



CANADA

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OFFICIAL REPORT
(HANSARD)

Thursday, December 3, 2009

—

Speaker: The Honourable Peter Milliken

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HOUSE OF COMMONS

Thursday, December 3, 2009

The House met at 10 a.m.

Prayers

ROUTINE PROCEEDINGS

• (1000)
[English]

CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES

Hon. Peter MacKay (Minister of National Defence and Minister for the Atlantic Gateway, CPC): Mr. Speaker, pursuant to Standing Order 32(2) of the House of Commons, I have the great pleasure and honour to table, in both official languages, the treaty entitled “Convention on the Rights of Persons with Disabilities” adopted at New York on December 13, 2006. An explanatory memorandum is included within this treaty.

To present this treaty is one of the great honours I have had during my time here in Parliament. This will go a long way to address some of the important challenges that persons with disabilities have in our country and around the globe.

* * *

DEMOCRACY PROMOTION AGENCY

Hon. Steven Fletcher (Minister of State (Democratic Reform), CPC): Mr. Speaker, I have the honour to table, in both official languages, the advisory panel report on the creation of a Canadian democracy promotion agency.

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COMMITTEES OF THE HOUSE

PUBLIC ACCOUNTS

Hon. Shawn Murphy (Charlottetown, Lib.): Mr. Speaker, I have the honour to present, in both official languages, the following reports of the Standing Committee on Public Accounts.

First, the 20th report on “Chapter 5, Financial Management and Control - National Defence of the Spring 2009 report of the Auditor General of Canada”.

Second, the 21st report on “Chapter 3, Contracting for Professional Services - Public Works and Government Services Canada of the December 2008 report of the Auditor General of Canada”.

Third, the 22nd report on “The Power of Committees to Order the Production of Documents and Records”.

Pursuant to Standing Order 109 of the House of Commons the committee requests that the government table a comprehensive response to each of these reports.

JUSTICE AND HUMAN RIGHTS

Mr. Ed Fast (Abbotsford, CPC): Mr. Speaker, I have the honour to present, in both official languages, the 15th report of the Standing Committee on Justice and Human Rights.

I am pleased to report that the committee has considered Supplementary Estimates (B) under Justice for the fiscal year ending March 31, 2010, and reports the same.

* * *

BANKRUPTCY AND INSOLVENCY ACT

Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP) moved for leave to introduce Bill C-487, An Act to amend the Bankruptcy and Insolvency Act and another Act in consequence (health-related benefit plans).

He said: Mr. Speaker, I would like to thank the member for Winnipeg North for her dedication to people with disabilities and for her support here today.

As the title of the bill says, this bill proposes to amend the Companies' Creditors Arrangement Act and the Bankruptcy and Insolvency Act, so that in the event a company goes into restructuring proceedings or bankruptcy, long-term disability plans as well as other health-related insurance plans go to the head of the line of preferred creditors to be paid out of an employer's assets.

In the debacle that has been Nortel, we have seen that company with assets in the billions of dollars take the decision not to fund the LTD. This is a disgraceful place that we find ourselves in Canada.

The NDP has done the footwork on this bill and we have tabled this bill in the House today to show the way for the government. We call upon the government and all opposition members to stand with us on this bill, do the right thing, move it forward, and pass it as soon as possible.

Routine Proceedings

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

* * *

•(1005)

COMMITTEES OF THE HOUSE

PUBLIC SAFETY AND NATIONAL SECURITY

Mr. Don Davies (Vancouver Kingsway, NDP): Mr. Speaker, I move that the third report of the Standing Committee on Public Safety and National Security, presented on Thursday, June 18, be concurred in.

In the wake of 9/11, Canada and other countries in the west quickly implemented anti-terrorism policies that, in many cases, resulted in the racial profiling of members of the Muslim and Arab communities, as well as violations of civil liberties. The violations of the human rights of three men, three Canadians, Mr. Almalki, Mr. El Maati and Mr. Nureddin, as well as the well-known case of Maher Arar, resulted in disgrace in this country and concern for how Canadians are treated abroad.

Many other Muslim Canadian men, including these, were deported, tortured and otherwise had their civil rights violated by countries with questionable human rights records. This illustrates the need for more careful consideration and review of our national security policies.

Those are not my words. I am reading from the report of the Standing Committee on Public Safety and National Security. This committee, I am proud to say, looked into these matters. We looked into a review of the inquiries, called by the government, by ex-Supreme Court of Canada Justice Iacobucci. These inquiries found that these Canadian men were victims of inaccurate intelligence-sharing practices by Canadian security agencies, and exposed the glaring lack of civilian oversight of our national security activities.

In the last few weeks, we have heard a lot about how Canada put detainees at risk of torture when it transferred them into Afghan custody. Today I rise on another story of Canadian complicity and torture, this time the torture of our own citizens. Today I rise to urge the government to accept and implement the recommendations contained in the report of the public safety committee on the findings of both the Arar and Iacobucci inquiries.

Let me begin by reviewing just some of the findings of the Iacobucci inquiry, findings that are so disturbing that they are at the very core of why we on the public safety committee insisted that we learn from them and act on them.

Again most Canadians know who Maher Arar is, that because of unjustified, inaccurate and entirely baseless allegations made by Canadian agencies, U.S. agencies acting on Canadian information sent him to be tortured in Syria. Few realize that this is not an isolated case. Few realize that like Maher Arar, three more Canadian men, Ahmad El Maati, Abdullah Almalki and Muayyed Nureddin, were detained and tortured in Syrian and Egyptian hellholes, and that this happened to them, as it did to Maher Arar, because of inaccurate, inflammatory and unjustified allegations and information from Canada.

These are the men whose cases were examined at the inquiry by retired Supreme Court Justice Frank Iacobucci. This inquiry was set up by the government to be a very secretive inquiry held behind closed doors. Not even the men were allowed to participate in the very inquiry about why they were tortured, and it is no wonder. Despite all the faults with the process, the Iacobucci inquiry's report revealed a startling and shameful record of Canadian complicity and torture.

For years, these men said they were tortured while they were in Syrian and, in the case of Mr. El Maati, Egyptian detention. They have described in gut-wrenching detail how, among other unspeakable atrocities, they were whipped with cables, and in the case of Mr. El Maati, subjected to electric shock.

Mr. Almalki has told Canadians what it was like to be stuffed into a car tire and whipped. He described what it was like to survive daily life for 17 months in a dark, underground cell the size of a grave.

Mr. El Maati described what it was like to spend most of the two years and two months that he was detained in solitary confinement with inhumane conditions. He recalled how at times, with his hands locked behind his back, he was forced to eat like an animal off the floor.

Mr. Nureddin described how his Syrian interrogators would periodically stop whipping his feet to douse them with cold water, to ensure the blood kept circulating and the pain returned.

Despite the consistencies among their accounts of the physical and psychological torture they endured and the well-documented records of torture in Syria and Egypt, our government, CSIS and the RCMP have repeatedly tried to cast doubt on their claims, but in his report, former Supreme Court Justice Frank Iacobucci agrees with the men, finding that all three “suffered mistreatment amounting to torture as that term is defined in the United Nations Convention Against Torture—”.

For years, these men have said that the questions they were asked under torture could only have come from Canada. Justice Iacobucci agreed, finding that in all three cases, the information and questions in the hands of their brutal interrogators in fact came from Canadian authorities. It was CSIS that sent the questions to Mr. El Maati's and Mr. Nureddin's interrogators. In Mr. Almalki's case, it was the RCMP that sent the questions.

•(1010)

These men also wanted to know how Canadian agencies used their so-called confessions, the statements they were forced to make under torture back in Canada. Justice Iacobucci's report gives us that answer too. Mr. El Maati's confession, information that agencies knew or should have known was likely the product of torture, was used to justify telephone taps and search warrants back in our country. What is worse is that CSIS then used information obtained in the searches to send more questions to Syrian interrogators. In Justice Iacobucci's words, this could have been seen by Syrian interrogators as a green light to continue their interrogations, not a red light to stop them.

Routine Proceedings

What is revealed in this report is a vicious cycle of Canadian complicity in torture. Why were these men detained in the first place? What of the allegations that were shared with foreign agencies that led to their detention and torture? Why, if the RCMP or CSIS had any evidence to substantiate their allegations of terrorist ties, had they refused to share those publicly or in a court of law?

Justice Iacobucci answers that too. He found that the RCMP was “deficient” when it described Mr. El Maati as someone who posed an “imminent threat” in communications with foreign agencies, as the RCMP did so without bothering to ensure that the claim was accurate.

The same was true of CSIS, which failed to clarify that it was sharing suspicions, not assertions of fact, when it labelled Mr. El Maati an associate of an Osama bin Laden aide. The RCMP told foreign agencies that Mr. Almalki also posed “imminent threat”, a description Justice Iacobucci found to be “inflammatory, inaccurate and without investigatory foundation”.

Justice Iacobucci revealed just how careless these officials were when he found that when the RCMP used information from another source to describe Mr. Almalki as linked to associations to al-Qaeda, the agency did not bother to mention that the description used was actually about someone else completely.

In Mr. Nureddin's case CSIS shared information with several foreign agencies, describing him as a courier for Ansar al-Islam in northern Iraq, without first ensuring the allegation was either accurate or reliable.

Mr. El Maati, the first to be detained, spent two years, two months and two days in Syrian and Egyptian detention. Mr. Almalki spent 22 months in Syrian detention. When he was released, his youngest son did not know who he was. Mr. Nureddin would spend 36 days of torture in a Syrian detention centre.

In our report, endorsed by the majority of the members of the committee, all of the opposition parties, we urge the government to recognize the harm that has been done, not just to these men and their families, but to all Canadians, and to Canada's reputation, democracy, and to the ability for the public to have confidence in the agencies charged with the crucial task of safeguarding our national security.

We urge the government to act on the policy review recommendations made in late 2006 by the inquiry that looked into Maher Arar's case, a recommendation for a new system of checks and balances that would help ensure that what happened to him and to these other men cannot happen again.

The investigation that targeted all of these men involved CSIS, the RCMP, the Department of Foreign Affairs, Canadian Border Services Agency and multiple other agencies. The government had no choice but to call a public inquiry into Maher Arar's case and an inquiry into the other cases because no other mechanism existed then, or today, that can investigate or review an investigation involving multiple agencies. None can investigate more than one agency.

Justice O'Connor, at the Arar inquiry, recognized this and called for a whole new system of checks and balances, a system that would

enable integrated review of what are necessarily integrated national security investigations and matters.

Our committee report calls on the government to implement the mechanism recommended by Justice O'Connor three years ago, on December 12, 2006.

The government's response to date, however, has been to stall and stall again. As a result, we have the same ineffective system of checks and balances in place today as that which existed when these cases unfolded. As such, we have no way of verifying independently that the other recommendations made by the Arar inquiry have been, or continue to be, effectively implemented.

Our committee also calls on the government to correct the record with respect to the inaccurate, inflammatory and unjustified allegations, and information shared with foreign agencies about these Canadians.

● (1015)

Of course, another way for the government to demonstrate that it truly understands the horror of torture and that it understands and accepts Justice Iacobucci's findings that Canadian agencies were indeed at least partly responsible for what happened to these men is to move now to apologize to them.

As the committee indicates in its report, we heard from a number of witnesses, including representatives of Amnesty International and civil liberties organizations and a number of organizations representing the diverse Muslim and Arab communities in Canada, that a crucial component of recognizing and acknowledging the harm that has been done is for the government to publicly and officially apologize to these men and also to move quickly to compensate them financially.

The government did so with Maher Arar. There is no reason that it cannot do the same with these three men, who have suffered the identical treatment and situation. These men deserve that apology and compensation without delay. Their careers have been destroyed. Their lives and the lives of their families are in tatters. Abdullah Almalki's children have been traumatized by what happened to their father. Ahmad El Maati's marriage was destroyed. Muayyed Nureddin may never be able to travel home to see his family again because of the false allegations carelessly sent to other governments.

All of them are suffering chronic health consequences, both physical and mental, as a result of the unbearable suffering they were subjected to. It is time for the government to stop making excuses and to act now to implement our recommendations.

Routine Proceedings

I will make it simple: Canadian citizens have a right not to have their government give information to other governments in this world that will use it to torture them. Canadian citizens have a right that their government ensures that no other country will lock them in cells the size of graves, attach electrodes to their bodies, whip them with cables, starve them, torture them or threaten them in any way whatsoever. That is what this case is about. We have three Canadian citizens in this country who have suffered those exact consequences.

What is the government doing? It is fighting them in court after a report by a retired Supreme Court of Canada justice. What is the purpose of having such an inquiry by one of the most eminent jurists in our country if the government is not going to follow the findings and recommendations of that inquiry? How much more time and taxpayer money have to be wasted fighting a useless case in court to avoid the inevitable, the acknowledgement of one thing, that what happened to these three men is unjustified and intolerable in a free and democratic society?

I see the government get up every day and say there is no evidence of torture in Afghanistan. We have evidence of torture of three Canadian citizens found by a retired Supreme Court of Canada justice. We have that evidence. It does not lie in the mouth of the government to say that no such evidence exists. Furthermore, former Justice Iacobucci found that Canadian authorities were at least indirectly responsible. That is a clear finding.

The terms of the inquiry set up were to find out whether or not Canadian agencies were directly or indirectly responsible for what happened to these three men. What was his finding? In all three cases, he found that Canadian agencies were indirectly responsible for what happened to these three individuals.

In the face of those findings, I call on the government to do the only decent, dignified, democratic and responsible thing and sit down with these three men and negotiate in good faith a respectable resolution that compensates them for the damages. Everybody in the House is a father or a mother, a sister or a brother, a son or a daughter. Can we imagine being locked in a plane and sent to Syria or Egypt and kept in a coffin-like space for two years?

Can we imagine being tortured and then coming back to this country and having politicians stand up and say that we have to prove that in court, that they are not going to do anything about it? That is the position of the government. Ex-justice Iacobucci of the Supreme Court of Canada has found this. A majority of members of Parliament on the public safety committee have found this. This has been vetted and studied.

We know, not think, that what happened to these men was indirectly the consequence of Canadian agencies. Therefore, they deserve an apology and compensation.

● (1020)

I call on the government to do exactly that and to put this sad chapter of Canadian history behind us so that we can move forward and ensure that what happened to these three men does not happen to another Canadian citizen ever again.

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, we certainly agree with the report and the study in the Senate.

There is another class of citizen that falls similarly into this category. I refer in this case specifically to Hussein Celil. In 2006 he was picked up in Uzbekistan, and given the terms of the Shanghai Cooperation Organization between Uzbekistan, China and Kyrgyzstan, he was extradited to China. He had absolutely no consular access and was summarily tried and sentenced to jail for some 15 years.

Incidentally, he is a Canadian citizen. He is a Uighur, a Muslim. He is an imam who lived in Burlington, Ontario with his family and has a mosque in Hamilton, Ontario.

I remember going to the Minister of Foreign Affairs of the day to ask him about the case. He said that it dealt with consular affairs, which were on another floor, as if Foreign Affairs had nothing to do with consular affairs. That is exactly how this happens. They delayed and denied there were problems. It was not until this really broke and everything was over that the Prime Minister ran into the President of China in a corridor at an APEC summit and raised it casually and said I was doing the job.

The issue is that many Canadian citizens have not had the support and the representations of their government, and it appears that this is a matter of failure to appreciate the international conventions, the Geneva conventions and, in fact, our commitment to protecting and defending human rights.

I would like the member's comments.

Mr. Don Davies: Mr. Speaker, I thank the hon. member for bringing that matter to the attention of the House. I think this is a matter upon which all parliamentarians can agree, that one of the most important responsibilities of any government is to ensure that its citizens are protected by law and have access at all times to due process and the protection of the Canadian government.

It is truly unfortunate to hear of yet another case of a Canadian citizen abroad, but that does not surprise me. We have the case of Omar Khadr at Guantanamo Bay, a Canadian citizen who has been treated shamefully by the government, a child soldier whom the government refuses to protect or bring back to stand trial in this country.

We have the case that was just mentioned by the hon. member and we have the cases that are before the House right now.

I call on the government on non-partisan grounds to simply do what all Canadians expect of their Canadian government, which is to protect and assist Canadian citizens wherever they are in the world to ensure that their rights are respected.

● (1025)

Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP): Mr. Speaker, I want to commend the member for bringing this motion forward today. It is a crucially important issue for the Canadian people. Canadians will tell us absolutely that torture in any form, or any support thereof, is repugnant to them.

Routine Proceedings

What is really and truly amazing is that Canada has still not signed on to the United Nations Optional Protocol to the Convention against Torture, even though Canada took a lead role in getting it into place. I think most Canadians would be amazed to hear that, because their assumption is that Canada would stand against torture in all forms.

We have the situation that the member has indicated and Mr. Iacobucci and Mr. O'Connor's reports are very clear on that.

Is the member aware of any process or institution within government whose role it is to ensure that reports like Mr. Iacobucci's or Mr. O'Connor's come into effect?

I want to add that in the case of Hussein Celil, it was the members of the opposition who did more on that case than the government ever did. In fact, this member was in Beijing, along with members from the other side, trying to arrange for the release of Mr. Celil.

Mr. Don Davies: Mr. Speaker, I thank the member for his long-standing work on behalf of human rights for all Canadians in this country and for continuing to be a voice of compassion and honour in this regard.

His question gets to one of the nubs of this matter, which is that both the O'Connor and Iacobucci reports came up with comprehensive recommendations that would get to the heart of ensuring that this kind of issue does not happen again. They would create the kind of governmental responses and checks and balances that would ensure that we have the ability not only to prevent this from happening but also to investigate quickly and effectively any kinds of problems in this regard.

I want to focus on something important the member said. He talked about the abhorrence of torture. What we need to emphasize in this regard is that the person who is guilty of torture is not just the person who applies the electrodes or brandishes the whip. The person who is responsible for torture is also the person who plays a role in delivering the detainee into the hands of those whom they know, or ought reasonably to know, may practise such heinous acts.

That is why we are holding the government responsible for Canadian soldiers in Afghanistan turning people over to be tortured. It is why the agencies in this country, the RCMP and CSIS, are responsible for furnishing information to Syria and Egypt, which then used that information in torture. That is absolutely wrong. The fact the government does not accept responsibility for that is frankly appalling.

Mr. Jim Maloway (Elmwood—Transcona, NDP): Mr. Speaker, recommendation 3 states, "That the Government of Canada do everything necessary to correct misinformation that may exist in records administered by national security agencies in Canada or abroad with respect to" these three gentlemen.

However, we are also aware that Mr. Arar still cannot his name cleared off the no-fly list in the United States and still is not able to get information that would be sitting in American databases. Could the member comment on that situation?

Mr. Don Davies: Yes, Mr. Speaker, there are many components to the damages suffered by these men, and Mr. Arar's case is an example of some of the damages that they continue to suffer, some of them indelible.

The worst aspect of this is the fact that men are tortured. The worst part of this is that they were deprived of any kind of support from their country. It is a terrible thing that these people were separated from their families. It is a terrible thing that they were threatened with death, waking up every day not knowing whether or not they would be killed that day.

Furthermore, when they come back to Canada, besides dealing with those terrible effects, they have to face future problems caused by this, like being on no-fly lists and now knowing what agencies in the world have information on them. Of course, many of these agencies exist in countries that do not have respectable human rights records.

Therefore, they have to live the rest of their lives either not being able to travel outside Canada or travelling outside Canada with the constant fear they may be picked up by an unmarked car and taken again to some unmarked cell.

I mentioned earlier that one of the men who was tortured may never be able to travel to Syria or Egypt or middle eastern countries again to visit his family. How does one put a price on that? This is the party that is always talking about how it supports the family. What price do we put on people never seeing their families again? Yet the government refuses to sit down with these men and discuss paying reasonable compensation, or even doing the dignified thing of issuing them an apology.

Once again, I—

• (1030)

The Deputy Speaker: That will leave time for one more question or comment.

The hon. member for London—Fanshawe.

Ms. Irene Mathysen (London—Fanshawe, NDP): Mr. Speaker, this morning I had a conversation with a young man by the name of Khaled Al Sabawi. He is a young man who went to the University of Waterloo. He was born in Palestine but has lived in Canada since he was two.

He felt compelled, because of the statements made by Mr. Netanyahu, that people should return to Palestine and the Middle East to help the people there. That is precisely what Mr. Al Sabawi did. He returned to Palestine and used his engineering skills to create a heating and cooling system using geothermal energy.

His passport is not being respected. My question is, when is the government going to start to defend Canadian passports?

Mr. Don Davies: Mr. Speaker, it is the mark of a mature government to admit when wrong has been done. It is the mark of a responsible and democratic country to recognize when acts of injustice have occurred and make restitution. It does no violence to any member of this House or the government to pursue that course here.

There is no doubt that those three men suffered immensely. I call on the government to do the right thing.

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC): Mr. Speaker, I move:

Routine Proceedings

That the debate be now adjourned.

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

Some hon. members: Agreed.

Some hon. members: No.

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

Some hon. members: Yea.

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

Some hon. members: Nay.

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

And five or more members having risen:

The Deputy Speaker: Call in the members.

• (1110)

[*Translation*]

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

(Division No. 143)

YEAS

Members

Abbott	Ablonczy
Aglukkaq	Albrecht
Allen (Tobique—Mactaquac)	Ambrose
Anderson	Armstrong
Ashfield	Baird
Benoit	Bernier
Bezan	Blackburn
Blaney	Block
Boucher	Boughen
Braid	Breitkreuz
Brown (Leeds—Grenville)	Brown (Newmarket—Aurora)
Brown (Barrie)	Bruinooge
Calandra	Calkins
Cannan (Kelowna—Lake Country)	Carrie
Casson	Clarke
Cummins	Davidson
Del Mastro	Devolin
Dreeshen	Duncan (Vancouver Island North)
Dykstra	Fast
Finley	Flaherty
Fletcher	Galipeau
Gallant	Généreux
Glover	Goldring
Goodyear	Gourde
Grewal	Guergis
Harris (Cariboo—Prince George)	Hawn
Hiebert	Hill
Hoback	Hoepfner
Holder	Jean
Kamp (Pitt Meadows—Maple Ridge—Mission)	Keddy (South Shore—St. Margaret's)
Kenney (Calgary Southeast)	Kerr
Komarnicki	Lake
Lauzon	Lebel
Lemieux	Lobb
Lukiwski	Lunn
Lunney	MacKay (Central Nova)
MacKenzie	Mayes
McColeman	McLeod
Menzies	Merrifield
Moore (Port Moody—Westwood—Port Coquitlam)	
Moore (Fundy Royal)	
Nicholson	Norlock
O'Connor	O'Neill-Gordon

Obhrai	Oda
Payne	Petit
Poilievre	Prentice
Preston	Raitt
Rajotte	Rathgeber
Reid	Richards
Richardson	Rickford
Scheer	Schellenberger
Shea	Shipley
Shory	Smith
Sorenson	Stanton
Storseth	Strahl
Sweet	Tilson
Toews	Trost
Tweed	Uppal
Van Kesteren	Van Loan
Vellacott	Wallace
Warawa	Warkentin
Watson	Weston (Saint John)
Woodworth	Yelich
Young— 125	

NAYS

Members

Allen (Welland)	Andrews
Angus	Ashton
Atamanenko	Bachand
Bagnell	Bains
Beaudin	Bélanger
Bennett	Bevilacqua
Bevington	Bigras
Blais	Bouchard
Bourgeois	Brisson
Brunelle	Byrne
Cannis	Cardin
Charlton	Chow
Christopherson	Coady
Comartin	Cotler
Crombie	Crowder
Cullen	Cuzner
D'Amours	Davies (Vancouver Kingsway)
Davies (Vancouver East)	DeBellefeuille
Demers	Deschamps
Desnoyers	Dewar
Dhaliwal	Dhalla
Dion	Donnelly
Dosanjh	Dryden
Duceppe	Dufour
Duncan (Etobicoke North)	Duncan (Edmonton—Strathcona)
Easter	Eyking
Faillie	Folco
Foote	Freeman
Gagnon	Garneau
Godin	Goodale
Gravelle	Guarnieri
Guimond (Montmorency—Charlevoix—Haute-Côte-Nord)	
Hall Findlay	
Harris (St. John's East)	Holland
Hughes	Hyer
Ignatieff	Jennings
Julian	Kania
Kennedy	Laforest
Laframboise	Lalonde
Lavallée	Layton
LeBlanc	Lee
Leslie	Malhi
Malo	Maloway
Marston	Martin (Esquimalt—Juan de Fuca)
Martin (Winnipeg Centre)	Masse
Mathysen	McCallum
McGuinty	McKay (Scarborough—Guildwood)
Ménard	Mendes
Minna	Mulcair
Murphy (Moncton—Riverview—Dieppe)	Murphy (Charlottetown)
Nadeau	Neville
Ouellet	Pacetti
Paillet (Hochelaga)	Paquette
Patry	Pearson
Pomerleau	Proulx
Rae	Rafferty
Ratansi	Regan
Rodriguez	Rota

Russell
Scarpaleggia
Siksay
Simms
St-Cyr
Tonks
Valeriotte
Volpe
Wilfert
Zarac— 133

Savoie
Sgro
Silva
Simson
Szabo
Trudeau
Vincent
Wasylycia-Leis
Wrzesnewskyj

PAIRED

Nil

The Speaker: I declare the motion lost.

[*English*]

The Speaker: Order. There is now time for questions and comments on the remarks made by the hon. Parliamentary Secretary to the Leader of the Government in the House of Commons. I therefore call for questions and comments, the hon. member for Ajax—Pickering.

Mr. Mark Holland (Ajax—Pickering, Lib.): Mr. Speaker, my question for the hon. member is clear. We have had a report by Justice Iacobucci and by Justice O'Connor. We have a report stemming out of the RCMP pension scandal. We have a report from the Senate committee on anti-terrorism. Now we have a report from the House of Commons Standing Committee on Public Safety and National Security calling on the government to ensure that the human rights of Canadian citizens are protected. Particularly given the fact that whether or not it is Mr. El Maati, Mr. Almalki, Mr. Nureddin or Mr. Arar as a Canadian citizen who faced torture as a result of mistakes made by Canadian officials, why on earth would the member move a motion to stifle debate on how we can ensure those errors never happen again?

• (1115)

Mr. Tom Lukiwski: Mr. Speaker, as the member opposite clearly knows, and as we all know, and I do not think this is a surprise to members opposite, the concurrence motion request by the NDP is nothing more than a blatant attempt to shut down whatever process we had in place to try to bring forward enabling legislation. This is nothing more than a political attempt to shut down the government in its attempts to bring forward enabling legislation to allow the provinces to deal with issues of harmonization.

This is not something that the NDP brought forward today because it was on its agenda for debate. Not at all. This motion was brought forward in a political procedural attempt to shut down the government's attempt to facilitate the request by the provinces of Ontario and British Columbia. The member knows that. He should be ashamed to try to prove otherwise.

Mr. Don Davies (Vancouver Kingsway, NDP): Mr. Speaker, I have never heard anything more false in my life.

Unlike that member who just spoke, I sit on the public safety committee. I sat through the hearings and I sat through the writing of that report. My motion for concurrence in that report, to do the right thing in this country, has been on the order paper for months. For that member to have the audacity to suggest that this is a procedural trick tells me a lot more about what is in his mind than what is in ours.

Routine Proceedings

Three Canadian men have been tortured. Three Canadian men were thrown in Syrian and Egyptian dungeons and tortured. Will the government do the right thing and apologize to those men and pay them compensation, like justice demands in this country?

Mr. Tom Lukiwski: Mr. Speaker, I can barely contain, I want to say my amusement, but it is far too serious to speak of amusement on this.

The member stands up with righteous indignation and says this is such an important issue for him personally that he had the report on the order paper for months. If it was so important, why did he not bring this concurrence motion before now? He only brought it in today to stop the government's initiative, to delay government orders. There is no other reason. He knows it; I know it; everyone in the House knows it.

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, if the member would reflect on his comments I think he would find that he is basically suggesting that the member who moved the concurrence motion does not somehow have the right to do so. It is in fact under our Standing Orders. It is part of the process that we have.

The member would also know that within a couple of hours we will be moving on, as we would normally do after routine proceedings, to government business in which the government will move its motion. This is not going to interfere with the ability of the government to propose its agenda. This is actually about respecting the rights of members and showing respect for committees and their work.

This is an important issue, regardless of how long it has taken to get before the House. This motion seeks a vote on whether the full House concurs in and supports a report of one of our standing committees.

Mr. Tom Lukiwski: Mr. Speaker, the member for Mississauga South is quite correct in one aspect, that it is a right of a member to bring forward a motion for concurrence. I do not deny that. I am talking about the motivation behind why he brought it forward today. The member himself admitted that he has had this motion on the books for months. Why did he not deal with it earlier if it is that important to him?

I would also point out to the member for Mississauga South, who said this really does not stop anything from happening and we will still have a vote today, quite correctly, that the plans were to dispense with the government's initiatives this morning so that we could get to Bill C-56 this afternoon, which is entirely within our purview to do, so that we could hopefully dispense with that bill and get it down the hall to the Senate.

In effect, proceedings on government orders are being delayed by three hours, thereby delaying Bill C-56, an initiative to bring employment insurance benefits to self-employed Canadians.

If the member wants to stand up and defend why he is in agreement with delaying the fact that we want to get that bill passed through the House and to the Senate as quickly as possible, let him stand and defend his position on that.

Routine Proceedings

•(1120)

Mr. Mike Lake (Parliamentary Secretary to the Minister of Industry, CPC): Mr. Speaker, I would just like to, if we could, maybe give the hon. parliamentary secretary the opportunity to explain again for the enlightenment of those Canadians who might be watching these proceedings on television what this concurrence motion actually does in terms of stalling the government's agenda, in terms of the important legislation that Canadians are looking for on EI measures and maybe on criminal justice measures that might be discussed at a future date, because of course when we eat up three hours of time on a political game here that the NDP is putting forward—

An hon. member: They don't come into effect until 2011.

Mr. Mike Lake: Maybe the hon. member wants to stand up and actually use his time when it is his turn rather than just heckling me.

Maybe the parliamentary secretary could just enlighten Canadians who might be watching this on the parliamentary rules, how this works and how this procedure is being used by the NDP to delay the government's agenda.

Mr. Tom Lukiwski: Mr. Speaker, I thank my hon. colleague for the question. It is a good question.

Quite frankly, even if we had adjourned debate on the concurrence motion, this concurrence motion still would have come to a vote sometime early in the new year. We are not quashing the rights of any members to deal with this and have a vote on the concurrence of that report.

What it does do, what the NDP has effectively done, is delay the government's opportunity to bring forward legislation by three hours. We are nearing the end of our parliamentary session before we break for Christmas and for New Year's.

We want to get some of the legislation that Canadians are so concerned about, such as Bill C-56, the ability to give self-employed Canadians employment insurance benefits, down to the Senate to try to get it enacted as quickly as possible. The NDP and their colleagues opposite are delaying that attempt by this government to help Canadians.

Mr. Yvon Godin (Acadie—Bathurst, NDP): Mr. Speaker, I have never seen so much hypocrisy in my life.

They are saying that we are delaying for three hours, but I want the parliamentary secretary to get up on his feet and tell us, when will the EI benefits take effect? If he wants to tell the truth, he will tell us it is not until 2011, one year from now. They will only get the benefits a year from now.

These three hours will not make any difference to any independent worker who needs EI, because it will only be in one year from now. That is the truth of the matter.

Why does he want to put the EI bill in front of what we are dealing with right now, which is so important to Canadians?

Mr. Tom Lukiwski: Mr. Speaker, I am quite surprised, actually, with an experienced parliamentarian like my hon. colleague from Acadie—Bathurst in respect to the fact that he knows as well as I do, or at least he should know, that contained in Bill C-56 is the

provision that those self-employed Canadians who want to gain EI benefits have to opt in, but a year has to go by before they are able to do that.

Every day that we prevent this legislation from passing is one more day that self-employed Canadians are denied EI benefits. We have to get this done. We want to get this done before year end, so that come January 1, 2010, people can start opting into this program. The member should know that.

Mr. Mark Holland (Ajax—Pickering, Lib.): Mr. Speaker, perhaps as this concurrence motion was sought to be cut short by the Conservatives, I could read from Kerry Pither's book, *Dark Days*, about the actual implications of what we are debating.

I would put that there is no matter that could be more important to debate in the House than one pertaining to innocent Canadians who suffered torture, according to a commission of inquiry conducted here in Canada, because of mistakes that were made by security officials, and our attempts to ensure that it never happens again.

If members have lost that fact, let me read from Ms. Pither's book. Talking about Ahmad El Maati, it says:

The sound of prisoners being electrocuted didn't stop, either. "[They were] only a few feet away and across the hall. And what scared me most was I [knew] that maybe my turn was next. I was living constantly with this fear that I would be next, I would be next, I would be next."

After being there for about ten days, it was his turn.

Ahmad was led into an interrogation room where four or five men were waiting.

"Whether you tell us the truth or not, we're going to torture you anyway," said a man whose voice Ahmad would come to know well.

Hit from behind, Ahmad was forced to his knees, then grabbed by the hair and his head yanked back as the men slapped and kicked him. Then the electric shocks started. The men stood behind him, prodding him with a rod. "It's difficult to describe the feeling," Ahmad says. "You feel your soul is coming out of your body, and your heart's going to stop and you lose control of yourself and screams come out unconsciously."

This time they started with his hands, shoulders, legs, and stomach. Later they aimed for his genitals. Afterward, Ahmad saw the device being used: a black rod, about a foot long, with a handle on one end and a point on the other.

These sessions sometimes lasted for several hours at a time.

Unfortunately, this is but one account in the book. There are many others. It is impossible for us to imagine the horror that these men would have faced. Perhaps even more tragically, today, the government still refuses to give them an apology, give them redress in the form of compensation, and most importantly, allow them to clear their name.

Perhaps not quite as bad as that torture they would have faced in those terrible dungeons in Syria is for the cloud of suspicion to continue to hang over them today. What they ask for more than anything else is the right to have their name cleared, a right that should be afforded to them immediately. Second, if one were to talk to the innocent victims, they would say to make sure that it never happens again.

