



CANADA

# House of Commons Debates

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OFFICIAL REPORT  
(HANSARD)

**Thursday, November 19, 2009**

—

**Speaker: The Honourable Peter Milliken**

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# HOUSE OF COMMONS

Thursday, November 19, 2009

The House met at 10 a.m.

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*Prayers*

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• (1005)

[*Translation*]

## POINTS OF ORDER

BILL C-280, EMPLOYMENT INSURANCE ACT—SPEAKER'S RULING

**The Speaker:** I am now prepared to rule on the point of order raised on November 5, 2009, by the hon. Parliamentary Secretary to the Government House Leader. The point of order dealt with the admissibility of an amendment adopted by the Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities in its consideration of Bill C-280, An Act to amend the Employment Insurance Act (qualification for and entitlement to benefits) and reported to the House on November 5.

I wish to thank the hon. Parliamentary Secretary for having raised this issue as well as the hon. members for Chambly—Borduas, Acadie—Bathurst and Montmorency—Charlevoix—Haute-Côte-Nord for presenting their arguments on the matter.

[*English*]

The parliamentary secretary reminded the House that Bill C-280 was identified by the Chair as requiring a royal recommendation in a ruling delivered on June 3, 2009. He argued that the amendment in question, which seeks to increase the weekly benefits payable to a claimant from 55% to 60% of the average weekly insurable earnings likewise infringes on the financial initiative of the Crown. He completed his presentation by referring to page 655 of House of Commons Procedure and Practice, first edition, which says:

An amendment must not offend the financial initiative of the Crown. An amendment is therefore inadmissible if it imposes a charge on the Public Treasury, or if it extends the objects or purposes or relaxes the conditions and qualifications as expressed in the Royal Recommendation.

[*Translation*]

In his intervention, the member for Chambly—Borduas insisted that the committee was well aware that certain provisions in the bill already contained proposals which would result in increased spending and that the amendment was consistent with those proposals. The member for Acadie—Bathurst added that in situations of private members' bills requiring a Royal Recommendation, the Speaker is responsible for deciding the question only once the bill is returned to the House. Finally, the member for

Montmorency—Charlevoix—Haute-Côte-Nord claimed that there had been no discussion of admissibility regarding this amendment at committee.

[*English*]

As the House knows, the Speaker does not intervene on matters upon which committees are competent to take decisions. However, in cases where a committee has exceeded its authority, particularly in relation to bills, the Speaker has been called upon to deal with such matters after the bill in question has been reported to the House. In doing so, the Chair is guided by Speaker Fraser's succinct explanation of April 28, 1992, at page 9,801 of the *Debates*.

[*Translation*]

It reads:

When a bill is referred to a standing or legislative committee of the House, that committee is only empowered to adopt, amend or negative the clauses found in that piece of legislation and to report the bill to the House with or without amendments. The committee is restricted in its examination in a number of ways. It cannot infringe on the financial initiative of the Crown, it cannot go beyond the scope of the bill as passed at second reading, and it cannot reach back to the parent act to make further amendments not contemplated in the bill no matter how tempting that may be.

[*English*]

Having examined the specific amendment at issue and reviewed the submissions of all hon. members, the Chair finds that the amendment in question does propose a charge on the public treasury and therefore infringes on the financial initiative of the Crown.

While the Chair can appreciate the difficulties that may arise when a committee must examine a bill which, upon its reference to committee, is flawed with respect to the royal recommendation, a committee must carry out its mandate without exceeding its powers. In my view, by adopting an amendment that infringes on the financial initiative of the Crown, even when it is directed at a clause itself needing a royal recommendation, a committee ventures beyond its mandate.

[*Translation*]

Consequently, I must order that the amendment to clause 5, adopted by the Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities be declared null and void, and no longer form part of the bill as reported to the House.

*Routine Proceedings*

[English]

In addition, I am ordering that a reprint of Bill C-280 be published with all possible haste for use by the House at report stage to replace the reprint ordered by the committee.

I thank the House for its attention.

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## ROUTINE PROCEEDINGS

[English]

**GOVERNMENT RESPONSE TO PETITIONS**

**Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC):** Mr. Speaker, pursuant to Standing Order 36(8), I have the honour to table, in both official languages, the government's responses to five petitions.

\* \* \*

● (1010)

**INTERPARLIAMENTARY DELEGATIONS**

**Mr. Gordon Brown (Leeds—Grenville, CPC):** Mr. Speaker, pursuant to Standing Order 34(1), I have the honour to present to the House, in both official languages, the reports of the Canadian delegation of the Canada-United States Inter-Parliamentary Group respecting its participation in the 50th annual meeting of the Canada-United States Inter-Parliamentary Group held in La Malbaie Quebec, May 15 to May 18, 2009; and the Legislative Summit of the National Conference of State Legislatures held in Philadelphia, Pennsylvania, July 20 to July 24, 2009.

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**COMMITTEES OF THE HOUSE****AGRICULTURE AND AGRI-FOOD**

**Mr. Larry Miller (Bruce—Grey—Owen Sound, CPC):** Mr. Speaker, I have the honour to present to the House, in both official languages, the fifth report of the Standing Committee on Agriculture and Agri-Food in relation to the removal of Canada's state trading enterprises and supply management systems from the Doha agreement.

\* \* \*

**BUSINESS OF SUPPLY**

**Hon. Jay Hill (Leader of the Government in the House of Commons, CPC):** Mr. Speaker, this is not really a motion, but out of respect for the House I would like to designate tomorrow as an allotted day. While I should have designated it earlier, the House should be aware that the Bloc Québécois was notified on Tuesday.

\* \* \*

**COMMITTEES OF THE HOUSE****HUMAN RESOURCES, SKILLS AND SOCIAL DEVELOPMENT AND THE STATUS OF PERSONS WITH DISABILITIES**

**Hon. Gordon O'Connor (Minister of State and Chief Government Whip, CPC):** Mr. Speaker, I believe if you seek it

you will find unanimous consent for the following travel motion. I move:

That, in relation to its study of the federal contribution to reducing poverty in Canada, 8 members of the Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities be authorized to travel to Vancouver, British Columbia; Whitehorse, Yukon; Yellowknife, Northwest Territories; Edmonton, Alberta and Winnipeg, Manitoba, in the fall of 2009 and that the necessary staff accompany the committee.

**The Speaker:** Is it agreed?

**Some hon. members:** Agreed.

(Motion agreed to)

**JUSTICE AND HUMAN RIGHTS**

**Hon. Gordon O'Connor (Minister of State and Chief Government Whip, CPC):** Mr. Speaker, I move:

That, in relation to its study on organized crime, 12 members of the Standing Committee on Justice and Human Rights be authorized to travel to Toronto, Ontario in the fall of 2009 and that the necessary staff accompany the committee.

**The Speaker:** Is it agreed?

**Some hon. members:** Agreed.

(Motion agreed to)

**NATIONAL DEFENCE**

**Hon. Gordon O'Connor (Minister of State and Chief Government Whip, CPC):** Mr. Speaker, I move:

That, in relation to its study of Arctic sovereignty, 12 members of the Standing Committee on National Defence be authorized to travel to Yellowknife, Northwest Territories; Elmendorf Air Force Base, Anchorage, Alaska, U.S.A., and Winnipeg, Manitoba in the fall of 2009 and that the necessary staff accompany the committee.

**The Speaker:** Is it agreed?

**Some hon. members:** Agreed.

(Motion agreed to)

**CITIZENSHIP AND IMMIGRATION**

**Ms. Olivia Chow (Trinity—Spadina, NDP):** Mr. Speaker, I move that the eighth report of the Standing Committee on Citizenship and Immigration, presented on Wednesday, June 10, be concurred in.

This report on migrant workers and immigration consultants deals with several issues that are interconnected, one of which is immigration consultants, and another of which is temporary foreign workers, especially live-in caregivers.

The government has always claimed that it is the government that will be tough on crime. It has implemented harsher punishments for a broad range of crimes in this country and has maintained its tough on crime stance; however, I am wondering whether its crackdown on crime is supposed to include a crackdown on immigration consultants who are unscrupulous and who are taking advantage of people who want to come to Canada or who are in Canada already.

*Routine Proceedings*

Immigration consultants are supposed to help people who wish to come to Canada and work in their interests to get them through the bureaucracy one must go through in order to enter this country. However, there are some people out there who claim to be immigration consultants but who do not really know very much about immigration law, or they know the laws but are deliberately coaching people on how to break them. There is absolutely nothing stopping them right now, and these so-called consultants are taking advantage of vulnerable people.

Immigrants can be exploited easily. They want to come to Canada so they can earn a decent wage and support their families back home. They need this money for the basic necessities of life, to feed and clothe their children, and to send their children to school. We have found that some of them are advised to lie, to create fake wedding photos or to pretend to be refugees. Then they are told to pay an enormous amount of money.

Some potential immigrants are desperate, and they are told by immigration experts that this is the only way they can feed and clothe their children and send them to school, that this is how to get into the country, or how to stay in the country once they get in. The government is cracking down on these vulnerable people but not on the people who are the criminals. I am asking the government to crack down on those who get paid to tell people how to lie. I will give an example.

A lady showed up at my constituency office. The consultants produced fake documents from Citizenship and Immigration Canada. She wanted to bring her father, mother and brother into Canada. She had a very standard application to sponsor one's family. It was absolutely straightforward. The immigration consultant took an enormous amount of money. She waited for four years and this immigration consultant did not even submit the application on her behalf. We encouraged her to call the police. She did. We even went with her to the courts, and the decision is pending right now.

I have a second case, that of Ms. Sophia Huang. A consultant helped her file for family sponsorship, despite knowing that her income level was not high enough to sponsor. She should have taken on a second job, for example, and that would have given her the income level with which she could have brought her parents here. She again waited for four years, paid the consultants thousands of dollars, and again was told that her father and mother could not come, and her brother, by this time, was over age so the brother will never be able to be sponsored to come into Canada.

Not only do these immigration consultants earn a lot of money for giving people wrong information, but some of them are in fact ruining the lives of these immigrants because they are giving them the wrong information.

Other professions that affect people's lives are regulated by law. To be a lawyer, an engineer or a teacher, one has to prove that one has the right knowledge, but anyone can set up an office and say that they are an immigration consultant and they can tell the clients whatever they want, regardless of whether it is true or not. There is no stopping them. They are what the committee called ghost consultants.

●(1015)

This is just asking for potential immigrants to be taken advantage of and it is a recipe for total disaster. People are being cheated out of their money simply because they want to create a life for themselves in Canada. Because Canada needs immigrants, immigration consultants are just popping up left, right and centre.

So far, the government has done nothing. Before the last election, the immigration committee put together a report with eight or nine recommendations with a very clear pathway on how to fix the problem and yet it did not get done.

The Minister of Citizenship, Immigration and Multiculturalism came to the immigration committee and said that the government knew this was a problem and that it would be fixed in the spring. However, it did not get fixed in the spring. He came in the spring and said that it would be done in the summertime but nothing got done in the summertime. He came again later in the fall and said that the government would do something in the fall. This is almost the end of the year and yet we see no action.

We saw some educational ads in newspapers saying, "Beware of fraud", but until we regulate and legislate, that will not help. The Liberals before the Conservatives tried to fix it but they did not get it done properly and that is why it needs to be fixed. The government needs to implement regulations to ensure consultants are not contributing to the backlogs but are working on behalf of the Canadian taxpayers and their relatives overseas.

Exploiting people who are desperate for entry into our country is criminal and, just like any other crime that hurts people, we should be doing what we can to prevent it. We recommended that there should be a regulating body and that if people did not belong to that body they could not practice. They could not help their clients put in an application form and, if they did, it would be a criminal offence.

We also recommended that there be enforcement of this law. Australia has a website with a list of all the consultants who are qualified and immigrants are supposed to follow this list. Any consultant who does not qualify is on another list. Those who have been rejected are on another list and it is a criminal offence for them to practice. That is what Canada should do.

Another section is about live-in caregivers who are the most exploited in this country. The Auditor General recently brought forward a report stating that the current practice for temporary foreign workers does not ensure the program is delivered efficiently and effectively. Currently, work permits could be issued by employers for jobs that do not exist.

A week and a half ago, a call came to my office about a live-in caregiver who came all the way from the Philippines. When she arrived at the airport, the employer did not show up and could not be found. That is a fake job. The caregiver travelled halfway around the world and has been completely stranded since her arrival in Canada.

*Routine Proceedings*

The Auditor General also said that the department had no process or systematic follow-up to ensure that employers are complying with the terms and conditions of the jobs they are offering. These offices are buried in paperwork without a quality assurance framework to ensure decisions are fair and consistent. We see here that temporary foreign workers and live-in caregivers are being abused in some cases. Instead of recognizing them as nation builders, the Conservative government is treating them as economic units.

So far this year, and last year, 2008, over 200,000 temporary foreign workers came to the shores of Canada. If we add up the others who are already in Canada, we are looking at 364,000 temporary foreign workers last year who are working in Canada.

• (1020)

The Auditor General also said that the human cost of these findings is that these workers are left in a vulnerable position and are unaware of their rights. Internal Citizenship and Immigration reports dating back to 1994 raised serious concerns about the exploitation of live-in caregivers and yet still no serious action has been taken to fix the problems.

The unfortunate policy that the Conservative government has is to use them and then toss them out, which is not what is best for Canada.

The committee then proceeded to make a series of very good recommendations. The first one said that we need live-in caregivers permanently. It is not a temporary situation. Canada has been needing live-in caregivers for at least 20 years. As a result of us not having a universal child care program or a home care program for seniors, we do need live-in caregivers.

The committee recommended that we allow live-in caregivers to come to Canada as permanent residents on the condition that they accumulate 24 months of work during the first three years in Canada and then the conditions would be lifted. If this were implemented, live-in caregivers would no longer be separated from their families for five years. They would be able to bring their families into Canada who would then contribute to their employer and to Canada. They also would not suffer the hardship of being separated from their families.

There also is no reason that live-in caregivers are seen as low-skilled workers as many of them have college certificates and degrees and many are well trained. They should be seen as highly skilled workers. Under the current immigration program, people who have some skills are coming in as permanent residents. There is no reason that live-in caregivers would not fit into that category.

The committee also recommended that the Government of Canada extend coverage under the interim federal health program to caregivers denied coverage under provincial health plans. It is important that the people who work for Canadian families are able to access our health care so that if they are healthy that means that the families they are working for would also be healthy.

Another recommendation is that the Government of Canada should waive the requirement to obtain a study permit for live-in caregivers. Some live-in caregivers are encouraged by their employers to study, to go to college and to upgrade themselves with certain skills. That should be able to happen naturally. If they

have a permit or if they are coming in as landed immigrants then, of course, they would not need a study permit. Even if they come in on a work permit, that work permit should also allow them to have a study portion so they can in fact upgrade themselves in Canada.

We also heard various witnesses talk about the exploitation they suffered through the hands of their employers. Some witnesses talked about how their statement of earnings was not given to them, that their passport was confiscated and that they did not know how to open a bank account. The committee recommended that there be orientation for these live-in caregivers to ensure the employer provides a statement of earnings with every paycheque, that the caregivers be given access to a complete statement of earnings and deductions in order to meet the conditions of becoming a permanent resident and a procedure so they can learn how to open a bank account, because sometimes they are paid in cash and sometimes under the table.

• (1025)

Furthermore, in these sessions it was suggested that if there is inappropriate behaviour by the employer, such as confiscating passports, failing to comply with Canada Revenue Agency rules regarding pay and records of employment, failing to make required deductions, employing a caregiver without a work permit, paying less than minimum wage, requiring caregivers to work longer hours than is reasonable or assigning caregivers tasks entirely unrelated to their prescribed role, the caregivers should understand that this behaviour is not acceptable and they would be given a chance to report it to the appropriate authorities.

Other than a briefing session, the committee also talked about there having to be serious enforcement of the law. Therefore, we are asking that the government investigate the allegations of former live-in caregivers in the residence of the member for Brampton—Springdale.

Some members may recall the story about the live-in caregivers of the member for Brampton—Springdale. This issue went to the immigration committee and the committee requested that government bodies investigate the various complaints and, upon completion of the investigation, that they send the results to the immigration committee. So far, the committee has not received a report about the investigations.

Those are the various recommendations from the immigration committee.

There is no doubt that Canada needs workers and needs immigrants. We should have a target of 1% of our population that would come to Canada as permanent residents, which would be approximately 330,000 landed immigrants per year.

Two days ago, it was reported that 43% of Canadian businesses had labour shortages. Fourteen per cent of businesses said that they could not find enough unskilled or semi-skilled workers. We know that Canada needs workers, whether they are highly skilled or unskilled. The question is whether they come in as temporary workers or permanent residents so they can build a community and a neighbourhood in Canada.

We also know that youth unemployment stands at 20%. Why are young people not able to work when employers are saying that they need unskilled or semi-skilled workers, which some of the young people might be?

Statistics Canada pointed out that Canada has one of the highest proportions of low paid workers in the industrialized world. What is happening is that employers are hiring people at very low wages and, as a result, even if people are working full time, some need to rely on food banks in order to survive.

These low wage conditions are made worse by the Canadian government's practice of bringing 200,000 temporary foreign workers into the country, which drives down wages and keeps them low. As a result, it does not benefit Canadian taxpayers.

It is time to increase the number of permanent residents in Canada. It is time to train and upgrade our workforce. It is also time to stop bringing such an enormous number of temporary foreign workers into Canada. As well, it is time to crack down on unscrupulous consultants and ensure that live-in caregivers come into Canada as landed immigrants and nation builders and not just as temporary foreign workers.

• (1030)

**Mr. Pat Martin (Winnipeg Centre, NDP):** Mr. Speaker, I want to begin by thanking my colleague, the member for Trinity—Spadina, for bringing this important matter before the House of Commons.

It is very fitting that the immigration committee dealt with these real and pressing issues, but I think they are of such a nature that they warrant the attention of the entire House of Commons, which should be seized with these issues.

I am particularly interested in my colleague's comments regarding live-in caregivers being used as cheap labour in some situations. I suppose I will begin with the caveat or comment that it boggles my mind that we consider those whom we hire to care for our children and our most precious elders as cheap, rather than highly skilled, labour.

This is a skill that we should value. These are not people who should be on the scale of manual or unskilled labour. It has always bothered me that nursery school teachers and day care centre workers are considered low-paid, low-skilled workers. These are highly skilled jobs and should be valued as such.

My question for my colleague is with respect to the rash of incidents where employers have violated the terms and conditions, such as by withholding passports or asking the live-in caregivers to do work that is clearly outside caregiving, such as shining the employer's shoes or general housework. Is there any recourse? Are these matters being investigated and prosecuted in any meaningful way, or do these matters just exist as complaints to be registered with us as MPs?

• (1035)

**Ms. Olivia Chow:** Mr. Speaker, unfortunately, there seems to be a vacuum. The federal government has said that employment standards are really a provincial responsibility. On April 1, Manitoba brought in very clearcut, strict guidelines of what employers can or

### *Routine Proceedings*

cannot do. Ontario has said it is going to copy that legislation. It has not been made law yet.

There were quite a few live-in caregivers who came to the committee. They were in tears when they described what they had gone through and the experiences they have had. They asked the committee to investigate.

That is why the committee recommended that the Government of Canada and other provincial bodies investigate. We have not heard back. An investigation could include the Canada Revenue Agency and whether or not taxes were paid. It could include Citizenship and Immigration Canada and whether the person was working with or without a legitimate work permit. It could involve employment standards, a provincial responsibility, and whether or not the Government of Ontario noticed the person was working at a job where her labour rights were violated.

We have not seen a report back, unfortunately. I am looking forward to seeing what happened with these investigations. One way or another, we need to clear the air and give justice either to the live-in caregivers or the employers.

**Mr. Peter Julian (Burnaby—New Westminster, NDP):** Mr. Speaker, I thank the member for her very effective presentation on the problems and issues we are seeing around temporary foreign workers.

In my riding, I have seen many instances where Canadians are simply not being allowed to work in a number of different areas. Instead, the companies are going to temporary foreign workers, who are a pliable workforce with absolutely no rights. They are indentured servants here in Canada. They are brought in and can be dismissed if they cause any problems. If they try to get pay that is due them or try to look at health and safety standards compatible with Canadian values, they can simply be dismissed and sent back home.

It is a deplorable circumstance. Conservative MPs should really hang their heads in shame about what they are doing, both to Canadian workers and, at the same time, to temporary foreign workers. These people come to Canada with the hope of establishing themselves in Canada and are instead treated as indentured servants.

The member is a foremost advocate for sensible policies around temporary foreign workers in Canada. How does she think we should be addressing this issue? Why do the Conservatives continue to push a policy that most Canadians find deplorable?

**Ms. Olivia Chow:** Mr. Speaker, actually, it is quite straightforward.

During the 1970s, 1980s, and 1990s, Canada allowed people to come into the country as permanent residents. Then the balance of power is a lot simpler and a lot more equal. Employers then do not have all the power. At least, if a job is paying minimum wage and is dangerous, then the employee has a right to walk away.

*Routine Proceedings*

In the case of temporary workers, if they walk away from a job, not only will they lose their chance to work in Canada, but they will also probably be deported, this after they might have incurred a large debt to come to Canada.

Remember there are the consultants that I have been talking about. There are some consultants who charge enormous amounts of money to bring people into Canada to work in temporary jobs. They do so even if the jobs are totally fake or there are no jobs involved, or the jobs are not really what they are supposed to be. Because of these unscrupulous consultants, we have situations where the consultants work with an employer, knowing full well that the jobs are not necessarily safe or pay less than minimum wage. These go-between people earn money from the employer and also get a cut from the employees.

Some of these consultants are seen worldwide and are given a lot of credibility, but they are out there exploiting people. It is most unfortunate.

• (1040)

**Mr. Jim Maloway (Elmwood—Transcona, NDP):** Mr. Speaker, the whole area of immigration consultants has been a problem for a long time in the province of Manitoba. Perhaps there should be some requirement of full-time employment if someone is going to be an immigration consultant. The reality is that there are lawyers who have been acting as consultants. There are also income tax operations that say they are doing income tax and immigration consulting. There are travel agents that have been doing the same thing. There have been investment consultants mixed up in bringing people in, especially under the immigrant investor program. This has caused huge amounts of trouble. There have been programs on CBC exposing these rings of people. I am really glad that Manitoba is finally starting to do something about it.

Is the member aware if Manitoba is getting results from its program?

**Ms. Olivia Chow:** Mr. Speaker, I was in Winnipeg last week and spoke with a lot of immigrant service agencies and professors at the University of Manitoba. They observed that because of the very strict rules that Manitoba has brought in, people have to register in order to practise. Those who do not register cannot practise. Manitoba has enforcement units. It has inspectors to inspect whether things are done properly. Manitoba has very strict guidelines so that the potential immigrants know what their rights are. From the taxpayer side and from academics and people who work with immigrants, I have heard a lot of success stories because of the legislation in Manitoba.

**Hon. Gordon O'Connor (Minister of State and Chief Government Whip, CPC):** Mr. Speaker, for the second day in a row, the members opposite have declined to consider important government business that would help create jobs for Canadians. These delays are compromising new opportunities and trade advantages for Canadian agriculture and industry. This House needs to address the serious opportunities that are now available to our economy.

Therefore, I move:

That the debate be now adjourned.

**The Deputy 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.

**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 Speaker:** Call in the members.

• (1125)

[Translation]

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

(Division No. 131)

## YEAS

## Members

Abbott	Ablonczy
Aglukkaq	Albrecht
Allen (Tobique—Mactaquac)	Ambrose
Anders	Anderson
Ashfield	Baird
Benoit	Bernier
Bezan	Blaney
Block	Boucher
Boughen	Braid
Brown (Leeds—Grenville)	Brown (Newmarket—Aurora)
Bruinooge	Cadman
Calandra	Calkins
Cannan (Kelowna—Lake Country)	Carrie
Casson	Chong
Cummins	Davidson
Dechert	Del Mastro
Dykstra	Fast
Finley	Fletcher
Galipeau	Gallant
Goldring	Goodyear
Gourde	Guergis
Harris (Cariboo—Prince George)	Hawn
Hiebert	Hill
Hoback	Hoepfner
Holder	Jean
Kamp (Pitt Meadows—Maple Ridge—Mission)	Keddy (South Shore—St. Margaret's)
Kent	Komarnicki
Kramp (Prince Edward—Hastings)	Lake
Lauzon	Lebel
Lemieux	Lobb
Lukiwski	Lunn
Lunney	MacKay (Central Nova)
Mayes	McLeod
Menzies	Merrifield
Miller	Moore (Port Moody—Westwood—Port Coquitlam)
Moore (Fundy Royal)	Nicholson
O'Connor	O'Neill-Gordon
Paradis	Petit
Poilievre	Prentice
Preston	Raitt
Rajotte	Rathgeber
Reid	Richards
Richardson	Ritz
Saxton	Scheer
Schellenberger	Shea



*Routine Proceedings*

Shipley	Shory
Smith	Sorenson
Storseth	Strahl
Sweet	Thompson
Tilson	Toews
Trost	Van Kesteren
Van Loan	Vellacott
Verner	Wallace
Warawa	Warkentin
Watson	Weston (West Vancouver—Sunshine Coast—Sea to Sky Country)
Weston (Saint John)	
Woodworth	Wong
Young— 115	Yelich

## NAYS

## Members

André	Andrews
Angus	Ashton
Asselin	Atamanenko
Bachand	Beaudin
Bélanger	Bellavance
Bevilacqua	Bigras
Blais	Bonsant
Bouchard	Bourgeois
Brisson	Brunelle
Byrne	Cannis
Cardin	Charlton
Chow	Christopherson
Coderre	Comartin
Cotler	Crombie
Crowder	Cuzner
D'Amours	Davies (Vancouver East)
DeBellefeuille	Demers
Desnoyers	Dewar
Dion	Dorion
Dosanjh	Dryden
Duceppe	Duncan (Etobicoke North)
Duncan (Edmonton—Strathcona)	Easter
Eyking	Faillie
Folco	Gameau
Goodale	Gravelle
Guamieri	Guay
Guimond (Rimouski-Neigette—Témiscouata—Les Basques)	
Hall Findlay	Hyer
Harris (St. John's East)	Julian
Jennings	Kennedy
Karygiannis	Laframboise
Laforest	Layton
Lavallée	Lee
LeBlanc	Lessard
Leslie	Malhi
MacAulay	Maloway
Malo	Martin (Winnipeg Centre)
Marston	Masse
Martin (Sault Ste. Marie)	McGuinty
McCallum	Mendes
McTeague	Murphy (Charlottetown)
Minna	Nadeau
Murray	Paquette
Ouellet	Pearson
Patry	Pomerleau
Plamondon	Rae
Proulx	Regan
Rafferty	Rota
Rodriguez	Savage
Roy	Scarpaleggia
Savoie	Siksay
Sgro	Simson
Silva	Stoffer
St-Cyr	Thi Lac
Szabo	Tonks
Thibeault	Vincent
Trudeau	Wasylycia-Leis
Volpe	Zarac— 116
Wrzesnewskyj	

## PAIRED

Nil

**The Speaker:** I declare the motion lost.

[English]

**Hon. Maurizio Bevilacqua (Vaughan, Lib.):** Mr. Speaker, it is indeed unfortunate that we suspended debate on this very important issue, an issue that speaks to the difference in values and beliefs of members of the Liberal Party and the present sitting Conservative government.

I found also interesting that we suspended and had this vote under the guise that somehow we were holding back the government from doing its job, and that we really did not care what was going on in the Canadian economy. As a person who was around back in 1993 and had to clean up the deficit mess, high taxation, skyrocketing unemployment and skyrocketing debt and deficit, we do care very much about the Canadian economy, an economy that unfortunately is facing some tough times. In this economy we are faced again with ballooning debt and high deficits that speak to, in part, the global reality. However, the present government needs to take some responsibility for what is going on.

What is going on is actually quite troubling to many people, including the residents of the city of Vaughan, whom I have represented in this House for a number of years, and as well as the member of Parliament for Brossard—La Prairie, with whom I will be sharing my time in this debate.

We have the economy, the debt, the deficit and delays in infrastructure. We have problems related to a lapse in funding at a time when the economy needs job creation. It is ironic that we also have a lapse in funding in the immigration department for immigrant aid settlement as well as language training. There is a series of problems that I will not get into and also challenges that my constituents continue to talk about, which is H1N1 and child care, and the list is a lengthy one.

I want to get on the record that the comments made by the government whip were inappropriate. The opposition actually cares about these issues very much.

It also raises an interesting point that he would move this motion because we are talking about immigration. That says a lot about the present government, that perhaps immigration is not as important an issue as it is to the opposition, and why? Because there is a lot of confusion and chaos in this area, an area to which, unfortunately, cabinet has not given the right priority and attention.

That is the reason why we see no long-term plan on this issue. We see problems with processing times. We see challenges with temporary workers. We see challenges that speak to a country that has seen a reduction in permanent residency. I really find puzzling that for a government that says it cares about the global economy, it is failing to understand the importance that immigration plays in building the type of economy and type of society that we want to build, and what is that?

We want to build a society where there exists social cohesion. We want to build a society where we have the type of skilled labour and productivity gains that can allow us to have the type of growth, so that we have a country that can be generous in its social programs, can be modern in its outlook on the global economy, and that can compete. This requires people.

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•(1130)

The Conservative government feels that somehow it can do all this without giving immigration a very important role. What is the problem? Why is this thinking flawed? I will tell the House why this thinking is flawed.

In just a couple of years 100% of Canada's net labour growth will come from immigration. The government needs to be mindful of this statistic unless it has a different plan, a plan that speaks to a different reality. Perhaps the Conservatives want to attach themselves to a ballooning temporary worker program. While that would be a great stopgap measure, it certainly would not develop the type of flexible domestic labour market that is required for the economy to work well.

That is a major problem. That is a point that the government fails to understand in its outlook. It is a problem that clearly indicates that this particular Conservative government has failed to see the medium and short-term view of what it takes to build sustainable economies.

My time unfortunately is running out. I have a lot to say about the challenges that the government faces on this file, including the Auditor General's report that was hard hitting. It was a wake-up call on issues related to refugees and temporary workers. The government's own departmental planning report states the same thing. The department has many challenges. It is unfortunate that the minister is not getting the support that he deserves in funding from cabinet.

The whip's comments indicate to me the type of priority that the Conservatives give to immigration. They can speak eloquently to all the various groups about all sorts of things, but the bottom line is that we lack resources, immigration is not a priority for the government, and it lacks the vision on this particular subject-matter to build the type of Canada that Canadians expect.

We were the party that, in fact, called for this study. We obviously were concerned about the treatment of caregivers. We wanted to give them the rights they deserve. We also wanted to clearly define the roles and responsibility related to the employer and the employee.

We on this side of the House pushed for this study because we recognized the fundamental role that caregivers play in our society. On behalf of the Liberal Party of Canada, I want to express to them in a very personal way the great contribution they have made, and continue to make, to the social, cultural and economic fibre of our country.

I want to also bring to the attention of those viewing this debate today a minority report that basically wants the government to act on these recommendations. I can list some of the recommendations:

Recommendation 1: The Committee recommends that the Government of Canada grant live-in caregivers permanent resident status on certain conditions.

Recommendation 2: The Committee recommends that the Government of Canada extend coverage under the Interim Federal Health Program—

Recommendation 3: The Committee recommends that the Government of Canada waive the requirement to obtain a study permit for live-in caregivers.

This report is full of excellent suggestions by opposition members on the committee to move on issues that are relevant to this issue. I can tell the House with 100% certainty that a Liberal government would give much more weight to the issue of immigration with a

forward-looking, progressive program that would embrace the reality and the spirit of immigration, which should be fair, accountable and should expand opportunities for individuals coming to Canada.

I want to end on this final note. The issue of immigration is not just for immigrants. It is in the national interest to get it right.

•(1135)

**Mr. Rick Dykstra (Parliamentary Secretary to the Minister of Citizenship and Immigration, CPC):** Mr. Speaker, I listened with a great deal of interest to the Liberal critic's response to the motion.

The member for Vaughan certainly started to list a number of recommendations that are in the report. I find it interesting that he repeated on several occasions during his speech that he in fact moved this report, that he in fact called for this report, that his party in fact demanded this report. If that is true, there is a question that I need to have answered.

Recommendation No. 7, which he did not get to, which I will read now and may read in my remarks again, states:

The Committee recommends that the authorized bodies in the provincial and federal governments investigate the allegations of the former live-in caregivers in the Dhalla residence and take measures as appropriate. Further, the Committee requests that these government bodies, upon completion of their investigations, send the result to the Committee.

If the member states, as he did on at least four occasions, that the Liberals called for this report, why did they then in fact vote against the report? Why did they unanimously, as a party, vote against that report?

•(1140)

**Hon. Maurizio Bevilacqua:** Mr. Speaker, I welcome the question by the parliamentary secretary.

For the record, yes, we did in fact ask for this study to take place. That is reality.

Recommendation No. 7 is part of the report. We will see if the government wants to respond to all of our recommendations.

Since I am on my feet, I want to address some of the recommendations that in fact—

**Mr. Ed Fast:** Answer the question.

**Mr. Brad Trost:** Why did you vote against it?

**Hon. Maurizio Bevilacqua:** Mr. Speaker, I hear some echoes. Perhaps people on the other side are not feeling comfortable with the truth, but the reality is well recorded in the records of this House and committee. This is reality.

I know those members are feeling uncomfortable. I know that the immigration file is not working out as well as it could or should. The hon. members hear, as I do, across the country that there are many problems with this issue. The Auditor General has stated that there are serious issues related to the immigration file that need to be addressed.

To give one small example on the issue of refugee reform, we have been waiting for months and months, and unfortunately, the minister lacks the financial support in his cabinet to move on this.

**Ms. Olivia Chow (Trinity—Spadina, NDP):** Mr. Speaker, one of the issues addressed in this report is that of unscrupulous consultants.

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The Liberals had a chance in 2002. At that time the committee said during the debate on the same topic of unscrupulous consultants that the problem must be fixed. Unfortunately, the former minister of immigration did not get the job done in a way that would establish a non-share capital corporation, so that practising as an immigration consultant without being registered or licensed by a body would be a criminal offence. That did not happen.

What does the member think of the recommendation in front of us which recommends starting—

**The Deputy Speaker:** The hon. member for Vaughan. There are about 40 seconds left.

**Hon. Maurizio Bevilacqua:** Mr. Speaker, my recollection is that the years when we had a Liberal government, in relation to immigration were very good years. Many progressive measures were introduced back then which spoke to the issue of immigration in an enlightened way.

We always viewed immigrants and the immigration system as being a vital pillar of Canada's economic wealth and of creating a more tolerant and culturally advanced society, which is something that unfortunately the present government does not share.

[*Translation*]

**Mrs. Alexandra Mendes (Brossard—La Prairie, Lib.):** Mr. Speaker, I want to thank the hon. member for Vaughan for his initial comments.

For the record, I would like to point out that we voted in favour of the report and are preparing a minority report. We supported and continue to support a number of the recommendations in this report, as my colleague already mentioned.

The parliamentary secretary is eager to hear us talk about recommendation 7. We have a very simple question for the government on this recommendation: what business is it of the committee to concern itself with the caregivers of a specific family? It is up to the police to deal with this, not the committee.

We sincerely believe that this was brought before the committee for purely partisan reasons. It is up to the provincial and federal authorities to address these types of issues. That is what we expect of them.

For a long time, our party has been well aware that people hired through this program face some serious challenges when it comes to their fundamental rights. That is one of the reasons why we support the resolution to grant them permanent residency on certain conditions upon their arrival in Canada, so that they can benefit from the protection afforded to all other immigrants.

As my colleague from Vaughan pointed out, the Liberal Party sees immigration and citizenship as part of nation building. We sincerely believe that immigration is the future of Canada. It is how we began, and it will be our future. We believe we must always improve the system. It has never been perfect and never will be, and there will always be room for improvement. That is what we recommend in our minority report.

We support almost all of the recommendations in the report, but the department might need stronger support from cabinet to meet and fulfill its obligations.

We also agree with the recommendations concerning an employer's obligation to respect a set of standards that will protect the rights of caregivers. That is one of the reasons why we supported these recommendations that set out the reasons for which employers will be punished: if they confiscate the passport of individuals who come to work for them, and if they fail to comply with Canada Revenue Agency rules by not making required deductions from an employee's income. We expect people who employ resident caregivers to respect all of these basic rules, as is required for any other employer in Canada.

The Liberal Party believes it is clear that the report, as well as our minority report, must be supported. We would like to point out that recommendation No. 7 does not fall within the committee's mandate at all. That is another reason why we issued a minority report.

I think I have covered the position of the Liberal Party.

● (1145)

[*English*]

**Mr. Rick Dykstra (Parliamentary Secretary to the Minister of Citizenship and Immigration, CPC):** Mr. Speaker, I listened with interest to the member's speech. I want to commend both members from the Liberal Party who have spoken in terms of their work on the committee. As far as working together, we certainly have tried to do that. I appreciate their efforts, but let us face it. There are times when we have disagreements. If the member is suggesting that she supported recommendation No. 7 in the report, then I would ask her to rise in her place today and say that.

She has indicated, as the member for Vaughan did, that they supported all of the recommendations in the report. I would like to hear the member say that she did or she did not support recommendation No. 7.

She indicated at the beginning of her speech that she supports the content of the report.

I do not want to hear about your minority report. You indicated that this should not be partisan. Answer me on recommendation No. 7, please.

● (1150)

**The Deputy Speaker:** I remind the parliamentary secretary to address his comments through the Chair and not directly at other members.

