travel and accommodation expenses from their taxable incomes, so they can secure and maintain employment at construction sites that are more than 80 kilometres from their homes.

This time the petitions are signed by members and friends of the building trades throughout Ontario and Nova Scotia. With another federal budget just around the corner, the petitioners are hoping that this time they will get the same treatment that long haul truckers got in the government's last budget. All they are asking for is some basic fairness. Surely, they deserve at least that.

HUMAN RIGHTS

Mr. Bill Siksay (Burnaby—Douglas, NDP): Mr. Speaker, I have two petitions that I would like to table this afternoon.

The first is signed by 35 residents of the province of Saskatchewan who are concerned about the protection of transgender and transsexual Canadians. They know that they are subject to discrimination, harassment and violence based on their gender identity and gender expression. They often suffer injustices such as the denial of employment, housing, access to transsensitive health care, and the inability to obtain identification documents because of their gender identity and gender expression.

Therefore, they call on Parliament to immediately implement legislation to update the Canadian Human Rights Act to include gender identity and gender expression as prohibited grounds of discrimination.

SECURITY AND PROSPERITY PARTNERSHIP

Mr. Bill Siksay (Burnaby—Douglas, NDP): Mr. Speaker, the second petition is signed by 77 residents of Alberta and a few from Victoria, B.C.

They are calling on the Government of Canada to stop further implementation of the security and prosperity partnership of North America agreement with the United States and Mexico until there is a democratic mandate from the people of Canada, until there is reasonable parliamentary oversight, and until there is consideration of its profound consequences on Canada's sovereignty and its ability to adopt autonomous and sustainable, economic, social and environmental policy.

They also urge the government to conduct a transparent and accountable public debate on the SPP process involving meaningful public consultations with civil society and a full legislative review, including the work, recommendations and reports of all SPP working groups, and then a full debate and vote in Parliament.

* * *

QUESTIONS ON THE ORDER PAPER

Mr. Dave MacKenzie (Parliamentary Secretary to the Minister of Public Safety, CPC): Mr. Speaker, I ask that all questions be allowed to stand.

The Acting Speaker (Mr. Andrew Scheer): Is that agreed?

Some hon. members: Agreed.

GOVERNMENT ORDERS

[English]

IMMIGRATION AND REFUGEE PROTECTION ACT

Hon. Bev Oda (for the Minister of Public Safety) moved that Bill C-3, An Act to amend the Immigration and Refugee Protection Act (certificate and special advocate) and to make a consequential amendment to another Act, be read the third time and passed.

Mr. Dave MacKenzie (Parliamentary Secretary to the Minister of Public Safety, CPC): Mr. Speaker, I appreciate the opportunity to rise before the House and discuss Bill C-3, An Act to amend the Immigration and Refugee Protection Act.

Canada has a long and honoured tradition of welcoming people from all over the world. Each year we admit more than 95 million people to our country, including 260,000 new immigrants. The vast majority of these people are individuals who enrich the fabric of our society through new visions, beliefs, languages and cultural backgrounds. However, some people try to abuse our openness and pose a danger to our country. Canadians insist on vigilance against these people who pose a danger to our nation, and in some cases, to other nations around the world. Such people cannot be allowed to stay in Canada.

This government wants what Canadians want. That is why we are unwavering in our determination to safeguard national security and to protect the safety and security of the Canadian public. This government has taken its commitment very seriously.

Government Orders

The Immigration and Refugee Protection Act provides the government with a process to remove non-Canadian citizens who are inadmissible on grounds of security, violating human rights, spying, or serious criminality or organized criminality. Through intelligence and investigation, Canadian authorities determine the risks posed by various individuals and recommend whether they should be allowed to remain in our country.

During these investigations, authorities must protect confidential information, such as sources, third party and foreign agency information and methods of operation. For example, some individuals have ties to larger organizations that are under ongoing investigation by our national security agencies. These investigations do not simply stop after the arrest of one person. Investigative techniques should not be disclosed as this could expose the investigation.

Furthermore, as human sources are often used during these types of investigations, revealing their identity could jeopardize not only the investigation but the safety of the source or even the source's family. As such, when the removal of a dangerous foreign national from Canada is sought and confidential information forms part of the case against the person, the security certificate process is relied upon if the person is unwilling to leave voluntarily. Such a process has existed in one form or another for decades.

Bill C-3 responds to the Supreme Court ruling in the Charkaoui case. In February 2007, the Supreme Court of Canada confirmed the use of security certificates generally. However, it did find aspects of the security process that required legislative improvement.

Bill C-3 introduces important new measures that will help better protect the rights of individuals subject to security certificates. There are three major components of Bill C-3: the new special advocate function; the new detention review rights awarded to foreign nationals; and the new rights of appeal in relation to federal court decisions.

In the Charkaoui case, the Supreme Court found that the government must do more to protect the interests of a person subject to a security certificate during closed hearings where confidential information is presented.

The first major change proposed by Bill C-3 is the introduction of a special advocate into the security certificate process and certain other proceedings under the Immigration and Refugee Protection Act. The special advocate's core role is to protect the interests of the subject by challenging the government's claim to the confidentiality of information, as well as its relevance and weight. The special advocate will also be able to make written and oral submissions to the court and cross-examine witnesses.

We realize that every case will be different and every case will have different needs. That means we cannot anticipate every twist and turn. That is why we are also adding a catch-all clause, section 85.2(c). This section authorizes the judge to provide the special advocate with any further powers that are necessary to protect the interests of the individual.

Government Orders

The public safety and national security committee reviewed Bill C-3 and after hearing from many witnesses, agreed to include several amendments related to the special advocate section of this bill. The amendments to the special advocate role enhance the fairness of the security certificate process.

The Minister of Justice will establish a list of persons. The public safety and national security committee has set out specific criteria to establish who may act as a special advocate.

● (1325)

Some of the qualifications include: membership in good standing of the bar of a province; relevant litigation experience; appropriate security clearance; and that their independence from the government as well as having no conflict of interest is ensured. The special advocate is a party to the proceedings to protect the interests of the subject and there should be nothing that impairs this ability.

As well, when a judge appoints a special advocate, he or she will have to consider the preference of the person subject to the certificate. When a person subject to a certificate requests that a specific individual be appointed as a special advocate in his or her case, the judge will have to appoint that person, unless satisfied that the appointment would unreasonably delay the proceedings, would place the individual in a conflict of interest, or would create a risk of inadvertent disclosure of information or evidence that could harm national security or endanger the safety of any person.

The special advocate will be able to communicate with the person who is subject to a security certificate without any restrictions before he or she sees the confidential information. An unclassified summary of the case would be provided to discuss with the individual. This should substantially assist the special advocate in preparing for the closed proceedings.

Once the special advocate is privy to the classified and confidential information, he or she can no longer communicate with anyone about the proceeding while it is ongoing, except as specifically authorized by the judge. This is to avoid any inadvertent disclosure of confidential information to the subject.

Again, I urge members to remember the importance of safeguarding such information to protect our national security and ensure the security of various sources.

However, even after seeing the confidential information, the special advocate can apply to the judge for permission to communicate with the person subject to the certificate. If the judge grants the request, the judge may impose conditions on the communication to ensure that confidential information is not disclosed.

Although the bill states that a person subject to a certificate does not enjoy a solicitor-client relationship with the special advocate, an important amendment was made by the committee. The change states that communication between the two individuals is to be protected as if a solicitor-client privilege existed between them. The amendment also states that the special advocate is not a compellable witness in any proceeding. This change further protects the interests of both individuals.

The second major change proposed by Bill C-3 is related to detention reviews. Under the security certificate process, a judge of the Federal Court reviews the detention of a person subject to a security certificate and determines if it is still warranted.

Prior to the Supreme Court's ruling on a security certificate in the Charkaoui case, permanent residents were entitled to detention reviews within 48 hours after their initial arrest and every six months afterwards. However, foreign nationals were only entitled to a single review 120 days after the certificate was found to be reasonable.

The court ruled that foreign nationals should have the same detention review rights as permanent residents. Bill C-3 enacts this ruling into law. All detention reviews will take place within the first 48 hours after arrest and every six months after the conclusion of the previous review.

Detention pending removal in a security certificate case is based on periodic assessment of the danger to public safety or national security. The person may be kept in detention until such time as he or she leaves the country or is removed from Canada. The security certificate process is about removing non-Canadian citizens from Canada because they represent threats to public safety and national security. Let me again stress this important aspect of the security certificate process, that a person would be released from custody if the person agreed to leave this country.

The last important change I wish to explain today is that of a new right of appeals. As it currently stands, the Immigration and Refugee Protection Act contains what is called a privative clause. A privative clause is contained in legislation that limits judicial review.

Bill C-3 will eliminate the privative clause. Appeals would only be allowed against the final decisions of the court on the reasonableness of the certificate and only if the judge decides a serious legal issue has been raised for the consideration of the Court of Appeal. This requirement, called a certificate of a question, is consistent with the way other decisions under the Immigration and Refugee Protection Act may be appealed.

● (1330)

Finally, Bill C-3 proposes transitional provisions that would allow for cases in progress under the current legislation to recommence under the new legislative regime if new certificates are signed by ministers. The transitional provisions are designed to ensure appropriate and ordered change from the old legislation to the new and would provide the benefits of the new legislation to the individuals subject to a security certificate.

If a new certificate is signed, the case would be referred afresh to the court to determine the reasonableness of the certificate. Special advocates would participate in the new court proceeding. Detained individuals would continue to be detained and would have the right to apply for new detention reviews with the benefit of participation from a special advocate.

Similarly, cases before the Immigration and Refugee Appeal Board where confidential information is relied upon would also benefit from the special advocate provisions. Bill C-3 gives thoughtful deliberation to the Supreme Court's concerns and takes into consideration the recommendations from several House of Commons and Senate committees.

Government Orders

Security certificates are a vital national security tool. We have a responsibility to our citizens and to the international community to make sure we do not become a safe haven for individuals with links to terrorism, serious criminality or organized crime or those who wish to spy in our country or who have violated human rights.

We also recognize that we have a responsibility to ensure that we do this in a manner that demonstrates clearly the Canadian values of justice, fairness and respect for human rights. Bill C-3 achieves this necessary balance. I encourage the hon. members of the House to support Bill C-3.

• (1335)

Mr. Bill Siksay (Burnaby—Douglas, NDP): Mr. Speaker, I appreciate the intervention in the third reading debate on Bill C-3 regarding security certificates. It is a piece of legislation that we in this corner of the House have very severe problems with, given the way it compromises some of the fundamental principles of our justice system.

I would like to ask the member specifically why he would be in favour of an immigration process to deal with some of the most severe crimes that can be contemplated against society and our country, to deal with questions of terrorism, threats against national security and espionage. Why would he propose dealing with them through an immigration process which only, ultimately, would remove those people into another jurisdiction and never see them charged or punished for those very serious crimes?

Why would we not want to insist on some kind of criminal proceeding against people who undertake those very serious crimes, prove it in court and make sure that they are punished for those crimes, rather than just to see them removed into another jurisdiction, never to be punished for engaging in that kind of activity?

Mr. Dave MacKenzie: Mr. Speaker, that question opens up the whole area that the NDP has somewhat resisted in Bill C-3. It really only deals with people who wish to come to this country, who are not Canadian citizens and who represent a danger or threat to Canada's security and safety. Many of these situations are not as a result of crime in Canada, which is where we could lay charges, but they result from associations with criminal acts and a whole host of things that are off of our shores to start with.

These are people who, for safety and security reasons, are not welcome in Canada. They should be removed. Under the Immigration Act they would have been removed but they have used our court system to argue that they should remain here for a variety of reasons.

This act itself does not deal with Canadians who have committed crimes in Canada. It does not deal with foreign nationals or others who have committed crimes in Canada. It could but it does not deal with those people. Generally speaking, it has do with their inadmissibility here in the first place.

Mr. Bruce Stanton (Simcoe North, CPC): Mr. Speaker, I have heard from a number of constituents in my riding of Simcoe North on this very important topic. Often they are alarmed and seized by the notion that the process for security certificates involves secret trials. I am sure Canadians would be interested to know why in these rare circumstances there have to be confidences kept in the process.

I wonder if the parliamentary secretary could expand a bit on why that needs to be the case and assure Canadians that this is an important confidence that needs to be kept in these rare circumstances.

Mr. Dave MacKenzie: Mr. Speaker, the reason for secrecy deals with the issue of the protection of a number of other people. It may very well be the protection of people in Canada, or it may be the protection of people outside of Canada or other agencies.

As I indicated, with some of the individuals, it is a long-standing, ongoing investigation. To reveal, in public, all the sources and witnesses would put others at risk. It would also put at risk investigations that may be ongoing in our country and also in other countries around the world. Therefore, there is need for secrecy.

It is not like a criminal trial, where one individual is on trial. These hearings determine whether people should remain in the country or be removed. There is a whole litany of reasons why it is necessary to keep the information confidential, to protect both individuals and other agencies.

• (1340)

Hon. Andrew Telegdi (Kitchener—Waterloo, Lib.): Mr. Speaker, what is important to underscore is the people with whom we are dealing. If they truly are as dangerous as the government is to allege, then we want to keep them in custody. If we have a very serious offender who is truly a threat to Canada, I want to see that person in jail.

However, let us not kid ourselves. If there is a real professional, who we are deporting under a security certificate, that individual can easily return to Canada. We may say what we will, but our borders are porous. If an individual intends to do harm, that person can certainly come back, given the state of our borders.

It seems to me that the way we deal with dangerous individuals is to put them in custody and keep them there. If somebody has a problem with serious criminality, the individual is inadmissible to Canada in the first place.

However, the security certificate process attacks the very integrity of the legal section of the Charter of Rights and Freedoms. Let us not fool ourselves. This security certificate regime has been unconstitutional ever since the Charter of Rights and Freedoms has been in place. We have an unconstitutional piece of legislation, and the government says that it wants to continue to do more of the same. That does not work. If someone is dangerous, that person should be in custody either here or someplace else.

Mr. Dave MacKenzie: Mr. Speaker, I appreciate my colleague's comments but he is wrong.

This does not only deal with criminality. He indicated that people with serious criminality are ineligible to be in Canada anyway. This is precisely about putting up those obstacles at the border to keep people out.

I might suggest that this is old legislation. It has been around a long time. It has been tested in the courts many times, and this amendment deals with a court decision. However, Canadians should also know that it is not used willy-nilly. I believe it has been used 28 times with 27 individuals over the last 20 years.

Government Orders

The most recent security certificate was issued by officials of this government for industrial espionage and the individual chose to leave the country without being detained any longer.

It is a necessary tool. It is an important tool. It deals not only with criminal acts, but also with terrorist acts and any number of serious threats to Canada's safety and security.

Mr. Bill Siksay (Burnaby—Douglas, NDP): Mr. Speaker, why would Canada voluntarily let someone, whom we suspect and have evidence of committing industrial espionage, leave Canada voluntarily without punishing the him, by charging him and taking him to court?

It is a very serious criminal matter. Why would we use this kind of legislation to facilitate ducking those charges? It just does make sense and it does not make Canada any safer. Why would we do that?

Mr. Dave MacKenzie: Mr. Speaker, I thought I had made it clear a little earlier. In many cases the totality of the evidence cannot be disclosed to the individual. In this case it was deemed that he was inadmissible to Canada. A security certificate was issued, he left Canada and the country is the better for it.

Hon. Ujjal Dosanjh (Vancouver South, Lib.): Mr. Speaker, I am pleased to rise to speak to this matter.

First, the presentation of the parliamentary secretary was fairly detailed on most of the technical issues. Therefore, I will not talk about what is contained in the bill. He has described the bill more than adequately.

I will address some questions before I get into some of the details of the legislation.

First, our country takes in over 250,000 immigrants and refugees every year. That is our lifeline. That immigration supplies human capital, skills and the talent we need on an ongoing basis.

When we have a country as open as Canada, there are elements who come to the country who do not belong here. They have committed crimes somewhere else or they may intend to commit crimes in our country. Most countries that deal with immigration expressly retain the right of removal from the country for aliens or non-citizens, whether they be permanent residents or just aliens in the country.

It is important for us to understand that the legislation is based on this assumption; Canada being an open country that invites and welcomes immigrants. Canada needs to have a mechanism in place where it does not have to go through rigmarole of proving beyond reasonable doubt all the crimes an individual may have committed before the individual could be deported out of the country or removed from the country.

This is an important concept for people to understand. Once we understand it and if we believe Canada ought to have that right in place, then I think everything else follows.

I have been a practising lawyer since 1977. I was called to the bar in 1977. Since then and before that, immigration legislation in Canada always has had clauses to deal with the inadmissibility of people who may want to come to Canada or may be in Canada as permanent residents or aliens. Therefore, this is nothing new. It is not

as if suddenly we woke up one day and now imported into our legislation something that had not existed.

Security certificates have existed for the last several decades. They have been challenged in the past. They now have been challenged in the Supreme Court. The Supreme Court provided some instructions for the government and the government brought the legislation forward to meet the deadline of February 23.

If the Liberals had to introduce this legislation, we would have looked at the home grown model of the SIRC, the Security Intelligence Review Committee. We may have chosen the U.K. system with a special advocate, which the government chose, but we may have brought in amendments to that system. That system has been under a great deal of criticism in the United Kingdom itself.

Therefore, this is not ideal legislation. There are no ideal solutions when we try to deal with organized crime or terrorism and the difficult questions of proof, of issues, of actions and omissions that may have occurred away from our shores in other countries. It is not easy to bring that evidence forward to deal with those issues.

Let me give a case in point, the Air India case. I was the attorney general when it was being investigated and I was the premier when the two individuals, who were eventually acquitted, were arrested for that. I know from the briefings I received from the Crown that the evidence for the crime was in different parts of the world. This is why it took so long for the Crown and the investigators to gather that evidence. Even then, we were unsuccessful in prosecuting that matter.

• (1345)

That simply brings this into focus. If someone is an alien or a visitor trying to get into the country and we have evidence or sources, which sometimes cannot be disclosed without jeopardizing and compromising our contacts or informants, we need the kind of process in the security certificates to deal with those issues.

Then there is the question that always arises. Why do we not deal with these issues through the Criminal Code. Under the Immigration and Refugee Protection Act, we have always had this regime where we have dealt with people who were inadmissible. The proof required under the act is not one of beyond reasonable doubt. It is essentially on the balance of probabilities or on reasonable grounds. It is a quasi-judicial, quasi-criminal matter so the proof is not as onerous.

This is appropriate in cases where our country faces danger from people who may have committed crimes elsewhere, who cannot be advised of the information completely and who cannot be given all the names of the agencies and informants from which we received information. Under those circumstances, it is appropriate to use that lower threshold and not the Criminal Code threshold. The fact is the evidence may not be in our hands. It may be somewhere else thousands of miles away from our shores. This is why these kinds of cases cannot be dealt with on the Criminal Code basis.

Government Orders

It is important to recognize that to come into Canada is a privilege. It is not a right for anyone in the world to come into the country except people who are Canadian citizens. Canada ought to reserve the right to deal with these individuals in a way that is appropriate, that is in keeping with our traditions of due process and the like.

Some of these crimes are often committed elsewhere. The information and evidence is elsewhere. It is important for us to protect those agencies and informants. They may have provided us with that information. Therefore, it is important we continue to have the mechanism in the immigration legislation.

When making the decision in the Charkaoui case, the court examined various models. I have said this before in the House. It is unfortunate the government chose this model. The government could have chosen a security intelligence review committee model, which is a home-grown, home developed model in Canada. It is more adversarial in nature and provides for better disclosure of the evidence. It also has provided in the past couple of decades a mechanism where the evidence can be scrutinized in the presence of counsel. I do not believe there ever have been any violations of security with respect to that process. Therefore, this was an appropriate model to adopt, but it was not.

The court also looked at the Arar case, how Mr. Justice O'Connor dealt with the issues of confidentiality, how he provided and facilitated the provision of information to the counsel for Mr. Arar, with all the security precautions intact. The government could have looked at that.

The court also addressed the issue with respect to the Evidence Act and how the attorney general of Canada could deal with the need for non-disclosure in certain cases. The government did not look at that. The government went to the United Kingdom model, which was not necessarily the best model. However, that is what we have and that is what we have tried to improve by bringing forth the amendments about which my colleague, the parliamentary secretary, talked.

Could this legislation have been better? Definitely. Could it have been different? Definitely. However, there is no question in my mind that the legislation is a necessary evil, so to speak. Ultimately, if we are interested in protecting our country from those who wish to do harm to it, it is important to keep in reserve, within the hands of the government, mechanisms that keep the country secure and safe. It is very important in the context of that to look at the due process, which has been provided in the legislation.

• (1350)

I believe the amendments, which deal with how one appoints an advocate, have enhanced the legislation. The legislation would give the public safety minister appropriate instructions for preparing a roster of security cleared advocates from independent, qualified members of the bar from across the country who would be provided with adequate resources to independently function when acting in the interests of the accused and in no one else's interests.

The choice of counsel is a cherished principle in our laws and in our centuries old conventions and I believe that choice has been preserved in the bill for the detainee. A detainee would have the right

to choose from the independent roster and the judge would then appoint that particular advocate for the detainee barring circumstances where that might jeopardize either national security or may bring the individual into conflict.

There is also the issue of privilege. When the bill was presented in its initial form, it had no privilege. The detainee enjoyed no solicitor-client privilege at all, which exposed the detainee and the advocate and any communications with each other to disclosure. Therefore, it was seen fit by the committee to re-import the notion of solicitor-client privilege to the extent of protecting those communications.

The most important amendment in my mind is the amendment that the committee pushed through on the issue of torture. It clearly prohibits evidence that may have been derived, either primarily or secondarily, from torture. Any evidence that is tainted by torture would not be admissible in the proceedings with respect to the detainee.

Those four amendments have actually enhanced the bill. The bill could have been a lot better but this is the bill we were given and it is the one we are working with. The deadline is looming and we want to ensure this is dealt with expeditiously so that on February 23 a certain legal regime will be in place to deal with the existing certificates and a mechanism is available to issue others if needed. Of course, that is being done sparingly. As we know, over the last decade only 28 security certificates have been issued.

These are not easy issues. We need to balance national security interests with the interests of due process in our conventions and our laws. These decisions are not made lightly. I understand that some colleagues may have difficulty with these issues but when one is in the business of governing sometimes tough decisions need to be made and we need to deal with balances that may not always be the way we would like them to be.

• (1355)

Mr. Bill Siksay (Burnaby—Douglas, NDP): Mr. Speaker, I still fail to see how it would make Canadians feel safer if we were to allow someone accused of terrorism or espionage to leave Canada and go to another country unpunished? How would this protect Canada? How would this protect Canada's national interests? How would it make us safer if we were to allow someone who we believe to be a terrorist or a spy to leave and, given the small planet these days, continue to pursue their activities in another country?

Hon. Ujjal Dosanjh: Mr. Speaker, that is a false question that is being set up by my hon. colleague.

When the evidence is far away, when the contents cannot be disclosed and when the agencies cannot be disclosed, we cannot prove those kinds of crimes beyond a reasonable doubt because most of them did not occur on Canadian soil. It is important that we become pragmatic and understand that in some instances we just do not want the people because we may not be able to put them behind bars.

The Acting Speaker (Mr. Andrew Scheer): About nine minutes remain for questions and comments after question period.

We will now move on to statements by members. The hon. member for Edmonton—Strathcona.

*Statements by Members***STATEMENTS BY MEMBERS**

•(1400)

*[English]***UNIVERSITY OF ALBERTA AND CAMPUS ST. JEAN**

Mr. Rahim Jaffer (Edmonton—Strathcona, CPC): Mr. Speaker, last week, the University of Alberta and its francophone campus, Campus St. Jean, officially launched a year of centenary celebrations to honour their establishment in 1908.

Since then, the essence of the U of A and Campus St. Jean, along with their commitment to serve through knowledge, has remained. These institutions have grown to become world renowned while remaining true to their Alberta heritage.

Events will occur throughout Alberta with the goal of not only celebrating their past achievements but looking forward, daring to discover what the future may hold. One such celebration, the Prime Minister's Conversation Series, will see prime ministers from the past 30 years, including the current Prime Minister, visit the campus to discuss the theme, "Advancing Canada, Changing the World".

I invite all hon. members to join me in congratulating the U of A, Campus St. Jean and their respective presidents, Dr. Indira Samarasakera and Dr. Marc Arnal, on this milestone celebration and wish them continued success for another 100 years.

* * *

EARTH HOUR 2008

Mr. Mario Silva (Davenport, Lib.): Mr. Speaker, the World Wildlife Fund has initiated Earth Hour 2008 as part of its campaign to fight global warming. Cities across the globe are signing on and both Toronto and Ottawa have agreed to participate.

I now challenge my constituents of Davenport to join me on March 29 at 8 p.m. in turning off the lights and other electronic devices for just one hour. Each of us, acting individually but united, can make a difference.

While the fight against climate change must be waged year round, on March 29 we take a stand.

Furthermore, I challenge all my colleagues here in Parliament to take a stand and to lead their own communities. I challenge each of their political parties to take on this challenge and stand together for the planet. I challenge the Prime Minister to join this campaign and to pledge the federal government institutions to participate.

Canada is stronger together and together everything is possible.

* * *

*[Translation]***CHLOÉ LEGRIS, 2007 SCIENTIST OF THE YEAR**

Ms. France Bonsant (Compton—Stanstead, BQ): Mr. Speaker, on January 24, the Société Radio-Canada named Chloé Legris the 2007 Scientist of the Year. Radio-Canada awards this title to a scientist who has distinguished themselves in their field as a means of highlighting their involvement in and influence on the scientific community.

Ms. Legris, an engineer at the Mont-Mégantic ASTROLab, led the project to create the first International Dark Sky Reserve in the world, which is located over the Sherbrooke area.

Attempting to limit light pollution was no small feat, but Chloé Legris and her team persevered and succeeded. In September 2007, their achievement was recognized by UNESCO and the International Dark-Sky Association.

On behalf of the Bloc Québécois members and myself, I congratulate Chloé Legris for her well-deserved award. Her efforts have resulted in major advances for science and astronomy.

* * *

*[English]***FILIPINO SENIORS GROUP**

Ms. Judy Wasylcia-Leis (Winnipeg North, NDP): Mr. Speaker, I want to tell parliamentarians and Canadians a story of courage, compassion and cooperation from my constituency.

It starts with the Filipino Seniors Group, an integral part of the Point Douglas community for over 20 years, which, in the most amazing display of generosity, recently opened the doors of its Euclid Hall to the surrounding neighbourhood and entered into a beautiful partnership with the SISTARS Community Economic Development Co-op, which stands for Sisters Initiating Steps Towards a Renewed Society.

The Filipino seniors and the Point Douglas women then worked together to set up the Eagle Wing child care with 63 licensed spaces and a Red River College early education training program right in the Filipino Centre, which means moms in the community have the day care they need to access the training to become paid child care workers.

This means jobs instead of social assistance. This means a good start for children, hope for moms and help for parents in one of the poorest neighbourhoods in Canada. This means Filipino and aboriginal Canadians working side by side. What an amazing lesson for all of us.

As the song says, on the wings of an eagle we will fly. I want to say to all involved, *Megweetch* and *Salamat po*.

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ENERGY CONSERVATION LEADERSHIP AWARD

Mr. Colin Mayes (Okanagan—Shuswap, CPC): Mr. Speaker, I congratulate Tolko Industries Ltd., located in Vernon in my riding of Okanagan—Shuswap, for receiving a Canadian industry program for energy conservation leadership award.

Statements by Members

Tolko Industries won the award for its energy conservation efforts demonstrated through the gasification project at Heffley Creek division. The award, administered through Natural Resources Canada, is a partnership between industry and the federal government to promote the efficient use of energy.

The gasification process converts wood waste into synthesis gas which is used as a fuel to replace natural gas. The result is a reduction in energy costs and emissions.

The gasification energy system online displaces an estimated \$1.5 million of natural gas annually and cuts greenhouse gas emissions by 12,000 tonnes. This is truly a model for Canada's industrial sector.

Once again, I congratulate Tolko for its role in helping Canadians use less and live better.

Truly, being green is good for the environment and the bottom line, as Tolko Industries has proven.

* * *

● (1405)

RURAL CANADA

Mr. Paul Steckle (Huron—Bruce, Lib.): Mr. Speaker, rural Canada has a history of success in innovation.

Our rural population, with its entrepreneurial base, has pioneered countless initiatives over the years and will, given the chance, continue to lead and invigorate our national economy in the years to come.

Small town chambers of commerce, federations of agriculture and groups like the CFIB, who are with us in the House today, continue to be leaders on this front and governments must acknowledge and build upon this reality.

Today, knowing that the next federal budget is looming on the horizon, I am asking the government to provide the tools needed for our small businesses to continue to be successful.

Unnecessary and overly cumbersome regulatory regimes, coupled with vacillations in the marketplace, continue to hamper small business owners. The government needs to act now if rural Canada is to continue with a positive legacy.

The budget is a chance for the government to make a real, long term difference to small business owners and I challenge the government to finally step up to the plate.

* * *

HUMANITARIAN AID WORKERS

Mr. Deepak Obhrai (Calgary East, CPC): Mr. Speaker, in the past months, we have witnessed an appalling increase in attacks on humanitarian aid workers.

Just last week, three humanitarian workers were killed in Somalia. Aid workers have been attacked recently in Afghanistan, Darfur and Sri Lanka. The UN suffered one of its deadliest years in 2007 with 42 employees being killed in the line of duty.

It is essential that humanitarian workers have full, safe and unhindered access to affected populations.

There can be no impunity. Those who attack aid workers must be brought to account. Canada calls on all governments that have not already done so to become a party to the 1994 United Nations Convention on the Safety of UN and Associated Personnel.

Attacks on humanitarian workers must be halted. Canada will continue to provide political, diplomatic and financial resources toward this end.

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[Translation]

MANUFACTURING AND FORESTRY INDUSTRIES

Mr. Robert Bouchard (Chicoutimi—Le Fjord, BQ): Mr. Speaker, on January 12, as reported in *Le Quotidien*, the Minister of Labour said that the plan to help the manufacturing and forestry industries could only be passed as part of the budget. However, this morning, in the very same Saguenay—Lac-Saint-Jean paper, the Minister of Labour acknowledged that the government was forced to reverse its decision to make the \$1 billion aid program conditional on the adoption of the budget because it was afraid the Bloc Québécois would reject the budget.

In these recent statements, he recognized that the Bloc Québécois is useful here in Ottawa. The pressure we put on the government caused it to backtrack. The Conservatives' plan is not enough for Quebec and my region, nor is it fair. We have won the first round, and we will work hard to keep winning.