If we did not know the answer to how to stop this from happening again, the government could be forgiven for not acting. However, the reality is that we have had report after report, commission of inquiry after commission of inquiry, and committee report after committee report detailing in the clearest possible terms the actions that must be taken.

Routine Proceedings

Whether it was the report of Justice Iacobucci, who was not given the power to make recommendations but made clear conclusions, including the innocence of three of the men whose stories I will tell in a moment; whether it was Justice O'Connor's recommendations, which were clear and which years ago the government promised it would implement, yet we stand here today with those recommendations still not acted upon; whether it was the Senate committee report on anti-terrorism; whether it was the report that flowed out of the RCMP pension scam; or whether it was the report done yet again by the public safety and national security committee of which I am a member, which was tabled in front of the House and in which we simply asked for the right to debate today, again and again the answers are apparent and obvious and the government refused to act.

Worse, the government has shown contempt for oversight. Not only did it show contempt for this issue by trying to stop it from being debated in the House today, but one can take a look at the limits placed upon the RCMP public complaints commission. It is bad enough that the RCMP public complaints commissioner does not even have the power to force people to give him information. If he goes to senior RCMP officers and asks for files or information, they have to be given to him voluntarily. That is still the case today, even after all the recommendations that have been made.

• (1125)

It is bad enough that he can only act upon complaints, that he cannot act proactively, that he has not been empowered to go there. It is bad enough that there are many agencies which he is not allowed to investigate and where no oversight exists at all. Imagine, for the Canada Border Services Agency, that no independent oversight exists. Imagine, for immigration, that no independent oversight exists, so the government continues to allow this situation that has been identified to continue.

It would be bad enough for those recommendations to be ignored, but it was not enough for the government. It also slashed the budget of the public complaints commissioner's office. At a time when he needed more resources to ensure the integrity of our national police force, his budget was slashed.

The government's excuse here is to say that it has to wait for more reports. All those reports that I mentioned apparently are not enough. We also have the Braidwood inquiry. We also have Justice Major's report coming out on Air India. We have to wait for those. What could be more preposterous than to just keep waiting for a report to reiterate the same things over and over again? How many times does the government need to be told that something is essential to do before it takes action on it?

Certainly, I could understand if the government would do as it promised and implemented Justice O'Connor's recommendations, that again were followed up by so many different reports and inquiries, and say that it was going to build upon them, but to suggest that it will not do these self-evident things because it needs to wait for another report is nothing but an excuse.

What every one of us in the House knows is that after Justice Major tables his report, or when the Braidwood inquiry is done, we will be told there is another report or another commission of inquiry that needs to be conducted. Why? It is because under the Conservatives' watch, even when we knew what needed to be done

to ensure that future tragedies did not occur, another one will because they refuse to take action. There will be another commission of inquiry to look into that, and that will provide yet another excuse for inaction, yet more time will go on.

Some of the cases that we talk about are well-known, such as Maher Arar and the extraordinary and terrible situation that he went through, which finally and eventually did lead to an apology and compensation, but let us also take a look at some of the other cases.

We know about Mr. Dziekanski of course, who was tasered at a Vancouver airport. There is an inquiry going on about that right now. We know about the pension scandal, but maybe we could take a moment to look at three of the individuals who were identified through Justice Iacobucci's report, and who were cleared.

With regard to Mr. El Maati, Justice Iacobucci determined that the way the RCMP and CSIS inaccurately labeled Mr. El Maati contributed to his detention and torture.

With regard to Mr. Almalki, in addition to finding that information-sharing with the U.S. and sending questions to Syrian interrogators likely contributed to Mr. Almalki's torture, Justice Iacobucci found that Canadian officials were linked with Mr. El Maati, in communication with American, Syrian and other foreign agencies before his detention, without taking steps to ensure those labels were accurate or properly qualified, without attaching caveats and without considering the potential consequences for Mr. Almalki.

With regard to Mr. Nureddin, Justice Iacobucci determined that CSIS labeled Mr. Nureddin as a human courier and facilitator in the transfer of money to members of Ansar al-Islam in northern Iraq without first taking adequate measures to ensure the accuracy and reliability of the information or to qualify it as appropriate, and that this likely contributed to his Syrian detention and torture.

These cases are tragic and when we hear the stories and we read a book like Ms. Pither's, and we hear about the horrible circumstances they were put through, what I think is so unimaginable to Canadians when they are exposed to it is that the solutions are here now and the government continues to refuse to act. It is something that I have to admit I am utterly confounded by.

I am confounded by it not only because of its implications for further abuses for other Canadian citizens, and because of the fact that it does not put the safeguards in that we need to ensure that Canadian citizens never face this type of situation again, but we also have to reflect upon its implications for our national security agencies themselves and for the RCMP.

We are lucky to have, in the RCMP, some of the finest men and women we could ask for serving us across this country.

Routine Proceedings

●(1130)

I have had the opportunity to go to detachments in urban and rural areas and meet some amazing people who are doing incredible work, whose clear motivation is to protect their communities and to give back. However, they are deeply frustrated. They are frustrated because they recognize that at the top levels the RCMP is in need of reform.

They recognize that if those changes are not made, it tarnishes the name of their organization and, in turn, tarnishes the good work they do. All they ask is that they have leadership that is equal to the courage and valour they show every day. All they ask is that the organization is as exemplary at the top as it is at the bottom.

The government is refusing to make these changes and they ask, why? They ask why, when the answers are so self-evident, so clear and repeated so strenuously. It is not just for the protection of Canadian human rights but I would also suggest for the protection of our police force and its integrity overall.

We need to ensure that tragedies do not occur again, that when mistakes are made or it is found there are weaknesses in our system they are repaired, not left to fester and tarnish, that we do not repeat the same mistakes again and again, doomed to repeat the same failures.

In that regard, I am going to go through the recommendations that were placed in the report delivered by the Standing Committee for Public Safety and National Security.

The first and most self-evident is to implement immediately the recommendations of Justice O'Connor. It is impossible for me to believe I am still saying this in the House all these years later, particularly when the government has promised so many times to implement these recommendations, but many of the key and most important recommendations are still not implemented. That is utterly unacceptable and the committee unanimously called for those recommendations to be implemented immediately.

The second is that there be regular updates on the status of both implementing Justice O'Connor's report and responding to the conclusions of Justice Iacobucci's report, regular reports on the progress of the government. The government has been unbelievably secretive in even telling us what it has and has not done.

One of the first and most difficult tasks for the committee was to take a look at the 23 recommendations of Justice O'Connor and try to figure out what action the government had taken. Even as a committee of Parliament, it had a huge amount of difficulty getting answers on what, if any, action it had taken. It has to break that secrecy.

It needs to be clear and honest about what actions have been taken and exactly where we are in implementing those recommendations. Where recommendations have not been implemented, it needs to explain in clear terms why and what the timetables are to implement them. That is if the government continues to maintain, as it has, that it will implement Justice O'Connor's recommendations.

After I began by reading one of the stories, I hope the government really reflects upon the importance of this third recommendation, which is to apologize to Mr. Almalki, Mr. El Maati and Mr.

Nureddin, to help clear their names, and to remove the cloud of suspicion that walks with them everywhere they go. The government should put itself in the shoes of somebody who had to undergo torture in that horrible faraway place, to put itself in the shoes of the men who returned to this country not only having been tortured but still wearing the label of being an extremist or terrorist when not an ounce of it was true. A well-respect justice said that it was without basis, and the government should simply allow them to have their names cleared.

The third point under the third recommendation is to give them compensation. The government says this is a matter before the courts and it cannot act. I remember a similar argument being made in the public safety committee about Mr. Arar. It said, "We can't do anything. We can't apologize. We can't give compensation. This matter is before the court".

It was not until the hue and cry from the Canadian public was such that it demanded action, that no other alternative was possible. Only when the government was pushed right to that corner did it finally take action. Suddenly, all of those arguments about it being before the court and not being able to do the right thing disappeared, and it did the right thing.

●(1135)

If it could do it for Mr. Arar, then these three gentlemen deserve nothing less. After all they have been through, after all the horrors they have seen, this is the very least the government can do for them. Instead of trying to cut-off debate, instead of trying to stifle discussion on this, the Conservatives should be rising in the House and give the men their due, here, now, today.

It was amazing to me during the proceedings of committee to hear from Mr. O'Brien, a lifetime public servant who worked for CSIS, who said that yes, under certain circumstances, we continue to share information with countries that engage in torture. The government had said, "Oh, no, we do not do that". Yet, here was somebody on the front lines in CSIS, clearly in a better position to know than anybody else in the country saying, "Oh yes, we still do it. We still trade that information". He explained to us that it was important to do that because sometimes good information comes from torture.

This belies all evidence which tells us that information obtained by torture is unreliable, but it also belies humanity, because at the end of the day, as we fight for our collective security and our freedoms, surely we cannot morph into the thing we disagree with. When we allow torture, when we condone it, and we do condone it by saying that it is okay, we will get information that comes from torture, we are implicitly saying that it is okay to torture.

In this regard the fourth recommendation is extremely important, and that is a clear, unambiguous ministerial directive that says we will not exchange information with countries that engage in torture. It sends an unequivocal message to those who would use torture as a means either of extracting information or terror, that Canada finds it utterly unacceptable.

Routine Proceedings

The government may rise and say, “Oh yes, we did that”. Through a question on the order paper, we found the ministerial directive of 2009. It does say that assurances should be sought when sharing information with foreign agencies that torture has not taken place, but then it adds a caveat where it says, “When it would be appropriate”. We are therefore saying, “Do not share information on the basis of torture unless it is appropriate”. What does that mean? That means, “If you tortured somebody really good and you got something juicy, then send it over to us, but if the torture did not work out so well and you did not get information that is that salacious, well then you can keep that to yourself”.

We have to end this ambiguity. I do not think Canadians accept, in any quarter, the notion that torture is acceptable. It is up to the government to deliver a ministerial directive that ends all ambiguity, and certainly to ensure we do not have officials with CSIS or other agencies that are on the front line coming before committee and telling us that this still goes on and this still continues.

Finally, one of the things that has been called for by Parliament for a long time is to ensure that there is parliamentary oversight of our national security activities. We are one of the few jurisdictions in the world where that does not exist. The establishment of a national security committee would ensure there are no dark corners in which Parliament is not allowed to look. I think that is essential.

When we dealt with hearings on Mr. Arar in committee, for example, how often did we hear, “You cannot hear that. That is private and privileged information. That is subject to security clearance”. There needs to be a committee that is allowed to look into all of those corners to ensure human rights and Canadian interests are protected at all levels. We have to ensure that those things we value most, our freedoms, our collective securities are protected, but also our right to never be in a situation like Mr. El Maati, Mr. Nureddin or Mr. Almalki, where a Canadian citizen is wrongly sent to a terrible place, facing torture, because of mistakes made in this country.

It is time to apologize to those men. It is time to take action to ensure that it never happens again. The time to do so is today.

● (1140)

Ms. Niki Ashton (Churchill, NDP): Mr. Speaker, clearly the issue being discussed today is one of great importance and really reflects the path our country has been taking as of late when it comes to human rights, when it comes to dealing with torture and, most important, when it comes to correcting the wrong, when it comes to recognizing what has been done wrong and in this case egregiously to Canadian citizens themselves.

I would like my colleague to comment and give us feedback on the work of my colleague, the member for Vancouver Kingsway, on the public safety committee, which has had the chance to delve into this deeper. The government says that it cannot deal with recommendation 3, which is considering the harm to the three individuals in question, because it is in the courts.

Would the member respond to that? It is so clear that we need to deal with this and we need the government to show leadership. In this case, the report before us is very much centred on the experience of these three men and we need to deal with that.

● (1145)

Mr. Mark Holland: Mr. Speaker, one thing that is remarkable to me, in talking to some of the gentlemen who have gone through this horrific experience, is they are not bitter. They are not filled with rage and hate. That is hard to imagine after everything they have gone through.

The only things they have asked for is for us to ensure that the recommendations put forward to ensure these mistakes never occur again be adopted. The government refuses to do that. The other thing they have asked for, more than anything else, is for our help to clear their names so when they walk down the street, people do not give them a second glance, wondering if they are really terrorists and are persons who are extremists. That cloud of suspicion could be lifted from them.

Justice Iacobucci did a great job taking that part of the way, but until the government stands in its place and apologizes to them, until it has said that these men deserve to have their name cleared and are proud Canadian citizens who should be looked at in no other way, they are not given their fair due. That is not very much to ask.

The third thing I ask for, even more than them, is for them to be compensated. The horrors they went through are such that we can never imagine. I encourage every Canadian to read the story of these men, to understand what they went through.

Anyone, after hearing their story, would agree that they are owed compensation. They are owed an apology and they are owed the right to clear their names. It is a scar and a shame that the government refuses to do this.

Mr. Brian Murphy (Moncton—Riverview—Dieppe, Lib.): Mr. Speaker, I ask my colleague to centre his response with respect to the government's accountability to reports tabled. He mentioned numerous times the reports of Justices O'Connor and Iacobucci.

He might also go into the report of Howard Sapers with respect to an issue I brought forward in the House numerous times about Ashley Smith formerly of Moncton and the treatment of domestically detained individuals. There is also the report of Bernard Richard, the New Brunswick ombudsman. There is a plethora of reports before the government. It seems there is an unwillingness to respond to these reports.

Might I suggest for the member that there has to be a non-partisan way to suggest that reports are useful. His suggestion that there ought to be a mediated or alternate dispute resolved, as a way to find compensation for these individuals, was exactly the model used in the Arar matter.

Colleagues of mine, Will McDowell from justice and Julian Falconer from the Plaintiff's Bar, worked very well together in resolving that issue to the credit of the government. Liberal or Conservative, it does not matter. Arar is the perfect example of something that started under a Liberal government and ended under a Conservative government. Did the resolution of it not bring honour to the process, to Canada and bring a modicum of respect back to Mr. Maher Arar? Is it not the example the government could follow in this case?

Routine Proceedings

Mr. Mark Holland: Mr. Speaker, having sat through those hearings, there is no question that when finally an apology and compensation were given to Mr. Arar, it was nearly universally supported by the Canadian public and it allowed Mr. Arar to move forward with his life. These three men deserve no less. However, it should not take that same crisis to push it there.

What is confounding, when we talk about asking for accountability on these reports, is it is more than just accountability, it is also honesty. One begins to get the sense that the Conservatives say that they will implement the recommendations without ever having the honest interest of implementing them. It is a way of deferring the issue. If they came out and just said that they disagreed, at least it would be honest. We could have a honest debate about that and the Canadian public could weigh the relative merits of them not taking the actions recommended or implementing the recommendations.

Instead, what the Conservatives do, as they do in so many matters, both in the Ashley Smith case and so many others, is say, yes, that they will adopt those recommendations. They thank us for them and then years pass by where nothing happens. What they hope is that Canadians will forget and will not follow up and that it becomes an obscure matter of debate some quiet Thursday in Parliament. Even that opportunity to debate is shut down.

It is clear these matters can be resolved. The Arar case is an excellent example of a direction that should be taken.

• (1150)

Mr. Jim Maloway (Elmwood—Transcona, NDP): Mr. Speaker, first, I take issue with the grouchy government member who put on a show for us a few minutes ago. He suggested somehow that we were trying to slow down the legislative process and that we did not really want to deal seriously with this issue. All he had to do was get seven more members out of bed this morning and in here to vote and he would have won the vote. Why cry over spilled milk? He lost the vote. Let us get on with the debate.

The member made an excellent presentation. He pointed out that the government was refusing an apology compensation. Under recommendation 3, the members want those things to happen. However, they also want to make certain the Government of Canada corrects any misinformation that may exist on the records administered by national security agencies in Canada or abroad, with respect to these three individuals.

With respect to Mr. Arar, we all know he is probably on a no-fly list and will stay on a no-fly list in the states and other parts of the world probably until the end of his days.

We want to know why the government continues to drag its feet and pretend that this issue does not need immediate attention, hoping the whole issue will go away with time?

Mr. Mark Holland: Mr. Speaker, the hon. member raises an excellent point. There are not just domestic considerations of these gentlemen walking through Canadian streets and how they are identified, but the implications with foreign governments and other agencies continuing to have inaccurate information about them, therefore, further limiting their freedoms by making it more difficult for them to travel or, in certain cases, impossible for them to travel.

The government clearly has an obligation not only to apologize to them, but, as the member quite rightfully points out, it also has an obligation to clear the record in other foreign jurisdictions to ensure these men have the right to travel freely, as any other Canadian citizen would.

We are very lucky as a nation. When Canadians citizens want to travel abroad, we are given those opportunities. We are very much not limited in where we want to travel. For these men, that is not the case. For some of them, their freedoms in that regard might be permanently curtailed, particularly if the government refuses to act. It is yet another example of the imperative nature of action.

[*Translation*]

Mr. Mario Laframboise (Argenteuil—Papineau—Mirabel, BQ): Mr. Speaker, I am pleased to speak on behalf of the Bloc Québécois regarding the report of the Committee on Public Safety and National Security. This is an interesting debate in the House today. I do not serve on this committee, and so I had another look at this report that was produced in June 2009. I see why there was interest in having this debate here today.

Some of my Bloc Québécois colleagues serve on this committee, including the member for Marc-Aurèle-Fortin. Those who know him know that he is a distinguished lawyer who was the attorney general of Quebec when he was a member of the National Assembly. My colleague from Ahuntsic, a well-known criminologist, also serves on the committee. Anyone who is familiar with her work knows that she has written extensively on the subject of street gangs. She not only tackles the problem of street gangs, but also proposes solutions to the issue. In addition, she has always been interested in human rights issues.

In reading the report, I was able to better understand the intentions of the committee members at the time, why it is being brought back to the House today, and also the Conservative philosophy behind the position they defended in committee.

The report reviewed the findings and recommendations arising from the Iacobucci and O'Connor inquiries. Mr. Speaker, I know that you are familiar with all of these reports, but for those listening, I want to point out that the Iacobucci inquiry was an internal inquiry into the actions of Canadian officials in relation to Abdullah Almalki, Ahmad Abou-Elmaati and Muayyed Nureddin. The O'Connor inquiry looked into the actions of Canadian officials in relation to Maher Arar. These cases were very important in terms of the government's foreign policy and how the Conservative government and the Government of Canada treated Canadian citizens who experienced difficulties with foreign authorities. That brings me back to the committee's analysis and, most importantly, its findings and recommendations.

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The first recommendation called on the government to recognize the urgency of the situation by immediately implementing all of the recommendations from the O'Connor inquiry, the one in relation to Maher Arar. The committee found it regrettable that the government had not yet established the national security review framework recommended by Justice O'Connor. After hearing from the majority of witnesses, the committee determined that the implementation of the recommendations from the policy review report would give Canadians assurance that the actions of national security departments and agencies were in compliance with the law. That was the main objective. I will read the recommendation:

The Committee reiterates the recommendation made in its report presented to the House of Commons on January 30, 2007, and recommends that the Government of Canada recognize the urgency of the situation by immediately implementing all the recommendations from the Commission of Inquiry into the Actions of Canadian Officials in Relation to Maher Arar.

In June 2009, the committee resurrected the O'Connor inquiry's recommendations, which had been submitted in the January 2007 report. It is important to bring this up again today to show that, first, the government has not yet implemented the committee's June 2009 recommendations, and second and more importantly, the government expressed a dissenting opinion. The committee submitted a majority report, but a minority, the Conservatives, produced a dissenting opinion. That means that the Conservative members did not agree with the committee's recommendations. I will come back to that.

That is why it is so important today to show that even though the committee submitted a majority report with recommendations, the inevitable outcome has been that the government, which expressed a dissenting opinion, has no interest in implementing the report's recommendations.

● (1155)

This means we must find out why the Conservatives decided to submit a dissenting opinion and why they decided not to act on the June 2009 committee report.

The second recommendation states:

The Committee recommends that the Government of Canada immediately issue regular public reports on the progress made in implementing the findings and recommendations arising from the Commission of Inquiry into the Actions of Canadian Officials in Relation to Maher Arar and the Internal Inquiry into the Actions of Canadian Officials in Relation to Abdullah Almalki, Ahmad Abou-Elmaati and Muayyed Nureddin.

The reports should have been made public in order to demonstrate that these people did not suffer irreparable harm at the hands of the government. It seems clear that the government decided not to publicly announce all of the progress made because, once again, it wanted to hide the documents.

This brings us to the core of the report. The third recommendations states:

In consideration of the harm done to Messrs. Almalki, Abou-Elmaati and Mr. Nureddin, the Committee recommends:

that the Government of Canada officially apologize to Messrs. Almalki, Abou-Elmaati and Nureddin;

that the Government of Canada allow compensation to be paid to Messrs. Almalki, Abou-Elmaati and Nureddin as reparation for the suffering they endured and the difficulties they encountered; and

that the Government of Canada do everything necessary to correct misinformation that may exist in records administered by national security agencies in Canada or abroad with respect to Messrs. Almalki, Abou-Elmaati and Nureddin and members of their families.

Clearly, the reputations of these individuals have suffered considerable harm. The committee found that the government made a mistake and should correct that mistake by officially apologizing. That was a recommendation. It will come as no surprise that the Conservatives had a dissenting opinion and ignored that recommendation. Their failure to acknowledge the harm done to our citizens is an affront to rights and freedoms, but that is the Conservative way.

Despite the Conservative rhetoric when it comes time to show some respect for human rights, this is just further proof that they really do not respect those rights.

The fourth recommendation is very important in light of the debates of these past few days, because it recommends adopting an unequivocal position on torture. This report was published in June. It took a few months to draft it. I will read the recommendation:

The committee recommends that the Government of Canada issue a clear ministerial direction against torture and the use of information obtained from torture for all departments and agencies responsible for national security. The ministerial direction must clearly state that the exchange of information with countries is prohibited when there is a credible risk that it could lead, or contribute, to the use of torture.

I am not a member of the Standing Committee on Public Safety and National Security, but the fact that the Conservative MPs issued a dissenting opinion on this recommendation is disturbing. It shows that everything the government has been doing in the past few weeks to hide the documents on the torture of Afghan detainees from the Standing Committee on National Defence is symptomatic. It is a Conservative syndrome. They see no torture and hear no torture, therefore there is no torture. Only those who are present can determine that there is torture. If there is no video evidence of torture, then there is no torture.

That is the heart of today's debate. I watched the Conservatives tear their hair out saying that today's debate would delay all the big, fine decisions they have to make. They have made some very serious decisions nonetheless.

● (1200)

Once again, they gave a dissenting opinion on recommendation 4, which reads as follows:

The Committee recommends that the Government of Canada issue a clear ministerial directive against torture and the use of information obtained from torture for all departments and agencies responsible for national security.

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When I read that in the report, I remembered that the Conservative Party had issued a dissenting opinion on recommendation 4. That gives me a better understanding of the Conservative ideology, which comes from the Republicans in the U.S.: "If we don't see it, it ain't happening". It is a bit like the boxer who told his trainer that someone was hitting him. The trainer answered that no one was hitting him, no one could see him and no one was touching him. The boxer asked the trainer to check with the referee, because he could feel someone touching him. That is the reality. That is the Conservative approach. They cannot see or feel anything, but meanwhile, people are being tortured. In order to admit that torture is taking place, all the Conservative members would have to see acts of torture with their own eyes at the same time.

This attitude comes from the Conservatives' right-wing ideology. Today, this whole debate is being brought to the House of Commons in connection with the June 2009 report. The government has not acted on this report. But even worse, the Conservatives had a dissenting opinion on recommendation 4, which recommended:

that the Government of Canada issue a clear ministerial directive against torture and the use of information obtained from torture for all departments and agencies responsible for national security. The ministerial directive must clearly state that the exchange of information with countries is prohibited when there is a credible risk that it could lead, or contribute, to the use of torture.

As we can see, in June 2009, the Conservatives did not agree with this recommendation. Obviously, this tells us even more about how they handle all the cases of torture of Afghan detainees.

The fifth recommendation was as follows:

The Committee recommends, once again, that Bill C-81, introduced in the 38th Parliament, An Act to Establish the National Security Committee of Parliamentarians, or a variation of it, be introduced in Parliament at the earliest opportunity.

Clearly, the objective was to create a parliamentary committee to review the activities of national security organizations.

When a government just does not wish to issue the directives or support a recommendation calling for clear directives, it is not unusual for a committee of parliamentarians to follow up with these organizations in the matter of the allegations or the way in which they handle all files involving our citizens who are accused of all kinds of things abroad. My colleagues on the Standing Committee on Public Safety and National Security and I thought this was an interesting solution.

Once again, this report expresses the findings of the majority but the minority Conservative voice has prevailed. It is no surprise that the report has not been acted on and that, inevitably, it has been shelved. That is what happened.

The Bloc Québécois is pleased to discuss this matter today. It gives us a little more insight into the Conservative philosophy, which is based on always turning a blind eye, never apologizing and, when faced with a situation where there is torture and the violation of human rights, having to be there to actually witness it. They do not even want a committee to recommend that clear directives be issued to all security services that may question witnesses. That is how they see things. There is the Conservative view of things and the humanitarian view of things, and the Bloc Québécois has always defended the latter. We have always been strong defenders of justice.

●(1205)

We want every person who commits a crime to be punished. However, when someone is wrongly accused of having committed a crime, they deserve an apology. Torture must not be used; it is straight out of the Middle Ages. I apologize for pushing this, but it really is an outdated way of doing things. There are ways to obtain information that are more respectful of human rights. That is how the Bloc Québécois wants things to work.

Today's debate was very important, and it showed that the Conservatives do not want to discuss governance problems related to torture. The government is not at all willing to bring the facts to light or to prevent these kinds of things from happening.

The Bloc Québécois still supports this report. Our colleague from Marc-Aurèle-Fortin was once the attorney general of Quebec. He was one of the instigators of Opération printemps 2001, which targeted organized crime in Quebec. He was the minister at the time. This operation was made possible thanks to the Bloc Québécois, which was in favour of amending the Criminal Code to reverse the burden of proof. Criminals were then required to prove that their money had been earned legitimately. Opération printemps 2001 dealt a serious blow to organized crime.

The Bloc's position will always be the same: we believe that we must fight criminals and anyone who attacks our freedoms. But in doing so, we must respect human rights. We must not torture people. We are capable of holding these debates in a way that respects human rights.

●(1210)

[English]

Mr. Paul Szabo (Mississauga South, Lib.): Madam Speaker, as usual, the member has provided wise input.

The government responded to the committee's report. I believe the response was tabled on October 19.

One of the areas that is very relevant to the Afghan detainee situation which is being worked on in committee right now has to do with the torture issue. The government response seems to indicate that changes, clarifications or reaffirmation are necessary. That is almost an admission that there is a culture in which there is less certainty as to the commitment of the government with regard to torture issues.

I wonder if the member would care to comment on the results of the request for documents from the government with regard to matters of torture. The information provided to parliamentarians at committee has been redacted. Basically committee members have been denied access to full information to help them discharge their responsibilities.

[Translation]

Mr. Mario Laframboise: Madam Speaker, I would like to thank my colleague for his question.

The Conservatives' treatment of all torture files is symptomatic. The committee report simply recommended that the government issue clear directives to all organizations in a position to interrogate witnesses, whose safety we must ensure.

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This is proof that they do not care what goes on. They want testimony and results. Once again, it is a matter of public pressure. The Conservatives' way of doing things is very simple: they use the media to control their image and public opinion. Their goal is to ensure that their political party benefits as much as possible and that the public finds out as little as possible.

There is a reason they did not want to hand over the files. Because of public pressure and for purely partisan reasons, they did hand over some of the files, but they are still hiding the most important information. And that is what they will keep doing.

The Conservatives are not interested in changing their philosophy. They probably believe that the means employed by security forces are unimportant and that only the end matters. They do not think that it is important for us to respect our obligations under international agreements on the treatment of prisoners. It therefore comes as no surprise that significant portions of the documents we were given were blacked out. That is how they operate.

[English]

Mr. Jim Maloway (Elmwood—Transcona, NDP): Madam Speaker, in his report the former Supreme Court Justice Frank Iacobucci agreed with the men we are talking about, finding that all three suffered treatment amounting to torture as the term is defined in the United Nations Convention against Torture, this, after the authorities are disputing their claims.

For years these men have said the questions they were asked under torture could only have come from Canada. The justice agreed, finding that in all three cases the information and questions in the hands of their interrogators did come from Canada. CSIS sent the questions to Mr. El Maati and Mr. Nureddin's interrogators. In Mr. Almalki's case, it was the RCMP that sent the questions.

These men also wanted to know how Canadian agencies used, back in Canada, their so-called confessions and the statements they were forced to make under torture. The justice gives the answer to that as well.

From Mr. El Maati's confession, information that agencies knew or should have known was likely the product of torture was then used to justify further telephone taps and search warrants back here in Canada. What is worse is that CSIS then used information obtained in the searches and sent more questions back to the Syrian interrogators. In the justice's words:

Syrian officials would likely have viewed these additional questions sent by Canadian officials as a "green light" to continue their interrogation and detention of Mr. Elmaati, rather than a "red light" to stop.

Would the member agree that what was revealed in this report is a vicious cycle of Canadian complicity in torture?

• (1215)

[Translation]

Mr. Mario Laframboise: Madam Speaker, my colleague is right about the fact that the Conservatives only care about the end result. They do not care how it is achieved, and this has some ramifications. Indeed, a commission was authorized to investigate, paid for out of the public purse. According to some of the findings, torture did take place. So an apology should be made and those people should probably be compensated. But for the Conservatives, only the end

result matters. As for the rest, they will never apologize or compensate anyone. It does not matter, regardless of the fact that a commission was created and paid for using public money.

The timeframe needed to do this was important, because it allowed them to stall for time. The rest is not important, since the Conservatives were not present to witness the torture. If they see it with their own eyes, only then will they offer any compensation. As I said at the beginning, this clearly shows the Conservative philosophy: they want results at any cost, and do not care about anything else.

Mr. Claude Gravelle (Nickel Belt, NDP): Madam Speaker, I have a question for my colleague. In recommendation 3, in consideration of the danger these three men faced, the committee recommended that the government officially apologize to the three men who suffered harm. Does the Bloc member believe there might be an ideological reason behind why the Conservatives refuse to apologize to these people? It would not cost anything; it would merely be an apology. Is there any particular reason the Conservative government refuses to apologize?

Mr. Mario Laframboise: Madam Speaker, first, what my colleague says is very serious. Once the government admits that these people suffered unwarranted abuse, it has a duty to apologize. That is the first reason. The government must apologize first to clear their names, because it damaged their reputations. But because of the Conservative right-wing ideology, it does not want to admit anything or apologize because it does not want to let on that people made serious mistakes. That is the outcome. It means that the government does not want to let on to the people who do the interrogating and those who send questions to other countries to interrogate people that mistakes were made. It does not want things to change.

Recommendation 3 is followed by recommendation 4, which called on the government to issue a clear directive. The Conservatives opposed recommendations 3 and 4, simply because they do not want practices to change. That is the worst thing.

[English]

Mr. Jim Maloway (Elmwood—Transcona, NDP): Madam Speaker, I am also wondering if another reason the government is afraid of apologizing is that it would help the legal team that no doubt is representing the three gentlemen. I know that in Mr. Arar's case, he did get a settlement from the government, but I am not sure at what stage the civil legal actions are with respect to these three gentlemen and whether or not they even have a legal team. I am assuming they do and that lawyers are working behind the scenes.

Could the member update us on any information he might have about the status of their cases at the moment?

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●(1220)

[*Translation*]

Mr. Mario Laframboise: Madam Speaker, it is convenient for the government to say that it does not want to pay. They can use that excuse to get out of the bind they are in. But the real story is that the Conservatives do not want things to change. If the government is forced to pay compensation, apologize, issue clear directives and clear people's names, that means that it made a mistake and must correct it. In my opinion, the government is using the excuse that it does not want to pay because compensation will be expensive to hide the fact that it does not want things to change.

[*English*]

Hon. Peter Van Loan (Minister of Public Safety, CPC): Madam Speaker, I am pleased to have an opportunity to rise to speak to this motion, notwithstanding that other important business has been delayed by it. It is an important question.

I want to start by responding to some of the issues raised by the Liberal member for Ajax—Pickering, because he did speak in a tone that I can only call high sanctimony. It was a tone that is highly inappropriate for a Liberal on this matter, because of course the events the Iacobucci commission looked into were all events that occurred under the watch of a Liberal government.

If we are to look for true accountability, it is not the Liberal Party that should be complaining. The Liberals should be looking into themselves to explain why they failed to provide appropriate oversight and adequately protect the rights of Canadian, rather than making a ridiculous assertion that the events that happened in 2001 and 2002 are somehow the responsibility of a Conservative government here in the year 2009.

That said, I want to address some of the specific issues. I will point out that the report before us from the parliamentary committee and, in fact, the Iacobucci commission itself would not even have existed if it were not for this Conservative government having inherited the problems that existed before and that needed to be addressed. I will read from Mr. Iacobucci's report. It says:

By Order in Council dated December 11, 2006, I was appointed under Part I of the Inquiries Act to conduct an internal inquiry into the actions of Canadian officials in relation to Abdullah Almalki, Ahmad Abou-Elmaati and Muayyed Nureddin.

Therefore, this is actually a report that was initiated by the Conservative government. I heard words from the Liberals about the importance of these kinds of public inquiries and how they should be regarded. Let us remember that the Liberal government refused to hold such an inquiry. It is only because of the Conservative government initiating it that we are able to address these issues and respond to them as we have.

I also heard a complaint that one of the things we have not implemented from the O'Connor report and the Iacobucci report is a national oversight body for national security. As I have stated many times publicly, including in the House, we have not done that yet because we are awaiting the outcome of the major commission on the Air India terrorist event. That is a major commission of inquiry that, once again, was initiated only by this Conservative government. That was after the previous Liberal government refused for over a decade to undertake such a commission of inquiry.

The members say that we do not need to wait for that commission of inquiry. I can understand that he does not want to wait to hear what it says, because the Liberals of course spent a decade obstructing, delaying and preventing such a commission of inquiry from happening. Keep in mind that it is an inquiry into the worst-ever terrorist incident in Canadian history. The Liberals, who claim to care about these things, refused to establish a commission of inquiry into that.