[*Translation*]

**Mrs. Alexandra Mendes:** Mr. Speaker, I think I have clearly explained the Liberal Party's position regarding this report. We object to recommendation No. 7, and our objections are explained in our minority report. Of course we will support the report overall, with the exception of recommendation No. 7.

[*English*]

**Ms. Olivia Chow (Trinity—Spadina, NDP):** Mr. Speaker, the second part of the report deals with immigration consultants. One of the recommendations said that during the application process those who are applying must have an authorized representative. If not, the immigration department would not accept their applications. Is that a recommendation the member supports?

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As well, would she support other recommendations, for example, that we must establish a non-share capital corporation that could govern every immigration consultant who is practising, that consultants who are not registered with the corporation should not be allowed to practise? That would get rid of the whole notion of ghost consultants and fake consultants who have no qualifications.

[*Translation*]

**Mrs. Alexandra Mendes:** Mr. Speaker, we were in fact under a Liberal government and it was that government that established rules regarding the presence of consultants in all immigration cases. Of course we support the idea that an individual must be authorized in order to become involved in a case on behalf of an applicant.

As for the corporation itself, personally, I am not familiar enough with what is going on in terms of the current corporation of consultants to give an opinion. Nor would I want to commit the party to supporting something that we have not sufficiently explored.

[*English*]

**Hon. Jim Karygiannis (Scarborough—Agincourt, Lib.):** Mr. Speaker, one of the things that we danced around is waiting times.

We are talking about live-in caregivers. It is important to note that although the government wants to zero in on one particular aspect, it wants to do that in order to cover up what really is the underlying factor. The underlying factor is that a lot of our caregivers come from Manila. Under its jurisdiction and under its watch, the rate of refusal from Manila rose from 33% to 66%. It doubled. Many of the individuals who apply to come to Canada have to go to other posts in order to apply.

That being said, I have also noticed my NDP colleague's questioning about the Liberal support or non-support of consultants. It was the Liberal party that brought in the statute in order for us to have CSIC. It was the Liberal Party that moved a motion in order for us to discuss CSIC in committee and make recommendations.

[*Translation*]

**Mrs. Alexandra Mendes:** Mr. Speaker, my colleague just reinforced the message I was trying to convey earlier, namely, that it was a Liberal government that introduced the process involving immigration consultants. We created that professional corporation, if you will, which established guidelines, a code of ethics and code of conduct. Some improvements are needed, we agree, but it was under a Liberal government that this measure was brought in.

• (1155)

**Mr. Thierry St-Cyr (Jeanne-Le Ber, BQ):** Mr. Speaker, I am pleased to have the opportunity to comment on this report about migrant workers and ghost consultants.

I would like to provide some background because the Standing Committee on Citizenship and Immigration has been talking about this issue for a long time. We started talking about it during the last Parliament. We submitted several reports. We held consultations across Canada on a number of issues, including ghost consultants, migrant workers and temporary foreign workers. We submitted some of our recommendations during the last Parliament. At the beginning of this Parliament, we resumed the study we had begun earlier and we completed it so that our efforts would not be wasted. We kept working and produced this report. To put this report in context, it

follows up on allegations involving the member for Brampton—Springdale and her family with respect to employing live-in caregivers.

That may not have been the committee's greatest moment. There was a bit of a media circus about the story, and even though the committee did not have the necessary means, nor was it our mandate, we tried to shed some light on what happened with the Dhalla family. However that case is not what we should be focusing on if we want to help workers in general. I think that we need to move away from this case, which was really sensationalized in the media. We have to take a more thorough look at the issue in general and figure out how to go about getting better public policies.

In the report, we referred to the fact that recommendations had been made in a previous report, the seventh report of the Standing Committee on Citizenship and Immigration, recommendations that the government has not yet acted on.

If I may, I would like to go back and review those recommendations so that we can see how they might help people who come to work here temporarily and end up in difficult situations.

I would like to begin by explaining the famous live-in caregiver program, for those who do not know what it involves. This program enables a foreign worker—and often, we are talking about a female foreign worker—to come here and work for an employer for a certain length of time. If memory serves, an individual can work as a live-in caregiver for two years. A caregiver used to be called a maid. That is probably no longer the appropriate term, but we are talking about someone who comes to live with an employer who is wealthy enough to pay someone to do housework, look after the children, prepare meals and do any other sort of domestic work.

Under the program, if someone does this sort of work in Canada for two years, she will automatically be granted permanent resident status. That is what attracts these people to come and do domestic work here. In our consultations in Canada, we found that there were two main problems with this program and that one of them applied as a general rule to all temporary foreign workers.

• (1200)

The first problem is that the law requires that the caregiver live with the employer. Imagine someone from abroad who comes to a country she does not know and where she had no family or contacts. She is required to live with and work for her employer for two years. Because this person has little contact with the outside world, there is a very significant risk of abuse. I want to make it clear that not all employers are abusive, but it is very easy for an employer to take advantage of an employee. The employee has no way out and no opportunity to meet with immigrant worker support groups, develop a social network or get to know people outside the employer's home. Her life is limited to the employer's home.

These people are in an extremely vulnerable situation that can lead to abuse. Sometimes, people are forced to work from morning to night without a break and to put in an incredible number of hours every week. The committee heard testimony about sexual abuse. Once again, the person had no way of getting out of this difficult situation or had a very hard time doing so. In this sort of situation, there is a huge imbalance between the employer's authority and the employee's ability to assert her rights and defend herself.

For that reason, recommendation 34 of the previous report, to which the report we are examining refers, stated:

The Committee recommends that the Government of Canada remove the requirement that individuals with certain work permits [including live-in caregivers] live with or on the premises of their employer.

This was dealt with in more depth in the report before us. I cannot find the reference, but you can trust me, it was studied very carefully.

The second important recommendation was more general. It concerned temporary workers in general, including domestic workers, but also those who work on farms in the summer and in factories during peak periods in certain regions that have a labour shortage. In these regions, foreign workers make up for such shortages. This was a common concern we encountered when we travelled to various regions throughout Canada.

Once again, there seemed to be an imbalance, with the power disproportionately held by the employer. I will explain. Any person who comes to work here must first obtain a formal offer of employment. Then they are given a visa, which indicates that this person is authorized to work for a certain company and that is why they are entitled to be here. The problem is that there really is no possibility of negotiating with the employer if the worker is dissatisfied with the relationship or the working conditions.

Imagine ourselves working very long hours in a farmer's field in very difficult conditions. At some point, we realize that this is not right and that we are working ourselves to death. So we go to see our employer and ask for changes, because it just does not make sense and we cannot go on like that. In many cases, with a good employer, we will be able to make changes. However, an less scrupulous employer will simply say that if we are not happy we can go back to our home country. It is far from straightforward.

● (1205)

In nearly all the cities and towns we visited, and in nearly every group of witnesses that appeared before us, I asked if we should lift the obligation to specify a single employer on a visa application, so that if employees are dissatisfied, they can look for another employer that offers better conditions in Canada and not be left at the mercy of unscrupulous employers.

I must say, this idea gathered a great deal of support, even from many employers. However, people felt it would be appropriate to impose a few restrictions. On the one hand, people said that work permits should still specify one type of employment, one economic sector and one province, instead of specifying just one employer. Why? Because these visas are granted based on the state of the labour market in that province and in the employment sector in question. As part of the process, if an employer asks to hire temporary foreign workers for their business, we must ensure that

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there really is a shortage and that the employer is unable to hire Canadian or Quebec workers. We definitely do not want to create a "cheap labour" program. The program is meant to fill real needs for labour.

We have a process in place. Clearly, if open permits were granted that allowed people to move from one employment sector to another or from one province to another—because the reality can vary from one province to the next—this whole labour market opinion process would become pointless. Indeed, we would have no control over whether people work in sectors that have a labour shortage in Canada or in which there are already more than enough local workers to do the work.

On the other hand, it must be understood that in the context of this program, when employers decide to hire a foreign temporary worker, they become responsible for certain fees, including for instance, the cost of recruiting. Employers usually deal with foreign recruiting agencies, even though some abuses occur. This could be the subject of an entire debate. As part of the process, employers are obliged to pay the recruitment costs, and not the employee. Another example is the cost of airline tickets. When an employee applies for a visa, the employer must agree to pay for that individual's return airfare.

An employer considering making that investment will want some guarantee of a return on it, a guarantee that once the employee gets here, he or she will not go work for someone else who has not gone through this process, who has not spent the money, but ends up benefiting from having the employee.

In its report, the committee recommended implementing a mechanism under which, if an open permit is issued to allow workers to move from one employer to another, the subsequent employer has to pay the original costs paid by the first employer on a pro-rated basis.

There are a number of other recommendations too, but I will not get into the details. I think that these two recommendations represent the most important steps we can take to restore the balance of power between employers and temporary foreign workers, particularly when it comes to live-in caregivers.

Secondly, the committee addressed the issue of consultants taking advantage of temporary foreign workers, which happens a lot.

● (1210)

For example, we are seeing a lot of cases involving phoney job ads. People come here, and once they arrive, they find out that there is not actually an employer ready to hire them. We have seen cases where consultants strongly recommend that new arrivals stay in their apartments and pay them rent. Sometimes they even force people to do this. We have seen plenty of cases of exploitation. A lot of temporary foreign workers and other classes of immigrants have problems because of immigration consultants.

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The whole situation is chaotic. The Canadian Society of Immigration Consultants, the so-called regulatory body that was recently created, is not doing its job. To be honest, in committee and during various meetings that I personally participated in, it became clear that this organization has some serious governance problems.

When I was younger—some people might not believe me if I say “when I was young”—I was very involved in student associations, most of which were run more democratically than the Canadian Society of Immigration Consultants seems to be. This is a serious problem. There have been obvious cases of bad governance, favouritism and nepotism. So there are problems. There is no enforcement when it comes to who can call themselves an immigration consultant and no way to find out whether people really are members or not.

An article in yesterday's *Globe and Mail* talks about a consultant with offices in Toronto, Mr. Rana, who calls himself one of the most famous consultants in the world and who has been accused of terrorism. I will not go into detail, but he is an major immigration consultant, and yet he is not on the list of consultants of the Canadian Society of Immigration Consultants. I have just checked on the Internet.

The society itself is negligent because it is poorly governed. The members care more about themselves than the profession, and the lack of regulation is a problem. The federal government should not be responsible for regulating this field. The committee recognized this, because there is a recommendation that states specifically that immigration consultants in Quebec should be regulated by the Government of Quebec. This profession should therefore be regulated as a Quebec profession. The professional code is very sophisticated and extremely complex. The Office des professions can monitor, regulate and even go so far as to take over a professional body in the case of negligence. A sort of trusteeship is possible. In addition, there is a regulatory framework that is several hundred pages in length.

When we look at what the Canadian Society of Immigration Consultants has come up with, it is a few sections that take up two pages of the act. This is extremely minimalist, and even if the society were to sort out its governance problems, it would not have enough of a legal framework to do its job.

This issue needs to be addressed and transferred to the provinces, which already have all the authority they need to regulate the professions. Moreover, the provinces will be able to decide whether they feel there should be immigration consultants. This is the only area of law where non-lawyers and people who are not members of the bar can provide legal advice. Why is this allowed in immigration, when it is not allowed in family law, civil law, criminal law or any other area of law?

There is obviously a gap here. I will not go any further, because it is up to the governments of Quebec and the provinces to pass legislation in this area. We feel strongly that the existing structure is flawed and that the provinces must be asked to take charge of regulating this profession.

•(1215)

[*English*]

**Hon. Jim Karygiannis (Scarborough—Agincourt, Lib.):** Madam Speaker, I listened with great consideration to my colleague from the Bloc. I thank him for shedding some light and providing his version of where he wants to see the matter of temporary workers and ghost consultants go.

We have a regulatory body of consultants, which is CSIC, the Canadian Society of Immigration Consultants. There were studies conducted across the country on this issue in the past Parliaments, and they indicated that more teeth have to be given to a new administration for consultants. There was a report done which concluded that consultants should fall under a federal statute as do lawyers, and this government has not looked at that report.

I want to ask my colleague if he would stand and give us the Bloc's position as to where it sees CSIC going. There are no teeth to take ghost consultants to task. Would he also support the notion of a statute, something like the one for lawyers, that would give teeth to regulations? Also, would he support the recommendations in the report to go after ghost consultants, something which the government has not undertaken as it does not care and does not want to implement it?

[*Translation*]

**Mr. Thierry St-Cyr:** Madam Speaker, essentially, my point is that we must give more teeth to regulations governing the profession of immigration consultant. That will not happen at the federal level for two reasons. First, from a constitutional standpoint, the provinces are responsible for governing professions, and second, it is difficult to govern professions.

The bar has existed for hundreds of years. Such professional associations have existed for a long time and have spent a lot of time establishing themselves. The Barreau du Québec, the Ordre des ingénieurs du Québec and the Ordre des infirmières et infirmiers du Québec have some autonomy, but they are ultimately governed by the Office des professions du Québec. This organization can monitor the work of each of these professional organizations, and can crack down and take over if they are not doing their jobs.

It is clear that the most effective way of doing things is to govern this profession within the structure that already exists and is equipped to do the work. That seems like the path to take if we want to avoid serious governance problems, like the ones that exist with the Canadian Society of Immigration Consultants.

There have been cases where elections have been extremely heated and highly questionable, I must say. Some candidates are unable to run because disciplinary complaints have been made against them. Anyone can make a complaint, and there is no guarantee how quickly it will be handled. When someone complains too much, disciplinary action is taken against them for disrespecting the association. They cannot run in an election to change things. There are serious problems, and something serious needs to be done to fix them.

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[English]

**Mr. Jim Maloway (Elmwood—Transcona, NDP):** Madam Speaker, I know the member is interested in provincial rights, and I wonder if he is aware that in Manitoba this spring a series of rules were enacted, which evidently have been working out quite well, to register and restrict the activities of immigration consultants. That certainly has been a long-time problem in Manitoba, as it has been right across the country. Manitoba had to do something, and that approach seems to be working quite well.

I am not certain just what kinds of rules the Quebec government has in place now or may be planning to put in place, but I wonder whether he would like to look at the Manitoba rules to see what they are, whether he likes them and whether they are working the way he would want them to.

• (1220)

[Translation]

**Mr. Thierry St-Cyr:** Madam Speaker, we had an opportunity to see what Manitoba is doing about this when we were there. If memory serves me correctly, that province has much tighter rules on the fees that can be set or, in most cases, that cannot be set for recruiting someone from abroad. It is a very good system.

My colleague said that I am very interested in the rights of Quebec and the provinces. I do indeed believe that provincial jurisdictions need to be respected. Quebec already has very little constitutional power to control its future as a nation. However, my speech went further. In this case, it is not simply a matter of defending Quebec's jurisdictions. It is more than that. It is simply a matter of efficiency. Every province already has a structure that works well. We should use this structure to regulate the profession instead of creating something that does not work well.

[English]

**Ms. Olivia Chow (Trinity—Spadina, NDP):** Madam Speaker, perhaps the member could describe some of the stories we heard during the committee discussions on this report.

There were some live-in caregivers who came in and talked about their experiences, and some of them were in tears. During our travels a year and a half ago, we heard descriptions of situations and of how some consultants thought they were not being regulated properly or were being discriminated against. There were stories of unfair practices.

Perhaps the member could enlighten us on some of the things the committee heard, especially to do with live-in caregivers.

[Translation]

**Mr. Thierry St-Cyr:** Madam Speaker, we heard some very informative and often moving testimony about what, unfortunately, could happen when people are practically prisoners of not very nice employers. In some cases, employers were breaking the law, committing crimes, including sexual assault against completely dependent people who are unaware of their rights or how to defend them.

The Bloc Québécois has often suggested that information sessions be held before the start of employment and that they be expanded, in certain cases, to explain to male workers, and especially to female

workers, their rights. I was very proud when the committee accepted our recommendation.

We made another recommendation but I do not have the time to find it and quote it exactly. It basically says that, in the three months after the arrival in Canada and the start of employment, it would be mandatory, and not just at the worker's request, for representatives of an NGO or organization recognized by the government to visit the worker on site. The person in question, who might have been there for three months, would be asked if there were any problems and if they knew their rights.

It can happen that someone in a difficult situation may be a complete prisoner and unable to leave the workplace. At some point, in these first three months, someone would contact them. They would at least have the opportunity to indicate that they were in a very difficult situation.

We were very pleased that the committee included our recommendation and I hope that the government will implement it. We already have NGOs and organizations that defend workers and that are definitely prepared to do so. We need to look at how this can be implemented and the rules that are needed. It does create a bit more work but it is a question of respect for other human beings.

I do not believe it is going overboard for a country such as ours to make a minimum of effort to visit workers once to verify whether or not they are being exploited or abused.

• (1225)

[English]

**Mr. Rick Dykstra (Parliamentary Secretary to the Minister of Citizenship and Immigration, CPC):** Madam Speaker, I appreciate the opportunity to speak to this report. It is the eighth report of the Standing Committee on Citizenship and Immigration and it regards migrant workers and ghost consultants.

I want to speak to some of the recommendations in the report, recommendations in which the government played a significant role in ensuring that at committee it would be there for the minister and ministry to have the opportunity to review and consider. I will go into some detail of a couple of those recommendations.

With regard to the member for Brampton—Springdale, the citizenship and immigration committee recommended a federal and provincial investigation into the allegations of abuse. Recommendation 7 states:

The Committee recommends that the authorized bodies in the provincial and federal governments investigate the allegations of the former live-in caregivers in the Dhalla residence and take measures as appropriate. Further, the Committee requests that these government bodies, upon completion of their investigations, send the result to the Committee.

We took this report, the issues that we face and every recommendation in the report very seriously. It is with that I would like to continue in outline some of the important factors that led to the report and led to some of the details in the recommendations that are very specific to the assistance it would provide both from a federal perspective and from a provincial perspective.

*Routine Proceedings*

Our country has relied on immigration for more than two-thirds of its population growth in the last five years. We have one of the highest per capita levels of immigration among western nations. Our values, democracy, freedom and the rule of law make Canada a top destination choice for newcomers.

Our government is working to protect our immigration system and those who wish to come to Canada from immigration fraud. We are committed to cracking down on immigration scams and dishonesty, false promises and unethical, incompetent practices.

It is important to recognize that thousands of new Canadians and prospective immigrants to Canada have been defrauded by the so-called ghost consultants, third party intermediaries, including non-authorized representatives, recruiters and student agents who refuse to reveal themselves and their role in advising applicants. This fraud is deliberate and it is taking shameful advantage of the dreams and the aspirations of prospective newcomers to Canada.

The Ministry of Citizenship, Immigration and Multiculturalism has already begun by raising this important issue with the Punjabi government during the minister's visit to India in January. We are taking other vigorous measures to prevent and warn against the risks of this kind of immigration-related fraud. We have warnings in 17 languages on our website and in all relative local languages at our missions and visa application centres abroad. Information pamphlets about the rights of workers, provincial labour laws and advocacy groups in Canada are also available to vulnerable individuals, who find themselves in an abusive situation. In addition, the anti-fraud warning video is now available in English, French and eight other languages.

Citizenship and Immigration Canada is distributing the video to various ethnic media in Canada and in missions abroad. It is also available on a departmental website and on YouTube.

The government has indicated on many occasions that the health, safety and well-being of all temporary foreign workers in Canada is of primary importance. As my colleagues well know, immigration is a shared responsibility between the federal, provincial and territorial governments. They also know that provincial and territorial labour laws establish employment standards such as minimum wage, overtime payments and vacation pay. I can assure them that our government is working with all the provinces and territories to ensure that all workers receive the full protection to which they are entitled under applicable laws. Employers and recruiters acting on the employer's behalf would have to prove that they have complied in the past with federal and provincial laws that regulate employment or the recruitment of employees.

British Columbia, Alberta, Manitoba and Saskatchewan already have legislation that prohibits employment agencies from charging a fee for recruitment from the person seeking employment. Ontario, while not at that point yet, has announced that it will table similar legislation by the end of 2009. Alberta has announced that its legislation will be amended to include live-in caregivers.

• (1230)

As I said, our government supports this report in principle. We have certain reservations about some aspects of the report, such as the proposal to grant automatic permanent residency to live-in

caregivers upon their arrival to our country, which could lead to very few caregivers actually working as caregivers. We would also disagree with the requirement that anyone who gives advice, be it a friend, family member or church group, be considered an authorized representative under the law.

As the member for Vaughan pointed out, there are a number of recommendations in this report. Maybe it was because of time or maybe it was because of design that he did not list out all of the recommendations that are in the report. I want to pay specific attention to recommendations 4 and 5.

The Liberal members of the committee and the Liberal Party did submit a minority report and said that, while they supported the report in its entirety, they did not support recommendation 7. I am not sure how one can do both at the same time, but that is what two of the members have stated this morning in the House.

Having said that, I read recommendation 7 with respect to the investigation in Brampton—Springdale. However, it is important to read recommendations 4 and 5. Those two recommendations stem from what we heard at committee and what the witnesses presented in terms of what they had gone through. Furthermore, those were backed up by additional witnesses. Professionals who have worked in this industry for years indicated in a very specific manner some of the things we should do to improve.

**Recommendation 4 states:**

The Committee recommends that the Government of Canada ensure that orientation sessions for caregivers address the following subjects:

The requirement that the employer provide a statement of earnings with each pay cheque;

The need for the caregiver to have access to complete statements of earnings and deductions in order to meet the conditions for becoming a permanent resident; and

The procedure for opening a bank account.

Furthermore, in these orientation sessions, it should be made clear that the following behaviors are unacceptable, and in many cases subject to sanction. It should also be explained to which bodies each of these inappropriate behaviours should be reported:

Confiscating passports;

Failing to comply with the Canada Revenue Agency rules regarding pay and record of employment;

Failing to make required deductions;

Employing a caregiver without a work permit to work in their homes;

Paying less than the minimum required by provincial legislation;

Requiring caregivers to work longer than reasonable work hours; and

Assigning caregivers tasks entirely unrelated to their prescribed role.

One Liberal member of the committee indicated that specifics were not important when dealing with these issues. They are indeed important when it comes to trying to deal with this issue.

**Recommendation 5 states:**

The Committee recommends that the Government of Canada require employers to attend a briefing on the live-in caregiver program and the rights and responsibilities of all concerned, before a caregiver can start work.

Furthermore, in this briefing, it should be made clear that the following behaviors are unacceptable and in many cases subject to sanction:

Confiscating passports;



*Routine Proceedings*

Failing to comply with the Canada Revenue Agency rules regarding pay and record of employment;

Failing to make required deductions;

Employing a caregiver without a work permit to work in their homes;

Paying less than the minimum required by provincial legislation;

Requiring caregivers to work longer than reasonable work hours; and

Assigning caregivers tasks entirely unrelated to their prescribed role.

The opposition party often stands and says that there is not enough attention paid to detail. In this report the only party that submitted a contrary or minority report to this study was the Liberal Party of Canada, a party that had 13 years to work, to address, to improve, to change and to co-operate with provinces and territories on the direction that this program should take. When the Liberals had the opportunity to stand up and be counted at committee, they determined that this was not the report they wanted to support. That says something very drastic about the comments we heard from the party opposite this morning and also the position it took with respect to this report.

● (1235)

Upon receiving the report, the ministry and the minister did in fact take significant action to strengthen the protection of temporary workers. As the minister said:

Temporary foreign workers play an important role in the Canadian economy. We have a duty to them, employers and all Canadians, to ensure that the program is fair and equitable.

On October 9, the minister announced three very specific action items: first, that a more rigorous assessment of genuineness of the job offer would take place; second, limits to the length of a worker's stay in Canada before returning home; and third, a two-year prohibition from hiring a temporary foreign worker for employers found to have provided significantly different wages, working conditions or occupations than they were promised.

The opposition is quick to criticize the government when it comes to putting pen to paper and action to reports. I read out very specific recommendations that the committee submitted to the minister and the ministry. In response, the minister took action. I will not say immediately because one wanted to have a chance to read the report, but within weeks the minister stood and announced three very specific requirements that would be changed and penalties that would be applied. Based on the hard work of this committee, those were actually put forward.

I repeat, that did not come with unanimity from the four parties on the committee. It missed one party, and that was the Liberal Party of Canada.

The minister has indicated on many occasions that the health, safety and well-being of all temporary foreign workers in Canada is of primary importance. In particular, the live-in caregiver program fulfills an important function by helping Canadians meet their caregiving needs while, at the same time, allowing foreign caregivers access to an avenue for permanent residency, the opportunity to stay here and become a Canadian.

Our government is committed to ensuring that this program remains fair and equitable to both workers and employers. As immigration is a shared responsibility between the federal and the provincial and territorial governments, our government is working

with the provinces and territories to ensure that all workers receive the full protection to which they are entitled under applicable laws.

When the committee did its study and heard its witnesses, we heard from workers. We did not ignore them. We did not just bring in consultants or people who had views on this issues, some who were experts and some who gave some compelling testimony. We actually brought in caregivers to ensure we heard from them on the changes and improvements we should make. In fact, if we look at the action the minister and ministry took, this is in fact the case.

We are working to protect our immigration system and those who wish to come to Canada from immigration fraud. We are committed to cracking down on immigration scams, dishonesty, false promises and unethical and incompetent practices. The trouble is most of this questionable activity is taking place outside of our country, which is an interesting thing to learn. While our consulates, our visa officers, our credential offices work as hard as they possibly can to ensure correctness and to ensure we do the proper due diligence, we are limited in our ability to enforce Canadian law.

However, we can make proper regulating and policing of immigration consultants in other countries a priority in our relationships with those countries. The Minister of Citizenship, Immigration and Multiculturalism has already made a significant beginning. He raised this important issue when he met with the Punjab government during his visit to India at the beginning of this year.

Although our government, and I did state this, supports the report in principle, we do have a couple of reservations. One is that we are concerned about the proposal to grant automatic residency to live-in caregivers upon their arrival to our country. It could lead to very few caregivers actually working as caregivers. The concern is if we granted permanent residency, if we did it that way, it would be the quickest of anywhere in the world.

● (1240)

It would allow the individuals not to live up to their commitments and take on the responsibilities of being temporary caregivers and assisting their employers in any way the individuals had contracted to do. That is something we have to work on, because it will not work. It would leave those who have taken the time and energy to go through the temporary caregiver process, as families or as seniors, and who receive in their homes the individuals who come here to do the work they have agreed to do, without recourse, as the caregivers could in fact just walk away from that responsibility. That is unfair. We have to make sure that the implementation does not allow that to happen.

We also disagree with the requirement that anyone, be it a friend, family member or church group, who gives advice be considered an authorized representative under the law. This point with respect to the consultants was a source of consternation that the previous government did not address.

*Routine Proceedings*

We are moving forward. As members heard from the October 9 announcement by the minister, we are moving in the direction of ensuring that penalties will be applied, including a two year prohibition from hiring a temporary foreign worker for employers found to have provided significantly different wages, working conditions or occupations than promised.

We are taking action. We are moving this forward. It is a program that is important to this country and to those who wish to come to this country in a manner in which they can earn their living and the opportunity to become, at some point in time, permanent residents of our country, eventually leading to Canadian citizenship.

**Mr. Bill Siksay (Burnaby—Douglas, NDP):** Madam Speaker, I am glad to hear that the government supports in principle the report we are debating.

I want to ask the parliamentary secretary about one of the problems the government has identified with the report, and that is with regard to the granting of immediate permanent residence status to people who come here to work as live-in caregivers.

It strikes me that in every other category of immigrant who comes to Canada and goes through the points system, the person does not have to work in his or her field. For example, a medical doctor who applies to come to Canada gets all of the points for being a medical doctor. That doctor arrives in Canada, but there is no requirement for him or her to actually work as a medical doctor. Moreover, a physicist who applies to come to Canada gets scads of points for being a physicist, but when that person gets to Canada, there is no requirement that he or she work as a physicist. In fact, we know that a lot of these people do not end up working in their fields because of other problems with the system.

Why then is there a problem in the case of live-in caregivers when we know that caregivers are needed in Canada? We know that child care workers are needed. We know that home care workers are needed. Why is this extra requirement made of them that they have to work in their field, and that their status in Canada is dependent upon that?

It seems patently unfair. It seems like discrimination against a group of women workers primarily, a group of workers that we know is needed in Canada, but that does not have the high academic achievement of other groups of people that come here. This group of women workers, nonetheless, is needed here in Canada. So why do we have this extra requirement?

Why does the member believe that this group of potential immigrants is any more likely not to work in its field than any other immigrants who come to Canada?

**Mr. Rick Dykstra:** Madam Speaker, I would implore the member to do two things. First, he should understand that there are different ways and means for an individual who is not a Canadian citizen, but who wants to come to this country, to have the opportunity to do so. Second, he should follow up and read both of those programs, because it sounds as if these are unclear to him and that he has mixed two programs together.

First and foremost, if an individual wants to come to this country and applies for permanent residency, the individual does so through a program that currently exists. In fact, it is a program that was

changed in the 2008 budget, part 6 of Bill C-50 at that time, which this government implemented.

We have actually shown improvement in this. We are moving forward in a much quicker way so that those individuals who apply through the points system the member spoke about do not have to wait five, six, or seven years to become permanent residents in the country.

However, we have a separate program for temporary caregivers, which I think is what the member is alluding to. This is not the same system he alluded to for an application for permanent residency. This is an opportunity for those who wish to come to this country as temporary caregivers, who would then have the opportunity to earn a living here and become accustomed or acclimatized to this country. Once they have fulfilled their obligations, they will certainly have the opportunity to become permanent residents of this country.

● (1245)

**Ms. Olivia Chow (Trinity—Spadina, NDP):** Madam Speaker, how has the government dealt with the issue of ghost consultants? There are still hundreds and hundreds of consultants who have not necessarily gone through any regulations, any testing, or any registration of any kind. They are practising. Yesterday the newspaper reported on “A ‘world-famous’ immigration consultant with suspicious footprints”. I do not know whether this consultant, who has now been arrested on serious allegations of some criminal activities overseas or here, is registered or regulated in any way.

How has the government dealt with the ghost consultants issue? I ask because the report before us has a series of recommendations, including setting up an enforcement unit that would investigate and deal with those ghost consultants. It talks about setting up an agency that the consultants would have to belong to in order to practise. It talks about serious criminal offences and about the need to take immediate action.

Where is that action now?

**Mr. Rick Dykstra:** Madam Speaker, the member for Trinity—Spadina does a tremendous job at committee on behalf of her party. It is not too often that she and I see eye to eye on specific issues and recommendations, but through this report we on the government side and, certainly, her party, feel and realize that changes are needed on issues related to this matter. I have mentioned a couple of times that the minister made an announcement on October 9 to begin to get at those issues. I think she understands and knows the minister's feelings on this matter and his government's feelings on this matter. We are continuing, as we did on October 9 when we announced these three measures, to work toward ensuring that fairness and appropriate action are part of this process.

**Mr. Brent Rathgeber (Edmonton—St. Albert, CPC):** Madam Speaker, I would certainly like to congratulate the parliamentary secretary for his eloquent and well researched speech. As you know, I have an interest in this topic from my former days as a labour lawyer and, certainly, in Alberta there has been a great need for temporary foreign workers in the construction, the restaurant and retail sectors.

*Routine Proceedings*

As he alluded to in the concluding comments of his speech, the government was quick to react with respect to some perceived deficiencies in the program. I listened to the member for Trinity—Spadina go on about all of the unscrupulous labour brokers, but I understand that the government has acted with respect to prohibiting individuals who perhaps act less than genuinely with their clients.

I wonder if he could comment with respect to that ban, how long it is going to take effect, who is going to qualify for the ban and whether he agrees with me that the unscrupulous labour brokers are in a very small minority.

● (1250)

**Mr. Rick Dykstra:** Mr. Speaker, I want to thank the member for the assistance he has provided me on occasion, with his background and understanding of some of the work that is being accomplished in the department. I certainly appreciate his efforts to assist me in that work.

I think the member makes an excellent point that everything needs to be done to deal with those ghost consultants and unscrupulous individuals who act in a manner that is unbecoming to the individuals who believe they are being assisted, which can carry forward and hurt individuals and their families' opportunity both for temporary residency and finding employment in our country.

It is in fact a very small minority of individuals who fall in that category. While any number above zero is not acceptable, and we need to work toward that figure, the fact is the department is doing an outstanding job.

Our folks who work across the world, whether they be in our visa offices, foreign credential offices, or embassies, take a very specific and hard look at the work that is necessary to ensure that treatment is fair and just, and that individuals who come here do so with fair expectations, rather than hearing from a consultant who makes all kinds of promises, charges all kinds of fees and puts individuals and, in some cases, families in a position of being distraught and sometimes having to go back to the country from which they came because of the treatment by those consultants.

It is a minority, but I want to tell the House that the minister is focused and dedicated on ensuring that we lower those levels regardless of how small they may be at this point.

**Mr. Paul Szabo (Mississauga South, Lib.):** Madam Speaker, I will be splitting my time with the member for Eglinton—Lawrence.

Today a motion was moved to concur in the report of the Standing Committee on Citizenship and Immigration entitled, "Migrant Workers and Ghost Consultants". I wanted to take the opportunity to at least briefly participate in this debate from the standpoint that, having read the report and considering the seventh report, as well as the recommendations in this report, there are some very substantive issues that have been raised by a standing committee of this place whose mandate is laid out in the Standing Orders quite precisely.

Our experience with regard to committee work has been that it often falls on deaf ears.

The members of the committee work very hard. We rely upon expert witnesses. We rely upon the experience and expertise of all hon. members from all parties. We try to understand what the issues

are, what the problems are, what the opportunities are and what the threats are.

When we do that work at committee, we come to a certain consensus on key issues that we believe would make eminent sense in terms of regulatory reform or legislative reform. These are reported in the report. This is an excellent report. It is very reflective of the quality of work that committees can do. It does not always represent a unanimity, but it represents a reference document with recommendations and reasons therefore, and, in some cases, sometimes often, even minority reports from one or more parties who feel that there are certain aspects of the report with which they have a divergent view.

Those reports come to this place, are tabled in the House by the chair of the committee and hon. members have an opportunity, should they wish, to move what is called a concurrence motion on a particular report so we can have a debate in the House, broaden that input and that reflection on the work that has been done, and maybe to actually enhance the debate based on the reaction of stakeholders, whether they be parliamentarians or, even beyond this place, in the public at large. This report is one that has received a lot of public attention.

With that input, it calls for and almost demands that there be a comprehensive departmental response, not only to Parliament but to the committee with regard to the work and the recommendations that it made. When committees have reports produced and tabled in the House, we can specifically ask for a formal response from the government within 120 days.

In the committee, which I chair, which is the Standing Committee for Access to Information, Privacy and Ethics, we recently did a report on what we believed would be commentary on 12 particular recommendations, 5 or 6 of which the committee was very supportive and which recommended amendments to the Access to Information Act. The other recommendations we felt would require further consideration but were worthy of being brought to the attention of the minister. We heard a great number of witnesses. We also had a comprehensive consideration of the recommendations and there was a unanimous report on behalf of all parties.

After producing this report, very similar in size and certainly with substantive recommendations, the response from the government at the end of 120 days, after we eliminate the non-specific commentary in it, represented some 300 words, according to the information commissioner of the day, Robert Marleau, who came before us and expressed his concern and his regret.

● (1255)

The committee passed a motion that was presented to us by the hon. member for Winnipeg Centre. The motion, which was reported to this place, was first, to express the sincere and profound disappointment of the committee in the dismissive response of the minister; second, to report that the committee recommends strongly that a completely new access to information act be presented to Parliament by March 31, 2010; and finally, that the minister responsible, who had only appeared before us for one hour throughout this entire process, be required to again appear before committee by November 30, 2009. We are waiting for that response.

*Routine Proceedings*

I raise that because my fear is that we are facing the same kind of a dismissive attitude by the government to many committee reports to Parliament. I think that represents another reflection of the dysfunction in the operations of Parliament. Parliament must be responsive to the work of parliamentarians. The government must be respectful of the work done by committees. It must be seriously considered and, when it disagrees, it must give informative, constructive responses to the recommendations and the work that has been done by the committee members based on expert testimony and consultations, as broadly as is necessary. Those are the kinds of things that matter.

There is a minority report in this and it comes from the Liberal Party. That minority report was spawned by the view that the government of the day does not have immigration priorities that reflect the priorities and the needs of Canadians. We believe the government has not only embraced and enhanced its attitude and its legislation on immigration, but it has contracted its view toward immigration to Canada.

I recall that the phrase most often heard from the government back at the beginning of my tenure was, "Why are you letting all those criminals in?" The starting point of its attitude toward immigration was that people who were coming here were substantively criminals. The Conservatives had to justify themselves for coming into this place rather than to understand that with a declining birthrate and with the demand for skilled labour and for the compassion of family reunification, a vibrant immigration policy was vital to Canada in terms of the health and well-being of its people.

The minority report expresses that the government does not share those values. If it does not share those values, then it certainly does not share the enthusiasm of the committee with regard to these important recommendations that have been made in this report.

I am sure all hon. members know that some of the most difficult, challenging and demanding but rewarding work that we do as parliamentarians in our constituency offices is to deal with immigration and citizenship matters, whether it be visas and the like, or family reunification and sponsorship.

Canadians are very reliant on members of Parliament but too often it is the case that we have people coming to us who have a problem with officials at Citizenship and Immigration. The reason they have the problem is because somebody told them that there was a consultant they could talk to who would give them all the nice ways to fast-track their situation. Every member in this chamber has had the experience of where someone has run afoul of the officials at Citizenship and Immigration because they followed the advice of so-called immigration consultants who told them not to bother giving that information.