* * *

BILL C-2

Mr. Denis Lebel (Roberval—Lac-Saint-Jean, CPC): Mr. Speaker, if stall tactics could kill, not many Liberals would be left in the Senate. Indeed, while Canadians are calling for action and our government is doing its best to act quickly and responsibly, they are unnecessarily blocking the legislative process that would allow Bill C-2 to be passed. That bill, which aims to tackle violent crime, would allow our government to make the reforms needed to strengthen our criminal justice system.

By speeding up the process, these senators could ensure that Canadians would no longer have to be afraid of sexual predators attacking our children, that irresponsible people would stop driving on our roads and highways while impaired, and that those who commit crimes with a firearm would be removed from our communities.

I would like the Liberal opposition to come to its senses and stop its appalling tactics, so that the quality of life of Canadians can be preserved.

*Statements by Members***KEDGWICK REGIONAL CHAMBER OF COMMERCE**

Mr. Jean-Claude D'Amours (Madawaska—Restigouche, Lib.): Mr. Speaker, it was a great pleasure for me to attend, on January 26, the businessperson of the year gala organized by the Kedgwick Regional Chamber of Commerce. The Chamber of Commerce paid tribute also to the exceptional work of a volunteer, Mr. Marcel Paquet, who is involved in many projects in his community, including Puits de Jacob, Ami de Jacob, the forestry museum and much more.

The organization of the year award was given to Jeanne Boulay, president of Puits de Jacob. This organization has a team of 20 volunteers who provide support for persons with drug or alcohol addictions.

Garage Gaëtan St-Laurent received the business of the year award. This family business was established in 1960. The current owner, Mr. St-Laurent bought the business when he was 30 years old after working for 19 years as a mechanic.

The businesswoman of the year award went to Diane Couturier, a chartered accountant who works for Roland Couturier Gérance Ltée of Kedgwick.

These individuals deserve our recognition.

* * *

● (1410)

[English]

JUSTICE

Mr. Mike Allen (Tobique—Mactaquac, CPC): Mr. Speaker, time and time again important legislation such as Bill C-2, the tackling violent crime act, gets held up in the Senate, a body whose members are unaccountable and unelected. Of course, the Senate being dominated by the Liberals is also a factor in the politics that play out when a bill leaves the House and goes to the Senate.

We are all tired of the rhetoric and stalling tactics used by the Leader of the Opposition and his party.

The tackling violent crime act would better protect our children from sexual predators, would protect society from dangerous offenders, would get serious with drug impaired drivers and would toughen sentencing and bail for those who commit gun crimes. These are important issues for all of our communities and for the rural communities in my riding.

I strongly encourage the Leader of the Opposition to speak with his senators to ensure that this piece of crucial legislation, the tackling violent crime act, goes through without delay. Canadians want it. Canadians demand it.

* * *

BLACK HISTORY AWARDS

Mr. Paul Dewar (Ottawa Centre, NDP): Mr. Speaker, black Canadians have long been at the forefront of Canada's success as a nation.

On February 1, I had the privilege of meeting the recipients of the Black History Ottawa Community Builder Awards.

The recipients included: Dr. Horace Alexis, a highly respected community member who raises money for disadvantaged university-bound black students; Stachen Frederick, a powerful campus organizer who is promoting achievement and leadership among her peers; and Joanne Robinson, whose tireless advocacy is improving the health of our community. I send my congratulations to them.

On another note, I welcome U.S. Congressman Michael Michaud to Ottawa. This morning my NDP colleagues and I met with Congressman Michaud to discuss the issue of free trade negotiations with Colombia. The U.S. Congress agrees with the NDP that these negotiations must be immediately halted in light of the ongoing human rights abuses in Colombia.

I call on all parties to stand up for human rights and fight the free trade negotiations in Colombia.

* * *

THE ENVIRONMENT

Hon. Albina Guarnieri (Mississauga East—Cooksville, Lib.): Mr. Speaker, last year the federal government added only confusion and confrontation to the provincial equalization formula, which remains devoid of national objectives.

Meanwhile, there remains no effective national program for reduction of greenhouse gases by provincial power producers. Now is the time for an environmental equalization program.

For an investment of little more than one-tenth of the surplus announced in the fall, the government could provide provinces with \$5,000 per gigawatt hour of clean energy and deduct \$5,000 for every gigawatt hour produced from coal and half of that amount for natural gas. This would reward provinces such as Ontario that have committed to get out of coal and would provide a powerful incentive to provinces rich in natural gas to stop using coal as their primary source of power.

An environmental equalization program would link federal transfers to the national challenge of the century and it would be a vehicle to reduce Canada's greenhouse gas emissions.

* * *

[Translation]

THE CONSERVATIVE PARTY

Ms. Johanne Deschamps (Laurentides—Labelle, BQ): Mr. Speaker, when they were elected in 2006, the Conservatives led Quebecers to believe that they would form a transparent government that was sensitive to Quebecers' concerns. Their actions tell a different story, though.

The Conservatives have undermined access to equal rights for women by eliminating the court challenges program and closing 12 of the 16 offices of Status of Women Canada.

The Conservatives have no intention of paying seniors the full guaranteed income supplement benefits they are entitled to.

The Conservatives are refusing to put in place a real program to help workers in the manufacturing and forestry industries, improve employment insurance, introduce an independent fund and create a real program to help older workers.

Young people who are concerned about the environment feel that the Conservatives have sabotaged the Kyoto protocol.

The Conservative mirage hides a right-wing ideology that flies in the face of Quebec's values and that the Bloc Québécois will continue to fight against.

* * *

[English]

**MEMBER FOR CUMBERLAND—COLCHESTER—
MUSQUODOBOIT VALLEY**

Hon. Geoff Regan (Halifax West, Lib.): Last week, Mr. Speaker, one of our colleagues, the member for Cumberland—Colchester—Musquodoboit Valley, underwent surgery for prostate cancer.

According to media reports, the surgery was a success and the member was sending emails from his hospital bed a few hours later. As they say, it is hard to keep a good man down.

My Nova Scotia colleague has proven over and over again that he is fiercely independent and is a passionate defender of the interests of his province, no matter what the consequences.

I know that members from all parties in the House will want to join me in wishing my hon. colleague from Cumberland—Colchester—Musquodoboit Valley a full recovery and a speedy return to this place.

* * *

●(1415)

JUSTICE

Mr. Richard Harris (Cariboo—Prince George, CPC): Mr. Speaker, the Liberal Party is playing politics with the safety and protection of our children, our families and our communities.

The tackling violent crime bill has been held up by the Liberals in the Senate in a shameful display of partisan politics and the Liberals just do not care.

Typical of the Liberals' soft approach toward crime, they demonstrate that it is okay if dangerous offenders are walking our streets, that the age of protection for our children is not important, and that it is just okay if the sexual exploitation of children continues.

How long are the Liberals going to use the safety of our families as a pawn in their political game playing?

I say to those Liberals that when they go home this weekend, they should look around their neighbourhoods, see the families, see the children, and hang their heads in shame.

Oral Questions

ORAL QUESTIONS

[English]

COMMUNITY DEVELOPMENT

Hon. Stéphane Dion (Leader of the Opposition, Lib.): Mr. Speaker, when the Prime Minister tied his poorly designed aid package to the budget, once again Canadians saw the Conservatives putting partisanship ahead of people. They tried to blackmail Canadian families and workers.

Why did the Prime Minister put partisanship ahead of helping Canadians?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, as I said last week, the government has made an important announcement with the community development trust. We made important announcements both in New Brunswick and in Saskatchewan.

This is something that we promised in our throne speech. I know that the party opposite opposed it, but it is something that we promised and were determined to act upon.

I said last week that we saw no need to delay this if we could get the support of all parties and continue to sign agreements with the provinces. I am pleased to see that the House of Commons passed that program today.

[Translation]

Hon. Stéphane Dion (Leader of the Opposition, Lib.): Mr. Speaker, once again, the Prime Minister did not answer the question. The question is, why did he wait a month? He says he saw no need to delay this, so why did he wait a month? There is no answer to that. In fact, our workers have been waiting for two years. Two years ago, the Conservative government killed the \$1.5 billion Liberal plan for our forestry industry and now our workers are paying the price.

My question is for the Prime Minister. Why this lack of action, this indifference, unless his laissez-faire ideology is just a do-nothing policy?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, I must remind the Leader of the Opposition that when we announced the community development trust a month ago, the House of Commons was not sitting. That is why we were unable to adopt these measures.

Nonetheless, when the House came back, I indicated that the government wanted to adopt these measures. We are in the process of finalizing the agreements with the provinces. We now have support from all the opposition parties and I am happy to see that.

Hon. Stéphane Dion (Leader of the Opposition, Lib.): Mr. Speaker, everyone knows he did not tie this to the opening of the House, but to the budget. Everyone knows that.

[English]

We have proposed to do what Canada's competitors, the United States and Europe, are doing, and that is to make targeted investments in our manufacturing and forestry sectors to stimulate the economy and create jobs and green technologies right here in Canada.

Oral Questions

The finance minister says that he is not capable of identifying winners. With our plan, Canadians are winners.

• (1420)

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, I did not hear a question.

What I did hear and what I always hear from the leader of the Liberal Party is that no matter what we do, the Liberals are against it. Whether it is reducing taxes or paying down debt, they are against it. When it is spending money, it is always not enough, not enough, and they always want to spend more money.

Let me tell them that the way to manage this economy through difficult global times is not as the Liberal Party would do: to drive us into deficit.

* * *

AUTOMOTIVE INDUSTRY

Mr. Michael Ignatieff (Etobicoke—Lakeshore, Lib.): Mr. Speaker, the auto sector in central Canada is having a very tough time and ministers in the government are wasting time with an argument about what to do about it.

The industry minister is quoted as saying that some help might be possible but the finance minister said he has already done enough. This argument is ridiculous. In my riding I have seen two plants close and I do not want to see a third close while the government works out what it is going to do.

Who speaks for the government? The Minister of Industry or the Minister of Finance?

Hon. Jim Prentice (Minister of Industry, CPC): Mr. Speaker, the Liberals have arrived lately at concern about auto policy in this country.

It is interesting, for example, that when the government reduced the GST by two points, reducing the price of an automobile for a consumer by \$600 in the case of a \$30,000 automobile, they did not support that.

On all of the other initiatives that the government is undertaking, whether it is infrastructure, regulatory harmonization or the harmonization of fuel standards, the Liberal Party was nowhere to be seen in the past, and it did not deal with this issue.

[*Translation*]

Mr. Michael Ignatieff (Etobicoke—Lakeshore, Lib.): Mr. Speaker, the Minister of Finance has warned Canadians that now is not the time for heavy spending. That is quite ironic coming from the very minister who paid his associate \$122,000 with taxpayers' money for just a few months of work.

Now that he has acknowledged breaking the rules, will this minister take his own advice and will he ask his associate to return the money that was paid to him illegally?

[*English*]

Mr. Ted Menzies (Parliamentary Secretary to the Minister of Finance, CPC): Mr. Speaker, the Minister of Finance answered four repetitive questions I believe and stated that this company provided good value for money in the work that it did in support of this

budget. Administrative functions were not followed with respect to contracting, but those procedures will now be followed.

* * *

[*Translation*]

MANUFACTURING AND FORESTRY INDUSTRIES

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, the Prime Minister has seen the light and has finally agreed to present his plan to help the manufacturing and forestry industries without waiting for the budget. He has shown that it is possible to act quickly and that he has the means to do so. Therefore, he is in a position to improve the aid package, which is what everyone wants.

Rather than use the existing \$10.6 billion surplus to pay down the debt, will the Prime Minister agree to improve his aid package, thereby helping communities and workers affected by the crisis?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, last fall, our government helped the manufacturing sector to the tune of \$8 billion by lowering taxes. Here in the House of Commons, we have just allocated another \$1 billion to help these struggling sectors, as we promised to do in the Speech from the Throne.

Unfortunately, the Bloc Québécois voted against the Speech from the Throne and our promise. Nevertheless, I am pleased to see that the Bloc Québécois has finally decided to support this aid package.

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, this is one step forward, and we have won the first round now that he has dropped his odious blackmail. In the meantime, there is still a \$10.6 billion surplus.

Of course we have to pay off the debt, but rather than spend everything on the debt and the military, should the Prime Minister not help the people and the regions affected by this crisis? Would that not make more sense? Would that not be more responsible?

• (1425)

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, our government is so unlike the opposition. We are in a balanced position thanks to tax cuts, debt reduction and investment in a number of programs and measures to help the economy.

We just passed a \$1 billion measure. It is easy for the Bloc Québécois to say, "We want \$8 billion or \$50 billion". But the reality is that the government has kept its promise. The Bloc Québécois will never deliver one red cent here in Ottawa.

Mr. Paul Crête (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, BQ): And yet, Mr. Speaker, the Minister of the Economic Development Agency of Canada for the Regions of Quebec stated yesterday, "—if, down the road, it is insufficient, we are still here—". And yet everyone in Quebec recognizes that the government's announcement is insufficient; the Minister himself admits that the manufacturing and forestry sectors have urgent needs that are not covered by the Conservative plan.

At a time when the economic outlook is getting darker, would the Prime Minister not think it wiser to use \$3.5 billion out of the \$10.6 billion remaining in the surplus for the fiscal year ending on March 31 now? The money has to be used now rather than putting it entirely toward the debt.

Oral Questions

Hon. Lawrence Cannon (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, to hear the Bloc Québécois, I am amazed that they are not actually demanding control of our currency and the ability to print dollar bills. This is reminding me of another political party we had here.

In reality, what very clearly distinguishes the actions of the Bloc Québécois from those of the government is that we are capable of doing what we were elected to do. We did it on the question of equalization and we solved the problem obviously associated with that touchy question which ruled the debates for years—

The Speaker: The hon. member for Montmagny—L'Islet—Kamouraska—Rivière-du-Loup.

Mr. Paul Crête (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, BQ): Mr. Speaker, they backtracked because Quebec, represented by the Bloc in this House, made them backtrack.

The Conservative government's plan essentially consists of tax reductions that are of no help to companies that are not making a profit, and all that does is fatten the oil companies. If it wants concrete measures, we can give it concrete measures. All it has to do is give a refundable tax credit for research and development, and then companies that are not making a profit would be able to get tax refunds for their efforts.

What is the Minister waiting for, to implement measures like that? He can do it now with his surplus. The Standing Committee on Industry is—

The Speaker: The hon. Minister of Transport, Infrastructure and Communities.

Hon. Lawrence Cannon (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, in fact, I wanted to add to that by saying equalization, but also by saying that we have solved the fiscal imbalance. That has to be recognized. I hear the Bloc Québécois lecturing us about what we should do, but where were they—where was that party?—when we reduced corporate taxes in the mini-budget, when we reduced personal taxes for Quebecers and Canadians, when we reduced the GST and the QST? They were sitting down, obviously, as usual, and they did nothing.

We are the ones who deliver the goods for Quebecers.

* * *

GOVERNMENT CONTRACTS

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, Justice Gomery was very clear about who was responsible for the contracts awarded. I quote:

—ministers are the conduit between the people's representatives and the Crown...
For every action of a servant of the Crown a minister is answerable to Parliament—

Yesterday, the Minister of Finance tried to blame public servants for his actions. A Prime Minister cannot accept that. Will he rise and condemn this questionable action? Will there be serious consequences for the minister? When will he take action?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, the Minister of Finance took responsibility for the mistake. And it is clear that the money was used for its intended purpose. The

Minister of Finance has given his word that he will not make that mistake again.

• (1430)

[English]

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, I seem to recall that the Prime Minister used stronger language when he was on the opposition benches, when we used to see this kind of thing from the Liberals.

The finance minister has broken the rules. He hired a friend of the Conservative Party to write a speech for \$122,000. That is \$2,000 a day, \$22 a word. That is cold comfort to the people who are being thrown out of work across this country in forestry and manufacturing.

The Prime Minister now refuses to punish the minister for breaking the rules, so my question then is for the finance minister. Is his friend getting the contract for the 2008 budget?

Mr. Ted Menzies (Parliamentary Secretary to the Minister of Finance, CPC): Mr. Speaker, the company in question, as was stated yesterday and again today, did provide good value for money in the work that it did in support of the budget speech.

We all know how valuable budget 2007 was, how much it delivered for Canadians, and how much in tax reductions it brought to Canadians. Two members of that firm worked in the Department of Finance in January, February and March in very important preparations for the document.

* * *

FORESTRY INDUSTRY

Mr. Roger Valley (Kenora, Lib.): Mr. Speaker, the Conservative government has finally recognized that the Liberal opposition was right. This aid package for thousands of laid-off forestry workers is urgent, but it is still too small and Canadians should not have to wait for the Conservative partisan games to get the much needed aid that they deserve.

To add insult to injury, this aid package is less than what the Conservatives left in American hands with their so-called softwood lumber deal. Why is the U.S. lumber lobby more important to the Conservative government than the Canadian forestry workers who need help?

Mr. Ted Menzies (Parliamentary Secretary to the Minister of Finance, CPC): Mr. Speaker, it is a very important bill that was passed in this House regarding the community development trust. Many people in this House recognized how important it was that we get it passed quickly and we appreciate that.

Let me pass on a comment from the Premier of Ontario: "I congratulate [the Prime Minister]", McGuinty said Tuesday. "He's done something which is good for the people of Ontario. He's done something which we've been asking of him". Those people are happy.

Mr. Roger Valley (Kenora, Lib.): Mr. Speaker, we also noticed the minister said not a nickel would get spent until after the end of March. The Liberal opposition demanded that the bill be passed as quickly as possible. We have to make up for the time lost by the Conservative games.

Oral Questions

Will the government explain, specifically, how the aid to the communities hit by the forestry downturn will be targeted? How will the Conservative government ensure that the U.S. lumber industry will not use its billion dollar bonus from Canada to reignite the softwood war, targeting this new Canadian program?

Mr. Ted Menzies (Parliamentary Secretary to the Minister of Finance, CPC): Mr. Speaker, we are very pleased that we have the opportunity to work with the provinces to deliver this funding.

We remind hon. members that this money will go all across this country. It is not just one region that has been impacted by the softening of the softwood lumber industry in the United States. It will take time to deliver. We would encourage hon. members to work with us rather than against us in trying to get this money out to those people and those communities that need it.

* * *

[Translation]

MANUFACTURING AND FORESTRY INDUSTRIES

Mr. Anthony Rota (Nipissing—Timiskaming, Lib.): Mr. Speaker, fearing that his guests would get indigestion, the Prime Minister offered the community development trust as an appetizer to his provincial counterparts when they dined together at 24 Sussex. The government tried to pass off a few appetizers as a main course, but this program is not enough to reopen closed plants or prevent other plants from closing.

Does the Conservative government have a main course to offer, or is the cupboard bare?

Hon. Lawrence Cannon (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, the new trust announced and adopted here is a measure that will help vulnerable communities directly. It is a measure that not only Canadians, but all the provinces called for.

We have given in and agreed to that request. I am happy that this government has kept its promises to all those communities and to the country.

• (1435)

[English]

Mr. Anthony Rota (Nipissing—Timiskaming, Lib.): Mr. Speaker, after much pressure from the Liberal opposition and the provinces, the government has reversed itself. However, it still does not have the trust established, negotiations with the provinces are still not complete, and there is still no clarity about the distribution. Worst of all, despite today's legislation, nobody will get any money until after the end of March.

Why has the government been so flat-footed and so indifferent to those who have lost their jobs?

Hon. Lawrence Cannon (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, clearly, my colleague should have thought of this question before. Obviously, we are waiting for the Senate to give its adoption. So maybe he might insist, on behalf of the Parliament of Canada, to speak to his buddies over in the Senate to get it done.

[Translation]

Ms. Paule Brunelle (Trois-Rivières, BQ): Mr. Speaker, this is totally absurd. Quebec accounts for most of the jobs lost in the manufacturing industry, yet the aid money will be distributed on a per capita basis. That means that Alberta will get proportionately more than Quebec, which has been hardest hit by the crisis.

How does the government explain this twisted logic?

Hon. Lawrence Cannon (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, I understand that the Bloc Québécois voted for this program or this legislation just a few moments ago.

It therefore seems fair and reasonable that funding should be allocated on a community-by-community basis.

The wording of the law refers to the community or communities affected. That is how things are done in Canada. It is fair and reasonable to proceed in this way.

Ms. Paule Brunelle (Trois-Rivières, BQ): Mr. Speaker, the communities affected will be poorly served by this fund. When Alberta was hit by the mad cow crisis, the money went primarily to Alberta, as one might expect. But when a crisis hits Quebec for the most part, the money is distributed on a per capita basis, even though there is no crisis in Alberta's manufacturing industry.

Is the Minister of the Economic Development Agency of Canada for the Regions of Quebec, who supports this measure, prepared to explain this to workers in Donnacona, Lebel-sur-Quévillon or Roberval?

Hon. Lawrence Cannon (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, speaking of hypocrisy, there are limits. Facts are facts. The Bloc Québécois voted in favour of this bill and now wants to criticize it. The very least they could do is be consistent.

* * *

FISHERIES AND OCEANS

Mr. Raynald Blais (Gaspésie—Îles-de-la-Madeleine, BQ): Mr. Speaker, last week, the Government of Quebec announced the development plan for fisheries and aquaculture, following the Forum québécois des partenaires des pêches held in November 2006. Some 8,000 people working in the fisheries sector in Quebec are still waiting for the federal government's plan.

As the fishing season fast approaches, can the Minister of Fisheries and Oceans please tell us what is taking so long for him to present his plan for the entire Quebec fishing industry?

Hon. Loyola Hearn (Minister of Fisheries and Oceans, CPC): Mr. Speaker, I thank the hon. member for his question.

Last Friday, I spoke with Mr. Lessard, the Quebec fisheries minister. He and I will work together for Quebec fishermen and fisherwomen.

Oral Questions

[English]

We will do that. We will continue to work with the fishermen, for the fishermen. Together, working with the government in Quebec, we can solve the problems. We can do that. Those members cannot.

[Translation]

Mr. Raynald Blais (Gaspésie—Îles-de-la-Madeleine, BQ): Mr. Speaker, the government has taken so long to appoint an independent examiner in the sealing file that the recommendations cannot be implemented this season, thereby allowing Newfoundland to grab 70% of the Gulf of St. Lawrence quota for yet another year.

How can the minister pretend to govern these maritime resources fairly, when he is simply stalling for time for the benefit of his province?

[English]

Hon. Loyola Hearn (Minister of Fisheries and Oceans, CPC): Mr. Speaker, to listen to the member speak, one would think this was a new allocation that was set up since I became a minister. These are historic allocations. But in fairness, because of concerns raised, we have set up that an independent individual will look at sharing. However, the report will not be ready for this year, so we will roll over what has happened historically and Quebec will get the share that it always did, no more, no less, the same as everybody else.

* * *

● (1440)

MANUFACTURING INDUSTRY

Hon. Judy Sgro (York West, Lib.): Mr. Speaker, the government's pitiful community development fund is too little and too late. For two years the Conservatives sat back and watched the manufacturing sector bleed. They waited until after the jobs were lost at Chrysler, GM, Ford and auto parts companies all across the GTA.

Despite continued warnings, they have done absolutely nothing to stop this loss of jobs. They chose instead to wait until it was too late to come forward with a band-aid solution.

Why does the government not care about the workers in the manufacturing sector?

Mr. Ted Menzies (Parliamentary Secretary to the Minister of Finance, CPC): Mr. Speaker, that is a ludicrous statement to make after the hon. member was probably in this House and just voted for the community development trust fund. We are glad that she did to get that moving. We might also talk about the \$8 billion in tax relief that was brought forward in budget 2007 and our economic statement. But let me read a supportive statement by the member for Halton:

This was a good announcement. The \$1 billion is desperately needed by tens of thousands of people in communities in the Atlantic, Quebec, northern Ontario and British Columbia.

The Speaker: The hon. member for York West.

Some hon. members: Oh, oh!

The Speaker: Order. The hon. member for York West has the floor now.

Hon. Judy Sgro (York West, Lib.): Mr. Speaker, the only reason that money was brought forward is because of the work that was done by this opposition party here, otherwise it would not have been done, just more rhetoric and more laissez-faire, "I don't care" from the government.

Last week the industry minister and the finance minister met with auto industry executives, but in the midst of contradicting each other they made zero commitments to provide any assistance to the auto industry. Is the government's indifference to the crisis in the auto sector just another example of the Conservatives' anti-Ontario attitude?

Hon. Jim Prentice (Minister of Industry, CPC): Mr. Speaker, let us be clear. The reason the community trust legislation was passed is that this government is listening. If Canadians listened to the member's party, we would be running deficit budgets and no one is interested in that.

Let me point out—

Some hon. members: Oh, oh!

The Speaker: Order. The Minister of Industry has the floor. Everyone wants to hear his answer and I cannot hear a thing. The Minister of Industry has the floor. Order.

Hon. Jim Prentice: Mr. Speaker, since the hon. member wishes to speak about the auto industry, I can assure her that on Friday I was at the Oshawa plant. I met and spoke with representatives of another major auto company. Today I am meeting with Mr. Hargrove and other individuals.

The real question for Canadians is why the Liberals got a flat tire when they had an opportunity in government to deal with the auto industry and the competitive issues and did not deal with them.

Hon. Diane Marleau (Sudbury, Lib.): Mr. Speaker, last year Neelon Casting closed its doors in Sudbury and 240 employees lost their jobs. This plant, which made brake parts, is an example of the crisis in manufacturing and the auto industry in particular.

That is 240 families devastated by a loss of income, and only now is the government coming forward with a bit of help for those in one industry towns. These particular workers will not be able to access this help.

Where was the government eight months ago when this crisis began for Neelon Castings? Where is it now?

Hon. Jim Prentice (Minister of Industry, CPC): Mr. Speaker, this government has continued to work with the auto industry, with labour, to ensure that Canadians succeed at what we have always succeeded at, which is being one of the best countries in the world at auto assembly.

The question that I put to the hon. member opposite is why, in the time when her party was in government, did it not deal with the competitiveness issues?

Oral Questions

Why did the Liberals not deal with the Detroit-Windsor bridge crossing? Why did they not harmonize fuel standards with the United States? Why did they not deal with regulatory standards? Because they were not on the job. They were not serving the interests of the auto industry in Canada.

• (1445)

Hon. Diane Marleau (Sudbury, Lib.): Mr. Speaker, we were working and we were doing a lot of things which the Conservatives have taken up, but only in small measure.

[*Translation*]

This government needs a—

Some hon. members: Oh, oh!

[*English*]

The Speaker: Order. Now the hon. member for Sudbury has the floor and is asking a question. Ministers have to be able to hear the question. The hon. member for Sudbury has the floor and we will have a little order.

Hon. Diane Marleau: Mr. Speaker, the truth hurts.

[*Translation*]

This government needs a plan. Hundreds of factories are closing their doors while this government sits back, smug and immobile in its laissez-faire, do-nothing attitude.

The manufacturing sector is still waiting for a plan to move forward. Where is that plan? Does the government have a plan?

[*English*]

Hon. Jim Prentice (Minister of Industry, CPC): Mr. Speaker, the admission of the hon. member that the truth hurts is a rare display of graciousness on the part of the members opposite. I would like to assure the House that I feel their pain.

However, we will do what we have committed to do, which is to continue to work with industry, addressing the issues that affect competitiveness.

Last week I went to northern Ontario to the community of Lindsay. I met there with workers and management who have taken over the Great Lakes recreational vehicle plant. They are making a success of it. They have optimism and faith in Canada that the Liberal Party does not have.

* * *

GOVERNMENT ACCOUNTABILITY

Mr. Ken Epp (Edmonton—Sherwood Park, CPC): Mr. Speaker, two years ago Canadians voted against Liberal scandal and corruption and they voted for a government that would bring accountability back to Ottawa. Canadian voters do not want to go back.

In his response to the Liberal sponsorship scandal, Justice Gomery outlined the need for tougher rules. Can the President of the Treasury Board tell us what the government has done to respond to Justice Gomery's recommendations?

Some hon. members: Oh, oh!

Hon. Vic Toews (President of the Treasury Board, CPC): Mr. Speaker, I welcome the enthusiastic response of the opposition.

The government responded to the Gomery commission recommendations in a detailed public letter from the Prime Minister.

The government's response to Liberal corruption was the accountability act, the most sweeping anti-corruption legislation in Canadian history. What did it bring? An independent Ethics Commissioner, a new lobbying act, a stronger Auditor General, tougher rules for political financing and real protection for whistleblowers, something that the party opposite would never do.

* * *

PUBLIC SAFETY

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, the appalling conditions at the Kasabonika Lake first nation are unfortunately the day to day reality for police working in the Nishnawbe Aski territory. Communities have no police protection after two in the morning. Seventy-five per cent of the officers are working without backup in remote and isolated fly-in communities, and police detachments look little better than a shanty shack in a barrio.

I would like to ask the Minister of Public Safety what immediate steps will he take to immediately address this horrific double standard in public safety?

Hon. Stockwell Day (Minister of Public Safety, CPC): Mr. Speaker, a number of working arrangements are in place to make sure that proper policing is there. The various first nations groups apply for and work in a collaborative way to establish what levels of policing they would like and what levels can be delivered.

This particular situation is of concern to us and is being looked at by a variety of people at a number of levels. We want to make sure that the things they ask for and the things they contracted for are in fact delivered.

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, let us talk about the collaborative approach where the minister's government has left police infrastructure dollars at zero for a region that covers two-thirds of Ontario. Police officers and our communities are at risk as a result of this policy.

Two years ago I attended the funeral of the two young men who burned to death in a makeshift jail cell in Kashechewan, and they died in conditions that would not be acceptable in any community in this country.

I will ask the minister again, why is he continuing to perpetuate a two tier standard for public safety in our communities?

Hon. Stockwell Day (Minister of Public Safety, CPC): Mr. Speaker, the person posing the question obviously has no understanding of the fact that these agreements work at a local level. They involve the province and they involve the federal government. They involve requests by those who are in the particular area.

The member obviously is clearly unaware of the amount of resources that we have increased across the board for policing, not just for arrangements like these, but in other types of situations also.

This is something that has been neglected in the past, that we have looked at and we are funding in a more aggressive way. This particular situation is no exception. We are going to continue to work on that.

* * *

• (1450)

CHALK RIVER NUCLEAR FACILITIES

Hon. Carolyn Bennett (St. Paul's, Lib.): Mr. Speaker, Europe's leading isotope suppliers were willing and able to help develop a contingency plan to prevent the medical isotope shortage. MDS Nordion Canada refused to cooperate.