We have done that in our government. Everyone I have spoken to who is associated with the commission of inquiry has urged me to await the outcome of that inquiry so that we can take into account what everyone agrees were serious failings in co-operation among intelligence agencies and how that investigation and prosecutions were handled. There is much value that will come of it.

As a responsible government, we will continue to await it. I would like it if the report came sooner. That being said, the information that will be gleaned from it will be very important for us, by all accounts, to be able to have effective national security oversight. Unlike the previous government, we are not interested in the appearance of doing things; we are interested in delivering real results and improving the way we manage our national security and oversight to ensure that the errors we have seen in the past are not repeated again in the future.

I did want to outline these points at the outset because those who may have been following this debate might have had a very different impression if they heard the words of the Liberal member for Ajax—Pickering. In no way did he ever reflect on the fact that the problems we are dealing with are very much the responsibility of his party when they were in government. They are things we are trying to address.

I do want to thank the members of the public safety committee for the work they did in examining the important issues that were raised by both the O'Connor and Iacobucci commissions of inquiry. National security and the protection of Canadians is obviously one of the most important priorities for any government and that, of course, applies to—

●(1225)

Mr. Jim Maloway: Madam Speaker, I rise on a point of order. If you peruse *Hansard*, I think you will find that the member for Ajax—Pickering did in fact point out that this case did start under the Liberal government. I was here when he spoke and I distinctly heard him say that. We can check *Hansard* to determine if that is correct or not.

Hon. Peter Van Loan: In response to that point of order, Madam Speaker, I think you will find the hon. member for Moncton—Riverview—Dieppe did so. However, the member for Ajax—Pickering did not do so. I have no fault with that. My concerns were related to the comments made by the member for Ajax—Pickering, and the member for Moncton—Riverview—Dieppe did accurately report, as my friend the member for Elmwood—Transcona—

The Acting Speaker (Ms. Denise Savoie): As we can see, I believe this is not a point of order but a point of debate that, in any event, *Hansard* can confirm or infirm. The hon. minister.

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Hon. Peter Van Loan: If I could continue, Madam Speaker, the government's responsibility is to counter new threats and challenges within a national security framework that guarantees accountability and the protection of civil liberties.

That is why the Government of Canada is unwavering in its commitment to give law enforcement the tools they need to safeguard our national security. That is why we are bringing in changes, for example, by expanding the access of police through modern forms of technology so they can execute warrants in our intelligence services as well to deal with changing technology and how it might be used by those wishing to harm our national security. At the same time, we need to empower our national security review bodies with mandates that allow them to conduct thorough reviews of our law enforcement and security agencies and their actions.

As highlighted in the response to the standing committee's report, the government remains steadfast in its commitment to strengthen Canada's national security review framework. I want to take this opportunity to address some of the recommendations contained in the standing committee's report, because that is, of course, what is before us.

The report itself includes a number of recommendations that the government supports in principle. For instance, the committee's report recommends that the government immediately implement all of the recommendations arising from the O'Connor inquiry. The government has made its position very clear in this regard. Much of the work to address both the O'Connor and Iacobucci commissions of inquiry is already complete or very well under way.

As hon. members are aware, Justice O'Connor's part I report contained 23 recommendations concerning such matters as improving domestic and foreign information-sharing practices, creating clear policies around the provision of consular services, and improving training for all individuals involved in national security investigations.

This government took immediately action to accept and implement the recommendations put forward in Justice O'Connor's part I report. I am pleased to say that process is now largely complete, which is again something we might not have heard from the hon. members opposite, and 22 of the 23 recommendations have already been implemented.

I would also like to highlight that many of the issues raised by Justice Iacobucci were similar to those raised by Justice O'Connor, and as such, have already been addressed by this government's actions.

The government is also moving forward to address Justice O'Connor's part II report, which dealt with Canada's national security review framework more broadly. For instance, much work has been accomplished in developing proposals to strengthen the Royal Canadian Mounted Police review and complaints process, including a review of its national security activities. We expect to move forward with legislation on that soon.

Work is also well under way to enhance our national security review structures, including providing a mechanism to facilitate inter-agency review of national security activities. As I indicated, while that work is very well advanced, we do want to see what

Justice Major has to offer as a result of the extensive work that has been done on the Air India inquiry, and I think any reasoned person would recognize the importance of looking at what Justice Major reports and his recommendations regarding national security oversight.

Canada is not immune to the threat of terrorism. In fact, we know full well from a series of recent prosecutions that Canada faces terrorist threats, both abroad and at home, and that we are working effectively to address those threats, but we also have to be aware of the changing nature of terrorist threats and adapt accordingly. Today we know, for example, that because threats to our security are global, so too must our response be. We also know that co-operation and coordination are vital. Today, more and more departments and agencies are working together to address emerging challenges and threats.

We need to work closely together with international partners, and that need has never been greater than it is right now. In fact, in every particular terrorist incident we look at, there is almost never a unique situation related to one country. Even what we call homegrown terrorism here in Canada has often shown linkages to several other countries through communications, through financing, through support, through training, through moral support and instructions, so we know that those linkages are very, very real, and we have to respond in that fashion.

The Government of Canada is doing this and will continue to do so. The government is committed to modernizing and strengthening our national security review framework to reflect that, to respond to the shifting security and threat environment, and to respect the principles of independence and accountability. In doing this, the government will continue to consider the advice and recommendations of key stakeholders and advisers, as I said, including Justice Major.

As the government proceeds with the implementation of these reforms, we are committed to keeping Canadians informed of policy initiatives that will affect their lives and the lives of fellow citizens.

In response to the committee's second recommendation, the government is pleased to note that a comprehensive progress report has been tabled that provides the committee and Canadians with a detailed account of our work to date in implementing Justice O'Connor's 23 part I recommendations.

I also want to emphasize that this government is presently developing proposals to address the gaps identified in Justice O'Connor's part II report with regard to the review of national security activities. Here the government has also pledged to keep members of Parliament and Canadians generally informed of the developments as they arise.

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●(1230)

With respect to the committee's third recommendation, concerning Messrs. Almalki, Abou El Maati and Nureddin, it should be noted that the government acted decisively on the recommendation of Justice O'Connor to establish an independent and credible process to review the cases of these three individuals, again something that did not happen under the previous government. However, I would like to remind the committee that it would be inappropriate for the government to address its third recommendation as it pertains to matters that are the subject of ongoing civil litigation.

The government supports the spirit of the committee's fourth recommendation, calling for clear direction against torture. Indeed, the government considers that this recommendation has already been fulfilled. In contrast to the views expressed in the committee's report and by some members here today, the Government of Canada's policy on torture and the use of information elicited through torture is clear.

As I indicated through my statement as Minister of Public Safety, issued on April 2, 2009, we clearly reiterated on behalf of this government that this country does not condone the use of torture in intelligence gathering. Moreover, the committee's recommendation also fails to take into account the ministerial directive issued by me as public safety minister to the Canadian Security Intelligence Service, which clearly states that the government is steadfast in its abhorrence of and opposition to the use of torture by any state or agency.

The committee's fifth and final recommendation calls for a greater role for parliamentarians in the review of national security activities. While neither Justice O'Connor nor Justice Iacobucci specifically addressed the involvement of parliamentarians in this area, the government strongly supports their continued participation, which they do of course through a number of forums, as we see in our ongoing parliamentary committees even today.

In closing, I would like to reiterate this government's appreciation to the Standing Committee on Public Safety and National Security for its work in examining these very important issues. However, while the government supports some of these recommendations in principle, notably those that seek to implement the recommendations of Justice O'Connor's report and those calling for clear policies against torture and for the continued involvement of parliamentarians in the area of national security, the government cannot support the committee's report as a whole because it frankly fails to acknowledge the work that has already been accomplished in this area.

Canadians actually have a lot to be proud of. We have come a long way since 2001, 2002 and 2003 when these abuses occurred, since we had a government that refused to allow a public inquiry into the Air India terrorist incident. We have come a long way since that time and have implemented a lot of changes to adequately balance human rights and the need to protect the national security of Canadians.

We will continue to do that, because that is what Canadians expect of us and that is what we are delivering.

●(1235)

Mr. Paul Szabo (Mississauga South, Lib.): Madam Speaker, the minister will know that the Conservative members of the committee who issued this report declared that there was no factual basis or facts regarding either compensation or an apology being required. They also went on to say that it would be inappropriate to comment on those things.

I want to refer to O'Brien and Bosc, page 99, in chapter 3, in which it refers to the *sub judice* convention. If the member cares to reflect on this, it certainly is a matter with regard to the interests of justice and fair play, but since it is a voluntary restraint being put on and there is clear precedent in O'Brien and Bosc that there is no prohibition from allowing a committee to make comment, I suspect with regard to the government response that the minister may want that, but it would appear to me that recommendation three also does require some activity with regard to the processes that have led to this recommendation.

I wonder if the member would care to comment on whether there are requirements for the government to undertake a review of its processes as it relates to this matter.

Hon. Peter Van Loan: Madam Speaker, it is important to distinguish the *sub judice* convention, which of course relates to parliamentary process, that which governs the parliamentary committee's affairs. I in fact agree with the members of the government's side, the Conservative side, on that parliamentary committee, in their reading that it was not appropriate for the committee to undertake an investigation or an inquiry into matters that were before the courts. Certainly that is something that is well established.

However, that is a principle separate and apart from the reasons that the government itself would not comment and would not implement that recommendation at this time. Because it is a matter before the courts, a matter of civil litigation, that is not something that any government ever does by taking its direction from a parliamentary committee.

The government has an obligation, a fiduciary interest to the taxpayers, the people of Canada, and to the legal position of the taxpayers of Canada, and that is what the government does in those circumstances in carrying them out. That is why it is not appropriate to comment on this matter.

Mr. Jim Maloway (Elmwood—Transcona, NDP): Madam Speaker, I do agree with the member that the Liberals were in power when we got into this mess in the first place. So I do accept that from him. I had just heard one of the Liberal members certainly take some responsibility. However, I agree with him that there was probably more than one member up there.

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I know the government has to stay away from the litigation side of the equation, but there are some things the government should be doing. I just want to look in on recommendation three, where it talks about the official apology and whether or not that could be done and whether that would in any way prejudice the legal side of it. Certainly the committee did want to correct the record with respect to inaccurate, inflammatory and unjustified allegations and information shared with foreign agencies about these men. Has the government taken any steps to try to correct these records and at least solve that part of the problem?

There are a number of other issues that are pointed out here where the government should be taking steps proactively to lessen the trauma that these three individuals are suffering.

Would the member tell us why he has not issued or will not issue an apology; and secondly, whether he has, or if he has not, why he has not, dealt with clearing up the records with the other agencies in the other countries?

Hon. Peter Van Loan: Madam Speaker, there are several parts to that question.

The first part I think I have answered previously.

The second part is what steps have been taken to clarify the situation of the individuals in question and to get the facts out in clear public view.

We did that by commissioning the Iacobucci inquiry. We have a 455-page report from Justice Iacobucci that does exactly that, something that would not have happened if it were not for the actions of this government. So I believe we have certainly carried out our obligation to do that. That is something that we wanted to see done, that we did in good faith, and I think we are in a better position because of having done that as a country.

In terms of other agencies, we have outstanding requests into other agencies in other countries. I think that is also a matter of public record. We of course have limits in terms of what other countries will do with the information and the records they have. However, we made our position clear, and the Iacobucci inquiry, thanks to Justice Iacobucci, has laid out in expansive detail the facts as he determined them following his inquiry.

● (1240)

Mr. Jim Maloway: Madam Speaker, I want to deal with these no-fly lists, because as the member is aware, there is even a member of our caucus having trouble with the no-fly list here in Canada. Once people get on a no-fly list, good luck to them in trying to get themselves taken off it.

What steps has the government taken to help Mr. Arar get his name taken off the no-fly lists, and what efforts has it made to intervene with the United States? Evidently, regardless of what information the Canadian government wants to present to the United States, they say, "Our minds are made up. It doesn't matter what you tell us; we still think he's a bad guy".

What, if anything, has the government done with regard to these three individuals in terms of the no-fly lists?

Hon. Peter Van Loan: Madam Speaker, I think it goes back to the time of my predecessor as public safety minister, following the

resolution of Arar affair, again something that did not happen under the previous government, an apology and compensation that only came under our government. Interventions were made by my predecessor with the Secretary of Homeland Security in the American government to make clear our view of Mr. Arar's situation, to request that he be removed from their no-fly list. We do not control the American no-fly list. We do not control the no-fly list of any other country. As a result, they have the benefit of our information, as has been discussed by me on subsequent occasions with the current homeland security secretary, Janet Napolitano.

Each country, of course, has the ability to make its own determinations of national security threats. We have provided the benefit of our knowledge, but we cannot alter their list. We have provided that intervention, provided that information, but at the end of the day, the American government is the American government. I am sure my friend understands that if the Americans were to tell us how to run our own list, which I am sure they would love the opportunity to do, he would be upset if we simply did what they told us, in the same fashion as the Americans simply are not going to do what we tell them.

What we can do is provide the information on the best basis possible and then depend on sovereign governments to act on the basis of the information we provide.

Mr. Alan Tonks (York South—Weston, Lib.): Madam Speaker, my question is not directly related to most of the subject matter but it is peripheral to the security of the public.

The Witness Protection Program Act is open to those who would be crucial to testimony with respect to terrorist allegations. Has the government given any consideration to what would go beyond witness protection? There are those who would like the security to testify but do not necessarily want to go to another part of the country and be anonymous.

Has the government given any consideration to expanding the opportunities for witness protection, not within that particular act but other supports that may be given to those who would testify in very serious situations where they are acting on behalf of the Crown?

Hon. Peter Van Loan: Madam Speaker, we have a witness protection program run by the RCMP which is an important part of assisting us in combatting organized crime. Of course, terrorism is one of the most serious crimes. We certainly want to take the benefit of witness protection when necessary.

I am not entirely sure what the member is driving at. I believe he is referring to some of the past experiences with the Air India inquiry and the difficulties in obtaining successful prosecutions. On that basis, again we are awaiting the outcome of Justice Major's report. We expect that he will have something to say on that matter. We are waiting to have the benefit of his very important study.

● (1245)

Mr. Paul Szabo (Mississauga South, Lib.): Madam Speaker, we are debating a motion to concur in a report of a standing committee. The issue before us is the third report of the Standing Committee on Public Safety and National Security which states:

Pursuant to its mandate under Standing Order 108(2), the Committee has conducted a review of the findings and recommendations arising from the Internal Inquiry into the Actions of Canadian officials—

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Ms. Irene Mathysen: Madam Speaker, I rise on a point of order. As much as I appreciate my colleague's intervention, I believe that I was supposed to be next in the debate.

The Acting Speaker (Ms. Denise Savoie): We have had one rotation already. After the first rotation, it returns to how we would deal with government motions, so it would be the government and then the official opposition and then we go from there.

Mr. Paul Szabo: Madam Speaker, as I had indicated, we are dealing with the third report of the Standing Committee on Public Safety and National Security. The report states:

Pursuant to its mandate under Standing Order 108(2), the Committee has conducted a review of the findings and recommendations arising from the Internal Inquiry into the Actions of Canadian Officials in Relation to Abdullah Almalki, Ahmad Abou-Elmaati and Muayyed Nureddin (Iacobucci Inquiry) and the Commission of Inquiry into the Actions of Canadian Officials in Relation to Maher Arar (O'Connor Inquiry) and has agreed to report the following:

The committee made five principal recommendations. I would also point out that at the end of the report, just before the chair's signature, it states:

Pursuant to Standing Order 109, the Committee requests that the government table a comprehensive response to this Report.

The report was tabled in mid-June, just before the House adjourned for the summer break. Under Standing Order 109, the minister is permitted 120 days to respond to the report of the committee. The response to the report was tabled in the House on October 19, which effectively used the full 120 days. The response was referred to the committee for consideration and review. It has been some four weeks since then.

The committee is looking very carefully at this response, but it also has other activities going on as well. It is watching very carefully the special hearings going on with regard to Afghan detainees because of the subject matter of torture, which is part of this report.

I was a little taken back when the Parliamentary Secretary to the Leader of the Government in the House of Commons suggested that we were wasting the time of the House and that the committee had four months. If the committee asks for a government response to its report, no concurrence motion in that committee report can be moved until that response has been tabled in the House.

I understand the government's interest in moving on with other matters, but even the minister who just addressed the House started off by suggesting that this concurrence motion was delaying important business. When we are talking about the Government of Canada and all of its agencies and how they address serious issues such as the torture of people, I cannot imagine that being dismissed by the government as not being important business of the House.

It is part of our responsibilities to work in committees, to do the work that is necessary, to inquire into major developments, and to report findings based on hearing from expert witnesses with appropriate recommendations to the House for its consideration.

Now that we have had the government response, this concurrence motion is asking the House to look at the report of the committee based on the recommendations that it felt were appropriate, and to see whether or not the House accepts that the report deserves the attention and action of the Government of Canada. That is important.

I understand the government would like to do other things, but parliamentarians do have rights, and this motion has been moved in accordance with the rules of the House.

As I have indicated, there has been a response by the government and it was tabled in the House on October 19. It addresses each of the five recommendations.

I had an opportunity to review the government's response and how it reacted to some of the observations that came out of the committee's work in discussing matters with government agencies and other witnesses involved or related to the subject matter before them.

• (1250)

This has to do with the findings and the numerous recommendations arising from the Iacobucci and O'Connor inquiries. All of the recommendations that the committee itself wanted to make indeed have roots in the work of those two inquiries.

I do not want to read the report into the record, but I want to succinctly deal with each recommendation and the substantive response of the government so that members will understand and will be able to make their own judgment as to whether or not the government is taking this report seriously and the work of the committee seriously. It will be self-evident.

The first recommendation basically asks the government to immediately implement all of the recommendations of the commission of inquiry into the actions of Canadian officials in relation to the Maher Arar case, being the O'Connor inquiry. I will simply extract a couple of points that the government makes. It says in response:

[T]he Government recognizes the need to continually assess existing policy and practice against ever-changing environment in which we operate.

It is a roundabout way of saying we have to do more to deal with some of the circumstances which existed and allowed Canadian citizens to be subjected to torture, incarceration, or other things, and wrongfully as it turns out. It goes on to say:

The Government is committed to modernizing and strengthening Canada's national security review framework. In achieving this objective, the Government will continue to take into consideration the advice and recommendations of key stakeholders and advisors, including Justice Major's forthcoming report in the context of the Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182 (Air India Inquiry).

Again, there is an acknowledgement by the government that there are flaws and inadequate processes in place to address matters. I think the government effectively agrees with the committee recommendation, but it remains to be seen whether the government has acted on the recommendation.

The second recommendation has to do with regular public reports on the progress made in implementing the findings of the recommendations from the O'Connor inquiry and the inquiry into the actions of officials in relation to Abdullah Almalki, Ahmad Abou El Maati and Muayyed Nureddin, which is the Iacobucci inquiry. The government response says that the Iacobucci inquiry identified a number of issues which have particular emphasis on sharing and handling of information provided to and received from foreign agencies as well as the provision of consular service and that it should be noted that Justice Iacobucci was not given a mandate to make those recommendations.

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I wonder whether or not that is just sidestepping the important issue. It is really to abandon one's responsibility as a government and I ask the question, why? I do not think it really matters whether Iacobucci recommended these things; a standing committee of Parliament is recommending them. We just cannot have public inquiries to determine what the government should consider is important in terms of streamlining and modernizing its processes for protecting the rights and freedoms of Canadian citizens.

The government response says that the government continues to develop its proposal for modernizing and strengthening the current RCMP review and complaints body and to further these efforts the government has and will continue to consult with key stakeholders, in particular those jurisdictions that contract the RCMP to provide policing services in their jurisdictions.

Finally, the government commented that it is confident that it will be ready to move forward to address the gaps identified by Justice O'Connor with regard to the review of national security activities and will continue to keep members of Parliament and Canadians apprised of new developments.

The bottom line is, yes, the government will do it, but has the government done it? Do we have any evidence that it is happening? Have members of Parliament been apprised of the changes? The answer is no and the question is why not?

●(1255)

Recommendation 3 is in reference to the harm done to Messrs. El Maati, Adullah Almalki, and Mr. Nureddin. The committee has recommended an apology to these Canadian citizens, compensation to be paid to them for the suffering they endured and the difficulties they encountered and, finally, to correct misinformation that may exist in records administered by national security agencies in Canada or abroad with respect to these persons.

The only comment the government had with regard to this whole recommendation was that it would be inappropriate to address the committee's third recommendation as it pertained to ongoing civil litigation. Again, that is dismissive.

I did not even comment on correcting the information. I was absolutely astounded that a clear recommendation did not have a clear response. I would suggest for the committee that it should go back to the minister and ask him why he did not give it an indication that he was committed.

We understand, as I indicated earlier, from the issue of the *sub judice* convention, where the official opposition in a dissenting report made the same point, the committee should not have made this recommendation with regard to compensation or an apology because there was ongoing civil litigation. However, the *sub judice* convention is a self-imposed, voluntary convention and it does not prohibit a committee from making those recommendations.

Members may want to look at chapter 3, page 99, of the *House of Commons Procedure and Practice*, second edition, O'Brien and Bosc, 2009. There is a further reference, breaking down between the civil and criminal, around page 600, for the members' reference.

The Government of Canada may invoke voluntarily the *sub judice* convention with regard to this matter, but it is not incumbent on the

committee to invoke it. In fact, it is important the committee raise the issue that an apology and compensation, notwithstanding there may be ongoing civil litigation. It is something, based on the evidence and the persons involved here, that their rights and the protection of those rights and the protection of the persons was not in place. It is clear that there will be an apology and compensation. It will be up to the courts to determine what that compensation might be.

However, the evidence is clear in this regard, and the committee was most appropriate in making recommendation 3, the first two parts. The third part, with regard to the information, the government simply just did not respond, and do not know why.

Recommendation 4 from the committee had to do with clarifying the ministerial direction against torture and the use of information from torture for all departments and agencies responsible for national security. It said that the ministerial direction must clearly state that the exchange of information with countries was prohibited when there was a credible risk that it could lead or contribute to the use of torture.

I could not imagine a more appropriate recommendation, particularly in light of the current proceedings going on before the special committee on Afghan detainees and the refusal of the government to take the necessary steps to ensure that the members of the committee have the information they need in order to ask important, relevant and exceptional questions to the witnesses coming before them.

When Mr. Colvin was before us, that was one thing, but then the three generals came before us. All had access to the unredacted correspondence that came into question, but the committee members did not. Just yesterday they received it. If members saw the news stories, they would see that a vast majority of those pages were totally blacked out and the information blacked out on all other pages was such that we could not possibly impute what the information was. How can we address this question about whether there was any reference to torture and whether there was reasonable cause to believe there were incidents of torture?

The recommendation was a very good one, but the response of the government was that it did not condone the use of torture in intelligence gathering, and it referred to the clear directive.

●(1300)

The government said that its unequivocal position was supported by the recent ministerial direction issued to CSIS by the Minister of Public Safety, which clearly stated that the government was steadfast in its abhorrence and opposition to the use of torture by any state or agency for any purpose whatsoever, including the collection of intelligence.

Why was this not in place already? Why does the government have to issue a directive now? This report came out. This is the response of the Minister of Public Safety and national security. Now he is saying that the government has this report. I have a copy of this directive here. The fact it had to issue the directive to remind it of our long-standing policy with—

Hon. Peter Van Loan: We didn't think it was necessary to ask you.

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Mr. Paul Szabo: Madam Speaker, the minister is going to start heckling me to try to indicate that maybe he does not like what he is hearing.

These are the facts. As a consequence of the committee's report and the excellent work it did, there was a directive issued. The fact that a directive had to be issued was virtually an admission that, in the system, it was not translating right down to our troops in the field.

The minister may not like the facts, but the facts are clear. The government seems to apply a double standard to the issue of torture. There was a dissenting opinion among certain members of the committee, even at the time. Their position was that the recommendation had already been fulfilled by the government. That was the response and the dissenting opinion of the Conservative members of the committee in the report. They dismissed it and said that everything was fine, but it is not fine. The minister had to issue another directive to remind them that torture should not be used. I think it is clear at its face.

Recommendation 5 was that a national security committee of parliamentarians be established. The response of the government was that it looked forward to getting reports from committee, et cetera. It was basically dismissing it again.

The response of the minister to this excellent report is clear. The government certainly does not consider this to be important information. That was exactly what the minister said when he started his speech. He said that this was delaying important work. The minister should know that this committee did important work.

• (1305)

The Acting Speaker (Ms. Denise Savoie): It is my duty to interrupt the proceedings and put forthwith all questions necessary to dispose of the business before the House. The question is on the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: On division.

(Motion agreed to)

* * *

PETITIONS

PENSIONS

Mr. Paul Szabo (Mississauga South, Lib.): Madam Speaker, as we are getting closer to the Christmas break, it is important to continually remind the government with regard to its responsibilities related to pensioners and, in particular, Nortel pensioners and those under Nortel who have disability benefits being taking away from them.

The petitioners call upon Parliament to amend the Companies' Creditors Arrangement Act and the Bankruptcy and Insolvency Act to protect the rights of Canadian employees and to ensure that laid off employees who are receiving a pension or long-term disability benefits during bankruptcy proceedings obtain preferred creditor status over other unsecured creditors. They also ask that the Bankruptcy and Insolvency Act be amended to ensure that

employee-related claims are paid from the proceeds of Canadian assets before funds are permitted to leave the country.

It is an important petition and I hope the government will heed the pleading of these petitioners.

[*Translation*]

RURAL POST OFFICES

Mrs. Claude DeBellefeuille (Beauharnois—Salaberry, BQ): Madam Speaker, I am pleased to present two petitions: one from the municipality of Saint Michel signed by 282 people and the other from the municipality of Saint Edouard signed by 229 people.

The petitioners are calling on the federal government to maintain the moratorium on rural post office closures because they believe that the post office plays a key role in the economic and social life of their region and their municipality. That is the reason they are asking the government to maintain the moratorium that is so important in their view.

[*English*]

EMPLOYMENT INSURANCE

Ms. Chris Charlton (Hamilton Mountain, NDP): Madam Speaker, I am tabling a petition today that was signed by dozens of people from Saskatchewan.

The petitioners point out that they have paid into EI all of their working lives, but now that they need the safety net they themselves built, it is no longer there for them.

They therefore call for a comprehensive overhaul of the employment insurance system. Specifically, they call for a standardized 360 hours to qualify, an increased benefit period of at least 50 weeks, the elimination of the two-week waiting period, benefits at 60% of normal earnings based on the best 12 weeks and a bigger investment in training and retraining.

The petitioners are keenly aware that successive Liberal and Conservative governments diverted \$54 billion of worker and employer contributions to EI and used that money to pay down the debt and deficit rather than used it to provide help for the involuntarily unemployed during economic downturns. That misappropriation only heightens the moral obligation for the government to restore the integrity of the EI system.

To that end, they call upon the government to respect the will of Parliament and act immediately on the comprehensive NDP motion that was passed in the House of Commons to restore the integrity of the employment insurance system.

PROTECTION OF HUMAN LIFE

Mr. Leon Benoit (Vegreville—Wainwright, CPC): Madam Speaker, I am honoured to present this petition on behalf of petitioners who note that Canada is a country which respects human rights and in fact includes in the Charter of Rights and Freedoms the right to life. They note that it has been 40 years, since May 14, 1969, that Parliament changed the law to permit abortion in the country and that since January 28, 1988, Canada has no law at all to protect the right of unborn children.

Therefore, the petitioners call upon Parliament to pass legislation for the protection of human life from the time of conception until the time of natural death.

• (1310)

AIR PASSENGERS' BILL OF RIGHTS

Mr. Jim Maloway (Elmwood—Transcona, NDP): Madam Speaker, my petition is a call to adopt Canada's first air passenger bill of rights.

The petitioners support Bill C-310, which includes compensation for overbooked flights, cancelled flights and unreasonable tarmac delays. The legislation is inspired by a European Union law. Air Canada already operates under the European laws for its flights to Europe. Why should an Air Canada customer receive better treatment in Europe than in Canada?

The bill would ensure that passengers would be kept informed of flight changes, whether there were delays or cancellations. The new rules would be posted at the airports and airlines would inform passengers of their rights and the process to file for compensation. The bill would deal with late and misplaced baggage. It would also require all-inclusive pricing by airline companies to be in their advertisements.

Bill C-310 is not meant to punish the airlines. If the airlines follow the rules, they will not have to pay a dime in compensation to passengers.

The petitioners call upon the Government of Canada to support Bill C-310, which would introduce Canada's first air passenger bill of rights.

CANADA POST CORPORATION

Mr. David Christopherson (Hamilton Centre, NDP): Madam Speaker, I am proud to present petitions signed by hundreds of Ontarians regarding the direction in which the government is taking Canada Post.

The petitioners, in part, call upon the government to instruct Canada Post to maintain, expand and improve postal services, as well to maintain the moratorium on post office closures. Most important, they call upon the government to withdraw Bill C-44, which would privatize Canada Post through the back door, and Canadians want no part of it.

PATENT ACT

Ms. Judy Wasylycia-Leis (Winnipeg North, NDP): Madam Speaker, I am pleased to table a petition that was organized by the Grandmothers for Grandmothers campaign who wanted to see Bill C-393 pass through the House to committee.

They are delighted with the results of the vote in the House last night. They urge all parliamentarians to continue working on the bill to ensure that necessary medications get to those countries that cannot otherwise afford them to deal with such horrible and deadly diseases as HIV and AIDS, tuberculosis and malaria.

On behalf of everyone in the House, I would like to thank the grandmothers again for their great work on this issue.

Routine Proceedings

FRASER RIVER SOCKEY

Mr. Paul Dewar (Ottawa Centre, NDP): Madam Speaker, today I would like to present a petition with 187 signatures from across B.C.

The petitioners are calling on the government to take a look at what is happening on the west coast and the fisheries. The petitioners are asking Parliament to urgently call on the government to establish an independent judicial inquiry under the federal Inquiries Act that would fully explore all the facts, consult with scientists and stakeholders, and determine what went wrong with this year's sockeye run, and present a public report with binding solutions.

One of the things they underline here in their petition is that they want to ensure that this is done within a certain timeframe, and they have asked that this be done within six months.

Finally, they say that it has been since 2006 that the Conservative government promised to have an independent judicial inquiry, so they would ask that this be done with haste to determine what happened to the missing salmon.

INTERNATIONAL AID

Mr. Brian Masse (Windsor West, NDP): Madam Speaker, I am honoured to table a petition on the issue of AIDS in Africa.

The Canadian Grandmothers for Africa are calling for the House of Commons to immediately set a timetable to meet, by 2015, a 40-year-old promise to contribute 0.7% of our gross national income to development assistance; to contribute its share to the global funds to fight AIDS, TB and malaria with 5% of the funding needed for each of the next five years; and to make the legislative changes necessary for Canada's access to medicines regime to facilitate the immediate and sustainable flow of low cost, generic medications to developing countries.

As a representative who actually sat on the original hearings on this in 2002, it is very important that the petitioners see justice on this file because only one application for generic drugs has been sent to Africa and this is a solution that we can implement immediately for these petitioners who have submitted this petition.

• (1315)

ASBESTOS

Mr. Bruce Stanton (Simcoe North, CPC): Madam Speaker, I wish to table a petition here on behalf of a number of residents in my riding. They are seeking much more fulsome controls in respect to the use of asbestos in materials and products in Canada, and for a program to help the transition of asbestos workers in the communities in which they live.

INTERNATIONAL AID

Mr. Bill Siksay (Burnaby—Douglas, NDP): Madam Speaker, I am pleased to table a petition on behalf of Canadian Grandmothers for Africa, a national organization that has done great advocacy work regarding the situation of HIV-AIDS in Africa.

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They are calling upon Parliament to immediately meet the long-term promise to contribute 0.7% of our gross national income for development assistance. They are also calling for strong Canadian support for the global fund to fight AIDS, tuberculosis and malaria. We know that Canada needs to strengthen its commitment there.

They are also calling for support for the kind of measure that this House passed last night to ensure that Canada's access to medicines regime facilitates a sustainable flow of lower cost generic drugs to developing countries.

[*Translation*]

Ms. Niki Ashton (Churchill, NDP): Madam Speaker, I have the honour to present a petition by the Grandmothers to Grandmothers Campaign regarding the fight against AIDS in Africa and throughout the world.

Canadians from Alberta and Ontario are calling on the government to play a role in the fight against AIDS not only in our own country, but throughout the world. They want us to help communities by providing drugs and general support.

This also concerns the Global Fund to Fight AIDS, Tuberculosis and Malaria. Tuberculosis is a problem in a number of our first nations communities and in our own country. People are calling on the government to lead by example.

[*English*]

Mr. Charlie Angus (Timmings—James Bay, NDP): Madam Speaker, I am very honoured to rise to bring forward this petition today on the need for a strategy to help those in sub-Saharan Africa and the rest of the third world who suffer from HIV-AIDS, tuberculosis and malaria.

I had the great honour of sitting with the member for Winnipeg North at the meetings to establish all parliamentary support to fight maternal mortality rates in Africa, and we made such great progress. I see the great progress the member for Winnipeg North has made in terms of fighting to access generic drugs, so that they can be used in situations where there is dire poverty in Africa.

The Chair will remember last night's vote, when we were able to vote on this as a Parliament. It was a very proud moment for me. This is exactly in the spirit of this petition and what the petitioners are asking for. They are asking for leadership from the Parliament of Canada, from the legislators of Canada, to understand the dire situation facing people in sub-Saharan Africa, who are dying from diseases like tuberculosis and malaria, who are suffering from HIV, and who do not have access to simple drugs that we take for granted in Canada.

The petitioners are calling on some very straightforward and simple steps to be taken by Canada to show leadership, that we set a timetable to meet by 2015 the 40-year-old promise to contribute 0.7% of our gross national income to development assistance; to contribute a fair share to the global fund to fight AIDS, TB and malaria; and to make the legislative changes necessary for Canada's access to medicines regime to facilitate the immediate and sustainable flow of lower cost generic medicines to developing countries. I think all members in this House would support such a motion.