• (1300)

My contribution is simply to ask all hon. members to look very carefully at getting a response from the government.

**Mr. Jim Maloway (Elmwood—Transcona, NDP):** Madam Speaker, I believe the member for Mississauga South is an accountant and he certainly is a quick study. My question, however, was really for the parliamentary secretary but I am hoping he will be able to fill in on his behalf.

In recommendation 4 of the report, I am concerned with the reference to the requirements for information regarding the payroll deductions and procedures for opening a bank account. Perhaps the committee should be asked to take a look at this whole area of payroll deductions and make a further recommendation to Revenue Canada to make it easier for people to deal with Revenue Canada in terms of payroll deductions.

It is very easy for a small business with five, ten or one hundred employees to run its payroll efficiently but when it needs to hire one person to fill out the deductions, it becomes quite an onerous task and a lot of people are actually discouraged from hiring because of that. During the election campaign we had to hire one employee for about two weeks work. We were being chased for months afterward with regard to employee deduction issues. It is a huge amount of paperwork for one person.

Perhaps the committee should look at making a further recommendation to Revenue Canada to somehow make it easier to deal with the payroll deduction issue. I wonder whether the member would address that. In addition, the whole issue of setting up bank accounts is also a very onerous task today, especially post 9/11.

**Mr. Paul Szabo:** Madam Speaker, the member raises an interesting point and this is where due care and diligence needs to be taken.

There are requirements for payroll deductions and the set up of bank accounts to ensure the integrity of the system. I understand that in our banking system, identification, residential addresses, social insurance numbers and all kinds of things are required, but these are absolutely vital to have in place to protect the integrity of the system because abuse is possible.

With regard to payroll deductions, more often than not the rates of withholding, whether it be for EI, CPP or income tax, do not change frequently during the year. In fact, usually they are scheduled to change at the end of either a calendar year or possibly March 31. That means that all one needs to do is know what the deductions are once and they are repeated pay period after pay period.

It is a small inconvenience to have that done in the first instance but those who are in the accounting profession would be most happy to do it. It takes about 10 minutes to work it out for a specific case. I do not believe the safeguards should be tampered with simply for administrative convenience, which is a modest inconvenience in the first instance.

• (1305)

**Ms. Olivia Chow (Trinity—Spadina, NDP):** Madam Speaker, does the member support the recommendations that only people who are authorized immigration consultants, the ones who are registered, can represent people at the immigration department to put in an application on a person's behalf and that the applicants must disclose whether they are using consultants or not?

Would the member support such recommendations, which would get to the heart of whether the consultants being used are legitimate?

*Routine Proceedings*

**Mr. Paul Szabo:** Madam Speaker, the issue of immigration consultants was something that came up very early in my career over these last 16 years. The problem at the time was that there were such unscrupulous people involved that we needed to have a system of regulation of so-called immigration consultants. It was essential. Without registration and without proper knowledge and training, it is asking for difficulties.

In the absence of sound argument about why we should allow people who are not properly registered and trained and who could in fact disrupt or destroy a person's opportunity to come to this country, I would certainly support the continued requirement to have registered consultants.

**Hon. Joseph Volpe (Eglinton—Lawrence, Lib.):** Madam Speaker, I typically would have tried to avoid this particular type of debate except for two things.

First, on the weekend, I spent some time with a group of live-in caregivers who wanted to recount all of the experiences that they have been having in the country and experiences with which I have been professionally associated, in part, as a former minister of immigration. There have been two others between me and the current minister.

Second, I was a little dismayed by the presentation offered by the Parliamentary Secretary to the Minister of Citizenship and Immigration, which I can only identify as an excuse. Instead of addressing an issue prompted by this report, the issue was really that a former government, two Parliaments ago, after having been in government for x number of years, still had some difficulties associated with the program.

No House, people or group should accept those kinds of excuses for inaction. After four years, the government had an opportunity to address an issue that it had identified as a priority issue, both in terms of procedures on how to get people into this country and the circumstances in which they entered, and the substance of whether a demographic policy would fit in the long-term interests of a Canadian economic policy.

The Conservative government has done neither. Worse, as can be pointed out through this report, it has left temporary workers, especially live-in caregivers, in a position of fragile uncertainty: first, because it has not made a sincere effort to come to grips with the conditions into which the Minister of Immigration allows people to come and serve the larger interests of Canadian society; and second, because it prevents such individuals from enhancing their own condition in Canada and thereby making a greater contribution to the collective good of the country.

One might ask, how? There is no reason why live-in caregivers cannot pursue academic betterment. There is no reason why they cannot pursue, like all other Canadians, an opportunity to enhance their own qualifications for entry into a different category once their, if I can use this word improperly, trial period in Canada is satisfied. Finally, there is no reason why a live-in caregiver must be subjected to conditions of labour and conditions of social improvement that we would not accept as Canadians.

There is no reason, then, for the government to think in terms of unscrupulous consultants, et cetera. It is just another red herring

because the consultants and lawyers who represent immigrants, potential immigrants, and those who are here on a temporary basis, whether it be in the live-in caregiver program or as migrant workers, temporary workers of any variety—

● (1310)

**The Acting Speaker (Ms. Denise Savoie):** I will have to interrupt the hon. member in less than a minute.

**Hon. Joseph Volpe:** Madam Speaker, I thought that we had 10 minutes.

As I was saying, under these circumstances, the only thing that the government is focused on is what kind of people will actually make representations before its officials. The officials want to be sure that they are talking to someone who understands the rules and regulations that pertain to immigration, whatever its variety.

However, the government has not put one penny toward the enforcement of any rule that says that those who abuse the people that they pretend to serve must face serious consequences. We cannot go after them because the government has not put any money toward an enforcement process of unscrupulous consultants and representatives, and it does not have a mechanism for consequences once they are caught.

Madam Speaker, I know you want to make an intervention. I will stop here for a moment while you make your intervention.

[*Translation*]

**The Acting Speaker (Ms. Denise Savoie):** It is my duty to interrupt the proceedings and put forthwith all questions necessary to dispose of the motion now before the House.

[*English*]

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

**Some hon. members:** Agreed.

**The Acting Speaker (Ms. Denise Savoie):** I declare the motion carried.

(Motion agreed to)

**The Acting Speaker (Ms. Denise Savoie):** The House will now resume with the remaining business under routine proceedings.

\* \* \*

## PETITIONS

### CANADA POST CORPORATION

**Mr. Rick Casson (Lethbridge, CPC):** Madam Speaker, I have the honour, under Standing Order 36, to present a petition containing 500 or 600 signatures.

The petitioners call upon Parliament and the Government of Canada to maintain the moratorium on post office closures and the threat of legislation to legalize remailers. They also call upon the Government of Canada to instruct Canada Post to maintain, expand and improve postal services.

*Routine Proceedings*

## TRANSPORTATION SAFETY STANDARDS

**Mr. Peter Julian (Burnaby—New Westminster, NDP):** Madam Speaker, it is a pleasure for me to present the first in what will be many petitions coming to this House of Commons from several hundred representatives, citizens of southern Ontario, the region of Toronto, eastern Ontario, Orléans, Montreal, Quebec, indeed, right across central Canada. These petitioners will be added to the hundreds and hundreds of names coming in from all over the country.

The petitioners are concerned about the issue of privatizing or outsourcing of transportation safety standards. The self-serve safety that was pushed forward by the government was stopped cold by the NDP opposition, and so the legislation was never adopted. However, the government is trying to go through the back door and adopt the same kind of standards.

These petitioners call on the Government of Canada to initiate a commission of inquiry to conduct a judicial review and examine the state of national aviation safety.

●(1315)

## ANIMAL WELFARE

**Mr. Andrew Saxton (North Vancouver, CPC):** Madam Speaker, it is my honour to present this petition, signed by residents of Canada, calling on the Government of Canada to support the Universal Declaration on Animal Welfare.

The petition states that, first, there is scientific consensus and public acknowledgement that animals can feel pain and suffering. All efforts should be made to prevent animal cruelty and reduce animal suffering.

Second, over one billion people around the world rely on animals for their livelihood and many others rely on animals for companionship.

Third, animals are often significantly affected by natural disasters, and yet are seldom considered during relief efforts and emergency planning, despite their recognized importance to humans.

## CANADA-COLOMBIA FREE TRADE AGREEMENT

**Mr. Jim Maloway (Elmwood—Transcona, NDP):** Madam Speaker, my petition today is a call to stop the Canada-Colombia trade deal, a familiar topic in this Parliament.

Violence against workers in Colombia has not abated at all. More than 2,200 trade unionists have been murdered since 1991. There has been a host of violence committed against indigenous people, Afro-Colombians, human rights activists, workers, farmers, labour leaders and journalists.

When the Canada-Colombia trade agreement was negotiated along the lines of NAFTA, its benefits really accrued to the corporations and not the people at large. There has not been any big improvement, certainly under NAFTA anyway, to the labour standards. In the case of Mexico, over a million agriculture jobs have been lost since NAFTA was approved.

The petitioners call upon the Parliament of Canada to reject the Canada-Colombia trade deal until an independent human rights impact assessment is carried out and the resulting concerns

addressed, and that the agreement be re-negotiated along the principles of a fair trade, which would fully take into account the environmental and social impacts as well as genuinely respecting and enhancing labour rights and the rights of all affected parties.

**The Acting Speaker (Ms. Denise Savoie):** I remind all members that presenting petitions is not a time for debate. Petitions should not be read verbatim.

The hon. member for Winnipeg North.

## DRUGS AND PHARMACEUTICALS

**Ms. Judy Wasylycia-Leis (Winnipeg North, NDP):** Madam Speaker, I am very pleased to present yet another petition from Canadians who want to see changes to the Canadian access to medicine regime, so we can return to that noble goal of sending drugs as quickly and as cheaply as possible to sub-Saharan Africa and other countries.

The petitioners call upon the House to support my private member's bill, Bill C-393, a bill which is also similar to the one in the Senate being debated today, Bill S-232, a bill which just heard representation from experts showing, in fact, how nothing in these two bills contravenes the World Trade Organization, and is totally in compliance with everything we stand for in this country.

They call upon Parliament to help ensure access to affordable medicines wherever they are needed throughout the world as quickly as possible.

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## QUESTIONS ON THE ORDER PAPER

**Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC):** Madam Speaker, Question No. 449 will be answered today.

[Text]

Question No. 449—**Ms. Libby Davies:**

With regard to the harmonized federal/provincial sales tax in British Columbia, and the Memorandum of Agreement Concerning a Canada-British Columbia Comprehensive Integrated Tax Co-ordination Agreement: (a) which party first indicated intent to begin negotiations and on what date; (b) what was the substance of the federal government's initial position and proposal; (c) on what date did the discussions or negotiations begin; (d) on what date was the final agreement reached; and (e) what timelines were agreed to for making public the implementation of the agreement?

**Hon. Jim Flaherty (Minister of Finance, CPC):** Mr. Speaker, in response to parts (a), (b) and (c), a decision to adopt the federal harmonized sales tax in the province of British Columbia rests with the provincial government of British Columbia. Negotiations to implement the decision are matters of federal-provincial relations. Nevertheless, as the Minister of Finance noted in the House of Commons on September 29, 2009, "the discussions that I had with the province of British Columbia began after the provincial election in British Columbia."

In response to part (d), the Governments of Canada and British Columbia signed the memorandum of agreement, MOA, concerning a Canada-British Columbia comprehensive integrated tax coordination agreement, CITCA, on July 23, 2009. For more information, visit the Government of British Columbia online at [http://www2.news.gov.bc.ca/news\\_releases\\_2009-2013/2009PREM0017-000141.htm](http://www2.news.gov.bc.ca/news_releases_2009-2013/2009PREM0017-000141.htm).

In response to part (e), the MOA was released shortly after the public announcement by British Columbia of its decision. For more information, visit the Government of British Columbia online at [http://www.gov.bc.ca/hst/Documents/HST\\_MOA.pdf](http://www.gov.bc.ca/hst/Documents/HST_MOA.pdf).

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[English]

#### QUESTIONS PASSED AS ORDERS FOR RETURNS

**Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC):** Madam Speaker, if Questions Nos. 450, 451 and 452 could be made orders for returns these returns would be tabled immediately.

**The Acting Speaker (Ms. Denise Savoie):** Is that agreed?

**Some hon. members:** Agreed.

[Text]

Question No. 450—**Hon. Mauril Bélanger:**

What are the names and titles of the Official Languages Champions in each department and agency for each year from 2004 to 2009?

(Return tabled)

Question No. 451—**Hon. Mauril Bélanger:**

With respect to language training, for each fiscal year from 2005–2006 to 2008–2009: (a) how much did the government spend in each province and territory to help newcomers learn (i) French, (ii) English; (b) how much did the government give to third parties in each province and territory to help newcomers learn (i) French, (ii) English; and (c) what are the names of the third parties that received funding for this purpose?

(Return tabled)

Question No. 452—**Mr. Robert Oliphant:**

With regard to Canadians diagnosed with Myalgic Encephalomyelitis/Chronic Fatigue Syndrome (ME/CFS): (a) given that the Statistics Canada Canadian Community Health Survey (CCHS) showed a more than 60% increase in Canadians diagnosed with ME/CFS between 2001 and 2005, (i) what, if any, funding has been allocated to research this illness in the last four years, (ii) how does the government propose to encourage Canadian research into ME/CFS so that the level of research into this complex, multi-system illness is commensurate with its extent and impact, (iii) what is the government doing to develop strategies and programs to meet the needs of Canadians with ME/CFS; (b) how is the government ensuring that health professionals are aware of the following documents, (i) the Canadian Consensus Document for ME/CFS (ME/CFS: A Clinical Case Definition and Guidelines for Medical Practitioners) developed by an expert panel selected by Health Canada, so that this illness can be diagnosed consistently and accurately, (ii) the Canadian Consensus Document for Fibromyalgia (Fibromyalgia Syndrome: A Clinical Case Definition and Guidelines for Medical Practitioners), also developed by an expert panel, so that these illnesses can be appropriately and differentially diagnosed; (c) when will the government perform the following tasks in relation to the Consensus Document for ME/CFS posted on the Public Health Agency of Canada's website, (i) improve the location of the document on the website in order to facilitate location of this document, (ii) post the French version of this document; (d) why is the Fibromyalgia Consensus Document not posted as a guideline on the Public Health Agency of Canada's website; (e) what steps is the government taking to ensure that health professionals, patients, and the public have access to science-based,

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authoritative and timely information on ME/CFS; (f) how soon will the government post other information related to ME/CFS on government websites; (g) what is the government doing to ensure access to ME/CFS knowledgeable physicians and appropriate health care on a timely basis and how is the government working with the provinces, territories, professional organizations, educational institutions and other stakeholders to meet these needs; (h) how is the government working with stakeholders to deal with other needs of Canadians with ME/CFS shown by the 2005 CCHS including, (i) reducing the levels of unmet home care needs, (ii) reducing the levels of food insecurity, (iii) increasing the sense of community belonging experienced by Canadians with this condition; (i) how will the surveillance report on ME/CFS, prepared from analysis of data collected from the 2005 CCHS, be used to improve the situation for Canadians with ME/CFS; and (j) how will the government monitor the extent and impact of ME/CFS and these other conditions on an annual basis given that questions regarding ME/CFS, Fibromyalgia and Multiple Chemical Sensitivities were dropped from the CCHS after 2005?

(Return tabled)

[English]

**Mr. Tom Lukiwski:** Madam Speaker, I ask that all remaining questions be allowed to stand.

**The Acting Speaker (Ms. Denise Savoie):** Is that agreed?

**Some hon. members:** Agreed.

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## GOVERNMENT ORDERS

● (1320)

[English]

### CANADA-JORDAN FREE TRADE ACT

**Hon. Gordon O'Connor (for the Minister of International Trade and Minister for the Asia-Pacific Gateway)** moved that Bill C-57, An Act to implement the Free Trade Agreement between Canada and the Hashemite Kingdom of Jordan, the Agreement on the Environment between Canada and the Hashemite Kingdom of Jordan and the Agreement on Labour Cooperation between Canada and the Hashemite Kingdom of Jordan, be read the second time and referred to a committee.

**Mr. Gerald Keddy (Parliamentary Secretary to the Minister of International Trade, CPC):** Madam Speaker, it is certainly an honour to rise in this chamber to speak to the second reading of Bill C-57, the free trade agreement between Canada and Jordan.

I need to preface my speech with some very frank comments. Unfortunately, free trade discussions and free trade agreements have very much been hijacked by the chamber, and I would ask all hon. members in this place to look at the merit of this agreement for what the agreement is. We continue to hear discussions about how there is no such thing as fair trade, how there is no fair trade agreement anywhere in the world, how there has never been one signed, and how they sound good on paper but they do not exist in reality.

### *Government Orders*

We sign comprehensive trading agreements and we sign free trade agreements. I would ask all hon. members to also consider another point, that we are signing these agreements with countries that we are already trading with. This is not brand new. I have listened to a lot of discussion about our free trade agreement with Colombia, and the opposition members talk as if we are not trading with Colombia already, but the reality is that we are and that our industries are working at a competitive disadvantage against other nations in the world that have already signed free trade agreements with Colombia. Nations around the world like Switzerland, Iceland, Norway and Liechtenstein have embraced free trade as a methodology for rules-based trading that helps Canadian workers and helps Canadian consumers.

This agreement with Jordan will directly benefit a number of sectors of the Canadian economy at precisely the time when Canadians need competitive access to global markets. In these challenging economic times, we need to do everything we can to help Canadians and Canadian businesses build links to the global economy. Protectionism is not the answer; partnerships are. From the very start of the global economic downturn, the Prime Minister has been very clear that opening doors to trade and investment is the right approach to create opportunities for Canadians in key global markets such as India, which the Prime Minister is visiting right now, and China, where the Prime Minister will travel in a few short weeks, and Jordan.

Over the years, Canada and Jordan have built a strong mutually beneficial relationship. It is a relationship grounded in common aspirations such as peace, stability and prosperity for our citizens. As the Minister of International Trade saw earlier this year, it is a relationship with deep commercial roots as well. Many Canadian companies already have a solid presence in the Jordanian marketplace. The Potash Corporation of Saskatchewan, for instance, is one of Jordan's top foreign investors. It is joined by companies like Research In Motion, Bombardier, SNC-Lavalin, Four Seasons Hotels, Second Cup coffee shops and many others which are also active in Jordan.

Our two-way trade is very diverse, covering everything from forestry to agriculture, from food to machinery, as well as communications, technologies and apparel. Canada's expertise in nuclear power is another sector of great interest to Jordan, especially as it embarks on a nuclear energy program to meet its energy needs in the years ahead. Canada's nuclear industry has a lot to offer the government and the private sector in Jordan, especially following the signing of our bilateral nuclear cooperation agreement earlier this year. It is yet another example of how sophisticated our relationship is becoming on several fronts.

In 2008, our two-way merchandise trade reached over \$90 million. Canada is the supplier to Jordan of a range of goods including paper, copper, vegetables, machinery and wood. In fact Canadian exporters enjoyed a 21% rise in exports over the previous year, making Jordan a growing market in the Middle East for Canada.

• (1325)

At a time of global recession, when export markets are dropping and decreasing around the world, we have seen an increase in our

market with Jordan. This growing trade relationship is one reason our businesses are supportive of closer ties with the Jordanian marketplace.

Our leaders see potential as well. In 2007, the Prime Minister joined His Majesty King Abdullah II in a commitment to take our commercial relationship to the next level. Formal FTA negotiations launched in February of 2008 were concluded after three rounds. In June of this year, Canada and Jordan signed not only a free trade agreement but also agreements on labour cooperation and the environment, and a foreign investment promotion and protection agreement.

These are all important components in our evolving commercial relationship, but the free trade agreement is the centrepiece, the one that will benefit Canadians and Jordanians alike. It will give Canadian and Jordanian exporters unprecedented access to our respective markets, eliminating tariffs on a number of key products. World-leading Canadian sectors such as forestry, manufacturing and agriculture and agri-food will benefit.

Our beef producers too stand to benefit from the agreement. Not only did Jordan fully reopen its market to Canadian beef and cattle in February, but through this FTA, Canadian beef producers will enjoy competitive advantages in a market that the Canada Beef Export Federation estimates to be worth approximately \$1 million per Canadian exporter.

In addition to providing these great benefits, this agreement also sharpens our competitive edge. After all, Jordan has free trade agreements with some of our key competitors such as the United States and the European Union. This FTA will help ensure a level playing field for Canadians in the Jordanian market. In fact 67% of Jordan's tariff lines, covering over 99% of Canadian exports, will be eliminated when the agreement is first implemented, and the remaining tariff reductions will take place within three to five years.

An FTA with Jordan also demonstrates Canada's support for an Arab state that supports peace and security in the Middle East, but as I have said before, the FTA was just one agreement we signed with Jordan this year. We also signed parallel labour cooperation and environmental agreements that will help ensure progress on labour rights and environmental protection. Our government firmly believes that increased commerce can play a positive role in society, and these agreements prove our commitment.

We also signed a bilateral foreign investment protection and promotion agreement, or FIPA, that establishes clear rules for investment between our countries. It provides Canadian and Jordanian investors alike with the predictability and certainty they need when investing in each other's markets.



*Government Orders*

Canadian investors are particularly excited about opportunities in Jordan's resource extraction, nuclear energy, telecommunications, transportation and infrastructure sectors, and Jordan has been very receptive to Canada's many investment advantages, such as our sound, stable economy; our globally recognized banking system; our competitive business taxes; our ongoing investments in infrastructure, science and education; our unmatched position in the North American market; and the skills, ingenuity and innovation of the Canadian people.

This agreement will help us promote investment between our nations and create new opportunities for our citizens. Canada believes that our ability to weather the current economic storm depends in great part on the global partnerships we pursue. That is why this Conservative government is moving so aggressively on trade negotiations with our global partners.

On July 1, we celebrated the official entry into force of Canada's first free trade agreement since 2002, with the European Free Trade Association's states of Iceland, Norway, Switzerland and Liechtenstein. On August 1, we were celebrating again with the entry into force of the Canada-Peru FTA.

The Prime Minister was in Panama City on August 11, along with Panamanian President Ricardo Martinelli, to mark the conclusion of the Canada-Panama free trade negotiations, and of course, the legislation to implement the Canada-Colombia free trade agreement is currently before Parliament.

There is much more to come.

●(1330)

On October 23, Canada and the European Union concluded a successful first round of negotiations towards a comprehensive economic and trade agreement. The Canadian and EU chief negotiators commended the efforts made by both sides to identify common ground and their readiness to reconcile differences.

Free trade talks are also under way with other countries in the Americas, including the Caribbean community.

We have also announced exploratory talks with India, Morocco and Ukraine, three more exciting opportunities to link Canadians to opportunities in these important markets.

The agreements we have signed with Jordan are an important part of these efforts. They speak directly to our government's ongoing commitment to open more doors and create more jobs for Canadians in these tough economic times.

I would ask that all hon. members fully support these efforts and, specifically, the Canada-Jordan free trade agreement and related agreements that I have outlined today.

Just to wrap up, I would ask very clearly and openly for the support of the opposition parties. This is a minority Parliament. There is no way the government alone can pass these bills through the House. These are good bills. They offer tremendous opportunity, not just for Canadian companies, but for Canadian workers and in turn for Canadian consumers. So I would certainly call upon all of the opposition parties, especially the official opposition which has

been a free trader in the past, to look at the opportunities here, to assess them and to support them.

**Hon. Scott Brison (Kings—Hants, Lib.):** Madam Speaker, Canada has a small, open economy. We depend on external trade for our prosperity and for our jobs.

That is why it is ominous that under the current Conservative government we have the first trade deficit that we have had in 30 years. To put that in plainer terms, we are buying more as a country than we are selling. That is a very bad sign for Canadians, because we do not have the robust domestic market that, for instance, the Americans have.

This has been caused by the failure of the Conservatives to defend our interests with our largest trading partner, the United States, and the failure of the Conservatives to diversify Canada's trade relations, particularly their failure to engage India and to engage China. The Prime Minister went to India this week, finally, after four years of neglecting India. In December the Prime Minister is planning to go to China, after four years of showing contempt for China. It is not good enough to show contempt for the world's fastest growing economy at a time when Canadians need jobs and opportunities, and then after four years of contempt, go on a mea culpa tour.

Specific to the Canada-Jordan FTA, we believe that there are tremendous opportunities for Canada and Jordan in this agreement. In fact, the member for Toronto Centre, as premier of Ontario, initiated discussions with Jordan on deepening trade relations between Canada's largest province and Jordan many years ago.

We need to focus on deepening our relationship with Jordan. At the same time, it is important to recognize that Jordan is a country of five million people. It is the 85th most important destination for Canadian exports. Its economy is ranked 95th in the world by GDP.

Contrast that with China. China is expected to grow by 8.7% in 2010 and about 8.4% in 2011. India is expected to grow by 6.5% in 2010 and 7.8% in 2011. At the same time, Jordan is expected to grow by 3% next year and 3.7% in 2011.

It is a good idea to diversify our trade relations, particularly when we face such protectionism in the U.S., our biggest market, particularly during a time when the U.S. economy has been hit the hardest.

At the same time, we cannot understand why the Conservative government has taken such an ideological position relative to China. It is almost as if the Prime Minister has been fighting the cold war that ended a long time ago with China at a time when other countries are engaging China to build relations and to deepen trade opportunities.

This year Canadian exports to the U.S. have plummeted by 30%. We have seen rising protectionism from the Americans. We have seen a protectionist sentiment at both ends of Pennsylvania Avenue.

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Whether it is the western hemisphere travel initiative, the new passport requirement that came into effect in June that has reduced cross-border same-day travel by 29%, which has had a devastating impact on border cities and communities, or the country of origin labelling that is hurting Canada's livestock industry, and more recently and perhaps most important, the buy American provisions, in every single case, the Conservative government has failed to effectively engage the Obama administration and Congress to defend Canadian interests. The fact is that over their first three years in government, the Conservatives focused so much on the Bush Republicans that they completely ignored the Democrats. Now with the Democrats in charge at both ends of Pennsylvania Avenue, Canada is at a disadvantage.

We are too dependent on the U.S. market, and the Conservatives have failed to defend Canada's interests in that big and important market. At the same time, we have to diversify and deepen our trade relations with countries like China and India.

● (1335)

Perhaps the greatest advantage and opportunity we have as a country is our head start in clean conventional energy technology. In fact, it was a Liberal government that initially invested massively in CO<sub>2</sub> sequestration research and development in places like Weyburn, Saskatchewan. Those investments led to Canada having an advantage in clean conventional energy. In fact, Canada has the best technology in the world in carbon sequestration technology.

This summer, China signed a memorandum of understanding with the Obama administration to cooperate on the research and development of CO<sub>2</sub> sequestration technology. The question we have to ask ourselves is: Why did China go to the U.S. for CO<sub>2</sub> sequestration technology when in fact Canada has the best CO<sub>2</sub> sequestration technology?

There are only two answers that make any sense. It is one of two things. Either the Conservative government's contempt for China over the last four years has damaged the relationship to such a point that China does not want to come to Canada for anything, or perhaps it is that the Conservatives have refused to promote Canada's clean energy solutions to the world. Either way it is damning because the Conservatives do not recognize the important comparative advantage Canada has in the research and development and export of clean energy technologies and solutions.

Perhaps the fastest growing area of the 21st century economy is going to be in clean energy and clean energy solutions. It is an area where Canada has a natural advantage as a traditional conventional energy producer. It is an area wherein the previous Liberal government invested to develop a global advantage in the area of clean conventional energy. It is an advantage that the Conservatives are frittering away in their ideological fight with China, their naive treatment of the fastest growing economies in the world, and their absolute incompetence in managing trade relations with those important economies that provide Canadians with the opportunities and the jobs of the future.

We do believe that there are opportunities for Canada in Jordan and there are opportunities for Jordan in Canada. The opportunities for us to trade and deepen the relationship is welcome, but we have

real challenges with the fact that the Conservatives have so neglected the greatest opportunities.

In 1993 Prime Minister Chrétien went to China with the Team Canada mission. He took 300 senior executives of Canadian companies and all Canadian premiers, except Lucien Bouchard, with him. They signed billions of dollars' worth of agreements with China at that time, deepening the relationship, creating jobs for Canadians.

Mr. Chrétien at that time also led trade missions to India. Again he took with him hundreds of Canadian business people and the Canadian premiers. He engaged Indian government leaders and business leaders in business, not in photo ops.

● (1340)

This week the Prime Minister has gone to India. In his mea culpa tour to India and China, he has a handful of Canadian business people in India, but not enough to sign the kinds of deals that were signed when Mr. Chrétien was prime minister. That is because of the fact that the Conservative Prime Minister is more interested in photo ops and his mea culpa tour than he is in developing real business opportunities and jobs for Canadians.

The Prime Minister does not recognize Canada's multicultural policy not just as a successful social policy but as an economic advantage. The Liberal Party developed the multicultural policy and believes it is not only a social advantage but an economic advantage. We should be engaging our multicultural entrepreneurs to build natural bridges to the fastest growing economies in the world, economies like India and China.

Next month when the Prime Minister goes to China, he will have a lot of explaining to do. The Prime Minister has spent four years treating China with contempt. He failed to go to the opening of the Beijing Olympics. When I was in China in September, there were meetings with Canadian business people doing business in China, meetings with Chinese officials, and in every meeting the no-show of the Conservative Prime Minister at the opening of the Beijing Olympics was raised. It is a real issue. This is not a construct. It has cost Canadian business; it has cost Canadian deals. It has shown a Prime Minister who does not understand the importance of relationships in China.

The fact is that the Conservative government and members of the Conservative Party have attacked the Liberal leader for being too worldly when they should in fact be apologizing for their leader not being worldly enough. We have a Prime Minister of Canada today who does not understand the opportunities presented to Canada by the world. Canada, the most multicultural and diverse country anywhere in the world, has tremendous opportunities as we see the emergence of economies like China and India. He is a Prime Minister who does not understand Canada's responsibility to the world, to develop and promote the clean energy solutions that the world needs.

*Government Orders*

The Prime Minister, when it came to trade relations with places like India, started on third base. Four years later, he hit a single and he thinks he is hitting a home run. The fact is he has hurt our relations with China. He has damaged our relationship with India. Four years later, he is indulging himself in a photo op tour which, at best, can repair some of the damage that his rigid ideological perspective has created for Canadian companies, business leaders and workers in those important economies.

We in the Liberal Party believe there are opportunities in a Canada-Jordan trade agreement but we also believe that the Conservative management of Canada's historically important relations with places like China and India have been an abject failure. The Conservatives' treatment of those relationships has hurt Canadian competitiveness, has damaged our capacity to protect the jobs of today and has hurt the capacity for us to create the jobs of tomorrow.

● (1345)

**Mr. Peter Julian (Burnaby—New Westminster, NDP):** Madam Speaker, I listened with interest to the member for Kings—Hants. I always listen to him with interest. Sometimes I agree and sometimes I profoundly disagree. I listened very attentively.

The reality is that Jordan is not Colombia and we have to look at the Jordan issue of this trade agreement on its own merits. Of course, there are concerns around human rights in Jordan, concerns around some of the actions of the Jordanian government and concerns around the rights particularly of women migrant workers who come to Jordan.

When this bill goes to committee, which I assume at some point it may, much before any other of the trade bills before the House, would the member not agree that there needs to be effective hearings? Would he agree that the committee needs to hear from women's organizations, human rights organizations, environmental organizations, labour organizations, as well as the business community, so that the committee can ascertain the real impact of this trade agreement?

**Hon. Scott Brison:** Madam Speaker, of course the Liberal Party is concerned about issues of rights. The Liberal Party has always been engaged in the defence of human rights. In fact, we believe trade, free trade and human rights go hand in hand because effective economic engagement actually strengthens the capacity to engage on rights. Pierre Trudeau was no slouch when it came to the defence of human rights. At the same time, he saw the wisdom of engaging China. He was the first Western leader to establish diplomatic relations with post-revolution China.

The disconnect we have with the NDP is that it somehow sees legitimate economic trade as being the enemy of human rights. In fact, the best thing we can do for a country that is developing its economy is to engage it economically. Then we can have an influence on them on human rights.

The Conservatives' isolationist approach to China has created a situation where we have less influence on human rights in China today than we did four years ago under a Liberal government. The fact is more economic engagement can strengthen the capacity to engage on human rights. I just wish the NDP members would be more open to the proven fact that free trade and a rules-based system

can strengthen our engagement with these countries on human rights. I wish they would not be so ideologically rigid.

[*Translation*]

**Mr. Serge Cardin (Sherbrooke, BQ):** Madam Speaker, I would like to ask the member for Kings—Hants what he thinks about the fact that today, the Conservative government put forward a free trade agreement with Jordan.

It is a small country. In general, we are in favour of trade. Not to judge the country, but given the current situation, we have to wonder whether the government will be able to structure international trade, set policies and apply them properly. The government reminds us of a child in kindergarten. The Conservatives are in their first year of international trade kindergarten, and they have been held back three times already. They seem to understand nothing about international trade. They are cutting their teeth on small countries, while major markets are opening up, which we could be investing much more energy in.

I would like to know what the member thinks about the Conservative government and the development of its international trade policy. Ideally, we should not be signing bilateral agreements; we should be focusing primarily on multilateral agreements, ensuring that the rules of the game are the same for everyone. But what is happening is that we are signing a pile of bilateral agreements with some somewhat distorted rules.

I would like to hear what my colleague thinks.

● (1350)

**Hon. Scott Brison:** Madam Speaker, I thank the member for his question.

It is clear that the Conservatives do not understand and do not support a multilateral approach. It is also clear that we must diversify our international trade relations.

I do not understand why the Conservatives always concentrate on the small markets and completely ignore the big markets like China and India. I agree with the member; multilateralism is very important for Canada. The Conservatives do not understand this system. At the same time, we must develop and diversify our international trade relations, and the Conservatives are completely incompetent when it comes to this.

[*English*]

**Mr. Mike Lake (Parliamentary Secretary to the Minister of Industry, CPC):** Madam Speaker, I was riveted as I listened to the speech of the hon. member. He spoke glowingly of former Prime Minister Jean Chrétien. It struck me as a little odd. As I was listening to him I was also looking at some past issues of *Hansard* from 2000. I note the hon. member had this to say:

I was appalled at the recent national Liberal convention, which I attended as an observer for my party. I also was a commentator for CBC and CTV. I was there for the weekend and I felt a bit like an undercover rabbi at a PLO conference.

He went on to say:

It was an interesting experience, to say the least, but the fact is that what I learned disappointed me about the leadership of the Liberal Party at this time. Frankly, I had expected that the Prime Minister would have had a better idea of where the world was going...

*Government Orders*

The member said that when Chrétien was the prime minister. Could he explain the change in his views since then?

**Hon. Scott Brison:** Madam Speaker, that reminds me of the time when John Maynard Keynes was involved in a debate and his opponents said, “Mr. Keynes, your view on monetary policy has changed dramatically over the last 20 years because 20 years ago this is what you said on monetary policy”. Keynes said, “Well, sir, the facts have changed and when the facts change, I change my mind. What do you do, sir?”

The facts are the Chrétien government and the Martin government understood the importance of China and India, as did the Mulroney government, as did the Diefenbaker government and the Trudeau government. The only government of any political stripe in Canada over the last 40 years to not understand the importance of engaging China has been the current Conservative government. It has betrayed a bipartisan commitment to engagement of China in developing Canadian jobs in China.

**Mr. Jim Maloway (Elmwood—Transcona, NDP):** Madam Speaker, the member was asked by my colleague, the member for Burnaby—New Westminster, about hearings at committee stage and he did not answer the question.

Is the member in favour of hearings at the committee stage so a variety of presenters can come and have their say?

**Hon. Scott Brison:** Absolutely, Madam Speaker. I will be looking forward to committee and to hearing from witnesses and hearing the potential impact that the agreement can have on the people of Jordan and the people of Canada in terms of the economic and social impact on both countries.

This is something we have done, for instance, at committee with the Canada-Colombia agreement. The overwhelming evidence is that the Canada-Colombia FTA will strengthen and improve the lives of Colombians, their economic opportunities and their rights and securities.

This is the kind of information we garner when we actually listen to witnesses with an open mind, as opposed to badgering them with ideological rhetoric, as has been the case with the NDP when witnesses appear.

• (1355)

[*Translation*]

**The Acting Speaker (Ms. Denise Savoie):** Resuming debate. The hon. member for Rimouski-Neigette—Témiscouata—Les Basques has the floor. I just want to let him know that he can begin his remarks, but that I will have to interrupt him at 2 p.m.

**Mr. Claude Guimond (Rimouski-Neigette—Témiscouata—Les Basques, BQ):** Madam Speaker, the Bloc Québécois is the only party on Parliament Hill that truly defends the interests of Quebecers, and it is the only party that has remained faithful to its values and principles. We are the only party with integrity.

The provisions of Bill C-57, to implement the Free Trade Agreement between Canada and the Hashemite Kingdom of Jordan, are such that the members of the Bloc Québécois can vote in favour of the agreement.

However, we want to express some criticisms that we hope will be taken into account and will help the Conservative Party and maybe even the Liberal Party change their approach. Despite the fact that we support Bill C-57, we feel that the Conservatives are wrong to negotiate bilateral agreements at the expense of multilateral agreements.

Why do we support this bill? Despite the fact that Jordan is, quite frankly, a small trading partner, an agreement with the country is in Quebec's best interests. In this time of economic turmoil, with a forestry industry in crisis, this agreement can give private woodlot owners and the forestry industry in Quebec a leg up.