It seems that instead of doing his job protecting the health and safety of all Canadians, the Minister of Health favoured the interests of a private company to whom Brian Mulroney had given this dangerous monopoly.

Will the minister admit that he put the commercial interests of one company ahead of the health and safety of all Canadians?

Hon. Tony Clement (Minister of Health and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC): No, Mr. Speaker, in fact it is quite the opposite.

When this government learned of the situation, which was a serious situation affecting the health and safety of Canadians and other citizens worldwide, we acted. We put a bill before Parliament to do the best thing and the quickest thing and the most effective thing to restore isotopes which was to get the Chalk River reactor open again. The member's party voted for it.

Hon. Carolyn Bennett (St. Paul's, Lib.): Mr. Speaker, we voted for it because we had been misled.

The *Canadian Medical Association Journal* exposed that while MDS Nordion refused to play ball, the minister misled Canadians by claiming he was combing the globe in order to find isotopes and that the only answer was to restart the reactor.

Will the minister table the phone calls he made in order to solve this crisis, or will he resign?

Hon. Tony Clement (Minister of Health and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC): Mr. Speaker, the last refuge for scoundrels is to say that they have been misled.

All of the information that has been put before this House has been fair, has been accurate, and has been borne out by the facts. We were acting for the health and safety of Canadians. Clearly those on the other side of the House were acting in a partisan political way and that is shocking.

If anyone should be resigning or saying sorry, it should be the hon. member and those members of the House because they were not acting in the best interests of Canadians.

* * *

[Translation]

AFGHANISTAN

Hon. Denis Coderre (Bourassa, Lib.): Mr. Speaker, yesterday we witnessed another pathetic performance from the worst Minister

Oral Questions

of Foreign Affairs that Canada has seen since the current Minister of National Defence. Once again, he misled the House. Contrary to what he said yesterday, his Defence buddy told us that David Mulroney, the Associate Deputy Minister of Foreign Affairs, was looking at the possibility of building a Canadian wing inside an Afghan prison.

Why does he not have the courage to tell us that his government wants to create a Canadian Guantanamo in Pul-e-Charkhi, in Kabul?

Hon. Maxime Bernier (Minister of Foreign Affairs, CPC): Mr. Speaker, I have the courage to confirm what I said yesterday in the House. The Government of Canada will not build prisons in Afghanistan. The Government of Canada will not manage prisons in Afghanistan. We are there with the international community to help the Afghan people develop their own institutions and to help them prosper safely in their country.

[English]

Hon. Denis Coderre (Bourassa, Lib.): Mr. Speaker, the government keeps talking about an open and honest debate, but every answer we get from it seems to be misleading or simply incorrect.

This is very simple. C'est facile. Écoutez bien là. Canadians deserve to know the truth. Is the government planning to build a Canadian wing inside the prison of Pul-e-Charkhi in Kabul? Is the government planning a Canadian Guantanamo, yes or no?

Hon. Maxime Bernier (Minister of Foreign Affairs, CPC): No, Mr. Speaker. What we are doing is very simple, and that is helping the Afghan government to be there and to succeed in security. We want the Afghan people to live in peace and security in their country.

Why is the member opposite against an open and transparent debate on the Manley report? If the Liberals believe in the Afghan mission, they must be open to a full debate on that.

* * *

• (1455)

[Translation]

OMAR KHADR

Mrs. Vivian Barbot (Papineau, BQ): Mr. Speaker, Omar Khadr, a young Canadian held in Guantanamo since he was 15, is accused of killing a U.S. soldier. He could be given a life sentence. His lawyers are asking that all charges in violation of international treaties that protect child soldiers be dismissed. The former French minister of justice, Robert Badinter, stated that this trial is contrary to international law, an opinion shared by 18 of the most distinguished jurists in the world, including the chairman of the UN International Law Commission.

For Mr. Khadr to be given a just and fair trial—

The Speaker: The hon. Secretary of State (Foreign Affairs and International Trade).

*Oral Questions**[English]*

Hon. Helena Guergis (Secretary of State (Foreign Affairs and International Trade) (Sport), CPC): Mr. Speaker, we must remember that Mr. Khadr faces some very serious murder charges for allegedly killing an allied medic. However, I can assure the hon. member that we have sought and received assurances that Mr. Khadr is being treated humanely. Our consular officials have carried out several welfare visits.

[Translation]

Mrs. Vivian Barbot (Papineau, BQ): Mr. Speaker, the minister does not acknowledge that Mr. Khadr was a child when imprisoned. He is a child soldier.

To follow up the response of the Minister of Foreign Affairs, it seems that soldiers do not build prisons. Also, they do not transfer them to Afghans.

What do they do with them? Do they send them to the moon?

[English]

Hon. Helena Guergis (Secretary of State (Foreign Affairs and International Trade) (Sport), CPC): Again, Mr. Speaker, I will repeat the answer for her. Apparently she did not hear it. Mr. Khadr faces very serious charges of murder. We have sought and received assurances that he is being treated humanely. Given that this is a judicial process, I am limited in what I can comment on, and the family has asked for discretion.

* * *

*[Translation]***DEPARTMENT OF NATIONAL DEFENCE**

Mr. Marcel Proulx (Hull—Aylmer, Lib.): Mr. Speaker, National Defence has moved its mail processing centre from its headquarters in downtown Ottawa to the National Printing Bureau building in Gatineau, where some 600 public servants work. This sorting centre verifies whether dangerous or explosive items have been received through Canada Post or private delivery services. This building is located in a residential area near a secondary school.

Can the minister explain why it is less dangerous to put this centre in a residential area than at National Defence headquarters?

[English]

Mr. Laurie Hawn (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, the Department of National Defence, as do other departments, handles a lot of mail. It handles it safely and according to the regulations put out by Canada Post and other people who are responsible for the safety of those kinds of operations.

I can assure the hon. member that all safety precautions are taken. If anything is amiss, it will be corrected.

* * *

JUSTICE

Mr. Wajid Khan (Mississauga—Streetsville, CPC): Mr. Speaker, my question is—

Some hon. members: Oh, oh!

The Speaker: Order, please. The hon. member for Mississauga—Streetsville is obviously very popular and has the floor. We have to be able to hear his question.

Mr. Wajid Khan: Mr. Speaker, I thank the opposition members for a warm welcome.

My question is for the Minister of Justice. Recent shootings in Toronto and other cities across Canada further emphasize the need for our tackling violent crime bill to be passed immediately in the Senate. Canadians want it passed. Liberal Premier Dalton McGuinty wants it passed.

So far the Liberal opposition leader is content to sit on his hands and do nothing. When will he show leadership and urge the Liberal senators to expedite the passage of the act?

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, when will the Leader of the Opposition show some leadership on this is a very good question.

Right now we have before Parliament the tackling violent crime act that provides, among other things, mandatory jail terms for people who commit gun crimes and it protects 14 and 15 year olds from sexual predators.

The Liberal Party has to figure out that fighting crime is not just something that is talked about when an election is called. When will the Liberals show some backbone? Canadians have a right to know.

* * *

● (1500)

HEALTH

Ms. Judy Wasylycia-Leis (Winnipeg North, NDP): Mr. Speaker, all across Canada public health care advocates are sounding the alarm. There is for profit surgery in B.C. There is privatizing home care in Ontario and soon to be duelling systems in Alberta and Quebec.

Yesterday CUPE and Canada's nurses were forced to release a how-to book on defending medicare and launched a national campaign to inform Canadians about their health care rights.

Does the Minister of Health agree that the health care system in Canada must remain 100% publicly funded and operated?

Hon. Tony Clement (Minister of Health and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC): Mr. Speaker, the position of this government and this party is clear. We support the five pillars of the Canada Health Act, which include universality, accessibility and affordability. We have acted to ensure better access.

The Liberal members are barracking right now. When they were in power, the wait times doubled in the country. We have tackled wait times with the provinces and territories. We put the focus on the patient. We are very proud of that record.

Government Orders

Ms. Judy Wasylycia-Leis (Winnipeg North, NDP): Mr. Speaker, there is something wrong when we cannot get the government to stand up and defend medicare. I suggest the Minister of Health start listening to P.E.I. health coalition activists, who say that islanders are getting ripped off at the hospital.

Residents of P.E.I. must pay for ambulance service, physiotherapy, medically necessary cosmetic surgery, diagnostic tests and new medications not yet approved. The Prime Minister's so-called wait time guarantee has not made wait times in P.E.I. go down at all.

Does the minister at least agree with the suggestion that Canada needs a Health Act ombudsman and an appeal process?

Hon. Tony Clement (Minister of Health and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC): Mr. Speaker, she and I at least share one thing, diminutive statures. I was standing up for medicare. Perhaps that was not noticeable where she is in her part of the House.

We do take this seriously. That is why our focus has been on the patients. That is why we have worked with the provinces and territories to ensure health care is a priority for this government and our future governments as well.

* * *

[Translation]

DEPARTMENT OF NATIONAL DEFENCE

Mr. Marcel Proulx (Hull—Aylmer, Lib.): Mr. Speaker, why does National Defence not follow the example of the House of Commons and the Prime Minister's Office and sort their mail in isolated buildings in industrial parks?

I visited the sorting centre in Gatineau last week. They claim there is no danger despite the fact that the building contains dangerous products and waste that could spread through the building and the residential area in the event of a fire or explosion.

National Defence admits that ideally, this activity should be moved elsewhere. What is the government waiting for—a catastrophe?

[English]

Mr. Laurie Hawn (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, the contamination in the House, frankly, is from some of the questions across the way.

National Defence follows procedures that are laid down by Canada Post and other people responsible for safety measures. I can assure him of that. If anything comes to our attention that does not follow those procedures, it will be corrected.

* * *

HOUSING

Mr. Mike Lake (Edmonton—Mill Woods—Beaumont, CPC): Mr. Speaker, the previous Liberal government talked a lot about addressing the affordable housing crunch in my province. For 13 years, it held countless round tables and community discussions with so-called experts in the field. However, the only significant action taken was to cut \$25 billion in transfers to the provinces.

The Liberals were not just missing in action on this file. They completely abdicated any responsibility for dealing with the issue.

Could the Minister of Human Resources and Social Development say what our government is doing to increase the supply of affordable housing and address an issue the Liberals ignored for more than a decade?

Hon. Monte Solberg (Minister of Human Resources and Social Development, CPC): Mr. Speaker, I share my friend's analysis of what occurred under the Liberals.

This government has acted. Because of that, tens of thousands of vulnerable Canadians will have roofs over their heads. We are working cooperatively with the provinces, investing more in affordable housing than any government in history.

It is true that some provinces have been a little slower to get that money out, but we will work with them and ensure that vulnerable Canadians are protected. That is the commitment of this government.

• (1505)

[Translation]

Mr. Réal Ménard: Mr. Speaker, may we proceed so that anyone who has a speech can make it before going to committee? Also, I would like to speak before 3:30 p.m. May we proceed?

The Speaker: Certainly we may.

GOVERNMENT ORDERS

[English]

IMMIGRATION AND REFUGEE PROTECTION ACT

The House resumed consideration of the motion that Bill C-3, An Act to amend the Immigration and Refugee Protection Act (certificate and special advocate) and to make a consequential amendment to another Act, be read the third time and passed.

The Speaker: Before question period the hon. member for Vancouver South had the floor and there are eight minutes remaining in the time allotted for questions and comments consequent to his remarks. I therefore call for questions and comments at this time.

Hon. Andrew Telegdi (Kitchener—Waterloo, Lib.): Mr. Speaker, in relationship to the security certificate, many of the people who have a security certificate issued against them are not aliens but have standing in Canada. Because of the amendments to the 2002 immigration act, the security certificate process was extended to people who had standing in Canada.

Further, in Bill C-18, the proposed citizenship act at the time, it was proposed that security certificate methodology be introduced into the revocation of citizenship.

Would my colleague kindly tell us if he would agree with putting citizens under this regime as well?

Government Orders

•(1510)

Hon. Ujjal Dosanjh (Vancouver South, Lib.): Mr. Speaker, as I said earlier, that is a false question that has been set up simply to confuse the issue.

We have a situation where security certificates apply to people who are not Canadian citizens. I have not considered the question of the Canadian Citizenship Act. I am not very familiar with that legislation. However, these are very serious measures that are required to deal with the issue of terrorism and organized crime and danger to national security.

If we have Canadian citizens who are a danger to national security, they are dealt with differently. They always are.

Is the member suggesting that some people were considering including the security certificates in the Canadian citizenship regime so that people whose citizenship could be revoked could be subject to that? The fact is that citizenship can be revoked for serious matters, such as having lied about a very serious matter.

My view would be that if a person has fraudulently obtained citizenship and is a danger to national security then we should be able to deal with that but not necessarily through the security certificates.

Ms. Penny Priddy (Surrey North, NDP): Mr. Speaker, given that the member has made comments that this was not the bill that the Liberal opposition would have brought forward, that it could have been better, I would say that it could have been made better if the government had not waited until October 22, 2007 to table the bill, if committee had been given more time to hear the other witnesses who wanted to present and if it had been given more time to explore how to make it better.

Hon. Ujjal Dosanjh: Mr. Speaker, as I have indicated in my remarks twice in the House, this could have been a different bill. It could have been based on the SIRC model. It could have included some of the practices followed by the Arar commission. It could have dealt with the issue in the way that the Evidence Act deals with non-disclosure when non-disclosure is sought by the Attorney General of Canada.

There is no question in my mind that the bill could have been improved with time but this is the bill that we were given and, in the time period we were given, I think we have done the best we can with the bill and it should be passed expeditiously so we can meet the deadline.

[*Translation*]

Mr. Réal Ménard (Hochelaga, BQ): Mr. Speaker, I would first like to congratulate all the opposition members who worked very hard in the Standing Committee on Public Safety and National Security on this very important issue regarding human rights and people who are concerned about procedural guarantees. I am thinking of the contribution of my colleague from Marc-Aurèle-Fortin. I believe he was supported by the member for Saint-Hyacinthe—Bagot. I also know that members of the official opposition, such as members from the NDP, worked very hard and they should be acknowledged.

I must say it is very disappointing for the democrats in this Parliament, very disappointing for those who believe certain

principles should be defended when it comes to the administration of justice, and very disappointing for those who believe in fundamental justice.

As my colleagues on the Standing Committee on Justice and Human Rights know, in a democracy, the ends do not justify the means. We cannot say a situation is urgent or that there are potential terrorist threats as a way to ignore or fail to respect some principles of fundamental justice that are inalienable and inviolable.

That is why the Supreme Court sent a very clear message to Parliament—it will be one year ago in a few days, if my memory serves me correctly—indicating that it had gone too far, that it miscalculated the potential repercussions of this bill, particularly in light of one of the constitutional guarantees found in section 7 on the right to life, liberty and security. There is ample case law to show that section 7 cannot be violated unless the fundamental principles of justice are respected.

I was in Ottawa in 2001. The then minister of justice was a member from Alberta, Anne McLellan, a former constitutional law professor—I do not know whether she went back to teaching. It was therefore quite surprising that we were being proposed procedural shortcuts like those contained in the bill at the time and which have not been improved since.

In short, the Bloc Québécois has always had three lines of attack when it comes to this bill. First, in 2001, we said that the Criminal Code contained all the necessary provisions for dealing with possible security threats by individuals who are not Canadian citizens. This could be handled through the Criminal Code and also through the Immigration and Refugee Protection Act.

In 2001, we already had three major concerns. It is nonetheless reassuring to know that the Supreme Court shared our concerns.

The first concern is about the exception that allows foreign nationals to be arrested without a warrant. This exception can very easily be abused. Anyone who has ever practised law in any capacity has considered the balance that must exist in societies, between the duties of citizens and the responsibility of the state to provide a safe environment for its citizens. Accordingly, if we are to rely on the police, they should, at the very least, be given the authority to intervene with a warrant.

This is a topic that has generated all sorts of rulings. There is even talk about an independent judicial authority and ensuring that a certain number of conditions are met when a warrant is issued. That is easy to understand, since a warrant has the potential to be extremely intrusive. Not only can individuals be arrested, but authorities can interfere in their private lives and go to their homes. The court has said that a home is a man's castle. Obviously, we cannot enter an individual's home without first having done a certain number of compliance checks.

•(1515)

Since 2001, it has been possible to arrest foreign nationals without a warrant previously issued by an independent and impartial court whose judges cannot be removed—except, of course, for misconduct.

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I would remind the House that it has nothing to do with the fact that someone is a foreign national, that they do not yet have Canadian citizenship, that they have not been in Canada or Quebec for many years. As we know, concerning the process of obtaining citizenship, from the time a person enters Canada as a political refugee, permanent resident or person in need of protection, it can take many years to be eligible. It takes three years for citizenship, but in some cases, it can take much longer, depending on whether there are any appeals.

What an absurdity, what a violation of rights and how insensitive to introduce in Parliament a legislative framework under which we can appear without a warrant being issued by a legal authority, a court of law, and of course, under the conditions set out in the Criminal Code. What is most worrisome is that when someone is accused of being a threat to national security—the word “national” refers to Canada, but it could also apply to Quebec—it is believed that that individual has a history of terrorism, that he or she has been involved in organized crime and has committed such serious offences that he or she must be considered inadmissible to Canada. Furthermore, we expect that individual to understand the evidence used by a legal authority—in this case, the Minister of Citizenship and Immigration, the Minister of Public Safety or both—to declare him or her inadmissible to Canada. In fact, we expect the individual, whom we are about to declare inadmissible to Canada, to know what evidence exists against him or her.

There was a sort of revolution with regard to procedure in the early 1990s. I am referring to *R. v. Stinchcombe*. Stinchcombe was an Alberta lawyer who practised business and real estate law, and who committed fraud by making poor investments with the fortune of a client who had retained him. There were a number of appeals.

This case is important in the history of justice because a ruling was given on disclosure of evidence. Since 1992, all evidence held by the Crown must be disclosed to the defence. At times, the evidence could fill the House of Commons. At times, hundreds of thousands of pages have to be disclosed to the defendants. That is why trials can last years and years. This is particularly true in criminal cases.

However, that is part and parcel of the principle of procedural fairness whereby if charges are laid, if an individual is brought before the courts, if he is accused of an offence, he must be apprised of the elements of the proof. That applies to a notebook kept by the police upon the arrest to the most refined investigative techniques. The fact remains that the evidence must be disclosed in full to the defendant who is being accused.

Given that it allows someone to be arrested without a warrant, Bill C-3 strays far from this principle. Not only is the individual arrested without a warrant, but he is told that he will not have access to the evidence which has deprived him of the right to remain in Canada and Quebec. Consider the extent to which this contravenes fundamental legal rights. Consider that depriving an accused of access to evidence is contrary to the tradition of defending rights and procedural fairness.

• (1520)

It is obvious that there are times when the evidence can be sensitive. That is why there are provisions in the Criminal Code. The

judge can order a closed doors hearing and request that the media do not have access to information. However, in no way can we support a principle that does not allow an accused person, and particularly someone accused of a criminal offence, the right to know the evidence on which the accusation is made. Why is this principle important? It is important because the right to a full and complete defence is written into the Canadian Charter of Rights and Freedoms, as well as in the Quebec Charter of Human Rights and Freedoms. How could one appoint a solicitor to defend a client if the solicitor does not know all the evidence being used against the accused? Why is it important? It is important because we know that as individual citizens we are not on a level playing field with the government. The government has investigation techniques and police officers and can use infiltration to gather information. There is a whole range of tools that can be used in making an accusation against an individual that are not available to the ordinary person.

I repeat, the Bloc Québécois is not saying that terrorism does not exist or that there are no individuals who could represent a real threat to the security of the country. What we are saying is that it should be possible to set up a legislative regime in which a lawyer under oath has access to the evidence and represents his or her client in a closed-doors context, in a context where there cannot be the same circulation of information as in a regular trial. However, to insist that during all the procedures the accused person can never see the evidence—we do not believe this is acceptable in terms of procedural fairness.

The third questionable point for the Bloc Québécois is the point the member for Marc-Aurèle-Fortin brought out so brilliantly in committee. We know what a formidable attorney the member for Marc-Aurèle-Fortin is. He has made his living as a defence counsel. He has an excellent command of the techniques of cross-examination. How many times have I spoken of his excellent work in the Schreiber-Mulroney affair at the Standing Committee on Access to Information, Privacy and Ethics? He was splendidly supported by our colleague, the member for Saint-Bruno—Saint-Hubert, who is not a lawyer but was still able to extract a confession. She led Mr. Schreiber to confess, as a result of which the *Club des ex* awarded her the title of one of the most promising parliamentarians; a member with a bright future within the Bloc Québécois. That happened between Christmas and New Year's Day on the RDI network program *Le Club des ex*. The host of the program was our old colleague Jean-Pierre Charbonneau, the former provincial member for Borduas. The former Liberal Heritage minister took part and, of course, a former ADQ member of the National Assembly from Lanaudière, Marie Grégoire.

All this to say that our third concern is that people will not only be arrested without a warrant but will not be allowed to see the evidence against them. This means that if the Minister of Citizenship and Immigration or the Minister of Public Safety signs a security certificate, the Federal Court is notified. If the judge, having examined the facts, finds that the rationale in the certificate is reasonable and finds reasonable grounds to believe that the person involved is a danger to Canada, the entire process is initiated. The individual will be arrested and detained, often for considerable periods.

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• (1525)

Some people say that the individual can choose to return to his country of origin, but when someone has left that country three, four, five or six years previously and remade his life in Canada, it is not easy to leave. Often, of course, people came here to remake their lives because they feared the possibility of torture and persecution under authoritarian regimes.

There is another problem with Bill C-3. The level of proof required is clearly too low in view of the seriousness of such situations. The Bloc member for Marc-Aurèle-Fortin moved an amendment to require that the evidence be beyond a reasonable doubt, as in any criminal case. But the amendment was rejected. It was a bad decision that had no basis in parliamentary practice and was certainly not justified from the standpoint of the interests of the accused.

How can we possibly be satisfied with a simple level of proof like reasonable doubt when the physical survival of people—including arbitrary imprisonment and detention under very difficult conditions—is at stake? What sense does it make not to require a level of proof equivalent to “beyond a reasonable doubt”, as in any criminal case?

Once again, the hon. member for Marc-Aurèle-Fortin, who is a very experienced parliamentarian, moved amendments but unfortunately they were not discussed. It was decided, quite wrongly, that they were beyond the scope of the bill. That was a very bad decision. We obviously respect the authority of the committee chair. I do not know whether you were asked for advice in the matter, Mr. Speaker. In my opinion, you would have agreed with your clerk and would not have rejected this decision. I should add that the Bloc Québécois challenges it and we think it was an abuse of procedure that is not a credit to the institution.

That being said, I would like to move on to our fourth concern, which is the fact that this bill does not include an obligation to ensure that an individual will not be deported to a country that practices torture before triggering the process by which that individual can be not only detained, deprived of basic freedoms, poorly represented and arrested without charge, but also deported. The bill offers no guarantees in that regard. In cases where the mechanism applies, Canada may use the flawed system that I have been talking about for several minutes now to deport individuals deemed to be a threat to national security. Canada is violating its international obligations by failing to ensure that measures are taken to avoid deporting individuals to countries that practice torture.

This is, therefore, a very bad bill. I do not understand how the Minister of Public Safety can sleep at night after introducing such a terrible bill that stands in stark opposition to our democratic traditions. This will certainly be a blemish on Canada's reputation in the international community and in forums for multilateral debate.

This is a very bad bill, and we cannot support it. We do not understand the Conservative government's intention given that, as I recall, it expressed serious reservations when it was on the opposition benches. Even though the Conservatives supported Ms. McLellan's bill, they were concerned about a number of flaws that remained over time.

Once again, shame on the government for its lack of respect for procedure. I call on all of my colleagues in the House to reject this bill.

• (1530)

[*English*]

Mr. Ken Epp (Edmonton—Sherwood Park, CPC): Mr. Speaker, I always enjoy speeches by this member. He is always methodical and as a mathematician I like that. When a person has points, one, two, three, four, I can follow what he is saying and I appreciate his dissertation.

The member has taken great umbrage with the concept that a person can be arrested and not even be told of the evidence. I agree with the member when he says that normally in Canada our justice system provides for an accused to defend himself or herself. That is good. That is the way it ought to be, but this is a very special case.

This is a case where individuals may be plotting terrorist acts against our citizens and against our country. These are people who probably do not know why they were picked up because someone, the colloquial term is snitched, said here are individuals who are a danger to society and turned them over to the authorities.

In this case if the individuals are actually part of a group that is planning some very bad actions in our country, these people, if they knew who it was or how it was that they became known, would undoubtedly get the word back and the informants who provided the information to increase the safety of Canadians could themselves then be a direct target of this group, that is, other people who were not arrested or who have not been arrested yet. Furthermore, it could result in people who are investigating blowing their cover and not being able to complete their investigation of other individuals who are a danger.

We must always make the assumption that people are innocent until proven guilty, but this is a special case and surely we must have room in our justice system to protect ourselves against these people who would engage in such nefarious activities.

• (1535)

[*Translation*]

Mr. Réal Ménard: Mr. Speaker, I thank my mathematician colleague, who told me one day that he raised his children by teaching math at night school. I remember him giving a speech in the House in which he said he paid taxes to Mr. Trudeau at the time. I will never forget that speech by such a strict mathematics teacher who obviously loved what he was doing.

However, let us not confuse matters. The Bloc Québécois does not deny that organized terrorist networks exist. I read a book from the UQAM Raoul Dandurand Chair that explains that the major terrorist threats to democracies like ours are often ideology based threats, by people connected with ideologies and often with religious movements. These are people who have very powerful means of representing a threat to our democracies and following through.

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However, I do not believe this is a matter of informants. When there is reason to believe that individuals represent a terrorist threat on our soil, it is often because our intelligence services have conducted investigations. These are not individuals who are going to blow the whistle on others, and there is very solid evidence on this.

The very fact that intelligence services have solid evidence on this is why we must ensure that the fair procedures I was talking about come into play. I do not think that means individuals have to stay in Canada; but they have to be informed of the evidence against them. They should have the right to be represented and we have to be certain they are not deported to countries that practice torture. If ever their home country practices torture, they can stay imprisoned here for a very long time.

Again, let us resist the urge to act hastily. There is no good reason for an individual not to be informed of the evidence against them if that evidence will incriminate them for a very long time.

[English]

Hon. Andrew Telegdi (Kitchener—Waterloo, Lib.): Mr. Speaker, let me say for my colleague that I guess the problem that I have with these dangerous individuals with whom we are supposedly dealing through the security certificate process is that if they are indeed that dangerous then certainly we should be bringing them to justice, but just getting them out of the country does not keep anybody safe. It does not keep Canada safe. It does not keep people in other countries safe.

Just to underline the importance of disclosure of information, and I would like to get my friend's comment on it, there was a situation in Toronto where a number of charges were laid against I believe a half a dozen police officers. That situation went on for something like 10 years. The charges were corruption charges. This is a serious case of corruption in the police force, which has huge implications for our judicial system, yet Justice Nordheimer struck down the charges because the Crown did not inform the defence attorneys of the case against them.

There is no question in my mind that this is a most serious charge against police officers because it strikes right at the heart of our judicial system, but that is how important the disclosure of evidence is; that is why the justice struck it down. I wonder if my friend would comment.

[Translation]

The Acting Speaker (Mr. Royal Galipeau): The hon. member for Hochelaga has three and a half minutes left for questions and comments. He may be interested to know that the hon. member for Vancouver Island North would also like to ask him a question.

Mr. Réal Ménard: Mr. Speaker, I would not like to pass over that question. I am not familiar with the example raised by our hon. colleague, but he is quite right to remind the House that we all benefit from a process that is carried out fairly, rigorously and according to the rules.

• (1540)

[English]

Ms. Catherine Bell (Vancouver Island North, NDP): Mr. Speaker, I want to let my colleague from the Bloc know that I will not be supporting the bill. My NDP colleagues and I see this bill as a

violation of human rights. It circumvents the criminal justice system. Even the Supreme Court of Canada decided that it was unconstitutional.

However, I want to ask a very short question of my colleague. When we are dealing with issues of terrorism, national security, espionage and organized crime, we in the NDP feel they should be dealt with through the use of the Criminal Code and not through a lesser immigration process. If there is a problem with the Criminal Code's ability to deal with these types of crimes, then these problems with the Criminal Code should be addressed and fixed.

Would my hon. colleague agree with us that these are some of the things that must be addressed to move forward rather than putting in place legislation that violates human rights and the criminal justice system?

[Translation]

Mr. Réal Ménard: Mr. Speaker, I appreciate my colleague's question and I assure her that I agree with her 100%. Moreover, since 2001, we have been reiterating in this House that the Criminal Code has all the provisions we need to effectively fight terrorist threats. She is quite right to say that that is the appropriate tool. It make no sense that for a threat that only recently appeared—thankfully, for us—we would want to create such a draconian exception in terms of the reality we face regarding terrorism, as we have known it since 2001.

[English]

Ms. Penny Priddy (Surrey North, NDP): Mr. Speaker, I was going to say that I am pleased to rise in the House, but I am not sure if I am pleased to rise in the House today over this particular discussion. However, it is important to rise in the House today to speak to Bill C-3.

I am proud that the members of the NDP, along with some others, are standing in opposition to what is really fundamentally flawed legislation.

Others have spoken to this, but from the beginning, security certificates have been the wrong way to deal with an approach to terrorism, espionage and organized crime. The member for Vancouver South, although saying that his party will be supporting the bill, did say that a method such as the SIRC system would have been a preferable approach to take to this as opposed to this redone, renewed and recycled security certificate bill that we have before us.

When the security certificates were shut down in February 2007, I think many people were very pleased to see what they hoped would be the end of a really defective process. That did not happen. People are very disappointed that the government has chosen to reintroduce security certificates.

The Liberal opposition members have noted on a number of occasions that this is not the bill they would have brought forward, that it probably could have been a better bill and that there were other systems, but they are going to support it anyway because of the timeframe.

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The bill was struck down in February of 2007. Its replacement was tabled on October 22, 2007. If this is such a grave and grievous threat to Canada, and I think we will all agree that terrorism, organized crime and espionage are such threats, why would the government wait nine months in order to bring this forward? Why would the government not have brought the House back in September when it was due to come back and allowed for further opportunity to debate it at committee and to call witnesses?

It is very puzzling that we found ourselves seeing it for the first time at the end of October. Witnesses who might have wished to present before the committee could not. Now I hear people suggest that it was not really what they would have done but that we have to pass it now because we have a time crunch. I understand the time crunch, but I am not sure that it is the best reason for passing flawed legislation. To me, the fact that it was not dealt with earlier is something that, to be quite honest, I simply fail to understand.