Hon. Jack Layton (Toronto—Danforth, NDP): Madam Speaker, the petition I have, among many others, is actually signed by one of our former colleagues, the former parliamentary leader of our party, Bill Blaikie. He joins with many others who are calling for action in conjunction with the Canadian Grandmothers for Africa, which is a remarkable movement of grandmothers who have linked with grandmothers in Africa, who are facing the catastrophe of having lost their daughters and they are having to raise their grandchildren.

They are at the forefront of a campaign for international economic aid, particularly to achieve the 0.7% of gross national product to development assistance. They are also calling for Canada to contribute its fair share of the funding needed for the global fund to fight AIDS, TB and malaria for each of the next five years. This would be a lifesaving measure.

The petitioners are also calling for legislative changes, which we are happy to report are now moving forward to the standing committee to ensure that medications could be made available to the people who need them in Africa.

* * *

● (1320)

QUESTIONS ON THE ORDER PAPER

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC): Madam Speaker, the following questions will be answered today: Nos. 487, 500, 501, 521 and 567.

[*Text*]

Question No. 487—**Ms. Siobhan Coady:**

With respect to Canada Health Infoway, for all contracts under \$10,000 signed between January 1, 2001 and October 21, 2009, what is: (a) the vendor name; (b) the contract reference number; (c) the contract date; (d) the description of work; (e) the delivery date; (f) the original contract value; and (g) the final contract value if different from the original contract value?

Hon. Leona Aglukkaq (Minister of Health, CPC): Mr. Speaker, Canada Health Infoway is an independent, not-for-profit corporation, governed by a board of directors. Its corporate members are the 14 federal, provincial and territorial deputy ministers of health. The Canada Health Infoway board of directors is composed of two federal appointees, one representative from each of the five regions of Canada and four to six independent directors selected from the private sector.

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Health Canada's funding agreements with Canada Health Infoway contain accountability mechanisms to ensure prudent use of federal funds. Financial statements are audited annually. Independent compliance audits are conducted annually. Periodic compliance audits are conducted by Health Canada; one was recently conducted. Infoway submits an annual report and corporate business plan. Independent performance evaluations are conducted periodically; the most recent was completed in March 2009 and the next is to be submitted in March 2010. The Auditor General of Canada may at her discretion conduct performance audits. The most recent, tabled in Parliament on November 3, 2009, included a chapter on electronic health records and dealt with Canada Health Infoway.

Canada Health Infoway has informed Health Canada that in view of the commitments made to their suppliers, including non-disclosure undertakings, and given that the contents of the various legal agreements underlying the contracts include confidential pricing, financial, commercial or technical information furnished by their suppliers, and given that, in certain circumstances, the disclosure of such information could be perceived as potentially prejudicing the competitive position of their suppliers, Canada Health Infoway is not in a position to provide the specific level of detail that has been requested on a contract by contract basis.

However, Canada Health Infoway has provided the following information. One hundred fifty-five contracts under \$10,000 were signed between January 1, 2009 and October 21, 2009. The total value of contracts under \$10,000 that were signed between January 1, 2009 and October 21, 2009 is \$586,036.

Question No. 500—Hon. Navdeep Bains:

With regard to the government's spending on tourism initiatives what are: (a) all programs government-wide that have a tourism component including those administered by agencies and crown corporations; (b) the total costs for each of these programs, and the breakdown of all expenditures for each fiscal year since 2004-2005; (c) the projected costs for the next 10 years; (d) the total number of employees (full-time, part-time and contract) assigned to each program; (e) the performance indicators used to measure the program's success and the results of any performance assessments made since fiscal 2004-2005; and (f) the total number of businesses helped by each program, including total numbers as well as the detailed breakdown listing them by name, location and whether they are recognized as a small business by the government's definition?

Hon. Tony Clement (Minister of Industry, CPC): Mr. Speaker, with regard to the government's spending on tourism initiatives, in response to (a), what are all programs government-wide that have a tourism component including those administered by agencies and crown corporations, the federal government has a number of programs, projects and initiatives which support the tourism industry in Canada. However, most of these programs provide assistance for Canadian businesses as a whole, not just tourism-related enterprises.

Since 2005-06, Industry Canada has published "Federal Contributions to Canadian Tourism", an annual report which looks at federal government spending on the tourism industry. However, Industry Canada does not have an exhaustive list of all tourism support programs, since they are managed by other federal departments or agencies.

The report does, however, provide information on the status of a number of programs, projects and initiatives. For example, in 2006-07, the Atlantic Canada Opportunities Agency invested over \$12

million in 198 tourism projects through the business development program, and Human Resources and Skills Development Canada spent more than \$2 million under its ready to work programs. It should be noted that a number of departments and agencies have broken down their expenditures using an analysis grid suggested by Industry Canada. This means that the information obtained by Industry Canada is not uniform and cannot be used to create a complete list of the programs, projects and initiatives in support of the tourism industry. The full report is available on the Industry Canada Web site.

The marquee tourism events program, MTEP, is the only program administered by Industry Canada that provides direct support for the tourism industry. The program was announced in budget 2009, to run for a two-year period, until the end of March 2011. The amount announced was \$100 million over two years and about 15 people are assigned to the program.

In response to (b), what are the total costs for each of these programs, and the breakdown of all expenditures for each fiscal year since 2004-05, in 2005-06, the federal government spent \$407.6 million on initiatives to support the tourism industry. The total was \$404.2 million in 2006-07 and it increased to \$540 million in 2007-08. The amount for 2004-05 is not available.

In response to (c), what are the projected costs for the next 10 years, Industry Canada collects data on past years and does not make spending forecasts for future years.

In response to (d), what are the total number of employees, full-time, part-time and contract, assigned to each program, Industry Canada does not have any information with regard to the personnel assigned to any of the federal government's tourism support programs, except for the program administered by Industry Canada mentioned in (a) above.

In response to (e), what are the performance indicators used to measure the program's success and the results of any performance assessments made since fiscal 2004-05, Industry Canada does not have any information on the indicators used to evaluate the performance of the programs, other than the MTEP. The key indicators against which program results are measured for MTEP are the number of out-of-country and out-of-province tourists, the amount of tourism-related spending, and sustained or increased revenues for funded tourism events.

In response to (f), what are the total number of businesses helped by each program, including total numbers as well as the detailed breakdown listing them by name, location and whether they are recognized as a small business by the government's definition, Industry Canada does not have any information on the number of businesses which have been helped by programs administered by other departments. Fifty-six businesses have received \$45,574,742 assistance to November 5, 2009 from the MTEP. For a list of these businesses visit <http://www.ic.gc.ca/eic/site/dsib-tour.nsf/eng/q00166.html>.

*Routine Proceedings***Question No. 501—Hon. Navdeep Bains:**

With regard to the relationship between the Cabinet and the Crown, could the government indicate: (a) the number and frequency of meetings held between the Prime Minister and the Governor General as per her constitutional rights to be consulted, to encourage and warn, broken down by year since 2004-2005; (b) the number and frequency of meetings held between the Prime Minister and the Queen as per her constitutional rights to be consulted, to encourage and warn, broken down by year since 2004-2005; (c) a listing of all meetings held between the staff of the Prime Minister and the other members of cabinet and the Governor General's staff, including dates and purpose, broken down by minister and year since 2004-2005; and (d) a listing of all meetings held between the staff of the Prime Minister and the other members of Cabinet and the Queen's staff, including dates and purpose, broken down by minister and year since 2004-2005?

Mr. Pierre Poilievre (Parliamentary Secretary to the Prime Minister and to the Minister of Intergovernmental Affairs, CPC): Mr. Speaker, the Privy Council Office responds that two meetings between the current Prime Minister and the Governor General are public knowledge: September 7, 2008, preceding the dissolution of the 39th Parliament, and December 4, 2008, preceding the prorogation of the first session of the 40th Parliament. In addition, it is public knowledge that former prime minister Martin had a private meeting with the Governor General on November 29, 2005, preceding the dissolution of the 38th Parliament.

The information provided has been published or made publicly available. As a matter of law and constitutional convention, meetings between the Prime Minister or his ministers and the Governor General or the Queen are treated as confidences of the Queen's Privy Council for Canada, and are therefore excluded under Section 69 of the Access to Information Act.

Question No. 521—Hon. Dan McTeague:

With regard to the Economic Action Plan advertising campaign: (a) what is the total cost to the government of the GO Train advertisements which are wrapped around the outside of GO Trains in Ontario; (b) what contractors were used to produce and purchase this advertising; and (c) was the contract sole sourced or was there an open bidding process for the creative and ad purchasing contract?

Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, with respect to Transport Canada, the response is nil. With respect to Infrastructure Canada and with regard to the economic action plan advertising campaign, in response to (a), what is the total cost to the government of the GO Train advertisements which are wrapped around the outside of GO Trains in Ontario, the total cost incurred by Infrastructure Canada is \$84,970. This includes \$1,320 for creative design, \$39,650 for the production of the decals and \$44,000 for media placement on 10 weeks on one of Canada's busiest commuter rail corridors.

In response to (b), what contractors were used to produce and purchase this advertising, Allard Johnson Communications Inc. of Montreal created the artwork and planned the advertising campaign. Cossette Media purchased the advertising space.

In response to (c), was the contract sole sourced or was there an open bidding process for the creative and ad purchasing contract, with regard to the creative contract, Infrastructure Canada undertook a national open bidding process for its creative advertising services.

With regard to the contract to purchase advertising space, under federal policy, Public Works and Government Services Canada is responsible for the competitive process to establish the contract for the Government of Canada's agency of record, which provides

advertising media placement. Cossette Media currently holds this contract.

Question No. 567—Mr. Mark Holland:

With regard to the Pickering Lands: (a) what is the status of the Needs Assessment Study for a potential Pickering Airport which Transport Canada (TC) commissioned the Greater Toronto Airport Authority (GTAA) to complete, will it be released to the public and when and, if it has been completed, what are its primary recommendations; (b) has the minister responsible for TC arrived at an official government position with regard to the proposal by the GTAA to develop an airport on Pickering Lands; (c) what are the current policies in the management of Pickering Lands, with regard to maintenance of buildings, including structures that are more than 100 years old, re-rental policies of homes and business structures once tenants move out; (d) with regard to Bentley House, what is the status of the GTAA's tenancy and, if the GTAA vacates the premises, will the building be leased out to another business or organization; (e) is the application by Durham West Arts Centre to secure a lease, at little cost, to occupy Bentley House receiving serious consideration; (f) what factors are important in any application by a business or organization interested in leasing Bentley House; and (g) what is the announcement date for TC's decision with regard to the GTAA's airport development proposal?

Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, in response to (a), the needs assessment study, commissioned by Transport Canada and involving a consortium of consultants being led by the Greater Toronto Airports Authority and the department's due diligence review are still under way. A final date for the completion of the needs assessment study and due diligence review has not been determined.

In response to (b), once the due diligence and needs assessment study are completed, any next steps will be determined.

In response to (c), maintenance of buildings, Transport Canada is meeting its repair and maintenance obligations on Pickering lands site properties to ensure the safety and security of its tenants while keeping in mind its responsibilities with respect to public moneys. With respect to older structures, Transport Canada is cognizant of the local heritage value of some of the properties on its site and is working with local municipalities to preserve these to the extent possible. Re-rental policies of homes and business structures once tenants move out, are as follows: for vacant residential use properties, at this time, vacant residential properties that have been vacated are not re-marketed. Vacant structures are decommissioned and secured to prevent access by trespassers. However, some vacant properties may be used to relocate other Pickering lands site property tenants whose properties would be too costly to repair or to maintain. For vacant commercial use properties, Transport Canada may consider marketing these properties considering one or more of the following factors: (i) required capital improvements, (ii) marketability of the property; and (iii) adaptability and/or benefit to the surrounding community.

In response to (d), the Greater Toronto Airports Authority has requested early termination of their tenancy at the Bentley House. Transport Canada and the Greater Toronto Airports Authority are working to finalize this request.

In response to (e), Transport Canada intends to publicly market the asset in order to provide the opportunity for all interested parties to lease the Bentley House. The Durham West Arts Centre will be free to submit a bid proposal at that time.

In response to (f), when the Bentley House is publicly marketed and net lease terms subsequently negotiated, Transport Canada will consider four primary factors: (i) the tenant acknowledges, respects and preserves the heritage character of the building in their undertaking of normal business operations and in their maintenance of the building and surroundings; (ii) building alterations are strictly based on approval of the Crown; (iii) the tenant occupies the building for use as a commercial operation which is adaptable and/or of benefit to the surrounding environment/community; and, (iv) the rental rate is at market level, which recognizes the value of the asset and maximizes benefit to the Crown, and therefore taxpayers.

In response to (g), the department needs to complete the needs assessment study and the due diligence review before determining any next steps for the Pickering lands.

* * *

[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. 75, 466, 488, 489, 506, 533, 534, 536, 539, 540, 541, 542, 548, 549, 570, 575, 584 and starred Question No. 535 could be made orders for returns, these returns would be tabled immediately.

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

Mr. Charlie Angus: I rise on a point of order, Madam Speaker. I was not able to hear it all. I am not sure if Question No. 537 was on that list. It is an important issue, so could we go through the list again? I did not hear Question No. 537, but I was sure that it would have been one of the questions answered.

The Acting Speaker (Ms. Denise Savoie): I can answer that. It was not on the list.

Is it the pleasure of the House that these be made orders for return?

Some hon. members: Agreed.

[Text]

Question No. 75—**Hon. Judy Sgro:**

With respect to investing in research and innovation, specifically regarding York University in Toronto, Ontario: (a) what is the government's plan to ensure that Canadian research and development remain an example to the rest of the world; (b) what is the government prepared to do to ensure that the best and brightest remain in Canada; (c) what research grants will the government be making available this year, both at York University and across Canada; (d) what new programs will the government undertake to assist students; (e) what will the government's response be to the issue of rising tuition; (f) what specific steps will the government take to invest in research and development, to improve the lives of Canadians, and to partner to help Canadian industries grow in these difficult economic times; and (g) what future investments is the government planning in colleges and universities?

(Return tabled)

Question No. 466—**Mr. Peter Julian:**

With regard to the Flathead River region: (a) why does the government consider British Columbia resource extraction pollution threats to the Waterton-Glacier International Peace Park are an acceptable development risk; (b) why, since 2005, does the Canadian government refuse the United States administration requests for a reference to the International Joint Commission (IJC) on Flathead River concerns; (c) for which transboundary rivers have IJC reference requests been accepted or refused;

Routine Proceedings

and (d) by department, what transboundary impacts have been identified in the environmental assessments of proposed resource development in the Flathead River region, including but not limited to, (i) as cumulative effects, (ii) toward water quality and quantity as the IJC described and recommended in its 1988 Report on the Flathead, (iii) on fisheries and habitats, (iv) on migratory and endangered species?

(Return tabled)

Question No. 488—**Hon. Larry Bagnell:**

With regards to government advertising in Yukon, Nunavut and Northwest Territories on "Canada's Economic Action Plan": (a) how much has the government spent on radio, in each territory indicating the station, date and time the commercial aired, amount spent, and ownership of the station; (b) how much has the government spent on television in each territory, indicating the station, date and time the commercial aired, amount spent, and ownership of the station; (c) how much has the government spent on newspapers in each territory, indicating the date and page of the newspaper ad, name of the newspaper, ownership, amount of advertising space purchased, and if a higher rate was paid for preferential placement of the ads; (d) how much has the government spent on magazines in each territory, indicating the date and page of the magazine ad, name of the magazine, ownership, amount of advertising purchased, and if a higher rate was paid for preferential placement; (e) how much has the government spent on media websites in each territory, indicating what website advertising was purchased by the government, amount, length and terms of the website advertising, and owner of the website; (f) how much has the government spent on billboards, in each territory, indicating the amount of money spent on billboard advertising, locations of the billboards, duration of the billboard ad, and ownership of the billboard company; (g) what are the names of the companies responsible for purchasing the Government of Canada advertising in the territories, the ownership of the companies, commission to be paid for the work done, and length and terms of the contract; and (h) was this contract sole sourced or open bid, and what were the dates of the contract posting on the government website?

(Return tabled)

Question No. 489—**Hon. Larry Bagnell:**

Since January 2006 to present, what are the dates, times, locations of Cabinet and committees of Cabinet meetings?

(Return tabled)

Question No. 506—**Hon. Maria Minna:**

With regard to the Fair Wages and Hours of Labour Act (FWHLA): (a) how many complaints were received from January 1, 2004 to October 20, 2009; (b) what is the number of complaints in (a) that required investigation; (c) what is the annual budget to carry out investigations of complaints received under the Act; (d) how many inspectors are employed to carry out these investigations; (e) are third party complaints allowed under the Act and, if so, how many complaints in (a) were made by third party individuals; (f) how many complaints in (a) were made by employees of the company they are making the complaint against; (g) how many complaints in (e) were investigated; (h) how many investigations of (b) resulted in a monetary payment from employer to employee; (i) what was the timeline of each of the investigations of (h); (j) how many investigations are currently ongoing; (k) after the 60-day holdback mentioned in the Act is over, is there any way to recuperate unpaid wages for the employees or to have the company found in violation pay penalties; and (l) who, or what department is responsible for ensuring these payments are made?

(Return tabled)

Question No. 533—**Hon. Keith Martin:**

With regard to government magazine advertising: (a) how much has the government spent on promoting Canada's Economic Action Plan through advertising in British Columbia; and (b) when was each advertisement published, and in which magazine?

(Return tabled)

*Government Orders***Question No. 534—Hon. Keith Martin:**

With regard to government radio advertising: (a) how much has the government spent on promoting Canada's Economic Action Plan through advertising in British Columbia; and (b) when was each advertisement aired, and on which radio station?

(Return tabled)

Question No. 536—Hon. Dominic LeBlanc:

With regard to government television advertising: (a) how much has the government spent on promoting Canada's Economic Action Plan through advertising in New Brunswick; and (b) when was each advertisement aired, and on which television station?

(Return tabled)

Question No. 539—Mrs. Bonnie Crombie:

With regard to government magazine advertising: (a) how much has the government spent on promoting Canada's Economic Action Plan through advertising in Alberta; and (b) when was each advertisement published, and in which magazine?

(Return tabled)

Question No. 540—Mrs. Bonnie Crombie:

— With regard to government television advertising: (a) how much has the government spent on promoting Canada's Economic Action Plan through advertising in Quebec; and (b) when was each advertisement aired, and on which station?

(Return tabled)

Question No. 541—Mrs. Bonnie Crombie:

—With regard to government newspaper advertising: (a) how much has the government spent on promoting Canada's Economic Action Plan through advertising in Nova Scotia; and (b) when was each advertisement published, and in which newspaper?

(Return tabled)

Question No. 542—Mrs. Bonnie Crombie:

With regard to government radio advertising: (a) how much has the government spent on promoting Canada's Economic Action Plan through advertising in Alberta; and (b) when was each advertisement aired, and on which radio station?

(Return tabled)

Question No. 548—Hon. Bob Rae:

With regard to the Department of Foreign Affairs and International Trade, how much money did the department spend of its annual budget in 2007, 2008 and 2009 on: (a) all staff salaries for workers in Canada, including departmental headquarters and Ministerial staff; (b) all Canadian staff salaries posted outside of Canada; and (c) all salaries for locally-engaged staff at all Canadian embassies and consulates?

(Return tabled)

Question No. 549—Hon. Bob Rae:

With regard to the Department of Foreign Affairs and International Trade, how much money did the department spend of its annual budget in 2007, 2008 and 2009 on: (a) language training for Canadian diplomats posted outside of Canada; (b) all telecommunications devices for all Canadian embassies and consulates; and (c) moving, storage, housing and educational costs for all Canadian diplomats and their families posted outside of Canada?

(Return tabled)

Question No. 570—Hon. Ralph Goodale :

With regard to government newspaper advertising: (a) how much has the government spent on promoting Canada's Economic Action Plan through advertising in Saskatchewan; and (b) when was each advertisement published, and in which newspaper?

(Return tabled)

Question No. 575—Mr. Sukh Dhaliwal:

With respect to the Community Futures Program (CFP): (a) which CFP projects have received funding since 2006 within (i) Manitoba, (ii) Saskatchewan, (iii) Alberta; and (b) which of these projects have repaid any loans they received within (i) Manitoba, (ii) Saskatchewan, (iii) Alberta?

(Return tabled)

Question No. 584—Hon. Bob Rae:

With regard to the Department of Foreign Affairs and International Trade, how many people did the Department employ in 2007, 2008 and 2009 in the following categories: (a) Canadian citizens employed by the Department in general; (b) Canadian diplomats stationed outside of Canada; (c) locally-engaged non-Canadian staff outside of Canada; and (d) all staff at the Departmental headquarters in Ottawa?

(Return tabled)

***Question No. 535—Hon. Larry Bagnell:**

With regard to the Northern Residents Tax Deduction Program (NRTDP): (a) what is its estimated current cost (foregone revenue) to the government; (b) what is the number of individuals that benefit from the NRTDP, as well as its cost, by province and territory; (c) what is the medium and mean benefit claimed by individuals and households; (d) what is the distribution of benefits by income class (high, middle, and low); (e) what is the distribution of benefits by male and female individuals and heads of household; and (f) what is the distribution of benefits between aboriginal and non-aboriginal individuals and households?

(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.

GOVERNMENT ORDERS

[English]

WAYS AND MEANS

MOTION NO. 11

Hon. Jay Hill (for the Minister of Finance) moved that a ways and means motion to amend the Excise Tax Act, be concurred in.

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

Some hon. members: Agreed.

Some hon. members: No.

The Acting Speaker (Ms. Denise Savoie): All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Acting Speaker (Ms. Denise Savoie): All those opposed will please say nay.

Some hon. members: Nay.

The Acting Speaker (Ms. Denise Savoie): In my opinion the nays have it.

And five or more members having risen:

The Acting Speaker (Ms. Denise Savoie): Call in the members.

• (1345)

[*Translation*]

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

(*Division No. 144*)

YEAS

Members

Abbott	Ablonczy
Aglukkaq	Albrecht
Allen (Tobique—Mactaquac)	Ambrose
Anders	Armstrong
Ashfield	Bachand
Bagnell	Baird
Beaudin	Bennett
Benoit	Bernier
Bigras	Blais
Blaney	Block
Bonsant	Bouchard
Boucher	Boughen
Bourgeois	Braid
Breitkreuz	Brison
Brown (Leeds—Grenville)	Brown (Newmarket—Aurora)
Brown (Barrie)	Brunelle
Calandra	Calkins
Cannan (Kelowna—Lake Country)	Cannis
Carrie	Casson
Clarke	Coady
Cotler	Crombie
Cummins	Cuzner
D'Amours	Davidson
DeBellefeuille	Del Mastro
Demers	Deschamps
Desnoyers	Devolin
Dhaliwal	Dhalla
Dosanjh	Dreeshen
Dryden	Duceppe
Dufour	Duncan (Etobicoke North)
Dykstra	East
Faile	Fast
Finley	Flaherty
Fletcher	Folco
Foote	Freeman
Gagnon	Galipeau
Gallant	Garneau
Gaudet	Généreux
Glover	Goldring
Goodale	Goodyear
Gourde	Grewal
Guamieri	Guay
Guimond (Montmorency—Charlevoix—Haute-Côte-Nord)	
Hall Findlay	
Harris (Cariboo—Prince George)	Hawn
Hiebert	Hill
Hoback	Hoepfner
Holder	Ignatieff
Jean	Kamp (Pitt Meadows—Maple Ridge—Mission)
Kania	Kennedy
Kenney (Calgary Southeast)	Kerr
Komarnicki	Laforest
Laframboise	Lake
Lalonde	Lauzon
Lavallée	Lebel
LeBlanc	Lee
Lemay	Lemieux
Lévesque	Lobb
Lukiwski	Lunn
MacKenzie	Malo
Mayes	McCallum
McColeman	McKay (Scarborough—Guildwood)
Ménard	Mendes
Menzies	Merrifield
Minna	Moore (Port Moody—Westwood—Port Coquitlam)
Moore (Fundy Royal)	Murphy (Moncton—Riverview—Dieppe)

Murphy (Charlottetown)	Nadeau
Neville	Nicholson
Norlock	O'Connor
O'Neill-Gordon	Obhrai
Oda	Ouellet
Paillé (Hochelaga)	Paquette
Paradis	Payne
Pearson	Petit
Poilievre	Pomerleau
Preston	Proulx
Rae	Raitt
Rajotte	Rathgeber
Rickford	Rodriguez
Rota	Russell
Scarpaleggia	Scheer
Sgro	Shea
Shiely	Shory
Simms	Sorenson
St-Cyr	Stanton
Strahl	Sweet
Tilson	Tweeds
Tonks	Troost
Trudeau	Tweed
Uppal	Valeriote
Van Kesteren	Van Loan
Vellacott	Vincent
Volpe	Wallace
Warawa	Warkentin
Watson	Weston (Saint John)
Woodworth	Wrzesnewskyj
Yelich	Zarac — 192

Government Orders

NAYS

Members

Allen (Welland)	Angus
Ashton	Atamanenko
Bevington	Charlton
Chow	Christopherson
Comartin	Crowder
Davies (Vancouver Kingsway)	Davies (Vancouver East)
Dewar	Donnelly
Duncan (Edmonton—Strathcona)	Godin
Gravelle	Harris (St. John's East)
Hughes	Hyer
Layton	Leslie
Maloway	Marston
Martin (Winnipeg Centre)	Masse
Mathysen	Mulcair
Rafferty	Savoie
Siksay	Wasylcia-Leis — 32

PAIRED

Members

Allison	André
Asselin	Bellavance
Cadman	Cannon (Pontiac)
Carrier	Day
Dechert	Dorion
Guimond (Rimouski-Neigette—Témiscouata—Les Basques)	
Kent	
Kramp (Prince Edward—Hastings)	Lessard
Mark	Mourani
Paillé (Louis-Hébert)	Plamondon
Ritz	Roy
Saxton	Thi Lac
Weston (West Vancouver—Sunshine Coast—Sea to Sky Country)	
Wong — 24	

The Speaker: I declare the motion carried.

[*English*]

Order. The hon. member is rising on a question of privilege.

*Privilege***PRIVILEGE**

RELEASE OF DOCUMENTS

Mr. Jack Harris (St. John's East, NDP): Mr. Speaker, I rise today on a question of privilege. We have already heard a number of points of order and questions of privilege in recent weeks relating to the government's release or, rather, refusal to release documents.

In yesterday's case, the point of order related to the government's release of its fourth fiscal update to journalists on a plane somewhere over Siberia. This document should have been tabled in Parliament. To add insult to injury, the finance minister then re-released the document in Winnipeg.

The case that I want to raise today is the leaking to journalists of documents requested by parliamentarians, in this case a journalist from the *Globe and Mail*.

We are all familiar in this House with the case of the Military Police Complaints Commission investigation into detainee abuse in Afghanistan. We are also familiar with the study by the Special Committee on the Canadian Mission in Afghanistan into the same matter.

For a number of weeks, that committee and individual members have been attempting to obtain documents. It is important to note that both the committee and individual members of Parliament who do not sit on the committee have made these requests. The requests have been both informal and formal, expressed through motions, written requests, emails, access to information requests, verbal requests, and in fact every which way parliamentarians could think of to obtain the documents.

These documents were not just necessary for the committee's work; they were of direct concern to Parliament and to parliamentarians like me who do not sit on the Afghanistan committee. They were relevant to my work as defence critic and relevant to me as a parliamentarian.

To my surprise and absolute dismay, on reading the *Globe and Mail* on Sunday, November 25 and on Monday, November 26, I discovered that some of the documents that had been requested by parliamentarians had in fact been leaked to a journalist at that paper. The documents were the subject of two articles on those days.

First, the fact that the documents have been leaked, I believe, is itself a breach of privilege. Mr. Speaker, both you and other speakers have ruled in the past that the leaking of documents requested by Parliament, or the leaking of bills before Parliament has seen them, constitutes a breach of privilege.

I refer to the ruling on March 15, 2001, where the leaking of Bill C-15 to the media did indeed constitute a breach of privilege. There was a similar ruling on October 15, 2001. I would like to read a quote from the member for the then riding of Pictou—Antigonish—Guysborough, who is now the member for Central Nova and the Minister of National Defence. Interestingly enough, he said at that time:

I share the indignation of the government House leader that this has once again burdened the House with this ongoing saga of information being released in advance of members of the House being given the opportunity of due respect that they deserve....

I think the House leader for the official opposition stated that there is a great deal of irony in the fact that this information deals with secrecy and security, yet the government is still unable with all of its resources and powers of persuasion to prevent this from happening.

Finally, we hope that there will be a strong admonition from the Chair itself expressing the concern and the outrage that the House and the Chamber has for this type of leak because there is a pattern. This is not the first time. We have seen time and time again information being sent out to journalists in advance of this place. Surely the lust of journalists to have this type of juicy information should not outweigh the necessity and indeed the respect that should be held for the Chamber to in the first instance have an opportunity to see, digest and debate this type of legislation.

● (1350)

I think he said the words quite well. This was on the leaking of information to journalists prior to presenting it to parliamentarians. I find this quote particularly interesting and ironic, because it is his department which seems to have now leaked the documents in question to the *Globe and Mail*.

I would like to refer you, Mr. Speaker, to your ruling on March 19, 2001, when you said:

To deny to members information concerning business that is about to come before the House, while at the same time providing such information to media that will likely be questioning members about that business, is a situation that the Chair cannot condone.

In this case now before you, Mr. Speaker, the subject of documents that were leaked was about to come before the House in the form of an opposition day motion in the House from my party. The motion concerned the need for a public inquiry into the Afghan detainee scandal. The documents in question were relevant and necessary to this debate and they were denied to parliamentarians by the government.

I also refer to your rulings on March 24, 2004, and October 6, 2005, Mr. Speaker, where you found that leaks to the media constituted a breach of privilege. In the first case, the leaks concerned the recording and reporting of private deliberations of a Liberal Ontario caucus meeting. While at first glance this may not seem to relate directly to my case of privilege, I believe a link can be found.

The documents that form the heart of my case were supposedly secret. In fact, they were so secret that they would not be released to parliamentarians. Yet, for some reason, they were not secret enough to prevent the government from leaking them to a friendly journalist.

My main argument on this question of privilege relates to how the leaking of these documents had impugned my reputation and prevented me from doing my job. What lies at the heart of a question of privilege is the issue of preventing parliamentarians from doing their jobs. You have ruled in the past, Mr. Speaker, that the broadcast of incorrect, incomplete or misleading information could impugn a member's reputation, deliver misleading facts to their constituents and therefore prevent them from doing their job. Recently, you ruled twice that ten percenters containing incorrect information that were sent to the constituents of members were breaches of privilege because they delivered misleading messages to those constituents of members.

Statements by Members

For a number of weeks, I have been telling my constituents and the constituents of other members that the memos written by Mr. Colvin and other documents related to detainee abuse must be delivered. I have been calling for a public inquiry on the issue. I have stated that the government has been covering up information and hiding details from Canadians. I have told this to my constituents through the media, through my own letters and mailings and by telephone.

When the government leaked some documents to the media and the *Globe and Mail*, I want to be clear that it leaked selected documents that were heavily redacted or censored. It leaked parts of the information that painted a case against Mr. Colvin and against parliamentarians like myself who would question the government's truth on the issue. These documents were carefully selected.

I am almost finished, Mr. Speaker.

• (1355)

The Speaker: It is not a matter of finishing. I need to understand what it is the member is saying constituted a breach of privilege in this case. I am waiting to hear about the document. Was it something that was required to be tabled in the House before or not? If it was not, I do not know how documents being released, leaked or published elsewhere is a breach of the member's privileges. That is what I want to hear.

Mr. Jack Harris: Mr. Speaker, these documents were to be presented to a committee of the House and therefore become available to parliamentarians. The fact that they were to be tabled to a committee as opposed to the House does not stop them from being kept from parliamentarians. Once they are released to the committee, they are released to all parliamentarians. That is the point.

The Speaker: I would suggest the hon. member raise the matter in the committee. To my knowledge, the House has not passed any motion or resolution requiring these documents to be tabled here. If the committee has, and I have no idea, and they were leaked and not tabled in the committee, that is an argument to be made in the committee.

As I indicated in a case the other day concerning questions of privilege arising in committee, those matters should then be transferred from the committee to the House. We could make a ruling and have a debate on it as we did last Friday, and the hon. member will recall that. I would invite him to take the matter up with the committee and perhaps we could proceed from there.

We have another question of privilege from the hon. member for Thunder Bay—Superior North.

CONTENT OF TEN PERCENTERS

Mr. Bruce Hyer (Thunder Bay—Superior North, NDP): Mr. Speaker, I would like to raise a question of privilege in the House today.

As has been sadly the habit of members from the Conservative Party recently, the member for Brandon—Souris sent a mailing to my constituents. Now my constituents get mailings from the Conservatives and Liberals all the time, so that is not the issue as long as they are somewhat based on fact or at least opinion.

The thing that set this mailing apart from the other propaganda the Conservatives have sent to Thunder Bay—Superior North was this mailing contained an outrageous falsehood purposely meant to mislead my constituents about my personal record as their member of Parliament.

• (1400)

The Speaker: Order, please. I am afraid it is now two o'clock, so we will have to hear from the hon. member for Thunder Bay—Superior North later.

At the moment, we will proceed with statements by members.

STATEMENTS BY MEMBERS

[English]

CONSUMER PRODUCT SAFETY

Mr. Phil McColeman (Brant, CPC): Mr. Speaker, the Liberal Party of Canada has hit a new low. Under the direction of the Liberal leader, Liberal senators gutted our consumer product legislation. Now health and welfare has been callously stripped off all Canadians by the Liberals.

Instead of trying to prevent problems from happening, the changes made by the Liberals mean Canadians will have to endure serious injuries because of an offending stroller, or have their children play with dangerous toys before officials are able to recall.

This is unacceptable. The Liberals have shown such contempt for Canadians that it is now easier to protect the health of animals than it is to protect the health of Canadians.

The Liberal leader must order his senators to vote against these amendments and vote in favour of the bill as it was passed in the House. The Liberal leader needs to take charge of his party. Canadian consumers expect nothing less.