The Conservative government's refusal to help the forestry sector as much as it helped Ontario's automotive sector is doing nothing of course to improve the situation facing thousands of workers who have been hit hard by the current forestry crisis.

Considering the fact that out of the \$35 million worth that Quebec exports to Jordan, \$25 million comes from the pulp and paper sector, the agreement in question would allow us to maintain this situation, for one, as well as offer new opportunities to our pulp and paper producers and to our private woodlot owners, of whom there are 130,000 in Quebec. It is also important to consider the fact that our trade balance with Jordan is in Quebec's favour.

Unlike Bill C-23, which we have been discussing for quite some time now in the House, that is, the free trade agreement between Canada and the Republic of Colombia, the agriculture that goes on in Jordan does not present a threat to Quebec farmers. The proof is that the Union des producteurs agricoles du Québec, of which I was once president for my region, supports this bill. However, despite the fact that natural ground and surface waters, in their liquid, gas or solid form, are excluded from the agreement by the enabling statute, the Bloc Québécois noted that this exclusion is not written into the text of the agreement itself.

That is why the Bloc Québécois would like to ensure that Quebec's major water resources are clearly excluded from the agreement, so that control over their development remains in the hands of Quebecers and the Quebec nation.

Considering that Canada has already entered into a trade agreement with Israel, signing a similar agreement with a neighbouring country, whose relations with Israel can be difficult, would help show a certain balance in interests in the Middle East region.

• (1400)

**The Acting Speaker (Ms. Denise Savoie):** I am sorry to have to interrupt the hon. member for Rimouski-Neigette—Témiscouata—Les Basques. He will have approximately fifteen and a half minutes when debate resumes on this bill.

Statements by members. The hon. member for Huron—Bruce.

*Statements by Members***STATEMENTS BY MEMBERS***[English]***DISCOVER CANADA GUIDE**

**Mr. Ben Lobb (Huron—Bruce, CPC):** Madam Speaker, I stand in the House today to pay tribute to Canada's new immigration study guide, launched by the hon. Minister of Citizenship, Immigration and Multiculturalism last Thursday.

Titled "Discover Canada", the new guide is a vast improvement over its predecessor. With its emphasis toward a greater understanding of Canada's history, values, symbols and important Canadian institutions, the new guide serves as a valuable resource, not only for prospective Canadians, but for current Canadians as well. The guide also highlights the sacrifices made by Canada's veterans and promotes a deeper understanding of Canada's identity.

This fall, Huron—Bruce was named one of the most patriotic ridings in Canada. Last week, the people of Huron—Bruce were once again proud to be Canadian with the launch of the new immigration guide.

\* \* \*

**THE ENVIRONMENT**

**Hon. Wayne Easter (Malpeque, Lib.):** Madam Speaker, I stand today to again request the government to establish the infrastructure to assist in the development, domestic use and export of clean wind energy on P.E.I.

Shamefully, the Prime Minister cancelled a signed agreement of the previous government, including \$32 million to fund a Northumberland Strait energy cable. However, today's reality should allow the Prime Minister to reconsider.

With the Copenhagen conference emphasizing sound environmental policy, a cable to allow the movement of surplus wind energy would blunt the criticism of the government's tragic environmental record. Better yet, the province has endorsed an energy strategy utilizing wind to create clean energy and an improved economy.

Three years have been lost. However, the opportunity still exists to partner with P.E.I. to develop clean energy for domestic and export use. I appeal to the Prime Minister to fund this excellent economic opportunity.

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*[Translation]***MARC LACROIX**

**Mrs. Claude DeBellefeuille (Beauharnois—Salaberry, BQ):** Madam Speaker, today I would like to acknowledge the ingenuity, creativity and especially the perseverance of Marc Lacroix, a new resident and young entrepreneur of the town of Huntingdon.

Mr. Lacroix is an artist and promoter who created a game that comes highly recommended in the 2010 toy guide of the *Protégez-Vous* magazine. This game was designed to teach children between 8 and 14 how to draw and paint using a step-by-step approach.

Fourteen students from the Châteauguay Valley Regional High School are involved in the production of this game, which is assembled at the Huntingdon factory.

Huntingdon has faced many textile plant closures and is coming through with flying colours. I must commend the dynamism of this young entrepreneur who is contributing to the economic development of the town of Huntingdon through his leadership and his commitment to his community.

Congratulations Mr. Lacroix.

\* \* \*

*[English]***POVERTY**

**Mr. David Christopherson (Hamilton Centre, NDP):** Madam Speaker, Food Bank Canada's HungerCount 2009 report stated that Canadians' use of food banks has swelled by almost 17%. That is 800,000 people who depend on food banks, including almost 300,000 children. This is the largest increase recorded in Canadian history and it represents a severe condemnation of the failed economic policies of the government.

Government members need to understand that the recession is not just about decreased profit margins, it is also about real families across Canada struggling to feed their children.

In my hometown of Hamilton, this increase means that over 22,000 people are now relying on food banks.

The report included recommendations to implement a national poverty prevention strategy, to improve our EI system and to increase the GIS for low income seniors.

Food banks are not the cure; they are just a temporary relief from the symptoms. The disease is poverty, and it is made worse by the inaction of the government.

\* \* \*

**WEDDING ANNIVERSARY CONGRATULATIONS**

**Mr. Rob Anders (Calgary West, CPC):** Mr. Speaker, constituents, Harry and Femmy Slagter, are celebrating their 55th wedding anniversary.

They came from Holland and theirs was a case of love at first sight. Harry joined the navy but still had a year to serve. He promised Femmy he would follow her. At the age of 21, he waved goodbye to his family and set sail for Canada. A two year courtship followed.

On November 19, 1954, they began their journey together as husband and wife. In 1959, they moved their growing family to Calgary. Harry is a welder who graduated with honours. Femmy won medals in speed skating, served as a nurse and also worked for Harry Strom, the former premier of Alberta.

*Statements by Members*

Harry and Femmy's children have all married and are busy raising families. The Slagter family consists of 10 children, 51 grandchildren, 27 great-grandchildren and 20 spouses of children and grandchildren for a total of 110, and growing.

Harry and Femmy Slagter attend the Bethel United Reformed Church and are blessed to know the word of the Lord.

\* \* \*

●(1405)

**NELSON MANDELA INTERNATIONAL DAY**

**Hon. Irwin Cotler (Mount Royal, Lib.):** Mr. Speaker, on the occasion of Nelson Mandela becoming an honorary citizen of Canada in an historic ceremony eight years ago today, I said in the House:

Nelson Mandela is a metaphor and message of the long march toward freedom, of the struggle against racism and hate, and of the struggle for human rights, human dignity, democracy and peace.

This honorary citizenship will have a historic and inspiring resonance for Canadians, for good relations between Canada and Africa, and for...our common humanity.

I am sure all members of this House will join me today in expressing our delight that the United Nations General Assembly has decided to mark July 18, Mandela's birthday, as Nelson Mandela International Day so that on this day, Canada, in concert with the other members of the international community and people of the world, can recognize and reaffirm the enduring contribution of this great humanitarian to the general welfare of humanity.

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**DANIELLE'S PLACE EATING DISORDER SUPPORT AND RESOURCE CENTRE**

**Mr. Terence Young (Oakville, CPC):** Mr. Speaker, I rise today to recognize the volunteers and staff at Danielle's Place Eating Disorder Support and Resource Centre, in Halton, who have improved the lives of hundreds of patients and families.

Danielle Mayeur lost her battle with anorexia in September 2001 at age 25 in a health care system that did not understand this complex and dangerous disease, but her vision of a place of compassionate and humane services for the sufferers of eating disorders was founded after her death by her mother, Carolyn.

Danielle's place has served over 1,500 clients, ages 10 to 65, who come from all over southern Ontario.

I especially acknowledge Dr. Randy Staab, Dr. Les Greenberg and Dr. Joanne Dolhanty at Credit Valley Hospital who use the innovative practice of emotion focused therapy. They are successfully helping patients reverse the debilitating symptoms of anorexia.

With the help of Danielle's Place and these medical pioneers, people with eating disorders need not suffer alone and now have real hope for a healthier future.

[*Translation*]

**WORLD MARCH FOR PEACE AND NONVIOLENCE**

**Ms. Meili Faille (Vaudreuil-Soulanges, BQ):** Mr. Speaker, today, as part of the World March for Peace and Nonviolence, students from the Chêne-Bleu and Soulanges secondary schools in my riding of Vaudreuil-Soulanges will march two kilometres to encourage us to adhere to the charter for a world without violence.

This march is the initiative of World Without Wars, an international organization, and the humanist movement, in partnership with organizations and personalities around the world, and calls for an end to all wars, the dismantling of nuclear weapons and an end to all forms of violence. On November 11, 2009, at the summit of Nobel peace laureates in Berlin, the world march was given the title of emissary for the charter for a world without violence. The march organizers promised to disseminate this charter throughout the world.

On behalf of my Bloc Québécois colleagues, I want to congratulate the students at the Soulanges and Chêne-Bleu secondary schools for their efforts, which inspire us all to commit to a world without violence.

\* \* \*

**THE ECONOMY**

**Mrs. Sylvie Boucher (Beauport—Limoilou, CPC):** Mr. Speaker, in this global economic downturn, one thing is obvious: the Canadian economy is doing better than most and we are leading the global recovery. This was confirmed today by the OECD in its economic report.

Although global recovery is fragile, Canada is one of the strongest G7 countries in terms of GDP growth for next year and we will lead the G7 for growth in 2011.

The OECD points out that our Conservative government's economic action plan is contributing to the recovery.

But we must remain focused. We need to stay the course, keep the focus on the economy and fully implement our economic action plan.

That is what the OECD recommends and it is exactly what our Conservative government is doing. We are fighting the recession while the leader of the Bloc Québécois and his party vote against economic recovery.

\* \* \*

●(1410)

[*English*]

**UKRAINE PRESIDENTIAL ELECTION**

**Mr. Borys Wrzesnewskij (Etobicoke Centre, Lib.):** Mr. Speaker, today we welcome Mr. Yaroslav Davydovych.

Mr. Davydovych is the former chair of Ukraine's Central Electoral Commission. He was almost singularly responsible in not accepting the fraudulent second round results of the Ukrainian presidential elections in 2004. He did this at great potential danger to himself and his family.

*Statements by Members*

He alone refused to sign the official tabulation of voting results that would have made the fraudulent elections official. Mr. Davydovych's principled integrity led to a constitutional impasse and a Ukrainian Supreme Court review of the elections. He alone among officials provided critical evidence during the Supreme Court case, while as many as half a million protested during those historic weeks of the Orange Revolution.

He is in Canada to warn of the need for vigilance in the upcoming January 2010 presidential elections and of the need for adequate assistance from Canada's government to ensure that the democratic free will of the Ukrainian people prevails.

I know that all colleagues will want to join me in welcoming Mr. Yaroslav Davydovych to Canada.

\* \* \*

**MIDDLE EAST**

**Ms. Candice Hoepfner (Portage—Lisgar, CPC):** Mr. Speaker, since our government took power, the Liberals have continually reminded us by their inaction that it is one thing to offer supportive words to Israel when it is convenient and another to be consistent in steadfast support when it matters.

When rockets were raining down on Israel in 2006, it was our government that proudly stood with our friends in the democratic family of nations, the state of Israel. What did the Liberal leader do? He accused Israel of war crimes.

We were the first government in the world to cut funding to the Hamas-led government in Gaza, which the then Liberal foreign affairs critic, the member for Vancouver South, criticized.

Earlier this year, we led the movement in refusing to attend the Durban conference, which was blatantly anti-Israel, just like we boldly led the walkout on the Iranian president's speech at the UN.

If the Liberals want to compare records, we welcome this comparison. Our government and our Prime Minister will continue to support—

**Some hon. members:** Oh, oh!

**The Speaker:** Order, please. The hon. member for Windsor—Tecumseh.

**Mr. Joe Comartin (Windsor—Tecumseh, NDP):** Mr. Speaker, I rise today to commend a constituent who, in her unselfish acts and—

**Hon. Ralph Goodale:** You are better than that, Jim. You should be a leader, Jim.

**Mr. Joe Comartin:** Quite frankly, Mr. Speaker, I am not sure why I am standing at all, given—

**Some hon. members:** Oh, oh!

**The Speaker:** The hon. member for Windsor—Tecumseh has the floor. Order, please. The hon. member for Windsor—Tecumseh. No?

The hon. member for Burlington.

**CREDIT AND DEBIT CARD INDUSTRY**

**Mr. Mike Wallace (Burlington, CPC):** Mr. Speaker, the small business sector is Canada's biggest employer and it is the engine of Canada's economy.

Recently, small businesses expressed concern with the conduct of credit and debit card providers. Today we introduced a proposed code of conduct for the credit and debit card industry for consultation. The measures will help ensure that the credit and debit card industry is accountable.

This is what the Canadian Federation of Independent Business, the voice of small business in Canada, said about it:

Today's announcement...constitutes an important step and is timely as we enter the holiday season that is so vital to so many retailers, especially coming out of a recession. We are particularly pleased that government is being proactive.... These developments will create a better future for merchants and help ensure a fair and transparent credit and debit market instead of just letting large industry players call all the shots.

We agree with the CFIB.

\* \* \*

[*Translation*]

**PAY EQUITY**

**Mrs. Ève-Mary Thāi Thi Lac (Saint-Hyacinthe—Bagot, BQ):** Mr. Speaker, the 2009 federal budget had very little to offer in terms of policies to help women. Once again, the Conservative government missed an excellent opportunity to deal with the issue of pay equity once and for all. Instead, it is still putting women at a disadvantage by making pay equity a negotiable right.

Women working for Agriculture and Agri-Food Canada received a \$4,000 lump sum payment for pay equity compensation in 2007, but those working for the Canadian Food Inspection Agency were excluded because they were employed by a federal agency. Is that what pay equity is supposed to mean?

In my riding, Saint-Hyacinthe—Bagot, 30 people work for the Canadian Food Inspection Agency, and 27 of them are women who are still victims of injustice and discrimination.

The Bloc Québécois will continue to fight for truly proactive pay equity legislation.

\* \* \*

● (1415)

[*English*]

**ISRAEL**

**Hon. Ken Dryden (York Centre, Lib.):** Mr. Speaker, virtually every Canadian knows the story of Israel, virtually every Canadian knows about the Holocaust and virtually every Canadian strongly supports the safety, security and sustainability of Israel.

What the Prime Minister has done routinely and repeatedly in recent years is to create division where none has existed. By trying to set himself up as the champion of Israel, he has pushed those who feel no less strongly to the other side of his divide, to those who are, in his words, not friends of Israel.

### Oral Questions

By focusing debate on himself, not on our deep and fundamental support for Israel, he has created doubt about and doubt in those who feel just as strongly. In doing so, he has weakened support for Israel across the country.

By seeking his own political advantage, he has acted not only to be destructive of his political opponents, he has weakened support for the community he purports to stand up for. That is not right. That is offensive.

\* \* \*

### THE ECONOMY

**Mr. Daryl Kramp (Prince Edward—Hastings, CPC):** Mr. Speaker, during the current global downturn, one thing has become crystal clear: Canada's economy is holding up better than most and we are leading the global recovery.

Today's OECD economic report confirms that. Now while the global recovery is fragile and tentative, Canada is among the strongest in the G7 in terms of GDP growth for next year, and we will lead the G7 in growth in 2011. The OECD also notes that our Conservative government's action plan, especially our infrastructure and home renovation tax benefit, is helping fuel the recovery.

We cannot be distracted. We need to stay the course. We need to focus on the economy and fully implement Canada's action plan. That is what the OECD is recommending and that is precisely what this Conservative government is doing.

We are fighting the recession, while the Liberal leader and his party vote time and time again against the recovery and for an election. This shows clearly and sadly that they are not in it for Canadians; they are in it for themselves.

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## ORAL QUESTIONS

[English]

### AFGHANISTAN

**Hon. Bob Rae (Toronto Centre, Lib.):** Mr. Speaker, the testimony yesterday of Richard Colvin before the Afghanistan committee showed two clear things. First, Mr. Colvin testified that he had information with respect to the mistreatment of prisoners in Afghan prisons and that he gave that information to his superiors. Second, Mr. Colvin testified that he was also told by his superiors to shut up, essentially.

Given the importance of these two revelations, the revelations of mistreatment, harsh treatment and even torture, and the revelation with respect to a cover-up, would the minister not agree with me and with others that there should indeed be a full public inquiry into what has taken place with respect to the transfer of these detainees?

**Hon. Peter MacKay (Minister of National Defence and Minister for the Atlantic Gateway, CPC):** Mr. Speaker, it has been stated here a number of times that there has not been a single, solitary proven allegation of abuse involving a transferred Taliban prisoner by Canadian Forces. Second, with respect to the evidence yesterday, what we know is that when the evidence is put to the test, it simply does not stand up.

Mr. Colvin had an opportunity to speak directly to me and other ministers of the government who were in Afghanistan. He did not raise the issue. As well, what is being relied upon here is nothing short of hearsay, second- or third-hand information, or that which came directly from the Taliban.

[Translation]

**Hon. Bob Rae (Toronto Centre, Lib.):** Mr. Speaker, that is not the case. Instead of attacking the problem, the government is attacking Mr. Colvin. It is reprehensible of the government to do so.

Mr. Colvin's testimony was very clear. He had important information on the mistreatment of the detainees and the government told him to keep mum.

Given the importance of these two revelations to Canada's reputation, why not launch a public inquiry into what happened?

● (1420)

[English]

**Hon. Peter MacKay (Minister of National Defence and Minister for the Atlantic Gateway, CPC):** Mr. Speaker, let me be very clear. Nobody is attacking the individual. What we are attacking here is the importance of the credibility of information that the Canadian public and a parliamentary inquiry is being asked to accept. That is what is at stake here.

I think that even the hon. member, who purports to be a lawyer, does know a little bit about due process. This is evidence that is being asked to be accepted without question. It is based on second- and third-hand information and Taliban information.

These are very serious allegations. They deserve very serious scrutiny and frankly, they are not credible.

**Hon. Bob Rae (Toronto Centre, Lib.):** Mr. Speaker, I am not sure that foreign intelligence agencies are run by the Taliban. I am not sure that the humanitarian agencies in Kabul are run by the Taliban. These are all the sources and people that Mr. Colvin cited yesterday in terms of dealing with this question.

I hope the minister would understand that the importance of having a public inquiry is in fact to deal with a very simple problem that has now been created. It is very difficult for Canada to have integrity and consistency in talking to Tehran and Beijing if in fact we find that officials, Canadian officials and Canadian ministers, refused to listen to hard information with respect to—

**The Speaker:** The hon. Minister of National Defence.

**Hon. Peter MacKay (Minister of National Defence and Minister for the Atlantic Gateway, CPC):** Mr. Speaker, in addition to the suspect source of the information upon which the hon. member would have us all rely, it is interesting to note that Mr. Colvin could not even say that the Taliban prisoners that he himself interviewed were in fact those who were transferred by Canadian troops.



*Oral Questions*

Mr. Colvin cannot even say that the source on which he based much of his testimony yesterday actually came from those who were transferred by Canadian Forces. We are being asked to accept testimony from people who throw acid in the faces of schoolchildren and who blow up buses of civilians in their own country. I will not accept that testimony. I am surprised that he would.

**Hon. Ujjal Dosanjh (Vancouver South, Lib.):** Mr. Speaker, it does not behoove the minister of the Crown to attack the credibility of a career public civil servant who is risking it all in the name of Canadian values.

The government knew way back in May 2006 of the massive and systematic cover-up of torture by the Afghan authorities. The fact is that the national security adviser to the Prime Minister knew. The fact is that the Prime Minister's own deputy minister of all Afghanistan knew of the torture and its cover-up.

It is inconceivable that the Prime Minister did not know. The—

**The Speaker:** The hon. Minister of National Defence.

**Hon. Peter MacKay (Minister of National Defence and Minister for the Atlantic Gateway, CPC):** Mr. Speaker, let us take it out of the realm of politics. Let us take it into the realm of a quote from a senior former diplomat in the Department of Foreign Affairs, Paul Chapin. Here is what he had to say yesterday about the testimony: "I think what set me back is how serious the allegations are and how flimsy the evidence is". He goes on to say: "It would have been rather more reassuring had he been able to provide some of the detail that would give credibility to these very serious allegations".

This is from a senior member of the foreign service who casts doubt on the credibility of the testimony we heard yesterday.

**Hon. Ujjal Dosanjh (Vancouver South, Lib.):** Mr. Speaker, the Prime Minister's national security adviser and his deputy minister for all of Afghanistan knew about the torture allegations and the cover-up. The PMO knew. The PCO knew. It is unthinkable that the Prime Minister and his ministers did not know. Wilful blindness is cover-up, too. Deliberately induced ignorance is cover-up, too.

The honour of Canada demands a judicial public inquiry. Would the government have the courage to call one?

**Hon. Peter MacKay (Minister of National Defence and Minister for the Atlantic Gateway, CPC):** Mr. Speaker, what is interesting is that members opposite clearly have no faith in the parliamentary process itself because they are calling for another process to get under way in addition to the Military Police Complaints Commission, which is also under way. We did not shut it down; the chair shut it down.

If the hon. member really wants to feign indignation, point the finger, and make this a political issue, he is free to do so on the floor of the House of Commons. But when it comes to the work that is being done in committees, in judicial inquiries, and in the work of the police commission, we have to have facts, truth, evidence and rules of procedure.

•(1425)

[*Translation*]

**Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ):** Mr. Speaker, diplomat Richard Colvin swore under oath that he reported

allegations of torture against Afghan detainees in 18 reports sent to Rick Hillier, the then chief of defence staff, and David Mulroney, the Prime Minister's defence adviser at the Privy Council. According to Mr. Colvin, in March 2007, the government strongly urged him not to put information about Afghan detainees on paper.

Does this not prove that the Prime Minister wanted to bury the whole affair, since it had to do with war crimes?

[*English*]

**Hon. Peter MacKay (Minister of National Defence and Minister for the Atlantic Gateway, CPC):** Mr. Speaker, our government has been transparent on the issue of Afghanistan. We have made disclosures with respect to investments that we made, particularly on the human rights issue.

When it comes to the prisoners and the treatment of Taliban prisoners, when it comes to their justice system, we have invested over \$132 million to improve that system.

I am very proud of the fact that we have dedicated soldiers, civil servants, and individuals who are working closely with the government of Afghanistan, as challenging as that is, to see that we improve its capacity. We will continue to do so.

That is the real work that is being done. This is a witch hunt.

[*Translation*]

**Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ):** Mr. Speaker, they are denying that were any reports when 18 reports were sent to the Privy Council. We know that the Prime Minister has very tight control over information. Everything is centralized in his office, which makes all the decisions. And they would have us believe that he was not aware of such reports at the Privy Council. That does not hold up.

Will the Prime Minister and his minister admit that this defence does not hold up and that they are trying every which way to hide the truth from us?

[*English*]

**Hon. Peter MacKay (Minister of National Defence and Minister for the Atlantic Gateway, CPC):** Again, Mr. Speaker, here is the truth.

We inherited an inadequate transfer arrangement. We inherited a situation that was very difficult with respect to the handling of Taliban prisoners. We acted on advice from a number of diplomats, including the ambassador. We invested important resources into improving Afghanistan's justice system, improving its penal system, and ensuring that it had the proper training for the handling of individuals.

That is action. That is appropriate. That is credible. That is what we have done. To suggest that every single Taliban prisoner was tortured is not credible.

*Oral Questions*

[Translation]

**Mr. Claude Bachand (Saint-Jean, BQ):** Mr. Speaker, it is scandalous that the government is attempting to undermine the credibility of diplomat Richard Colvin by maintaining that his remarks are based on “suspicions” and that he did not personally see cases of torture. I would remind the government that he is not a member of the Taliban but a high-ranking diplomat who has said that torture was systemic.

In any case, is the government not aware that the Geneva Convention applies not only when there is torture but also when there is the risk of torture? That is what is currently before us.

[English]

**Hon. Peter MacKay (Minister of National Defence and Minister for the Atlantic Gateway, CPC):** Mr. Speaker, I remind the hon. member, and he was in committee yesterday, Mr. Colvin himself admitted he had no first-hand evidence to give. In fact, the observations that he made of one single individual, who he could not say, by the way, was transferred from Canadian Forces, he could not confirm that the marks he observed were actually from any abuse that had been received.

There are incredible holes in the story that have to be examined. I know hon. members would like to turn this into a large brouhaha. The facts have to be examined, they matter, and evidence has to be examined. That is what we are doing.

[Translation]

**Mr. Claude Bachand (Saint-Jean, BQ):** Mr. Speaker, the government's abhorrent behaviour does not end there. It wants to muzzle the former diplomat by preventing him from testifying before the Military Police Complaints Commission, which is investigating torture cases in Afghanistan. The witness faces a dilemma: he can refuse to testify and risk six months' imprisonment for contempt or he can testify and risk five years' imprisonment for contravening the Canada Evidence Act. Only the government can resolve the impasse.

Will it allow Richard Colvin to testify?

[English]

**Hon. Peter MacKay (Minister of National Defence and Minister for the Atlantic Gateway, CPC):** Mr. Speaker, I am a little troubled by his question. Mr. Colvin gave evidence. We are not restricting him from doing so. We are not preventing him from doing so.

In fact, with respect to his own evidence, let us be clear. He admitted his evidence was second and third hand. He admitted he did not have any evidence that reflected directly on transferred prisoners. He admitted he had an opportunity to speak to ministers, mainly myself and others who were in his presence, and he chose not to raise them. He admitted even that he did not speak to senior members of the military because he thought they might react badly. That is not the job of a diplomat.

• (1430)

**Hon. Jack Layton (Toronto—Danforth, NDP):** Mr. Speaker, three years ago when the NDP first raised the issue of the detainee torture in Afghanistan, our defence critic at the time, Dawn Black, was vilified and attacked by the government as a Taliban lover. The defence minister was particularly dismissive and insulting at the

time, and we see the same sort of pattern here today. In addition, he would not explain what was really going on.

In light of the disturbing testimony we have heard from Richard Colvin, will the government now agree with us that we need to have a public inquiry into what happened to the detainees, their handling and transfer by Canadian Forces to the Afghan prisons?

**Hon. Peter MacKay (Minister of National Defence and Minister for the Atlantic Gateway, CPC):** Mr. Speaker, two and a half years ago we did act. Two and a half years ago we began the process of improving the system in Afghanistan, investing in human rights, working closer with agencies on the ground, ensuring that we were going to be able to one day turn Afghanistan over to the people of Afghanistan to do the things that we are doing for them.

To suggest somehow that this is being covered up, we have been responding to questions in the House, in parliamentary committees, in the media, at the Military Police Complaints Commission. We have been nothing but up front and honest in disclosing information about this. We will continue to do so.

[Translation]

**Hon. Jack Layton (Toronto—Danforth, NDP):** Mr. Speaker, Richard Colvin was second in command in Afghanistan at the time. He is a respected diplomat. He is so respected that he is now the deputy head of intelligence at the Canadian embassy in Washington.

He is credible, unlike the minister.

People are tired of the government being secretive and hiding things.

We want to know who knew what, when they knew it, how they knew it and why they did not do anything.

There are questions, and that is why we need an inquiry.

[English]

**Hon. Peter MacKay (Minister of National Defence and Minister for the Atlantic Gateway, CPC):** Mr. Speaker, two and a half years ago we acted. Two and a half years ago we actioned a file to improve the system based on evidence we were receiving from many different sources. That has been admitted here a number of times.

Mr. Colvin said yesterday that he was asked to stop putting things in writing. This is a ridiculous accusation. Mr. Colvin's accusations are completely unsubstantiated. They were voiced publicly two and a half years ago. We acted on them. Mr. Colvin himself admitted he had multiple opportunities to raise these issues directly. He chose not to.

We acted two and a half years ago and we continue to act. The member opposite can throw as much mud as he likes.

**Hon. Jack Layton (Toronto—Danforth, NDP):** Mr. Speaker, it is hardly surprising given that when one asks questions of the minister, what one gets are insults back.

*Oral Questions*

It has been cover-ups and denials since day one. Conservatives have been so consumed with hiding the truth that they would not even take calls from the Red Cross, which was trying to be in touch to warn Canada what was happening to prisoners. They would not even answer the phone.

Mr. Colvin testified that Canada takes more than six times more prisoners than the British, twenty times more than the Dutch. Here is a simple question. How many Afghans have been detained by Canadian Forces and how many were transferred to the Afghan authorities?

**Hon. Peter MacKay (Minister of National Defence and Minister for the Atlantic Gateway, CPC):** Mr. Speaker, quite frankly what is insulting is the hon. member continuing to take at face value evidence that comes, in most circumstances in this context, from the Taliban itself. It is particularly troubling that the member would continue to cast aspersions that really in a way reflect on the work that is being done by members of the Canadian Forces.

There is not one bit of evidence, not a scintilla, that points to mistreatment of Taliban prisoners by the Canadian Forces. There is no evidence to suggest that there is a direct line to the good work being done by our military in Afghanistan.

**Hon. Ralph Goodale (Wascana, Lib.):** Mr. Speaker, the mission in Afghanistan is controlled by a committee of the most senior Conservative cabinet ministers. They are supported by the most senior public servants. They were and they are directly responsible for the handling of all issues, including Afghan detainees and the risk of torture.

Canadians in Afghanistan reported honestly to their superiors in Ottawa. Senior officials here were fully informed. The minister claims that he acted two years ago. If Richard Colvin is not credible, what was the evidence two years ago that he acted on? What problem was he trying to fix if he does not believe Mr. Colvin?

• (1435)

**Hon. Peter MacKay (Minister of National Defence and Minister for the Atlantic Gateway, CPC):** The short answer, Mr. Speaker, is the inadequate failed transfer agreement that was left in place by the previous government.

The reality is there were all kinds of allegations going on at the time. There were all kinds of bits of information that suggested the Taliban were being transferred into prisons that needed to be improved. That is what we did. We invested in the prisons. We invested in training. We invested in improving its justice system. We upped our game with respect to working with other agencies. Guess what? Things are better in Afghanistan today as a result of those efforts. The hon. member opposite cannot say the same about his government's performance.

**Hon. Ralph Goodale (Wascana, Lib.):** Mr. Speaker, the Conservative defence is that they were either negligent or lazy. It is simply ludicrous. Officials in Afghanistan told Ottawa the truth. The torture issue was all over our newspapers. It dominated question period. It even caused a cabinet shuffle. The Minister of Public Safety bragged about having his people on the ground, getting details first hand. However, through it all the Conservatives say that Mr. Colvin was treated no more seriously than yesterday's garbage.

If Mr. Colvin is so unbelievable, why was he promoted to be the senior official for security in our embassy in Washington?

**Hon. Peter MacKay (Minister of National Defence and Minister for the Atlantic Gateway, CPC):** Mr. Speaker, maybe he earned a promotion.

Let us be clear. The reality is two and a half years ago we acted on credible evidence. We acted on concerns that were being expressed from a number of sources. We invested in the system. It was because of the concerns being expressed by Colvin and others that we did so.

However, when it comes to the holus-bolus broad brush strokes that somehow suggest that every transferred prisoner was tortured, even those who we do not know whether they came from Canada, that is not credible. What is less credible is the bleating of the member opposite.

[*Translation*]

**Hon. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.):** Mr. Speaker, Richard Colvin's testimony showed without a doubt that the Conservative government knew, in May 2006, that Afghan prisoners were being subjected to torture.

Yesterday, it was clear that all the Conservative members were told to attack Mr. Colvin.

Will the government present to this House the briefing notes it prepared for its members, instructing them to destroy the integrity of a respected Canadian diplomat?

[*English*]

**Hon. Peter MacKay (Minister of National Defence and Minister for the Atlantic Gateway, CPC):** Mr. Speaker, I do not want to turn this into a procedural argument. Clearly the reality is there is no credible evidence, none, zero, to suggest that a Taliban prisoner transferred from Canadian Forces was ever abused.

What is shocking is we have members opposite who are lawyers who want to completely ignore due process, want to completely ignore any evidence being held up for scrutiny, want to just accept the word of the Taliban. That is shocking. I do not think any member opposite would believe, credibly, that the Taliban is not beyond telling lies about what happened to them in prison.

[*Translation*]

**Hon. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.):** Mr. Speaker, the government's wilful blindness is not a valid defence. The Conservative government does not like senior officials to speak inconvenient truths. Linda Keen was fired from her position as head of nuclear safety. Peter Tinsley was fired as president of the Military Police Complaints Commission. Yesterday, Conservative members tried to tarnish the reputation of Richard Colvin and to discredit his testimony.

Can the Conservative government guarantee that Mr. Colvin will not suffer the same fate as Linda Keen?

*Oral Questions**[English]*

**Hon. Peter MacKay (Minister of National Defence and Minister for the Atlantic Gateway, CPC):** Mr. Speaker, we encourage people to come forward when they have evidence to give. We encourage them to speak the truth. The reality is those statements have to stand up to scrutiny. Those statements have to be put in the crucible of testing the veracity of what is being said. In this instance, it does not make that test.

Let us take a look at what was said. One of our brigadier generals, Daniel Menard, a commander of Task Force Kandahar, was asked yesterday about the possibility that somehow evidence was being withheld. He said:

This is not the way that we operate and certainly not the way we...working at (Defence headquarters). We just do not do things like that.

\* \* \*

● (1440)

*[Translation]***THE ENVIRONMENT**

**Mr. Bernard Bigras (Rosemont—La Petite-Patrie, BQ):** Mr. Speaker, China and the United States have agreed to really fight climate change by making the Copenhagen summit a success. Now we hear that Russia apparently has set targets similar to Europe's, which call for reducing greenhouse gases by at least 20% compared to 1990 levels. The list of countries that are prepared to show leadership and seriously tackle greenhouse gases is growing. Canada is increasingly isolated.

Will the Minister of the Environment wake up and promise to negotiate in good faith at the Copenhagen summit?

**Hon. Jim Prentice (Minister of the Environment, CPC):** Mr. Speaker, what the hon. member is saying is incorrect. Our plan is simple. It is a national plan with North American harmonization within an international framework.

For example, we have a target to reduce greenhouse gas emissions by 20% by 2020. We have invested in clean energy. We have also invested in green technologies, such as carbon storage. The Bloc should support our efforts, because we have also proposed an integrated North American emissions trading system.

**Mr. Bernard Bigras (Rosemont—La Petite-Patrie, BQ):** Mr. Speaker, the fact is that Canada's lack of leadership is condemned not only on the international stage, but also here at home, where nearly 200 businesses in Quebec are calling for an ambitious agreement in Copenhagen and the introduction of a federal cap and trade system for emissions.

Why are the Conservatives from Quebec kowtowing to the oil companies in Alberta and doing nothing to support the consensus in Quebec to fight climate change?

*[English]*

**Hon. Jim Prentice (Minister of the Environment, CPC):** Mr. Speaker, our plan is clear. We are going to have Canadian domestic policies harmonized on a continental basis, integrated within an international framework, which we are currently at the table negotiating at Copenhagen.

I will tell the House one thing this government will never do. We will never do what the former Liberal government did, supported by the Bloc, which was to fly over to an international conference, pull out of the air a target on the way, agree to an emission target that was ill-suited to our geography, to our climate or to the nature of our industrial bases. That will never happen under this government.

\* \* \*

*[Translation]***POLITICAL PARTY FINANCING**

**Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ):** Mr. Speaker, two members of the board of directors of Jacques Cartier and Champlain Bridges Incorporated participated in a Conservative Party fundraiser organized by Senator Housakos, thereby violating the company's code of ethics and that of its parent company, which forbid directors from attending partisan events. One of the people involved, Serge Martel, acknowledged that he had violated the code of ethics. Yet the Minister of Public Works and Government Services is the only one still denying that there is a problem.

How can the minister continue to condone this violation of the code of ethics? Does this mean that there is one rule that applies to Senator Housakos' friends and another rule for everyone else?

*[English]*

**Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC):** Mr. Speaker, it is this government that brought in the Federal Accountability Act, which brought more transparency, more accountability to government, to our agencies, to our boards and commissions. It is this government that raised the bar with respect to ethics in government.

Senator Housakos has sent this matter to the Senate ethics officer, and we certainly see that as a proactive measure on his part. We await the ethics officer's finding in this regard.

*[Translation]*

**Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ):** Mr. Speaker, by refusing to condemn this violation of the JCCBI code of conduct, the government is sending a terrible message to the entire public administration. The government is saying that it will exonerate people in advance and that as long as the Conservative Party benefits somehow, they can rest easy.

By condoning patronage and violations of codes of ethics, is the government not complicit in these reprehensible actions?

*[English]*

**Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC):** Mr. Speaker, Senator Housakos has sent this matter to the Senate ethics officer, an independent officer of the Senate.

The Senate ethics officer will have the opportunity to review the matter and to make the report public.

*Oral Questions*

[Translation]

**THE ENVIRONMENT**

**Mr. David McGuinty (Ottawa South, Lib.):** Mr. Speaker, no plan, no regulations, no price on carbon, and no credit trading system. The provinces and Canadian businesses have been left to fend for themselves. “Do not expect anything from us until everyone else has made a decision.” That is what they are telling us.

A G8 statement was first endorsed, then repudiated. The minister roundly criticizes China, while the Prime Minister avoids the United Nations.

Is it any wonder that an expert is describing Canada's participation in Copenhagen as “insignificant”?