As well, I was bothered by the examination of the legislation at committee. Having waited nine months to reintroduce this, the minister then came to committee and said, "Please hurry up and pass this and please move it quickly through committee because it will expire in February".

As a result, the Conservatives established a timeline at committee that excluded dozens of witnesses, among them experts, advocates and people with direct experience of the security certificate process. People spoke up. They said that this was not acceptable. They said that there were many more people from whom we needed to hear. Indeed, there were names added to the list of people testifying before the committee.

Again, what was interesting was that 17 witnesses testified before the public safety committee, of whom 13 were opposed to Bill C-3. There were 20 written submissions, and all but one said that Bill C-3 was flawed. Having heard that from all of these witnesses, for some members it was as if they thanked the witnesses very much for their information, but they had already decided the way they were going to go on it, and the way they were going to go was security certificates.

They had made up their minds, and while they said thanks to witnesses for coming in with their presentations, it was not going to influence their thinking. I think the Conservative members on the committee, and maybe the Liberals as well, although they acknowledged that there were some problems, ignored expert testimony and advice.

• (1545)

The basic premise of the right to defend oneself is interesting. It is one that has been raised here frequently. It is one that people who are opposed to this legislation are very concerned about. I heard an earlier speaker say that normally we assume that people are innocent until proven guilty, except in this case, where people are presumed guilty until proven innocent, except that we do not give them the tools to prove themselves innocent. They are not given access to the information to prove that they might be innocent, but we know that in at least one situation there was information that would have caused a different outcome.

It is interesting to know what we are saying about somebody who, we have said, is involved in terrorism. Terrorism is the example that gets used the most, but it could be espionage or gang crime as well. It is interesting to know that what we are saying is that we will send the person back to his or her own country to continue his or her work, so to speak. If that indeed is the individual's work, then he or she will perpetuate that, perhaps teach other people, come back to Canada and try again.

How Canada would be any safer as a result of that I do not know. Why would Canada not be safer if it used the Criminal Code to put people in jail? Surely that is what Canadian citizens expect of us in terms of protecting this country: that if people commit or are about to commit a crime of that nature, a crime that is a danger to the citizens of our country, they would be put in jail for a very long time so that their activity is cut off and they will not be engaged in that activity. I think that the right to defend has been totally suspended for this piece of legislation.

Another issue the NDP has with this legislation is the one around civil liberties. Public safety seems to me to be about a balance between freedom and security. There is no question about it: Canadians want to know that they are secure. They have every right to know that, but it is a balance. This legislation is just as imbalanced as the last piece of legislation, which was struck down by the Supreme Court.

Most lawyers who have expertise in this area have said they believe the legislation will be struck down again if it is taken before the Supreme Court. I am quite certain there are lawyers who will be prepared to take this back to the Supreme Court and we will be back here having the discussion again about why this does not work and why we should be including this in the Criminal Code with a different kind of system.

The provision of a special advocate, as is done by the U.K. and New Zealand, is, people have said, a compromise that will work, but in the U.K. there have been many challenges as to the effectiveness of the special advocates and the resources they have.

As for the lawyers here, 50 lawyers have applied here and I think people are expecting that many more, but the lawyers I have talked to do not want to be in the position of knowing that if they see something in the file which would be of benefit to the detainee but needs further clarification, they cannot do it. Yes, lawyers can speak with the detainee and the detainee's counsel and then they have the right to see the file, but if they see something in the file that would be of benefit to the detainee and needs further clarification, they cannot do it. For one thing, they do not have the resources to do the research. Second, they do not have the ability to have that discussion with the detainee.

There are ways, and most lawyers will tell us that, of asking questions without giving away that information which other speakers indicated they were concerned about, information that would indicate to others that their cover had been blown or who had reported on them. We know that lawyers are able to ask questions. We saw that in the Maher Arar case, where they discovered later that some very simple questions would have been able to clarify the fact that he indeed was not involved in the activities that they thought he was.

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• (1550)

Others have spoken of Ian MacDonald. Mr. MacDonald was a special advocate in the U.K. system. He quit over the failure of the British system to address the civil, justice and human rights needs of people who had been detained. Knowing that, the government still has chosen to adopt that system. People have said that under this system, we will still be able to ensure evidence will be brought forward that will not keep somebody in detention because we will not make errors in that way.

I was at an event last night where Maher Arar and his wife, Monia Mazigh, were awarded the British Columbia Civil Liberties Award. As people have read, Maher Arar was rendered back to Syria by U.S. border agents where he faced torture until his return to Canada a year later. Thanks to the work of Commissioner Dennis O'Connor and the Arar inquiry, Canadians now know that Mr. Arar's experience was due to errors by Canadian officials who placed excessive emphasis on national security at the expense of civil liberties and human rights. As a result of the work of many people and Monia Mazigh and his children, that was rectified. However, not everybody has that kind of support system available to them.

We know errors are made. We know information can be suddenly condensed. The original proceedings are gone and are now in a more modified form. Perhaps some evidence that could be used is suddenly not available to people. We see a bit of that now in the case in front of the court.

The Conservatives know the special advocate system is flawed. Mr. MacDonald has spoken in front of committee. He has shared his criticism of the special advocate process.

Five individuals have been confined under security certificates. One person, Mr. Almrei, is still in detention. The other four men, Mohammad Mahjoub, Mahmoud Jaballah, Adil Charkaoui and Mohamed Harkat, are on bail with sureties on conditions that are set up almost to fail. If the men go to a mall and they have to go to the bathroom, their sureties have to go with them. It does not matter if it is the women's washroom or where it is. They have no breathing room. It is almost as if these conditions are set to fail.

If these people are guilty, they should be on strict bail conditions, but not on conditions set to fail. We do not do that to people in our justice system. If these people are guilty, we must have an opportunity to prove they have done what they are accused of doing.

• (1555)

Even if all civil liberties were protected in the legislation, security certificates are still legally the wrong way to go. Why would this not be done under criminal legislation? Can we not change our criminal legislation? It has a very different level of evidence. It has a very different level of seriousness in terms of how evidence is presented and the standard which one has to meet. It would be a much better method to deal with these instances.

We have seen the consequences of those kinds of allegations. We owe it to people to subject them to the highest possible standards of our justice system, not a lesser process. This is why I and the NDP caucus are fundamentally oppose to the legislation, as are the Bloc Québécois and at least a couple of members of the Liberal opposition.

In further debate I hope other people will be able to expand on some of these points. For these men and their families, to deny them the right to defend themselves, to not tell someone why they are charged, to be unable to produce the evidence for them or their counsel and to expect a special advocate to look at it and then be unable to use it in any significant way for that detainee is outside the realm of any understanding I think Canadians have of human and civil rights and the responsibilities of the justice system.

Mr. Gord Brown (Leeds—Grenville, CPC): Mr. Speaker, I listened quite intently to the hon. member's discussion about the security certificates bill. I sit on the public safety and national security committee with the hon. member. She knows that the Supreme Court did not rule that security certificates were unconstitutional, but that changes were required, changes that were brought in as part of the government legislation, which has been supported in the House.

What does the hon. member have to say about the fact that many out there are saying this is unconstitutional? Also, what does the hon. member have to say about the fact that we had two people, who were subject to security certificates, in front of the committee?

As a member of the committee, I have received letters from the public who said the committee did not receive proper information, that people were denied the ability to come in front of committee and that people subject to security certificates did not have the opportunity to come before committee. However, Mohamed Harkat and Adil Charkaoui were in front of the committee. They did tell us how they felt about the process.

We know there is opposition to the whole security certificate regime, but the people who were subject to those security certificates were allowed to come in front of the committee, which would be considered quite extraordinary in any country in this world. The fact that they were subject to security certificates, or their equivalent in another country, and they were in front of a government committee with the opportunity to comment on those, I find quite extraordinary. I know most Canadians would find that extraordinary as well.

What does the hon. member have to say about those two points?

• (1600)

Ms. Penny Priddy: Mr. Speaker, I am not sure I understand the first question on why it is considered unconstitutional. I talked about why it is considered unconstitutional.

Let us be clear. The Supreme Court did strike it down. The Supreme Court said that it had to be changed to better reflect and meet the civil and justice rights of individuals. It did not send it back and said that if it were polished up a bit, it would be okay. The court said that it did not work for the people who were being detained.

The fact that the member is getting many letters asking questions about why more people are not appearing before the committee says Canadians are following this. People want to know where the evidence and information has come from, on which the committee has based its decision.

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Yes, two people, who have been detained under Bill C-3 certificates and are on bail, came before committee. I did not suggest for a minute that there had not been an opportunity for those two people to be there. I found their presentations helpful, as I found the presentations of many people who came. I do not think anybody suggested that those people were unable to make presentations. It would seem to me reasonable that they were able to do so. If it is extraordinary that it has happened in Canada, then so be it and good for Canada.

The fact they appeared is fine. They have the right. We were talking about the impact on their lives and the lives of their families. I more than acknowledge that those people had the right to appear. Those are still the same people who do not have the right to know the information that is being used against them. I say it is unconstitutional because the Supreme Court did.

Hon. Andrew Telegdi (Kitchener—Waterloo, Lib.): Mr. Speaker, the member for Leeds—Grenville stood in this chamber, and he is not the first member of the Conservative Party to do so, and said that the security certificates were not judged unconstitutional. They were judged unconstitutional by the Supreme Court. What the Supreme Court said was the government had a year to fix it. If it did not fix it within the year, it would be struck down.

I find it incredible that members of the Conservative Party would say things that fly in the face of the truth, in the face of the Supreme Court. If they want to see how unconstitutional it is, do not pass the bill for another couple of weeks and then see it get struck down.

The member did misunderstand what he said. The member said that it was not unconstitutional and the Supreme Court might have said that it was unconstitutional. Could the member comment on that because the court definitely said that?

• (1605)

Ms. Penny Priddy: Mr. Speaker, I always appreciate the opportunity to rise and speak again to something about which I care. I am not necessarily able to follow that question any more than I did the others, but the member is correct.

The Supreme Court said that if we did not fix this, it would be struck down. Legislation that is constitutional will not be struck down. The court has said that it is not in accordance with the Constitution of Canada. It has said that if we do not fix it within a year, it will be struck down.

If the Conservative members are saying that security certificates are constitutional and this is just suggestion by the Supreme Court to kind of make it better, then that is somewhat flawed, given the fact that they have said if we do not fix it in three weeks, the legislation will no longer exist. I do not think they would say that about legislation they consider to be constitutional.

Mr. Dave MacKenzie (Parliamentary Secretary to the Minister of Public Safety, CPC): Mr. Speaker, the hon. member for Surrey North is a member of the committee. She joined the committee later this session after we had a number of presentations to the committee. I know she is an active participant and I understand her opposition to the bill.

Does the member understand that the security certificate is the ultimate end of the deportation process? For those people who are

deemed not eligible to live in this country there is a removal process. They have gone through the court system. It is not just at the end of the security certificate that there is a court process. There are processes all along.

What would her solution be for those people who are deemed to be a danger or a threat to Canada's safety and security? How would she deal with them? Where would she put them? Would she allow them to stay in this country? Would she put them in prison for a long time or would she find some other home for them? I wonder what her solution would be if we did not have security certificates.

Ms. Penny Priddy: Mr. Speaker, I thank the member for his always very helpful participation and interventions in the committee.

Other models have been suggested other than this. I would go back to using the SIRC model, which was recommended by a number of people who are very concerned about the security certificate model but who would support the SIRC model being used.

What would we do with those people? If those people are truly guilty of having committed terrorist activities, I would far rather have them in jail here for a long period of time where I know they will not be engaging in those activities, than simply sending them back to their country of origin where they will continue to either work by themselves, which is unlikely, or work with a broader group of terrorists, organized crime or engage in espionage.

I do not see anything wrong with them being in prison for long lengths of time if the evidence supports that. What I cannot deal with is keeping someone in jail for seven years without that person having the ability to know his or her crime, what the charge is and what evidence is being used. That is a fundamental abridgment of a person's human rights.

Let us be clear, terrorism is frightening and we should do everything we can to ensure Canadians know that every member in this House takes this incredibly seriously. However, I do not think security certificates are the only model for that. There could be the SIRC model and there could be prison terms.

• (1610)

The Acting Speaker (Mr. Royal Galipeau): The hon. member for West Vancouver—Sunshine Coast—Sea to Sky Country has the floor for a short question.

Mr. Blair Wilson (West Vancouver—Sunshine Coast—Sea to Sky Country, Ind.): Mr. Speaker, it is an honour to join in the debate on this important legislation, Bill C-3, An Act to amend the Immigration and Refugee Protection Act.

While this specific bill would not be my first choice when it comes to drafting legislation to better deal with the process surrounding security certificates that the Supreme Court of Canada has declared unconstitutional, it is, nonetheless, the bill we have before the House today.

Government Orders

However, I take great comfort in the fact that the Liberal Party and my colleagues on the committee have passed a number of critical amendments to significantly improve this bill, amendments that, first, will remove any and all evidence that was obtained as a result of torture; second, the retention of the solicitor-client privilege between the special advocate and the accused; and third, the inclusion of the provision that allows the accused to choose his or her special advocate.

While this bill is not perfect, it does include those three important Liberal amendments which I feel would significantly improve the bill.

Does my colleague across the way not think that these important Liberal amendments will go a long way in improving the bill and will help to safeguard both national security for Canadians and, at the same time, respect our Charter of Rights and Freedoms?

The Acting Speaker (Mr. Royal Galipeau): The hon. member for Surrey North will forgive my smile because I had warned the hon. member that it was for a short question. She will understand, a short response.

Ms. Penny Priddy: Mr. Speaker, do you want me to give a short answer?

The Acting Speaker (Mr. Royal Galipeau): Yes.

Ms. Penny Priddy: Mr. Speaker, I can see the headline now, “NDP agrees that Liberals have assisted to make this a much better bill”.

Mr. Gord Brown: She has the news release there.

Ms. Penny Priddy: Is it already out?

If someone believes in a security certificate process, absolutely, but, fundamentally, we do not believe in that process.

Have those three amendments around torture and so on made that bill better? If that is the system the member believes in, then it probably has. However, we fundamentally oppose the security certificate process. This is not about whether somebody made it better. It is about the fact that we believe there needs to be a different system.

Mr. Ken Epp (Edmonton—Sherwood Park, CPC): Mr. Speaker, I am delighted to speak to this particular bill.

I want to say at the outset, and actually will be almost the brevity of my speech, that I support the bill wholeheartedly. It is a pragmatic necessity in the world in which we live. I think our duty as parliamentarians and as the House of Commons is to give speedy passage to the bill so we can continue, under the provisions of Bill C-3, to provide security and safety to Canadian citizens. That is a paramount duty and responsibility of government.

Therefore, I would urge all members of Parliament to give speedy passage to the bill so it can go through the process and become law prior to the deadline of February 23 so we can achieve what needs to be done.

In an attempt to help move the agenda forward and to get the bill passed, I move:

That this question be now put.

The Acting Speaker (Mr. Royal Galipeau): The motion is in order.

• (1615)

Hon. Andrew Telegdi (Kitchener—Waterloo, Lib.): Strictly, Mr. Speaker, no to adjourning debates.

As the member said, we are talking about an important piece of legislation and he is trying to cut off debate. No. That just will not fly. That is just not the way we operate in this chamber nor should we operate in this chamber.

Mr. Ken Epp: Mr. Speaker, I have been in the House for over 14 years, as has the member opposite. I think we were elected on the same day in 1993.

Sitting in opposition, where the member now is, and observing the Liberal government over those years when it had a majority, and to now make any noise whatsoever about stifling or controlling debate in the House when the Liberals had a majority, my goodness, it is unbelievable.

However, I am sure all members understand that the reason for this motion is very clear. We have a deadline to meet. We must ensure that the people who have been arrested and who have been detained under these certificates are detained in order to provide safety.

I appeal to all members of the House, including the member who just spoke, to give the bill speedy passage, let it proceed through its normal stages and become law so our citizens can be secure in our country against these external threats.

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, I am genuinely taken aback by the comments made by the member for Edmonton—Sherwood Park.

On the one hand, we are dealing with legislation that the government could and should have brought in a good deal sooner. It should have given ample time for full and serious consideration of the legislation now before us but it made a decision to delay to virtually the 11th hour before it started to confront us, the members of the opposition, with the fact that this is urgent because we have a deadline that was set by the Supreme Court of Canada almost one year ago.

I do not want to be unfair to the member. I know him to be a conscientious member. I disagree with him fundamentally on a great many things but on occasion I have had reason to actually agree with him on some things. However, I am genuinely taken aback. I think Canadians would find it shocking if we were to ram ahead and put into place the provisions of something that was struck down by the Supreme Court of Canada because it was found to be a very serious flaw in a piece of legislation that could cause major problems for people.

I believe I heard the member for Edmonton—Sherwood Park a few moments ago say that we needed to be clear here, that we are talking about persons who are a danger to society and we are talking about protecting the public against such people.

Government Orders

We are talking about putting in place the kind of legal provisions that do not try to convict people and condemn them without there being a fair and legal process. Has nothing been learned by the government from the horrors or the Arar fiasco? Has nothing been heard from the counsel offered by the vast majority of members who appeared before the public safety committee and who said that this was severely flawed legislation and that it, too, would likely to be struck down by the Supreme Court?

How can the member turn a blind eye and a deaf ear to the overwhelming evidence that was brought before the very committee that he sits on for the purpose of weighing the legislation that is before him and before this House?

• (1620)

Mr. Ken Epp: Mr. Speaker, it is probably true that it would have been better if we would have had a few more weeks to debate this. I will not argue that, recognizing the input from all of the members of Parliament in this esteemed chamber. However, I would like to point out that to draft legislation, especially when it is under the scrutiny of the Supreme Court, it takes time and it takes a great deal of care.

One cannot just wake up one day and decide to move a bill in the House whether one is the government or not. I am sure the hon. member who just spoke will probably never have any experience of actually being in government, but being here is, frankly, quite different from being in opposition. The onus is on the government to come up with legislation that does meet muster. This has been dealt with by our justice department and by the legal minds in that department. We sincerely hope that the fix they have put into the legislation, as required by the Supreme Court of Canada, will meet the approval of the courts and meet the approval of the people.

I also need to interject that some of the approaches that the NDP members are taking, not only here but also in terms of other justice issues, make me wonder whether they really are first and foremost on the side of law-abiding citizens of this country. Almost all of their debate is on the other side when someone does something wrong or contemplates something wrong; the something that is a distress and a danger to our society. I would urge the members of the NDP to stand up for the citizens more than for the criminals.

I like to live in a country where, if I am falsely accused, I have a right to defend myself. However, if someone is actually guilty, it is the job of our system to find him or her guilty and to hold him or her accountable. That is what we are all about here.

I really wish that the NDP would stop thinking of our law enforcement agencies, our police, our undercover people, our courts and the lawyers who work in those courts as the enemies. They are not the enemies. The real enemies are those who would destroy our society through violence.

Mr. Dennis Bevington (Western Arctic, NDP): Mr. Speaker, I take a little exception to the comments made by the member for Edmonton—Sherwood Park about the NDP's concern with the criminals.

The purpose of our stand here is to ensure that we have a process where the citizen can be either proven guilty or innocent within the bounds of our justice system and then be declared a criminal or, as in the case we have seen already over the past two years with the Maher

Arar situation, be found innocent. We have to be very careful with this.

Our justice system is what our fathers fought in wars for and what we stand up for as well. We stand up for the rights of our citizens. Our citizens have rights until they are proven guilty.

Mr. Ken Epp: Mr. Speaker, I would like to point out with great clarity that the people addressed by this bill are not citizens of our country. Our primary responsibility is to protect Canadian citizens.

The other thing is that this bill is a correction to what was lacking, as identified by the court, in the previous legislation. This provides that people who are so accused would have a process whereby, outside of the people who arrested or detained them, someone independent from that such as a judge or an appointed lawyer who will operate in secret, in closed quarters, in camera, would hear the charges.

Frankly, I do not know why members of the House would fail to trust them. We have to have some trust in our own people, in our own system. They will not keep a person detained who in fact is innocent. That is why this process was brought in.

Unfortunately, we are dealing with people who have been arrested. I do not believe that our people just willy-nilly, at random, take a person off the street and say, "There is one. Let's arrest him". I do not believe that.

In every instance, these people have had evidence collected against them and they are arrested with grounds. Bill C-3 corrects the deficiency so that there is a process, while at the same time addressing the problem of being falsely accused—

• (1625)

The Acting Speaker (Mr. Royal Galipeau): Resuming debate, the hon. member for Kitchener—Waterloo.

Hon. Andrew Telegdi (Kitchener—Waterloo, Lib.): Mr. Speaker, I will switch the order in which I was to speak because I just find it incredible that a member of Parliament would stand up and say, "Let us not bother with the niceties. If the police say they are guilty, then they are guilty". Has the member not heard of Steven Truscott? Has he not heard of Guy Paul Morin? Has he not heard of Donald Marshall? The list goes on.

The member should check out subsection 11(d) of the charter. It is a fundamental right. It says:

Any person charged with an offence has the right

(d) to be presumed innocent until proven guilty according to law in a fair and public hearing by an independent and impartial tribunal;

When the parliamentary secretary started talking about the bill, he mentioned the case of a person who allegedly committed industrial espionage. That is a very serious charge. That can actually have an economic impact on Canada. It could cause hardship for Canada. We could lose intellectual property.

That being the case, it seems to me that this person should have been charged and if found guilty, should have been put in custody and held for a period of time. By the time that person got out, the intellectual property taken would no longer be of the same value as it would be if we let the individual go right away.

The whole line of reasoning also bothered me because we do not want Canada to get the reputation that it is a country where people can commit a crime, get caught, and all that would happen is that they would get picked up and be sent out of the country, and no one would have to do any jail time. Surely there is something wrong with that logic. However, the parliamentary secretary from the Conservative Party stood in the House and said that. It seems to me that if somebody commits a crime, then there is an appropriate way of dealing with the person.

I will now get back to the original speech I wanted to give. Back in the House, during the course of the first world war, a bill was debated that dealt with the internment, the naturalization and the disenfranchisement of people involved on the side of the Austro-Hungarian Empire. The Ukrainian-Canadians were particularly damaged by it.

At the time of the debate, the following was said:

It is quite probable that if this proposal becomes law the alleged "foreigners" and hitherto "naturalized Canadians" will bear their reproach meekly, but they will have sown in their hearts the seeds of a bitterness that can never be extirpated. The man whose honour has been mistrusted and who has been singled out for national humiliation, will remember it and sooner or later it will have to be atoned for.

That happened during the first world war. Of course, we have had apologies coming from the government to Canadians of Ukrainian background for those who were interned. It was not just the Austro-Hungarian people who were discriminated against. We discriminated against all sorts of other people. We all know the story of the Chinese-Canadians. In fact, we just apologized for the head tax.

• (1630)

We know about the Asian exclusion act, we dealt with that. We know about the internment of Japanese Canadians during the second world war for which the government has apologized. We know about what happened to *S.S. St. Louis* and how it was turned away and Jews were sent to the gas chambers in Europe. We know about that.

We know that we used to have a racist immigration policy and it was because of that that we ultimately enacted the Charter of Rights and Freedoms on April 17, 1982. We did that because we wanted to make sure that injustices of the past did not carry us forward into the future.

A very important section of the Charter of Rights and Freedoms relates to the legal section. Section 7 states:

Everyone has the right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice.

Section 8 states:

Everyone has the right to be secure against unreasonable search or seizure.

Section 9 states:

Everyone has the right not to be arbitrarily detained or imprisoned.

Section 10 states:

Everyone has the right on arrest or detention:

- a) to be informed promptly of the reasons therefor;
- b) to retain and instruct counsel without delay and to be informed of that right; and
- c) to have the validity of the detention determined by way of habeas corpus and to be released if the detention is not lawful.

Government Orders

The other day a very serious police corruption case which has been ongoing for 10 years died and the judge ruled that a fair trial was violated by excessive delays on the part of the Crown. The Crown failed to inform the accused, I believe there were six of them, concerning the charges against them.

In a public policy perspective, this is a very serious matter. When a police officer is charged, that is the very basis of our justice system. We want to make sure it gets a full hearing and a judgment is made on it, either guilt or innocence. It is a very unsatisfactory way of handling it. But the principle of disclosing evidence to the accused is so important that the case was dismissed by the judge. I am not sure what is going to happen on appeal, but it really goes to underline this fact when we are talking about the security certificates.

The security certificate process has been around since 1977 and in total we have dealt with 28 cases. We have spent a lot of energy and a lot of money dealing with the security certificate process than if we were dealing with the criminal justice process.

We have a special Guantanamo north holding facility in Kingston where we keep our security certificate detainees. This facility cost \$3.4 million to build and to house six people. Right now there is one person there and there is a budget of \$2 million annually for the facility. So it is a very expensive and unsatisfactory process. The other people who have been issued security certificates are essentially under house arrest in their community.

One of the issues we in this chamber have to get our minds around is that by following the Charter of Rights and Freedoms which we enacted, we are not weakening our society, we are very much strengthening it.

• (1635)

I think that this is an important consideration for members, particularly in light of the events of 9/11. I believe that the best way we can possibly deal with security issues is to make sure we have the kind of society that is inclusive, where all Canadians buy into it and all groups in Canada buy into it because we are all in the same boat as far as our security is concerned. We cannot single out any group the way we have done in the past with Ukrainian Canadians, Chinese Canadians, the Sikhs, Japanese Canadians and the groups go on an on. We have to make sure that all of us are in an inclusive society, where we are all in the same boat and we are all rowing in the same direction.

The Liberal Party critic on this bill mentioned the need for necessary evil. It is interesting that he used the term "necessary evil" because I was just reading a book entitled *The Lesser Evil: Political Ethics in an Age of Terror*. It is quite a good book. It truly makes one think about how to balance security for the whole versus security for the individual and what are the trade-offs. The author states:

Legislatures can take hearings on sensitive intelligent matters in camera; judges can demand that the state prosecutors justify secret hearings or the withholding of information from the defence. The redlines should be clear: it is never justified to confine or deport an alien or citizen in secret proceedings. Openness in any process where human liberty is at stake is simply definitional of what a democracy is.

Government Orders

Essentially, I am saying that this is a real challenge for our society and we are much better off if we operate in accordance with the charter and do not violate any of its sections.

There is no question that a democratic society has to defend itself, but we defend ourselves much better when we take people who are actually dangerous to our society at large, dangerous to peace, order and good government, dangerous to individuals and put those folks where they belong, which is in jail.

Picking someone up in this day and age who we say is that dangerous and getting him or her out of the country does not make Canada safer. We do not have the kind of borders that keep people out as such. What we want to do with someone who is dangerous is to put the person on trial. If the person is found to be guilty, we hold the person in custody. That is how we should deal with dangerous individuals.

For the life of me I cannot understand how many of my colleagues on the other side fail to understand that the security certificate regime was found to violate section 7 of the Canadian Charter of Rights and Freedoms, which makes it unconstitutional. I notice that we have the Parliamentary Secretary to the Minister of Citizenship and Immigration in the House which is good. He is a lawyer and he can definitely inform his colleagues on what it means to violate section 7 of the charter and what the court judgment actually said.

We would show a great deal of maturity if would let this piece of legislation lapse and if we would get rid of the security certificate process and put money into enforcement. There are thousands of people that the government is actually trying to get rid of legitimately, but it cannot deal with those people because the government has created a crisis on the Immigration and Refugee Board and in the Immigration Appeal Division. In those cases where there are people with status in Canada who are actually a risk to Canadian society, they cannot be deported. They cannot get hearings before the Immigration Appeal Division because the government has created a crisis there.

• (1640)

On one hand, there are thousands of people whom the government is legitimately trying to get rid of because of criminality and other issues and that is not happening because the IRB members have not been appointed. A crisis has been created because of that shortage. We are dealing with thousands of people, which would greatly impact on the safety of Canadians. On the other hand, the government is wasting a great deal of time and resources in trying to deal with something that is going to apply to very few people and something that has not complied with the Charter of Rights and Freedoms.

Having heard the judgment of the Supreme Court, for 26 years the security certificates have been operating unconstitutionally and it is time to let that whole process die. Let us reinforce and strengthen the charter and let the government ensure that there are quick hearings at the Immigration Appeal Division so the thousands of people we are legitimately trying to get out of the country can be removed and they are not given protection by a government that has created a crisis in enforcement in that regard.

Mr. Ed Komarnicki (Parliamentary Secretary to the Minister of Citizenship and Immigration, CPC): Mr. Speaker, I would like to make a couple of points.

First, the legislation indicates that the advocate's role of course is to protect the interests of the permanent resident or foreign national. The special advocate, which did not exist before but would exist now, could challenge the minister's claim that disclosure of information or other evidence would be injurious to national security or would endanger the safety of any person.

Would the member agree that in some cases the release of information may be injurious to national security or may endanger the safety of persons? Does he not envision that happening at any time?

Second, a special advocate may make oral representations or written submissions with respect to the information or other evidence provided. He may participate and cross-examine witnesses who testify during any part of the proceeding. He may exercise, with the judge's discretion, any other powers that are necessary to protect the interests of the permanent resident or foreign national. Those are the kinds of things the special advocate can do: cross-examination, testing the evidence, and weighing the relevance.

Would the member agree with me that the special advocate did not exist in the previous legislation, that it now exists and it provides a series of things that the advocate may do to protect the interests of the foreign national that did not exist before? Would he not agree with me that those, would have to be better than what was before, to a considerable degree?

Hon. Andrew Telegdi: Mr. Speaker, I was hoping my colleague the parliamentary secretary would stand in the House and say that the courts found it to be unconstitutional. I regret he did not take up the challenge.

Is this better than it was before? Yes, I will say it is somewhat better than it was before. That is number one. This is the British model. We heard evidence from Ian Macdonald, a British lawyer who used to take part in the British model. He gave up doing the security certificate process because he said it did not work satisfactorily.

Clearly, if the Conservative government wanted to further improve the security certificate process, it could have picked up on the suggestions by the Liberals and gone with the SIRC model, which it chose not to do.

Let me express my disappointment that the parliamentary secretary did not stand in his place and tell the House that the Government of Canada has created a crisis on the Immigration and Refugee Board, which has created a huge backlog in the Immigration Appeal Division. There are thousands of people whom we should legitimately be getting out of the country because they have broken laws and have serious criminality issues, and not being citizens can be dealt with. However, those cases cannot be dealt with because prior to being able to deport permanent residents, they have a right to a hearing before the Immigration Appeal Division and there is a real crisis there.