* * *

BHOPAL GAS LEAK

Mr. Sukh Dhaliwal (Newton—North Delta, Lib.): Madam Speaker, today I rise to remember the thousands who tragically died 25 years ago as victims of a poisonous industrial gas leak in Bhopal, India.

On December 3, 1984, the Union Carbide chemical plant released poisonous gas over the city of Bhopal, causing the worst industrial accident the world has ever seen. The people still suffer from the after-effects of this disaster. The poisonous fumes contaminated Bhopal's soil and groundwater, leading to cancer and birth defects.

Today we not only remember the victims, but also urge for more aid to the residents who must live with the lingering effects of this tragedy.

Statements by Members

[Translation]

JEANNE-MANCE SCHOOL IN DRUMMONDVILLE

Mr. Roger Pomerleau (Drummond, BQ): Madam Speaker, I am very proud to recognize the quality of education at Jeanne-Mance public school in Drummondville. Having heard of its reputation, four representatives of the Toronto French School recently visited for a short time to become familiar with the school's approach to the international education program.

In addition to meeting with the school administration and the program coordinator, the Toronto teachers spent some time in the classrooms monitoring the courses, meeting the students and discussing with them their experiences and the reasons why they chose this educational program.

We are quite proud of the fact that the expertise developed by the Drummondville public school is now recognized not just outside the region but in other provinces.

I congratulate—

The Acting Speaker (Ms. Denise Savoie): The hon. member for Winnipeg North.

* * *

[English]

INTERNATIONAL DAY OF PERSONS WITH DISABILITIES

Ms. Judy Wasylycia-Leis (Winnipeg North, NDP): Madam Speaker, today is International Day of Persons with Disabilities. I want to thank all of those organizations, including Independent Living Canada, for organizing the eighth annual celebrations in this capital. I want to thank the Council of Canadians with Disabilities and many other organizations for driving this agenda and ensuring we can advance the state of affairs toward full inclusion for all people living with disabilities.

Today is a day to recommit ourselves to take action and that means ensuring that the UN Convention on Rights for Persons with Disabilities is ratified by our country. We applaud the fact that the government today took a first step toward doing that by tabling a document. I think you will find, Madam Speaker, that there is probably unanimous consent by everyone in the House to ensure this document is passed immediately and sent to New York to complete the ratification process.

This is a day of which to be proud. It is also a day to stand up and fight to ensure full equality for people living with disabilities.

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CONSUMER PRODUCT SAFETY

Mrs. Nina Grewal (Fleetwood—Port Kells, CPC): Madam Speaker, the safety of our children is our government's top priority. Since taking office, we have been delivering results to keep our families safe. We are putting law-abiding families first and criminals behind bars.

However, the Liberals and their weak leader have held up and watered down our legislation. Liberal senators stalled stiffer sentences for drug dealers who target kids. They tried to gut our two for one sentencing bill.

Now Bill C-6 languishes in the Senate. This bill would modernize product safety laws that have not been updated in forty years. It would bring us more in line with American and European standards, and protect the most vulnerable, including our children. However, the Liberals are working against these measures by stalling them with their unelected Senate majority.

This bill has been in the Senate for six months and before committee for two months, but Canadians are still waiting. The Liberal leaders come and go, but the dithering and failing never change. Canadians deserve better.

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● (1405)

CANADA-VIETNAM PARLIAMENTARY FRIENDSHIP GROUP

Hon. Bryon Wilfert (Richmond Hill, Lib.): Madam Speaker, I rise today to recognize the special delegation of the judicial committee and law committee of the national assembly of the Socialist Republic of Vietnam who are here on Parliament Hill today and tomorrow.

The purpose of their visit is to enhance their understanding about the justice system and legislative process in Canada, with specific emphasis on the role of the Standing Committee on Justice and Human Rights, the codification of laws, as well as commercial arbitration and execution of a criminal judgment.

This occasion also provides parliamentarians an opportunity to share information, discuss issues of mutual concern, and strengthen our bilateral relations.

The Canada-Vietnam Parliamentary Friendship Group plays an important role in the development of parliamentary relations between Canada and Vietnam. It is important that we continue to nurture and strengthen our diplomatic relations, which are now 36 years old.

I am delighted that they are here today. Colleagues from all parties attended a working lunch which was very productive.

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CONSUMER PRODUCT SAFETY

Mr. Dean Del Mastro (Peterborough, CPC): Madam Speaker, just last week a Canadian company recalled over two million baby cribs. It was the largest ever such recall in North America. This is exactly the kind of occurrence our government is trying to prevent.

Recently, Health Canada introduced a bill with the intent to protect the public by addressing dangers to human health and safety posed by consumer products, like these cribs, in Canada.

Bill C-6 was passed unanimously by elected officials of this House. Currently, however, the bill is being delayed and potentially gutted by Liberal senators.

Statements by Members

Why is it when the House passes a bill unanimously, the Liberal members of the Senate hold it up? Where is the leadership in the Liberal Party? Why is the Liberal leader not stepping in to ensure Canadians have the protections provided by Bill C-6?

Our children deserve no less.

* * *

[*Translation*]

THE MONTCALM FAMILY

Mrs. Claude DeBellefeuille (Beauharnois—Salaberry, BQ): Madam Speaker, it is with great pride that I pay tribute today to a farm family in Saint-Louis-de-Gonzague in my riding of Beauharnois—Salaberry, the family of Roch Montcalm and the late Corona Maheu.

On December 2, they were named the farm family of the year by the Fondation de la famille terrienne at the UPA annual general meeting.

The Montcalm farm, established in 1922 by Joseph, Roch Montcalm's father, is a dairy farm with 150 of its 300 Holstein cows producing 11,000 kilos of milk per year.

The Montcalm family has passed down its love of the land through four generations. Theirs is a model of farm management that is efficient and environmentally friendly. They are very involved in farmers' unions and their community. I am very proud of this family and I wanted to officially congratulate them.

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ECONOMIC ACTION PLAN

Mrs. Sylvie Boucher (Beauport—Limoulu, CPC): Madam Speaker, yesterday, our government presented its fourth report on the implementation of the economic action plan. Just 10 months after the implementation of the economic action plan, the government has already committed 97% of the funds announced, for a total of 12,000 projects throughout the country, including 8,000 that are already underway.

Our government is taking action for Quebeckers and Canadians. From coast to coast, projects are underway, jobs are being created, and communities are reaping the benefits. Here are some more measures from the economic action plan: we have lowered taxes for Canadian families and businesses; we have helped workers with additional employment insurance benefits and training; we have invested in research and higher education.

The effects are positive and encouraging. Canada's economy is stabilizing and has started to recover.

We are continuing to move full steam ahead with our economic plan.

* * *

[*English*]

INTERNATIONAL DAY OF PERSONS WITH DISABILITIES

Mr. David McGuinty (Ottawa South, Lib.): Madam Speaker, December 3 marks the United Nations International Day of Persons with Disabilities.

This observance promotes a fuller understanding of disability issues and the human rights of persons with disabilities. The day provides an opportunity to work toward the goal of full and equal enjoyment of human rights and participation in society by persons with disabilities, established by the world programme of action concerning disabled persons, adopted by the UN General Assembly in 1982.

This year's theme, "Empowering persons with disabilities and their communities around the world", recognizes the tremendous potential of the new Convention on the Rights of Persons with Disabilities as a mechanism for the empowerment of the global disability community.

In my riding of Ottawa South, I continue to be inspired by dynamic, positive community leaders, and advocates for the disabled as they work together to ensure the full participation in society of persons with disabilities. It is simply an honour to rise to speak on their behalf on this important day.

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•(1410)

TOURIST INDUSTRY

Mr. Randy Kamp (Pitt Meadows—Maple Ridge—Mission, CPC): Madam Speaker, today we received more good news for the Canadian economy.

Following meetings between our Prime Minister and the premier of China, a number of important agreements have been reached with the Chinese government in terms of Canadian pork, climate change, cultural exchanges and approved destination status.

Approved destination status will open the door to more Chinese citizens who wish to visit our country. It allows us to market our unique and beautiful country as a top destination to one of the largest outbound tourist markets in the world. The UNWTO reported that by 2020, China would have around 100 million outbound tourists annually.

In 2010 we will be showcasing Canada to the world with the Olympic Games, and the G8 and G20 summits. The approved destination status agreement will help Canada further capitalize on these opportunities and bring more tourists from China to visit our hotels, restaurants and attractions.

This is another example of our Prime Minister representing Canada on the world stage and strengthening our economic ties with this important market.

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PENSIONS

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, Canwest executives paid themselves \$10 million in bonuses while cutting off severance to laid-off workers.

The Nortel fat cats skimmed off \$45 million this past March, and then hoovered down another \$7.8 million in bonuses as a Christmas gift to themselves. Meanwhile, Nortel pensioners have been left out in the cold.

Abitibi pensioners are crying for help.

Oral Questions

Where are the Tories? They are nowhere. Of course, we will hear Tory MPs attacking and insulting the homeless, but when it comes to standing up to executive privilege, it is the old boys' club. Nudge, nudge, wink, wink. Say no more.

The New Democrats say it is time that we put pensioners, not executives, at the front of the line when companies go bankrupt. We are calling on all parties to work with New Democrats to protect pensions, to get rid of these fat cat bonuses, protect pensions, protect disability pensions, and pay severance to laid-off workers.

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THE ECONOMY

Mr. James Bezan (Selkirk—Interlake, CPC): Mr. Speaker, yesterday the Prime Minister and the finance minister delivered our government's latest economic report to Canadians.

Canada's economic action plan is stimulating the economy, creating jobs for Canadians, and protecting those hit hardest by the economic downturn.

Just 10 months into our two year plan, our government has already committed 97% of our plan, adding up to 12,000 projects across the country. Eight thousand have already begun.

Our efforts are having a positive effect and communities across the land are seeing the benefits.

The OECD recently projected that Canada will have the second strongest growth among G7 countries in 2010 and the strongest G7 growth in 2011.

While our economy is recovering, it remains fragile. We will remain focused on fighting the recession and on helping Canadians.

We know that the opposition will throw mud and smear our accomplishments, but we will not be stopped from delivering on our promises. We will stay the course and fully implement Canada's economic action plan.

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[Translation]

MONTREAL CANADIENS

Mr. Thierry St-Cyr (Jeanne-Le Ber, BQ): Mr. Speaker, right now and over the next few days, the Montreal Canadiens hockey team is celebrating its 100th anniversary. This team has aroused the passion of Quebecers on more than one occasion, whether due to its great rivalry with the now defunct Nordiques, or because of its 24 Stanley Cup victories, which is still an all-time record.

Quebec's love affair with hockey is nothing new. During this 100th anniversary, Quebec is proudly commemorating great legends like Maurice Richard, Jean Béliveau, Guy Lafleur, and so many others, who were closely watched by all their fans during their glory years.

The history of the Habs deserves to be commended as a model of pride, talent and success. On behalf of my Bloc Québécois colleagues, I hail this anniversary with full confidence in the future of the sport in Quebec.

● (1415)

STATUS OF WOMEN

Mrs. Lise Zarac (LaSalle—Émard, Lib.): Mr. Speaker, November 25 to December 6 are days of activism against gender violence. The purpose is to condemn all forms of violence against women.

We would be remiss if we failed to mention the fact that the Conservative government has been victimizing Canadian women by eroding the progress they have made.

Since coming to power, the Conservatives have mounted a constant assault against women. They have cancelled agreements with the provinces on preschool education and daycares, hindered the movement toward pay equity, gutted the court challenges program, reduced funding for literacy programs, silenced women's groups seeking equality and ignored the criticism of international groups.

The Prime Minister even went so far as to call everyone participating in the fight for women's equality "left-wing fringe groups".

It is high time the government stopped treating women, who make up more than half of the Canadian population, like a special interest group and started giving them the power and the tools they need to advance their cause.

* * *

[English]

CONSUMER PRODUCT SAFETY

Mr. Scott Armstrong (Cumberland—Colchester—Musquodoboit Valley, CPC): Mr. Speaker, yesterday, under the weak leadership of their leader, Liberal senators voted to amend 16 clauses of our consumer protection bill, Bill C-6. This has made the bill dysfunctional and considerably weakens it.

Canadians, many of them parents, have less protection today thanks to the Liberals. While they are shopping for gifts to put under the tree, they can thank the weak leadership of the Liberals for making sure the bad actors, those people who normally sell bad products, are the winners in this. Shame on them.

The bill was designed to give us the tools to quickly respond to dangerous consumer products. Instead, the Liberals have given the devious the tools to keep selling these products to Canadians. The Liberal leader needs to wake up and lead his party, not follow it. He should wake up and instruct the Liberal senators to vote against these amendments and pass this bill.

ORAL QUESTIONS

[English]

AFGHANISTAN

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker—

Some hon. members: Oh, oh!

Oral Questions

The Speaker: Order, please. The hon. member for Toronto Centre has the floor and I believe he is going to speak, so we need to be able to hear.

Hon. Bob Rae: It is coming a little late in my case, Mr. Speaker, but I would like to ask a question of the Minister of National Defence.

We were told yesterday at the Afghanistan committee that a braided electrical cable, which is undoubtedly an instrument of torture, was found in the office of the director of investigations at the National Directorate of Security.

I would like to ask the Minister of National Defence, would he not agree with us that a discovery like that points to a systemic problem rather than simply a single instance with respect to a discovery of that kind?

Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, with any allegations, we have to base our actions on facts and substantiated truth.

The committee on Afghanistan did hear from a number of officials. On the site visits from the Correctional Service of Canada's Linda Garwood-Filbert, who is a 28-year veteran, said:

In other words, in 2007 alone, we visited Sarpoza Prison on 33 occasions, the National Directorate of Security on 12 occasions, and the Afghan National Police Detention Centre on two occasions, for a total of 47 visits. These were usually unannounced.

And there was nothing discovered.

[*Translation*]

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, on the contrary, the woman in question said that they discovered an instrument of torture. That is what they discovered.

I will ask the same minister the same question. If an instrument of torture was found in the office of the director of investigations, would he not agree, considering such testimony—and I am directing my question to the government—there is a good chance this is a systemic problem rather than simply a single instance?

• (1420)

[*English*]

Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, let us look at other testimony we heard yesterday at the parliamentary committee. Colleen Swords, the former senior DFAIT official on the Afghan file, said:

I believe we did take all the measures that were reasonable at the time to ensure that we were doing everything we could to minimize that there would be a substantial risk.

Furthermore, Scott Proudfoot from Foreign Affairs, said:

The reports in question did not indicate that Canadian transferred detainees had been subject to mistreatment.

These are the facts.

* * *

HUMAN RIGHTS

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, the government speaks loudly of its commitment to human rights, but we heard yesterday of a decision by the government that is truly

shocking. That is the decision by CIDA to cut all funding, not part funding but all funding, for the organization known as KAIROS, which is an organization that includes the Conference of Catholic Bishops, the Anglican Synod and a number of other Christian denominations that fight for human rights around the world.

How is this government's alleged commitment to human rights possibly compatible with such a reactionary and retrograde decision?

Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, this government has taken a strong position on human rights, and the Prime Minister has shown great leadership.

When Durban I was going on, it was this party and the Prime Minister who called on Canada to abstain and not to go. The United States and Israel walked out on that anti-Semitic hatefest. Israel begged Canada to leave and Canada refused.

Thank goodness we have a Prime Minister and a government that put human rights at the top of the agenda and are proud to do it and express Canadian values each and every single day.

* * *

AFGHANISTAN

Hon. Ujjal Dosanjh (Vancouver South, Lib.): Mr. Speaker, in the spring of 2006, the Red Cross was sufficiently alarmed about Canada's transfer of detainees to meet with our officials at least four times to warn us of the danger of detainee torture in Afghan jails.

The government took no action for at least one year after these warnings. The Red Cross, of course, must not have been credible enough in the eyes of the government.

The government is covering up the fact that it continued to transfer detainees to a real risk of torture for at least one year after those warnings. Why the cover-up?

Hon. Peter MacKay (Minister of National Defence and Minister for the Atlantic Gateway, CPC): Mr. Speaker, I have answered the question, but what I would point out is that when the Red Cross first started raising concerns, it was under the previous government, going back to 2005.

When our military or diplomats have come across credible, substantial evidence, they have acted. They have acted responsibly. We have heard that from both military and senior members of the public service. It is important to note that the case with respect to notifications to the Red Cross was not about prisoner abuse, it was about prisoner transfers and the Red Cross has now clarified that, not to warn them about prison conditions but the routine matter of discussing Canada's responsibilities. That is what it is about.

Hon. Ujjal Dosanjh (Vancouver South, Lib.): Mr. Speaker, in mid-2006, the Red Cross met with Canadian officials in Kandahar, in Geneva and in Ottawa. In Ottawa, the head of the Red Cross for the U.S. and Canada attended that meeting. Red Cross officials made a point of raising the issue of treatment of Afghan detainees and told our officials of a lack of judicial safeguards and that all kinds of things were going on.

Oral Questions

Why is the government covering up the fact that it did absolutely nothing? For at least one year it continued transferring detainees to torture in Afghan jails. Why do Conservatives not stand up and answer honestly? Why is a cover-up going on?

Hon. Peter MacKay (Minister of National Defence and Minister for the Atlantic Gateway, CPC): Mr. Speaker, the original concerns expressed by the Red Cross were expressed to the previous government, of which that member who is just now chuckling but was expressing righteous indignation a moment ago is a member.

However, I want to come back to the question from the member for Toronto Centre when he talked about a revelation at committee yesterday. This important issue was in fact addressed by the witness yesterday who told us that she did not in fact see this particular piece of evidence, nor has she ever indicated that she had any first-hand knowledge of torture in prisons. So that evidence is clear. It speaks for itself.

[*Translation*]

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, the memos that were made public confirm that the Red Cross met with members of the government as early as spring 2006, to inform them that the detainees transferred to Afghan authorities were at risk of being tortured. The national defence minister's office says it was not informed of the substance of that meeting.

The current Minister of National Defence did not hold that position when this meeting was held. Accordingly, can the Chief Government Whip, who was then Minister of National Defence, tell us whether he received the memos on this meeting with the Red Cross?

•(1425)

[*English*]

Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, obviously there was concern in this regard. That is the very reason the government instituted a prisoner transfer agreement. That is exactly why the government embarked on a process of enhanced monitoring. When this government gets credible, substantiated evidence, we have proven that we act.

[*Translation*]

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, it would have been nice if the Chief Government Whip, who was the minister at the time, reacted and answered the question.

The government thought it was a good idea to review the detainee transfer protocol in 2007 because there were problems with how the detainees were being treated before 2007. Otherwise they would obviously not have changed the protocol. If there were problems, there was a risk of torture. Yet, detainees continued to be transferred.

That being said, will the government admit that from 2006 to May 2007, it was in violation of the Geneva convention?

[*English*]

Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, let us be very clear. Let us look at what the House of Commons committee on Afghanistan heard

yesterday from Scott Proudfoot, from the Department of Foreign Affairs. I will quote:

We did not have information suggesting that Canadian transferred detainees had been mistreated prior to April 2007.

It could not be any clearer. The member opposite should stop casting aspersions on the men and women in uniform. Frankly, he should stand in the House and apologize.

[*Translation*]

Mr. Claude Bachand (Saint-Jean, BQ): Mr. Speaker, when the first cases of torture surfaced, the government reassured us that the Afghanistan Independent Human Rights Commission would ensure the safety of the detainees transferred. Under an agreement, this commission was to notify Canada if it discovered any cases of torture. No notifications were given simply because the commission did not have access to certain prisons.

How can the Conservative government maintain that Afghan detainees handed over by Canada were not tortured when its agent could not even visit them?

[*English*]

Hon. Peter MacKay (Minister of National Defence and Minister for the Atlantic Gateway, CPC): Mr. Speaker, as I said, the original concerns from the Red Cross and others were about notification.

We of course improved the transfer arrangement. We improved issues related to notification of both the Red Cross and the Afghanistan Independent Human Rights Commission.

Upon detention of a prisoner, here is the way it works: Canadian Forces immediately informs Foreign Affairs staff at the Kandahar PRT, who in turn inform the Kandahar offices of the Afghanistan Independent Human Rights Commission as well as the International Red Cross. They report medical condition upon detention.

There is a much improved, much enhanced process now in place because of the hard work of our officials.

[*Translation*]

Mr. Claude Bachand (Saint-Jean, BQ): Mr. Speaker, in the meantime, the government continues to ignore the parliamentary committee charged with shedding light on the torture of Afghan detainees. Yesterday, we received hundreds of censored pages. On some documents, only the name of the recipient and the salutation is legible. The government's cover-up is absolutely shameful.

How can this government expect to establish democracy in Afghanistan when it is involved in censorship and is disrespectful of its own democratic institutions?

*Oral Questions**[English]*

Hon. Peter MacKay (Minister of National Defence and Minister for the Atlantic Gateway, CPC): Mr. Speaker, on the process of redaction, I know Canadians are riveted by this. Redactions are done by non-partisan, independent officials in departments in conjunction with and supported by a special committee that deals with security at the Department of Justice. They look at the material for any concerns arising that would affect national security. They look at concerns that would relate to the disclosure of names or agencies or information that would have been given to us by our allies with respect to national security.

We of course follow the Canada Evidence Act. We of course follow all legislation as the previous government and others have done.

I wish the member would express the same concern for our soldiers.

* * *

*[Translation]***FOREIGN AFFAIRS**

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, while the Prime Minister is telling the Chinese about Canada's economic situation, Canadians are asking questions. The Conservatives are throwing out figures that do not add up. They are saying that 90% of the stimulus funds are already committed, but in the same breath they are threatening that the money that is not spent will disappear. That is a bunch of nonsense.

People are not seeing the projects, and they are not seeing job creation.

Why create illusions and false hopes instead of real jobs for Canadians and the unemployed?

• (1430)

[English]

Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, this government reported to Canadians yesterday that some 97% of the funds for this year have been committed. That is exceptionally good news.

In every corner of the country, from coast to coast to coast, there are thousands of infrastructure projects under way. In every corner of the country, the home renovation tax credit is benefiting Canadian families. Our tax cuts are helping small business.

We see in fact this year that Canadian economic growth will be the best in the G7. That did not happen by accident. It happened because we had the best government and the best finance minister in the western world.

Hon. Jack Layton (Toronto—Danforth, NDP): The truth is, Mr. Speaker, that because of the Conservatives' reckless economic policies we have now posted the worst deficit in history, we have a terrible job record, and they have gutted the fiscal capacity of government to address the issues we are facing. How did they do it? It was with cuts to big, profitable corporations on the backs of Canadians.

Yet another round of these tax cuts to the big banks and oil companies is coming January 1. At the same time, the HST they are bringing in will be on the backs of the families.

Why do they make those kinds of choices that do not work for Canadians?

Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, it was just one short year ago that the leader of the NDP signed an accord with the Liberals to basically embrace every tax cut that this government has brought in. That is something that is important to note.

The member opposite has a real difference of opinion with this government. We wanted GST at 5%; he wanted a GST at 7%. He wanted to hurt Canadian families with high taxes and burden them with significant debts. This government is taking real action to turn our economy around. We are beginning to turn the corner and we need his support.

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, the Conservative Party is the father of the GST. Let us always remember that. Mr. Mulroney lives still.

While the Conservatives coddle their friends on Bay Street, they are slashing funding to non-profit organizations such as KAIROS.

It is a church-based group that tries to improve the well-being of people around the world. It involves lots of Canadians from faith-based backgrounds. What does it get from this government? It gets a cut of millions of dollars so it cannot do its work to spread Canadian values and good work around the world.

Why are they doing that?

Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, it is this government that is taking Canadian values right around the world under the leadership of the Prime Minister, in his visit to China and in his great work in ensuring that we did not repeat what the Liberals did in attending the Durban hatefest. It is this government that was the first government to walk out of the anti-Semitic hateful speech by the President of Iran.

It is this government that has done more to protect Canadian values of human rights and democracy than any government in our history. Canadians should be awfully proud of the Prime Minister and awfully proud of this government.

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*[Translation]***AFGHANISTAN**

Hon. Dominic LeBlanc (Beauséjour, Lib.): Mr. Speaker, in heavily redacted memos made public yesterday, we read that Canadian diplomats had met with UN representatives in Kabul in November 2006. In this report, the entire part about human rights is redacted, as is the part about Kandahar.

We know that the UN has talked about systematic torture and prison system corruption in Afghanistan. What did the government want to hide in this report?

*Oral Questions**[English]*

Hon. Peter MacKay (Minister of National Defence and Minister for the Atlantic Gateway, CPC): Mr. Speaker, over three years ago when we started to improve some of the mess left by the government of the hon. member opposite, we went about improving the transfer arrangement, investing in prisons and in mentoring and monitoring inside prisons.

With respect to redactions, I would remind the member again that this is done by arm's-length, non-partisan individuals working at the Department of Justice and other areas. I know he is a lawyer and I know he understands that.

That is not a political issue. It is simply a practical issue concerned with the security of information and, most important, securing the information that might hurt soldiers and civilians on the ground in Afghanistan.

[Translation]

Hon. Dominic LeBlanc (Beauséjour, Lib.): Mr. Speaker, in December 2006, a memo about detainees that was approved by our ambassador in Afghanistan was sent to dozens of government officials. That memo is now totally redacted.

In February 2007, Richard Colvin sent a report to Foreign Affairs and the Prime Minister's Office. That report, including the subject line, is totally redacted.

When will the Conservatives stop the cover-up and finally call for a public inquiry so that we can get real answers?

• (1435)

[English]

Hon. Peter MacKay (Minister of National Defence and Minister for the Atlantic Gateway, CPC): Mr. Speaker, our professional, impartial public servants are the ones who make those redactions in compliance with the Canada Evidence Act, and the improvements made to it, I would note, by the previous government.

It is interesting that with the benefit of four years of hindsight and from the comfort and security of this chamber how the members opposite can continue to cast aspersions about our professional civil servants, our military, bringing down the mission, bringing down the important efforts that continue to this day to improve the rights and democracy in a place like Afghanistan.

Ms. Judy Foote (Random—Burin—St. George's, Lib.): Mr. Speaker, in late May 2006, the Canadian deputy commander of the reconstruction team in Kandahar met with the Red Cross.

At this meeting not only was the deputy commander told that his officials did not answer phone calls from the Red Cross, but also that Afghans were not reported captured for up to 60 days, and the Red Cross added that “a lot can happen in two months”, including beatings, whippings with cables, electrocution.

We now know full well what could have gone on in those two months. Why did the government ignore these clear warnings from senior officials in the field?

Hon. Peter MacKay (Minister of National Defence and Minister for the Atlantic Gateway, CPC): Mr. Speaker, nothing was ignored. We had military officials and, obviously, Department of Foreign Affairs officials working in Afghanistan throughout our time

in office and previously. It is through that filter and through that prism that government decisions are taken.

Here is a news flash for the member opposite. It is not just in Afghan prisons where human rights abuses were taking place, it is not just in those prisons where violence was occurring, but we have stories of Afghans being thrown down wells and beheaded in soccer stadiums. It was one of the worst places in the world. Let us not lose sight of that.

That is why we are there. That is why we are trying to help and improve the people's rights in that country. That is a news flash for the hon. member.

Ms. Judy Foote (Random—Burin—St. George's, Lib.): Mr. Speaker, it would appear that the minister thinks this is justified because it is happening everywhere else in the world.

On June 2, 2006, the Red Cross warned Canadian officials that there was a lack of judicial safeguards and that “all kinds of things are going on” in prisons where detainees had been transferred by Canadians.

Soon afterwards Red Cross officials met with senior Canadian officials on the issue of torture, both in Ottawa and Geneva.

Why will the Conservatives not tell Canadians who was at those meetings and what they discussed with the Red Cross?

Hon. Peter MacKay (Minister of National Defence and Minister for the Atlantic Gateway, CPC): Mr. Speaker, when there have been substantiated claims of abuse, we have acted, officials have acted, but let us not just quote selectively from the Red Cross. It has already clarified and dismissed some of the attempts by the members opposite to misinterpret their information.

Bernard Barrett, the Red Cross spokesperson, said in Washington he would never share confidential information. He went on to say that these interpretations are someone else's interpretations of a meeting. He also said he tried to get in touch with Canadians in Kandahar in 2006 not to warn them about prison conditions, but rather routine matters of discussing the country's responsibilities.

We value the contributions of the Red Cross in Afghanistan and internationally. It is doing great work. So are soldiers and civilians.

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*[Translation]***THE ENVIRONMENT**

Mr. Bernard Bigras (Rosemont—La Petite-Patrie, BQ): Mr. Speaker, with the Copenhagen summit fast approaching, and in response to pressure from the Americans, the Canadian government has finally agreed to listen, and is proposing to adopt absolute greenhouse gas reduction targets. However, this change will not make a real difference if the government plans on keeping 2006 as the reference year.

Oral Questions

Will the Minister of the Environment admit that Quebec will pay for Alberta if he does not recognize the efforts the Quebec manufacturing sector has been making since 1990?

Hon. Jim Prentice (Minister of the Environment, CPC): Mr. Speaker, the targets will be the main focus in Copenhagen. A year ago, in the coalition agreement, the Bloc was pushing for a North American carbon exchange. Now, it wants European-style targets and efforts.

Does it want an integrated carbon exchange with the Americans or with the Europeans? Those are two very different things. The Bloc cannot have it both ways.

• (1440)

Mr. Bernard Bigras (Rosemont—La Petite-Patrie, BQ): Mr. Speaker, we want the Kyoto targets and we want Quebec's efforts to be recognized. Is that clear enough?

For Canada, the reference year is 2006; for Quebec, it is 1990. Quebec is aiming for greenhouse gas reductions of at least 20%, and would like to do better than the 3% target Canada is set to adopt.

How can the minister claim to be speaking on behalf of Quebec in Copenhagen?

Hon. Jim Prentice (Minister of the Environment, CPC): Mr. Speaker, I met with the Premier of Quebec. The Conservative government represents all Canadians.

We have made progress with the provinces. We consulted extensively with the provinces and territories before Copenhagen. We invited the provinces to participate in talks in Copenhagen as members of the official Canadian delegation. That is why we are making the services of the embassy available to them.

We practise open federalism, and the Bloc has supported our efforts.

* * *

FIREARMS REGISTRY

Ms. Nicole Demers (Laval, BQ): Mr. Speaker, 20 years ago, Marc Lépine walked into the École Polytechnique and killed 14 young women with a hunting rifle. His was a hate crime targeting women.

Nathalie Provost, one of the victims who was injured in the shooting, is pleading with the government to maintain the gun registry. She has reminded parliamentarians that the registry is a critical tool in preventing violence against women.

Will the Minister of State for the Status of Women act in accordance with her responsibilities and explain to her colleagues that the gun registry helps prevent violence?

[English]

Hon. Peter Van Loan (Minister of Public Safety, CPC): Mr. Speaker, our government of course is very concerned about the cause of supporting the safety of women, and protecting the rights of women and protecting women from violence. That is why our government has embarked on an agenda of aggressive changes to our criminal law, to create real consequences for those who wish to engage in gun crime and otherwise. We will continue to do that and

we will continue to memorialize and remember the victims of the École Polytechnique massacre.

[Translation]

Ms. Nicole Demers (Laval, BQ): Mr. Speaker, Heidi Rathjen, a former student at the École Polytechnique, called the Conservative government hypocritical because it commemorates the tragedy but refuses to learn from it. "The government could not care less about human life, about people's safety, about women's safety or about violence against women," she said.

How can women trust this government when it wants to get rid of a registry that helps prevent violence, particularly against women?

[English]

Hon. Helena Guergis (Minister of State (Status of Women), CPC): Mr. Speaker, let me first highlight that the Liberal gun registry did absolutely nothing to make Canadians safer. It certainly did nothing to protect women against violence.

I would also like to highlight that the member is very well aware that we have made some significant changes at Status of Women. One of our pillars of focus is violence against women. We are funding a significant number of projects across the country that address the many forms of violence, be it domestic violence, cyber stalking, culturally based violence and the high rates of violence within the aboriginal community.

We have funded an equivalent of \$23 million in projects just in the last year and a half.

* * *

STATUS OF WOMEN

Hon. Anita Neville (Winnipeg South Centre, Lib.): Mr. Speaker, more than 520 aboriginal women and girls have gone missing or have been murdered in this country. Aboriginal women need to feel safe and they need to know they are being heard.

The government talks about being tough on crime but refuses to act. It refuses to launch a complete public investigation.

What will it take? How many more women will have to go missing?

When will it launch a comprehensive, national public investigation?

Hon. Helena Guergis (Minister of State (Status of Women), CPC): Mr. Speaker, the member is well aware that we are supporting Sisters in Spirit, which is led by the Native Women's Association of Canada, as it should be. It is a five year, multi-research project that our government supports and financially backs.

We are in fact looking at exploring the next options. The president for NWAC has recently said that she knows that I am supportive and that we are working together on a regular basis to look to the future.

Mr. Todd Russell (Labrador, Lib.): Mr. Speaker, that may be nice but it is not sufficient, and the Conservatives just do not get it.

Oral Questions

At least 520 aboriginal women and girls have been murdered or gone missing. At least 520 aboriginal families want answers. First nations, Inuit, and Métis communities and urban aboriginal people want and need answers, and all Canadians deserve them.

Does the Minister of Justice not know that when he talks about law and justice, it rings hollow as long as there is no justice for these women and girls?

• (1445)

Hon. Helena Guergis (Minister of State (Status of Women), CPC): Mr. Speaker, aboriginal women are three times as likely to experience violence and five times as likely to die as a result, and this is something that our government takes very seriously.

We are supporting Sisters in Spirit, a five year research project that is not to end until March 2010. We are and have been working with the Native Women's Association of Canada on the next steps for some time now. The association has indicated that it appreciates that we have taken the time to sit down with it to understand the research that it has done over the past five years and to ensure that it plays a key role in developing what the next steps exactly will be.

[Translation]

Mrs. Alexandra Mendes (Brossard—La Prairie, Lib.): Mr. Speaker, December 6, 2009, will mark the 20th anniversary of the massacre of 14 female students at the École Polytechnique de Montréal. Sadly, violence against women still exists. The Conservatives are the only ones to have refused to include “sex” in the hate propaganda legislation.