● (1445)

[English]

**Hon. Jim Prentice (Minister of the Environment, CPC):** Mr. Speaker, I will tell the House who not to expect anything from, and that is the Liberal Party.

That is the party that signed Kyoto and then declined to implement it. It is the party that took an NDP bill and voted for it. The Liberals stood in this House and voted for an NDP bill and then called it a publicity stunt. It is the party that signed an agreement with its coalition partners for a North American approach and then tried to graft on European standards. It is a party that campaigned on a carbon tax, disavowed it, and then its members voted for it at their convention.

Where do the Liberals stand?

**Mr. David McGuinty (Ottawa South, Lib.):** Mr. Speaker, I swore I heard George Bush there for a second.

The EDC tells us the environmental and clean energy technology market exceeds \$1 trillion a year. One hundred per cent of South Korea's stimulus package is green. China's is 50%. The United States' is 35%. Ernst & Young tells us we are way behind in our ability to attract investment for clean technology and renewable power.

When will the Prime Minister understand that his lack of leadership and his irresponsible approach to climate change is one of the largest roadblocks to Canadian economic growth?

**Hon. Jim Prentice (Minister of the Environment, CPC):** Mr. Speaker, I just returned from Copenhagen as one of twenty ministers who was invited by the chair of the Copenhagen process to try to lend form and substance to what is going on at Copenhagen. We are a constructive player. We will try to get to an international agreement.

I am not going to stand in this chamber and take lectures from the Liberals on Kyoto and on Copenhagen and climate change, because they did nothing. They signed the Kyoto protocol which was ill suited to this country, to our geography and our climate. It would undermine our industrial bases. They are in favour of a carbon tax. No one knows where they stand on Bill C-311. They vote for it; they disavow it. They call it a tiddlywinks bill, and they still vote for it.

**Hon. Scott Brison (Kings—Hants, Lib.):** Mr. Speaker, our Liberal government invested in CO<sub>2</sub> sequestration technology in

places like Weyburn, Saskatchewan. We did this to make Canada the global leader in clean conventional energy.

Recently, China signed a deal on CO<sub>2</sub> sequestration, not with Canada but with the U.S. Why did China ignore Canada and go to the U.S. when we have the best sequestration technology here in Canada? Is it because the Conservatives have refused to promote Canada's clean technology, or is it because of the Prime Minister's contempt for China over the last four years?

**Hon. Jim Prentice (Minister of the Environment, CPC):** Mr. Speaker, the hon. member needs to get his facts straight.

We signed a clean energy dialogue with the United States shortly after President Obama came to office. We have made considerable progress under that dialogue. One of the three areas that we specifically targeted is carbon capture and storage. There are some investments of a historic size that are being made in Canada at this point in time. We have also had discussions at the Copenhagen table with the Chinese relative to carbon capture and storage.

Mr. Speaker, there is a lot of braying on the other side but this is something those members need to know about. There is no country in the world on a per capita basis that is investing more money in carbon capture and storage than Canada.

\* \* \*

**INTERNATIONAL TRADE**

**Hon. Scott Brison (Kings—Hants, Lib.):** Mr. Speaker, China could use and should be using Canadian CO<sub>2</sub> sequestration technology, and it would be, had the Conservatives not treated China with contempt for the last four years. A mea culpa tour will not make up for that.

Canadian jobs depend on exports. This week China shut its borders to Canadian canola and trade worth \$1.3 billion. The Conservatives' incompetence with China is hurting Canadian farmers.

Do the Conservatives not realize that their failure to effectively engage China is hurting Canadian industries, like agriculture, and that their failure to promote Canada's clean energy is killing Canada's capacity to grow in the future?

● (1450)

**Hon. Peter Kent (Minister of State of Foreign Affairs (Americas), CPC):** Mr. Speaker, the record needs to be corrected. Between 2006 and 2008 Canada's exports to China grew by over 33%.

We have announced the Asia-Pacific Gateway and the corridor initiative infrastructure projects worth almost \$2.5 billion, including federal contributions of over \$900 million to ensure that new doors to China are opened. This government is getting the job done.

*Oral Questions***THE ECONOMY**

**Mr. Blake Richards (Wild Rose, CPC):** Mr. Speaker, it has been a difficult year for many Canadians. While the global recession began outside Canada's borders, we have not been immune. Our Conservative government has been working hard to ensure that Canada exits the recession even stronger than when we entered it. It is working and the world is noticing.

Could the finance minister please inform the members of the House what the OECD said about Canada's economy today?

**Hon. Jim Flaherty (Minister of Finance, CPC):** Mr. Speaker, I thank the hon. member for Wild Rose for the question. I have not had many questions on the economy; it has been so lonely over here.

The OECD today confirmed what we have been saying all along, that Canada will lead the G7 growth over the next two years, much higher than the OECD average.

The global recovery does remain fragile and of course we have to stay the course. We have to implement the economic action plan going into 2011, which is entirely what we intend to do.

\* \* \*

**AFGHANISTAN**

**Mr. Paul Dewar (Ottawa Centre, NDP):** Mr. Speaker, torture is a violation of international law, period, but when reports of prisoner torture were sent to the government, instead of investigating, it launched a massive cover-up.

The Conservatives have threatened diplomats, interfered with hearings, smeared the reputation of their own sources and even misled the House when they said yesterday, "There has never been a single, solitary proven allegation".

Will the government finally stop the cover-up, do the responsible thing and hold a public inquiry?

**Hon. Peter MacKay (Minister of National Defence and Minister for the Atlantic Gateway, CPC):** Mr. Speaker, let me state the truth again. First, there has never been a single, solitary proven allegation of abuse involving a transferred prisoner from Canadian Forces.

Second and most important, Canadian Forces always respect international law, always perform to the highest standards, always comply with things such as the Geneva Convention, as does this government, and will continue to do so.

We will continue to work with Afghans to improve their capacity to build on these things. That is what we are there to do. That is why we are so respected internationally. That is why the member is off on the wrong track.

**Mr. Jack Harris (St. John's East, NDP):** Mr. Speaker, we round up more than 20 times the number of prisoners the Dutch do. Yet while they track their detainees and report all actions to their Parliament, our government continues to keep this Parliament in the dark.

Worse, we now hear that most of the prisoners we handed over are not high-level targets like the Taliban, and many are innocent farmers who could end up being tortured.

A public inquiry would give an objective evaluation of the facts, the evidence and the systems now in place, not a charade, like yesterday's shameless attack by Conservative MPs and now the minister. Why not hold a public inquiry?

**Hon. Peter MacKay (Minister of National Defence and Minister for the Atlantic Gateway, CPC):** What is a charade, Mr. Speaker, is someone who purports to be a lawyer standing and saying that we should just accept evidence without any test, any process whatsoever that questions what is happening.

Of course we pick up more prisoners than other countries. That is a tribute to the good work being done by the Canadian armed forces in Afghanistan today.

The member is a lawyer. I would ask him to refer to the comments of a former member of the House who said that a proof is a proof when it is proven. He should follow that advice.

\* \* \*

[Translation]

**FORESTRY INDUSTRY**

**Mr. Robert Bouchard (Chicoutimi—Le Fjord, BQ):** Mr. Speaker, the sawmill in Saint-Fulgence in my riding is closing for three months, and 250 jobs will be lost, in addition to the thousands of other temporary and permanent jobs that have been lost. Meanwhile, the Conservatives keep watching but doing nothing as the crisis claims new victims and threatens communities.

Why is the government refusing to assist the forestry industry as generously as it helped the automotive industry?

● (1455)

**Hon. Denis Lebel (Minister of State (Economic Development Agency of Canada for the Regions of Quebec), CPC):** Mr. Speaker, first of all, of course we are thinking about the workers and their families who are affected by this closure. I would like to quote some people who know what they are talking about.

André Tremblay, the president of Produits forestiers Saguenay, said this:

Produits forestiers Saguenay will monitor developments in the market in the coming months and may resume operations if there is a significant improvement in demand and prices.

The mayor of the municipality of Saint-Fulgence, Gilbert Simard:

—indicated that he understood the reality facing the sawmill.

He believes that the mill could reopen when the American market recovers, that it will show signs—

**The Speaker:** The hon. member for Chicoutimi—Le Fjord.

*Oral Questions*

**Mr. Robert Bouchard (Chicoutimi—Le Fjord, BQ):** Mr. Speaker, to help the forestry industry, Hydro-Québec wanted to purchase electricity generated using biomass from the industry. The problem is that forestry companies were unable to bid, because they do not have enough cash to invest in cogeneration.

Are the Conservatives aware that their refusal to provide loan guarantees is depriving these companies of an opportunity to cut their energy bills and of badly needed revenue?

**Hon. Denis Lebel (Minister of State (Economic Development Agency of Canada for the Regions of Quebec), CPC):** Mr. Speaker, this is more disinformation, as usual.

I would like to quote another source, Mr. Harvey, the executive vice-president and chief financial officer of AbitibiBowater:

We have considered EDC a trusted partner for over 40 years, and we really appreciate its support for our risk management and financing programs.

Forestry comes under provincial jurisdiction, and procurement and such projects are the responsibility of the Government of Quebec, which our task team will support.

\* \* \*

[English]

**GOVERNMENT APPOINTMENTS**

**Hon. Wayne Easter (Malpeque, Lib.):** Mr. Speaker, the Conservative Party promised but did not deliver a public appointments commission to end political patronage. Instead, the Conservatives did exactly the opposite, unleashing unparalleled patronage for Conservative friends, in the last year rewarding 233 former Conservative MPs, ministers, campaign workers, candidates and donors who have contributed over \$272,000 to Conservative coffers.

Will the Prime Minister explain why he broke his word and why taxpayers are paying to reward Conservative cronies?

**Mr. Pierre Poilievre (Parliamentary Secretary to the Prime Minister and to the Minister of Intergovernmental Affairs, CPC):** Mr. Speaker, all of our appointments are based entirely on merit.

In fact this week, Transparency International released its report on clean government. It found that Canada, under this government, since we took office, has moved up from 14th to 8th place in the world. We are now first place in the G7 and first place in the western hemisphere.

Let me quote from the report:

Canada remains at the top of the list. It continues to be among the ten countries with the lowest perceived levels of corruption worldwide, serving as a benchmark and inspiration for the Americas.

[Translation]

**Mr. Marcel Proulx (Hull—Aylmer, Lib.):** Mr. Speaker, not only are the Conservatives making industrial quantities of partisan appointments, but these appointments are revealing a cross-funding scheme between the Conservatives and the ADQ, a shady arrangement by Senator Housakos.

Yesterday, the Conservatives had no answers about the appointments of Nick Katalifos and Jean-Martin Masse, generous ADQ and Conservative Party donors.

Was it this same type of coincidence that earned Jean Depelteau and Luc Moreau their appointments?

[English]

**Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC):** Mr. Speaker, we make appointments based on qualifications, based on merit.

With respect to campaign finance reform, this government has a very proud record. It was the Prime Minister who promised to eliminate the influence of big money in politics. He delivered that in the first piece of legislation he brought forward to this House.

The Prime Minister promised in opposition that he would get rid of all corporate donations. He delivered. He promised to get rid of all union donations. He delivered. He promised to cut back the \$5,000 cocktail parties that came to identify and symbolize the Liberal years in power. We eliminated those huge influences.

We have cleaned up government. We have a lot to be very proud of.

\* \* \*

• (1500)

**TAX HARMONIZATION**

**Mr. David Christopherson (Hamilton Centre, NDP):** Mr. Speaker, the HST hike is going to hit working families hard. The Ontario Liberal government is clear about what we already know. Their new tax hike was first launched by the federal Conservatives.

As the Ontario finance minister said:

The feds certainly pushed us—they've given us 4.3 billion reasons to do it.

Will the government finally admit their obvious role in pushing for this tax increase or is it going to keep dodging responsibility, hoping that no one notices?

**Hon. Jim Flaherty (Minister of Finance, CPC):** Mr. Speaker, the harmonization initiative with the provinces started in the 1990s with Newfoundland and Labrador, New Brunswick and Nova Scotia. The same proposal has continued over the years and has been available to the provinces. A couple of the provinces, Ontario and British Columbia, have also chosen to harmonize. That is a decision for the provinces to make, which they have chosen to do.

**Mr. David Christopherson (Hamilton Centre, NDP):** Mr. Speaker, I again quote the Ontario finance minister, who said:

There are always rats in these debates and it's funny watching those individuals who are trying to deny the \$4.3 billion their government is giving us.

Churchill once said, "Anyone can rat, but it takes a certain amount of ingenuity to re-rat". With that in mind, will the government today free up its Ontario and B.C. MPs to now return to their constituents and vote against the HST enabling legislation?

*Business of the House*

**Hon. Jim Flaherty (Minister of Finance, CPC):** Mr. Speaker, I am sure that if the hon. member wanted to check and go back more than 10 years ago, he would see that the same proposal was on the table then for various provinces that chose to harmonize. The same proposal is there now and there are still a few other provinces that are looking at the option of harmonizing.

This is an issue that is up to the provinces. Some decided in the 1990s and some have decided more recently, but it is a decision for provincial governments, not for the Government of Canada.

\* \* \*

**ISRAEL**

**Ms. Lois Brown (Newmarket—Aurora, CPC):** Mr. Speaker, yesterday we heard members of the Liberal Party present a revisionist version of history to Canadians about their record of support for Israel. Yet, when Israel was attacked in 2006, it was their own leader who accused Israel of war crimes.

Can the minister of state inform the House of the government's leadership to ensure the security and dignity of the people of Israel in the face of terror and anti-Semitism?

**Hon. Peter Kent (Minister of State of Foreign Affairs (Americas), CPC):** Mr. Speaker, under this government, Canadians know that we lead by example. Canada was the first country to refuse to attend Durban II, a forum for hate. When Hamas formed the government of the Palestinian Authority, Canada was the first country to suspend aid.

When Iran's Ahmadinejad addressed the UN with repugnant anti-Israel and anti-Jewish declarations, Canada was the first to stand and walk out. Our government has been a strong, consistent and unequivocal supporter of Israel, and that will continue.

\* \* \*

[Translation]

**AIR TRANSPORTATION**

**Hon. Joseph Volpe (Eglinton—Lawrence, Lib.):** Mr. Speaker, last year, the House unanimously approved a Liberal motion on the passenger safety and services provided by the airlines.

The Minister of Transport, Infrastructure and Communities and his predecessor supported that motion. Now, the minister is going back on that decision and is abandoning the passengers, an action some are calling duplicitous.

Why must he perpetuate this culture of duplicity? Why is he refusing to protect passenger rights?

[English]

**Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC):** Mr. Speaker, I noticed that the member who asked the question was a member of the Liberal government that was in power for 13 long years. If it had just gotten that fifth term, I am sure it would have presented a bill in this regard.

I noticed an editorial in the *Montreal Gazette*, which states:

Our airline industry is financially fragile at the best of times, which these are not.

Furthermore, it goes on to say:

—this bill strikes us as unwise...[I]mposing penalties like these on a fragile but vital industry strikes us as imprudently harsh.

We are concerned about families and Canadians who experience delays. We are working with industry and Canadian consumer groups. We are working to make sure that we can do a better job on the regulation of these issues.

\* \* \*

**PRESENCE IN GALLERY**

**The Speaker:** I would like to draw to the attention of hon. members the presence in the gallery of the recipients of the Governor General Awards for Excellence in Teaching Canadian History: Michel Marcotte, Brent Pavey, Lindsay Hall, Neil Robinson, Neil Stephenson, Karen Wright and Alison England.

**Some hon. members:** Hear, hear!

\* \* \*

● (1505)

**BUSINESS OF THE HOUSE**

**Hon. Ralph Goodale (Wascana, Lib.):** Mr. Speaker, I wonder if the government House leader would indicate his business plan for the rest of this week and into next week, including whether or not any of the days next week would be designated as part of the supply day process.

I would also draw to his attention that Monday is the final day provided by the government for the consultation process with respect to the NAFO agreement, and with that time rapidly coming to an end, I wonder if there is any time today or tomorrow or on Monday when he would allow a take note debate to take place so that members of the House could offer their views with respect to the proposed NAFO agreement.

**Hon. Jay Hill (Leader of the Government in the House of Commons, CPC):** Mr. Speaker, today we will continue with Bill C-57, Canada-Jordan Free Trade Act.

If we were to complete that, I would intend to call Bill C-23, Canada-Colombia Free Trade Agreement Implementation Act. I would point out to my colleagues that this bill has already received more than 30 hours of debate in the House and yet the NDP and the Bloc continue to delay the proceedings and hold up this agreement that would create new business opportunities for Canadians from coast to coast.

As I indicated this morning, tomorrow will be an allotted day.



Next week we will once again focus on our justice agenda beginning with the report and third reading stage of Bill C-36, An Act to amend the Criminal Code followed by Bill C-31, An Act to amend the Criminal Code, the Corruption of Foreign Public Officials Act and the Identification of Criminals Act and to make a consequential amendment to another Act. Then we will have Bill C-54, Protecting Canadians by Ending Sentence Discounts for Multiple Murders Act; Bill C-55, An Act to amend the Criminal Code, the response to the Supreme Court of Canada Decision in *R. v. Shoker* act; Bill C-19, An Act to amend the Criminal Code (investigative hearing and recognizance with conditions); Bill C-53, Protecting Canadians by Ending Early Release for Criminals Act and finally, Bill C-35, Justice for Victims of Terrorism Act. All of these bills are at second reading.

On the issue of a NAFO debate, I would remind the hon. House leader for the Liberal Party that is what opposition days are for.

**The Speaker:** The Chair has notice of a question of privilege from the hon. member for Mount Royal. I will hear him now.

\* \* \*

### PRIVILEGE

#### CONTENT OF FLYER

**Hon. Irwin Cotler (Mount Royal, Lib.):** Mr. Speaker, I rise on a question of privilege in respect of a flyer subvented by Parliament and the Canadian public, targeting ridings with identifiable Jewish communities and comparing the positions of the Conservatives and the Liberals in respect of what they call matters of value to the Jewish community.

Let me relate each of the three matters of value that they speak of: fighting anti-Semitism, fighting terrorism, and supporting Israel.

Let me begin with the first.

I will cite directly from the flyer, which I will table accordingly as well. The type of language used in this flyer must be borne in mind. The flyer states that the Liberals:

Willingly participated in the overtly anti-Semitic Durban I.

For shame. This is a false, misleading, prejudicial and pernicious slander, which itself constitutes a prima facie breach of privilege, associating the Liberal Party with support for anti-Semitism and, I might add, associating me as a member of the Liberal Party and each of us as members of the Liberal Party with supporting anti-Semitism.

This flyer is also false, misleading and prejudicial to me personally and my reputation and standing as an MP, constituting yet another prima facie breach of privilege, and I am referring here to the statements with regard to privilege.

I participated in Durban I as a member of the Canadian delegation. I went to Durban I, as did Canada, with other states in the international community, because we hoped and believed at the time that this was going to be the first world conference against racism in the 21st century, as I wrote at the time. However, a world conference against racism turned into a conference of racism and anti-Semitism against Israel and the Jewish community.

I spoke then, during the conference. I have spoken and written since. At the risk of sounding self-serving, though I think this is a

### Privilege

matter of empirical fact, I believe I have spoken out on Durban I perhaps as much as, if not more than, any member of any other parliament in the world.

Yet this flyer purports to identify me and the members of my party as associating with and willingly participating in an anti-Semitic Durban conference.

Not only did the Canadian delegation and I myself speak unequivocally in condemnation of Durban I, but, and this is an important fact as well, the Government of Israel, at the time, publicly commended Canada for its participation and the nature of its participation in the Durban I conference.

The Government of Israel publicly commended Canada for Canada's condemnation of anti-Semitism at Durban I. Does that mean that the Government of Israel, by supporting the Government of Canada, was also identifying with anti-Semitism? What kind of absurdity is that coming out of the members of the Conservative government? This is as absurd as it is false.

Let me go to the second scurrilous allegation.

The flyer claims, on matters of fighting terrorism, that the Liberal Party:

opposed defunding Hamas and asked that Hezbollah be delisted as a terrorist organization.

Let the facts speak for themselves. It was a Liberal government, in 2002, which listed Hamas and Hezbollah as terrorist organizations under Canadian law. I have no problem in commending the Conservatives for doing that which we or any other party would do, whether it be in support of Israel or to condemn anti-Semitism. What I condemn them for is massive political identity theft on the matters of Hamas and Hezbollah. The Conservatives, in this flyer, take credit for listing Hezbollah as a terrorist organization.

● (1510)

If they want to take credit for regarding Hamas and Hezbollah as terrorist organizations, I have no problem with that. I have a problem with the member saying that we in the Liberal Party supported Hamas and Hezbollah. For shame. The hon. member is trapped by the facts and he cannot escape the facts.

When they take credit for being the first in the world to stop funding for Hamas, it was illegal under Canadian law from 2002 onwards to provide any support for Hamas. How can they take credit that after 2006, they then de-funded Hamas? My god, there has to be some respect for truth and some respect for honesty.

Finally—

**Hon. Peter Kent:** You are splitting hairs.

**Hon. Irwin Cotler:** I do not split hairs with the truth.

The third allegation, lest they say I would overlook the third allegation, is as I quote, that Michael Ignatieff “accused Israel of committing war crimes”. As Voltaire put it, if one takes something out of context, one can hang anybody. Mr. Ignatieff apologized and said the following, and I quote—

**Some hon. members:** Oh, oh!

*Privilege*

• (1515)

**The Speaker:** Order, order. The hon. member knows he cannot use another member's name. He will have to stick with titles.

**Hon. Irwin Cotler:** The member for Etobicoke—Lakeshore said in 2006, at the same time the Conservatives misleadingly excerpted text from his statement, that: “Between a terrorist militia and a democratic state, Canada must always side with Israel”.”

I want to conclude with his remarks, as they bear exactly on the issue before the House. I quote:

...it is beyond reckless for political leaders to try to score points by branding one another as 'anti-Israel'—to try to win votes by claiming a monopoly on supporting Israel. My Party will never claim to be the only genuine defenders of Israel in Canadian politics—because I don't want my Party to be alone in the defence of Israel. I want all parties to be genuine defenders of Israel.

In closing, I want to cite from *House of Commons Procedure and Practice* in reference to an action you took, Mr. Speaker:

In April 2005, Speaker Milliken ruled that the reputation of [the member for Windsor West] may have been unjustly damaged by Monte Solberg (Medicine Hat) who had distributed in the Windsor West riding a bulk mailing containing inaccurate and misleading information about Mr. Masse's House and committee activities.

There have been bulk mailings not only in my riding but also in ridings across this country with identifiable Jewish communities. Those bulk mailings not only contained false and misleading information, but they also contained information that was slanderous, damaging, and prejudicial to the Liberal Party and to the performance of each of our individual and collective duties. That is a prima facie breach of privilege and I would call on the Conservatives to cease and desist from these pernicious mailings and to publicly apologize for this false and misleading action.

**The Speaker:** I am sure the hon. member will make available to the Chair the document he was referring to, so I can see which member sent the mailing into his riding. If there is to be some discussion on this matter later, that document will obviously be important from the point of view of a question of privilege.

The hon. Parliamentary Secretary to the Prime Minister is responding.

**Mr. Pierre Poilievre (Parliamentary Secretary to the Prime Minister and to the Minister of Intergovernmental Affairs, CPC):** Mr. Speaker, thank you for giving me the occasion to address the chamber on this important matter. I thank the hon. member for giving us the opportunity to address it here today.

I am going to start by addressing the facts, because the hon. member indicated that he wanted this to be a factual discussion. So let it be.

The Liberal Party was in government in 2001 and willingly partook in the Durban conference at that time, and continued to participate in that event after its hateful nature had become completely apparent and, in fact, after our party had clearly called on the government of that time to withdraw from the conference.

By contrast, this government, the Conservative government under this Prime Minister, was the first in the entire world to pull out of the Durban II hatefest. All the other countries of the world followed us in making that decision.

There is a clear and present distinction between these two approaches. The hon. member might not like that fact, but it continues to be a fact whether he likes it or not.

I want to quote from the *Victoria Times Colonist* on this point:

The continued presence at the conference of Canada's secretary of state for multiculturalism no longer serves any useful purpose and, in fact, helps to legitimize what has become a propaganda forum for some of the worst anti-Jewish hatermongering since the Second World War.

I am quoting right out of the *Victoria Times Colonist* for September 5, 2001.

Mr. Speaker, we have a clear and very different position from the Liberal Party on the Durban process. The Liberals stayed with Durban; we left Durban. They have come up with some very strange and convoluted explanations for their position years later; but their explanations notwithstanding, we had the courage to walk out. We had the courage to stand alone and lead the world, and the world followed us because of that courage.

Let us move to the second point in the brochure which the hon. member has identified, “On Fighting Terrorism”. It is true that this government was the first in the world to cut off public aid funds for the Hamas government elected in the Gaza Strip.

When we made that courageous decision, we encountered opposition from the Liberal Party. Let me quote again. I have here from the *Globe and Mail* of March 30, 2006, a quote from the then foreign affairs critic of the Liberal Party, who went on to become its penultimate leader. He said:

The government should, right away, commit itself to maintaining the \$52-million in help. The social problems in the (territories) are awful, and, in fact, Canada should do more not less.

Hence, cutting the \$7 million would be a mistake in his view. The Liberal Party, under the leadership of the member who represents Saint-Laurent—Cartierville, indicated they would like to continue the funding of the Hamas regime in the Gaza Strip. That is the position of the Liberal Party.

I have the reference here and I would be happy to table it afterwards. I am quoting directly from the *Globe and Mail*.

On the subject of the legalization of Hamas and Hezbollah in Canada, they are two organizations that are rightfully listed as terrorist bodies in this country today. Anyone who was here during the debate in the early part of this decade on whether or not to list those two organizations, would proudly and resoundingly give all of the credit for that decision to the current Minister of International Trade, who led the charge against tremendous resistance within the Liberal government of that day.

One need only look at the exchanges in the House, where the then foreign affairs critic for the official opposition, currently the Minister of International Trade, had to rise to his feet on probably two or three dozen occasions to demand that Hezbollah be criminalized. He was confronted with the position of the then government that Hezbollah was a social program and not a terrorist organization.

*Privilege*

• (1520)

The Liberal Party collapsed under pressure from organizations across this country who support peace and oppose terror. I am glad that the party backed down under the pressure from the now Minister of International Trade. That is a fact. However, the Liberal Party did not back down entirely.

Let me look at the positions taken since that time. On the matter of funding for Hezbollah, the Liberal member for Etobicoke Centre was asked point blank during his visit to the Middle East whether he thought that Hezbollah should be de-listed, that is, whether it should be legalized in Canada, and he replied, yes. That was the position of a Liberal member, a member of that hon. member's caucus. These again are facts, and if the member does not like those facts, it is irrelevant.

I will quote the *Vancouver Province*:

When asked if he was in favour of Hezbollah being taken off the terror list, [the Liberal member for Etobicoke] said: 'Yes, I would be.' He likened the situation in the Middle East to Northern Ireland,

That is in the *Province* of August 21, 2006.

The evidence continues to pile up. I have here some quotes from the current public security critic for the Liberal Party, who is a spokesman on these issues for that party. He says in the headline of an op-ed piece, which he appears to have sent to his constituents:

[The Prime Minister's] pro-Israel cheerleading is dangerous foreign policy shift.

That is a quote made on July 26, 2006 by the member of Parliament for Ajax—Pickering. I will be happy to table that as well.

The following is another quote from him:

[The Prime Minister's] reversal of Canadian foreign policy and one-sided pro-Israeli stance is short-sighted, and dangerous.

I note that the wording was very careful there. It was not just that he said that the Prime Minister's position in support of Israel was dangerous, but also that his support for Israel represented a "reversal", in his words, from the era of Liberal government. He is absolutely right in pointing to a reversal, because we take the opposite position of the former Liberal government.

I will continue to quote this piece from the Liberal Party's most senior spokesman on public security matters:

At a time when Israel was bombing civilians and infrastructure around Beirut in response to the kidnapping of two Israeli soldiers by the Hezbollah militia, [the Prime Minister] called the Israeli response "measured." Even after a family of eight Canadians was killed by Israeli bombs in southern Lebanon, and the fighting escalated, [the Prime Minister] refused to back down from this statement.

Once again, we have the most senior spokesman for the Liberal Party on matters of public security attacking the Prime Minister for his support of Israel. I will be happy to table all of those quotes.

He went on to say in the same op-ed piece on a separate page:

[The member for Ajax—Pickering] condemns [the Prime Minister's] Middle East policy. Canada's foreign policy has shifted over the years, but never before has it been so strongly pro-Israel.

Again, those are the words of that party's senior public security spokesman.

In the summer of 2006, the same member for Ajax—Pickering said:

Indeed [the Prime Minister's] pro-Israel tone exceeded even that of U.S. President George W. Bush, who acknowledged Israel's right to defend itself, but also urged the Jewish state to be mindful of consequences.

Thus he again he criticized the Conservative government and the Conservative Prime Minister for his support of Israel. I will be happy to table that as well.

That brings us to the issue of the leader of the Liberal Party. The hon. member stood in his place and claimed there was a problem with the context. I have the context of the remarks made by the current leader of the Liberal Party with respect to Israel. It was during the 2006 conflict between the democratic State of Israel and the terrorist group Hezbollah. The current Liberal leader said:

I was a professor of human rights and I am also a professor of the laws of war and what happened in Qana was a war crime and I should have said that.

That is quoted from the *National Post* of October 11, 2006.

• (1525)

In the *Toronto Star* on October 11, the same Liberal leader said:

I believe that war crimes were committed in the war in Lebanon, I don't think there's any question about it, and war crimes were visited on Israeli civilians and they were visited on Lebanese civilians.

In two separate quotes I have two separate citations of where he accuses the state of Israel of participating in a war crime. He may have changed his mind later on but when the pressure was on he took the position that Israel was engaging in war crimes.

Again, the hon. member across the way may not like those facts. If he does not like the facts about his party, he can change parties but he cannot change the facts. That is the challenge with which he is confronted today.

I will summarize these points by pointing to the following facts. Fact, the Liberal leader accused Israel of war crimes. Fact, members of the present Liberal caucus have marched with Hezbollah supporters. Fact, the former Liberal government refused to walk out on the Durban hate festival when they had the chance and when so many asked them to do so. Those are the facts about the Liberal Party.

Furthermore, there are facts about this government. There are facts about the way in which the Liberal Party responded to this government. When the Prime Minister of Canada was the first leader in the world to cut off funds to the Hamas government in Gaza, the Liberals said that the funds should be increased. When the Prime Minister stood with Israel in its war against Hezbollah, the Liberal leader was calling Israel a war criminal and his Liberal caucus members were advocating legalizing Hezbollah. While our Conservative Prime Minister was the first leader in the world to walk out on the Durban II hate festival, the Liberals had stayed for the Durban I festival in that conference.

Those are the facts. As a result, we as a party have been prepared to defend the positions we have taken and the decisions at which we have arrived. If the member across the way is uncomfortable with the positions that his party has taken, then I would encourage him to speak up against his party when it takes those positions. I think he is learning the discomfort that is often associated with being in a party that tries to talk out of both sides of its mouth on the same issue.

*Privilege*

I appreciate the occasion to address this chamber and I look forward to tabling all of the facts that I have shared here today.

• (1530)

[*Translation*]

**Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ):** Mr. Speaker, I would like to say, on behalf of my Bloc Québécois colleagues, that we fully support the member from Mount Royal with respect to his question of privilege.

We heard the parliamentary secretary's remarks. I would say that his remarks were a flood of words devoid of substance. The parliamentary secretary tried to get the toothpaste back into the tube, as the expression goes. With all the quotes he provided, what you must decide, Mr. Speaker, with respect to the question of privilege, is whether or not the document sent breached parliamentary privilege for the member for Mount Royal.

It is all well and good for the government to give us all these references to years past. But that is irrelevant, Mr. Speaker. You must look at the content of the document. As Speaker, you are the guardian of members' privileges in this House. You are the one in whom we have placed our trust and who must ensure that a political party does not engage in demagogic attacks, as the Conservatives do, because this party excels in demagoguery. I can say that the Bloc Québécois was subject to demagogic attacks in flyers of the same type and tenor.

We are opposed to minimum sentences and yet our constituents received ten percenters, paid for by taxpayers, which said that the Bloc Québécois supported child trafficking. That is unbelievable.

Just recently, at the time of the gun control debate, colleagues from all parties who disagreed with the Conservatives received flyers stating that their member opposed hunters and wanted to silence them. This has to stop.

In closing, I would like to say that I am very disappointed to see that the flyer was signed by the member from Elgin—Middlesex—London, who is also the chair of the Standing Committee on Procedure and House Affairs and a member of the Board of Internal Economy of the House of Commons. He agreed to lend his name to this trash sent to the riding of the member for Mount Royal.

• (1535)

[*English*]

**Mr. Brian Masse (Windsor West, NDP):** Mr. Speaker, I had a similar case in 2005, which, thankfully, was ruled in my favour. However, I do not want to start a debate about particular issues that you will sort through, Mr. Speaker.

In the eight years that I have been here, the member for Mount Royal has been an upstanding member and he needs to have this case seriously looked at because it does affect his ability to do his job.

What happened in my case is that the Conservative Party mailed some flyers to people in my riding at a time when Canadians were wondering about the RCMP. The Conservatives made wrongful accusations about my voting record.

Mr. Speaker, if you find anything in this debate that is truly counter to the record of the member for Mount Royal, then there

needs to be restitution. The Conservative Party cannot hide behind the taxpayers of Canada who pay for these flyers to go out. It is important to recognize that aspect because it is not the party doing this where there could be some legal action outside the House. The Conservatives are using this chamber to shelter their own behaviour, and that is what is truly offensive and why this matter must be addressed.

I am hopeful that the member for Mount Royal will have his reputation cleared because it is important for his constituents. The member should feel comfortable in his own riding. He cannot be slandered in flyers sent out to his riding by the Conservative government.

Every member in this chamber has the final responsibility to sign off with their name on these ten percenters. We have control over these ten percenters. The member who put this out must be held accountable because that member was the final decision maker in this instance.

**Hon. Stéphane Dion (Saint-Laurent—Cartierville, Lib.):** Mr. Speaker, the Liberal Party never supported that the funds would be sent to the Hamas-led government. What we were asking was whether the funds would reach the people in Palestine. This point of view was the point of view of the government of Israel at that time.

[*Translation*]

Mr. Speaker, I understand very well that you do not see it as your role to get involved in the debate between Canadian political parties regarding the Middle East and Israel. That is not what you are being asked to do.

This specific case is a case of propaganda and misrepresentation of the facts, which aims to tarnish a party's reputation and, what is worse, to tarnish the reputation of a colleague who has dedicated his life to Israel-Canada relations.

The member for Mount Royal mentioned a particularly flagrant case. It cannot be ignored. The conference in question was not advertised as an anti-Semitic conference, and he did not go there to attend an anti-Semitic conference. He arrived there and realized there was an anti-Semitic slant to the conference, which he courageously tried to speak out against, and in fact he, and the government at the time, were commended by the Israeli government. The Israeli government itself even had a delegation at the conference.

The Conservative government is clearly using taxpayers' money to try to convince Canadians, and it will very likely succeed if we do not do something, that the Liberal government at the time knowingly participated in an overtly anti-Semitic conference. That is a serious misrepresentation of the facts, and we cannot let that stand. If we do, it means that political parties can use taxpayers' money to say whatever they want, and to stoop as low as you can imagine, and that there is no limit to the lies they can tell the unwitting public.

We cannot allow that, Mr. Speaker, and you do not have to enter into the debate on the Middle East. Look at the facts, and you will see that this is an outright lie paid for by taxpayers as a result of a parliamentary procedure.

*Privilege*

[English]

**Hon. Jay Hill (Leader of the Government in the House of Commons, CPC):** Mr. Speaker, I do not want to prolong this but it is important that some balance be brought to this discussion.

With regard to the remarks just made by the member for Saint-Laurent—Cartier, I would point out that at no point in time did he dispute the facts of what was reported at the time that the conference was taking place, and that is what the Parliamentary Secretary to the Prime Minister was trying to lay upon the table.

I find it quite astounding that my colleague, the whip from the Bloc Québécois, a man for whom I have a lot of respect, would stand in his place and say that the facts are irrelevant because that is exactly at the heart of what the remarks of the hon. member for Mount Royal were about. He was disputing the facts that were in this ten percenter.

Mr. Speaker, it is important that you know the facts if you are going to—

**An hon. member:** Propaganda.

**Hon. Jay Hill:** Exactly. The member is calling it propaganda because he cannot dispute that they are facts and they are the facts that are before the House.

With regard to the issue that the NDP member for Windsor West raised about a question of privilege that he raised on a similar issue dealing with a mailing on November 3, 2005, Mr. Speaker, you made a ruling in that regard and I would just like to remind you and the House of some of the things that you said at that time:

I am concerned that members are continuing to rise on questions of privilege relating to householders and ten percenters. I take these matters very seriously, in particular when reputations of members are being brought into question. That being said, as with the previous cases, I do not believe that it is for the Chair to pronounce on the content of these documents or whether they conform to the guidelines found in the Members' Allowances and Services Manual.

Mr. Speaker, that is what you said, and quite rightly so, because it gets into a debate about whether something is appropriate or something else.

The main reason I wanted to rise is because it is important for Canadians to understand that it is not only the Conservative Party that sends out these types of mailings. Indeed, it was only recently that a member of the Liberal Party had to apologize for one that was sent out in her name about the current H1N1 crisis targeting first nations communities in a very derogatory way.