Government Orders

If the parliamentary secretary were to say to me that the government is going to address that, that would go so much further for the security of Canadians than this bill would, which by the government's own admission, applied to 28 people in the last 30 years. We heard that industrial saboteurs were given a get out of jail free card and airfare out of the country when they should be doing time for their crime.

• (1645)

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, I appreciate the opportunity to speak to Bill C-3, which deals with security certificates.

Mr. Speaker, I look forward to sharing my time with the member for Hamilton East—Stoney Creek.

I have to say that I already was very concerned about the legislation that is now before the House. If we just take a moment to remember, it is legislation that aims and purports to fix flawed legislation that was struck down by the Supreme Court for some very good reasons. Now what we have is flawed legislation to replace the flawed legislation.

The legislation that has now been introduced by the Conservatives has been left really until the last minute. I think they are hoping that some kind of fearmongering and trying to muster public opinion will actually put pressure on members of this House to cave to the notion that we should cut debate short and we should just ram it through without critiquing it, which is actually what the parliamentary secretary proposed a little while ago, I have to say to my surprise and horror.

When I heard the comments that he was making in his defence of this flawed legislation, I just could not believe that members of this House, and probably he is representative of his colleagues, have learned absolutely nothing from the very problematic situations that have been created. Frankly, to be honest, many of them were created by the previous Liberal government, but in the instance of security certificates, these have been in place for a very long time.

What has come to light is that when people are placed under suspicion of possibly having engaged in some kind of terrorist activity, a great many fears flood to the fore and people seem quite prepared to say, "Let us just trample on human rights. Let us suspend civil liberties. Let us throw due process on to the scrap heap. Let us be satisfied that we are going to make some mistakes". Without due process we will never know for sure. We will just entrap some people who may be completely innocent, and we will never have a way of knowing whether that is the case, because those people will have virtually no rights whatsoever to due process under the law.

I have had many occasions over the last several years since 9/11 to recall the prophetic, profound warnings of a very courageous member of the U.S. Congress who stated that in the attempt to defeat terrorism, let us not become the evil we deplore.

I consider that it is succumbing to evil, that it is embodying evil to say that we do not owe the same kind of due process to every single human being who comes before our courts, to ensure that they are not wrongly convicted, and to ensure that any conviction takes place in a court of law with due process and not based on rumours, suspicions, prejudices, Islamophobia, or any other form of hatred. I

consider that it is all the more reason for us to take even more time to be cautious about what kind of legislation we put in place.

My colleague from Surrey North, the public security critic in the NDP caucus, has very aptly cited the instance of Maher Arar and the courageous battle that was conducted to clear him of exactly the kinds of prejudices, presumptions and condemnation. He was placed under suspicion, not through security certificates but through the unbelievable events that resulted in his being spirited away from Canada because of information that was wrongly provided by Canadian authorities to American authorities, and in turn American authorities were prepared to send him off to Syria to be tortured.

• (1650)

It seems to me that it is a particularly appropriate time for us to take a few moments to think about the honour that was bestowed on Maher Arar and Monia Mazigh last night at a very well-attended event addressed by a previous ambassador of Canada who gave distinguished service to the United Nations. What it recognized is that all of us are indebted to the courageous struggle that Monia Mazigh engaged in to bring her husband home. Calmly, clearly, simply, but profoundly, she asked for her husband Maher Arar to be returned home to Canada, to be returned home to his family, and to be returned home to justice.

Let me say again that this did not happen under the security certificates. Effectively, he was tried and convicted in the court of public opinion and was treated without due process, even by the authorities, and perhaps especially by the authorities in this climate. I remember how infuriated I was when cabinet ministers in the previous Liberal government were prepared to ask me if I was not worried that if he was found to be a terrorist I would be tarnishing my own reputation. My reaction was that this will never be allowed to be a fear as long as I live and breathe when someone is placed under suspicion without the benefit of due process.

Let us take a few minutes to think calmly about what it is that we are discussing here today. I am trying to be calm, but I feel very provoked by the comments made by some members in the House over the last while. Those comments show that nothing has been learned from the horrible events that have been visited on the lives of too many people because of the suspension of due process. That goes to the heart of what our Supreme Court exists to do. It exists to ensure due process and to strike down the law when it finds that due process is not assured.

I know that there will be some argument made about the fact that some other countries have now put this kind of system in place, such as New Zealand and the U.K., but there are already serious indications of how flawed the so-called reformed legislation is when it comes to the treatment of people placed under suspicion of terrorism. Let us be very clear. No society has ever been made safer by trashing due process of law.

Government Orders

I have only a couple of minutes left. I want to say once again what has already been said by many of my colleagues and by the member for Surrey North, who has done a superb job in addressing the very heart of this matter, and that is that this legislation is flawed for a number of reasons. Some of those reasons I have already explained, such as the suspension of due process, but also, ironically, for those fearmongers who keep trying to dredge up absolute horror for the public, the irony is that security certificates do not punish people who are plotting terrorist acts.

The fact of the matter is that our criminal legislation should be dealing with this problem. That is the way in which we should be dealing with any handling of suspected terrorists.

I plead with all members to pay careful attention to the fundamental principles that are at stake in this instance. Let us be clear that any society which tries to become more secure by trashing human rights and civil liberties is likely to end up being both less secure and having a lot less freedom for all of its citizens.

* * *

• (1655)

MESSAGE FROM THE SENATE

The Acting Speaker (Mr. Royal Galipeau): I have the honour to inform the House that a message has been received from the Senate informing this House that the Senate has passed certain bills.

* * *

IMMIGRATION AND REFUGEE PROTECTION ACT

The House resumed consideration of the motion that Bill C-3, An Act to amend the Immigration and Refugee Protection Act (certificate and special advocate) and to make a consequential amendment to another Act, be read the third time and passed, and of the motion that this question be now put.

Mr. Ken Epp (Edmonton—Sherwood Park, CPC): Mr. Speaker, I want to take just a few moments to thank the member for her speech. I think she is thoughtful. She has expressed herself well.

I would ask her, though, this question: does she not see the danger of divulging to somebody who is actually guilty the source and nature of the evidence against him or her? It would put in danger those who were able to find the person and to arrest the person, because there invariably is a network of people involved in this. There are relationships built in order to infiltrate a group, so to speak, and this would put an end to that process and put the lives of those individuals in danger. If not with the process proposed in the bill, how would she handle it?

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, first of all, I want to make it clear that I absolutely acknowledge that there is such a thing as terrorists potentially being in our midst, but I do not think we solve one problem by creating another huge problem, which is that in the process of deciding that suspected terrorists can be such a threat, we have to suspend all of the fundamental principles and practices of our legal system.

I am not a lawyer. I do not pretend to know where there could in fact be some limitations warranted in terms of the public divulging of some information, but what I do know is that when we basically try

to convict people without any due process of law, without even their knowing what they are charged with, without their having any legal representation, or in other words, no legal rights whatsoever, we have created a huge problem to deal with another problem.

I do not believe for a moment that there is not a way to ensure that due process takes place. Yes, possibly there are some aspects of information that should not be fully divulged to the public, but to not have some divulging of information to legal representatives who can participate in the due process is just simply not acceptable.

It was acknowledged, and I personally think that it went much too far, that there were aspects of the record in terms, for example, of the Arar inquiry that perhaps should not have been fully publicly divulged. I do not think anybody ever argued otherwise. I think it was pretty clear that there were massive amounts of redacting, that is, blacking out with black pens information that had more to do with protecting people in our legal system than it did with protecting the accused. But I want to say that I think there are reasonable limits in such cases.

What I do think is that what is proposed here is simply inadequate to the test of due process and the fundamental elements of our legal system that we must uphold in regard to anybody who is being tried and potentially can be convicted of criminal activity or terrorist activity.

• (1700)

Mr. Ken Epp: Mr. Speaker, she did not answer the question. I asked her how she would handle it if someone were picked up with substantive evidence, enough to arrest them. The evidence is there, but we cannot divulge either the source or the nature of the charges against the person because doing so would put in danger those who are on our side, the informants, the other people who are involved.

I would like to also point out to the member that Bill C-3 does accommodate that by allowing a judge, and in this country we believe judges to be fair and impartial, to hear the evidence in secret chambers, with a lawyer appointed to actually represent the accused and to see the evidence but also sworn to total secrecy so the whole process can be done to protect our citizens. That is in the bill. So she is at the same time supporting the concept of what is in the bill and speaking against the bill. I have sort of backed her into a corner. I regret doing that. I do not like to—

The Deputy Speaker: The hon. member for Halifax.

Ms. Alexa McDonough: Well, Mr. Speaker, I think that was a very sincere comment: he does not really like to do that but...? Give us a break.

I think I have made my point clear. We have a fundamental disagreement here. I absolutely believe that overwhelmingly we are well served with very competent judges. I also believe that we have a legal system that for a very good reason exists with checks and balances, with due process.

Yes, there may be instances in which some information should be withheld, but that is a far cry from the kind of hang 'em high, lock 'em away and throw away the keys kind of justice system that is too often conjured up in people's minds when they are fearful about the possible threat of terrorism.

Government Orders

We have to be very careful not to succumb to that. As Barbara Lee has said, “let us not become the evil we deplore” in the attempt to defeat terrorism.

Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP): Mr. Speaker, over the last few weeks, and in fact today in this House, we have seen some extraordinary things happen.

The House of Commons, in my estimation, should always be a place of debates that enhance and ensure that the expectations of Canadians of their justice system are met and exceeded. This place should always be a home of motions and bills and debates that raise the bar on human rights as well as the rights of citizens. Bill C-3 and its expected outcome would do just the opposite.

However, in this place, the tone of debate on Bill C-3 often mirrors a mediocrity and a nasty tone that one never would expect of parliamentarians present. We hear derisive remarks. We hear catcalls. We heard baiting in the form of the questions put forward on this bill that were they not so amateurish, might well have stood in the 1950s and been used by Senator McCarthy of the U.S.

Parliamentarians must reach to do better. We must move to a place in our debates that illuminates rather than obscures the makeup of any bill. As I said, Canadians expect this of their elected representatives. It is our responsibility to meet that expectation.

When I last spoke on Bill C-3, I advised the House of an occasion last summer when I had visited a Muslim friendship centre in Edmonton. At the centre, I met some new Canadians as well as some more-established Canadians from that Muslim community. Our discussions were wide-ranging and the topic of racism and discrimination came up.

A gentleman who had been in Canada some 30 years spoke up. He was well established. He said he had been contributing to the Edmonton society. From the other people in the room, it was very clear he was a leader who was well respected in his community and the broader community. The gentlemen told the story of how over the ensuing years following the tragic events of 9/11 investigative officers from CSIS would drop by to speak to him. He said that they wanted to know about all the money he was sending to his homeland and the terrorist groups he was supporting. He told them Canada was his homeland, but as a dutiful son, he had sent money home for 30 years to raise the standard of living of his family in his former country.

Some 40 years ago this year, I moved from New Brunswick to Ontario. For me, coming to Ontario, in the 1960s in particular, was something like moving to a new world. However, like the man in Alberta, many good Canadians from our own east coast send money home to their families to help support them back east.

In my opinion, what is happening to us as a country is nothing short of tragic. In my opinion as well, what is happening in the name of national security is an affront to our democratic processes.

As Canada rushed to follow the Americans' approach to, in their words, fight terrorism, we cast aside some of the most fundamental beliefs of Canadians. Just consider Bill C-3 and how it conflicts with the fundamental belief of Canadians that in Canada one has the right to be presumed innocent until proven guilty.

I stand here today speaking on security certificates, and I regret that I am doing this. In our country, once so rightfully proud of our human rights record, our justice system and our positioning in the world, how did we reach this point?

After Bill C-3, Canadians will not be more free. And because of Bill C-3, they certainly should not feel any more secure. I believe, along with the rest of the NDP caucus, that Bill C-3 would continue to fail Canada and to fail Canadians.

The NDP opposes Bill C-3 for the most fundamental of reasons. Repeatedly, we have spoken to the fact that measures in our Criminal Code already give law enforcement the tools they need to deal with crimes against Canada and crimes against Canadians.

Security certificates themselves fail Canadians in a grand fashion. A security certificate does not allow for the presentation of evidence that would support accusations against a person accused or suspected of terrorist activity. Instead, the security certificate simply removes the individual from Canada. In doing so, it fails Canadians.

When an individual is believed to be guilty of an offence against Canada or Canadians, then the Criminal Code must be used to deal with that accusation. A security certificate does not offer, nor support, justice for either the accused or for Canadians. In fact, as I have said repeatedly, security certificates in themselves are an affront to Canada's national sense of justice.

● (1705)

If the accused is guilty, the person should be charged and tried under our Criminal Code and the appropriate penalties applied. Only then, following those penalties being served, should the person be deported. Bill C-3 would allow people to be held in detention without the opportunity to face their accusers or see the evidence against them.

We should consider, for a moment, that people in detention who proclaim their innocence will never have the chance to speak to the evidence in a court of law. If they are allowed to go through our Criminal Code procedures, our courts, our justice system, and were found innocent, they would have had the right to return to a Canadian life, to pick up where they left off, to pick up the pieces.

Under security certificates, many will spend years upon years in detention, and they have already. They have not seen the evidence against them. Nor have they had the chance to refute the evidence against them. As a result, the most fundamental tenets of our justice system will have been sacrificed. The existence and the use of security certificates has put a chill across our country.

Government Orders

I alluded to the individual in Edmonton, Alberta, but there are more cases than that individual, cases where Canada has failed its citizens. We should talk to Mr. Almalki about his time in Syria. He was detained in a cell, which was more like a coffin, for three months. We should talk to Mahar Arar about how Canadian officials let him down when he was abandoned to be rendered to another country to be tortured when certain people knew that would happen. Canadians know that Canada failed these men. Bill C-3 is setting ourselves up for further failure.

I was raised to take great pride in our justice system, and I do. The fact that innocent people can face their accusers and the evidence against them, and because of that process, the innocent one day can walk free.

It is crucially important to the sense of justice that all Canadians have that the people in this place pause, stop the rhetoric and think about the deterioration of our justice system and our human rights system if we gerrymander the process with Bill C-3, if we put into place a process like this, which is so ugly and disgusting. I truly cannot understand how anybody in this place can support it.

Our Criminal Code is among the best in the world. Our justice system is among the best in the world. Canada even sends people to other parts of the world to teach them about our justice system. One of the few ways we can keep that pride in our system and our institutions is to ensure individual rights and the rights of all people to face their accuser and the evidence against them.

For the NDP, the security certificate is an affront to civil liberties. We understand, with Bill C-3, the Conservative government is trying to address what is seen as a flaw in the process, and the Supreme Court ruled that it was a violation of the charter. Clearly, what the government has tried to do with Bill C-3 is move around something that has been deemed by the Supreme Court as a violation of the charter.

We must think about the rights and freedoms for a moment. We must think about the individuals detained in our country. Their freedom has been taken away and they have no rights.

It is our Charter of Rights and Freedoms that we must protect. Imagine the setting aside of well respected fundamental terms of justice and how this is being done so cavalierly. The detainees have not seen any critical evidence against them. Their legal representatives have not seen the evidence against them. Let us just say tomorrow, for whatever reason, it is deemed acceptable that they return to Canadian society, that there had indeed been an error. They will also be besmirched by the fact that they have been detained. Because of Bill C-3 and the security certificates, they will always be subject to suspicion.

I spoke harshly because I was upset with what I had heard in a committee about the tone of this place. I know when I speak to many members here, they want to see us all rise above rhetoric and beyond the point scoring process that seems to happen here daily. That challenge is being put to us by Canadians and they want us clearly to reflect what they believe.

With that, I will close with a line that has been heard in this place many times before. We must remember, for the rest of the world, what we ask for ourselves, we wish for all. That is what makes

Canada the place to which many people from all over the world seek to come.

• (1710)

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, I welcome the intervention by the member for Hamilton East—Stoney Creek on the bill.

I know it is not possible for all members to sit in all committees, no matter how interested and concerned they are about particular legislation. However, I think the member may also be aware that our colleague who sits on the public security committee, the member for Surrey North, has indicated that the overwhelming testimony before that committee was to oppose Bill C-3 in the form in which it was presented.

I agree that some small amendments have made it less odious, less objectionable, but not sufficient for the NDP caucus to support the legislation.

Of the 20 written submissions to the public security committee to deal with this, only 1 recommended support of Bill C-3? Of the 17 witnesses who did not have written submissions but nevertheless gave convincing oral submissions, only 1 recommended support of the legislation.

Could the member comment on what that says about being responsible or unresponsive to the informed views of people with considerable scholarly background, legal background, involvement in human rights and civil liberties activities and organizations over a very long period of time?

• (1715)

Mr. Wayne Marston: Mr. Speaker, the question of the member for Halifax is insightful. In my remarks I referred to the fact that there was a chill across the country. It is in primarily our diverse communities. They feel they are being abandoned.

How the government members and the government itself can ignore the expert advice that came before the committee is beyond understanding. Clearly people are frightened for the well-being of our Charter of Rights and Freedoms. They see this as the beginning of the undermining of that charter.

It is baffling. The warnings that were given, and I used the word before, were cavalierly tossed aside by the government.

Ms. Denise Savoie (Victoria, NDP): Mr. Speaker, the hon. member mentioned the tone in the House. I was glad he raised this issue. I think it is very pertinent to the debate about democratic rights.

Many young people in my riding are concerned about the bullying, the catcalls, the kind of behaviour that is displayed here. They are becoming discouraged with the democratic process with our government and believing in what we are doing here.

Would my colleague like to comment on the link that he makes between the erosion of democracy and behaviour in the House?

Government Orders

Mr. Wayne Marston: Mr. Speaker, the thing that is very striking about what we hear in the community is this. I will give one example that my caucus mates have shared. All of us have heard from teachers. Because of the tone in this place, they no longer wish to bring their students here.

The member asks me what I believe the long term effect of that will be. If people do not experience this place, if schools no longer want to talk about this place, if we do not encourage the democratic process for which this place should stand, then the young people will not learn and they will not want to be part of this process.

All the things that minimize democracy have to be challenged. That is what brought me to the point of raising my remarks earlier.

Ms. Denise Savoie (Victoria, NDP): Mr. Speaker, I am pleased to have the opportunity to speak to Bill C-3, An Act to amend the Immigration and Refugee Protection Act (certificate and special advocate) and to make a consequential amendment to another Act. As we know, this is a bill that would reintroduce security certificate legislation with the provision for special advocates to address the civil liberties issues raised by the Supreme Court.

I am opposed to this bill because I believe it would compromise some of the fundamental principles of our justice system by circumventing due process which is a fundamental right in any democracy.

The Conservatives, supported by the Liberals, are proposing a law that attacks section 9 of the Charter of Rights and Freedoms that states, "Everyone has the right not to be arbitrarily detained or imprisoned". This section specifies not just Canadians but everyone in Canada and yet this law would deny that right to permanent residents and foreign nationals.

It seems somewhat ironic that we say that we are fighting for democracy in Afghanistan and that we want to help them build a justice system that treats all people fairly at the time when there is slippage of those very principles in our own country.

I believe there are many ways to erode democracy. Corruption in government, for example, erodes democracy, free trade agreements that favour commercial rights of corporations over the rights of their citizens, of which the Conservative government is an ardent proponent of, or laws that disenfranchise groups of voters, as did Bill C-6, for example, introduced by the Conservatives, or indeed, as my colleague has just mentioned, the behaviour in the House which undermines true democratic debate.

Bill C-3 is just another law in that series that undermines the fundamental principles that many have fought for and that are being traded away in a very bad law.

There are two major problems with security certificates. First, as one of my colleagues has mentioned, they do not punish people who are plotting or have committed serious crimes, like terrorist acts or espionage. Security certificates allow for the detention and deportation of those suspected of terrorist activities but do not ensure suspected terrorists are charged, prosecuted or jailed for their crimes.

Because there are very serious consequences facing those named in security certificates, like deportation orders, possible removal and

even torture, strong safeguards are required and this legislation does not go far enough in protecting civil liberties.

Canada must take strong measures to protect itself and its citizens against terrorists and spies. These are not nice people and we must take strong measures. However, we must find a better balance between protection against terrorist activities and protection of civil liberties than that offered in this flawed bill. The NDP believes that the Criminal Code is the right tool for the protection of our national security, not the Immigration and Refugee Protection Act.

I listened very carefully to some of the Conservative and Liberal members who have argued today in favour of this law. The member for Vancouver South said that security certificates offered the only effective mechanism, as the evidence may be out of country and we could not get a conviction in a court of law.

I think there is something fundamentally wrong with sending someone away under the cloud of accusation of terrorism without any proof. There is something equally wrong in sending them away so they can continue their criminal activities elsewhere. Why would we allow someone we suspect of terrorist acts to leave the country? How does that improve our global security?

• (1720)

The second flaw in this bill includes secret hearings, detention without charge or conviction, detention without knowing the evidence against someone, indefinite detention and lack of an appeal process. This again undermines the core values of our justice system.

The right of full answer in defence, the right to know the allegations against someone and the opportunity to respond to those allegations is a well recognized aspect of fundamental justice and that right is abrogated under the security certificate process. The detainee may never know the reasons why he or she is being deported. As with the Maher Arar case, we have seen the abuses that can occur.

It is understandable that security may be needed in some cases. I am not a lawyer but I understand that there are very clear provisions within our Criminal Code and the court system for matters of national security for hearing evidence when there is a need to withhold information in the interest of national security. One has to ask why we are rushing to abrogate basic democratic rights.

I believe it was the member for Vancouver South who admitted that this law was flawed but, like most of his Liberal colleagues, he has indicated that he will vote in favour of a bad law. It was an incomprehensible statement Liberal opposition members made in our Parliament that they would support a bad law because we are running out of time, the time having been set by the Supreme Court. I do not know how often I have heard this. It seems very convenient that the government has waited nine months or until the very last minute to reintroduce Bill C-3.

Government Orders

Another argument that has been used by those supporting the bill is that they have improved the security certificate process by introducing special advocates. Special advocates have been used in New Zealand and the United Kingdom and the process in both of those places is seriously flawed and under heavy criticism by many credible people. The United Kingdom keeps being cited by those who support modifying rather than abolishing the security certificate system despite court cases that have ruled against them there.

Given that the United Kingdom Lords of Appeal have ruled against provisions of the process and that Ian Macdonald, QC, a special advocate with over seven years experience, quit over the failure of the government to address the problems with the system, it does not seem to be the ideal solution for Canada to adopt.

The NDP strongly believes that a system that denies the right of answer in defence cannot be corrected by mere procedural tweaking. Even if all civil liberties were protected, security certificates within the Immigration and Refugee Protection Act would still not be the appropriate mechanism for dealing with threats to national security which should be pursued under existing articles of the Criminal Code.

We strongly oppose security certificates because the process is fundamentally flawed and this measure would further diminish democratic rights in Canada.

• (1725)

Mr. Mario Silva (Davenport, Lib.): Mr. Speaker, I too share many of my colleague's concerns. I have been doing quite a bit of homework. I have spoken to NGOs, Amnesty International and certain people in the legal profession about this bill and have asked them if they knew of any way we could change it or improve it, or whether it should be rejected.

Much to my surprise, Amnesty International is opposed to the bill but, at the same time, it does not argue that we should get rid of security certificates at hand. Other prominent human rights lawyers, such as Kent Roach from the University of Toronto's faculty of law, have said that Bill C-3 does address the concerns raised in the Charkaoui decision by the Supreme Court in February 2007. I know that legislatures have a very difficult thing at hand because this is, in some way, being rushed by the government. The government had from February until October to introduce the bill before the House.

At the end of the day, this is still a flawed bill and I do not support it because of that. However, there should be some consideration given to the need for security certificates given the fact that we do not live in a perfect world, that there are different objectives at play and that sometimes these objectives can be in conflict with one another, even on issues of civil liberties and on security.

Is it the position of my hon. colleague and her party that security certificates should be eliminated and that we should not have them in this country because it is not the view of organizations such as Amnesty International?

The Deputy Speaker: I am afraid we will have to wait until after the votes to hear the response of the hon. member for Victoria to that intervention.

• (1730)

YOUTH CRIMINAL JUSTICE ACT

The House resumed from February 4 consideration of the motion that Bill C-25, An Act to amend the Youth Criminal Justice Act, be read the second time and referred to a committee, and of the motion that this question be now put.

The Deputy Speaker: It being 5:30 p.m., the House will now proceed to the taking of the deferred recorded division on the previous question at the second reading stage of Bill C-25.

Call in the members.

• (1755)

[*Translation*]

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

(*Division No. 34*)

YEAS

Members

Abbott	Ablonczy
Albrecht	Alghabra
Allen	Allison
Ambrose	Anders
Anderson	Bagnell
Bains	Baird
Barnes	Batters
Bell (North Vancouver)	Bennett
Benoit	Bernier
Bevilacqua	Bezan
Blackburn	Blaney
Bonin	Boshcoff
Boucher	Breitkreuz
Brison	Brown (Oakville)
Brown (Leeds—Grenville)	Brown (Barrie)
Bruinooge	Byrne
Calkins	Cannan (Kelowna—Lake Country)
Cannis	Cannon (Pontiac)
Carrie	Casson
Chamberlain	Chan
Chong	Clement
Coderre	Comuzzi
Cotler	Cullen (Etobicoke North)
Cuzner	D'Amours
Day	Del Mastro
Devolin	Dhaliwal
Dhalla	Dion
Dosanjh	Doyle
Dryden	Dykstra
Easter	Emerson
Epp	Eyking
Fast	Finley
Fitzpatrick	Flaherty
Fletcher	Folco
Fry	Galipeau
Gallant	Godfrey
Goodale	Goodyear
Gourde	Grewal
Guarnieri	Guergis
Hanger	Harper
Harris	Harvey
Hawn	Hearn
Hiebert	Hill
Hinton	Holland
Hubbard	Ignatieff
Jaffer	Jean
Jennings	Kadis
Kamp (Pitt Meadows—Maple Ridge—Mission)	Karetak-Lindell
Keddy (South Shore—St. Margaret's)	Keeper
Kenney (Calgary Southeast)	Khan
Komarnicki	Kramp (Prince Edward—Hastings)
Lake	Lauzon
Lebel	LeBlanc

Lemieux
Lunn
MacAulay
Malhi
Mark
Mayes
McGuinty
McKay (Scarborough—Guildwood)
Menzies
Miller
Minna
Moore (Fundy Royal)
Murphy (Charlottetown)
Nicholson
O'Connor
Oda
Pallister
Patry
Poilievre
Preston
Rajotte
Redman
Reid
Rota
Savage
Scheer
Scott
Shipley
Simard
Skelton
Solberg
St. Amand
Stanton
Storseth
Sweet
Telegdi
Thibault (West Nova)
Thompson (Wild Rose)
Toews
Trost
Tweed
Van Kesteren
Vellacott
Wallace
Warkentin
Wilfert
Wrzesniewski
Zed— 201

Lukiwski
Lunney
MacKenzie
Maloney
Matthews
McCallum
McGuire
McTeague
Merrifield
Mills
Moore (Port Moody—Westwood—Port Coquitlam)
Murphy (Moncton—Riverview—Dieppe)
Neville
Norlock
Obhrai
Pacetti
Paradis
Petit
Prentice
Proulx
Ratansi
Regan
Ritz
Russell
Scarpaleggia
Schellenberger
Sgro
Silva
Simms
Smith
Sorenson
St. Denis
Steckle
Strahl
Szabo
Temelkovski
Thompson (New Brunswick Southwest)
Tilson
Tonks
Turner
Valley
Van Loan
Volpe
Warawa
Watson
Williams
Yelich

NAYS

Members

André
Atamanenko
Barbot
Bell (Vancouver Island North)
Bigras
Blais
Bouchard
Brunelle
Carrier
Chow
Comartin
Crowder
Davies
Deschamps
Duceppe
Freeman
Gaudet
Gravel
Guimond
Kotto
Laframboise
Layton
Lessard
Lussier
Marston
Martin (Sault Ste. Marie)
Mathysen
Ménard (Hochelega)
Mulcair
Ouellet
Perron

Angus
Bachand
Bélanger
Bevington
Blaikie
Bonsant
Bourgeois
Cardin
Charlton
Christopherson
Crête
Cullen (Skeena—Bulkley Valley)
DeBellefeuille
Dewar
Faille
Gagnon
Godin
Guay
Julian
Laforest
Lavallée
Lemay
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Malo
Martin (Winnipeg Centre)
Masse
McDonough
Ménard (Marc-Aurèle-Fortin)
Nadeau
Paquette
Picard

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Plamondon
Savoie
St-Cyr
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PAIRED

Members

Bellavance
Demers
Lalonde
Manning
Richardson
St-Hilaire
Davidson
Goldring
MacKay (Central Nova)
Mourani
Roy
Verner— 12

The Speaker: I declare the motion carried.

The next recorded division is on Bill C-25 at second reading. Is it the pleasure of the House to adopt the motion?

The hon. chief government whip.

● (1800)

[*English*]

Hon. Jay Hill: Mr. Speaker, were you to seek it, you would find unanimous consent to apply the results of the vote just taken to the motion currently before the House, with Conservative members present this evening voting in favour.

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

Some hon. members: Agreed.

The Speaker: The hon. chief opposition whip.

Hon. Karen Redman: Mr. Speaker, Liberals will be voting yes on this motion.

[*Translation*]

Mr. Michel Guimond: Mr. Speaker, members of the Bloc Québécois will oppose this motion.

Mr. Yvon Godin: Mr. Speaker, the NDP members will vote in favour of this motion.

[*English*]

Mr. Blair Wilson: Mr. Speaker, I vote in favour.

[*Translation*]

Ms. Louise Thibault: Mr. Speaker, I am voting against this motion.