Why do the Conservatives so strongly oppose a simple amendment like the one proposed by Bill C-380, which would protect our sisters, our mothers and our daughters from hate crimes and violence?

[English]

Hon. Helena Guergis (Minister of State (Status of Women), CPC): Mr. Speaker, the government has taken a number of concrete steps to protect women across this country.

We passed the Tackling Violent Crime Act. We have made significant investments in policing. We are supporting Sisters in Spirit. We have introduced Bill C-42, which is to end conditional sentences for violent crimes such as kidnapping, human trafficking and rape, and yet I note there are so many members in the opposition benches who are against this piece of legislation.

* * *

JUSTICE

Mr. Borys Wrzesnewskyj (Etobicoke Centre, Lib.): Mr. Speaker, on December 20, 2000, the current finance minister wrote in a letter:

Federal hate crimes legislation offers protection only on the basis of race, religion and ethnicity. This...would make it difficult to proceed with a prosecution for alleged hate crime relating to gender...

It is time for the federal government to provide such tools to prosecute those promoting hatred against women.

Why have the Conservatives vetoed the efforts to add sex to hate crimes legislation, not once, not twice, but three times?

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, a better question is why did the Liberals do nothing in their 13 years in government? When it came to standing up for victims, when it came to standing up for women, when it came to standing up for children, they did nothing.

That is the difference between them and us. We are getting the job done.

* * *

TOURISM INDUSTRY

Mr. Ron Cannan (Kelowna—Lake Country, CPC): Mr. Speaker, it is an honour to rise to talk about the economic action plan, which has nearly doubled federal support for the tourism industry. These efforts are continuing to make Canada a top-of-mind destination for international travellers.

Could the Minister of State for Small Business and Tourism please update the House on the latest developments affecting the tourism industry as a result of the Prime Minister's trip to China?

Hon. Diane Ablonczy (Minister of State (Small Business and Tourism), CPC): Mr. Speaker, today our Prime Minister and China's Premier Wen announced that China has granted Canada approved destination status.

This is great news for the tourism industry. China is one of the fastest growing outbound tourism markets in the world. The Conference Board of Canada says that approved destination status, ADS, is expected to boost travel to Canada by up to 50% over the next five years. As the Prime Minister said, ADS is a significant moment in our history with China.

Mr. Brian Masse (Windsor West, NDP): Mr. Speaker, the Minister of State for Tourism revealed at committee yesterday that the government has yet to study the impact the HST will have on tourism. That is astonishing and negligent. Tourism is the fourth largest industry in Canada. It has also suffered enormously because of U.S. passport laws.

This country's tourism industry has now become a deficit of \$3.3 billion. Canada is one of the world's most expensive places to travel to. The HST will make it worse. Will the government shelve the HST or is it willing to send the tourism industry over the brink?

• (1450)

Hon. Diane Ablonczy (Minister of State (Small Business and Tourism), CPC): Mr. Speaker, tax harmonization, as the House knows, is a matter under provincial jurisdiction. We have to respect that.

Oral Questions

At the federal level, I can assure my colleague and the House that we will continue to deliver for tourism, as the House saw in the economic action plan, with \$40 million over two years, additional money for the Canadian Tourism Commission to promote Canada as a travel destination, \$150 million over two years for national parks and historic sites, and \$100 million over two years for marquee tourism events that draw thousands to Canada. We are supporting tourism.

* * *

TAX HARMONIZATION

Mr. Joe Comartin (Windsor—Tecumseh, NDP): Mr. Speaker, the list of those opposed to the HST just keeps growing: retirees associations, real estate associations, minor hockey associations, first nations chiefs and the provincial premier. In fact, included in Manitoba's throne speech was an outright rejection of the HST because "it would impose more than \$400 million in new sales tax costs on Manitoba families at a time of economic uncertainty".

Why will the government not stop pushing this grossly unfair tax on P.E.I., Manitoba and Saskatchewan, as well as Ontario and B.C.?

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, I can assure the member that nothing is being pushed on anyone. I spoke with the premier of Manitoba yesterday. This is a decision for Manitoba to make on its own in time. It is a decision that British Columbia chose to make, and Ontario, and three provinces before them.

We respect the tax jurisdictions of the provinces in their own constitutional framework. I think it is our obligation in this place to enable them to make the decisions in their own constitutional framework that are appropriate for their own jurisdictions.

* * *

[Translation]

INFRASTRUCTURE

Mr. Mario Laframboise (Argenteuil—Papineau—Mirabel, BQ): Mr. Speaker, recent municipal elections throughout Quebec have caused delays of at least three months in project submissions by a number of municipalities. By setting January 29, 2010, as the cutoff date for funding projects under the infrastructure stimulus fund and the recreation infrastructure program, the Conservatives will deprive Quebec of good projects and many jobs.

By refusing to push back the deadlines for approving projects, does the Conservative government realize that it is mostly penalizing municipalities in Quebec?

Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, our primary goal is to work with the Province of Quebec and the municipalities on this. We worked very well with Minister Laurent Lessard and it is essential that Quebec and the municipalities benefit from our infrastructure stimulus program. We are always ready to work with my colleague and with the mayors and councillors from Quebec.

Nonetheless, we respect the fact that this is a provincial decision because we respect provincial jurisdictions.

Mr. Mario Laframboise (Argenteuil—Papineau—Mirabel, BQ): Mr. Speaker, Ottawa is responsible for the deadline. It is the government that put that in its latest report.

The Conservatives must take people for fools when they say that 97% of the funding in their stimulus package has already been committed. If there were just 3% left to allocate, the Fédération Québécoise des Municipalités and the Union des municipalités du Québec would not be worried that a number of infrastructure projects will not be funded.

To avoid penalizing municipalities in Quebec, will the government show some flexibility?

Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, I appreciate the new interest my colleague from the Bloc is showing in this matter. People in Quebec are wondering why the Bloc voted against all these measures. When we wanted to work with the Government of Quebec, the towns and municipalities of Quebec, all the members of the Bloc voted against all these fine measures. Let them explain why.

Hon. John McCallum (Markham—Unionville, Lib.): Mr. Speaker, the government's latest budget report is quite useless. There are no statistics on job creation or funds disbursed. Even amounts committed do not reflect the reality.

Can the minister explain how he arrived at his figure of 97% when only 5% of the \$2 billion municipal infrastructure lending program has been disbursed?

• (1455)

[English]

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, it is good to have a question from the member for Markham—Unionville. I hope his health is good. I welcome the questions in the House on economic matters.

We do have 97% of the funding committed. What that means is that the federal government has taken the steps it needs to take to have the authority to flow the funds. We have two out of three projects proceeding. They are preserving and creating jobs across the country. Our commitment in the economic action plan was about 190,000 jobs preserved or created during the two-year plan. We are ahead of the plan on those numbers.

Hon. John McCallum (Markham—Unionville, Lib.): Mr. Speaker, I thank the minister for his concern about my health. It is the health of the economy that concerns us on this side of the House.

Canadians know they cannot count on a government that cannot count. They also know when they are being told the 97% fairytale.

The list of contradictions goes on. Do Canadians not deserve the truth rather than weasel words? Why do the Conservative numbers not add up?

Oral Questions

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, the numbers are consistent, of course. There are more than 8,000 projects under way now. Thousands and thousands of jobs are being preserved and created. Not only that, but about 167,000 people are now participating in work sharing. That means that as we move forward in our recovery, these jobs will be preserved and those industries and those people will have those jobs preserved.

Canadians know the economic action plan is working and is being implemented. We are going to stay the course and continue implementing the plan next year to ensure that we preserve and protect jobs in Canada.

* * *

THE ENVIRONMENT

Ms. Linda Duncan (Edmonton—Strathcona, NDP): Mr. Speaker, more than 500 leading Canadian scientists have written to the Prime Minister, calling for more aggressive action on climate change. They are on the front line. They are in the field documenting already evident impacts of climate change on our oceans, on our Arctic, on the Prairies.

Dr. Smol, Canadian research chair in environmental change at Queen's University, has said that the only chance of stabilizing the climate is to move much more aggressively on reducing greenhouse gases.

Will the government commit to go to Copenhagen to seek deeper, earlier cuts supported by stronger action here in Canada?

Hon. Jim Prentice (Minister of the Environment, CPC): Mr. Speaker, Canada is committed to going to Copenhagen with the targets that we have announced of minus 20% by 2020 from a 2006 base.

The real question I would ask the hon. member is if she looks at the American targets, which are similarly minus 17%, if she looks at the European Union targets, which are 14% if calculated from today's emissions, how and why would the member put forward a bill in the House, supported by the other parties, which calls for reductions in Canada of 39%? That is almost triple the cuts that are being proposed by any other industrial democracy, triple the economic damage to our country as opposed to anyone else. It is irresponsible.

Ms. Linda Duncan (Edmonton—Strathcona, NDP): Mr. Speaker, Canada has much to gain, contrary to what the minister suggests, from reducing carbon pollution.

We have the experts and we have the knowledge base to become the leaders in the green economy that will define the 21st century. Instead, what we have is a government clinging to an outdated 19th century way of thinking.

The Canadian economy is at serious risk and our once burgeoning renewable sector is losing its competitive edge.

Will the government finally deliver on its promise of support to the renewable sector and provide genuine clean power for Canadians?

Hon. Jim Prentice (Minister of the Environment, CPC): Mr. Speaker, this government has a plan. Our target is clear. Our plan is

clear. We intend to seek an international consensus, an international framework. We intend to pursue continental harmonization with the United States.

The real danger to the Canadian economy resides on that side of the House. Those members would support targets calling for reductions of 39% from today's carbon emission levels, triple the economic consequences for any other industrial democracy. Why would they do that to our jobs, to our investments, to our economy?

* * *

● (1500)

INTERNATIONAL AID

Mr. Phil McColeman (Brant, CPC): Mr. Speaker, Canada is a world leader when it comes to helping feed developing nations. We have a solid reputation internationally and here at home. Working closely with organizations like the Canadian Foodgrains Bank, we are making a difference.

During her attendance at last month's world food summit, the Minister of International Cooperation met with World Food Programme executive director Josette Sheeran. Ms. Sheeran thanked Canada for being one of the WFP's strongest and most committed partners.

Could the minister update us on her plans for Canada's food aid?

Hon. Bev Oda (Minister of International Cooperation, CPC): Mr. Speaker, this is a crucial time because for the first time in human history the number of hungry people worldwide will exceed one billion.

As the number of people who have moved into extreme poverty and hunger increases, Canada has chosen to focus on food security. We will continue to respond as the world's third largest single country donor to the World Food Programme.

I am pleased to announce an additional \$30 million to the World Food Programme to meet this challenge.

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HUMAN RIGHTS

Mr. Gerard Kennedy (Parkdale—High Park, Lib.): Mr. Speaker, Dhondup Wangchen, a Tibetan filmmaker, has been imprisoned since March for making a documentary about the treatment of Tibetans and their views.

Mr. Wangchen has contracted hepatitis B during his incarceration and there is a question as to whether he is receiving any medical treatment for his condition.

Thirty prominent Canadian filmmakers have signed a statement calling for his immediate release in recognition of the right to free speech.

During his current trip to China, will the Prime Minister specifically raise this issue with the Chinese government and call for Mr. Wangchen's release?

Routine Proceedings

Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC): Mr. Speaker, the Prime Minister was proud to meet here in his own office with His Holiness the Dalai Lama during his visit to Canada. This government was proud to sponsor the motion to recognize the Dalai Lama as an honorary Canadian citizen.

We condemned the abuse of state and police power against protests in the Tibetan region last year. We called for negotiations between China and the representatives of the Dalai Lama.

I know the Prime Minister did raise issues related to human rights in China today. Our government will continue to do so proudly.

* * *

[Translation]

QUEBEC CITY ARMOURY

Ms. Christiane Gagnon (Québec, BQ): Mr. Speaker, the Quebec City Armoury was damaged by fire 20 months ago and the government is still at the consultation stage. First there were complaints from consultant Jean Baillargeon and Yvan Lachance of the Fondation des Voltigeurs. Now it is the turn of members of the National Assembly, who have unanimously expressed their impatience with this government and the minister responsible for the Quebec City region.

Will the Minister of National Defence tell us when he intends to rebuild the armoury, as he is being asked to do by Quebecers and our National Assembly?

Hon. Peter MacKay (Minister of National Defence and Minister for the Atlantic Gateway, CPC): Mr. Speaker, I would like to thank the member for this question.

Our government will continue with the consultations. We are attempting to identify a plan for the future of the Quebec City Armoury. We are also working with the other levels of government. We have had consultations with the City of Quebec. I believe that my colleague, the minister responsible for the Quebec City region, is quite interested in this matter and has also held a number of consultations. We are still trying to determine how to proceed and to identify a solution for the Quebec City Armoury.

ROUTINE PROCEEDINGS

[English]

NATIONAL DAY OF REMEMBRANCE AND ACTION ON VIOLENCE AGAINST WOMEN

The Speaker: Pursuant to special order, we will proceed with statements by ministers.

I now call upon the hon. Minister of State for Status of Women.

[Translation]

Hon. Helena Guergis (Minister of State (Status of Women), CPC): Mr. Speaker, I rise to express the sadness I share with all Canadians who will take a moment today to reflect on one of the darkest moments in the history of this nation.

[English]

On December 6, 1989, a gunman entered a classroom in Montreal's École Polytechnique. He separated the men from the women, then shot the women. Fourteen young women died, ten more were injured and four men were also shot. Every Canadian who was alive at the time has a different recollection of the events of that terrible day, however, we were all united in our horror and our grief and our unlimited sympathy for the families of the women slain.

As a young Canadian woman, I felt shocked at first and then numb and then angry, a feeling that left me determined to help to ensure that this would never happen again. These families lost the best and the brightest, their beloved daughters, sisters, nieces and cousins, young women just setting out at the start of their adult lives full of life and love, energy and enthusiasm gone forever in a few moments of violence.

While Canada thankfully has not experienced an incident of the magnitude of the Montreal massacre since 1989, we are very aware of the fact that to end the violence against women much work remains to be done.

As Minister of State for Status of Women I am proud of the steps that our government has taken to address these challenges, including delivering the Tackling Violent Crime Act, working to prevent serious criminals from serving their sentences at home and increasing the funding to grassroots women's support groups across the country to address the many forms of violence.

Progress has been made, but more work remains to be done. Ending violence against women is not something that government can do on its own. Every Canadian has a role to play, whether by offering support to a woman caught in an abusive situation or teaching young children that all forms of violence and abuse are wrong.

Our government is united in its sorrow for women who are victims of violence and united in its resolve to end violence against women. It is time for us to face it, name it and end it.

On December 6, Canadians will pause to remember and grieve for the women who died in the Montreal massacre. I believe we serve their memory best by committing to face and end violence against the women and girls who are with us today.

• (1505)

Hon. Anita Neville (Winnipeg South Centre, Lib.): Mr. Speaker, it is with profound sadness that I stand in my place today to remember, with my colleagues, the tragic loss of 14 young women. These 14 brave and innocent women had much to live for, much to experience, much potential to realize and so much to give.

Twenty years ago this Sunday they were taken from us, wantonly, wickedly and tragically, and 20 years ago our country watched with horror and utter disbelief. How could it happen in Canada? Why were they the targets? What did they do to deserve this?

Routine Proceedings

Each and every day, daughters are born and in that moment they become the repository of their parents' hopes and dreams. On that day, 20 years ago, I wept for the victims and, along with thousands of others, wept for their parents.

Many of us in the House have daughters of our own. As a mother of three daughters, I could not bear then, or now, to think of how one would have survived something happening to any one of them.

When they are young, we want to give our daughters the world. We watch them grow into vibrant young women and into confident adults. We see in them the qualities of mind, character and spirit that will make for a better world. As they grow older, we want to believe they will be spared the injustices, the hurts, the struggles, the inequities that we had to face when we were their age.

However, tragically, women are still targets, targets of violence, targets of discrimination and targets of abuse. Each year we reflect on the lives of these women who were brutally murdered only because of their gender.

On December 6, we remember the women lost at École Polytechnique. We must also remember the hundreds of missing or murdered aboriginal women and girls in our country. We must also remember the tens of thousands of women who were victims of domestic violence and those who have been targets of random acts of violence. When will the cycles of discrimination stop? When the cycles of violence stop?

As members of Parliament, we have a duty and a responsibility not only to remember but to be vigilant. We must stand up to the discrimination and the violence and do all that we can to stop it. We all want our daughters to be safe and, on December 6, let us remember and move forward to protect our present and future generations.

Let December 6, the National Day of Remembrance and Action on Violence Against Women in Canada, be a day on which we reflect on the enormous obligation we have to and for this generation of girls and women and those generations that will follow.

• (1510)

[*Translation*]

Ms. Nicole Demers (Laval, BQ): Mr. Chair, the date was December 6, 1989. In a few days the fall university semester would be ending. Christmas music was already playing in the shopping centres. Office parties had begun, and children were counting the days to Christmas. And then everything was turned upside down.

On that December day, 14 women were lined up against a wall and shot point blank in the École Polytechnique at the Université de Montréal for one reason only: they were members of the second sex, they were women.

The date was December 6, 1989.

Everyone who is old enough to remember, remembers where they were, what they were doing, who they were with, on December 6, 1989.

The news that day shocked us. Fascinated by the horror of what had been done, we followed the story on television; we were dumbstruck that such a thing could happen here. "Of course not, that

can't be," people said. In other places, maybe, but here? Violence, horror, misogyny, in Quebec?

And then the event penetrated our minds. Horror gave way to realization. In Quebec, a profound sadness settled in. And of course, out of that, people came together, and candlelight vigils were held everywhere.

And the women and men of Quebec began to drag a millstone of pain around with them. Pain, yes, and also shame.

December 6, 1989, sullied us all.

December 6, 1989, ripped out a part of our soul, and it is now our duty to restore it.

The duty to remember does not offer absolution.

The duty to remember calls for action. The memory of those young women who were stolen from us calls on us to rise up for them. It calls on us to feel that pain again, to feel the void and the shame; it calls on us to rise in anger and indignation against the continuing violence, against the tragedies that still go on, the blows, the slaps across the face, that thousands of women still endure because they are women. Yes, the duty to remember calls on us to act and take action.

The pain that we still feel, and that we must preserve, is what prompts my outrage at this government, as it lays roses with one hand and supplies guns with the other.

Because we have not forgotten, we will carry on the struggle so that violence against women can be ended once and for all, starting by doing everything in our power to maintain the gun registry.

[*English*]

Ms. Irene Mathysen (London—Fanshawe, NDP): Mr. Speaker, December 6 is a day to remind our nation that we must end violence against women. We must remember the 14 women who lost their lives for no other reason than that they were women.

I would also like to thank my colleague, the former NDP member for New Westminster—Coquitlam, Dawn Black, for ensuring that Geneviève Bergeron, Hélène Colgan, Nathalie Croteau, Barbara Daigneault, Anne-Marie Edward, Maud Haviernick, Maryse Laganière, Anne-Marie Lemay, Sonia Pelletier, Michèle Richard, Annie St-Arneault, Maryse Leclair, Barbara Klucznik and Annie Turcotte, with 14 others who were wounded that day, are never forgotten.

Thousands of women in Canada and around the world experience violence on a daily basis, many at the hands of partners and relatives. Women, who are marginalized by society, such as aboriginal women, women in the LGBTTTQQ community, immigrants, refugees and disabled women, are further marginalized by the violence and abuse they experience. Young women and girls are most at risk of physical and sexual violence. A coordinated national effort is needed to end this terrible injustice.

We must and we can do much more to prevent the violence that so many women face. Violence against women is one of the greatest violations of human rights, but one that is rarely recognized. It is now the 20th anniversary of the Montreal massacre and the situation for many women has not improved. We must continue to commemorate this anniversary and remember not only those who died that day but all those who have been killed, injured or gone missing since then.

If we look back at the last several years, it is painfully obvious that the aspirations and needs of Canadian women have been neither considered nor respected. It has been more and more challenging for women to speak out against violence and to advocate for change. Shelters have received more and more requests for services in some areas and an over 100% increase in requests for help.

We all need to work together to end violence against women. We need to ensure that women who face violence have the resources they need to escape that violence and to not live in fear: the fear of violence, the fear of poverty or the fear of death. December 6 is a day to speak out against violence against women: the physical violence of a gun or a beating, the psychological violence of abuse or the economic violence of poverty.

• (1515)

[*Translation*]

The Speaker: I invite hon. members to rise and observe a moment of silence in memory of the victims of the tragic events that took place 20 years ago at the École polytechnique de Montréal.

[*A moment of silence observed*]

[*English*]

Hon. Helena Guergis (Minister of State (Status of Women), CPC): Mr. Speaker, there have been a number of consultations and I believe that you will find unanimous consent of the House for the following motion. I move:

That this House mark the 20th anniversary of the Montreal massacre at École Polytechnique and the adoption in 1991 of the National Day of Remembrance Act to commemorate the National Day of Remembrance and Action on Violence Against women in response to this tragedy.

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

Some hon. members: Agreed.

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

Some hon. members: Agreed.

The Speaker: I declare the motion carried.

(Motion agreed to)

The Speaker: I wish to inform the House that, because of the ministerial statement, government orders will be extended by 13 minutes.

Privilege

COMMITTEES OF THE HOUSE

PROCEDURE AND HOUSE AFFAIRS

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC): Mr. Speaker, there have been consultations among all parties and I believe that if you seek it, you will find unanimous consent for the House to receive the 27th report of the Standing Committee on Procedure and House Affairs, setting out the membership for the legislative committee on Bill C-31.

• (1520)

The Speaker: Is there unanimous consent that this report be received at this time?

Some hon. members: Agreed.

The Speaker: The report is deemed received. The report is deemed concurred in upon presentation in accordance with the Standing Orders.

* * *

POINTS OF ORDER

COMMUNICATION BETWEEN MEMBER AND CONSTITUENT

Hon. Joseph Volpe (Eglinton—Lawrence, Lib.): Mr. Speaker, yesterday in question period the member of Parliament for Kitchener Centre read from what he alleged was a private communication between me, an MP from Toronto, and my constituent regarding the Liberal Party's policies toward Israel.

The House does not know how he came by that letter, indeed whether it contained the quote cited, or more importantly, whether he respected the privacy issues related to a communication between two individuals, he being neither of them.

Would he do the honourable thing and provide clarity and transparency by offering to table the document in its unredacted form, so that we can verify that legal and ethical practices were followed in the acquisition of private mail by a third party?

The Speaker: I might suggest the hon. member for Eglinton—Lawrence could send a note, perhaps a letter to the hon. member for Kitchener Centre asking him if he could provide that information to him. It seems to be something the hon. member might want to send by mail rather than have an oral answer provided to his question on the floor of the House, whether it be in the form of a question of privilege or a point of order, whatever it might be. We will leave it there.

The hon. member for Thunder Bay—Superior North had the floor on a question of privilege before question period, so we will hear further from him at this moment.

* * *

PRIVILEGE

CONTENT OF TEN PERCENTERS

Mr. Bruce Hyer (Thunder Bay—Superior North, NDP): Mr. Speaker, I had just begun to raise a question of privilege regarding a mailing that went into my riding from the member for Brandon—Souris.

Points of Order

I have no objection to ten percenters. They can be useful if they are honest, straightforward, and shed intelligent and thoughtful perspectives on contentious issues with honest political differences. But the thing that set this mailing apart, from the other mailings that my constituents of Thunder Bay—Superior North receive, was that this mail-out contained a falsehood, purposely meant to mislead my constituents about my personal record as their member of Parliament. It has interfered significantly with my ability to represent them.

Mr. Speaker, I believe that if you look into this case of spreading falsehoods about another member of Parliament, using taxpayers' money to do so, you will find that it is an egregious breach of privilege. I will explain.

This mailing was about my record on the long gun registry. In it, the member told my constituents, "Your member of Parliament worked to support the registry and end the amnesty". Nothing could be further from the truth. As the member for Brandon—Souris well knew and well knows, I have for many years been against repealing the long gun registry. I have never worked to support the ending of the long gun registry.

In every political campaign that I have run and in between, I have never worked to end the long gun registry, and I challenge the member to come up with any instance where I have. Of course, he will find that he cannot.

To the contrary, the hon. member for Portage—Lisgar has commended me personally, and in the media, for working across party lines on her private member's bill to get rid of the long gun registry. While I also support and congratulate the member for Portage—Lisgar and her efforts to end this program and the passage of her bill, the defamatory mailing calls into question her party's desire to actually get rid of the registry and uses it as an inflammatory tool with which to attack other parties.

Mr. Speaker, I may, a minute ago, have misspoke. What I have done repeatedly is work to end the long gun registry.

I had previously and publicly stated my support for the hon. member's private member's bill. Why punish supporters of her bill in this way? If the objective is to punish and weaken those members who have stated their support for ending the long gun registry, it really calls into question the Conservatives' sincerity and whether they are really trying to scrap the long gun registry.

The defamatory mailing also states that "Instead of working to correct previous Liberal mistakes, your member of Parliament is still trying to keep the long gun registry in place". Again, this is completely and utterly untrue, and the member for Brandon—Souris must know it. I believe it is libellous.

I do not know if the member performed due diligence in verifying what was mailed out on behalf of his office, but certainly he has a responsibility to do so if these falsehoods were cooked up in the PMO or the Conservative research bureau and sent out in his name.

It is a sad state of affairs that our fundamental and necessary mailing privileges are twisted in such a way, but this is only the continuation of a recurring and deliberate pattern of behaviour from the members opposite, one that has been growing worse over time.

Mr. Speaker, you have already ruled on a similar breach of privilege in the case of the member for Sackville—Eastern Shore. This ten percenter sent into my riding by the member for Brandon—Souris has libelled me, sought to damage my credibility, reputation and character, lowered the quality of debate on this important issue in the House, and sought to obscure and deny the facts of the matter.

Mr. Speaker, today I seek a ruling from you as to whether this libellous and untruthful mail-out into my riding is a breach of privilege.

• (1525)

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC): Mr. Speaker, very briefly, since the member for Brandon—Souris is not here, I would suggest that the government will be making a response to this at its earliest opportunity, if you would allow me to make that intervention at some time in the near future.

The Speaker: That is fine. I will take the matter under consideration.

* * *

POINTS OF ORDER

COMMENTS BY MEMBER FOR OTTAWA SOUTH

Ms. Linda Duncan (Edmonton—Strathcona, NDP): Mr. Speaker, on November 23, at 12:04 p.m., I raised a point of order regarding a false statement made November 20 in the House by the member for Ottawa South on Bill C-311. He stated that it was not two weeks ago that his colleague, referencing me, the critic for the NDP, was in agreement with the extension of 30 days in committee as it was extremely important to hear other expert witnesses. This is, by the way, a complete falsehood. I had voted against the extension and had spoken very clearly in the committee and outside. I wanted an expedited review and vote on that bill.

To my knowledge, the member has not yet withdrawn this false statement and I seek your intervention, Mr. Speaker, to resolve this request.

The Speaker: I will examine the point raised by the hon. member and I will get back to the House if necessary on this point.

RECEIVABILITY OF GOVERNMENT MOTION NO. 8

Mr. Bill Siksay (Burnaby—Douglas, NDP): Mr. Speaker, I would like to raise a point of order with regard to the receivability of government Motion No. 8.

I believe the introduction of this motion at this time defies logic and challenges the ability of members to represent their constituents. Members are being asked to consider time allocation on a bill that has not yet been tabled in the House, a bill for which a ways and means motion has just been passed. This, in itself, puts members in a difficult position. We are asked to make a judgment on the requirement to limit time for debate when we have not even had the opportunity to review the bill, because it has not been tabled in the House.

Points of Order

I believe time allocation or closure must be considered in context. I would suggest there is no way of determining at this point that the government's ability to advance its program, which is the operative phrase, the key phrase in O'Brien and Bosc, has suffered any difficulty whatsoever.

There is no indication at this point that there is any reason to believe time allocation is required or necessary. Given that the bill has not been tabled, the ability of the government to move it through various stages has never even been tested. Perhaps an argument for time allocation could be justified if the bill had been tabled, if it had come up for debate and if it had somehow become bogged down in the process, but we are in no position to judge that at this point.

There is no evidence to show that such a bill would not proceed through the House within the usual parameters. There is no evidence therefore that the government's ability to advance its program has been impeded.

It is also difficult to justify to my constituents that such a massive suspension of the usual process for consideration of legislation is necessary. Without the bill being tabled in the House, it is impossible to know why this legislation will require such a significant change.

This is particularly important given that this is a tax measure. The government has told us in the motion that the bill it wants to limit debate on has to do with an amendment to the Excise Tax Act. Tax changes, increases to taxation are surely an issue, a subject which requires careful consideration. Surely our constituents deserve the due diligence of members on a new tax measure, perhaps especially on a new tax measure. Surely that due diligence requires the engagement of the usual process for the consideration of legislation in the House.

These time limitations will severely curtail the ability of Canadians to make their views on legislation known, through their MPs during the debate at various stages of the bill in the House and through their ability to participate in hearings on the bill during committee consideration.

In the development of our democratic traditions, we have often heard the rallying cry of "No taxation without representation". Short-circuiting the usual process challenges the idea that citizens will have an opportunity to participate in the decision about an increase to the taxes they pay. It will also deny the usual opportunities to improvement of the legislation that regularly results from engaging in the legislative process.

I suspect my constituents would appreciate that such a suspension of the usual process might be justified in the case of an emergency, where speed was essential. I would suggest this is not the case today. The fact that the HST is hugely unpopular in British Columbia and Ontario might be a serious political consideration for the Conservative Party and the Liberal Party, but is not in any an emergency situation that merits abandoning the established and usual legislative process.

We should note that the government's own estimation is this measure would not come into effect until July, mid-2010, which gives ample time for engaging the usual process.

A motion such as this should only be in order if it can be demonstrated that the government has suffered some kind of setback in advancing its program or that there is some kind of emergency that requires such a suspension of the usual legislative process. There has been no setback to the government program because the bill has yet to be tabled. There is no emergency because even by the government's own timetable there is lots of time to engage the usual process.

I would urge you, Mr. Speaker, to find this motion out of order.

● (1530)

Hon. Jay Hill (Leader of the Government in the House of Commons, CPC): Mr. Speaker, I will be very brief, unlike my colleague from across the way. As you well know, in connection with the procedure to bring forward government Motion No. 8, all the necessary procedures have been followed. I would point out for my hon. colleague, in all seriousness, that if he is looking for evidence of dilatory tactics by a very small political party in this place trying to hold up the necessary work of government in order to respect the provincial jurisdiction of the provinces' right to address taxation issues in their individual provinces, he need look no further than the tactics of his own party today.

In following all the necessary procedures, the government did put on the order paper the fact that we would to call the ways and means motion and then we wanted to go to debate on Government Motion No. 8, fully expecting the New Democratic Party, because there is nothing democratic about that party, to try to obstruct the work of Parliament. That is exactly what has transpired here today.

Because the New Democrats saw on the order paper the intentions of the government to move forward with the HST, because their opposition to that is well known, they have tried every possible dilatory procedure and tactic throughout today. Their consecutive points of order, their bogus questions of privilege are very transparent. We can see what they are up to. Canadians viewing this at home can see what they are up to.

I would end by again reiterating that all the necessary procedures have been followed and there is no further evidence necessary to the Chair, I believe, of the tactics that the NDP will stoop to than what we have already witnessed for several hours here today.

● (1535)

Mr. Joe Comartin (Windsor—Tecumseh, NDP): Mr. Speaker, I would point out that any questions of privilege are within your jurisdiction, not that of the House leader.

I want to supplement the comments from my colleague and draw your, Mr. Speaker, attention to Standing Order 28(3). I think the effect of government Motion No. 8, which has been put on notice before the House, is an end run around the jurisdiction again that you exercise under that Standing Order.

That Standing Order deals with the situation where the House is adjourned and it is proposed by the government to bring the House back. That can only be done in consultation with you, Mr. Speaker, and in effect, because of precedent in this regard, it is done after you are convinced, in the course of that consultation, that the issue facing the House, by the government wanting to face the House with it, is important enough, a crisis, whatever, and you make that decision.

Speaker's Ruling

The effect of government Motion No. 8 is now going to push us, if it carries through, beyond the end of the scheduled sitting time for the House of December 11. If we went to December 11, when the House normally adjourns, in the debate on this HST bill, whenever we get to actually see it, the government would then have to come to you, Mr. Speaker, and seek your endorsement, your authorization to call the House back.

Therefore, the effect of this, in addition to all the points that were made by my colleague, is to completely undermine Standing Order 28 and your authority under that. I would urge you, Mr. Speaker, to take that into consideration when you rule on this point of order.

The Speaker: I think what I will do is put the motion before the House so we know what the form of the motion is, and then I will make a ruling on the acceptability of the motion in accordance with the points of order.