Mr. Speaker, I want to lay the facts again on the table for your consideration. All parties are participating in this and for the member for Windsor West to stand and somehow pretend that his party does not do this, it is important to note that the New Democrats do not even use mass mailings. They actually put it in a first class envelope and send it to people's homes, the very same type of ten percenters that incur a lot more cost to Canadians because it is franked mail in an envelope as opposed to a mass mailing.

My point is that all parties are participating in this type of communication and it is grossly unfair to suggest that it is only the Conservative Party that is doing so.

● (1540)

**The Speaker:** I will very briefly hear the hon. member for Eglinton—Lawrence, but it had better be relevant to the question of privilege that has been alleged.

**Hon. Joseph Volpe (Eglinton—Lawrence, Lib.):** Mr. Speaker, it is a question of privilege and I note that we have been addressing the privileges of specific members but also of members, generally, under the rubric of a particular party. I am one of those members who is most affected by the allegations, suggestions and insinuations, not of fact but of a fabrication of conclusions that are sheer slander. They are seen that way by anybody who is a reasonable individual.

No amount of separated fact from context is going to make the government's position any more legitimate. The fact of the matter is that there have been two perpetrations of injustice with this publicly funded piece of propaganda: first, against all adherence to the Liberal Party, which stands by the achievements of that party in government in order to move along a Canadian agenda; and second, against a community, a valued and valuable member of the Canadian community, by separating it off with a wedge issue from the rest of our Canadian society.

Mr. Speaker, as a member of Parliament who came here when you came here 21 years ago, there has not been a moment that I have not been a defender of the interests of that constituency and, in fact, all other constituencies. For the House leader and the Parliamentary Secretary to the Prime Minister to stand here before the House and winnow out a couple of sentences à la Cardinal Richelieu, who said, "Give me five written words of a man, and I shall find matter in them to have him hanged", and take it completely out of context, and to pass that as fact is to do great damage to the relationship that the political system in Canada has built with the Jewish community and the international relationship with the Middle East and Israel, in particular.

I could go on and talk about some of the individuals, such as the member for Thornhill, for example, and what he said at a rally. However, I am not going to stoop that low. I think that this is an egregious example of partisan, petty politics that have been funded by the public purse. The Prime Minister should be embarrassed. He should apologize.

Mr. Speaker, I think you should note that any of those statements that have been attributed to our current leader and our former leader were all immediately addressed by those leaders and publicly put in their appropriate context. I think you need to rule on this question of privilege because the Conservatives cannot be allowed to continue to abuse the public privilege and defame Canadians and members of Parliament the way that they have been doing.

● (1545)

**The Speaker:** I think the Chair has heard enough on this. Unfortunately, the bulk of the arguments seem to be about the facts. That is of some import in this. But on a question of privilege, it is normally not the Speaker who finds out the facts. It is the committee that investigates the matter following the decision of the Speaker, if there is a breach of privilege, because the matter normally goes to a committee.

*Government Orders*

However, that is a decision for the House. I will come back to the House in due course on this matter and I thank the hon. members, who have made submissions, for their interventions.

[*Translation*]

I will come back to the House with a ruling, as well as for the hon. member for Mount Royal.

[*English*]

**Hon. Irwin Cotler:** Mr. Speaker, I do not want to add anything to the debate. However, if you do find that there is a prima facie breach of privilege, I will be prepared to move the appropriate motion.

[*Translation*]

COMMENTS REGARDING MEMBER'S POSITION ON FIREARMS REGISTRY—  
SPEAKER'S RULING

**The Speaker:** I am now prepared to rule on the question of privilege raised on November 3, 2009 by the hon. member for Sackville—Eastern Shore concerning the mailing of a ten percenter to some of his constituents by the hon. member for Saskatoon—Wanuskewin. The mailing was critical of the voting record of the member for Sackville—Eastern Shore on the issue of the long-gun registry.

[*English*]

I would like to thank the hon. member for raising this matter and providing the Chair with a copy of the material in question, as well as the member for Saskatoon—Wanuskewin for his contribution on the issue.

In presenting his case, the member for Sackville—Eastern Shore claimed that the member for Saskatoon—Wanuskewin had sent a mailing to some of the constituents of Sackville—Eastern Shore that contained information that was factually wrong regarding his position on the long-gun registry as well as on his voting record on this matter. He accused the member for Saskatoon—Wanuskewin of deliberately misleading his constituents and impugning his reputation on the work that he had done on legislation regarding the long-gun registry.

In his comments, the hon. member for Saskatoon—Wanuskewin obliquely acknowledged, without apologizing, that he had made an error and that the ten percenter in question was incorrect in reference to the member for Sackville—Eastern Shore. The member for Saskatoon—Wanuskewin then thanked the hon. member for his long-standing opposition to the long-gun registry.

[*Translation*]

The situation before us today is analogous to one in 2005 in which a similar mailing was sent to the constituency of the hon. member for Windsor West. That mailing had the effect of distorting the member's voting record, again on the gun registry and thereby misinforming his constituents. In finding a prima facie case of privilege, on April 18, 2005, *Debates*, page 5215, I stated:

This may well have affected his ability to function as a member and may have had the effect of unjustly damaging his reputation with voters in his riding.

[*English*]

The 38th report of the Standing Committee on Procedure and House Affairs tabled on May 11, 2005, on the same matter concurred in that view.

[*Translation*]

Again, I quote:

[The member for Windsor West] noted that he had received complaints from constituents as a result of the mailing. By unjustly damaging his reputation with voters in his riding, it thereby impairs his ability to function as a member.

[*English*]

Having reviewed the material submitted, as well as the arguments made, the Chair can only conclude that the mailing sent to the constituents of Sackville—Eastern Shore did distort their member's true position on the long-gun registry and, at the very least, had the potential to create confusion in their minds.

It may also have had the effect of unjustly damaging his reputation and his credibility with the voters of his riding and, as such, infringing on his privileges by affecting his ability to function as a member.

Accordingly, I find that a prima facie case of privilege does exist and I invite the hon. member for Sackville—Eastern Shore to move his motion now.

• (1550)

**Mr. Peter Stoffer (Sackville—Eastern Shore, NDP):** Mr. Speaker, I move:

That, the matter of the question of privilege raised by the member for Sackville—Eastern Shore on November 3 of this year be now referred to the Standing Committee on Procedure and House Affairs.

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

**Some hon. members:** Agreed.

(Motion agreed to)

[*Translation*]

## GOVERNMENT ORDERS

[*Translation*]

### CANADA-JORDAN FREE TRADE ACT

The House resumed consideration of the motion that Bill C-57, An Act to implement the Free Trade Agreement between Canada and the Hashemite Kingdom of Jordan, the Agreement on the Environment between Canada and the Hashemite Kingdom of Jordan and the Agreement on Labour Cooperation between Canada and the Hashemite Kingdom of Jordan, be read the second time and referred to a committee.

**The Speaker:** Before question period, the hon. member for Rimouski-Neigette—Témiscouata—Les Basques had the floor. He has 16 minutes left to complete his remarks.

The hon. member for Rimouski-Neigette—Témiscouata—Les Basques.

*Government Orders*

**Mr. Claude Guimond (Rimouski-Neigette—Témiscouata—Les Basques, BQ):** Mr. Speaker, I want to thank you for giving me the floor again so that I may continue to talk about the Bloc Québécois' observations of Bill C-57.

We agree with Bill C-57, Canada-Jordan Free Trade Act, but we have a few small comments to make that we hope will be considered by the government.

Considering that Canada has already entered into a trade agreement with Israel, signing a similar agreement with a neighbouring country, whose relations with Israel can be difficult, would help show a certain balance in our interests in the Middle East region. Such an agreement with Jordan would also send a positive message that Canada is open to cooperation.

Concluding this agreement would send a signal to other Middle Eastern countries wanting to develop better economic relations with the West.

The Bloc Québécois wants fair globalization. It is something to strive for and I hope the Conservatives will agree with us on this.

For the Bloc Québécois, it is out of the question to accept a free trade agreement that would be a race to the bottom and ignores human rights, workers' rights and the environment, not unlike Bill C-23, which we have been debating for a long time: the Canada-Colombia free trade agreement. That agreement is a very bad example of fair globalization.

The absence of environmental or labour standards in trade agreements puts a great deal of pressure on our industries, mainly our traditional industries. It is difficult for them to compete when products are made with no regard for basic social rights. It is difficult to compete with that type of business.

It is therefore increasingly important, at a time when we are still trying to define globalization, to have fair and balanced trade agreements. Let us choose a multilateral approach and limit bilateral agreements that do not allow for standards to be set to civilize trade.

That is what the Bloc Québécois really does not like about the Conservative government's strategy and its approach to negotiating trade agreements. Bill C-57 is no exception.

Quebec is not in a position to implement protectionist measures and rely solely on our domestic market. We have to pursue fair trade opportunities in the context of multilateral agreements.

Someday, Quebec will be a fully independent country, and we will represent ourselves internationally. In the meantime, the Bloc Québécois would like to propose some changes to Canada's trade priorities. Canada has moved toward trade liberalization and must now concentrate on developing regulations that will promote fairer trade. The Bloc Québécois believes that our trade policy must focus on fair globalization, not the shameless pursuit of profit at the expense of people and the environment in certain countries that clearly need help.

If Canada wants to maintain its credibility on this front, it should immediately sign on to the International Labour Organization's principal conventions against various forms of discrimination, forced

labour and child labour, as well as those in support of the right to organize and collective bargaining.

• (1555)

The Bloc Québécois is urging the federal government to change its position on trade agreement negotiations to include provisions ensuring respect for international standards with respect to labour law, human rights and the environment.

In their current form, side agreements on minimum labour standards and environmental protection lack a binding mechanism that would make them truly effective.

The Bloc Québécois also wishes to reiterate its full confidence in the multilateral process. We believe that this is the only forum in which countries can work toward adopting regulations that will foster fairer globalization.

In closing, I want to say that the Bloc Québécois will only support future bilateral free trade agreements if it believes that they will benefit Quebec's economy. We want to see future free trade agreements contain provisions ensuring respect for minimum standards with respect to human rights, labour law and the environment.

That is what the Bloc Québécois calls fair globalization.

**Mr. Peter Julian (Burnaby—New Westminster, NDP):** Mr. Speaker, I listened with interest to my hon. colleague, as I do twice a week at the Standing Committee on International Trade.

We are talking about an agreement with Jordan. True, Jordan is not Colombia, which is a very good thing. We all know just how appalling the situation is in Colombia.

That being said, there are nevertheless some problems related to human rights in Jordan. Problems have been identified by many workers who are not from Jordan and are mistreated. There are reports of sexual abuse and attacks against female workers who are from outside Jordan.

This agreement does not include any protection. There are side agreements on the environment and on labour, but those agreements are not legally binding, as the member well knows. These provisions do not require the government to take any action. Fortunately, more and more trade agreements from the European Union and South America have provisions requiring governments to take action.

Since these provisions are not legally binding, they cannot be used to force the government to take any measures regarding these worrisome issues. Does my colleague believe that this agreement goes far enough? Should it not be strengthened?

• (1600)

**Mr. Claude Guimond:** Mr. Speaker, I thank my colleague for his comment and his question.

*Government Orders*

As I mentioned in my speech, the Bloc Québécois is convinced that bilateral agreements are not the best way to achieve fair trade. For that reason, every time we have the opportunity to talk about free trade agreements in committee or in this House, we tend to speak of multilateral globalization. We believe that multilateral globalization would raise the bar rather than lowering it. We also hope to enter into agreements that are of benefit to certain countries in order to provide them with the opportunity to improve human rights, environmental rights, labour rights and so forth.

In the debate on Bill C-57, a number of my colleagues will soon have the opportunity to criticize the agreement, which, like all the others introduced by the Conservative government, requires improvement and additional guarantees in order for Canada to enter into fairer free trade agreements with other countries on this planet.

**Mr. Serge Cardin (Sherbrooke, BQ):** Mr. Speaker, I would first like to congratulate my colleague from Rimouski-Neigette—Témiscouata—Les Basques on his thorough knowledge of this file. We just recently received everything we needed. We undertook an analysis that we do not claim to be comprehensive in that there may be some minor items that we find puzzling.

We know that freedom of association may be affected. However, we must understand that this country has almost 1.7 million Muslim refugees, among others. If freedom of association is mentioned it may be to prevent Islamic gatherings. We know that there may be implications for the countries surrounding Jordan. These may be appropriate measures for the situation. For that reason, the committee must conduct a thorough analysis.

I would like to point out that the freedoms of associations such as unions may be affected. These issues must be examined in more detail. I know that my colleague is very interested in union freedoms and I would like to hear what he has to say about this.

**Mr. Claude Guimond:** Mr. Speaker, I thank my colleague from Sherbrooke, with whom I have the great pleasure to work on the Standing Committee on International Trade.

I am happy to have the opportunity to speak to this issue. As hon. members know, I am a farmer. Even though I have been a member of Parliament for a year, I still have my farm. For 15 years, I was involved in the farm union movement in my area, the lower St. Lawrence, and in Quebec, but also with other alliances of workers' unions and so on.

For years, especially in Quebec, we have been saying—and I have been saying in particular, as a farmer who has been involved in standing up for farmers' rights—that if, as farmers and workers, we want to succeed and keep on developing in a viable way, we must look to foreign trade and agreements with other countries. However, we have also been saying that this has to be done in a way that benefits everyone. It has to win-win for everyone. It has to be a winning proposition for my brother and me on my farm in Rimouski and a winning proposition for my fellow farmer in a developing country. To my way of thinking and in the opinion of the farmers in Quebec and in the lower St. Lawrence, this is the only way to achieve sustainable, fair trade, so that as many people as possible can live decently, wherever they may be.

● (1605)

**Mr. Peter Julian:** Mr. Speaker, that is the problem at present. As the member put it so well, the side agreements on labour and the environment do not require the governments of Jordan and Canada to raise their standards.

Is the member of the opinion that this is a flaw of these bilateral agreements that are often signed by the Conservatives, who do not really believe in the fair trade approach?

**Mr. Claude Guimond:** Definitely, Mr. Speaker. My NDP colleague will agree with me. We have an opportunity to denounce this at every meeting of the Standing Committee on International Trade. The Conservatives—the current government—have no concept of what fair trade or fair globalization should be.

Rest assured that every time my colleague from Sherbrooke, other Bloc members and I speak during debates on foreign trade, we will repeat and say loud and clear that there must be an improvement in how we conduct trade here in Canada. The Conservatives must improve how they conduct trade. It is not just a question of profits, it is a question of equity between farmers, workers and union members here and union members in other countries, so that everyone comes out a winner in the end.

[*English*]

**Mr. Peter Julian (Burnaby—New Westminster, NDP):** Mr. Speaker, it is my pleasure to follow my colleague from Rimouski-Neigette—Témiscouata—Les Basques, as associate of the trade committee, to talk about Bill C-57.

As we know, this was tabled just this week. Therefore, within the space of a few hours, we have been able to take a look at the bill and at the many clauses, both of the free trade agreement itself and, more important, the issue around the investor state protections, which is part of the template that our international trade ministry brings to every trade agreement that we sign, and two other side agreements that have no real obligations contained within them.

It is a lot of material, but it is fair to say that, at a glance, this has the same approach we have seen from the Conservative government many times before, despite the fact the NDP, and I think most Canadians, has been very clear what we would prefer to see is a fair trade approach on trade. This is why the fair trade sector is booming in our country. Millions of Canadians are making the choice every day to buy fair trade products.

Despite the fact the NDP constructively continues to bring these amendments forward, the government just does not seem to understand that Canadians, and much of the world, have shifted in their approach to trade.



*Government Orders*

The most egregious part of the lack of a Conservative overall trade strategy is no evaluation is done. No evaluation is ever done on the impacts of these trade agreements. No evaluation is ever done as to the potential for trade with a particular country. No evaluation is ever done about the downsides of that trade agreement. No evaluation is ever done about the situation in the country as a whole.

There is never a due diligence, ever, done on these bilateral trade agreements. That is the tragedy because Canadians expect a lot more.

What is the result? If we look at the last 20 years and at all the trade agreements that were supposed to bring prosperity, starting with the Canada-U.S. free trade agreement, and if we look at the analysis and data provided by Statistics Canada, and this data is open to every member of Parliament, we will see that two-thirds of Canadian families have seen their real income fall over the past 20 years.

We hear a lot of cheerleading about these agreements bringing massive prosperity, but the facts speak for themselves. Two-thirds of Canadians have seen their real income fall. The entire middle class has seen their income erode considerably. This explains why the debt load of the average family has doubled over the past 20 years. This is a crushing debt burden because real income has fallen. Expenses have not gone down, they have increased. Canadians are finding it harder and harder to make ends meet.

It gets worse when we go to the lower income categories. The poorest of Canadians have seen their income collapse, losing about a month and a half's income over the course of a year. That is why it is no surprise why tonight we will see, tragically, about 300,000 Canadians sleeping out in parks and along the main streets of our country. It is because this so-called free trade regime, with all of the right-wing economic policies that go with it, and I am not only blaming the Conservatives, the Liberals brought these policies in, have led to most Canadians being much poorer. Free trade has come at an enormous cost when most people are earning far less than they were 20 years ago.

If any Conservative or Liberal MP had chosen to look at the facts and figures of an analysis done, they would have to say that this policy has not worked very well and there has to be adjustments.

We in this corner of the House have been saying that. This is why our numbers keep growing. The fundamental reason why our numbers keep growing is Canadians trust we will actually do the due diligence and ask the tough questions when it comes to legislation brought before the House and when it comes to free trade agreements.

• (1610)

We see increased poverty in the country, so it is clear the overall thrust of free trade agreements has failed.

Let us look at the purported intention of stimulating exports. Here again, if we do the analysis and look at the facts, in a lot of cases, after signing a bilateral trade agreement, Canada's exports to that particular market, the market that was targeted by the free trade agreement, actually fell.

I know politicians love to go before the cameras and cut ribbons, but the act of presenting a free trade agreement does not necessarily even lead to an increase in exports to that market, so there is something fundamentally wrong there. Why? What are the causes?

We have some very clear indications from testimony, even in the last two weeks, before the international trade committee. We had the beef and cattle industry come forward and testify that it received pennies in product promotion support from the federal government compared to the tens of millions of dollars given by other countries. Australia was cited as an example, with \$100 million in product promotion just for the beef, cattle and pork industries alone.

Now let us take all the product promotion from all sources in Canada. Unfortunately, the federal government puts in less for all products in all markets in a larger economy than Australia invests just for its beef, cattle and pork industries. I see your surprised expression, Mr. Speaker, but that is the fact. Australia spends many times more for one sector than Canada spends in all sectors. That would explain why our exports fall in a lot of these cases where we sign bilateral trade deals.

The idea that these bilateral trade deals are part of a strong export policy is simply false. What we have are Scrooges on the other side of the House who have been nickel and diming our important industrial sectors to death. Not only do they not have any sort of industrial strategy, but they are not even willing to put the investments in that other countries are.

Just taking the wine sector, the European Union spends \$125 million, about four to five times more than all Canadian product promotion put together. Australia spends half a billion. We spend a few million dollars.

If we look at the pork industry, it is the same thing. The pork industry came before the international trade committee. A few million dollars a year is what it gets, when countries such as the United States spend tens of millions of dollars.

The reason why these bilateral trade agreements do not even necessarily lead to an increase in exports to those markets is here is no export strategy by the government. There is no trade strategy. There is no evaluation ever of the impacts of the agreements it signs. The Conservative politicians simply show up for a photo op, cut the ribbon and then they go on and pretend they have provided for some meaningful economic strategy. It is simply not true.

**Mr. Ed Fast:** No, you have it wrong.

**Mr. Peter Julian:** Mr. Speaker, the truth of the powerful NDP words again is having some impact on the Conservative side of the House. Thank goodness. I just wish they would put more of what we say into action.

That is the fundamental reality. We see exports fall. We see a lack of support for important strategic sectors and then we see deals signed that actually undermine those key sectors.

*Government Orders*

We had the EFTA deal before the House. We had pleas from hundreds and hundreds of shipyard workers across the country, including from Quebec, Nova Scotia, Vancouver, Newfoundland and Labrador, and Ontario, all saying that it would have a profoundly negative impact on what should be a strategic industry. They said that the EFTA deal would kill their industry. That was the testimony before committee. A very clear message was delivered. Yet we had other parties vote to put that deal into place even though they had been told that essentially it would hit our shipyard industry hard.

• (1615)

Therefore, we have a fundamental problem about the approach in trade, the lack of evaluation. We have a fundamental problem with the fact that we simply do not do an evaluation on a market to market basis, that there is no export strategy overall and certainly not the resources allocated to our export industries that should be and that other countries do.

Therefore, let us get to the template on the Jordan agreement. Canadians who are listening can download their own free trade agreement from the DFAIT website. It shows how appalling simple-minded the approach is on trade. We have a template that has existed for 20 years, while other countries are updating their trade model, improving their trade model to bring concrete results. We have the same model that has sat around for 20 years. People can download it and sign it with their neighbours. It is absurd.

These templates, of which Jordan unfortunately is part, are simply investor protection and investor state provisions coupled with some tariff reduction and then coupled with meaningless side agreements.

The side agreements unfortunately never impose any obligation. Other countries have moved way beyond that. They have binding obligations around human rights, social and labour standards, but not our template. Our 20-year-old Ford Pinto, which is the trade model Conservatives like to bring forward, does not do any of that. What it does is offer investor state protections.

This goes back to the NAFTA days and the Canada-U.S. Free Trade Agreement days. What happened after we signed this agreement? The House knows that provinces, municipalities and many Canadians have great difficulty with the chapter 11 provisions in NAFTA. They allow companies basically to rip off the public purse in order to get compensation for products that endanger the health, the environment for whatever reason, if the government acts to stop these companies from providing these horrible products. Then they get to sue taxpayers and they get a fancy cheque. They get to take the money right out of the wallets of taxpayer, even though Canadians want the government to intervene to stop the product from being put forward.

We have seen this with the domestic pesticide ban in Quebec. We now have a company that can use these investor state provisions to go after the Quebec government, a government that has taken a democratic decision, in the interest of its citizens. Now potentially taxpayers will have to pay for the government taking care of them. This is absolutely absurd.

After that clause was included in NAFTA, and this was only for the NAFTA agreement, the United States moved right away from it. The United States realized that this undermined the ability of

parliaments and legislatures to take actions to protect their own populations.

The U.S. has never signed a similar agreement since. It has moved away from it. It has allowed for environmental, health and safety overrides. Canada, as I mentioned, has that old 20-year-old Ford Pinto that still allows for companies to gouge Canadian taxpayers if any action is taken and impinges on their profits.

Tragically that 20-year-old model is in the Jordan agreement. Therefore, we see the same kinds of problems that have come up in the past, problems about which so many people have spoken. The same people who have raised this issue right across Canadian society have not been heard.

The old Liberal Ford Pinto has been taken over by the Conservatives. They do the ribbon-cutting ceremony and then they move on. If it were about economic development, we would see some muscle, some investment behind a real export strategy, which is what the NDP has been calling for and has been pushing.

Just this week an NDP motion passed in the committee on international trade, calling on the government to address the historic underfunding to the beef and cattle industry and to really work for a level playing field with our competitors. Australia and the United States are investing many times more in product promotion for that sector.

• (1620)

Beef and cattle ranchers can now say that it is because of the NDP that there will be a push to finally get more money out of the Conservative government to really support the beef and cattle industry. That has been what we have been calling for historically.

So, we have an agreement with no strategy. We have investor state provisions within the Jordan agreement that simply are inappropriate. Now we need to look at the provisions, the so-called side agreements on labour and the environment, that are kind of thrown in as an afterthought. They do not impose any obligations on the country. There is a process. There are a lot of meetings and bureaucrats get to drink a lot of coffee, but in the end there is nothing binding in this agreement on labour rights, human rights or the environment.

Then we need to know what the situation is in Jordan if we are not pressing on any of these issues? If we just have this cosmetic paper that we killed a couple of trees to pretend there has been some action but there is nothing binding in those provisions, then we need to look at what is actually happening in Jordan.

Now Jordan is not Colombia. Colombia is outrageously bad. Paramilitary thugs and drug pushers are all connected to the government and all supported by the Conservatives. Jordan is not like that but there are some causes for concern. Obviously, the committee on international trade will need to take some time to look at the possible implications from the lack of any sort of binding obligations on the Jordanian government.

*Government Orders*

I will reference the U.S. Department of State's 2008 human rights report on Jordan. Some of the elements are positive but some are clearly negative.

The first is on arbitrary or unlawful deprivation of life. As we know, in Colombia we are talking about hundreds of people massacred every year by right wing paramilitary thugs, the Colombian military, but in Jordan's case, it states:

In contrast with 2007, there were no reports during the year that the government or its agents committed arbitrary or unlawful killings. The government completed investigations of allegations made in two 2007 deaths....

So, we do see action from the Jordanian government there.

Second is on disappearances. In Colombia, that has been a horrible and constant tragedy. Disappearances in Colombia occur on a daily basis, but for Jordan, the 2008 human rights report states:

There were no reports of politically motivated disappearances.

Third is torture and other cruel, inhuman or degrading treatment or punishment. Now on that there is some cause for concern. The report states:

Although torture is illegal in the country, an October report by the NGO Human Rights Watch (HRW), "Torture and Impunity in Jordan's Prisons," concluded that torture remained a widespread practice. Interviews with 66 prisoners in seven of the country's 10 prisons produced allegations of ill-treatment, which HRW concluded often amounted to torture.

Next we move to arbitrary arrest or detention. The report states:

Some human rights groups continued to voice concern over the 2006 Prevention of Terrorism Act, complaining that its definition of terrorism might lead nonviolent critics of the government to be arrested or detained indefinitely under the provisions of the act. However, the government had yet to make use of the act at year's end

Section e, "Denial of Fair Public Trial" states:

The law provides for an independent judiciary. In practice the judiciary's independence was compromised due to allegations of nepotism and the influence of special interests.

There are also very clear concerns of abuse around women, domestic workers imported from outside Jordan. There have been calls within the United Nations and by human rights organizations about this.

It is clear that our work has begun on this. Real concerns have been expressed by our party and by many in civil society. If Parliament chooses to refer this for further study to the international trade committee, it will need to take a long look at the implications of this agreement and of the possible impacts having this agreement put into effect.

• (1625)

On that basis, of course, we have legitimate concerns. We will continue to push the government to bring in fair trade legislation and we will continue to work on this bill so that it becomes more fair trade in nature.

**Ms. Lois Brown (Newmarket—Aurora, CPC):** Mr. Speaker, I listened to the member's speech and I wonder if he could enlighten the House. He claimed that there are investor state provisions in this bill and I do not believe there are. They are governed by a separate foreign investment protection agreement. The member did not read this before he decided to oppose it.

The NDP has never supported a free trade agreement. I wonder if the member could comment on where he is seeing these investor state provisions.

**Mr. Peter Julian:** Mr. Speaker, I am glad the member has at least looked at the talking notes from the Prime Minister's office. However, she needs to look at page 3, under "Promotion and Protection of Investments", where it talks about the damage as a result of a breach of agreement and monetary compensation and says, "Furthermore, where it is pursuant to investor state, arbitrations are enforceable in Canada". There are about 70 pages in all and later on in that section she will see further reference to the type of investor state provisions that we believe are inappropriate.

Many other countries, the United States primary among them, are moving away from the model. In fact, the United States moved immediately away from that model after it signed NAFTA. Canada is pretty well alone in going out with this old, outdated Ford Pinto model of trade agreements.

Since I have the floor, as the member has given me a few more minutes to speak, and I do appreciate her concerns, Amnesty International called on the government of Jordan to officially and publicly condemn all acts of torture and other ill-treatment; establish a system of regular, unannounced and unrestricted visits by independent national bodies to all places of detention; make public the names of individuals transferred into Jordanian custody from U. S. custody; and a series of measures to end violence and discrimination against women.

• (1630)

**Mr. Jim Maloway (Elmwood—Transcona, NDP):** Mr. Speaker, I congratulate the member for Burnaby—New Westminster for a fantastic speech. I have to say that the members opposite will need to get up awfully early to catch the member in any factual errors.

The member has explained in great detail why a bilateral agreement is a race to the bottom and really not the answer in trade agreements. He has referred to it as the Ford Pinto. Would he give us some details of what a fair trade agreement would look like? We dealt with it in quite a bit of detail when we were talking about the Canada-Colombia trade agreement and others, but clearly the message is not getting through to the government as to what the elements of a fair trade agreement should look like.

Perhaps the member could, once again, enlighten the government on the elements of a fair trade deal.

**Mr. Peter Julian:** Mr. Speaker, the Conservatives have never brought any elements of fair trade into any of their agreements, and previously, even with the Liberal government, never scrutinized or amended any of the amendments brought forward.

*Government Orders*

Conservative members seem to rubber stamp whatever is brought forward and this is unfortunate because the NDP has been very clear. We have brought forward anti-sweatshop legislation and buy Canadian legislation which are both before the House. The anti-sweatshop legislation is very important because it is not only good for workers to have higher labour standards set, it is also makes companies more competitive.

I met with representatives of the mining sector yesterday and they admitted that it was tough to compete when we have lower and lower standards. When we have companies that want to slash health and safety standards, defy any environmental guidelines and pay their workers sweatshop wages, it is tough for the good companies to compete.

In this corner of the House we have always said and will continue to say, until we take over the government direction and are able to put in place fair trade legislation, that we need to go to a higher standard. We are saying that a higher standard with fair trade legislation makes it an obligation to maintain those higher standards, not an option or some sort of voluntary agreement but an obligation. That is what fair trade is all about and most Canadians support a fair trade agenda.

[*Translation*]

**Mr. Serge Cardin (Sherbrooke, BQ):** Mr. Speaker, I would like to ask my colleague a question about the human rights problems in Jordan that he alluded to. I would like him to tell us how serious the human rights problems in Jordan are and to compare the situation there with the situation in Colombia, which we in the Bloc Québécois consider intolerable and unacceptable.

We are faced with two different free trade agreements. Colombia has a high and even extremely high level of human rights abuses, but we know that there are also some abuses in Jordan. I would like the member to compare the two countries.

**Mr. Peter Julian:** Mr. Speaker, first of all, there are not as many disappearances and murders as there are in Colombia. As we know, in Colombia, dozens of trade unionists have been killed because they wanted to help workers improve their standard of living. People disappear every day. Hundreds of people disappear, and unfortunately, this epidemic of murders and disappearances has been getting worse for a number of years.

In Jordan, there are no cases like these, or very few. In 2008, there was not a single murder carried out by agencies linked to the government, and there was not a single disappearance case.

The member for Sherbrooke knows very well, all the reports on Colombia from human rights agencies show that the situation is absolutely disgusting. This week, I shared that with a number of my Liberal colleagues. Instances of torture by the Colombian army have gone up by 80%. Hundreds and hundreds of people are tortured every year by the Colombian army, and I know that this has made a number of Liberals wonder what we are doing establishing a special trade relationship with a regime that has so much blood on its hands.

In Jordan, they are at least trying, and there are some positives. But in terms of the issues of women and torture in prisons, a lot of work remains to be done.

• (1635)

[*English*]

**Mr. Jim Maloway (Elmwood—Transcona, NDP):** Mr. Speaker, the member talked about Canada being an exporting country, which we are, and the lack of an export strategy. I would like him to explain the elements of a comprehensive export strategy that he would like to see in this country.

**Mr. Peter Julian:** Mr. Speaker, that was a great question because the NDP is the one advocate in this House for a very strong export strategy that is based on what works.

Australia spends half a billion dollars promoting its products. The Australian government invests in its products right around the world. Canada spends \$1 million here and \$1 million there. It is very obvious that what we are doing is severely disadvantaging our export industries.

It is not a question of ribbon cutting. I know Conservative politicians love to cut ribbons. It is really about having a centred export strategy that invests the kinds of amounts that our competitors are investing. The European Union invests \$125 million into its wine industry, five times more than Canada spends on everything. The United States spends twice as much on just its beef industry than we spend on everything. We are nickel and diming our export industries to death. We are not providing the supports they need at all.

The government then brings in what are often very crude free trade agreements. As I said, we can download the template and sign our own free trade agreement. The government brings in trade agreements with no real negotiations, no real sense of what we are going to lose and what we are going to gain because it never even does an evaluation or an analysis. Not a single time has the Conservatives even tried to analyze what they are signing, and that is a tragedy.

**The Deputy Speaker:** Order. It is my duty pursuant to Standing Order 38 to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Gatineau, Official Languages; the hon. member for Hull—Aylmer, Health; the hon. member for Malpeque, Agriculture.

Resuming debate, the hon. Parliamentary Secretary to the Minister of Public Works and Government Services and to the Minister of National Revenue.

[*Translation*]

**Mr. Jacques Gourde (Parliamentary Secretary to the Minister of Public Works and Government Services and to the Minister of National Revenue, CPC):** Mr. Speaker, I will be sharing my time with the hon. member for Kelowna—Lake Country.

I am very pleased to rise here in the House of Commons today to speak to the Canada-Jordan free trade agreement.

*Government Orders*

It is the most recent example of the Conservative government's dynamic strategy to generate more opportunities for Canadians in some of the world's largest markets.

Along with the bill to implement the free trade agreement, we also introduced a bill containing two agreements to protect labour and the environment, which clearly demonstrates our government's commitment to increasing business opportunities in a positive, responsible way.

I encourage all members of all parties in this House to support our government's efforts and pass this bill as soon as possible.

Canadian businesses are counting on us to create new opportunities in the Jordanian market, which is what we must do, without delay.

Markets like Jordan represent an important opportunity for Canadian and Quebec businesses.

Over the years our two countries have established a significant trade relationship in a number of areas: forestry, agri-food, machinery, communications technologies and clothing.

Companies and investors in both countries have been calling for closer commercial ties between our two countries for some time now. They see enormous potential and so does our government.

Today, I would like to focus on the advantages of this agreement for my province of Quebec.

Quebec has long been looking for opportunities beyond its borders, for its well-known companies like SNC-Lavalin and Bombardier and for the thousands of small and medium enterprises that export throughout the world. Quebec plays an important role in Canada's trade with the world. Jordan is no exception.

Quebec's exports to Jordan are significant. They account for 45% of Canada's total exports to Jordan, which ranks Quebec first among the Canadian provinces or territories in terms of exports to Jordan. We are in the lead; the statistics prove it.

In concrete numbers, exports from Quebec to Jordan were valued at \$34.4 million in 2008, which represents an increase over the \$19.5 million in 2006. There has been marked progress in four years.

The main exports were copper products, paper, wood pulp, cardboard and wood.

Jordan is a major growth market for Quebec in these key sectors.

That is why this free trade agreement will be such a crucial opportunity for Quebec exporters over the coming year.

This agreement will eliminate Jordanian tariffs on key exports and will contribute to making Quebec companies more competitive in the long term in certain essential sectors.

Take, for example, forestry products, which include paper and cardboard. They are a significant portion of Quebec's exports to Jordan for a total of \$16.3 million in 2008, or roughly 60% of Canada's total forestry product exports to Jordan.

● (1640)

These goods are currently subject to a Jordanian tariff ranging between 10% and 30%. Under the free trade agreement, these tariffs would be eliminated within five years. This is an exceptional opportunity to help our forestry industry, which was hit hard by the global economic downturn.

The machinery sector is another good example. Exports of Quebec machinery to Jordan totalled \$700,000 last year, which represents approximately 9% of Canada's total machinery exports to Jordan. These exports are also subject to a Jordanian tariff of between 10% and 30%, which will also be eliminated within five years once the free trade agreement goes into effect.

Quebec's textile industry would also benefit from this agreement. Textile goods are currently subject to a tariff of between 5% and 25%, which would be eliminated within five years once the agreement is implemented.

Pharmaceuticals represent another growth sector in Quebec and an increasing share of our exports to Jordan. In fact, exports of Quebec pharmaceuticals to Jordan have increased considerably in recent years, rising by 164%, from \$280,000 in 2006 to \$750,000 last year. Therefore, it is not surprising that Canada's pharmaceutical companies would like to increase their access to the Jordanian market. When the free trade agreement is implemented, the present 5% tariff will be eliminated immediately.

These are just a few of the many Quebec sectors that will benefit from lower Jordanian tariffs.

We could also talk about the shipbuilding, agriculture, cosmetics, furniture and aerospace industries. All these are vital to the prosperity of Canada and Quebec. They help sustain employment and communities throughout the country. And I believe that companies in all these sectors can compete and succeed in the Jordanian market. To do so, they must have equal opportunities.

This free trade agreement would give them the access they need to compete, to get into one of the most interesting markets and to develop new market opportunities to make Canada and Quebec more prosperous. That is why I urge all members to support the bill in order to implement this free trade agreement as quickly as possible. Our businesses need our help now. I am asking all members to help us support them.

But the advantages of strengthening our relationship with Jordan go beyond economics and trade. As we know, our government is also committed to ensuring that we do not expand market opportunities at the expense of labour and environmental rights. We must focus on both of these things at the same time.

That is why Quebecers can also be pleased that we have introduced a bill to implement two other agreements with Jordan: an agreement on labour cooperation, and an agreement on the environment. These agreements require the two countries to enforce and protect labour principles and rights, and to enforce high standards of environmental protection.

These agreements are further proof of our government's commitment to ensuring that we do not expand market opportunities at the expense of the environment and workers.

*Government Orders*

•(1645)

As we know, Canada has had a record year when it comes to the creation of market opportunities for our businesses and investors throughout the world. The Canada-Jordan free trade agreement is another step in our efforts to help Canadians seize these opportunities.