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

(*Division No. 35*)

YEAS

Members

Abbott
Albrecht
Allen
Ambrose
Anderson
Atamanenko
Bains
Barnes
Bélanger
Bell (North Vancouver)
Benoit
Bevilacqua
Ablonczy
Alghabra
Allison
Anders
Angus
Bagnell
Baird
Batters
Bell (Vancouver Island North)
Bennett
Bernier
Bevington

Routine proceedings

Bezan	Blackburn	Simms	Skelton
Blaikie	Blaney	Smith	Solberg
Bonin	Boshcoff	Sorenson	St. Amand
Boucher	Breitkreuz	St. Denis	Stanton
Brison	Brown (Oakville)	Steckle	Stoffer
Brown (Leeds—Grenville)	Brown (Barrie)	Storseth	Strahl
Bruinooge	Byrne	Sweet	Szabo
Calkins	Cannan (Kelowna—Lake Country)	Telegdi	Temelkovski
Cannis	Cannon (Pontiac)	Thibault (West Nova)	Thompson (New Brunswick Southwest)
Carrie	Casson	Thompson (Wild Rose)	Tilson
Chamberlain	Chan	Toews	Tonks
Charlton	Chong	Trost	Turner
Chow	Christopherson	Tweed	Valley
Clement	Coderre	Van Kesteren	Van Loan
Comartin	Comuzzi	Vellacott	Volpe
Cotler	Crowder	Wallace	Warawa
Cullen (Skeena—Bulkley Valley)	Cullen (Etobicoke North)	Warkentin	Wasylcia-Leis
Cuzner	D'Amours	Watson	Wilfert
Davies	Day	Williams	Wilson
Del Mastro	Devolin	Wrzesnewskyj	Yelich
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Dryden	Dykstra		
Easter	Emerson		
Epp	Eyking		
Fast	Finley		
Fitzpatrick	Flaherty	André	Bachand
Fletcher	Folco	Barbot	Bigras
Fry	Galipeau	Blais	Bonsant
Gallant	Godfrey	Bouchard	Bourgeois
Godin	Goodale	Brunelle	Cardin
Goodyear	Gourde	Carrier	Crête
Grewal	Guarnieri	DeBellefeuille	Deschamps
Guergis	Hanger	Duceppe	Faille
Harper	Harris	Freeman	Gagnon
Harvey	Hawn	Gaudet	Gravel
Hearn	Hiebert	Guay	Guimond
Hill	Hinton	Kotto	Laforest
Holland	Hubbard	Laframboise	Lavallée
Ignatieff	Jaffer	Lemay	Lessard
Jean	Jennings	Lévesque	Lussier
Julian	Kadis	Malo	Ménard (Hochelaga)
Kamp (Pitt Meadows—Maple Ridge—Mission)	Karetak-Lindell	Ménard (Marc-Aurèle-Fortin)	Nadeau
Keddy (South Shore—St. Margaret's)	Keeper	Ouellet	Paquette
Kenney (Calgary Southeast)	Khan	Perron	Picard
Komarnicki	Kramp (Prince Edward—Hastings)	Plamondon	St-Cyr
Lake	Lauzon	Thi Lac	Thibault (Rimouski-Neigette—Témiscouata—Les
Layton	Lebel	Basques)	
LeBlanc	Lemieux	Vincent— 43	
Lukiwski	Lunn		
Lunney	MacAulay		
MacKenzie	Malhi		
Maloney	Mark		
Marston	Martin (Winnipeg Centre)	Bellavance	Davidson
Martin (Sault Ste. Marie)	Masse	Demers	Goldring
Mathysen	Matthews	Lalonde	MacKay (Central Nova)
Mayes	McCallum	Manning	Mourani
McDonough	McGuinly	Richardson	Roy
McGuire	McKay (Scarborough—Guildwood)	St-Hilaire	Verner— 12
McTeague	Menzies		
Merrifield	Miller		
Mills	Minna		
Moore (Port Moody—Westwood—Port Coquitlam)			
Moore (Fundy Royal)	Murphy (Moncton—Riverview—Dieppe)		
Mulcair	Neville		
Murphy (Charlottetown)	Norlock		
Nicholson	Obhrai		
O'Connor	Pacetti		
Oda	Paradis		
Pallister	Petit		
Patry	Prentice		
Poilievre	Priddy		
Preston	Rajotte		
Proulx	Redman		
Ratansi	Reid		
Regan	Rota		
Ritz	Savage		
Russell	Scarpaleggia		
Savoie	Schellenberger		
Scheer	Sgro		
Scott	Siksay		
Shipley	Simard		
Silva			

NAYS

Members

Bachand
Bigras
Bonsant
Bourgeois
Cardin
Crête
Deschamps
Faille
Gagnon
Gravel
Guimond
Laforest
Lavallée
Lessard
Lussier
Ménard (Hochelaga)
Nadeau
Paquette
Picard
St-Cyr
Thibault (Rimouski-Neigette—Témiscouata—Les

PAIRED

Members

Davidson
Goldring
MacKay (Central Nova)
Mourani
Roy
Verner— 12

The Speaker: I declare the motion carried. Accordingly, the bill stands referred to the Standing Committee on Justice and Human Rights.

(Bill read the second time and referred to a committee)

ROUTINE PROCEEDINGS

[*Translation*]

COMMITTEES OF THE HOUSE

FINANCE

The House resumed consideration of the motion.

The Speaker: The House will now proceed to the taking of the deferred recorded division on the motion to concur in the first report of the Standing Committee on Finance.

Routine proceedings

● (1810)

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

*(Division No. 36)***YEAS**

Members

Alghabra	André
Angus	Atamanenko
Bachand	Bagnell
Bains	Barbot
Barnes	Bélangier
Bell (Vancouver Island North)	Bell (North Vancouver)
Bennett	Bevilacqua
Bevington	Bigras
Blaikie	Blais
Bonin	Bonsant
Boshcoff	Bouchard
Bourgeois	Brison
Brown (Oakville)	Brunelle
Byrne	Cannis
Cardin	Carrier
Chamberlain	Chan
Charlton	Chow
Christopherson	Coderre
Comartin	Cotler
Crête	Crowder
Cullen (Skeena—Bulkley Valley)	Cullen (Etobicoke North)
Cuzner	D'Amours
Davies	DeBellefeuille
Deschamps	Dewar
Dhaliwal	Dhalla
Dosanjh	Dryden
Duceppe	Easter
Eyking	Faille
Folco	Freeman
Fry	Gagnon
Gaudet	Godfrey
Godin	Goodale
Gravel	Guarnieri
Guay	Guimond
Holland	Hubbard
Ignatieff	Jennings
Julian	Kadis
Karetak-Lindell	Keeper
Kotto	Laforest
Laframboise	Lavallée
Layton	LeBlanc
Lemay	Lessard
Lévesque	Lussier
MacAulay	Malhi
Malo	Maloney
Marston	Martin (Winnipeg Centre)
Martin (Sault Ste. Marie)	Masse
Mathyssen	Matthews
McCallum	McDonough
McGuinty	McGuire
McKay (Scarborough—Guildwood)	McTeague
Ménard (Hochelaga)	Ménard (Marc-Aurèle-Fortin)
Minna	Mulcair
Murphy (Moncton—Riverview—Dieppe)	Murphy (Charlottetown)
Nadeau	Neville
Ouellet	Pacetti
Paquette	Patry
Perron	Picard
Plamondon	Priddy
Proulx	Ratansi
Redman	Regan
Rota	Russell
Savage	Savoie
Scarpaleggia	Scott
Sgro	Siksay
Silva	Simard
Simms	St-Cyr
St. Amand	St. Denis
Steckle	Stoffer
Szabo	Telegdi
Temelkovski	Thi Lac

Thibault (Rimouski-Neigette—Témiscouata—Les Basques)
Thibault (West Nova)
Tonks
Valley
Volpe
Wilfert
Wrzesnewskyj

Turner
Vincent
Wasylycia-Leis
Wilson
Zed- — 154

NAYS

Members

Abbott	Ablonczy
Albrecht	Allen
Allison	Ambrose
Anders	Anderson
Baird	Batters
Benoit	Bernier
Bezan	Blackburn
Blaney	Boucher
Breitkreuz	Brown (Leeds—Grenville)
Brown (Barrie)	Brunoogoe
Calkins	Cannan (Kelowna—Lake Country)
Cannon (Pontiac)	Carrie
Casson	Chong
Clement	Comuzzi
Day	Del Mastro
Devolin	Doyle
Dykstra	Emerson
Epp	Fast
Finley	Fitpatrick
Flaherty	Fletcher
Galipeau	Gallant
Goodyear	Gourde
Grewal	Guergis
Hanger	Harper
Harris	Harvey
Hawn	Hearn
Hiebert	Hill
Hinton	Jaffer
Jean	Kamp (Pitt Meadows—Maple Ridge—Mission)
Keddy (South Shore—St. Margaret's)	Kenney (Calgary Southeast)
Khan	Komarnicki
Kramp (Prince Edward—Hastings)	Lake
Lauzon	Lebel
Lemieux	Lukiwski
Lunn	Lunney
MacKenzie	Mark
Mayes	Menzies
Merrifield	Miller
Mills	Moore (Port Moody—Westwood—Port Coquitlam)
Moore (Fundy Royal)	Nicholson
Norlock	O'Connor
Obhrai	Oda
Pallister	Paradis
Petit	Poilievre
Prentice	Preston
Rajotte	Reid
Ritz	Scheer
Schellenberger	Shiple
Skelton	Smith
Solberg	Sorenson
Stanton	Storseth
Strahl	Sweet
Thompson (New Brunswick Southwest)	Thompson (Wild Rose)
Tilson	Toews
Trost	Tweed
Van Kesteren	Van Loan
Vellacott	Wallace
Warawa	Warkentin
Watson	Williams
Yelich- — 119	

PAIRED

Members

Bellavance	Davidson
Demers	Goldring
Lalonde	MacKay (Central Nova)
Manning	Mourani
Richardson	Roy
St-Hilaire	Verner- — 12

The Speaker: I declare the motion carried.

Private Members' Business

[English]

It being 6:10 p.m., the House will now proceed to the consideration of private members' business as listed on today's order paper.

[Translation]

Order please. Before we proceed, the hon. member for Charlesbourg—Haute-Saint-Charles is rising on a point of order.

* * *

POINT OF ORDER

DECORUM IN THE HOUSE

Mr. Daniel Petit (Charlesbourg—Haute-Saint-Charles, CPC): Mr. Speaker, at approximately 1:02 p.m. today, while we were listening to the Bloc member for Chambly—Borduas debate a motion in the House, the member accused yours truly of being drunk and said that we were behaving like drunkards.

I believe that such words are inappropriate. I would ask the member for Chambly—Borduas to retract the defamatory words he uttered against me.

Mr. Yves Lessard (Chambly—Borduas, BQ): Mr. Speaker, first of all, I am surprised that the member for Charlesbourg—Haute-Saint-Charles has chosen to intervene at this time. I thought he was rising to apologize for having interrupted my speech this afternoon. I find that somewhat disconcerting.

This afternoon, the member for Charlesbourg—Haute-Saint-Charles, together with the member for Louis-Hébert, did their level best to interrupt my speech. Twice, I had to call on the Speaker of the House to intervene, as the blues will show. Naturally, such behaviour, which is not unlike the behaviour one might see in a tavern, has no place here. I find the situation rather unfortunate. I think that it would have been in the member for Charlesbourg—Haute-Saint-Charles' best interest not to raise the issue because it emphasizes his own behaviour in this House.

The Speaker: Is the member for Charlesbourg—Haute-Saint-Charles rising on the same point?

Mr. Daniel Petit: Mr. Speaker, it is about the same point. I called up the blues to which we have access. You will note that, according to the blues, at no time did we speak except when it is written, "Some hon. members: Oh, oh!". That is all it says.

Furthermore, the member for Chambly—Borduas definitely said, "You are drunk, sir, please leave" and "—they are behaving like drunkards."

The blues do not mention anything. It is only the member for Chambly—Borduas who literally lost control and used foul, inappropriate and unparliamentary language in referring to the riding I represent and my colleague who was seated beside me at the time.

The Speaker: The hon. member for Chambly—Borduas wishes to rise on the same point of order.

Mr. Yves Lessard: Mr. Speaker, I was formerly a bicycle racer and I am not in the habit of easily losing control.

The phrase just given does not reflect what was said in the blues. I know that, in your wisdom, you will read the blues and discover that I spoke in the conditional tense and said, "If you are drunk, sir, please leave."

● (1815)

The Speaker: This is really a question of language. I heard and understood the submissions of each of the members to the effect that there was a disagreement and a lot of noise during the speech by the hon. member for Chambly—Borduas in the House. Even if he thought the members had perhaps had a drink before making their comments, it is not parliamentary to say that a person is drunk.

For this reason alone, I suggest that the hon. member for Chambly—Borduas retract his comments. I know he explained that they had done things which indicated they had perhaps gone to a bar, but it is quite another matter to suggest that someone is drunk.

I think the expression is unparliamentary and I hope that the hon. member will retract it immediately in order to put an end to this debate, which is not a debate that should be held in the House. I encourage all members to respect each other and to minimize the noise in the House during debates, even during question period.

Mr. Yves Lessard: Mr. Speaker, I retract my comments and I will be careful, in the future, to find more parliamentary synonyms.

The Speaker: I thank the hon. member.

We will now move on to private members' business

PRIVATE MEMBERS' BUSINESS

[English]

FOREIGN AFFAIRS

Hon. Ken Dryden (York Centre, Lib.) moved:

Motion No. 410

That, in the opinion of the House, the government, its Crown Corporations and divisions should divest from corporations conducting business in Sudan and Iran and should also divest from funds, stocks, bonds and other financial instruments invested in, or operating in, Sudan and Iran, except where such funds support humanitarian aid and humanitarian relief programs, or are used to fund Canadian embassies, consulates, and representative offices in these countries.

He said: Mr. Speaker, I would ask for unanimous consent to split my time with the hon. member for Notre-Dame-de-Grâce—Lachine.

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

Some hon. members: Agreed.

Hon. Ken Dryden: I am pleased to rise today to begin debate on Motion No. 410, a motion calling upon the Government of Canada to divest from the governments of Sudan and Iran.

Divestment is necessary in order to send a message to the regimes in both Sudan and Iran that there are consequences for their actions, consequences for denying fundamental rights and freedoms, consequences for killing hundreds of thousands of people, for crimes against humanity and for the incitement to genocide.

This motion represents one such consequence. Stopping the flow of money into a country limits the ability of a regime to finance its abuses. It also sends a message to other regimes which violate human rights that we, Canada, will continue to stand up for such rights and freedom everywhere.

To that end, money from the Canadian government should not be funding regimes in Sudan and Iran either directly or indirectly. Importantly, however, this motion does not include money for actions intended to relieve human suffering. Humanitarian efforts in these countries must continue to proceed. We will not hold vulnerable peoples hostage on account of their governments.

I was in Sudan and Darfur about a year ago. Anyone who makes such a trip returns with an obligation. It is an obligation not to forget. It is an obligation to keep seeking out answers no matter how hard and elusive they are.

Sudan is a harsh land, much of it desert. Historically, sudden dramatic needs, the result of drought or conflict, would drive its disparate tribes farther and wider afield in order to survive, sometimes bringing them into contact with others also seeking to survive. Conflict was normal.

For thousands of years, this was life in what is now present-day Sudan. Then, not many years ago, of these different, distant, often conflict-ridden peoples, a political state was created. But political boundaries alone cannot create a country that does not think, feel and act like a country.

In most places, a country's economy connects person to person, enterprise to enterprise, region to region, but not in Sudan. Eighty per cent of its resources come from oil, and it does not take a big workforce to get oil out of the ground and to market. Oil generates no dependencies on others, no loyalties to others. It makes people essentially irrelevant.

Most of Sudan's oil is in the south, but the oil is owned by the government, and the government is in Khartoum, so that is where the power lies. The reality is that for the economy of Sudan to succeed, the government of Sudan does not need Darfur or the south. It needs them, as the source of its oil, only to remain geographically within its boundaries. That can mean by peace or by war.

When we have historic divisions of custom, culture, language, geography and distance like these, when there are no contemporary loyalties, no dependencies, no incidental connections, when there is no concept of citizenship or equality of rights for individuals, or equality of treatment for different regions and groups, all that is left is power. For almost two decades, that has meant the absolute power of President al-Bashir.

Al-Bashir represents the perfect awful dilemma: what do we do when someone just will not do what we need him to do, no matter how hard we try, no matter what we do? How do we get through to him?

Private Members' Business

To solve the problem of al-Bashir, there is a fundamental difficulty. Let us imagine the best scenario for the world and for the great majority of Sudanese: a ceasefire; a peace agreement between the government and the opposition groups in Darfur; civil society starting to reappear; NGOs helping to reconstruct villages that had been torched and destroyed; more and more displaced people leaving the camps to return to their villages; with the peace agreement, authority no longer entirely centralized in Khartoum; with more powers, Darfur beginning to build its own future.

But this best scenario for the world and for most Sudanese may not be the best scenario for al-Bashir. Like any government, al-Bashir likes to be in power. If the conflict were to end in this way, he would have less power and less oil.

• (1820)

The situation in Darfur is tragic. The reality is that it may not be in al-Bashir's interest to do anything about it. It can be seen every day in his actions and inactions, through his resistance and opposition, his occasional apparent acceptances, his purposeful confusion and delay, through his divide and conquer strategy with rebel groups, his defiance of the UN and world powers who he knows may have other things to distract them. Through all of this he has been able to avoid a showdown.

For us to fulfill our obligation not to forget, and to seek out answers no matter how hard and elusive, what can Canada do? First and foremost, we need to believe that something can be done and that what we can do matters. Then we need to do what the current government has not done: we need to immerse ourselves diplomatically in Sudan. We can work with countries of similar mind: Switzerland, Sweden, Denmark, the Netherlands, with other African countries, countries in the Middle East, the African Union and Arab League as well.

We can because, as I heard again and again on my trip, Canada is respected. It has no colonial baggage. We have the right instincts, the right national history and experiences. As once a smaller country, we had to listen, negotiate, be patient, respectful, accept less dramatic steps in the directions we wanted to go. We have had to work with others. Now, perhaps the most ethnically diverse country in the world, we have learned to live with difference, accept difference and make difference matter less.

We are ready for our proper role in the world, but we need to make a start. There is perhaps only one country that has influence on Sudan in the short term and that is China. China is the market for over 90% of Sudan's oil, which represents over 70% of the total revenues generated by all of Sudan's resources.

In less than one year, Beijing will be hosting the 2008 Olympics. Billions of people will watch hundreds of hours of coverage on television. Beyond the events themselves, what China will they be shown? Its remarkable history? Its stunning economic present? Its environmental threat to the future? Its oil interests but humanitarian blind eye in Sudan and Darfur? What China will the world see?

Private Members' Business

For China, the 2008 Olympics represent an immense hope and an immense vulnerability. As a country, diplomatically Canada can work with this reality with China and Sudan, sometimes offering a carrot, sometimes a stick, but as is crucial for the foreign affairs of the future, always a bridge.

Until a Canadian government is—

• (1825)

The Deputy Speaker: I am sorry, but the hon. member's time has expired and there is no flexibility in private members' hour.

There is a two minute question and comment period. The hon. member for Ottawa Centre.

Mr. Paul Dewar (Ottawa Centre, NDP): Mr. Speaker, I want to ask my colleague to expand a bit more on his points about what should be done in Darfur and the region of Sudan. I am sure we would all like to hear his point of view.

Hon. Ken Dryden: Mr. Speaker, I would like to thank the hon. member.

Until a Canadian government is willing and able to take on this role, however, we can do what Motion No. 410 calls on us to do. Real economic sanctions, actually imposed, can have a big effect. They had that effect on South Africa during the time of apartheid. This particular divestiture relates only to the Government of Canada and not to holdings from pension funds of companies which deal with Sudan and Iran, or even the delisting of such companies from stock exchanges, both of which the U.S. has threatened.

For Iran, Sudan and Darfur, Motion No. 410 represents a useful step, a step that begins to take us down the hard and elusive path to answers Sudan and Darfur need, to answers the world needs.

Hon. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): Mr. Speaker, it is an honour for me to take part in the debate on my colleague's motion. It is unfortunate that he did not have enough time to give all of his speech.

His motion calls for Canada to take the lead, to become a real voice against crimes against humanity, against the genocide that is taking place in Sudan as I am speaking right now, as he was just speaking, and the potential genocide that the president of Iran is calling for against Jews, against Israel and possibly against anyone who does not share his point of view with the nuclear armaments and nuclear capacity he is building up.

I am not going to repeat what my colleague whose motion I am now discussing has already stated, but I would like to give a couple of facts. In Sudan why should Canada divest?

On January 7, only a week after the UN African Union hybrid peacekeeping force began operations in Darfur, the Sudanese government fired on a clearly marked UN supply convoy.

On January 21, the Sudanese government confirmed that Musa Hilal, leader of the Janjaweed militia, was named adviser to Sudan's ministry of federal affairs. I want to quote Rick Dicker of Human Rights Watch, who said, "Musa Hilal is the poster child for Janjaweed atrocities in Darfur". He said that naming him to a senior government position is a new "slap in the face to Darfur victims and to the UN Security Council". The UN Security Council imposed travel and financial sanctions against Hilal in April 2006.

Over the weekend of January 12, not even a month ago, a Sudanese government Antonov aircraft bombed two villages in west Darfur killing at least three civilians. Twenty-two World Food Program vehicles have been attacked and stolen during the month of January alone, threatening to cut food rations for more than two million people in Darfur.

The first genocide that China helped to underwrite was Pol Pot's in Cambodia. The second now is in Darfur, Sudan. Chinese oil purchases have financed Sudan's pillage of Darfur. Chinese made AK-47s have been the main weapons used to slaughter several hundred thousands of people in Darfur so far and China has protected the Sudan in the United Nations Security Council. It is because of China's support that Sudan felt it could get away this month with sending a proxy army to invade neighbouring Chad.

Some 60% of Sudan's oils flow to China. Beijing has a close economic and even military relationship with Khartoum. Women and children are being torn apart by bullets that come from China. It is happening in Darfur and now it is happening in Chad. China bears a responsibility in fostering the murderous regime in Darfur which is committing genocide and creating instability in that region.

Now let us go to the Arab League. They met last month in Sudan. By meeting there they legitimized the slaughter of hundreds of thousands, if not millions, of Muslims in Sudan. Fatema Abdul Rasul in *The Daily Star of Lebanon* wrote this month, "For the entire Muslim and Arab world to remain silent when thousands of people in Darfur continue to be killed is shameful and hypocritical".

Let us go to Russia. There were photographs released last August which showed Sudanese soldiers in the Darfur region moving containers from a Russian made Antonov cargo plane onto military trucks.

• (1830)

According to Amnesty International, these findings reinforce the suspicions that Sudan continues to violate a UN imposed arms embargo. The photographs also showed Russian supplied Mi-7 and Mi-24 military helicopters in the town of Geneina in Darfur.

On Iran, one simply has to listen to a few quotes from the President of Iran inciting genocide against Jews across the world and inciting genocide against any people who support the state of Israel, including Muslims, and refusing to abide by UN resolutions, accords and protocols regarding nuclear armament.

How would divestment be an effective tool in Iran and Sudan? If Canada plays the leader and divests from Sudan, that would reduce state revenue that is being used currently to sponsor Sudanese military and Janjaweed militia aggression in Darfur. Currently, 70% of Sudan's oil reserves are used to give arms and supplies to the Arab militias engaged in violence, in genocide in Darfur.

Moreover, in Iran, companies have invested in Iran's oil and natural gas sector and account for 80% of the country's hard currency. That currency is the currency that Iran needs to fund its nuclear weapons pursuit and to support terrorism.

Private Members' Business

I think Canada has a role to play. We played that role when we divested from South Africa. I have to say it was a proud moment for me as a Canadian. Back in the late 1960s and early 1970s, before people started talking about divestment and abolishing apartheid, I was participating in demonstrations, as were some of my other colleagues on this side of the House. Most Canadians could not even find South Africa on the map and did not know what apartheid meant.

Canada stood up. Canada was a leader. Canada needs to stand up again. It needs to stand up as a leader and divest from Sudan. It needs to stand up as a leader and divest from Iran. Both. One for committing genocide as I speak, the other one for inciting genocide and for creating nuclear weapons which it is threatening very—

• (1835)

The Deputy Speaker: Questions and comments. There is a two minute question and comment period. The hon. member for Yukon.

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, I would ask the member to comment on the Canadian companies that are presently doing business in Burma and China, with investment in Burma. The member listed the countries China was involved with, but it also has investment and deals in weapons with Burma. It would be good if that was added to the list.

I do appreciate China's diplomatic work with Burma. We would like to get existing Canadian companies out of Burma, and know about Chinese weapons and economic relations with Burma.

Hon. Marlene Jennings: Mr. Speaker, the government recently used the Special Economic Measures Act. This is an act of cabinet. The act was invoked against Burma.

There are other tools the government has at its disposition, whether with regard to Sudan, Iran or, for instance, Burma. Let me list some of them, if I may.

The Canadian government can invoke the United Nations act to issue all orders and regulations necessary to limit or curtail trade, financial transactions, air links or any other ties between Canada and a targeted country. Canada should actively be lobbying the members of the UN Security Council to adopt the third round of sanctions against Iran.

Canada also has imposed, as was mentioned, sanctions in cases where such actions were not authorized by the UN Security Council. We championed the need for sanctions against South Africa, as I mentioned earlier, and Haiti, once there was an international consensus on the need for such measures. We did not wait for the Security Council to come to an agreement on it. If there was an international consensus and as a country we helped build that consensus, we acted on it. Canada should be doing that right now.

Mr. Deepak Obhrai (Parliamentary Secretary to the Minister of Foreign Affairs, CPC): Mr. Speaker, I am pleased today to address the subject of Motion No. 410 as it relates to Iran.

The government shares the opposition's outrage and alarm regarding the situation in Iran. Our current approach to Iran is quite intensive in its scope, and clearly reflects a deep and justifiable concern about Iran's behaviour, domestically, regionally and internationally. We fully and completely agree with the member

that the time has come for further action. We fully support this motion.

My colleague from Crowfoot will speak about the situation in Sudan.

I want to take a few minutes today to remind the House of what our government is already doing to bring pressure on the regime in Tehran, but first let me outline why we feel it is so important for pressure to be brought on Iran to change its behaviour.

Canada believes Iran's continued support for militant groups threatens regional stability and raises the spectre of further conflict. Tehran's support for terrorism is longstanding and poses a consistent threat to regional stability, peace and security. It is vital that the international community engage and exert pressure on Iran to stop its destabilizing influence and end its support for militant groups in the region such as Hezbollah, Hamas and the Palestinian Islamic Jihad.

The defence minister's expressed concern over support for the Taliban coming from Iran is a testament to Iran's spoiler role in the region. Canada must continue to work with the international community and with its multilateral partners to address its concerns on Iran's role in the region.

Canada remains very concerned and has shown a great commitment toward addressing the poor and deteriorating human rights situation in Iran. The persecution of religious and ethnic minorities, such as the Baha'is, continues unabated. The recent four year sentences given to three members of the Baha'i faith, combined with the sentences issued to 50 other Baha'is for their involvement in a community youth development program, attests to this fact.

Women's rights are oppressed, freedom of expression and the media are severely restricted, and efforts have been made to intimidate academics and journalists. All of these examples attest to the unacceptable human rights situation in Iran.

For five straight years, Canada has worked with more than 40 co-sponsors and successfully led a resolution on the situation on human rights in Iran at the UN General Assembly.

Canada demonstrates great leadership in this respect as it leads one of the most difficult country specific human rights resolutions at the General Assembly. It should be noted that Canada has achieved success with this resolution despite attempts by Iran to pass no action motions which, had they been successful, would have adjourned the debate on the resolution.

The adoption of the Canadian led resolution signals that the international community is deeply concerned about Iran's serious human rights situation, and that concrete steps must be taken to address it.

Private Members' Business

Iran's nuclear program and its continued defiance of the demands of the international community on this issue have generated considerable international concern through most of this decade. A nuclear armed Iran would be a grave threat to regional peace and security, and we have fully supported the efforts of the United Nations Security Council to press Iran on the scope and direction of its nuclear program.

Since 1996, Canadian relations with Iran have been governed by a policy of controlled engagement. This policy reflects Canada's ongoing concerns about the Iranian government's opposition to the Middle East peace process, its support of terrorism, its pursuit of weapons of mass destruction, and its atrocious human rights policies.

Following the death of Canadian-Iranian Zahra Kazemi in 2003, and the lack of progress in punishing those responsible for her death, Canada tightened the controlled engagement policy. As it stands now, the controlled engagement policy limits official bilateral dialogue to the following four topics: the case of murdered Canadian-Iranian Zahra Kazemi, Iran's human rights performance, Iran's nuclear program, and Iran's role in the region.

Within the confines of the controlled engagement policy, Canada also prohibits the opening of Iranian consulates, cultural centres and Iranian banks in Canada.

• (1840)

Furthermore, it prohibits the establishment of direct links and any high level visits. The Canadian government's control engagement policy has shown great foresight in that it already bars cooperation between any Canadian government agency and its Iranian counterpart. For example, Canada does not facilitate trade and investment between Canadian private firms with any Iranian state entities.

In addition to maintaining a controlled engagement policy with Iran, Canada has fully implemented the binding economic measures called for under the United Nations Security Council resolutions 1737 and 1747. These sanctions reflect many of the international community's concerns and send a strong signal to Iran that it must change its behaviour with respect to uranium enrichment activities or continue to face stringent multilateral sanctions.

Canada is supportive of these sanctions and believes that they are an effective approach in attempting to force Iran to end its uranium enrichment program. The Security Council is currently deliberating on a third sanctions resolution which, if approved, would further put international pressure on Iran. Should this resolution be adopted, Canada would fully implement the new measures decided upon within the resolution.

The Government of Canada has also supported and responded to the warnings of the financial action task force on the risks posed to the international financial system by Iran's lack of an anti-money laundering and counterterrorist financing regime.

The Office of the Superintendent of Financial Institutions recently issued an advisory drawing attention to the FATF recommendation for heightened attention to transactions related to Iran as a result of these concerns.

We welcome the interest and advice of the hon. member for York Centre. We fully and completely support the motion and we can see

the value in placing economic pressure through measures such as those we have already imposed and the divestment measures proposed in the motion.

Let me conclude by stating that our government will continue to work on strategic, focused and ultimately effective actions to respond to the situation in Iran.

• (1845)

[*Translation*]

Mrs. Vivian Barbot (Papineau, BQ): Mr. Speaker, I am pleased to speak today to Motion M-410, which calls on the government of Canada to divest from corporations conducting business in Sudan and Iran. To begin, we find it hard to understand why Motion M-410 is being presented in this House now. We believe that divestment measures are meant to punish countries engaged in wrongdoing and cannot be taken lightly, either by a country that takes such measures or by the country that is subject to them.

When a country takes such measures, it must take a host of factors into consideration: the right timing, the geopolitical situation at the time, the effectiveness of the measure, the welfare of the civilian population in the country affected, and so on. It seems that the mover of the motion has neglected a few important aspects of both form and substance, which I would like to address in my comments.

First, passing this motion would be premature, in our opinion. The Standing Committee on Foreign Affairs and International Development is in fact preparing, in the next few days, to examine the question of divestment in Sudan by hearing a number of witnesses who will provide the committee with information on this subject. Would it therefore not be appropriate to let the committee do its study and report to the House in the next few weeks? In the case of Iran, there might eventually be a separate and more thorough study by the Standing Committee on Foreign Affairs and International Development.