GOVERNMENT ORDERS

[English]

DISPOSITION OF AN ACT TO AMEND THE EXCISE TAX ACT

Hon. Jay Hill (Leader of the Government in the House of Commons, CPC) moved:

That, notwithstanding any Standing Order or usual practice of the House, a bill in the name of the Minister of Finance, entitled An Act to amend the Excise Tax Act, shall be disposed of as follows:

1. not more than one sitting day shall be allotted to the second reading stage of the bill and, 15 minutes before the expiry of the time provided for Government Orders on the day of the consideration of the said stage of the said bill, any proceedings before the House shall be interrupted, if required for the purpose of this Order and, in turn, every question necessary for the disposal of the said stage of the bill shall be put forthwith and successively, without further debate or amendment;

2. not more than four hours following the adoption of the second reading motion, any proceedings before the Committee to which the bill stands referred shall be interrupted, if required for the purpose of this Order, and in turn every question necessary for the disposal of the committee stage of the bill shall be put forthwith and successively without further debate or amendment; a representative of the Committee may report the bill to the House by depositing the said report with the Clerk of the House, whereupon it shall be deemed to have been duly presented to the House, provided that if the bill is not reported from the Committee by 11:00 p.m. on the day of the adoption of the second reading motion, the bill shall immediately be deemed to have been reported from the Committee without amendment; that for the sole purposes of this Order, the deadline for notice of report stage motions shall be 3:00 a.m. the day following the adoption of the second reading motion;

3. the bill may be taken up at report stage at the next sitting of the House following the notice deadline for the presentation of report stage motions, provided that a motion for third reading may be made immediately after the bill has been concurred in at report stage;

4. not more than one sitting day shall be allotted to the consideration at report stage and third reading stage of the bill and, 15 minutes before the expiry of the time provided for Government Orders on the day of the consideration of the said stages of the said bill, any proceedings before the House shall be interrupted, if required for the purpose of this Order, and in turn every question necessary for the disposal of the said stages of the bill shall be put forthwith and successively, without further debate or amendment;

5. should a recorded division be requested on any motion in relation to any stage of the bill and such a division is eligible to be deferred pursuant to Standing Order 45, the division may be deferred to a time not later than the end of Government Orders on the day that stage is under consideration and the operation of Standing Order 45(6) shall be suspended in relation to this bill; and

6. if the bill is not read a third time and passed by Friday, December 11, 2009, when the House adjourns on Friday, December 11, 2009, it shall stand adjourned

until Saturday, December 12, 2009, at 10:00 a.m.; commencing on December 12, 2009, and concluding on the day on which a motion that the House stands adjourned pursuant to this Order is adopted the hours of sitting, the Order of Business of the House and the provisions of Standing Order 54 shall be those provided in the Standing Orders for a Tuesday; at any time on or after December 12, 2009, a Minister of the Crown may propose, without notice, a motion that, upon adjournment on the day on which the said motion is proposed, the House shall stand adjourned until Monday, January 25, 2010; the said motion shall immediately be deemed to have been adopted provided that for the purposes of Standing Order 81(10)(c), the House shall be deemed to have been adjourned on December 11, 2009, and provided that, during the adjournment, for the purposes of any other Standing Order, the House shall be deemed to stand adjourned pursuant to Standing Order 28.

* * *

● (1540)

POINTS OF ORDER

RECEIVABILITY OF GOVERNMENT MOTION NO. 8—SPEAKER'S RULING

The Speaker: With respect to the point of order that was raised, it has been suggested that the motion that I just read is out of order because it is not in conformity with the practices of the House.

The House is master of its own procedure. The Standing Orders of the House, which are our rules, are adopted by the House and are used by it and the Chair as the rules of the House. However, the House is free to adopt a special order on any occasion that it wishes to do so, which can change those rules either permanently or on a temporary basis, or in respect of a single bill, or in respect of a special committee, or any other purpose.

Members of the House are free to agree upon and make changes in the rules of our practice, which we do frequently, often by unanimous consent, but sometimes without unanimous consent, because a motion is introduced and changes are made.

On February 23, 2007 the government introduced a motion. It read in part, "That, notwithstanding any Standing Order or usual practices of the House, a bill in the name of the Minister of Labour" had special provisions set out that dealt with the disposition of that bill in the House.

The hon. member for Windsor—Tecumseh raised a point of order on that occasion, arguing that the motion was not in order, that it was contrary to our practice. He made a very able argument, but he ran into difficulty because the ruling from the chair said that his argument was not a good one. I will quote my ruling if I may. I do not like quoting myself, but I am happy to do so in this case. I said:

I am concerned about his reference to the fact that a majority of the parties in the House have not agreed to something and therefore that something may not be in order. The House decides matters, not by party but by votes, by the number of members supporting or rejecting a motion. In my view, that is the way the House operates and will continue to operate.

What we have here is a motion that has been put forward to the House to make changes in the rules in respect of one bill. If the House decides that it wants to do that after a vote by the members of this House, it seems to me that it is entirely within the jurisdiction of the House to do it. It is not for the Speaker to say that the motion is out of order because it does something that the rules do not allow for.

Government Orders

The rules do allow us to make changes to the rules whenever we want, and we do it on a fairly regular basis. We had a rule change today to allow statements by ministers at 3 o'clock instead of this morning at 10 o'clock. That was not a problem; members agreed to it and it happened.

We now have a proposal to make changes to the rules that apply to a particular bill that has been introduced in the House and is now going to be the subject of debate under different rules perhaps than other bills are. I have just read the long thing. It is tedious, but there it is.

In my view, it is a matter that can be brought to the House for debate and it should be discussed by the House and then ultimately voted upon by the House, as I am sure it will be when the debate concludes.

Thus in my view, the motion before us is in order. I now call upon the Parliamentary Secretary to the Minister of Finance who wishes to make a speech on this matter.

* * *

DISPOSITION OF AN ACT TO AMEND THE EXCISE TAX ACT

The House resumed consideration of the motion.

Mr. Ted Menzies (Parliamentary Secretary to the Minister of Finance, CPC): Mr. Speaker, I am tremendously relieved, as I am sure most members of this House are, to actually get on with what you were just referring to, that is, democracy.

The government House leader deserves a great deal of credit for recognizing how important this is, and that is what my speech today will be reflecting, the fact that this is indeed very important. We heard many interventions this morning and again this afternoon suggesting that this was not important. My suggestion would be to tell that to the provincial leaders, to tell that to the elected members of the Ontario legislature, the elected members of the British Columbia legislature. British Columbia is actually debating this now. They need confirmation, they need assurance. Businesses need to know what the taxation system in their province is going to be. Provincial governments need to know with assurance how they will be collecting their taxes in the coming years. Therefore it is indeed very important, and this House and this government is absolutely seized with that.

Therefore, thank you, Mr. Speaker, for the opportunity to begin this debate on this very important motion. The motion begins a process that would allow the federal parliament to affirm a fundamentally straightforward principle, that provincial taxation is a provincial responsibility and, as such, that provinces should have the freedom to choose the model of taxation they decide best suits their province. It is that simple. It is a motion allowing the federal Parliament to demonstrate basic respect for provincial autonomy and to facilitate provincial choice, including a move to a harmonized value added tax.

Presently in Canada different provinces have adopted different models with respect to their sales taxes. Currently, five provinces have sales taxes; four provinces have a value added tax or a variation thereof; and one province has neither, that being my own province.

What is important is that these provinces have the freedom to choose what model suits them best: a sales tax, a value added tax, or neither. We support that freedom and we believe that all provinces should be treated equally. All should have the right to make their own decisions with respect to provincial taxation, including the right to adopt a harmonized value added tax.

I note that the previous Liberal federal government, under Prime Minister Jean Chrétien and then finance minister Paul Martin, first facilitated that decision of the provinces of Nova Scotia, New Brunswick and Newfoundland and Labrador to harmonize new value added taxes with the federal value added tax in the 1990s.

We believe that all provinces should have similar freedom to make their own decision.

Recently, two more provincial governments, specifically, British Columbia and Ontario, decided to make a similar decision and to replace their sales taxes with a harmonized value added tax.

Again, as all members of this House should know, let me underline that at the end of the day, provincial governments alone make this decision.

As the current Liberal member for Vancouver South, a former premier of British Columbia, recently noted:

Ultimately it is the decision of the provincial government whether or not to do HST.

Or listen to the current Liberal member for Toronto Centre, a former premier of Ontario. He noted that it was up to provinces to decide whether they wanted to proceed with a harmonized tax. He said:

It's a decision for them, not for us.

Let me repeat and emphasize that last part: "It is a decision for them, not for us", referring to the federal government here in Ottawa.

Indeed, let me quickly read into the record statements underscoring that very sentiment that were made recently by both current premiers and both current finance ministers of the provinces in question.

● (1545)

The Premier of British Columbia, Gordon Campbell, said:

This is a matter of provincial autonomy. It is simply saying that British Columbia and Ontario will get the same kind of opportunities they have had for Nova Scotia, New Brunswick and Newfoundland.... This is important to our future as a province. When I hear leading economists across the country saying this is the most important thing we can do for our economy in British Columbia, for our forest industry, our mining industry, and they've defined this themselves, not me, as the most important thing we can do as they move into the 21st century, I'm willing to stand on that.

The Finance Minister of British Columbia, Colin Hansen, said:

The question MPs have to ask themselves is not whether they like or don't like the HST, it's whether or not they will honour a request from the provinces of B.C. and Ontario.

The Premier of Ontario, Dalton McGuinty, said:

The people of Ontario aren't so much interested in the interplay between the various parties on Parliament Hill, they're interested in their future....

I am counting on all members of the House of Commons...to understand how important this is to the people of Ontario.

The Finance Minister of Ontario, Dwight Duncan, said:

Government Orders

I fully expect and hope the parliament of Canada will honour the wishes of the duly elected governments of Ontario and British Columbia

To summarize what both premiers and both finance ministers are requesting is very straightforward. It is clear that they simply both endorse the commonly accepted principle that provincial taxation and changes made to it are indeed a provincial responsibility. Moreover, provinces must be allowed the opportunity and freedom to adopt whatever model of taxation they deem fit. This is not complicated, and we fully support and recognize, as does the Liberal Party of Canada and the Bloc Québécois, their provincial autonomy in this matter.

If any member of the House, specifically the members of the NDP, do not fully recognize or respect that concept of provincial autonomy, I believe the proper course of action for them is to follow the lead of their former NDP colleague, the member for New Westminster—Coquitlam, Dawn Black, or their former NDP colleague from Elmwood—Transcona, Bill Blaikie, and run provincially in their respective provincial legislative assemblies.

Again, we fully support the right of a province to adopt whatever model of taxation it chooses, including a harmonized value added tax. However, as was the case when Nova Scotia and New Brunswick and Newfoundland and Labrador decided to make the transition over a decade ago under the Chrétien government, a technical legislative change was required to support a move to a harmonized value added tax.

To facilitate such a transition in a fair and consistent manner, we will be proposing technical tax legislation to implement a provincial choice tax framework, to be equally available to any province that chooses to move to a fully harmonized value added tax. This technical legislative change to recognize provincial choice will require parliamentary approval. As British Columbia and Ontario are currently undertaking a significant restructuring of their economies on the basis of that, this federal Parliament must act quickly. Uncertainty and delay are not an option.

Unnecessary delays would be unfair to business, unfair to provincial governments and their employees, unacceptable to consumers and unhelpful to Canada's international competitiveness. Again, this is not a difficult decision: either Parliament supports the right of provinces to choose their own model of taxation, including moving to a harmonized value added tax; or it does not.

This motion will allow Parliament to make the decision in a timely manner and confirm the right of provinces to choose freely without federal intervention. A timely decision will provide certainty for businesses and provinces, certainty they deserve and that we can provide them.

Before concluding, let me turn my attention to the federal New Democratic Party. We will hear some strange things from it, I might argue, and I think we already have; but in the days going forward we will hear some more about their record on taxation and their opinion of taxes.

• (1550)

From the start, let me set the record straight. The NDP does not and has never believed Canadian families should pay less tax. The NDP has voted against, criticized and mocked every single tax cut

our Conservative government has ever introduced. That is the NDP record.

Unlike the NDP, our Conservative government believes that leaving more money in the pockets of hard-working Canadians is the right thing to do and we have the record to prove it, unlike the NDP. Since coming to office in 2006, we have, in fact, cut over 100 taxes, reducing taxes in every way government collects it: personal, consumption, business, excise taxes and more. We have removed almost 950,000 low-income Canadians completely from the tax roll. We reduced the overall tax burden to its lowest level in almost 50 years. That all translates into substantial tax savings for individuals and families.

As an example, families with incomes between \$15,000 and \$30,000 will receive tax relief in 2009 on an average of nearly \$650, while families with incomes in the \$80,000 to \$100,000 range will receive on average a tax reduction of over \$2,200. The NDP voted against these Conservative measures and protested every single step of the way.

Let us review the actions we have taken to reduce taxes on individuals, families and businesses by an estimated \$220 billion over 2008-09 and the following five fiscal years. We ensured all Canadians, even those who do not earn enough to pay personal income tax, benefited from the 2% reduction in the GST rate. The NDP voted against that.

We ensured all taxpayers benefited from personal income tax relief which included reducing the lowest personal tax rate to 16% and increasing the basic amount that all Canadians can earn without paying federal income tax. Again, the NDP voted against that.

We introduced the new tax free savings account to improve incentives to save through a flexible, registered general purpose account, a policy initiative generally heralded as the most important tax measure included in this area since the RRSP that allows Canadians to earn tax free investment income. Once again, the NDP voted against that.

The recession fighting, job creating home renovation tax credit introduced last January, guess what? The NDP voted against it. We introduced significant tax relief to position Canadian businesses for success—

• (1555)

The Acting Speaker (Mr. Barry Devolin): Order. The hon. member for Timmins—James Bay is rising on a point of order.

Mr. Charlie Angus: Mr. Speaker, I am as interested in Tory gibber as the next person, but the member misspoke and he must correct the record. The NDP members were in the House and we voted to support the home renovation tax credit just a week ago. I do not know where the member was, but I would like him to correct the record.

The Acting Speaker (Mr. Barry Devolin): I am not sure that is a point of order. It is a matter of debate.

The hon. parliamentary secretary.

Government Orders

Mr. Ted Menzies: Mr. Speaker, let the record stand that when we as members of the House of Commons voted for budget 2009, I think if you check the record, the NDP voted against that. The home renovation tax credit was part of budget 2009.

Thank you for allowing me to continue with this great record that the NDP shows us on taxes.

We introduced significant tax relief to position Canadian businesses for success. In 2008-09 and the following five fiscal years business tax relief will total more than \$60 billion including substantial broad-based tax reductions that will reduce the general income tax rate to 15% by 2012 for job creating businesses. We also included a significant increase in the amount of small business income eligible for reduced federal tax to \$500,000. And that is not all, as we also included a reduction to the small business income tax rate to 11%. The NDP voted against that.

Sadly, the NDP has voted against every form of tax relief that we have put in place.

The Acting Speaker (Mr. Barry Devolin): Order. The hon. member for Mississauga South is rising on a point of order.

Mr. Paul Szabo: Mr. Speaker, pursuant to the Standing Orders and our practices the debate has to be relevant to the matter. What we have here is an unfair opportunity to go back over history and smear hon. members in this place. I think we have to get back to the motion before the House.

• (1600)

The Acting Speaker (Mr. Barry Devolin): Again, I am not sure that is a point of order. The hon. member for Mississauga South knows that the Chair allows significant latitude for members when they are speaking in the House.

The hon. parliamentary secretary.

Mr. Ted Menzies: Mr. Speaker, it is not my intention to smear anyone in the House. My intention is to tell Canadians how their representatives voted on tax reductions.

Therefore, I will continue. It is unfortunate that some hon. members may be wondering why they voted that way, now that it is on the public record, but I will leave that up to them when they go home at Christmas.

The NDP members of Parliament have a proven record of pushing the high tax agenda, voting no again and again in the House of Commons against our Conservative government's initiatives to lower the tax burden, by protesting and mocking our efforts to leave more money with every Canadian family and business to help them grow our economy and much more.

For the record, I ask all Canadians to listen very carefully to the following quotes that the NDP members would rather Canadians did not hear. They do not want me to expose their past statements. They do not want me to read word for word a small sampling of countless public statements current NDP members of Parliament have made clearly revealing their fundamental ideology that Canadian families should be forced to send more and more of their hard earned money to government coffers, but I will.

Here are just a few examples. Let us start at the top and listen to what the NDP leader has publicly boasted, "Further income taxes—

Mr. Charlie Angus: Mr. Speaker, I rise on a point of order. What is very frustrating is that he has not even presented us with a bill that we can see. What we are getting is just spin from the Conservative war room. Will he bring—

The Acting Speaker (Mr. Barry Devolin): Order. The Speaker ruled earlier on the admissibility of this issue. Members who are rising on points of order to simply debate the facts, the quality of the speech, the salience of examples used in the speech are beyond a point of order.

The hon. parliamentary secretary has the floor.

Mr. Ted Menzies: Mr. Speaker, let us start at the top, as I say, with some quotes from the NDP leader. He said, "Further income tax cuts we do not believe are wise at this point or affordable, given the investment priorities. The GST proposal is one we think is wrong-headed". The NDP leader again said, "I've never campaigned on tax cuts and I've never promised not to raise taxes if they needed to be raised". More from the NDP leader, he said, "Tax cuts that have no basis in terms of moving the economy forward, such as the GST proposal...are not the wise choice".

I see you are indicating I have one minute left, Mr. Speaker. I thought we actually had unlimited time on a motion, if you could clarify that please?

The Acting Speaker (Mr. Barry Devolin): Pardon me. That was my mistake. You are correct. You do have unlimited time.

Mr. Ted Menzies: Thank you, Mr. Speaker, because I was just getting to the good parts.

Mr. Paul Dewar: Mr. Speaker, I rise on a point of order.

You have just said that there is unlimited time for a motion. Could you tell me where that is cited that the member has unlimited time on a motion?

The Acting Speaker (Mr. Barry Devolin): For the hon. member for Ottawa Centre and others who might be interested, it states in Standing Order 43(1)(a):

Unless otherwise provided in these Standing Orders, when the Speaker is in the Chair, no Member, except the Prime Minister and the Leader of the Opposition, or a Minister moving a government order and the Member speaking in reply immediately after such Minister, shall speak for more than twenty minutes at a time—

This clearly states that the parliamentary secretary, as well as the first speaker for the official opposition, will have unlimited time in this debate.

Resuming debate, the hon. parliamentary secretary.

• (1605)

Mr. Ted Menzies: Mr. Speaker, it gives me a chance to reload and get going again here. My colleagues across are relishing in hearing their quotes quoted back to them.

Government Orders

I do have one other one that is pretty relevant. I would like to quote the NDP member for Outremont who, when asked about the 2007 economic statement that reduced the lowest personal income tax rate, reduced business taxes, increased the basic personal amount that can be earned tax free and lowered the GST to 5%, said: "I don't think the average Canadian is going to see that much of a change. That's not what Canadians need".

Or what about the NDP caucus chair, the member for Winnipeg North. This member previously demanded that our Conservative government—

The Acting Speaker (Mr. Barry Devolin): Order. The hon. member for Elmwood—Transcona is rising on a point of order.

Mr. Jim Maloway: Mr. Speaker, I have been listening to the member for quite a long time now and we are dealing with Government Business Motion No. 8. Nothing he has said from word one relates to Motion No. 8 in the least.

I would ask you to call him to order and have him deal with Motion No. 8. If he wants we can take time to enumerate exactly what is in that motion, but he is talking about a bill that we have not even seen yet.

This is a whole closure procedure that the government is involved in. The Conservatives could have brought this motion in two or three weeks ago and now they are crying that they have no time because we are scheduled to get out of here next Friday. They are bringing in closure. There is no bill here and with his unlimited time he is not even addressing the motion in front of us.

The Acting Speaker (Mr. Barry Devolin): The hon. member for Elmwood—Transcona is correct when he says that the motion before the House is Government Business Motion No. 8. What we are dealing with is a bill in the name of the Minister of Finance entitled "An Act to amend the Excise Tax Act". Subsequently, there are significant references from a procedural point of view in terms of how that will be dealt with.

As you know, it is common practice for the Chair to give great latitude to members of the House. At times the Chair does remind members to stay between the ditches in terms of staying on track even when they have unlimited time, so I would encourage the hon. parliamentary secretary to accept this advice and to resume with his remarks.

The hon. parliamentary secretary.

Mr. Ted Menzies: Mr. Speaker, I did not realize that I was not between the ditches. I would not want to put myself in that position. But perhaps I could remind hon. members why we are here debating this very important motion.

If the hon. member had been listening, he would have heard at the outset of the speech the reference I made to how important this is, how critical this is that we get this done and get it done quickly. We have two provinces that have made commitments to their taxpayers, that have made commitments to their businesses that they are going to move forward with a harmonized value-added tax.

We have seen an incredible display already today in trying to hold that up. I am sure it may not be the premiers of those two provinces, but I am sure their legislators are watching with interest to see why it

is being held up. They want to move on with the decision they have made, the decision that is within their jurisdiction to provide that sort of a tax program to their taxpayers, to their businesses. They have given the arguments in their legislature why they want to go ahead with it. It is our duty to provide them the avenue in which they can do that. That is what I am referring to here.

I am also making examples of the hypocrisy we are seeing. Some of the members of the House are standing and saying, "Don't raise people's taxes", but yesterday they said, "Raise people's taxes". There is no credibility to this, so I am pointing this out to make the argument why we need to get this through, why we need to get it through fast, why we do not need delay and filibuster from the NDP because it does not make any sense. There is no correlation with its past record and what it is going to come forward with here with what we have seen already.

There are one or two more quotes that are just so good that I cannot leave them out. The member for London—Fanshawe, if I can quote again, said, "I am absolutely astonished. I am breathless".

•(1610)

The Acting Speaker (Mr. Barry Devolin): Order. The hon. member for Trinity—Spadina is rising on a point of order.

Ms. Olivia Chow (Trinity—Spadina, NDP): Mr. Speaker, it looks like perhaps the member has not listened to your ruling. I read every word in Motion No. 8, which on the order paper on page 36. There is nothing in here about the content about which the members talked. It talks about a number of hours and sitting days and how the public are not allowed to participate because there is no public hearing.

We are debating the motion. We are not debating a bill that we have not seen. Yet the member, over and over again, keeps disobeying your ruling, Mr. Speaker, and that is not the way we should proceed.

Let us get out of the ditch, using your words, Mr. Speaker, and come back on the road and talk about the whole motion, the six clauses that are in front of us.

The Acting Speaker (Mr. Barry Devolin): I will try this one more time. We are dealing with Government Motion No. 8, which deals with amending the Excise Tax Act. The parliamentary secretary may be taking a rather circuitous route to his point, but it is not the habit of the Chair to use a strict definition of what members can or cannot say, and I cannot imagine members want the Chair to do that.

However, I will go back to the hon. parliamentary secretary because I think he was getting very near the end of his presentation. The hon. parliamentary secretary.

Mr. Ted Menzies: Mr. Speaker, when you speak about back on the road, it reminds me of all the great construction projects that were put forward through our economic action plan. It is great to be back on those wonderful roads, roads that are in much better condition than they were back in those 13 dark years of Liberal government. We rejoice in the fact that we have a good road to drive down. I will listen to your ruling, Mr. Speaker, and I will steer my vehicle back on to the road.

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Despite all the heckling around me, and I am not sure if it is actually support, this is very important. The fact is the provincial governments are waiting for us to make a decision. I do not want to be the one standing between the decision those provinces have made to harmonize the value added tax. However, I would like to think the rest of the members in the House will also continue with that and ensure we follow through on our commitment to them, a commitment that was made back in the 1990s by the former Liberal government.

We are following through on that because it is imperative we treat all provinces equally. Three provinces are fully harmonized. We think it is only fair that the two other provinces, which have come to us recently, have the same equal opportunity. I would encourage all hon. members to move forward quickly and help us move this motion forward so we can provide the legislative amendment, the changes the legislation, to allow the provinces to develop their harmonized value-added sales tax within their own jurisdictions.

Hon. John McCallum (Markham—Unionville, Lib.): Mr. Speaker, I have a question for the parliamentary secretary. As occurs from time to time, we happen to be voting the same way on the motion, but I do not understand one thing. He repeatedly said how important it was to move this through quickly. Yet it was my perception that he talked at great length, almost, one could say, ad nauseam, and also provoked many interventions.

If it is so important to proceed expeditiously, why did the parliamentary secretary elect to speak at such great length, thereby prolonging this agony?

• (1615)

Mr. Ted Menzies: Mr. Speaker, I am astonished. It must have appeared that I was speaking for a long time. I thought it was such a relevant topic that it was just a minute or two. I am hearing from colleagues that we were just getting to the good part. There were some delays in that.

It is incredibly important. I certainly took a few minutes to explain the reasons why we were doing this. I do not think that has to be repeated too many times in the House.

What we do not want to see is an intended delay in getting this done. The provinces of British Columbia and Ontario came to the federal government and asked us if we would facilitate the required legislation to help them with their tax changes. That is simply what we are doing. I would encourage all hon. members who stand and speak to do so proactively.

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, the issue of the government's decision to force through the HST before Christmas has profound implications for people in Ontario. It will target seniors and it will target people on fixed incomes. Yet he spoke nothing of the implementation of the bill. He spent the last 20 minutes attacking the New Democratic Party. I am glad he attacks the New Democratic Party because it is clear the New Democratic Party is the only party that is standing up to the Tories.

Look over at the Liberal benches. Those members are lying there like a deflated balloons. Was that not the party that a few weeks ago got up on its hind legs and said, "Mr. Prime Minister, your time is up. We will now be the official opposition." Look over there. The

members are lying there. We could not get enough bicycle pumps to put life back into them.

When it comes to standing up for senior citizens, when it comes to standing up for people who are getting gouged at the gas pumps, those members are walking along dejected, like the poor old slaves of Babylon being taken off into Conservative captivity.

Let us look at the record. It was the Tories, under Brian Mulroney, who brought in the GST, and Canadians kicked them out. Now they are back for the HST, and they will gouge our consumers at the gas pumps, they will gouge our seniors citizens and they will gouge our families with home heating fuel. They are going along with the ever sad Liberals in tow.

Mr. Ted Menzies: Mr. Speaker, I am not sure if there was a question in there, but I do see I have been recognized to give an answer. I shall do that. I almost feel like I should go sit down beside my hon. colleague from Markham—Unionville. He must have hurt feelings over that. Maybe the question was for the hon. member for Markham—Unionville, but I will answer it anyway.

This is very important for Canadians. It is very important for this government. When it is requested by the provinces, we absolutely respect provincial jurisdiction. My belief is the Liberals and the Bloc Québécois do as well. Because we respect that jurisdiction, when we are asked to facilitate a tax change for those two provinces that want to make it, have made decision to make it, it is our duty to provide them that opportunity.

Mr. Rob Clarke (Desnethé—Missinippi—Churchill River, CPC): Mr. Speaker, I would like to ask my colleague, the parliamentary secretary a question.

Tonight I hear the NDP say, "The sky is falling. The sky is falling. All we want to do is look for tax relief for Canadians". The only people who are going to believe it are the NDP members. Look up, the sky is not falling. This government is committed to looking out for future tax reductions for Canadians.

I would like to read a quote from the Canadian Council of Chief Executives. It said, "The federal government clearly has done everything it can to reduce tax rates within the boundaries of prudent fiscal management".

Let us look at some other points that the government has done. The member quoted it in the speech that we "removed almost 950,000 low-income Canadians completely from the tax roll". He also mentioned, "We reduced the overall tax burden the lowest level in nearly 50 years".

I would like to hear some clarification on how much tax relief we have done for Canadians this year alone.

• (1620)

Mr. Ted Menzies: Mr. Speaker, the question from my colleague from Desnethé—Missinippi—Churchill River is a very relevant one. It speaks to the issue we are dealing with in this motion, and that is providing the provinces the opportunity to change their taxation system because they have chosen to do that.

Government Orders

We chose to reduce taxes for Canadians in all the budgets we have put forward. In fact, up to this year, we have reduced taxes by \$220 billion. To put it into perspective, for an average family of four, we have reduced its taxes over \$3,000 a year. Those are taxes that have not been sent to Ottawa. This money has been left in the pockets of families to help them better weather this worldwide economic recession.

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I am sorry even the questions are not relevant to the motion before us, which is a procedural motion to lay out the manner in which we will dispose of a bill that the government wants to produce.

With regard to Motion No. 8, paragraph 2, which lays out the committee process that is being suggested with regard to the disposition of a bill that will eventually be tabled in the House, this calls for some very extraordinary work to be done by, I assume, the finance committee. Giving it the time of 11 p.m. and having to report back by 3 a.m. seems to be way out of hand.

Would the parliamentary secretary explain to the House why the motion simply did not call for the disposition of such amendments, et cetera, to be dealt with in committee of the whole if he were interested in having this disposed of expeditiously?

Mr. Ted Menzies: Mr. Speaker, we are interested in getting this disposed of as quickly as possible. However, this is not the only legislation we are dealing with in discussions with government House leader. We had hoped to get to other legislation this afternoon, but the filibustering by the NDP prevented that.

We know there is some opposition. This is a democratic government, and we will allow debate on this. However, it needs to be limited debate. We need to move forward with this. It will be a challenge, but we think we have an exceptional finance committee, led by the member for Edmonton—Leduc. We think we can accomplish that. We are willing to sit until 3 a.m. to ensure that it clears committee, gets back to the House and we pass this at all stages.

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, the parliamentary secretary talks about jurisdictional issues. It is very interesting that first nations have been excluded from this process. In Ontario we have the example of the point of sale tax exemption. In British Columbia the first nations have put forward a number of a resolutions, calling upon the government to use the consultation process.

If the Conservatives are so concerned about jurisdictional issues, why are they excluding first nations from this very important debate and why are they not allowing them an opportunity to come before the finance committee to put their point of view forward?

Mr. Ted Menzies: Mr. Speaker, I refer back to the jurisdictional differences. Ontario has been, and is, in discussions with its first nations. Ontario has taken a different approach in the way it applied its sales tax in the past, and there are some challenges. The Ontario legislature has recognized that. It is dealing with the first nations on a consultation basis, and that is continuing.

• (1625)

The Acting Speaker (Mr. Barry Devolin): 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 Scarborough—Guildwood, International Aid; the hon. member for Labrador, Aboriginal Affairs; the hon. member for St. John's East, Afghanistan.

Resuming debate, the hon. member for Markham—Unionville.

Hon. John McCallum (Markham—Unionville, Lib.): Mr. Speaker, I am pleased to rise to speak on this issue. I will be relatively brief and concise, at least by the standards of the parliamentary secretary. I do agree with him that this is a matter that we do not want to dilly-dally on for too long. It is a relatively simple argument that I am about to make.

I am pleased to speak to this procedural motion, which outlines how the House of Commons will go about examining the tax framework that would allow provinces whose sales taxes are not harmonized to pursue harmonization if that is their wish.

The bill asks a very simple question of us all. I just said it is a very simple question so maybe the hon. member will get it the second time around. The question is: Do the provinces have the right to choose how they tax their citizens? That is a very simple question. Specifically, this motion asks if provinces have a right to harmonize their sales taxes with the federal goods and services tax.

It is important to note that seven provinces have already harmonized their sales taxes with the federal government, and none of the provinces that have harmonized have ever chosen to reverse their course and de-harmonize that tax.

In 1997 at the time of sales tax harmonization in Nova Scotia, the provincial NDP, led by Robert Chisholm, vowed that if the NDP were elected to govern, it would scrap the HST. Today it happens the NDP is the governing party in Nova Scotia, but interestingly, I have not heard NDP Premier Darrell Dexter indicate in any way that his government will de-harmonize the sales tax. In fact, the Nova Scotia NDP wants to retain Nova Scotia's harmonized sales tax. That is the choice of the Nova Scotia NDP government. We as federal politicians should respect the provincial NDP's choice to retain Nova Scotia's HST.

This year two other provinces have indicated that they would like to harmonize their sales taxes with the federal government just as other provincial governments had done during the 1990s. Now it will be up to us as the federal legislators of the 40th Parliament to decide if we will allow Ontario and British Columbia to harmonize their taxes in the same way that the 35th Canadian Parliament allowed the other provinces to do.

Should we allow provinces such as these to have a harmonized sales tax and not others? My answer to that would be clearly no. It is not the job of the federal government to give certain taxing powers to one province and to deny those same powers of taxation to other provinces. That is not how I believe our founders imagined Confederation would unfold and it is certainly not how I believe it should unfold.

It is a very simple principle and it is one that we must decide is either right or wrong. While the NDP will try to paint the bill as thousands of things that it is not for political gain, this is the essential principle that at the end of the day we will all have to decide if we support or reject.

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There are certainly arguments to be made on both sides on the merits of the harmonized sales tax, and generally speaking those arguments should rightly be made in the provincial legislatures. What we in Ottawa must not do is to deny those legislatures the ability to have that discussion or make those decisions.

In terms of the benefits of harmonization, there are reports from Jack Mintz and others that have indicated harmonization will lead to gains in investment, productivity, wages and jobs. Mintz, for example, suggested harmonization in Ontario could over five years create some 500,000 jobs. In a province that has seen manufacturing jobs hammered by the Canada-wide Conservative recession, this is certainly good news.

There is, of course, also concern about increased costs on certain items, and people with those concerns have certainly made them—

• (1630)

Mr. Jim Maloway: Mr. Speaker, I am rising on a point of order.

The member would be making a very informative and entertaining speech if in fact there were a bill before the House. The member has not said one word relevant to Motion No. 8 that is before the House which deals with the whole closure operation and the specifications that we will have one day to debate this and we will see a bill sometime in the future.

Basically, he is supposed to be debating Motion No. 8, which outlines the process that we are following, not the possible bill that may show up in a couple of days.

The Acting Speaker (Mr. Barry Devolin): I appreciate the point the hon. member for Elmwood—Transcona has made. However, I will say again what I have said before, that in dealing with government Motion No. 8, there is a reference to changes to the Excise Tax Act and members are making comments in reference to that change and to that tax. On that basis, I am granting latitude today in terms of what members are saying.

The hon. member for Markham—Unionville.

Hon. John McCallum: Mr. Speaker, there are really two sides to this debate. On the one hand, there is the medium-term point of view that harmonization will make provinces more competitive and lead to the creation of many jobs. On the other hand, there is the negative point of view that some taxes will cause some goods and services to cost more.

My major point is that the federal Parliament ought not to be the primary place for such a debate. The primary place for such a debate should be in the Ontario legislature and the British Columbia legislature, because it is a provincial matter what kind of tax provincial governments choose to impose. It is our job here in Ottawa to listen to what the two provinces decide and to pass legislation that allows them to act on that decision.

To those Canadians who are on the opposite side of the HST debate, it should be remembered that the federal Conservatives do in fact have their fingerprints all over the bill. It is the Prime Minister and his finance minister who encouraged Ontario and British Columbia to harmonize their sales taxes. It was the federal Conservatives who noticed that the two provinces were both facing deficits due to the Canada-wide Conservative recession and offered

them billions of dollars to make the sales tax change. If they had not done so, maybe Ontario and B.C. would not have decided to harmonize.

Of course, that is strictly hypothetical. The hard reality is that, for whatever reason, both Ontario and B.C. have decided to harmonize. They have struck legitimate signed deals with the federal government. As I said earlier, that is why the legislation will be about whether Ottawa thinks that provinces have the right to determine how they tax within their own areas of jurisdiction.