**Mr. Daniel Petit (Charlesbourg—Haute-Saint-Charles, CPC):** Mr. Speaker, I would like to ask the hon. member a question.

I listened carefully to his speech, particularly when he was talking about how this free trade agreement will benefit my home province, Quebec. I think he was saying that the faster this agreement is signed, the sooner people will benefit from it.

He mentioned eliminating tariffs between Jordan and Quebec on forestry products, machinery, textiles and pharmaceuticals, among other things.

Can he provide more information? Will this agreement affect aerospace companies such as Bombardier? Can he provide further details about the removal of tariffs under this agreement?

•(1650)

**Mr. Jacques Gourde:** Mr. Speaker, I would like to thank my colleague for his attention and his excellent question.

Upon implementation of the free trade agreement, the immediate elimination of tariffs on over 99% of recent Canadian exports, by value, to Jordan will directly benefit Canadian exporters. Jordan will eliminate all non-agricultural tariffs and the vast majority of agricultural tariffs. Jordan will immediately eliminate tariffs in the 10% to 30% range on many key Canadian exports, including pulse crops, frozen french fries, animal feed, various prepared foods, certain forestry products and machinery—sectors where Canadian companies lead the world.

Canada will eliminate all tariffs on Jordanian goods immediately upon entry into force of the free trade agreement, with the exception of over-quota tariffs on dairy, poultry and eggs, which are excluded from tariff reductions.

**Mr. Serge Cardin (Sherbrooke, BQ):** Mr. Speaker, as we have pointed out through questions and comments, my colleague who spoke earlier and I are in favour of this free trade agreement.

However, after listening to the hon. member for Lotbinière—Chutes-de-la-Chaudière speak, I am left with the impression that we should also be heartily congratulating the government for the impact this will have on the Quebec economy. In a way, he is right. Indeed, if we look at the \$34 million in forest products, including pulp, paper and cardboard, this probably does represent more than the Conservative Party has done for the Quebec forestry industry in the past several years. We almost need to thank Jordan for making more of an effort than the Conservative government in this sector in Quebec.

We heard that this was part of the Conservative government's dynamic strategy and that this was going to be a significant free trade agreement; he spoke in superlatives. As we know, it represents \$92 million worth of business for Canada, including about \$72 million, I imagine, in Canadian exports. However, the member mentioned that this goes beyond trade and the economy.

I would like to know what specific improvements will be made in terms of workers' rights and the environment.

**Mr. Jacques Gourde:** Mr. Speaker, I am pleased that my Bloc Québécois colleague recognizes that the Conservative government is doing an excellent job to promote Canadian exports and Quebec exports. We are very proud of that. I am also pleased that he said in this House that the government was doing everything it could so that Quebec could export excellent products, and I thank him.

With regard to labour cooperation, under this agreement, Canada and Jordan will promise to ensure that their legislation complies with the Declaration on Fundamental Principles and Rights at Work, which was adopted in 1998 by the International Labour Organization. The declaration pertains to the right of freedom of association and collective bargaining, the abolition of child labour and forced labour and—

•(1655)

[*English*]

**The Deputy Speaker:** Order. Resuming debate. The hon. member for Kelowna—Lake Country.

**Mr. Ron Cannan (Kelowna—Lake Country, CPC):** Mr. Speaker, I would like to thank my hon. colleague for sharing his time, for his great intervention and for providing his words of wisdom, not only on behalf of members from Quebec but across the country. This is great news for all Canadians.

As a member of the Standing Committee on International Trade, it is a pleasure to rise in the House today to add my support to the Canada-Jordan free trade agreement and accompanying agreements on labour cooperation and the environment. These agreements are the latest examples of our government's strategy to open doors for Canadian businesses and investors in these challenging economic times.

In particular, the free trade agreement will benefit a number of sectors all across Canada. In the next 10 minutes, I will outline this fact to show Canadians how this agreement benefits all sectors, including the riding of Kelowna—Lake Country, which I have the privilege of representing. In 2008 British Columbia had over 10 million dollars' worth of trade with Jordan in paper, paper board, wood and machinery. Creating jobs is definitely what we are all about in these challenging economic times.

*Government Orders*

As we move forward in these sectors, we will talk about why our trade relationship with Jordan is so very critical at this time in our history. The fact is that sectors across Canada's economy need the kind of competitive access provided by this free trade agreement. The agreement immediately eliminates tariffs on the vast majority of current Canadian exports to Jordan. To be more precise, the agreement will eliminate all non-agricultural benefits and the vast majority of agricultural tariffs on our two-way trade. That is great news for farmers, who will benefit from this agreement.

The agreement eliminates tariffs on pulse crops, including lentils, peas and beans, frozen french fries, animal feed and various prepared foods. It will also expand opportunities for Canadians in other sectors, too, including forest products, industrial and electrical machinery, construction equipment and auto parts. Our manufacturers and Canadian employers in all these sectors need every competitive advantage they can get in the globalized competitive marketplace in which they are competing.

We are trying to have a level playing field and a rules-based trading agreement. We are developing new trading partners, not increasing protectionism, which we have heard other parties opposite advocating. We are increasing partnerships, not protectionism. Through tariff elimination, our free trade agreement with Jordan will open new doors for these sectors, create new opportunities for Canadians employed in them and help our businesses succeed in the global marketplace.

Permit me to take a moment to also touch on the foreign investment promotion and protection agreement, also known as FIPPA. Signed at the same time as a free trade agreement, this FIPPA will help encourage two-way investment by providing investors in both countries with the clarity and certainty they need when investing in each other's markets. There is a mechanism in place to ensure certainty, clarity and stability in that agreement and give Canadians confidence that they are going to invest in Jordan and vice versa.

Canadian investors are discovering a wealth of opportunities in the Jordanian market. Sectors such as resource extraction, nuclear energy, telecommunications, transportation and infrastructure all hold much promise for Canadian investors. Just look at the great success the Potash Corporation of Saskatchewan has found in Jordan. It is now the largest foreign investor in Jordan. There is a long list of other Canadian companies. Earlier, my hon. colleague mentioned Bombardier and SNC-Lavalin. They have made significant inroads into the Jordanian market.

That is why the free trade agreement and the FIPPA are such great accomplishments. In a broader sense, it is only the beginning. This agreement is Canada's first ever free trade agreement with an Arab country.

A couple of years ago the trade committee had a chance to go to the Middle East. This is going to open the door to expansion for trade to the Middle East and north Africa, which is a great opportunity and very important for Canadian businesses.

This free trade agreement with Jordan gives us access to a critical market in the region. We have opened a number of significant doorways into the region and set the stage for Canadian businesses to

create even more commercial links throughout the Middle East and north Africa in the years ahead.

● (1700)

Canada also believes that deeper commercial engagement need not come at the expense of labour standards or the environment. We think trade and investment can be a positive force for communities worldwide, which is why this government is very pleased to include parallel labour and environmental agreements as part of the larger package of agreements we have signed with Jordan.

Let us start with the labour cooperation agreement. It commits both countries to respect the core labour standards set out by the International Labour Organization. These are standards that help eliminate child labour, forced labour and workplace discrimination and that respect freedom of association and the right to bargain collectively. The agreement also commits both countries to providing acceptable minimum employment standards and compensation for occupational injuries and illnesses.

I should also add that under this agreement migrant workers will enjoy the same legal protections as nationals when it comes to working conditions. Also significant is the agreement on the environment which commits both countries to pursue high levels of environmental protection in the development and improvement of policies that protect the natural environment, a concern for all of us in the House.

Domestic environmental laws must be respected and enforced. This agreement commits both countries to this goal. It also commits both countries to ensure that strong environmental assessment processes are in place as well as remedies for violating environmental laws. This is very, very important.

Through the agreement on the environment, our government is also encouraging businesses to adopt best practices of corporate social responsibility and promote public awareness and engagement. I know Canadian businesses that are doing business around the world are leaders in CSR, corporate social responsibility, and are leading by example. These measures will help ensure that increased trade and investment does not come at the expense of the environment and that business can play a positive role in the life of each country.

*Government Orders*

This is a critical time for Canada's economy. The global economic downturn has hit all nations. We must take steps to sharpen Canada's competitive edge and prepare for the recovery. The global economy is not going away. One in five Canadian jobs depends on Canada trading in the world. That is why we have the global commerce strategy, which was embarked on with the previous international trade minister, Mr. Emerson, whom I highly respect. He is working in the private sector continuing to expand business around the world.

Now my colleague from Okanagan—Coquihalla is the Minister of International Trade. He and the Prime Minister were just at APEC, a major Asia-Pacific economic conference. They were in India and are going to China next month. We continue to expand and open doors for Canadian businesses. This is what it is all about, opportunities for our businesses and investors to thrive and prosper today and beyond the current economic downturn.

Our free trade agreement with Jordan is an important part of these efforts. Through the FIPPA and the two agreements on labour and environment, Canada needs those tools to be competitive in Jordan and continue making the links in the expanding markets of the Middle East and north Africa.

In summary, Canadians can count on our government to impose protectionism and defend free and open trade on the world stage. In less than four years our government has opened doors to Canadian businesses by concluding new free trade agreements with Colombia, Peru, Jordan, Panama and the European Free Trade Association states of Iceland, Norway, Switzerland and Liechtenstein. Upon implementation, this free trade agreement with Jordan will eliminate tariffs on the vast majority of Canadian exports to Jordan, directly benefiting Canadian exports.

Key Canadian sectors that will immediately benefit include forestry, manufacturing and agriculture and agri-food. These are sectors in which Canadian companies are global leaders. I have a strong component of agriculture and horticulture in the Okanagan and we look forward in British Columbia, the Prairies and across Canada to opening new doors.

By eliminating tariffs on imports from Jordan, this also means better prices for consumers. That is what we are here for, to give our consumers the dollar value and continue to create jobs as well. It is a win-win all around. The labour cooperation agreement commits Canada and Jordan to respect and enforce internationally recognized labour principles and rights, such as the elimination of child labour, forced labour and workplace discrimination and the respect of freedom of association and the right to bargain collectively. Canada and Jordan have negotiated an agreement on the environment that commits the parties to maintain high levels of environmental protection to effectively enforce domestic environmental laws and to not relax or derogate from such laws to attract trader investment.

I ask all members of the House to support this agreement and our government's efforts to create jobs and opportunities for all Canadians, not only for today but for the years ahead.

• (1705)

**Mr. Peter Julian (Burnaby—New Westminster, NDP):** Madam Speaker, I always like listening to my colleague from Kelowna.

The question here is pretty simple. We had the disastrous miscalculation by the Conservative government around Colombia, where the push-back from the public has been phenomenal. Canadians have simply said that they do not want to have a privileged trade regime with drug lords and paramilitary thugs. The Conservatives have felt that.

In this case, Jordan is very clearly not Colombia. There are very clear weaknesses in the approach the government takes on trade issues generally, which I outlined a few minutes ago.

Since the bill has just come before the House, would the member not agree that the international trade committee has the obligation to hear from women's groups, human rights organizations, business organizations and labour organizations? Should it not hear from all of those who are interested in coming forward to the committee to talk about the possible impacts of this agreement, since the government has done no studies to evaluate what the impact of this agreement would be on its own?

**Mr. Ron Cannan:** Madam Speaker, it is a privilege to answer my colleague from Burnaby—New Westminster. We have been serving together for the last few years on the international trade committee. I have had the chance travel with him.

Absolutely, from a committee perspective I look forward to hearing from witnesses from across the country, from all spectrums, on how the Canada-Jordan free trade agreement will benefit Canadians.

If there are some impacts from the Jordan perspective, we want to ensure that it is a free and fair trade agreement. That is what I am absolutely in favour of, not like the fact that we have spent over 33 hours in this House debating the Canada-Colombia agreement. It is clear that even from today's committee meeting the business community is losing market share. The fact is we need to move on that agreement sooner rather than later. Time is of the essence.

We have a chance to be leaders in the marketplace, to get in first and to expand. I hope that our opposition colleagues will not go down the road of protectionism but will look at free and fair trade agreements, such as the Canada-Jordan free trade agreement.



*Government Orders*

[*Translation*]

**Mr. Serge Cardin (Sherbrooke, BQ):** Madam Speaker, this is not the first free trade agreement to be examined at the Standing Committee on International Trade and, every time, we always ask whether an impact study has been done because we presume that the government and its negotiators have to conduct impact studies. That is a fine example because we never get an answer as to whether there is one or whether one has been done. We know full well that an entrepreneur who goes to CED for financial support has to have a business plan and long term projections of the impact this will have on their company. However, the government never seems to conduct impact studies to weigh the pros and cons of everything that might come up in the years to come.

Given that the government is cutting its teeth on a free trade agreement with a very small country, with relatively limited amounts of money, I would hope that this time it did an impact study. I would like the hon. member to say a few words about that.

[*English*]

**Mr. Ron Cannan:** Madam Speaker, my hon. colleague is a committee member as well. We look forward to continuing to move this agreement through our committee, hopefully much faster than the Colombia agreement, Bill C-23.

From a business perspective, Jordan is a growing market, at about 5.6%. It is fast growing. It is very stable. There are enhanced opportunities for Canadian business. We can look right across the country, from province to province. In Ontario there was almost 29 million dollars' worth of two-way trade in 2008. In British Columbia it was \$11.8 million. In Saskatchewan it was \$8.1 million. In Jordan it was \$1.7 million. It is about \$92 million of two-way trade.

We can look at the example of the U.S. The Americans had a trade agreement in place for many years. We are trying to level the playing field. That is a business case in itself. It would give our Canadian businesses an opportunity to be competing on a fair basis. They have had an exponential growth almost tenfold.

We are looking at the fact that we have opportunities for Canadian businesses. We would level the playing field. At the end of the day consumers would be paying lower prices.

• (1710)

**Hon. Irwin Cotler (Mount Royal, Lib.):** Madam Speaker, I am delighted to rise and speak in favour of Bill C-57, An Act to implement the Free Trade Agreement between Canada and the Hashemite Kingdom of Jordan, the Agreement on the Environment between Canada and the Hashemite Kingdom of Jordan and the Agreement on Labour Cooperation between Canada and the Hashemite Kingdom of Jordan.

As has been said in this House during debate, this is the first trade agreement that Canada has signed with an Arab country, and it is only appropriate that Jordan be that country.

First, the Jordanian industry and trade minister, Amer Al-Hadidi, said, after the agreement was signed:

The signing is a testimony to the excellent relations between the two countries. We finished...negotiations...in record time.

Second, as they themselves have affirmed both on the occasion of the signing of the free trade agreement and in discussions that I have had with them when visiting the Hashemite Kingdom of Jordan, they have made great strides toward economic and trade liberalization, including developing an ambitious agenda which they hope will combat poverty and unemployment while seeking to protect the environment, promote economic growth and ensure an equitable distribution of goods and services consequent upon that economic growth.

Third, the trade agreement between Canada and Jordan will not only contribute to increasing bilateral trade ties, it will create new export opportunities for Jordanian products in foreign markets through the aggregate rules of origin with the countries that have already signed trade agreements with both Canada and Jordan, such as the United States and Israel.

Fourth, as His Majesty King Abdullah himself said on the occasion of the signing of the trade agreement, "It will help increase the volume of commercial exchange and expand economic cooperation between the two countries", as "under the [trade agreement], Jordanian products will enter the Canadian market tariff and customs free as of the date the agreement goes into effect, expected to be at the end of 2009".

At the same time, "Canadian products will benefit from a gradual decrease in tariffs and customs over a span of three to four years".

As well, this free trade agreement will presage further cooperation between Canada and Jordan, and indeed again, His Majesty King Abdullah appreciated and expressed, as he put it, his appreciation for Canada's support for Jordan in implementing Jordan's development program, especially in the field of education, while expressing the hope that the two countries will further cooperate in the fields of alternative energy, water and nuclear progress.

This brings me to yet another perspective and reason for signing this agreement with Jordan, which will be the first Arab country for that purpose. The two countries, and it is important to factor this into the free trade agreement, also signed agreements to protect the environment, investments and labour rights.

I recall the representations made in this debate by the member for Burnaby—New Westminster, the cautionary note that he sounded with respect to the human rights issues, and the references he made with respect to the U.S. State Department report on matters relating to human rights. I expect that these will be issues that will be addressed in the testimony and submissions before committee as well.

Finally, as Jordan has signed a peace treaty with Israel, indeed we are speaking in this debate on the occasion of the 15th anniversary of that peace treaty between Jordan and Israel, and as Canada has now signed a free trade treaty with Jordan as it has with Israel, and has close cooperation with Israel as well as an excellent relationship with Jordan, this free trade agreement will, in that regard, help create a peace dividend as well as an economic, environmental and labour rights dividend for the reasons that I mentioned.

*Government Orders*

● (1715)

The value of this first ever free trade agreement between Canada and Jordan finds expression in the preamble and purposes of the free trade agreement to which I will turn at this point. Although I could reference the preamble, for reasons of time I will excerpt only clause 7 of the bill, which speaks to the purpose of the agreement and which says:

The purpose of this Act is to implement the Agreement and the related agreements, the objectives of which, as elaborated more specifically through their provisions—

That is why I am dealing now with summary form as is given in clause 7. The purposes of the agreement include:

- (a) establish a free trade area in accordance with the Agreement;
- (b) promote, through the expansion of reciprocal trade, the harmonious development of the economic relations between Canada and the Hashemite Kingdom of Jordan in order to foster, in both countries, the advancement of economic activity;
- (c) contribute, by the removal of barriers to trade, to the harmonious development and expansion of world trade;
- (d) enhance and enforce environmental laws and regulations and strengthen cooperation on environmental matters;
- (e) protect, enhance and enforce basic workers' rights, strengthen cooperation on labour matters and build on the respective international commitments of Canada and the Hashemite Kingdom of Jordan on labour matters; and
- (f) promote sustainable development.

The Canada-Jordan free trade agreement can be expected to provide important economic, environmental, labour, geopolitical, bilateral and multilateral benefits. It will of course require the oversight that is appropriate to these kinds of agreements, as will, in particular, the side agreements that relate to matters pertaining to environmental protection, workers' rights, and the issue of human rights as a whole.

Let me now try to identify in summary form the benefits that may arguably accrue from this Canada-Hashemite Kingdom of Jordan free trade agreement in a number of sectors. I will refer sequentially to the economic, environmental, labour, geopolitical, bilateral and multilateral sectors.

On the economic front, the free trade agreement would help promote bilateral economic trade as I referenced earlier. This bilateral economic trade between Canada and Jordan stood at \$92 million in 2008, but as a result of this agreement, it can be expected to increase exponentially while enhancing competitiveness and establishing mutually advantageous rules to govern trade and reduce distortions through trade. This should accrue thereby to the benefit of both Canada and the Hashemite Kingdom of Jordan in the sectors that have been referenced in the course of this debate and in which some of our provinces, including my own province of Quebec, have a particular interest and concern.

On the environmental front, this agreement has an environmental protection agreement which commits the parties to comprehensive and high-level sustained environmental protection. I might add that in matters of this kind, the environmental assessments will be particularly important as well as the panoply of remedies with respect to—

**The Acting Speaker (Ms. Denise Savoie):** Order, please. I regret to interrupt the hon. member. I would ask members in the House to

refrain from discussions back and forth. They are disturbing. I would suggest that these conversations be taken outside to the lobby.

**Hon. Irwin Cotler:** Madam Speaker, I am just concluding on the matter of the environmental sector. As I said, there is provision in the side environmental agreement for prospective environmental protection, and it is detailed in the side agreement, but that will require as well ongoing oversight in order to ensure that the protective framework, the remedial framework, the objective sought by way of economic protection comport not only with the understandings and undertakings in that side agreement but indeed with respect to the international economic and environmental protections to which Canada and the Hashemite Kingdom of Jordan respectively have committed themselves to.

This brings me now to the labour front. With respect to the labour front and again the side labour agreement, and I may spend a little more time on this one, the labour agreement commits both parties to protect, enhance and enforce basic workers' rights, to strengthen cooperation on labour matters, and to build on their respective international labour commitments.

In particular in that regard the labour agreement requires both parties to ensure that their laws respect the 1998 ILO declaration on fundamental principles and rights at work, which covers freedom of association, the right to collective bargaining, the abolition of child labour, the elimination of forced or compulsory labour, and the elimination of occupational discrimination as well as the International Labour Organization's decent work agenda.

I mention this because earlier the member for Burnaby—New Westminster addressed some of those concerns that fall within the area of labour rights that again will require our own oversight and accountability in that regard.

I might add that similarly oversight will be required with respect to this particular frame of understandings and undertakings where under the heading of obligations with respect to the memorandum of agreement on labour cooperation between Canada and the Hashemite Kingdom of Jordan, the obligations include providing protections for occupational health and safety, acceptable minimum employment standards such as minimum wage and overtime pay, compensation for occupational illnesses or injuries and non-discrimination in respect of working conditions for migrant workers.

The labour agreement also provides for an open and robust complaint and dispute resolution process. As well, the labour agreement, if in fact the understanding and undertakings will be appropriately adhered to and with the necessary accountability that must be involved, could serve to enhance and maintain Canada's good reputation in Jordan at the same time as Canada promotes a high standard for the protection of workers' rights, and parenthetically I would add women's rights as well.

I would like to say, because sometimes reference has been made to the provincial and territorial implications or obligations in this regard, that it should be pointed out that the provinces and territories are not bound by the obligations of the labour agreement unless they choose to implement the agreement within their territory. Provinces and territories will be subject to dispute settlement including the imposition of monetary assessments only if they sign a declaration indicating their acceptance of these obligations.

*Government Orders*

Admittedly the labour agreement does commit Canada to use its efforts to persuade provinces and territories to agree to be added to the declaration, but in fact the provinces and territories do not themselves have to agree to do this.

Let me move more quickly now to a close and speak to the issue of the geopolitical front. Such a free trade agreement can promote and enhance better relations not only between Canada and the Hashemite Kingdom of Jordan in their bilateral economic relationship but also with Israel and the Palestinian authority.

There is, and it is not always appreciated, an intersecting and interlocking framework of agreement and set of economic relations in this regard among Canada, the Hashemite Kingdom of Jordan, the Palestinian Authority and Israel.

● (1720)

It may well be that those kinds of intersecting, interlocking relationships, which can include as well provisions for joint industrial parks and the like, can help presage the development of more mutually amicable political relationships, so that we do not only have a formal treaty with respect to the participating countries but we do enhance matters of the political, diplomatic and juridical as well as economic relationships.

On the bilateral front, this can enhance the development of Canada-Hashemite Kingdom of Jordan relationships which are deemed at this point to be excellent, but hopefully, as has been indicated by those involved in this and in my own discussions with the Hashemite Kingdom of Jordan leadership, this can presage developing cooperation in areas such as technology, law, education, nuclear, economic development and the like. These are areas that they have indicated to us are things where Canada can play a role in the enhancement of an overall bilateral relationship of which the Canada-Hashemite Kingdom of Jordan bilateral free trade agreement will be an important component, but it will be a kind of standing invitation for the enhancement of the relationship in a multiplicity of sectors such as I have referenced.

Finally, on the multilateral front, the preamble speaks also to the promotion and protection of democracy, human rights and cultural diversity, as well as of course for the protection of the environment and workers' rights in the side agreements.

We have an excellent agreement on paper. The question is, how does this agreement actually operate in practice? There is always a distinction between law on the books and law in action. There is a distinction between an agreement on the books and an agreement in action. What happens in fact to environmental protection on the ground? What happens in fact to workers' rights on the ground?

We can have comprehensive side agreements in matters of the environment, in matters of workers' rights, but what will be needed will be the necessary cooperation, involvement, oversight and accountability in that regard to ensure that that which is expected of this agreement, particularly in the areas of human rights and all its configurations, will in fact be secured, enhanced and protected by this agreement.

● (1725)

**Mr. Kevin Sorenson (Crowfoot, CPC):** Madam Speaker, mine may be more comments than actual questions, but I would start by

saying this. In 1905-06 my grandfather moved here, broke the land, cleared the trees and, generally speaking, planted wheat. That was what was all across the Prairies of this country, wheat.

We live in an age where the farming industry is dependent on the pulse crops, beef, oats, barley, canola and every different type of peas there are. That is the background.

The next thing I want to say is that trade issues frustrate people. Right now we are hung up with what is happening at Doha. Will we see any movement at Doha? Will we see action with our trade agreements? It is frustrating to industry. It is frustrating to our economy.

One of the trademarks of our government, and it is one that personally I am very proud of, is that we have initiated many different agreements, five agreements with eight countries and we are negotiating 50 more. This means opportunities. It means opportunities for the forestry industry and for my agricultural industry.

I respect and very much appreciated the hon. member's speech, or this speech on trade, and one out of two is not bad today, but if I were to ask him one question, it would be, why is it that the other parties, both the Bloc Québécois and the New Democratic Party, do not support—

**The Acting Speaker (Ms. Denise Savoie):** The hon. member for Mount Royal has a minute to respond.

**Hon. Irwin Cotler:** Madam Speaker, I cannot speak for the other parties. They represent their own positions in an informed and effective fashion, so I will leave them to speak for themselves. I can only speak with respect to my party and my own position on this.

As I said, I have had longstanding relationships with the leadership of the Hashemite Kingdom of Jordan in a number of the sectors to which I have alluded. In my view, this free trade agreement has the potential, as I said, to not only benefit the Canada-Hashemite Kingdom of Jordan bilateral relationship in economic terms but it has the potential to benefit it in a number of related sectors. I include the sectors of education, technology, co-operation, nuclear-related matters and the like.

I tried to signal a cautionary note that the concerns that were adduced in debate by my colleagues from the both the Bloc and the NDP invite us to ensure that the necessary oversight and accountability with respect to the concerns to which they alluded will in fact find expression.

● (1730)

**The Acting Speaker (Ms. Denise Savoie):** The hon. member will have approximately seven minutes remaining in questions and comments when this debate resumes.

[*Translation*]

It being 5:30 p.m., the House will now proceed to the consideration of private members' business as listed on today's order paper.

*Private Members' Business***PRIVATE MEMBERS' BUSINESS***[English]***IMMIGRATION AND REFUGEE PROTECTION ACT**

The House proceeded to the consideration of Bill C-291, An Act to amend the Immigration and Refugee Protection Act (coming into force of sections 110, 111 and 171), as reported (without amendment) from the committee.

**The Acting Speaker (Ms. Denise Savoie):** There being no motions at report stage, the House will now proceed without debate to the putting of the question on the motion to concur in the bill at report stage.

**Mr. Thierry St-Cyr (Jeanne-Le Ber, BQ)** moved that the bill be concurred in.

**The Acting Speaker (Ms. Denise Savoie):** Is it the pleasure of the House to adopt this motion?

**Some hon. members:** Agreed.

(Motion agreed to)

*[Translation]*

**The Acting Speaker (Ms. Denise Savoie):** When shall the bill be read the third time? By leave, now?

**Some hon. members:** Agreed.

**Mr. Thierry St-Cyr** moved that the bill be read the third time and passed.

He said: Madam Speaker, I am pleased to be here to debate my bill, Bill C-291, now at third reading.

I would like to start by pointing out that we have discussed this bill very intensely in committee. I know that the governing party did not support the bill, but I must nevertheless point out that all of these debates were respectful. Other subjects create more acrimony and tension in the House. During the vote at report stage just a few minutes ago, we saw an example of how the process was not abused as a diversionary tactic. I give the Conservatives credit.

This bill is very simple. It would establish the refugee appeal division provided for in the Immigration and Refugee Protection Act passed by this Parliament in 2002. Before this reform, two board members would examine the refugee claims together, and if one of the two members accepted the claim, refugee status was granted to the individual.

At the time, the government determined that it would be too costly, particularly given that in 95% of cases, the board members' decisions were the same. That was not surprising, considering that they sat side by side. They had plenty of opportunity to discuss the case and to influence one another. The government said that having two board members was too expensive and pointless, so it decided to cut down to one. To prevent arbitrary rulings, the government decided to set up an appeal division to allow people to appeal a number of possible errors. After consulting the population, immigration lawyers, experts in the protection of refugee rights and all kinds of other groups, Parliament concluded that this was a good compromise. It cut the number of board members by half in exchange for an appeal division.

The problem is that the Liberal government of the day and the Conservative government that followed never implemented that part of the legislation. Those listening at home may well wonder how the government can get away with ignoring the law.

When the House passes a law, it presumes that the government is acting in good faith and intends to respect the will of Parliament. When the time comes to implement legislation, the House generally gives the government plenty of flexibility in terms of when to implement particular provisions. Laws usually contain subsections stating that sections *x*, *y* and *z* are to be implemented when the government issues the order. That way, the government does not have to say whether it needs six months, eight months, 12 months or 14 months to implement a particular provision—in this case, the refugee appeal division. Parliament believes that the government will eventually implement the provisions. In this particular case, that should be all the more true because the government had a majority at the time. So members have every reason to wonder why a provision was included in the legislation if the government had no intention of acting on it.

Unfortunately, that is what happened. This happens rarely—never, as far as I know, until now. This provision has been languishing for eight years. It is part of the legislation, but it is meaningless because the government has refused to issue the necessary order.

The bill before us amends the original provision that gave the government the authority to determine when the division would be created and replaces it with a fixed deadline of one year after it receives royal assent.

● (1735)

I mention this because basically I think, with this bill, before even touching on the content and wisdom of the provision itself, we must see this as a matter of respecting the will of Parliament, and by extension, democracy.

Every time there is an election, millions of voters take the time to go to the polling stations and vote to elect the 308 members who sit in this House so we may pass legislation, and keep an eye on the government and keep it in check. When a government—or two in this case, since it was first the Liberals and then the Conservatives—shows complete scorn for the will of this House for eight years and gets away with it—and we are not talking here about a motion that will have no impact, but rather a duly passed law that was given royal assent—when Parliament is ignored by the government for eight years, I think the minimum act of respect that we owe each other as members of this House is to send a message to the government, regardless of its political stripe, to the effect that when this House and the Senate pass a law, it becomes law and the government must implement it. There is an important aspect to this bill. I think that if it were not passed, that would send a very odd message to the government. We would basically be telling it that it can do whatever it wants with the laws we pass here.

That being said, let us look at the crux of the issue. Why is the refugee appeal division necessary? I would say that the answer has to do with natural justice. Regardless of their political systems, western nations and modern countries have relatively sophisticated justice systems that are designed to prevent arbitrariness and abuses. These government legal systems came out of the middle ages. They are not a recent invention, but began when it was decided that a single individual would no longer have the power of life and death over people and that rules and mechanisms to enforce them would be created. That is what really came out of the middle ages. All around the world and throughout our own legal system, there is the fundamental principle of the chance to appeal, the chance to say that there was clearly an error in a decision and to request that it be reviewed by a second independent party. The appeal process exists everywhere. In Canada, there is just one time when there is no chance to appeal a decision on its merits, and that is when it comes to determining refugee status.

Yet refugee determination decisions are far more serious than decisions handed down by many other tribunals where there are opportunities to appeal. You can have a fight with your neighbour over a fence, and if you are not happy with the decision, in many cases you will have the chance to appeal.

Here, we are talking about decisions that, in some cases, could mean removing someone to a country where he or she will be tortured or even killed, yet there is no chance to appeal. A decision will be made based on the judgment of a single person. It is simply irresponsible.

Human nature being what it is, every person who acts as a board member can make mistakes. In addition, some board members have serious competency problems. Some accept nearly all the claims they hear, while others reject nearly all of them.

I have a case in my riding where a person's claim was rejected by a board member, Laurier Thibault, who at the time was rejecting 98% of the claims he heard.

● (1740)

If a person appeared before a judge—which could happen to anyone here—and before entering the court room they were told that the judge hearing the case convicts 98% of people who appear before him, the person would say this is a parody of justice and they would be right.

Such things can continue to happen because the board's rulings are currently not subject to any control. They can do what they want and there will never be an appeal or any way to know whether their rulings are appropriate. If a judge's rulings in regular court were systematically overturned on appeal, at some point the chief justice would tell him there is a problem.

No such thing exists when it comes to determining refugee status, with the perverse effect that immigration lawyers cannot answer their clients when they ask what their chances are of being accepted. The lawyers are forced to tell their client that it is like a lottery: if they appear before a generous board member, they will be accepted, but if they are heard by a racist board member, they will be turned down.

As a result, people end up making an application when they otherwise would not. If there were a system equipped with an appeal

### *Private Members' Business*

mechanism and real case law, people would know that even if they are heard by a rather generous board member who grants them refugee status, the minister could appeal that decision in order to avoid setting a precedent. After a few months, there would be clear case law: we would know who will be accepted and who will not. The same rules would apply to everyone and this would greatly decrease the number of not so legitimate applications made at the beginning of the process.

Mr. Speaker, my colleague the parliamentary secretary will probably tell us in a few minutes that there are many avenues of appeal. I must admit that there are avenues to appeal the process but there can be no appeal of the merits of a case. Every lawyer who appeared before the committee told us so. Many lawyers, disappointed with the decision on the merits of a decision, use the procedures of the Federal Court to overturn the decision when they cannot appeal the merits of a decision.

The Federal Court itself ruled that it did not have jurisdiction to rule on the merits of a decision. For example, if a board member says that he finds the statements of an applicant to be false and rejects his application, the Federal Court cannot overturn the decision. In some cases, the judge has even said that, had he been the commissioner, he would probably have made a different decision, but that he can only rule on the process and that it was followed correctly.

There is also the pre-removal risk assessment, the PRRA. Once again, it is not a true appeal. It only makes it possible, and in very rare cases, to avoid removal when, for example, the political situation has changed in the country of origin or when new evidence is submitted. However, evidence submitted in the initial hearing to the commissioner cannot be submitted once again, and therefore it is impossible to appeal on the merit of the decision.

Everyone agrees that, at present, those applying for refugee status must wait too long. We need a more efficient system, and case law and rules that are clear for everyone. There would be no point in filing an application unless you met the criteria because you would know in advance what the decision would be. There would no longer be a board member lottery. It would shorten the process and decrease the number of people who make pointless or unfounded applications. In addition, it would be less costly and would allow lawful applicants to obtain a decision more quickly.

For all these reasons, and out of respect for our democracy and this Parliament, I encourage all members to support this bill.

● (1745)

[*English*]

**Mr. Rick Dykstra (Parliamentary Secretary to the Minister of Citizenship and Immigration, CPC):** Madam Speaker, I know the member for Jeanne-Le Ber has worked hard to get his private member's bill through the House and, despite the fact that we are at a juxtaposition on the bill, I want to congratulate him on that. I could not disagree with it more, but at the very least I congratulate him on his ability to get it here. I know private members' bills are not easy to get to third reading.

*Private Members' Business*

One thing he did not identify in his speech and one thing that is critical to the mechanism he wants to lever, to institute, is the fact this will cause significant delay in the process. It will mean that our numbers, in terms of refugees who are on our list to be heard, will grow continuously.

Could he please identify how he supports his bill in the point of view that it will actually cause further delay in the process and larger lists?

[Translation]

**Mr. Thierry St-Cyr:** Madam Speaker, I took a few minutes to explain that I think that in the middle term, but not in the first few months, the effect could very well be the reverse and we would see shorter delays. With clear rules and case law, there would be fewer unfounded claims.

We must understand that, with the bill, the failed claimants will not be the only ones who can appeal. The minister could also appeal if he or she feels that a board member is automatically granting refugee status and abusing the system, as we have seen happen. After only a few months, a pattern will quickly emerge. People will know what to expect and they will not file a claim if they know that it will quickly be rejected.

[English]

**Ms. Olivia Chow (Trinity—Spadina, NDP):** Madam Speaker, we know that implementing the refugee appeal division would save time and energy in the federal court. We also know that if it is implemented, we probably will not need the pre-removal assessment process.

Would the member agree that it would save taxpayer money in the federal court because there would be fewer appeals there and then the PRA, the pre-removal assessment, process would not likely have to occur?

• (1750)

[Translation]

**Mr. Thierry St-Cyr:** Madam Speaker, that is especially true because the refugee appeal division process is much less complicated than the Federal Court process. The Federal Court gets more bogged down in procedure and is not specialized in these cases, and can therefore not rule as effectively as a specialized tribunal like the refugee appeal division could.

This means that an appeal to the division would be much less costly than an appeal to a higher court. I truly believe that there would be savings there. It is the same thing for pre-removal risk assessments, or PRRAs. Lawyers who testified before the committee told us that nowhere in the legislation does it state that public servants must examine these appeals. The government could very well assign this responsibility to the refugee appeal division.

It is possible that more changes would have to be made. Members will understand that we are rather limited in what we can do with a private member's bill. If the government has some better suggestions, we will listen. In the meantime, I think that the least we can do, as self-respecting parliamentarians, is to enforce and respect the wishes of Parliament.

Once the bill is passed in this House, there will still be a few weeks in the Senate, royal assent and then a full year. If, by chance, the government decided in the meantime that it had a real, more effective solution than what is proposed in the bill, we would still have a year to examine it and put it into effect. In any case, we are better off not taking any chances, and supporting Bill C-291.

[English]

**Mr. Rick Dykstra (Parliamentary Secretary to the Minister of Citizenship and Immigration, CPC):** Madam Speaker, I will get to my notes, but I wanted to say that we were going to be working through this private member's bill a couple of weeks ago. We came all prepared one morning to debate and give our speeches; however, the member for Jeanne-Le Ber was not here. We were trying to figure out what had happened.

At first, we worried a little. He has a couple of young children back home. We thought that maybe something was up. Then I thought that perhaps he had seen the light and that he was not actually going to present his bill because he saw that it was not the right thing to do. However, the reason that he decided to not be here was because he was a little bit concerned about a vote that was going to happen and the potential of this working into that vote. It was a little bit of strategy. He did not quite see the light, but there was a short time period when I thought he just might have.