Second, we find it hard to understand why, in this motion as it is worded, the mover is calling for punitive measures against both Sudan and Iran. In our opinion, it would be unwise to combine cases as different as Iran and Sudan in the same motion.

In the case of Sudan, the international community is witnessing a conflict and a serious humanitarian crisis in Darfur. Several hundred thousand Sudanese have been displaced and forced to take refuge in Chad and the Central African Republic. Iran, on the other hand, is not experiencing any internal conflict of that kind. The human rights situation there is certainly a matter for concern. The major issue in relation to that country at present, however, is really the question of the Iranian nuclear program.

Third, we might reasonably question the effectiveness of the motion, given that Canada has virtually no investments in Sudan and Iran and that by acting alone and unilaterally its action could have very little effect. In our opinion, a multilateral approach in the international arena should have been taken instead.

Private Members' Business

As we undoubtedly all know, the major economic partners of Sudan and Iran are Russia and China. Accordingly, even if Canada were to adopt divestment measures, Sudan and Iran could circumvent those measures through their trading relations with their biggest partners, and this would cause a corresponding reduction in the effectiveness of the motion.

On the substance, we believe that measures like these will always carry more weight if they are taken within a multilateral framework such as, for example, under the aegis of the United Nations. The international community as a whole will always carry more weight than a single country.

In this regard, the Security Council has already imposed sanctions on Iran, under resolution 1747. Canada has implemented the measures recommended in that resolution, under the Special Economic Measures Act, an act that provides for the application of international resolutions of this nature. What that act provides, in section 4(1), is as follows:

The Governor in Council may, for the purpose of implementing a decision, resolution or recommendation of an international organization of states or association of states, of which Canada is a member, that calls on its members to take economic measures against a foreign state, or where the Governor in Council is of the opinion that a grave breach of international peace and security has occurred that has resulted or is likely to result in a serious international crisis,

- (a) make such orders or regulations with respect to the restriction or prohibition of any of the activities referred to in subsection (2) in relation to a foreign state as the Governor in Council considers necessary; and
- (b) by order, cause to be seized, frozen or sequestered in the manner set out in the order any property situated in Canada that is held by or on behalf of
 - (i) a foreign state,
 - (ii) any person in that foreign state, or
 - (iii) a national of that foreign state who does not ordinarily reside in Canada.

● (1850)

We may therefore conclude that if Canada chooses to act multilaterally, its actions will carry greater political and economic weight while complying with international law.

Finally, before we can say whether or not we support a motion that calls for the application of a divestment policy, we must examine both the Sudanese and the Iranian cases in detail to determine whether such measures are effective and which individuals and activities will really be affected. It could turn out that such measures do not affect the target government at all. Let us not forget the sanctions imposed on Iraq after the Gulf War, sanctions that severely penalized the civilian population.

There is very little Canadian investment in Sudan and Iran. Direct investment in both countries is so minimal that it is not even listed on Foreign Affairs Canada's website. In other words, Iran and Sudan are not our major economic partners. Consequently, imposing sanctions will have little effect on their respective economies.

In one of its recent reports, Export Development Canada—EDC—stated that companies are already worried and reluctant to invest in Iran because of the unresolved nuclear situation. In addition, Iran has been running major surpluses in its current accounts over the last few years, meaning that more money is flowing into Iran than out. According to EDC, these surpluses in Iran's external accounts have helped it accumulate comfortable foreign exchange reserves. EDC

concludes, as a result, that Iran can afford in the medium term to disregard the UN's demands.

Seen from another angle, the Sudanese and Iranian regimes rely almost exclusively on Islamic financial institutions. They are not dependent, therefore, on big Canadian or, more broadly, western economic institutions.

Some researchers, such as Jeffrey Sachs, an economics professor at Columbia University and advisor to the UN Secretary General, have criticized the American decision to impose economic sanctions on Sudan. In his view, sanctions will not help one bit to restore peace in Darfur. Accordingly, Canadian disinvestment in Sudan will not do anything to put an end to the violence. Sachs thinks that in order to solve the problem in Darfur, basic needs will have to be dealt with, including poverty, drought, famine and the distribution of wealth. The solution that he encourages, therefore, puts the emphasis on a coherent economic development plan based on a strategy of regional stability.

In other words, respect for human rights can be effectively encouraged and strengthened through a diplomatic approach based on the establishment of sustainable peace and stability. With peace and stability, a country can develop by investing in its social infrastructure, such education and health.

Summarizing then, the current situation is not conducive to such measures as disinvestment. After years of negotiation, the Sudanese government finally agreed very reluctantly to the deployment of a joint UN-AU force, which started last December. No country should do anything that might compromise this mission.

The international community is in the midst of negotiations with Iran over the nuclear issue. This is not the time, therefore, to do things that could compromise the talks and the negotiations with Iran.

Experts do not agree on whether disinvestment and economic sanctions are effective or not.

The Standing Committee on Foreign Affairs and International Development is preparing to study the disinvestment issue in regard to Sudan. We should let the committee do its work, therefore, and report to the House.

Instead of taking unilateral punitive measures against Iran and Sudan, Canada would be better advised to take a multilateral approach, which would have more weight.

For all these reasons, the Bloc Québécois will vote against the motion.

● (1855)

[English]

Mr. Paul Dewar (Ottawa Centre, NDP): Mr. Speaker, I thank the member for York Centre for putting the motion before the House so we have a chance to discuss the issue going on in both Iran and Sudan.

The NDP has been extremely concerned about I would call the supreme humanitarian crisis occurring in the Darfur region of Sudan.

Private Members' Business

We have also voiced our concerns about the situation in Iran, the flagrant abuse of human rights, the crackdown of people's freedoms and the Iranian president's anti-semantic outbursts. The lack of a resolution in the case of Zahra Kazemi, a Canadian who was killed at the hands of the Iranian authorities, is something we should all be seized with as well as the growing concern about the country's possible attempt to develop nuclear weapons.

Sudan and Iran pose two very different challenges to the international community. In the course of the debate, I hope the members of the House will develop an understanding of how to approach these two different cases.

I will start off with my comments on Sudan and Darfur.

The situation is a humanitarian crisis. Gerry Caplan has called it a genocide in slow motion. Pointing fingers at the inaction of others does not justify ours. That is why it is a valid proposition to look at divestment. It is not good enough for us to point to other nation states until we have dealt with our own backyard. That is why I think divestment is a plausible policy option for us to look at.

Others have mentioned the case of South Africa. I know members are aware of the history of what happened in South Africa vis-à-vis divestment and boycott.

Why should we be seized with the issue? Estimates show that about 450,000 people have been murdered or killed due to violence in Darfur and millions displaced, raped. There is destruction and ethnic cleansing with total impunity.

I will describe our party's proposition with regard to the situation in Darfur.

What is of paramount importance, and what I would hope the government would be more able to support, is resolution 1769. As we know, this is the UN peacekeeping mission, a hybrid mission, which is still lacking resources and has had difficulties in getting the cooperation of the regime in Sudan. However, it needs resources, resources that we have.

We also believe we should invest in long term development of civil society in the peace process in Darfur. We believe we should divest all Canadian investment from Sudan. As was mentioned by my colleague from the Bloc, due to a motion of the NDP at the foreign affairs committee, we will study this issue in more detail. We look forward to that important study.

New Democrats believe Canada must take a leadership role in Darfur. We know resolutions in and of themselves do not protect vulnerable citizens, but peacekeeping actions and multilateral actions do. We believe Canada must provide personnel and resources to support the UN's vitally important mission. We have a clear chapter 7 mandate to protect civilians. We have the consent in words, and I mentioned the challenges of Sudan, and we have had four years of violence and devastation behind us. Doing nothing is not an option.

Canada talks about its role in being a global leader. We believe that looking at divestment as a way of effecting change in Sudan is one of the ways we can lead. As I mentioned, supporting the UN peacekeeping mission 1769 is another as is supporting civil society, peace efforts and peace building in Sudan. Sadly, we have not seen that commitment from the government.

I do not think most Canadians are aware that we have the resources to support the three things I just mentioned: the divestment, which we will be studying; the support to the peacekeeping mission; and the support to civil society and peace building.

● (1900)

Very recently I met with one of my constituents, who is in Darfur right now. He is a Somalian Canadian working under the UN auspices in Darfur. He will meet with local leaders in villages to see that when a peace agreement is reached, we will be able to carry it out.

When peace agreements come together, one of the problems we have had is often they are only understood at the top and not by communities and the grassroots. This has to be put on the table and understood. If we do not build capacity in peace building now, then any peace agreement reached in the coming months or next year might be for naught because we do not have the capacity on the ground to ensure it is followed.

With regard to Darfur, we should also be aware that when we talk about divestment, we must address direct and indirect investment. Corporations like Total, an energy company, have Canadian interests and shares and they sit on the boards. This should be put on the table.

The government has said in the case of Burma that we can only put in special economic measures for investment in the future and we cannot look at existing or past investments. That is not the case. If the government has the will, it can deal with existing investment in the case of Darfur and also Burma.

I mention that because as legislators we have to understand what our policy options are. We need to understand that Canada can, if it has the will, elicit special economic measures that will deal with existing investments in Sudan and Darfur, both direct and indirect Canadian investments.

Hopefully, the foreign affairs committee will get a better understanding as to the scope of Canadian investment, which is why the study is being done. Then we must do more than study; we must act. To do this, we must understand that indirect investment is as pertinent as direct investment.

In the case of Burma, some have estimated that there are up to \$1.2 billion in Canadian pension plan investments presently in Burma. When we have asked department officials if they are aware of that, they have said that the Special Economic Measures Act does not pertain to indirect investment. This motion is extremely important to understand. What we do in our actions has to be in depth. We cannot simply pass a motion for future investments. It has to deal with existing investments and, indeed, investments in the future.

I want to turn to other measures that can be taken by the government.

Private Members' Business

Recently the International Criminal Court successfully charged and carried out actions on two people who were involved in humanitarian crimes in Sudan. It is important to underline that. For the charges to be followed through, they had to go through the Security Council. In the past both the United States and China have been a problem and a block at the Security Council.

With the issue of Darfur and Sudan, something magical happened. For the first time in the case of the United States, it supported and recognized the ICC. China abstained, which is the best we will get from China on the ICC. In the end, the rule of law was brought forward. Right now the ICC needs to follow up, do its job and bring those perpetrators to justice so we can see that international justice can be done, not only seem to be done.

The NDP looks forward to this debate and to opening up the policy options for the government to take more action both in Darfur and Iran.

● (1905)

Hon. Irwin Cotler (Mount Royal, Lib.): Mr. Speaker, I support Motion No. 410 which calls upon the government, crown corporations and divisions to divest from corporations conducting business in Sudan and Iran, to divest from funds and other financial instruments invested in or operating in Sudan and Iran, and, which is of relevance to the comments by my colleague from the Bloc Québécois, except where such funds support humanitarian aid and humanitarian relief programs, or are used to fund Canadian embassies, consulates and representative offices in these countries. It was crafted carefully.

The motion, in effect, calls for the strategic and targeted withdrawal of government investments in the economies of Sudan and Iran so as to deter and combat the Sudanese and Iranian capacity to engage in mass atrocities, to combat the culture of impunity, to impose a penalty for the commission of mass atrocity and reduce the capacity of corporations to enable its commission, to send a clear message through the naming and shaming of the enablers, and to deter and combat the enablers of mass atrocities, those who sell the arms, those who buy the oil, those who finance the sales. In a word, to force the countries, Sudan and Iran and their corporate enablers, to pay a price for their respective commission and enabling of mass atrocities.

I will turn now to two key questions that have arisen in the debate. First, why Sudan and Iran? Second, what can be done with regard to the enablers? I will use China as a case study and the Canadian connection.

With regard to Sudan and Iran, those two countries represent, as I will point out in a moment, the two faces of genocide in the 21st century and they constitute a standing threat to international peace and security.

In the matter of Sudan, it represents, as has been mentioned, the first genocide of the 21st century: 400,000 dead, 2.5 million displaced, 4 million on a life support system and in desperate need of humanitarian assistance, mass atrocities that continue unabated.

We have not only the perpetration of mass atrocities by the Sudanese government, but the culture of impunity that underpins it. Here reference has been made, for example, to the UN Security

Council resolution with regard to the deployment of a joint UN-African Union protective force.

It is the Sudanese government that is impeding the effective and expeditious deployment of that force, that continues with the indiscriminate bombing and burning of villages, that refuses to comply with UN Security Council resolutions and that refuses to surrender genocidaires to the International Criminal Court which has issued arrest warrants.

I will give one scandalous example. One of the arrest warrants is with respect to Ahmad Harun, the minister of humanitarian affairs in the Sudanese government. Not only did the Sudanese government not surrender him to the International Criminal Court, it has actually promoted him. It has put him in charge of investigating the human rights complaints with respect to mass atrocities committed by Sudanese. It has made him the liaison officer with respect to the deployment of the UN-African Union force. It has forcibly evacuated internally displaced persons from the refugee camps and replaced them with Arab tribes who have been recruited to take their place and have undermined both the comprehensive peace plan with regard to southern Sudan and the Darfur peace process, each in that sense undermining the other and bringing about the risk of the unravelling of Sudan as a whole.

All of this led to an impassioned appeal recently at the Conference on the Prevention of Genocide at McGill University by Salih Mahmoud Osman, a heroic figure in Sudan who himself was the victim of beatings and torture. He said, "I am appealing to Canada, act now; tomorrow will be too late", reminding us, and Canada in particular, of our role with regard to the responsibility to protect the doctrine.

The tragedy is that while the international community continues to dither and thereby connive, however inadvertently, with the Sudanese government, Darfuris continue to die.

● (1910)

However, if Darfur is the first genocide of the 21st century and the perpetrator and enablers of a culture of impunity, Iran constitutes a standing threat to international peace and security. Iran has defied UN Security Council resolutions calling on it to cease the enriching of uranium and the moving along to becoming an atomic power, where Ahmadinejad's Iran, and I use the term Ahmadinejad's Iran to distinguish that from the people of Iran who are themselves the objects of his domestic mass repression, but where in Ahmadinejad's Iran it has become the epicentre of the toxic convergence of the advocacy of the most horrific of crimes, namely genocide, embedded in the most virulent of hatred, namely anti-Semitism, dramatized by the parading in the streets of Tehran of a Shahab-3 missile draped in the emblem, "Wipe Israel off the map", and warning Muslims that those who recognize Israel will burn in the Umma of Islam.

Government Orders

Finally, we should not ignore the domestic mass repression in Ahmadinejad's Iran of Iranian women, students, minorities, dissidents, trade union workers and the like, which leads me now to the second question and the underlying purpose of the motion, which is to divest from enablers. Here I will use China and the China petroleum company as a case study because divestment is not simply a unilateral act. It is a support system, not apart from, but in conjunction with the United Nations and the international sanctions a regime, a support system that is working in conjunction with the international community, a support system that is part of the responsibility to protect a doctrine in conjunction with other countries and, indeed, with universities here in Canada, such as Queen's University which became the first university to divest with respect to Iran.

In other words, there is an economic underpinning to the Sudanese genocide and that economic underpinning is anchored in the Sudanese petroleum sector with some 80% of Sudanese oil revenues being used to support the military which in turn prosecutes and perpetrates the genocide in Darfur.

It is China that has invested \$15 billion in Sudan and it is the China National Petroleum Company that is engaged in the extraction of oil that is financing the genocide, that has facilitated the arms trade between China and Sudan and that has financed the military expenditures that have sold Sudan the weapons that have made the military offensive and atrocities possible.

There is also a specific Canadian connection which has thus far almost gone unnoticed. I am referring to the fact that the China National Petroleum Company has been granted 11 oil blocks in the Alberta oil sands. These concessions represent over \$2 billion barrels of recoverable oil here in Canada.

China and the CNPC should themselves now be the target of the divestment in order to leverage Sudan to permit the expeditious and effective deployment of the UN civilian protection force, to comply with UN Security Council resolutions banning offensive military action and the like, to surrender the genocidaires pursuant to international arrest warrants by the International Criminal Court, to put an end to the killing fields and to support and not undermine the two peace processes, the Darfur peace process and the comprehensive peace process; in a word, to ensure that the responsibility to protect doctrine is not simply a matter of rhetoric or words but that it is a matter of action, a matter of combating impunity, of ensuring accountability and of saving lives.

As a student said last night at the University of Ottawa where I participated in a forum with respect to the responsibility to protect doctrine and the combating of the genocide by attrition in Darfur and, as I said, with respect to Canada at this point, if not us who and if not now when. If we are the architects of the responsibility to protect doctrine, we should assume our responsibility to help implement it.

Mr. Kevin Sorenson (Crowfoot, CPC): Mr. Speaker, it is a pleasure to stand in the House to debate this motion and to hear colleagues like the former one who expounded so clearly on the concerns from Sudan and Iran.

I would also like to mention a couple of former colleagues. First, David Kilgour, who has made it a lifelong goal to educate us about

exactly what is going on there. For Mel Middleton, a person in my riding, this is a ministry to him. He is a real driver in seeking human rights in countries such as Sudan. I had the opportunity to speak with a group of Sudanese from Calgary last fall who brought forward concerns and with a student group called STAND Canada. It is a pleasure to be in the House and to bring forward some points to the government.

The government is very aware and concerned over the situation in Sudan, particularly the ongoing violations of human rights in Darfur, including sexual and gender based violence. With the deterioration in the humanitarian situation, as well as the fragile peace in the south, Sudan remains a matter of great concern to the Government of Canada and for this reason the government supports Motion No. 410 that my colleague from Toronto brought forward.

Because my time is limited, I will cut to the chase and go right to some of my concluding statements.

I think all Canadians agree that we cannot stand by and let this situation deteriorate any further. Canada is active in supporting peace in Sudan and Canadian diplomacy is at the forefront in international efforts. Canada has been among the largest supporters to AMIS and is continuing to support different United Nations organizations that are heavily involved in the Sudan, Darfur area.

Canada has committed over \$288 million to peace, humanitarian needs and early recovery since 2006. However, we believe that the time has come to take additional steps to convey our concern and place pressure on the government of Sudan and also work collaboratively with other countries, as we are through the United Nations, to make more of a difference.

I thank the member for bringing the motion forward and for giving us the opportunity to debate it in this place. Our government is aware of the situation and is moving on it.

● (1915)

The Deputy Speaker: The time provided for the consideration of private members' business has now expired and the order is dropped to the bottom of the order of precedence on the order paper.

GOVERNMENT ORDERS

[*Translation*]

IMMIGRATION AND REFUGEE PROTECTION ACT

The House resumed consideration of the motion that Bill C-3, An Act to amend the Immigration and Refugee Protection Act (certificate and special advocate) and to make a consequential amendment to another Act, be read the third time and passed, and of the motion that this question be now put.

The Deputy Speaker: Pursuant to order made Thursday, January 31, 2008, the House will resume consideration of the motion at third reading of Bill C-3.

Government Orders

Mr. Serge Ménard (Marc-Aurèle-Fortin, BQ): Mr. Speaker, I understand that we are now finally discussing the substance of the bill in order to decide whether to accept or reject it. We will be voting against this bill for the following reasons.

We believe that if a judge is to make a decision that will result in the incarceration of an individual for an indeterminate period of time, he must be convinced beyond a reasonable doubt. That is the criterion which the judge should use to make his decision. That is what the law prescribes for all Canadians—for those governed by Canadian law and for Canadians.

I will point out shortly that security certificates only apply to foreigners. In this case, since we decided to give them the right to appeal, this appeal should be of the same sort, that is it should deal with a question of fact, a question of law or of law and fact.

We were also not satisfied with how the whole issue of the special advocate is dealt with, although we recognize that a significant improvement has been made to the legislation.

At this time, perhaps, people are still watching us, or some may watch us later. I would like to make it easier for them than it was for me to understand this legislation. Few people unfamiliar with the bill understand what we are talking about, the term used and our discussions.

I would first like to say, so that it is clearly understood, that the security certificate is badly named. We should really be talking about a deportation order because, in practice, that is what is being requested. This is why it applies only to aliens and not to Canadians. Indeed, under section 6 of the Charter of Rights and Freedoms, Canadians have the right to live in Canada, to leave the country and return, which is not the case for aliens. The charter refers to every Canadian citizen. Therefore, it does not apply to aliens.

What is a security certificate? Generally speaking, secret services may believe that a person is dangerous. In our modern world, dangerous people, the kind of people we fear, are terrorists who have been trained and sent to live in Canada, remain unnoticed if possible and, at a given time, carry out a terrorist act. That is what happened on September 11. Many of the people in those planes, who took part in the take-over of the planes and the subsequent suicide attack, were model citizens. They are known as “sleeping cells.” By the way, this is a ridiculous term, not that we are accusing anyone here, because the definition of a sleeping cell is a model citizen. He is here to go unnoticed among us. So he is a model citizen. It seems a bit unfair when we think about it.

Let us return to the security certificate. We are talking about a deportation order that has been requested by two ministers, the Minister of Citizenship and Immigration, because this deals with the Immigration and Refugee Protection Act, and the Minister of Public Safety, because, he, obviously, is responsible for national security.

If they believe an alien is dangerous, they issue what we call a security certificate to expel that person from Canada. The certificate is brought before a judge who must be convinced that the person is dangerous. In fact, it is not necessary to convince the judge, only to have him think that it is reasonable to believe that the person is dangerous based on the evidence presented to him.

Obviously, if they feel that way, it is because they have secret information about that person. That is the reason you will often hear people say they do not know what evidence was presented to the judge. In fact, very often, the evidence comes from three kinds of sources.

● (1920)

First, the source might be an ally who gave us information on the condition that we not make it public. Second, the source might be an undercover agent, whose life may be at risk if he is discovered or who at least risks never working as an undercover agent again and losing his secret agent status. Third, the evidence can come from investigation methods or terrorist group surveillance activities that should not be disclosed for fear of helping those concerned get around those methods.

This type of evidence is presented to the judge. The judge hears this evidence in the absence of the accused. In fact, we should not use the term “accused”. We should always avoid talking about the “accused” and instead talk about the “person concerned”, since that person is not being accused or charged. That person is believed to be dangerous and because he is considered dangerous and he is a foreign national, we want to deport him from the country. We do not want to inform the person concerned because if he is indeed a terrorist, as we suspect, he could later tell others about the investigation methods or the name of the undercover agent.

The judge hears the evidence in the absence of the person concerned and in the absence of his lawyer, if he has one. Then the judge decides which pieces of evidence the person concerned can be informed of. For example, if we know that the person received training in Pakistan and he was seen in a certain village doing a certain thing, the judge can tell him he was seen without telling him who saw him or mentioning how that information was obtained and without disclosing the names of the people who were directly responsible for providing that information.

The person concerned can try to explain why he went to Pakistan and try to convince the judge that he did not receive terrorist training and that he is not part of one of those sleeper cells we are so afraid of. As you can see, there are limited ways to challenge the arrest since the person is not provided the confidential information, which is also probably the most important information.

In fact, we are talking about a removal order. The individuals need only to leave the country to pursue their activities. Then why do some people not leave? Because in some cases—increasingly so—if these people go back home after being deported for security reasons, they are sure to be sent to prison in the destination country, like Morocco, Syria and many countries in the Middle East. Not only are they sure to go to prison, but since they are suspected terrorists, they will likely be tortured. This has happened a lot lately. Sometimes they are tortured to death.

Government Orders

Consequently, these people do not want to leave Canada and contest the removal order because they are afraid to go back to these countries. Others contest the removal order because they have been in Canada for a number of years. They have started a family here, they have jobs and Canada has become their country, even though they have not taken out Canadian citizenship. Those are some reasons why people contest the removal order.

Now, because it considers these people dangerous, the government is thinking of incarcerating them during the procedures, to prevent them from escaping and going to live somewhere else in Canada under a new identity or whatever. The government is thinking about a form of incarceration. It is true that these people can always leave the country if they wish. That is why some members of this House say that it is a three-walled prison, although they never explain what that means.

Keeping the same image, I would answer that it may be a three-walled prison, but in some cases, there is a cliff where the fourth wall should be. The person who is incarcerated cannot really leave, because leaving would mean certain death. That is why these people do not want to be deported.

When we understand that, the situation becomes much clearer. We understand that these people are not Canadian citizens and that they have not been accused of anything. The government simply has information that they belong to a terrorist group. But that does not have to be proven beyond a reasonable doubt in court. All it takes to keep these people in prison is for the judge to be satisfied that this belief is reasonable. And they can be kept in prison for many years. In fact, they are incarcerated indefinitely. That is why the Supreme Court ruled that this was not just an administrative matter. These people have certain rights. In my opinion, that is the most important thing.

● (1925)

I would like to read some excerpts from the Supreme Court decision so we can have an idea of its intentions. According to the court, it is not simply an administrative decision, but it is also as serious as criminal charges. Even if they were never charged, it is just as serious and they must be granted certain rights. In paragraph 60, the court said:

It is one thing to deprive a person of full information where fingerprinting is at stake, and quite another to deny him or her information where the consequences are removal from the country or indefinite detention. Moreover, even in the less intrusive situations, courts have insisted that disclosure be as specific and complete as possible.

As they say, it is a serious decision. The information must be revealed.

I will go a bit further to understand the background. It is about a removal procedure. People will perhaps remember that this summer, an individual was arrested at Dorval. I believe he was Russian, but his nationality was not known when he was arrested. He had several pieces of ID, a considerable amount of money in different denominations, and so on. A security certificate was issued against him and he left. It was not long. He left and was not sent to prison. He returned home or went elsewhere. Those who stay here do so because they cannot leave Canada for fear of torture or death.

In paragraph 91, the Court stated:

[The government] asserts that when the provisions were drafted, it was thought that the removal process would be so fast that there would be no need for review.

Because of what I explained, we can see that it takes more time. Some people have remained in prison for five, six or eight years on a security certificate. So it is a very difficult detention. In paragraph 96, the Supreme Court said:

Detention itself is never pleasant, but it is only cruel and unusual in the legal sense if it violates accepted norms of treatment. Denying the means required by the principles of fundamental justice to challenge a detention may render the detention arbitrarily indefinite and support the argument that it is cruel or unusual. (The same may be true of onerous conditions of release that seriously restrict a person's liberty without affording an opportunity to challenge the restrictions.)

We have read in the papers about people who complain about the bracelet, conditions of house arrest and so on. In paragraph 98, the judges say:

More narrowly, however, it has been recognized that indefinite detention in circumstances where the detainee has no hope of release or recourse to a legal process to procure his or her release may cause psychological stress and therefore constitute cruel and unusual treatment.

Further on, in paragraph 105, they add:

It is thus clear that while the Immigration and Refugee Protection Act (IRPA) in principle imposes detention only pending deportation, it may in fact permit lengthy and indeterminate detention or lengthy periods subject to onerous release conditions.

In paragraph 107, the Supreme Court states:

Drawing on them, I conclude that the s. 7 principles of fundamental justice and the s. 12 guarantee of freedom from cruel and unusual treatment require that, where a person is detained or is subject to onerous conditions of release for an extended period under immigration law, the detention or the conditions must be accompanied by a meaningful process of ongoing review that takes into account the context and circumstances of the individual case.

Clearly, it is because of the consequences that these decisions may mean indefinite incarceration in exceptional cases and the Supreme Court believes that enhanced procedural safeguards are needed.

We can take the Supreme Court's reasoning and apply it to the provisions that are before us. We understand that security certificates cannot be issued against Canadians, but sometimes people are so dangerous that the government wants to make use of certain legal provisions, such as those in part XXIV of the Criminal Code. Sometimes the government says that these people have to be held in prison indefinitely. This is a very harsh sentence, although it is not quite as harsh as life imprisonment.

● (1930)

In such cases, judges must be certain. They must not just believe that the reasons for which the person is thought to be dangerous are reasonable, as in cases of foreigners who are the subject of removal orders. Judges must be certain. We would have preferred that the judge's decision, which may result in indefinite detention, be made on the basis of the same criteria: being certain beyond a reasonable doubt. That is one of the two main reasons we will be voting against this bill.

Government Orders

The second reason concerns the decision to appeal. I should clarify that they decided to reinstate the appeal process. There was one before for the security certificate process, but it was abolished at the beginning of the last decade. Nevertheless, they decided to reinstate it, albeit in a very strange way. To keep the person in jail and maintain the security certificate and the removal order, the judge must determine if his or her own decision is a legal issue of general public importance. An appeal can be allowed on those grounds, and the judge drafts the notice of appeal for the person.

If I had just been convicted, I might not have much faith in the way the judge would present my case to the court of appeal. The purpose of the appeal is to advance the law, which is very noble. It is a bit like medical research, except that in this case, it does not really affect the patient.

I asked some officials where they found this appeal procedure that I had never heard of in my 30 years of practising law. They said that it came up in administrative law cases. However, the judges have told the officials that this is not administrative law. That is why conditions are needed to make it constitutional. The ruling is so serious as to be almost criminal in nature. That is not what they tell us, but that is what it boils down to. We are asking for improvements to the procedure so that the person involved can have a better opportunity to tell his or her side of the story, with full knowledge of the evidence, where possible.

This is what section 759 of the Criminal Code says about what happens when a Canadian is found to be a dangerous offender and the courts want to sentence him or her to time in prison:

An offender who is found to be a dangerous offender under this part may appeal to the court of appeal against that finding on any ground of law or fact or mixed law and fact.

In cases that are just as serious, why would we not grant the same rights to a person who, I would remind the House, has never been charged or convicted of anything, when all we have is some information held by security agencies that suggests that the individual is dangerous? If we must consider foreign nationals believed to be dangerous based simply on reasonableness, I think we should give them at least the same opportunity we give to Canadians we want to put behind bars because they are dangerous offenders, guilty beyond a reasonable doubt, and who have been convicted for several offences before they were declared dangerous offenders. We must grant the same rights to foreign nationals. That is why, once again, we would have liked to improve that piece of legislation. That was impossible, which is why we cannot accept this and why we will vote against it.

When the minister says this is a matter that should go beyond party politics and that we should have a different attitude, I do not see anything partisan about our attitude. For such an important decision, he should have sought the consensus of all members.

After such a long day, I hope to have nevertheless enlightened a few people who did not understand what a security certificate is. What is important to remember is that it is a deportation order because someone thinks such people are dangerous. The security certificate applies only to foreign nationals and not to Canadians. They are not given all the evidence because—

● (1935)

The Deputy Speaker: Questions and comments.

The hon. member for Hochelaga.

Mr. Réal Ménard (Hochelaga, BQ): Mr. Speaker, first of all, I would like to congratulate the member for Marc-Aurèle-Fortin. I know he worked hard in committee. I would like to take this opportunity to mention that Nicole Martin is in our lobby. My colleagues will understand how lucky we are to have her there.

I would like to ask an even more important question. Does my colleague agree with the opinion—which I hope will one day be the majority opinion—that this law was not necessary, even if we do not deny the existence of terrorist networks? The member for Marc-Aurèle-Fortin made this argument well.

Could he speak about certain provisions, not specifics, of course, that already exist in the Criminal Code or in other acts, and that would have enabled us to act in 2001, in response to the events of September 2001, when Anne McLellan introduced a bill to which the Bloc was opposed?

Is it not inherently dishonest to make it seem as though there were not already tools that would have helped us fulfill our duty to provide security at a time when people could represent a threat to national security? Is it not rather appalling, in terms of human rights, to have a bill like this one?

I would like to know what the member for Marc-Aurèle-Fortin thinks.

● (1940)

Mr. Serge Ménard: Mr. Speaker, that question is more difficult to answer than one would think initially. I am certain that there are many other things we could do. I believe that five security certificates have been issued since September 11. Five individuals were identified. It seems to me that there are far more bad guys at large and some that are deemed to be quite dangerous. When individuals are considered dangerous, they are watched. Quite frankly, I sometimes have the impression that it would have been far less expensive to have had them under surveillance than to have undertaken all these proceedings against them.

I imagine that if we believe that they are dangerous, we can monitor their phone calls and their relationships. When these people meet to plan a terrorist attack or to plan any crime, they have an agreement and with that agreement there is conspiracy. Thus, we can charge them with conspiracy. The Criminal Code states that an individual about to commit a criminal offence can be arrested without a warrant. We could also avail ourselves of anti-terrorist provisions.

The problem here is that we are dealing with people who cannot be charged with anything. Not only are we unable to find them guilty of any crime, we are unable to charge them with anything. If we could, they would be brought before a court, bail would be set and eventually they could defend themselves, plead not guilty and have the right to a reasonable doubt.

Government Orders

After September 2001, there was panic because dormant cells were discovered involving people who had never been suspects. However, others had been under surveillance. We should have taken action when we realized that there was at least one person who was taking flying lessons but was not interested in the landing procedures. That is when the light should have gone on.

[English]

Mr. Bill Siksay (Burnaby—Douglas, NDP): Mr. Speaker, I am pleased to have this opportunity to participate in the third reading debate of Bill C-3, An Act to amend the Immigration and Refugee Protection Act (certificate and special advocate).

As we know, this legislation deals with the security certificate process that is part of Canada's immigration act. We are debating it tonight because in February 2007, as a result of an action in the Supreme Court, that process was ruled by the Supreme Court to be unconstitutional.

In reality, the security certificate process is an expedited deportation process. It is a removal process for people who are considered to have violated immigration law. It is in the immigration law and applies only to permanent residents and visitors, not to Canadian citizens. My sense is that this expedited removal process should be used only for problems with immigration law. It should be used only for immigration purposes.

Unfortunately, that is not how I see it being used. I see it being used as a back door to dealing with issues of terrorism, national security, espionage and organized crime. I see it as a lesser mechanism for dealing with problems of our criminal justice system that we cannot get at with the Criminal Code, or that we apparently cannot get at, because I am not convinced that is in fact the reality of the situation.

I see this as a very deeply flawed process. It allows for indefinite detention without charge, without trial or without conviction for people who are accused of terrorism, espionage, threats to Canadian security, or participation in organized crime. Again, I want to stress that this is not a process that results in a charge or a trial or a conviction, but it does allow someone to be detained indefinitely on the suspicion of those serious crimes.

It denies the person accused, the person named, the person detained, a fair hearing. It means that such persons do not have the usual access to some of the principles and safeguards of our criminal justice system. There is a lower standard of proof in these security certificate cases. The accusations against the person do not have to be proven beyond a reasonable doubt, as they would in a criminal court. It is a lesser burden of proof on the balance of probabilities and I think that is a very serious flaw with the process as well.

It is hard for the accused to test the evidence against them, partly because they or their lawyer do not know all of the evidence against them so the usual rules about how we would test evidence presented in court do not apply in these cases. It is a very serious matter, I think, that all the evidence is not available to the accused and their lawyer.

Another serious flaw with this process is that it could allow deportation to torture or persecution in another country. That is a very serious problem and it is indeed probably why a number of

these people are still here. The government will consistently point out that these people are free to leave Canada at any time. While that is true, it really begs the question of what is possible for people who have been accused of these very serious crimes, who have been accused of terrorism but have never been shown to be guilty of that terrible crime.

They do not have any options in terms of actually leaving Canada after that kind of accusation has been levelled, especially given some of the countries they are from, where we know if they were returned they would most certainly be imprisoned and they might also face torture, because many of those jurisdictions do regularly practise torture. They might even face death.

When people say that we need to maintain this security certificate process as a way of dealing with accusations of terrorism, I cannot agree, because I believe that it is a very serious compromise of our criminal justice system. It compromises some very hard won principles of our justice system.

We are dealing here with some of the most serious accusations, some of the most serious charges, that could be levelled against anyone in our society, accusations of terrorism, espionage, security threats or organized crime. I cannot think of many criminal activities that would be judged more serious by Canadians.

● (1945)

Unfortunately, the goal of the security certificate is merely to get people out of the country. Its goal is not to charge and convict them of those crimes or to punish them for those crimes. It is merely to see that they are not around here any longer.

There is no attempt to make sure that people would be charged and there is also no attempt to ensure that they would be charged in their country of origin. It is not like an extradition process where we are extraditing them to their home country or another jurisdiction where they would face a charge or trial for these serious crimes.

In a sense, it lets somebody who is accused of very serious criminality off the hook if they agree to leave the country. It does not allow for any punishment or any proof of a very serious crime.

I do not think security certificates make Canada or Canadians any safer. I do not think it deals with these very serious criminal matters. Crimes that should be prosecuted are crimes related to terrorism and national security.

If there are problems with our Criminal Code that make it impossible to charge these people, then we should be addressing those problems, not relying on some lesser mechanism in the immigration law to indefinitely incarcerate them and put them in a position of removing themselves voluntarily. That is a problematic way to approach these very serious crimes.

This afternoon the parliamentary secretary noted in debate, and I think he was touting this as a virtue of the legislation, that in the past year someone who had been accused of industrial espionage had voluntarily left Canada. It seems to me that the charge of industrial espionage, or espionage of any kind, is a very serious criminal matter. Why that person was allowed to leave and never charged, or sent to trial and convicted and punished for that kind of crime, is really beyond me.

Government Orders

It seems to me that we actually could be tougher on crime in that sense by ensuring that those very serious crimes are prosecuted here in Canada. If there is a problem with our Criminal Code that does not allow that to happen, then we should be fixing that problem rather than relying on some lesser mechanism to get at that person.

Most Canadians that I have spoken with are shocked to know that indefinite detention without trial can happen in Canada, but that has been happening under the terms of these security certificates. That is a significant and untenable compromise of our criminal justice system, and that opinion is shared by many Canadians.

People just cannot believe that we would put individuals in jail indefinitely, having never charged or convicted them in a court of law. That seems beyond the pale for most Canadians.

We have heard a number of times that there are six people currently subject to security certificates in Canada. I think security certificates have been used about 28 times since the process was included in our immigration law. Five of those people have been served with certificates since September 11, 2001. Those men are Hassan Almrei, Mohammad Mahjoub, Mahmoud Jaballah, Mohamed Harkat and Adil Charkaoui. All of these men happen to be Muslim and Arab men, which also causes me some great concern.

I want to talk a bit about what this security certificate process has meant to the people who are subject to them right now and I want to start by talking about the situation of Hassan Almrei.

Mr. Almrei has been in detention since just after September 11, 2001. He is currently being held at the Kingston Immigration Holding Centre, which was purposely built to hold security certificate detainees. It is a maximum security facility actually within the grounds of Millhaven maximum security federal penitentiary. Mr. Almrei is the only one of the five who is still in jail and is in his seventh year of detention. This detention centre was built to hold up to six prisoners and Mr. Almrei is currently the only one being held there.

• (1950)

The course of Mr. Almrei's detention has been fraught with serious problems that I think would offend many Canadians. For instance, when he was held at the Metro West Detention Centre in Toronto before the Kingston Immigration Holding Centre was built, Mr. Almrei actually had to go on a hunger strike to obtain a pair of shoes.

Those were the kinds of conditions under which he was being held. He was not even allowed a pair of shoes. He ended up on a hunger strike for many days to obtain a pair of shoes. I think that would be unacceptable to most Canadians. Yet, that has been a constant feature of Mr. Almrei's struggle while detained on this security certificate.

Last year he was on a hunger strike for 156 days. He drank nothing but water and orange juice. It is hard to imagine anyone surviving for that length of time on a hunger strike. It was very precarious at the end and many of us were very concerned for Mr. Almrei's life.

Again, he was on the hunger strike to protest the conditions of his imprisonment, not the overall problem of security certificates but the

specific conditions at the Kingston Immigration Holding Centre under which he was being held. That someone would have to go to that extent, to risk his life to protest the conditions of his detention, is very serious, especially when the person has never been charged or convicted of a crime in Canada.

At KIHC there is no programming for the people detained there. Unlike a federal penitentiary, where there are many options for people who are incarcerated there, there is nothing available to a security certificate detainee, nothing available to Mr. Almrei.

I am also very concerned about the fact that Mr. Almrei is the only prisoner at the Kingston Immigration Holding Centre. I believe that this is an issue of solitary confinement. I think it would shock most Canadians that some people could be held alone in a jail for almost a year all by themselves. There are serious implications from that.

This past December in Istanbul an international group of experts on solitary confinement and incarceration met to discuss the issue of solitary confinement. They mentioned a number of very serious issues that have to be considered and Mr. Almrei's situation corresponds to a number of those, issues like no regular social contact. The reality is that at the Kingston Immigration Holding Centre Mr. Almrei has no social contact with anyone other than guards, who most of the time are unwilling to engage him socially. They watch him.

The kind of psychological pressure that kind of situation puts on someone for an extended period of time is extremely serious and I think I am backed by the international experts. Mr. Almrei has no family in Canada, so he does not receive regular visits from people with whom he has a strong personal and loving relationship. It has often seemed to me that the intent of his incarceration and the conditions under which he is held are intended to force him to make the decision to leave Canada voluntarily. That also has very serious implications.

I will quote a sentence from the statement that these experts made in Istanbul back in December. They said, "When isolation regimes are intentionally used to apply psychological pressure on prisoners, such practices become coercive and should be absolutely prohibited".

In the sense of this three walled prison, the conditions are very difficult and the social contacts are very limited. The only option is to say, "I give up and I want to leave".

As my colleague from Marc-Aurèle-Fortin mentioned earlier, it is not really a three walled prison. It is a prison with three walls and a huge cliff because we know what the dangers are if he decides to leave Canada and return to Syria. It would mean almost certainly that he would be jailed, tortured and possibly even put to death. That is just not an option. By limiting that, we are adding to the conditions around solitary confinement that make this a very serious concern.

Government Orders

● (1955)

The other thing I wanted to mention about Mr. Almrei's situation is the fact that he is still in detention indefinitely is related to the fact that he has no relatives in Canada. The other four men who have been detained from time to time have been released because they have a relative, generally a spouse, who is willing to act as their jailer on behalf of Canada. They are willing to be with that person 24 hours a day, to know their whereabouts at all times, and to be present with them at all times.

Unfortunately, Mr. Almrei has no spouse, so he has no one who is willing to take that responsibility of behalf of Canadian society. There have been other people from the community who have been willing to offer some kind of arrangement with regard to this, but the courts have not seen fit to allow that to happen.

That is a huge problem. The fact that someone has remained in jail and detained indefinitely in solitary confinement, essentially, in this purpose built correctional institution, this purpose built detention centre, and the only reason he is still there is that he does not have a relative who is willing to act as his jailer outside of that institution.

I think the effect on the other people who have been released is also very significant because being out on the kind of release conditions that the other four men are subject to is no picnic, to put it mildly. These are the most strict release conditions ever in Canadian history.

As I mentioned earlier, they are all required to be supervised by a family member 24 hours a day, seven days a week, without exception and often by the same family member, or one or two family members. So, it is a very limited number of people who can do that. Their ability to leave their homes is limited.

They are wearing ankle bracelets and global positioning devices. Some of them have cameras in their homes where they can be monitored that way. Their trips outside of the house, the time of that, is very limited, but they all have to be pre-approved, as do visits from people, who have to be screened before they can be allowed to visit.

This puts huge stress on families. It puts huge stress on the spouses of these men and on their children. I think it is a tribute to the strength of the relationships in those families, to the strength of the relationships between those men and their spouses, that those relationships have held up under these terrible conditions.

I do not think any of us can imagine having to spend 24 hours a day with our spouse or to have our spouse take the kind of jailer responsibility over us that these spouses have been required under the law. I think that we need to recognize the strength of those relationships that they still continue.

Again, I just want to stress that this is all happening to men who have never been charged and never been convicted of a crime. It is hard to believe that this is going on here in Canada.

This legislation supposedly presented us with a fix, a special advocate, a lawyer appointed by the court, who would be allowed to see more of the evidence and act on behalf of the security certificate detainee. I do not think that is a fix. I think it amounts to nothing more than tinkering with very flawed legislation.

We have had similar systems in place in other countries, like the United Kingdom and New Zealand. Some of the special advocates in the United Kingdom actually quit their jobs because they could not countenance continuing to participate in that process in that same way. In fact, one of them said that the special advocacy process merely added a fig leaf of respectability to a very flawed process.

It also flies in the face of one of the key principles of our justice system in that people should be able to choose their own lawyer and have someone representing them in these matters they have chosen and they trust.

I think it is very interesting that the federal government in anticipation, I hope premature, of the passage of this legislation has been trying to find lawyers who are willing to act as special advocates and has only had about 50 applications, and has had to extend the application period.

I think that goes to the fact that many lawyers in Canada, if not most lawyers in Canada, appreciate the difficulties of this legislation, appreciate the difficulty of the role of a special advocate, and do not support that kind of arrange.

I think we could have done a much better job of addressing the problems that are presented by the concerns around terrorism, security threats to Canadian society, espionage and organized crime. I do not think it is appropriate to use this lesser immigration procedure to deal with these very serious criminal matters.

● (2000)

I believe these people, if they have committed these crimes, they should be charged criminally, they should be tried in a criminal court and have the usual protections of a criminal court. We have a process in our criminal court that can deal with issues of national security and problems associated with evidence around national security. We should be using that process, not this lesser immigration process, to deal with these very serious matters. Indeed, there are not more serious criminal matters that we could deal with in our society.

Ms. Catherine Bell (Vancouver Island North, NDP): Mr. Speaker, the remarks of my colleague from Burnaby—Douglas were thoughtful. He is very passionate about human rights. I know for him it is very important to speak on this issue.

I agree with much of what he has said about the bill. It seems to circumvent the criminal justice system, which the Supreme Court decided was unconstitutional and a violation of human rights.

With that in mind, I have received many emails, letters and phone calls from constituents. I have one from a young woman who is very concerned about the proposed special advocate model. She says that it does not provide guarantees for a fair trial and it allows individuals to be deported to countries where they face serious risk of torture. She also says that any process to respond to individuals who are accused of being a threat to the security of Canada must conform to international human rights principles. My constituent has asked me to please vote against the bill.

Government Orders

She adds some points that were put forward by Amnesty International. These are human rights principles to guide the immigration security certificate reform. Could my hon. colleague from Burnaby—Douglas comment on some of the things contained within those principles, such as no complicity and torture, or other cruel, inhumane or degrading treatment, no impunity?

Does my colleague agree that criminal proceedings should be in Canada when removal or transfer is not possible? Does he agree that disguised extradition, equal fairness, full answer in defence and injury to international relations is no excuse and detention is a last resort?

He talked about Mr. Almrei. I know my colleague has him visited in the Kingston centre. One of the things says about detention as a last resort is:

In immigration-based security procedures detention must be the last resort. Detention is justified only where the application of other less intrusive measures have been fully considered and rejected by the state. Where affected persons have been detained, that detention must be subject to fair, prompt and regular review by an independent and impartial court. Immigration detention should not be prolonged and can never be indefinite.

I am concerned that Mr. Almrei's detention seems to be indefinite because he does not fit the model that we have prescribed on him. Would my colleague comment on some of those things?

• (2005)

Mr. Bill Siksay: Mr. Speaker, my colleague's constituent raises some very crucial points. The whole issue of deportation to face torture, death or persecution is a very serious one. Canada has obligations under international treaties, to which we are signatories, that we would never participate in this kind of practice.

Unfortunately, this security certificate process does not preclude that possibility. There have been decisions in our judicial system that also do not preclude that possibility, with which I take very serious issue. I do not believe there is ever an excuse for deporting someone to face that kind of circumstance. It is a very serious problem with the security certificate process.

I also think the use of evidence that has been obtained by torture is a significant problem with the security certificate process. I do not think we have strong assurances or strong ways of testing when we have these flaws about how we test the evidence in the security certificate process, when we have this lower standard of evidence in the security certificate process.

I am not one, frankly, after given the experience of Canadians such as Maher Arar and others, who trusts the kinds of intelligence information that we get whole hog. I would not go all the way to say that it is always trustworthy. I certainly would not always believe it is obtained in the most prudent and appropriate ways that respect human rights around the world.

I know we have probably received information that was obtained through torture. That is a very serious problem. That should never be admissible in a Canadian court and under Canadian law. When someone is tortured, they will say almost anything to end the torture. This is another very serious problem with this process and with the kind of compromises the legislation and the process seem to set us up for when we do not respect the principles and the long-standing traditions of our criminal justice system.

Mr. Joe Comartin (Windsor—Tecumseh, NDP): Mr. Speaker, I think I will be the last person to address the House tonight on Bill C-3. For me, this brings to an end, given what we anticipate the vote will be tomorrow by the Conservatives and the Liberals, a phase of fighting the security certificates and the use of those documents and that procedure in our jurisdiction in Canada.

On behalf of myself and my party, we are vehemently opposed to the use of this device. We have been for a very long period of time. This device is so fundamentally against the values of our criminal justice system, the values that we hold, I thought sacred, around human rights and civil liberties.

This process, this device puts a lie to the proud tradition that we have had in the country, of working, anticipating maybe never to get to perfection, toward respecting human rights.

We have historically had abuses: the War Measures Act; the way we treated the Japanese Canadians during the second world war and members from the Italian and Germany communities as well in both the first and the second world war; and some of the treatment we have had with regard to the Jewish community and the Sikh community.

Historically, every time we go back and look at this, we have always done that abuse. We broke away from our core values as a populace because we were afraid. We acted in fear and panic. When I say we, I do not mean the Canadian people so much as I mean legislators, the policy-makers, the decision makers.

The invocation of the War Measures Act in 1970 was a classic of that. So was the decision in 1939 to move the Japanese Canadians away from their homes, their businesses, incarcerate them for the whole war and take away all their assets.

The security certificates are a continuation of that kind of fear and panic by the decision makers. The House will repeat that same kind of sordid decision making tomorrow. We are doing it not because we need to do it, because we do not. We are doing it because we are afraid. We think the war on terrorism can only be fought, can only be won, by using this type of a device.

The first step we take down that road we have failed, we have lost the war. We are saying to those people, who would use criminal conduct, violent acts, to gain a political end is that if they threaten us with that, we are going to give up our values. We are going to give up the protections. We are going to give up our respect for human rights and the protection of civil liberties in the country.

Government Orders

Thirty-odd years ago we brought this in. In many respects, if we go back and study what happened at that time, we brought this in because it was more convenient to use this device to get people out of the country. Security certificates can only be used against people who are not Canadian citizens. Again, it was a very bad decision, justifying the use of these devices for the sake of convenience, to make it a little easier to get people out of the country. As so often happens, when we make those kind of bad decisions, we do not see the unintended consequences.

• (2010)

If we study the 20-odd certificates that we used against people until 9/11, we could argue there was no substantial abuse. There were a couple of notorious cases that worked their way all the way up to the Supreme Court of Canada. However, we could salve our consciences and say that nobody was badly hurt most of the time when we used it, if the people left the country voluntarily.

One of the cases was before 9/11, but six more came after. It was coupled with the reality of the Supreme Court of Canada making the crucial decision. It said that people could not be deported to their country of origin if there were a reasonable apprehension of torture or death or risk to their personal safety. That case came down shortly before 9/11 and after that we decided to use the certificates more extensively.

This again is one of the shames. Inasmuch as neither the former Liberal administration or the current Conservative administration would like to acknowledge this, we use them exclusively, with one exception, against the Muslim population in our country. It is not a coincidence. We are running in fear because of all the paranoia we hear from the U.S. We succumbed to that fear and that pressure from the Americans and we used these certificates in these five or six cases.

Again, 10 or 20 years from now, when historians look back at this timeframe, they will say “much as we did after 1970”. The administration, first the Liberals and now the Conservatives, did not have the courage to stand and say that our essential values as a country were stronger than any violence with which we were threatened. We can withstand that without giving up our civil liberties and our human rights.

What do we see happening with those unintended consequences? It ended up as five cases. Because of the Supreme Court of Canada decision, we invoke the terms of that order and the applications are made consistently through our courts. We cannot send the individuals back even though they do not know what they are charged with or accused of. They cannot be sent back because there is a risk they will be tortured and put to death. Those cases are still being fought in the courts. Our justice department and security services are fighting them on behalf of the government. Individuals and their counsel are fighting them the other way.

The bottom line is we have been caught. Those certificates are unable to do the job. We cannot get them out of the country and we are left with this in our hands. We are left with the abuse. It is very clear to anyone who comes from any kind of a civil liberties, human rights background looking at this objectively. The system is wrong and it is not working. It is not even effective.

As a society, as the government, we are left having to deal with those five cases, people in custody for indefinite periods of time, not charged and not aware of what the allegations are against them in the vast majority of cases. Therefore, we are left with this situation and there is no end to this.

I want to go back to the Suresh case, which went to the Supreme Court of Canada. It has been going on for 20 years. He is an individual who is not from a Muslim background. A determination was that he could not be sent back to his country. He was ultimately released after many years. He is still subject to it. He is living in our country and for almost 20 years he has posed no threat to us. He has certainly not accomplished any violence in the country whatsoever.

• (2015)

That is one of the older cases, but we have these other cases sitting here. People who have been incarcerated are now out, with the exception, as my colleague mentioned, of the one who is still in prison in Kingston. But all the rest who are out are living under very difficult circumstances, again with no hope, either by them or by us, that is, the government, that it is ever going to be resolved. It is just going to be an indefinite incarceration with no end in sight, ever.

That is the unintended consequence. It is so typical. When we go to that extreme, which is what I see security certificates being, of undermining those basic values that all Canadians believe in, then, in a fear and a panic, we say that we are going to compromise.

We hear all the time that we have to find a balance. The problem when we make the decisions is that the balance is always on the side of restricting rights and in fact we do not find that balance, because again, we do not have the courage to believe in the fundamental values, those rights that we have built since the start of this country and even preceding it, going back into the history that we have from our two founding nations, those rights that we built all through that period of time up to the present. If we do not believe in them, if we do not act on them and if we do not protect them, then it is downhill.

We are going to be faced in the next little while with another attempt. That is part of the problem with the security certificates. It opens the door to us further impinging on our civil liberties. We are going to see, I think some time in the next little while, the government attempting to reinstate some provisions of the anti-terrorism legislation that died about a year ago. It is going to attempt to reinstate them. It will be interesting to see if the official opposition supports that. I think it probably will, with some modification.

But that again, coming back to the certificates, leads us down that path. When we say, as we do with the certificates, that people are not entitled to know the charges against them and that their lawyers are not entitled to know the charges against them, they are sitting there, as with Kafka, having absolutely no ability to defend themselves.

Government Orders

In that regard, it is worthwhile pointing out the experience in England and New Zealand, particularly in England, where they brought in special advocates. The government is proposing to do it here in a very minimalist form compared to that in England. Even then, we had the special advocates quitting. These were lawyers who were extremely experienced, with 20 and 30 years at the bar, mostly in the criminal law area and some in the immigration law area. Even with provisions in their law that were much broader and gave them more authority to be able to defend an individual, even under those circumstances, they quit.

I remember one in particular, Ian Macdonald, writing a very eloquent resignation letter and almost I think apologetically saying that he did this for a number of years, that he was hoping he could make the system work, that is, he was hoping that he could provide protection but make the system work, to advocate on behalf of his client at one remove but be able to do that. Then again, almost apologetically, he was saying that he was wrong, the system cannot be made to work, and he cannot be a real advocate to protect the rights of an individual faced with this procedure.

● (2020)

We have seen similar types of situations in New Zealand. We have seen the commentary from the special advocates there, who were saying that if people did not let them see the evidence and if people did not let them discuss what they did see of the evidence with the person alleged to have perpetrated these crimes, there was nothing they could do, because they could not realistically defend them. That is the reality.

This bill is doubly bad. There was a report by two people, a law professor and a practising lawyer. I have it in front of me. It was a very lengthy report and analysis of special advocacy around the world. In this report, the two authors made a number of recommendations.

With regard to special advocates, I know that both of them were reluctant to suggest that we go that route, but that if we are going to do it, they said, we have to build in all of these protections. We have to give this mandate to the special advocate. We have to provide him or her with these resources. We have to say that he or she is going to have access to the evidence and be able, in most cases, to discuss that evidence.

There is a whole long list of suggestions in the report, but in Bill C-3, the government, supported by the official opposition, adopted hardly any of them. The reason is that it does not want these certificates to be impinged on whatsoever. It wants to be able to use them in their full force. Again, we have heard about the kind of treatment that the people who are subject to these certificates are put through, whether they are in custody or out and living under various forms of house arrest with severe restrictions on their mobility.

There was no intention on the part of the government to really meet the decision it was faced with almost a year ago from the Supreme Court of Canada. The Supreme Court of Canada said that with the certificates as they are, the system is contrary to the Charter of Rights and Freedoms, and in a free and democratic society, it said, it cannot be resolved that way either. It applied both parts of the charter and said that this system does infringe, and no, it cannot be resolved by article 1 of the charter.

A band-aid approach was applied here and it was a minimalist band-aid. I have no doubt in saying while standing in the House—and I rarely do this—that I know that probably within days of this law receiving royal assent it will be challenged again, and it will work itself all the way back to the Supreme Court of Canada.

I am hoping, and I have to say that I am expecting, based on the decision a year ago, that the Supreme Court of Canada will strike this bill down again. Hopefully at that point it will say to the government that the government was given a chance, but that this time the certificates are gone and there is no chance to correct them. Hopefully it will say to the government that it has to use the regular criminal justice system and immigration law to resolve issues that these individuals present to the authorities in this country.

It is the responsibility of this legislature to have paid attention to that Supreme Court of Canada decision and we are not doing it with Bill C-3. When the Supreme Court hears the evidence of how it functions and, more importantly, how it does not function in terms of protecting human rights and civil liberties, I have a very strong belief that it will strike this down.

We will have gone through this process, we will have put those individuals through all that pain, and at the end of the day the certificates will be struck down from our law. I cannot wait for that day.

● (2025)

Ms. Catherine Bell (Vancouver Island North, NDP): Mr. Speaker, I agree with my colleague from Windsor—Tecumseh, and I too will be voting against the bill.

As I said earlier, I have been getting a lot of calls, letters and emails from my constituents and I know that other members have been hearing from their constituents as well. This tells me that Canadians are very concerned about this piece of legislation and they do not want to see it go forward.

Canadians are concerned about human rights. They want the government to protect human rights not just for Canadians who live here, but for people from other countries who want to live here as well.

These are some of the things Canadians have said in their letters: “The answer lies not in taking away freedoms and the rule of law, but enforcing the law as it currently stands. We have laws to prosecute criminals who create acts of wanton terror and mass murder without creating a special set of secret judicial processes to bring them to justice. Please think about this bill carefully before you vote and decide if it is really in the best interest of Canadians to create a system for us and a system for the rest”.

That is something we need to think about very strongly. Why are there two classes of people? Why are we creating another class of people in this country by putting in place a piece of legislation that would violate the Canadian Human Rights Act, and something that the Supreme Court of Canada has decided against, something that circumvents the criminal justice system?

Government Orders

People have likened this to what happened in the past in the second world war with Japanese people who were living in Canada. I know that story very well because my partner is Japanese and his parents were interred in the interior of British Columbia. I also come from a community that had a lot of Japanese people working in a mill there and they were all removed from the community. Many of them were friends of my mother. She has reconnected with those people. They have told us very sad stories. I would hate to see anything like that ever happen again in this country. It is these things that I want to remind people about when we are voting on legislation like this.

I wonder if my colleague could add some more comments on those points.

• (2030)

Mr. Joe Comartin: Mr. Speaker, I do not know if it is possible to appreciate just how offensive this legislation and the practice of the use of these certificates is unless a person is one of the targeted groups.

We can talk to the children and grandchildren of people who were removed, we can talk to those individuals who were incarcerated when the War Measures Act was applied to them in 1970. I have talked with people from the Muslim community and to some degree the Sikh community. They are feeling most vulnerable because their family and friends are still newcomers to this country and could still be subject to one of these certificates. They are sometimes targeted by the country they came from, information is passed to our security people, and they end up being investigated. As my colleague mentioned earlier, so much of that evidence comes from torture.

Those people have to live under a cloud. They are newcomers and they want to speak out but they have a fear of speaking out. There is a chill affecting those communities because of the availability of this kind of device. I do not think people really appreciate that unless they happen to be one of the targeted groups. I will not say that I

fully appreciate it. As long as we have this kind of law on the books, people will live under that fear and that chill. It is not good for democracy.

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

Some hon. members: Question.

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

Some hon. members: Agreed.

Some hon. members: No.

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

Some hon. members: Yea.

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

Some hon. members: Nay.

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

And five or more members having risen:

The Deputy Speaker: Call in the members.

Hon. Karen Redman: Mr. Speaker, I ask that the vote be deferred until 3 o'clock tomorrow.

The Deputy Speaker: There has been a request that this vote be deferred until 3 o'clock tomorrow. It is a proper request, and so ordered.

It being 8:33 p.m., pursuant to order made on Thursday, January 31, 2008, this House stands adjourned until tomorrow at 2 p.m., pursuant to Standing Order 24(1).

(The House adjourned at 8:33 p.m.)

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Publié en conformité de l'autorité du Président de la Chambre des communes

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