Canada's asylum system has one of the highest acceptance rates among Western countries, accepting 42% of claimants in 2008. Last year, we granted protection to more refugees per capita than either the United States or Australia. Unfortunately, a large and growing number of unfounded refugee claims are putting a real strain on our system and, as we have repeatedly argued, are making wait times longer for legitimate refugees. Longer delays put more stress on real refugees who have already suffered enough in their homelands.

I do not see how Bill C-291 would even begin to solve this problem. That is why I rise with my colleagues in the government to oppose this bill. Clear, straightforward refugee claims are taking far too long to reach a decision and unsuccessful claimants are typically allowed to stay in Canada for years, taking advantage of the various levels of recourse that are available to them.

This bill would add an additional recourse to the already large menu of recourses available to failed claimants. Expanding the already complicated process would make Canada more attractive to economic migrants seeking to game the system and stay in Canada by filing a false refugee claim. We continue to oppose Bill C-291 because it is not necessary in the current system. As we have said, it is not efficient, since it would add considerable delays and further costs to the refugee determination system.

For the past several years, we have been advocating for a fair and balanced asylum system that provides timely protection to people in need and removes those who would try to circumvent the immigration process by claiming refugee status when they simply should not. As we have told hon. members of the House, since 2006, the number of asylum claims Canada receives has increased by 60%. The increase in refugee claims, many of them unfounded, places stress on decision makers and on refugees.

With at least 60,000 refugee claims in the system backlog, we now have a two-tier system in which some immigration applicants wait patiently in line, often for years, while others use the asylum system to jump the queue. Our system is simply not able to handle this many claims. With every incentive for bogus refugees to come here and with every delay, we add to this system. We make Canada more attractive, not to the refugees who need our country but to those who want to process under false claims.

Too much time and too many resources are being spent to review claims of those who are simply not genuine refugees and who stay in Canada for years, often at taxpayers' expense. Canadians support a refugee system that is generous to those truly in need, but the current system of unending recourse and the cases of unfounded claimants exploiting our generosity undermines Canadian confidence and our system itself.

Bill C-291 would not address the pressure related to rising asylum claims. It would not fix the lengthy and complex system related to various recourses available to failed claimants. In fact, it would simply make the situation worse. All it would do is add another layer. It would do very little to provide additional safeguards for claimants. As we have long argued, under the proposed legislation, the refugee appeal division would provide only a paper review of decisions made at the refugee protection division of the Immigration and Refugee Board.

• (1755)

As we have said, a paper review would not provide the opportunity for an in-person hearing. That means no oral appeal. This review would be based on the same information and evidence on record that was used by the board in assessing individual refugee cases. This review would only determine if errors in fact and/or law had been made.

The current system, and no one is arguing this, is slow and complex, and it already includes multiple recourse mechanisms, so a further level of review is simply redundant and unnecessary. Not only would it make the current process even longer but ministry officials came and presented to the committee that it would result in tens of millions of dollars in ongoing annual costs not just to the federal government but to the provincial governments as well.

We need to fix the system. No one argues that, but we need to fix it so that real victims of persecution quickly receive protection in Canada and those whose claims are unfounded or bogus are sent home quickly.

With no fewer than three separate opportunities for recourse: judicial review by the Federal Court of Canada, pre-removal risk assessment, and application on humanitarian and compassionate grounds, there is no reason whatsoever to add another. That is all that

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Bill C-291 would do. It would just be adding another layer of review, another layer of process.

We are here to fix government, not to burden government, and not to add more and unnecessary processes, which actually helps no one.

Make no mistake. This is not an "instead of" any of these provisions. This is in addition to them. Bill C-291 would not streamline anything, nor would it do anything to reduce the months or even years it can take to make a final determination on a refugee claim. In fact, the opposite would be true.

This is just simply not fair. By adding yet another layer of review, we would be putting at risk the fairness Canadians have come to expect and that has allowed our global reputation to take shape. It is certainly not fair to ask the provincial and the territorial governments to continue to provide social and financial supports to someone whose claim has already been unsuccessful four times.

We already have a process that allows an individual to appeal three times, and around the world, we have met with presenters who have said our system is by far if not the best, one of the best in the world as we stand.

We are aware, the government is aware, and the minister is aware of the problems with our refugee system. I want to make it clear that we intend to work toward building a better system for refugees and for Canadians. However, this bill would not lead to positive change. It does not take us in the direction that we need to go with respect to revamping the system. In fact, it would further complicate our system.

Therefore, I simply conclude by indicating that the government will not be supporting Bill C-291 and I urge my colleagues on the other side of the House to support that position.

• (1800)

**Hon. Maurizio Bevilacqua (Vaughan, Lib.):** Madam Speaker, I listened very carefully to the mover as well as the parliamentary secretary, and want to express my gratitude to the member for presenting Bill C-291, but I do want to give it some context.

There is no question in Canadians' minds that they deserve a refugee system that works, one that respects due process, creates avenues of equal opportunity, and provides safety for individuals who are in need of protection.

Unfortunately, today we have a broken refugee system with the following problems: a staggering 61,000 backlog of refugee claims; an increase of 17.7 months for the processing of claims, in other words, a wait of almost two years; a drastic decrease of 50% for the number of finalized claims; an almost 50% increase in the cost to finalize a claim, an estimated cost to Canadian taxpayers of approximately \$29,000 for the processing of each claimant; and a 50% increase in the number of deportations from Canada over the last decade.

One of the first questions I asked when I was appointed opposition critic for citizenship and immigration was precisely on this issue and I want to cite the response given by the Minister of Citizenship, Immigration and Multiculturalism. In response to the question he said:

*Private Members' Business*

Mr. Speaker, I am really delighted to hear the interest of the member in hopefully working together to create a more efficient refugee determination system...However, the member is quite right, it is not efficient and the reality is that last year we received 38,000 inland refugee claimants, about 60% of whose applications were rejected by the IRB.

I would like to work with the member to find ways that we can dissuade people from making false refugee claims, seeking to jump the queue and to come to this country illegally under the cover of being refugees.

There is no question that the minister understands that the system is broken and that question was asked on March 11, 2009. This is a question that still of course requires an answer.

The Auditor General has stated some major concerns as well and so has the minister's departmental plan. To cite from what the minister said in committee on October 6: "As I indicated, that growing backlog reached 61,000 this summer". He also said: "Mr. Chairman, under the current system, it's taking over 18 months for a claimant to get a hearing at the IRB". He also said: "This is a broken system, and it needs to be streamlined".

Where the minister stands is obvious. I have a suspicion that the minister is not getting the support he requires in cabinet to make the necessary investments to fix the system that we on both sides of the House all agree is indeed broken. So here comes this bill, Bill C-291. Of course, it is a bill that compels the government to bring certain provisions of IRPA into force for the purpose of creating the refugee appeal division of the Immigration and Refugee Board. Section 110 deals with the appeal, section 111 with the refugee appeal division decision, and section 171, the proceedings of the refugee appeal division.

On both sides are those who oppose and talk obviously about duplication. The CIC officials argue that the RAD is unnecessary given other avenues of appeal and recourse prior to deportation. They also say that we have a need for wider reform. I agree with that. We have to look at the entire system. It is arguable that the implementation of RAD must be accompanied by reform of the refugee determination system in order to enhance efficiency overall. There are concerns about costs. There are concerns that the RAD would only provide a review on the record. It would burden the system even further. We have heard all that.

• (1805)

We have heard all the points. I am very happy about the fact that I pushed for the bill to go to committee because both sides have raised important issues that required careful analysis and thought.

Those in support speak to fundamental issues of justice. For example, the administration of justice itself, that the RAD provides a way to balance the rights of refugees with the integrity of the immigration system.

On the issue of efficiency, the RAD would be a specialized appeal division as opposed to the federal court. It would increase the efficiency of the system, while still ensuring the humane treatment of those in need of protection. The implementation of an appeal division would improve public perception of the Immigration and Refugee Board.

Consistency in decision-making was also mentioned as one of the rationale for the original proposal. The creation of the RAD would

allow for greater consistencies when reviewing the facts of a decision.

The other issue that was raised was procedural safeguard. The RAD would serve as a procedural safeguard and would enhance the IRB credibility to ensure justice is done so that no decision to deny refugee status would lead to serious consequences, such as detention, torture or death.

On the final point under judicial review, the judicial review of an IRB decision is more limited in scope than the appeal contemplated in the RAD. The court cannot replace a decision by the IRB with its own judgment. The federal court does not specialize in refugee matters, whereas advocates for the RAD would have an expertise in refugee determinations.

That is what we heard. This is an important bill to analyze because this is an important issue. I want members in the House to remember the context I presented today, that we are dealing with a broken system.

As a member of Parliament who likes to hear both sides of the debate, I want to put the government on notice. I am waiting for a reform package. I am 100% behind the concept of co-operating with the government and parties on all sides of the House to ensure we address the key concerns I cited earlier in my speech in reference to the broken refugee system. It has to be a system that is fair, a system that is just, a system that respects and meets Canada's international obligations to protect refugees and maintain confidence in the system. We have heard that inland refugee systems can take up to eight years to finalize a claim. That leaves thousands of people living in limbo, and that is not fair. A decision needs to be made within a responsible and acceptable timeframe. We need an appeal decision process that is fair and accessible.

The reality is when claimants fail, they unfortunately need to leave. The entire process should take closer to 12 to 18 months rather than 8 years. It has to be efficient, it has to be fair and it has to also maintain the integrity of the system itself.

It is for this reason that I put the government on notice. I support the bill. I will give the government time to present a reform package that also includes an appeals division.

• (1810)

**Ms. Olivia Chow (Trinity—Spadina, NDP):** Madam Speaker, the refugee system in Canada is in crisis. The just released 2009 annual Report on Citizenship and Immigration 2010 target levels of protected persons in Canada and dependants abroad range from a low of 9,000 to a high of 12,000 compared to a 2006 level of 22,500 to 28,000. Close to 17,000 refugees and their children will not find a permanent home in Canada. Many of the refugees are turned away and their children will face beatings, torture and even death. The government is working to ensure that Canada is no longer a land of hope and compassion.

The Conservative government is deliberately creating a crisis in the refugee system. The crisis is being used as an excuse to bring in draconian measures to close the door to the most needy and vulnerable.



*Private Members' Business*

How does the Conservative government create a crisis in the refugees field? It is a six point plan.

The crisis is created first by refusing to appoint refugee board members for two years, thus creating a backlog of cases.

Second, it is cutting \$4 million from the department and diminishing its resources.

Third, it is allowing for refugee board appointments not based on merit. An audit performed by the Public Service Commission of Canada on appointment practices at the Immigration and Refugee Board found out of 54 senior appointments, 33 were either not based on merit or the guideline principles of fairness, transparency, access and representatives were not met.

Fourth, it is bringing in 200,000 temporary foreign workers and telling them that most have no hope in staying in Canada. Then it watches some of them get abused and exploited and claims that it is all a provincial responsibility. We should not be surprised that some of these temporary foreign workers get conned by unscrupulous immigration consultants and end up declaring refugee status in Canada in hopes that they can stay here permanently.

Then to top it off, the crisis became complete when the minister announced a few Fridays ago, at 5 p.m., a plan to drop the targets of refugees allowed to be claimed in Canada by more than half.

The human cost of having a refugee system in crisis and without a real appeal system is exemplified by what happened to a young Mexican woman name Grise.

Grise was deported back to Mexico, where she was murdered execution style. Her body was found with a bullet in her forehead. She was carrying a child before she was murdered. When they found the body of young Grise, it showed signs of trauma and she had a caesarian. Where is her baby now? We do not know.

Grise and her family attempted not once but twice to seek asylum in Canada. Had there been a refugees appeal division, they would have had an opportunity to appeal their case. Perhaps young Grise would be alive and maybe the baby would be with her today. Her baby would be safe and sound, not missing somewhere in the world. Imagine the sadness this family must feel right now.

The minister indicated in the media that he planned to introduce a two-tiered refugees determination system like the one in U.K.

This is how the refugees system in the U.K. works. Border officials decide who is likely to be a refugee and who is not likely, depending on which country they come from. If people come from, say Mexico, a country deemed to be safe, the claim will be put in a bogus pile.

In the U.K. the two-tiered system would automatically reject refugees claimants from certain countries, and this system has been proven to be a failure. Forty-five per cent of cases determined by border guards to be bogus have been proven to be legitimate claims after they were appealed.

If the minister has his way, Canadian border officers would be allowed to put families, such as the family of the young Mexican

woman, in the bogus pile just because they came from an allegedly safe country.

A two-tiered system that would use a safe third country list is unacceptable. Canada must remain impartial in its refugee determination process. The implementation of a safe third country list would expose our country to undue influence.

•(1815)

To really fix the refugee system, we need an effective, fair, consistent and rapid refugees determination process. We need to: first, implement the refugee appeal division with the power to open, re-open and review cases; second, remove the unscrupulous consultants; third, hire more permanent refugee protection officers and give them power to grant approval status to obvious cases via the chair of the Refugee Board guidelines and directives; fourth, remove political patronage from the appointments on the Refugee Board; and fifth, restore the funding cuts and add some resources to the refugee appeal division and the entire refugee determination process.

Most of these recommendations come from the Davis Waldman Quality of Mercy report quite a few years ago, not implemented to this date, and from Raoul Boulakia, a lawyer who deals with a lot of refugee cases.

If the refugee appeal division is not being implemented, the mean-spirited anti-refugee ideology of the old Reform Party will be showing its face. Because of that, this coming year, 17,000 refugees will suffer because they will be turned down in a way that is most tragic, and some of them will face torture, beating and even death.

[*Translation*]

**Mr. Richard Nadeau (Gatineau, BQ):** Madam Speaker, I am going to deliver a well-prepared, well-thought-out speech on Bill C-291 to indicate that the Bloc Québécois is in favour, as you may have guessed, of a refugee appeal division.

We are in favour of this because we have to make sure that when someone is initially refused refugee status or if a ruling can put the refugee in danger, the refugee can have the right to further expand on the facts regarding why they need an appeal, a right that currently does not exist.

The bill is quite simple. The purpose of it is to implement a refugee appeal division. After Bill C-291 has been passed and has received royal assent, three sections of the Immigration and Refugee Protection Act, sections 110, 111 and 171, will come into force. They would come into force one year after royal assent.

A proper appeal process for refugee claimants ought to have been put in place as soon as the Immigration and Refugee Protection Act took effect in June 2002. This is one of the significant changes required to ensure that asylum seekers are treated fairly and equitably.

Implementing a refugee appeal division is a matter of justice. By stubbornly refusing to do so, two successive governments have perpetrated injustice on asylum seekers.

*Private Members' Business*

For several years now, many voices have been calling for a refugee appeal division. The Bloc Québécois has called for it many times, of course, and it is not alone. I would like to list the organizations that support a refugee appeal division. They have many good reasons for their support, including humanitarian ones, of course.

Even before the Immigration and Refugee Protection Act came into force in February 2000, the Inter-American Commission on Human Rights was calling for an appeal division. It said:

Where the facts of an individual situation are in dispute, the effective procedural framework should provide for their review. Given that even the best decision makers may err in passing judgment and given the potential risk to life which may result from such an error, an appeal on the merits of a negative determination constitutes a necessary element of international protection.

The United Nations High Commission for Refugees has always felt it was necessary to have a mechanism for appeal on the merits of a ruling. In a letter dated May 9, 2002, the United Nations High Commission for Refugees expressed its concerns to the former minister, who is now the member for Bourassa. It said:

The United Nations High Commission for Refugees considers an appeal procedure to be a fundamental, necessary part of any refugee status determination process. It allows errors to be corrected and can also help to ensure consistency in decision making. Canada, Italy and Portugal are the only industrialized countries which do not allow rejected asylum seekers the possibility to have first instance decisions reviewed on points of fact as well as points of law.

• (1820)

I would like to point out, and members will be pleased to hear this, that since 2002, Italy and Portugal have created procedures for appeals on merit. According to the letter from the UN High Commission for Refugees, Canada is the only remaining industrialized nation that has not yet accepted its responsibility in this regard.

The UNHCR representative appeared before the Standing Committee on Citizenship and Immigration. Although he initially acknowledged “Canada's procedure for the determination of refugee status to be of a very high quality”, he reiterated the need for an appeal mechanism.

I will quote him once again for those interested in refugee law, namely all Quebecers and Canadians:

...implementation of an appeal on the merits to review negative first instance decisions would strengthen even further the Canadian refugee status determination system. For UNHCR, an appeal on the merits would correct first instance errors and help to ensure consistency and fairness in decision-making.

He also said, “The Federal Court judicial review is not an appeal on the merits.”

Also:

The pre-removal risk assessment, PRRA, is an important safety net, especially when there's a long passage of time between a negative decision and removal. Like the humanitarian and compassionate application, the PRRA is a circumscribed process that does not correct a first instance negative decision.

In December 2004, in its *Falcon Rios v. Canada* ruling, the UN Committee Against Torture criticized the Canadian system as follows:

It [the committee] expressed particular concern at the apparent lack of independence of the civil servants deciding on such appeals, and at the possibility that a person could be expelled while an application for review was under way. It concluded that those considerations could detract from effective protection of the

rights covered by article 3, paragraph 1, of the Convention [meaning a return to torture].

In its July 2005 report, the UN Committee Against Torture made several recommendations to Canada. Among the areas of concern, it mentioned the fact that unsuccessful applicants cannot benefit from a review on the merits of their application. In fact, the committee recommends that:

The State party should provide for judicial review of the merits, rather than merely of the reasonableness, of decisions to expel an individual where there are substantial grounds for believing that the person faces a risk of torture.

• (1825)

For all these reasons, we must ensure that a refugee appeal division exists.

[English]

**Mrs. Alice Wong (Parliamentary Secretary for Multiculturalism, CPC):** Madam Speaker, this country has a long history of offering protection to those most in need. There are an estimated 10.5 million refugees in the world today who live in desperate conditions, many in refugee camps, often forgotten by the world at large. Their plight is real and their stories are moving.

Every year Canada welcomes nearly 30,000 refugees for asylum and resettlement programs. In fact, we are one of the top three countries in the western world in terms of the numbers of refugees we accept for resettlement, and the United Nations High Commissioner for Refugees has called this country a model for other nations.

I am proud to say that Canada is living up to its reputation when it comes to providing refuge and protection to those in need. I am proud that there is a consensus in this country to help provide refuge for the persecuted.

However, there is no doubt that refugee status determining process, as it exists now, faces substantial challenges. Most significantly, the large and growing number of bogus refugee claims is putting a real strain on the system and, as a result, wait times are getting longer.

We have a system where even the decisions on the most straightforward refugee claims take too long. It takes too long to determine the status of obvious refugees in need of protection. Unsuccessful claimants regularly wait years before they work through the various levels of appeal available to them. Consequently, they remain in Canada while making those appeals and have every reason to drag out the process regardless of the merits of their case.

This government strongly supports an effective asylum system, one that is efficient and consistent in its application of the rules. We oppose Bill C-291 because it is neither necessary in the current system nor efficient as it would—

• (1830)

**The Acting Speaker (Ms. Denise Savoie):** I regret to interrupt the hon. member but the time provided for private members' business has expired. She will have eight minutes remaining in her comments when debate on this bill resumes.

*Adjournment Proceedings*

[Translation]

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.

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## ADJOURNMENT PROCEEDINGS

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

[Translation]

### OFFICIAL LANGUAGES

**Mr. Richard Nadeau (Gatineau, BQ):** Madam Speaker, I am going to quote a brief article published in the French newspaper *Le Figaro*, on November 9, 2009:

French Snubbed at Vancouver's Olympic Games

With 100 days to go before the opening ceremonies of Vancouver's Winter Olympic Games, the organizing committee's performance when it comes to bilingualism is a sorry one. Fewer than 15% of the 25,000 volunteers will speak French. The fact that they will be deployed in strategic locations and will wear a pin saying "Bonjour" is small consolation.

We are now on the eve of the February 2010 Vancouver Games. We have known for seven years that the Games were coming, but we still do not know whether French and English will receive equal treatment.

Needless to say, French will once again be the loser.

In September, the Commissioner of Official Languages, Graham Fraser, stated that about 10 federal entities evaluated in a report before the 2010 Vancouver Games showed dismal results in terms of their ability to provide services in French. He said that out of the points of service under airport authority responsibility that are designated as bilingual, only 10% are bilingual.

Many questions remain unanswered regarding the fair treatment of both French and English.

Will Toronto's Pearson, Ottawa's Macdonald-Cartier, Halifax's Stanfield, Montreal's Trudeau and Vancouver's International airports be in a position to welcome travellers in both French and English?

Will the Canadian Air Transport Security Authority, CATSA, and the Canada Border Services Agency actively interact in French and in English with all travellers? Will these agencies be able to communicate orally in French with anyone who requests it?

Will Air Canada be able to actively use French and English on all its flights in the air corridors that require the use of both official languages of Canada? Will personnel also be able to communicate orally in French with anyone who requests it?

Are francophone travellers going to be able to get services in French wherever they request it at the Olympic venues?

Will the City of Richmond, where the Olympic Oval is located, finally agree to put up Olympic information signs in both official languages?

Will the translation of the 7,500,000 words that have yet to be delivered by the organizing committee in order to provide documents in both official languages be finished?

Will the Cultural Olympiad actually present 25% of all its shows in French?

Will the *Tourism BC* and *Vancouver Tourism* booths be able to provide equal services in French and English?

**Mrs. Sylvie Boucher (Parliamentary Secretary for Status of Women, CPC):** Madam Speaker, on September 15, we announced \$7.7 million in additional funding to ensure that the 2010 Winter Games are fully bilingual. Out of that amount, \$5.3 million will be used for translation and interpretation services. The Department of Canadian Heritage is going to sign an agreement with the Translation Bureau, which will provide its expertise both before and during the Games, to ensure that the information provided to the public, the athletes, the media and the officials is in Canada's two official languages.

The Government of Canada is determined to ensure that the 2010 Winter Games will leave a lasting legacy to Canadians. This is why it is allocating \$1.5 million for permanent signage. The installation of these bilingual signs at the various Olympic venues will promote the use of both official languages during the Games and will serve as a lasting legacy.

The medal ceremonies will be shown every evening at Vancouver's BC Place and on the screens of the celebration sites in Vancouver and Whistler. Every evening, the ceremonies will be followed by concerts featuring the provinces and territories. An additional \$900,000 will be used to showcase French culture and performers during the medal ceremonies, so that these ceremonies also reflect the Government of Canada's commitment to our official languages.

The Government of Canada has already invested in the torch relay, the celebration sites, the Cultural Olympiad and the opening ceremony. We have included linguistic clauses in all these contribution agreements to ensure that these events reflect our country's linguistic duality, and we have also made arrangements to have francophone performers from all regions of Canada.

Federal institutions are subject to the Official Languages Act and to its related policies, and the increased demand for services must be taken into consideration. Each institution is responsible for ensuring that its obligations are met.

The Department of Canadian Heritage is coordinating the federal government's participation in the Games' organization and presentation. The 2010 Games Federal Secretariat is cooperating with the Office of the Chief Human Resources Officer of the Treasury Board Secretariat to help institutions provide services in both official languages during the Games.

Promoting our two official languages and their rightful place at the 2010 Winter Games has been and remains a constant priority of our government. Since the beginning, we have wanted our two official languages to be fully integrated in the planning, organizing and presentation of the 2010 Winter Games.

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In the 2008 budget, our government earmarked \$24.5 million to support the 2010 Olympic and Paralympic torch relay. The Olympic torch will travel through over 1,000 communities. The torch relay provides a great opportunity to showcase the Canadian francophonie.

• (1835)

**Mr. Richard Nadeau:** Madam Speaker, will unplanned communications take place simultaneously in French and English? According to the present plan, there will be a 12 hour delay for what are called non-urgent communications and a six hour delay for urgent communications, which is a denial of the equal status of French and English.

Will all crowd leaders be bilingual? Will the medical services be able to provide care without delay in French as well as in English as each case requires? Will biographies of all athletes be available in French and English to the media and the public by the beginning of the Games? Will the front line personnel at the Vancouver Games be able to respect the requirement to actively offer their services in French and English during the whole international event? Will the Public Health Agency of Canada and the RCMP be able to offer their services—

**The Acting Speaker (Ms. Denise Savoie):** The hon. parliamentary secretary.

• (1840)

**Mrs. Sylvie Boucher:** Madam Speaker, as I am also a member of the official languages committee, I can say that we worked very hard to give priority to our linguistic duality at the 2010 Games. We studied the issues with our colleague from the Bloc and we will make sure that the 2010 Winter Games are bilingual, which means in both official languages of the country, English and French, because La Francophonie must shine.

HEALTH

**Mr. Marcel Proulx (Hull—Aylmer, Lib.):** Madam Speaker, Canadians are faced with a serious H1N1 influenza pandemic.

As early as last June, the World Health Organization announced that the pandemic had reached phase 6. The Conservative government knew this and had the duty and the responsibility to prepare for the first cases of influenza. It also had the duty and the responsibility to develop a fast, effective prevention strategy.

But this government failed in its duty and its responsibilities. On September 17, seeing the first signs of total disorganization, I asked this government whether it did not understand that it was responsible for protecting the health of all Canadians. It not only failed to adequately protect aboriginal communities, but it also failed to protect the other segments of Canada's population.

Serious mistakes were made in preparing for the pandemic. First, the government ordered the H1N1 flu vaccine after 35 other countries. Second, it stopped vaccine production because of poor planning. Third, it gave priority to producing the seasonal flu vaccine before the H1N1 vaccine. Fourth, it did not inform the public of the importance of getting vaccinated and then did not have the vaccine ready when the public wanted to get vaccinated. Fifth, it did not translate the information on H1N1 influenza into languages other than French and English. Sixth, the government started vaccination weeks—I repeat, weeks—after other countries. Lastly, it

did not have a general emergency response plan in the event of a crisis such as H1N1 influenza or any “surge capacity” in the case of a serious pandemic.

If we review the chronology of H1N1, we can see that the Conservative government ordered the vaccine on August 6, three months after the United States placed its first order.

On September 4, the government finally ordered unadjuvanted vaccine for pregnant women, two months after the WHO recommendation.

Then, on October 8, the Prime Minister stated that the immediate priority was the vaccination against the seasonal flu.

On November 4, the Auditor General criticized the Conservative government's response plan for emergencies such as H1N1 influenza.

On November 9, Ontario's former chief medical officer of health said, “I believe that if they had made the bold and courageous decision to follow the evidence, and abandon the seasonal flu vaccine, that we could have had our H1N1 vaccine about six weeks earlier”.

During a press conference on November 17, the Chief Public Health Officer, Dr. David Butler-Jones, confirmed that 198 Canadians have died of the H1N1 virus, including 37 last week. He also told the *Globe and Mail* that Canada “will continue to see, unfortunately, more people in ICUs and hospitals, and, unfortunately, more deaths as well.”

It looks as though many Canadians may not receive their vaccines until February.

Will the Minister of Health and the Conservative government admit that they made mistakes, and will they implement the measures passed by the House to put an end to this sorry record?

• (1845)

[English]

**Mr. Colin Carrie (Parliamentary Secretary to the Minister of Health, CPC):** Madam Speaker, with respect to the member for Hull—Aylmer's assertion that plans have stalled, I wish to assure this House that the government understands fully our responsibility to protect the health and well-being of all Canadians, including first nations living on reserve.

Given that the provision of health services to first nations people is a shared responsibility between the federal and provincial governments, Health Canada has worked closely with provincial governments and other partners to help ensure that first nations communities have access to the health services they need when they exhibit influenza-like symptoms.

We recognize that individuals with underlying medical conditions, such as cardiovascular disease, diabetes and other chronic illnesses, as well as pregnancy, may be at greater risk for complications from the influenza. Because first nations communities have a higher incidence of many of these conditions, first nations communities may see higher rates of complications from respiratory illnesses.

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This fundamental consideration continues to guide Health Canada's work with its partners to address H1N1. Based on the pandemic plan that has been in place since 2006, this government has responded quickly and appropriately to H1N1 influenza. We have implemented the Canadian pandemic influenza plan for the health sector, including the specific activities which relate to pandemic planning for on reserve first nations as outlined in annex B of the plan.

At the community and regional levels, we have been actively planning for the fall-winter influenza season. Virtually all first nations communities have a pandemic plan in place. The vast majority of plans have been tested. Some remote and isolated first nations communities, as in other remote communities, face additional challenges, including the distance required to travel to hospitals for acute care, access to running water, and adequate housing. Most provinces have recognized these particular challenges and are looking at the pandemic guidelines from this perspective.

In preparing for and responding to wave one of the H1N1 pandemic, Health Canada sent medical supplies and equipment to all nursing stations in first nations communities, including those in Manitoba. These crucial supplies included items such as personal protective equipment for front line health workers and pain relief medication. We also prepositioned anti-viral medications in nursing stations for early treatment of influenza-like illnesses. Supplies and anti-virals continue to be replenished as needed as we combat wave two.

Health Canada supports first nations communities across Canada to help ensure their readiness to deal with the current pandemic. When we saw increased illness reported against northern Manitoba, the Government of Canada worked closely with first nations leadership, Manitoba Health and Healthy Living, the Public Health Agency of Canada, and regional health authorities to ensure a timely co-ordinated and integrated response.

In Manitoba, we worked with the province to establish human resource pools consisting of physicians, nurse practitioners and nurses to assist with the response in first nations communities. In anticipation of the vaccine approval that occurred on October 21, 2009, we shifted the primary focus of our planning and response from treatment to prevention.

Health Canada has now finalized preparations for mass vaccination of all on reserve first nations who want it. Vaccination-related activities include: providing training and additional health professionals to assist communities in vaccination once provinces supply the vaccine; procuring mass immunization supplies; and working with provinces, territories and other federal departments and agencies and first nations organizations to ensure consistent and culturally-appropriate information is available regarding the H1N1 vaccine.

As we move forward to address H1N1 on reserve, we do so in full collaboration with our partners. This includes the Department of Indian and Northern Affairs, as well as the Assembly of First Nations. On September 19, 2009, the department signed a communications protocol with National Chief Atleo of the Assembly of First Nations and the Minister of Indian Affairs and Northern Development.

This protocol formalizes our working relationship and reflects the deep commitment all three organizations have to combatting H1N1.

[*Translation*]

**Mr. Marcel Proulx:** Madam Speaker, there is a shortage of vaccine and there have been delays delivering it because the Conservatives put the health of their party before the health of Canadians.

The Conservative government is incompetent. It has broken its promise to vaccinate all Canadians against H1N1 by Christmas: 7 million people are still waiting. Instead of recognizing its own responsibility, it is blaming the large number of Canadians who want the vaccine for the fact that some vaccinations will not occur until January if demand remains steady.

We want a government that will protect the health of all Canadians, which only a good government can do, by making sure that our health system has the resources it needs and is prepared.

The second wave of the virus is taking a lethal toll in Canada. Perfectly healthy Canadians have died of the flu.

When will the government take responsibility and do what is right?

• (1850)

[*English*]

**Mr. Colin Carrie:** Madam Speaker, during the first three weeks of immunization, from October 26 to November 16, 2009, approximately 93% of first nation on reserve communities held immunization clinics. It is also a very positive achievement that 100% of remote and isolated first nation communities have held vaccine clinics.

As of mid-November, over 162,000 doses of H1N1 vaccine have been administered on reserve and approximately 40% of the on reserve first nations population has been vaccinated.

We are also seeing excellent collaboration with all of our partners, including the provinces, territories, first nations leadership and other government entities, such as the Public Health Agency and Indian and Northern Affairs.

A concrete example of this is the virtual summit that took place on November 10. This summit, hosted by PHAC, AFN and Health Canada, provided information on H1N1 to first nations in an innovative way via the Internet. This event was a success and an excellent example of the good work being done under the AFN-INAC-Health Canada communications protocol—

**The Acting Speaker (Ms. Denise Savoie):** Order, please. The hon. member for Malpeque.

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## AGRICULTURE

**Hon. Wayne Easter (Malpeque, Lib.):** Madam Speaker, on September 17, I called on the Minister of Agriculture to address the crisis destroying our hog industry. That was two months ago and the situation has only deteriorated.

Since that time, we have seen the crisis in our hog industry only worsen. Instead of the government doing its duty and providing the assistance required, the evidence will now show that during the worst hog crisis in Canadian history the government has allowed the moneys in the business risk program to decline by, as the minister acknowledged I believe yesterday, \$961,400,000. This is unacceptable.

There are ways that program could have been re-profiled to get the money into the producers' hands.

Does the minister and the government have any appreciation of just how ineffective they have been with their program?

I will quote from the testimony of Leza Matheson-Wolters, who appeared before the agriculture committee a couple of weeks ago. She and her husband are among P.E.I.'s most productive hog farmers and the current crisis quite literally is throwing them out of business. This is how she described the minister's program:

Currently, we have the HILLRP program, the hog industry loan loss reserve program, and the HFTP, the hog farm transition program. Neither of these programs will help, or save, the existence of my farm. The HILLRP program lends \$85 per hog. I would first need to find a bank that would agree to consolidate my loans for a term of 60 months or less; but it would be at a higher interest rate than I have now, with the stipulation that I would pay off my APP first.

In other words, pay off the government first. This is security for the government, not for the hog industry.

She goes on to say:

But with our size of operation, it would mean that I'd first have to find a bank that would agree to this, then I would have to take a higher interest rate and pay off my APP, and then I wouldn't have any money left over. Therefore, the program is of no use to my operation. The result is that it will make things worse, not better, for me.

That is the sad reality for many hog producers.

As I said, under the business risk management program there could be solutions if the government only had the political will. It should drop the viability test, change the reference margins and let money flow under the business risk program. It has now allowed \$961,400,000 less than the year before and that is less than previous years. I would ask the minister to not allow our efficient hog industry, among the most efficient in the world, with the best genetics in the world, to lapse and be replaced by the American hog industry.

My question remains the same. How can the minister and the government even pretend to have the best interests of farmers in mind when they fail to deliver on the promises and, worse yet, cut critical spending?

• (1855)

**Mr. Pierre Lemieux (Parliamentary Secretary to the Minister of Agriculture, CPC):** Madam Speaker, I thank the House for giving me the opportunity to respond in greater detail to the question regarding the subject of the three new programs that we have announced for our hog farmers.

The first program is \$17 million for marketing our world class pork products and creating new markets for our hog farmers. The other two hog programs the Minister of Agriculture and Agri-Food announced this August provide additional financial assistance to the hog industry. These new programs help producers to either consolidate and restructure their debt into government-back long-term loans, or to transition out of the industry.

The hog industry loan loss reserve program is designed to help producers with viable hog operations to continue during the difficult economic situation facing the hog sector by providing the opportunity to consolidate short-term debt into long-term loans.

[*Translation*]

Industry representatives have said they fear that hog producers will not be able to pay back the loans within the prescribed timeframes. The long-term loan program will allow producers to consolidate their short-term debt into long-term loans, granting them up to 10 or 15 years longer to pay back their APP cash advances.

[*English*]

The intent here is not to put producers in more debt but rather to help them restructure their debt so as to ease their immediate financial pressures.

[*Translation*]

By restructuring their debt, hog producers can access new APP cash advances in order to meet their short-term credit needs.

Since November 13, the minister has signed 18 contribution agreements with authorized financial institutions across Canada in order to grant long-term loans to hog producers.

[*English*]

The hog sector itself recognizes that the market has fundamentally changed as a result of recent developments. The hog farm transition program will help those producers who cannot or do not wish to adjust to the new market realities to transition out of the industry.

Hog producers who had barns in production on April 1, 2009 and agreed to keep all of their barns out of production for a period of at least three years are able to bid on the level of compensation they need to idle production. This program will also help contribute to a reduction in hog production that the industry considers essential for the long-term viability of the remaining producers and the sector. The transition program is being delivered by the Canadian Port Council on behalf of the Government of Canada.

The first tender was held on November 4, and 75 producers will receive \$10.9 million once their barns are emptied. The second tendering event is scheduled for December 9, and up to 600 producers are expected to be eligible to participate.

These programs are delivering and they are good for our hog farmers.

**Hon. Wayne Easter:** What a sad commentary, Madam Speaker.

Let me put it on the record. I just received a letter from hog producers about the program to date. They say, “Unfortunately, the situation for hog producers remains substantially unchanged as the government’s proposed initiatives have failed to fully launch as of this date”. They go into a critical analysis of the bidding process and the hog industry loan loss program by stating, “As a debt forgiveness program would not be trade actionable and as the existing proposals are still not available to any producers in a concrete way, we ask that you bring the matter of debt forgiveness back to the House”.

So I have, but the fact of the matter is that the minister has allowed Treasury Board to pull the wool over their eyes so that the governments get paid and producers are left without funding.

**Mr. Pierre Lemieux:** Madam Speaker, the hog industry supports the initiatives that we have launched. In fact, extensive consultations were held between the government and stakeholders in the hog industry, in particular, the Canadian Pork Council. The president,

*Adjournment Proceedings*

Mr. Preugschas, said, “We think it’s going to make a huge difference”. Curtiss Littlejohn, the Ontario pork producers representative, said, “These three programs provide options and choices for producers and ultimately will help to right-size the industry”.

Even producers themselves are saying that this is the right way to go. I really think that the member for Malpeque needs to communicate much more closely with the hog farmers across our nation.

• (1900)

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

(The House adjourned at 7 p.m.)

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