There is also a question related to this motion. Although no province has ever decided to de-harmonize, should one decide that that is the path the province would want to take, should Ottawa allow them to do so? I believe the obvious answer is yes. A province should be free to decide how it wants to tax its citizens within the parameters of the Constitution.

Our position is clear. Whether we in the House like the harmonized tax or not is largely irrelevant because it is a matter for provincial duly elected governments to decide. Once a legitimate legal decision has been made and an agreement is signed with the federal government, the role of the federal Parliament is to allow those provinces to tax as they see fit to tax within their own field of jurisdiction.

I will be interested to see if my colleague on the finance committee, the member for Outremont, will be voting against this legislation. Will he be voting no? Will my friend from Outremont be telling the people of Outremont that he believes it is in Ottawa that the decision should be taken on how provincial legislatures must tax their citizens? Is it the view of the member for Outremont that we have un *fédéralisme* dominant and that all decisions on provincial constitutional taxation are to be made in Ottawa? Although my friend from Outremont will vote against this legislation, I would be most surprised if he ever commented on the matter when he returns home to his riding.

What we can do here today is give a clear signal to the two provinces that have asked to harmonize and join with the provinces that have already harmonized that they are free to do so. To tell them that the door has not been closed on sales tax harmonization, leaving some provinces with an HST and other provinces unable to have one, is not a legitimate decision.

That clear signal is what this motion is about. It lays out how the bill will proceed through the House, including committee stage beginning tomorrow. The motion also contains a commitment that if the bill is not passed by the Friday on which the House is set to rise for the holiday break, we will continue to sit in this place on Saturday to further discuss the bill.

• (1635)

As I stated earlier, there is a clear question here. Perhaps I have been a bit repetitive but it seems to take repetition for it to sink into the minds of the NDP members. Basically it is a very simple question and I have repeated it perhaps three or four times, but they still do not seem to get it.

Government Orders

I am only going to speak for about one more minute, but I will repeat one last time the simple question that I am asking the NDP to absorb. The question is: Do provinces have the right to choose how they tax their own citizens? I would ask the members of the NDP to please consider this. Do provinces have the right to choose how they tax their own citizens?

It seems that the NDP is saying that the provinces do not have that right. We on this side of the House are saying that the provinces do have that right, whether or not we happen to be fans of the precise tax which those provinces choose to impose. The Liberal Party believes that provinces should have that ability. We will be supporting this motion to give those provinces the legal certainty that they need.

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, I will try to help my colleague. I do not want to sound like I am being unfair to the Liberal Party, because it is sort of like jumping up and down on Jell-O.

Regarding his question about where the NDP stands on the HST, if we search the words “flip-flop on HST” on Google, guess what comes up? It is not the Conservative Party. Everybody knows where the Conservatives stand. They are rotten to the core. What comes up is the Liberals.

Just this past September, a visitor from Harvard University denounced the HST. What did he call the HST? I am not going to use the Prime Minister's name, but he used the Prime Minister's surname which begins with an “H” and said it was his sales tax. He said that the Liberal Party was opposed to the way the Prime Minister was going around the country forcing these tax harmonization agreements.

Now that the Liberals have had to come under the wing of the Conservatives again, they are trying to make this an issue of the right of provinces, when their own leader was flip-flopping on this.

I am trying to find where the party stands on everything. When it came to Kyoto, the Liberals voted to kill Kyoto. When it came to pay equity, they voted to kill pay equity.

Then they decided they were going to stand up and say that the Prime Minister's days were numbered because they suddenly discovered evolution and developed vertebrae. What did they do? They voted against the home renovation tax credit that they previously supported. They then voted against the extension to EI benefits.

But now when it comes to a tax that will squeeze little old ladies on their home heating fuel, now when it comes to a tax that every time we go to the gas pump we are going to pay an extra 8¢, thanks to the Liberal Party and thanks to the Prime Minister, guess what? Now they are back onside.

The problem with the Liberal Party is that it stands for nothing. On the HST issue, the Liberals have to be willing to take complete credit for the fact that people in Ontario will be paying hundreds of millions of dollars more at the gas pumps every year with the HST when they pay for their gas because of the Liberals' support.

I would like to end with a quote from Dimitri Soudas, who should now be supporting the Leader of the Opposition, but then he was

attacking the Liberal leader and he was responding to the HST. He said, about the Liberal leader's then opposition to the HST:

When you're an opportunist like [the Liberal leader], you think nothing of saying one thing in public, another in private.

Here we are, being forced to rush through a bill that nobody has ever seen, that will have profound implications for citizens across Ontario and British Columbia, that will deny treaty rights to first nations people, and the member thinks that the only just thing to do as a Liberal is to get it through as fast and as quickly as possible so there is no accountability and nobody will check. First nations families, senior citizens, those on fixed incomes will all be left out in the cold for Christmas, but the Liberals will try to sneak back with the Conservatives and pretend they had nothing to do with it.

Will the member at least stand up, be accountable and say, “Yes, we as the Liberal Party completely side with the Conservatives, as we do on all great matters of principle, and support this regressive tax”?

• (1640)

Hon. John McCallum: Mr. Speaker, I thank my colleague for a speech rivalling that of the parliamentary secretary in both length and relevance.

He basically misses the point when he talks about what a Liberal member would do. It is not what a Liberal member would do. It is what a federal member should do, a member of the federal Parliament.

He has not addressed the core issue, and I repeated it at least six times in the hope that NDP members might understand the point. The point is not so much whether or not one likes this tax. The point is whether we think that we as federal parliamentarians have the right to ride roughshod over the desires of duly elected governments in the provinces.

If a province decides to enact a tax that is in its own jurisdiction, the province has the right to enact that tax. I would hope that one of the NDP members, when one of them no doubt stands up again with questions, will address that central issue.

Mr. Mike Lake (Parliamentary Secretary to the Minister of Industry, CPC): Mr. Speaker, I listened with interest to the hon. member and actually agreed with much of what he had to say. I did note, however, that he continues to try to dupe Canadians into believing that Canada is the only country facing a recession at this time.

I note the stark contrast in what he said compared with what media commentators and experts around the world have had to say about this. For example, the *New York Times* said, “Why not emulate the best in the world, which happens to be right next door?”

Newsweek said, “If President Obama is looking for smart government, there is much he, and all of us, could learn from our...neighbour to the north”.

The London *Telegraph* said that the Canadian Tories were a model of how to behave during a downturn.

Government Orders

The French finance minister, just a couple of months ago came out of the G20 finance ministers meeting saying, "I think we can be inspired by the Canadian situation. There were some people who said, 'I want to be Canadian'". We do not even know where the Liberal leader stands on that issue.

I would like to know what the hon. member's comments are in regard to those comments, noting of course that he always tries to take credit for things that he did 13 years ago when he was in charge of the finances of the country.

The quote said that the Canadian Tories were a model of how to behave during a downturn. I would like the hon. member's comments on what the world has to say about Canada's leadership at this time.

Hon. John McCallum: Mr. Speaker, I did not think I criticized the Conservatives about the recession, had I? Therefore, I do not know quite what the member is talking about.

However, I would point out that while I appreciate the compliment of leading the nation's finances 13 years ago, I was not even elected to this Parliament 13 years ago, but I thank the member anyway.

I will take this opportunity very briefly to correct the typical propaganda and weasel words coming from the government. Every economist on the planet measures a country's growth by gross domestic product, GDP. It is a fact that in the last six months Canada's growth measured by GDP did worse than every other country in the G7 except one, the UK, the second worst.

The government did not like to sell that picture to Canadians so it invented some other measure called domestic demand, some arcane thing that no one else uses. Lo and behold, Canada looked better when measured by domestic demand, whatever that is, over the past six months. The government is trying to fool Canadians because the only measure is GDP on which we are second to last. Therefore, it picked some garbage arcane measure instead on which we do better, but nobody will believe this nonsense.

•(1645)

Hon. Shawn Murphy (Charlottetown, Lib.): Mr. Speaker, since the previous questioner talked about the economy and the GDP of this country I just want to get a comment from the member.

It just seems that we are in a time warp here. I know when the Conservatives were in power before, when they left power, the annual deficit was \$43 billion, interest rates were 12%, and unemployment was 11%.

The member for Markham—Unionville, as the previous speaker indicated, helped straighten those things out and we had 10 years of surpluses. Interest rates were lowered. The member came in 2000 and did a lot since then. We had 10 years of surpluses, low interest rates, and high employment. Now it just seems we are right back to where we were: deficit at \$56 billion, interest rates are increasing, and unemployment is double digit.

I will put the question to the member. Just what went wrong? Why are we right back to where we were in 1993?

Hon. John McCallum: Mr. Speaker, I thank my colleague from Charlottetown very much for that insightful question. It happens the two of us were both elected in the year 2000 and have been good

colleagues and friends since then, but it does seem to be the fate of the Liberals that every once in a while we are called upon to inherit a big, fat, juicy, ugly Conservative deficit, and Canadians ask us to clean up the mess.

I would agree with my colleague that that is indeed what happened in 1993. There was a record \$42 billion fat Conservative deficit which we inherited. At that time we were the laughing stock of the G7. We were the worst. We were about to become a third world country and have the IMF come in.

However, what did we do? We cleaned it up and we brought that debt down from the worst to the best. Then these Conservatives came in and they inherited the best debt situation in the whole of the G7 by a country mile. They squandered that surplus before the recession hit. They turned it into a deficit. Now once again, we have a record Canadian, ugly, Conservative deficit, this time of \$56 billion. I suspect we, at some point, will be called in to clean up this second Conservative mess.

The Speaker: Resuming debate. The hon. government House leader is rising on a point of order.

Hon. Jay Hill (Leader of the Government in the House of Commons, CPC): Mr. Speaker, I wish to give notice that, with respect to the consideration of Government Business No. 8, at the next sitting, a minister of the Crown shall move, pursuant to Standing Order 57, that debate be not further adjourned.

[*Translation*]

Mr. Pierre Paquette (Joliette, BQ): Mr. Speaker, as hon. members know, we are now debating a time allocation motion moved by the government regarding the bill on harmonizing the PST in British Columbia and Ontario with the federal sales tax, that is, the GST.

We will oppose this time allocation motion, because we feel it would be irresponsible on our part to grant this time allocation without knowing the contents of the bill to be introduced by the government.

I think it is important that all members of this House clearly understand the Bloc Québécois' position on this whole issue. As we have seen, when the ways and means notice was tabled and voted on, the Bloc Québécois voted in favour of that notice, which prepares the way for the introduction of the bill on the framework for harmonizing Ontario's and British Columbia's sales taxes with the federal GST.

We voted in favour of that notice because we wanted to see the much talked about bill to find out whether, within this framework, justice would finally be done for Quebec, which was the first jurisdiction to harmonize its sales tax with the GST way back in 1992.

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We had no problem voting for this ways and means motion. But the bill still has not been introduced, and that is why we cannot support a motion for time allocation that would have us dispose of this bill we have not even seen in the space of two days. I repeat that this is an extremely important bill, because, from what I understand, it is designed to modernize the framework governing the agreement between the Atlantic provinces and the federal government on harmonizing the GST.

The Bloc Québécois is not about to hand a blank cheque to the federal government, especially the Conservative government, as hon. members know.

We intend to thoroughly examine this bill on harmonizing the GST with the provincial sales taxes of Ontario and British Columbia, because we want to ensure that, as I said, there will be room for the Government of Quebec and the federal government to negotiate a solution that is fair to Quebec. This is not the case at present.

Hon. members know that the Bloc Québécois is here to defend Quebec's interests and the unanimous positions of the National Assembly. Consequently, we are going to want to ensure that this fair solution—which will be extremely important to us—includes a framework that is flexible enough so that Quebec's choices, Quebecers' choices in terms of taxation, are possible. Flexibility is key. As we have said repeatedly in previous debates, the harmonization proposed by Ontario and British Columbia is not a perfect harmonization, which is what the Minister of Finance demanded a few months ago in order to compensate Quebec properly for its own harmonization. There needs to be flexibility, which was not the case in the agreement with the Atlantic provinces.

Second, this framework must allow Quebec to keep collecting its own sales tax, the QST, but also the federal GST, which it has been collecting since the mid-1990s. Allowing the Government of Quebec to keep collecting taxes will be a second key element, after flexibility.

Compensation is the third aspect that is extremely important to us. We want to ensure that, with this bill we have not yet seen, compensation for Quebec will be equivalent to what Ontario and British Columbia will receive as well as what has already been paid to the Atlantic provinces.

We expect that the government's proposal will be fair to Quebec.

• (1650)

The fact remains that we do not have this much talked about bill before us. Therefore, it would be totally irresponsible for the Bloc Québécois, the defender of Quebec's interests in this House, to give a blank cheque to the Conservative government. As we know, in the past it has introduced bills that at first seemed reasonable. However, after a few hours of debate, we unfortunately discovered that they contained poison pills. We are being asked to adopt this bill with less than two days' debate. Therefore, as I mentioned, we cannot agree to the proposal in the time requested.

Having said that, if the Liberals decide to support the government, the Bloc Québécois at any event will definitely ensure that the bill is studied at length with the specific goal of identifying any possible Conservative poison pill in the framework to harmonize provincial and federal sales taxes.

I brought this up and I think it is very important for everyone to keep this fact in mind. The Government of Quebec was the first to harmonize its sales tax with the new GST—the goods and services tax that replaced the former manufacturers' sales tax—in the early 1990s. At the same time, as part of an administrative agreement with the federal government, Quebec was responsible for collecting the federal tax within its jurisdiction, and that is something we want to maintain.

In 1997, the federal government offered three Atlantic provinces compensation to encourage them to harmonize their provincial sales taxes with the federal GST. An agreement was reached with New Brunswick, Nova Scotia and Newfoundland, which harmonized their taxes. This agreement was reached, and the three Atlantic provinces received the equivalent of about \$1 billion in compensation for harmonizing with the GST.

In light of this, it is completely natural that the Government of Quebec asked the federal government for compensation, since it had harmonized before the Atlantic provinces. I am sure that some members were in the House when Paul Martin, the finance minister at the time, answered a question that had been asked by our finance critic, Yvan Loubier. He very clearly said that there was no way that Quebec would be compensated. I am looking for the quote I found to read it to you. He said:

Mr. Speaker, there is a formula to compensate provinces that will lose more than 5 per cent of their sales tax revenues. This is not the case for Ontario, British Columbia, or Alberta. It is not currently the case for Quebec either, and it was not in 1990 when it signed the harmonization agreement.

First of all, I must point out that the finance minister at the time, Paul Martin, acknowledged that the Quebec sales tax had been harmonized with the GST. At the time, he said that the Atlantic provinces were compensated because they would lose more than 5% of their tax base after harmonization.

Clearly, the rule invented by the Liberal finance minister at the time, Paul Martin, is no longer valid. It is abundantly clear that Ontario and British Columbia will lose much less than 5% of their revenue once they harmonize their sales tax with the GST. As such, it is only right that Quebec should receive adequate compensation. Under the agreements signed with Ontario in March, if I remember correctly, and British Columbia in June, Ontario stands to collect \$4.3 billion in compensation and British Columbia \$1.6 billion.

• (1655)

I would like to point out that, on page 68 of Budget 2006, the following appears under the heading Competitiveness and Efficiency of the Canadian Economic Union: Furthering Provincial Sales Tax Harmonization.

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Harmonized sales taxes are now in place in Newfoundland and Labrador, Nova Scotia and New Brunswick. Quebec administers a provincial value-added tax, as well as collecting the GST on behalf of the federal government. However, separate provincial retail sales taxes continue to be collected in five provinces. The existence of provincial retail sales taxes substantially increases the effective tax rate on investment by taxing business capital goods and intermediate materials, thereby impairing the competitiveness of our tax system. Having to comply with different sales tax systems also greatly increases the complexity and the cost of doing business. The government invites all provinces that have not yet done so to engage in discussions on the harmonization of their provincial retail sales taxes with the federal GST.

In this excerpt from the 2006 budget, the Minister of Finance acknowledges that Quebec's sales tax is harmonized with the GST and he opens the door to compensation for every province that agrees to harmonize its retail sales tax with the goods and services tax. However, he never mentions anything about retroactive compensation for Quebec. This is extremely worrisome and unfair.

That means that any province that chooses to harmonize its sales tax with the GST will receive compensation. The three Atlantic provinces have already received compensation. The agreements signed with Ontario and British Columbia include compensation. The other provinces that have not yet indicated their intention to harmonize their sales tax with the GST could possibly be compensated if they decide to do so. Only Quebec, the first province to harmonize its sales tax with the GST, will never be compensated.

This is classic unfairness by the Conservative government. It will be extremely important to do a very careful review of the bill when it is introduced. Since we still have not seen it, we cannot agree on the approach the Conservative government intends to use.

We have to address this issue very seriously, but for now we cannot give the government carte blanche.

I would also like to remind hon. members that the Quebec National Assembly unanimously passed a motion on this issue on March 31, 2009. It reads:

WHEREAS Québec was the first province to harmonize with the Federal goods and services tax (GST) in the early 1990s;

WHEREAS since then, three Atlantic provinces have harmonized with the GST in 1997 and have received compensation for this from the Federal Government totalling close to 1 billion dollars;

WHEREAS the Government of Ontario announced that it would harmonize its sales tax with the GST beginning on 1 July 2010;

WHEREAS the Federal Government will grant a 4.3 billion dollar compensation to Ontario for this harmonization, an amount that is justified in the Canada-Ontario memorandum of understanding particularly owing to the desire to stimulate economic growth and job creation, and the Federal Government will administer this new provincial tax free of charge on behalf of Ontario;

WHEREAS the Ontario sales tax will be very similar to the Québec sales tax (QST) since certain goods, such as books, will not be subject to the provincial tax and that input tax refunds in Ontario may be identical to those agreed to by Québec for an 8-year period;

WHEREAS Ontario is the fourth province to receive compensation from the Federal Government as part of the harmonization of the provincial and federal sales taxes, while Québec has not received any compensation to this day even though it was the first province to harmonize its sales tax;

BE IT RESOLVED THAT the National Assembly ask the Federal Government to treat Québec justly and equitably, by granting compensation that is comparable to that offered to Ontario for the harmonization of its sales tax with the GST, which would represent an amount of 2.6 billion dollars for Québec.

That motion was unanimously passed by the National Assembly and, as everyone knows, the Bloc Québécois has always defended Quebec's interests and every consensus reached in Quebec.

• (1700)

We will keep this motion in mind as we continue with the debates around the motion and the bill, which, I would remind the House, we still have not seen.

Because I have time, I would also like to read the letter that Monique Jérôme-Forget wrote to our colleague, the Conservative Minister of Finance, on April 1, 2009, when she was the Quebec minister of finance.

When she says "Dear colleague", she is obviously not referring to me, but to the Conservative Minister of Finance. The letter reads as follows:

Dear colleague,

I wrote to you on Friday, March 27 to request fair compensation for Quebec in connection with the harmonization of the Quebec sales tax (QST) with the federal goods and services tax (GST). This request was prompted by the recent announcement that Ontario would receive \$4.3 billion in federal compensation.

Since I wrote you that letter [we are talking about Friday, March 27], the National Assembly has unanimously passed a resolution calling on the federal government to treat Quebec fairly and equitably on the issue of sales tax harmonization. On an equal per capita basis, the compensation paid to Ontario would represent \$2.6 billion for Quebec.

Even though the QST is already substantially harmonized with the GST, as all the budget documents your government has tabled since 2006 attest, you seem to believe that the QST is not sufficiently harmonized with the GST to justify paying Quebec compensation similar to what Ontario received. However, you opened the door to such compensation if Quebec agreed to further harmonize the QST with the GST.

The principal difference between the QST and the GST concerns tax rebates on the inputs of large businesses for certain goods, a measure that would cost Quebec approximately \$500 million annually, or a little less than 5% of the revenue generated by the QST.

I hereby wish to inform you that the Government of Quebec would agree to make the necessary adjustments to its QST in order to respond to your concerns about more complete harmonization, in exchange for fair and equitable compensation of \$2.6 billion.

Specifically, Quebec would agree to allow all QST corporate input tax rebates for a period of up to eight years, which is what the federal government agreed to for Ontario.

In the next few days, my officials will be forwarding to your officials a draft memorandum of agreement to manifest this commitment. You will note that, with respect to all the pertinent clauses, the agreement will be modelled for the most part on the Canada-Ontario agreement signed last March.

The Quebec government seems to be open to further harmonization while maintaining the flexibility to which I referred. There is a certain flexibility mentioned in the letter from the former Quebec finance minister, who has now returned to private life. In her letter, she expressed the Quebec government's viewpoint. This has been reiterated by the current finance minister, Mr. Bachand. Thus, there is an openness to harmonization like that offered to Ontario. For example, with regard to inputs, Quebec should be allowed a certain period of time to eliminate the taxes. The minister's letter refers to eight years. We expect that Quebec will receive the same treatment.

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From 2006 onwards, with Paul Martin as well as in the documents of the current Minister of Finance, the federal government has stated that Quebec's sales tax is harmonized with the GST. In Quebec, we are prepared to take action. The government has stated this again and so has the National Assembly, but the harmonization has to be fair and just. This is what we will be thinking about in the next few days of debate, whether it concerns the motion before us or the bill that we have not yet seen.

For all these reasons, the Bloc Québécois will vote against the time allocation motion.

• (1705)

[*English*]

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, paragraph 2 in Motion No. 8 lays out the proceedings that we would be required to follow with regard to what would happen after second reading of the bill. After second reading, the bill would be referred to finance committee. In the worst possible case that would be at 5:30 p.m. one day and the committee would have to report it back to the House by 11:00 that night. Report stage motions would have to be put in and notice given out by 3 a.m. the following morning.

When we consider the possibilities and the fact that we cannot submit a report stage motion that has already been dealt with in committee, this means any members who are not on committee will have to attend committee to see what was dealt with there so they can determine what report stage motions might be eligible for notice. It would appear to me that the intent of this is simply to technically touch the bases, but does not respect the rights of members of Parliament to do their job.

Would the member care to comment on that?

• (1710)

[*Translation*]

Mr. Pierre Paquette: Mr. Speaker, I totally agree with the hon. member. I am a bit surprised because, as far as I know, his party is going to support the motion. I think, though, that the motion ensures that the Standing Committee on Finance will be confined to a rather cosmetic role.

In our view, Quebec harmonized its sales tax with the GST in 1992. There were some very lively debates at the time. I can recall, for example, that Mr. Séguin, who was the minister of revenue, resigned as a result of Robert Bourassa's decision to harmonize the QST with the GST. It was not easy, but a decision was made, and we have had a harmonized tax ever since 1992, or for nearly 18 years.

We do not have anything against Ontario and British Columbia deciding to harmonize their sales taxes with the GST, but we would like to have a much more serious study of it than what the government is proposing. The impression I have is that the finance committee's role will simply be window-dressing and the government has already decided to proceed.

As I said, the best way to handle this would have been to allow the bill to take the usual route through the House, especially as it seems that at least three parties—the Conservatives, the Liberals and the Bloc Québécois—agree with it in principle. Our primary concern is to ensure that there are no poison pills in the bill that is going to be

introduced, which we have not yet seen, and that it includes the items which will enable Quebec to reach an agreement with the federal government, whether this is done by correcting the situation or by not standing in the way of negotiations between Quebec and the federal government.

[*English*]

Mr. Jim Maloway (Elmwood—Transcona, NDP): Mr. Speaker, the process the government is following regarding this HST issue is a travesty on Canadians. The government has had weeks to bring in the motion in a normal fashion, but it has simply dumped Motion No. 8 on us essentially at the last minute, in the last week before the recess.

Does the member not find it suspicious that the government waited until the last week before the Christmas break to introduce a time allocation motion before we had even seen the bill? Is that not part of a plan on the part of the government to ram this through in the middle of the night, in the last minutes before Parliament recesses for Christmas?

[*Translation*]

Mr. Pierre Paquette: Mr. Speaker, I totally agree with the hon. member. It is very hard to understand why the government delayed so long in introducing the bill. We asked about it, but never got an answer. The government could have introduced the bill a few weeks ago, or even today, which would have left us a few more weeks to pass it.

So far as I know, Ontario will not harmonize its sales tax with the GST until July 1, 2010. We should certainly give merchants and companies a bit of time to adjust to the new taxation system. There is a lot of informatics work to be done.

That being said, though, the Conservative government is being irresponsible or is manoeuvring to force the opposition parties to pass or defeat in hurry-up fashion the bill that is going to be introduced.

I heard that the government would not introduce the bill unless it was guaranteed the support of a least one opposition party.

We know now that the Liberals have lent their support without even having seen the bill—unless they have seen it and have not told us. There has apparently been quite an airing of views within their caucus. We, for our part, will announce our position on the bill after we see it.

Our preference would certainly have been for a real debate. Quebec has been waiting for 18 years and could have waited a few more weeks, although we do want this issue settled in 2010 at the latest.

• (1715)

[*English*]

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, the member has raised the issue around jurisdictional issues. What seems to be getting left out of this discussion is the fact there is another jurisdiction to consider, and that is the first nations jurisdiction. In Ontario and in British Columbia first nations have been completely left out of the discussion.

In Ontario there are treaty rights around point of sale tax exemptions, which are completely being disregarded by the federal government. The Conservatives can talk all they want about discussions at the provincial government level, but I need to remind those that the federal government has the fiduciary responsibility and honour of the Crown to deal with first nations.

In British Columbia the first nations leadership has demanded that they be consulted in this process.

Could the member talk about the fact that we will have four hours in the middle of the night at the finance committee, in which we will be unable to call witnesses to talk about these very important issues? Could he talk about that democratic process of effectively shutting out another level of government that should have a say on whether this unfair, aggressive tax is applied to it?

[*Translation*]

Mr. Pierre Paquette: Mr. Speaker, we do not know what will be in the bill that has yet to be introduced. There are two levels here. There is the part within the jurisdiction of Ontario and British Columbia. I agree with the hon. member that the first nations in Ontario and British Columbia seem very critical of the harmonization of their provincial sales taxes with the GST. So far as we are concerned, though, that debate should be held in Ontario and British Columbia.

The first nations in Quebec do not have any problem with this. We have not heard any first nations at all in Quebec talking about it because the taxes were harmonized in 1992 and people in Quebec accept this reality.

We will not engage in debates on the federal level that should be held by the provincial authorities. By the same token, we do not want the federal government or federal Parliament to involve themselves in debates within Quebec society on the pretext that they are more magnanimous than the provinces or Quebec. I have always been very concerned about the paternalistic attitude that this conveys.

That being said, I was in full agreement with the hon. member when she said there would be serious consequences if the Standing Committee on Finance has only four hours to study the bill.

We already had a very stormy debate in Quebec. One of the reasons why the Liberal government lost power to the Parti Québécois in 1994 may well have been the grudging acceptance given to harmonization. In any case, there was a debate. Now, though, the debate in Quebec is all about whether the federal government will compensate Quebec, as it is compensating the other provinces, or whether Quebec will be left out in the cold, as it has been for 18 years.

I completely agree with the hon. member that the Standing Committee on Finance cannot do a serious job in four hours. That is a fact. On the other hand, we have no intention of interfering in Ontario's and British Columbia's debates.

[*English*]

Ms. Chris Charlton (Hamilton Mountain, NDP): Mr. Speaker, it was only three days ago that I spoke in the House on the labour dispute between striking members of the Teamsters Canada Rail

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Conference and the Canadian National Railway. At that time, we were being asked to pass a motion that would expedite the passage of back-to-work legislation, legislation that at the time, we had not even seen yet. How can we do that? How can the House vote on something it has not seen, something it has not been able to analyze, something it has not been able to discuss in our party caucuses.

I suppose coming from the Conservatives, the party where independent political thinking is rarely apparent and never encouraged, that should not be surprising. The Prime Minister muzzles MPs in his own caucus and tells them what they can say, when and where.

In our caucus, though, we actually want to see the bills we will be voting on before we come into the House to debate them. All too often with the government, they contain poison pills that are not apparent from a cursory review. I do not need to remind members in the House about the purported economic recovery bill that included sections gutting pay equity, killing the court challenges program and other provisions that had nothing to do with helping us get out of the current recession.

Asking us to vote on something before we have even seen it is simply not on. In fact, it is contempt of our rights as members of Parliament, it is contempt of Parliament and it is contempt of the citizens of Canada who sent us here to give voice to their concerns and aspirations.

Here we are in a different context being asked to do the same thing again. Again we are in the situation where we have not had a chance to review the legislation or analyze it in detail, but we certainly know what is at stake. We may not know the details of the legislation, but we are fully aware of the devastating impact that the HST will have on hard-working families and seniors in our country. This is the wrong tax in the wrong hands at the wrong time.

The HST continues the pattern under successive federal Conservative and Liberal governments of pursuing policies that boost returns to a privileged corporate elite on the flimsy excuse that they will use those returns to benefit the rest of them. Three decades of growing income inequality in the country prove those premises false. Every person I have talked to in my riding of Hamilton Mountain understands that reality.

I have asked what they would say if I told them that the federal Conservative government was bribing the provincial Liberal government to raise their taxes by 8%. It sounds crazy does it not? That is exactly what is happening with the introduction of the new harmonized sales tax.

In the 2009-10 provincial budget, the McGuinty Liberals announced that they would be harmonizing the provincial sales tax with the federal government's goods and services tax, effective July 1, 2010. This change will hurt Ontario families because many items that we need and use every day, from gas and electricity, to cellphones and the Internet, will now be subject to a full 8% tax increase at the point of purchase.

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Let me list some of the items that will now cost 8% more because of the imposition of the HST: gasoline, utilities such as heating, hydro and natural gas, vitamins, Internet bills, cellphone bills, snow removal, magazines, adult footwear under \$30, camping fees, admissions to things like pools, taking pets to the vet, personal services like hair stylists, professional services like lawyers and accountants, membership fees for things like the gym, green fees, commercial property rentals, landscaping, postal stamps and courier fees, taxi fares, drycleaning, carpet cleaning, funeral costs, labour costs related to home renovations, motor vehicle services like towing or car washing, ice rink rentals and domestic air, rail and commercial bus tickets. All those things will now cost Ontarians 8% more.

As if this blatant tax grab were not bad enough, it may never have happened had the federal Conservative government not bribed its provincial Liberal counterparts to introduce it in the first place. Apparently, Dalton McGuinty was reluctant to introduce such an unfair tax during the recession, so the federal finance minister urged him along by offering the Ontario government an additional \$4.3 billion of federal tax money to introduce the new tax increase.

• (1720)

That is right. The federal tax dollars from seniors and hard-working families are hard at work buying them a big, fat provincial tax increase. If the federal government thinks that it can do this with impunity and that the victims of its tax policies will not notice if it does it quickly, it is dead wrong. I have never had as much feedback on a proposed piece of legislation as I have on the HST.

I want to share some of those responses with members here today.

First, let me make one other point absolutely clear. This is not an issue where business is on one side and Canadian citizens are on the other. Thousands of business are also profoundly worried about the impact of this tax.

I had the privilege of being invited to an annual get-together by the Concession Street Business Improvement Association in my riding of Hamilton Mountain. This association represents small businesses on the oldest commercial street in my riding. I had barely been there five minutes when the president of the BIA made it absolutely clear that he is 100% opposed to this tax.

The additional cost imposed on his operations, on everything from heat and electricity to the cost of transportation, will make it increasingly difficult for his family-run business to survive. That sentiment was echoed by dozens of other businesses represented at that event. This tax spells trouble for small businesses.

It is not just on Concession Street that businesses are concerned. Let me share with the House just some of the emails I have received.

One says the following:

I am writing to you to raise concerns about the Ontario government's new harmonized sales tax that will be applied to savings.

I have been running a financial advisory business in your riding for over 10 years, serving more than 200 households in our community. My business not only contributes directly to the economy, but also helps local residents plan for and achieve their financial goals.

I'm very concerned about the HST because it is essentially a new tax on savings. The combined 13% tax will directly impact the savings of all Canadians who own investment funds. It will cost Ontario residents hundreds of million of dollars every year in extra taxes that otherwise could be put into their retirement savings.

I find it difficult to understand why this tax is being introduced when there is growing recognition that most Canadians will retire with inadequate incomes. With government looking to deal with this very serious issue, it makes no sense to be raising taxes for people who have taken the initiative to provide for their future. As a financial advisor, I know how hard it is for the average family to save, and they should not be penalized for it.

The GST should never have been applied to investment funds and the HST will significantly expand its harmful impact on Ontario citizens. I urge you to discuss this with the Finance Minister...and to support a fair solution.

Thank you for your attention to this issue. I would be pleased to answer any questions you may have.

That is from Daniel, who works for L&A Financial Group FundEX Investments in Hamilton.

Here is another email. It says:

As a REALTOR in your riding, I'm writing today to express my concern about the possible implementation of a harmonized sales tax in the province of Ontario.

If that happens, it will have a devastating effect on the housing market, both new and resale.

I'm sure you've seen recent studies done by the Building Industry and Land Development Association indicating that harmonization would add tens of thousands of dollars to the cost of new housing in Ontario.

But harmonization would also have a dramatic negative effect on the resale housing market as well.

For example, harmonization would result in provincial sales tax being applied to legal fees, appraisal fees, real estate commissions, moving expenses, home staging services, landscaping and more services usually associated with real estate transactions. In addition, harmonization would result in the goods and services tax being applied to items such as mortgage insurance premiums and title insurance fees.

As you know, the real estate market has been hit hard by the current recession, with unit sales dropping 25-50% in many parts of the province. Now is surely not the time to impose new taxes on the real estate sector when we need economic stimulus to grow the Ontario economy.

• (1725)

As an educated professional in the Hamilton area, I feel that it is my social responsibility to voice my opinion on matters that will have a strongly negative impact on our community! I do NOT understand how our government can pose such an irresponsible taxation policy like this one at such a critical time. As you know, housing plays a vital role in stimulating our economy...it is a major role in creating and maintaining employment. This harmonizing tax will continue to decrease consumer spending....AND THIS IS NOT THE TIME FOR SUCH A STUPID AND IRRESPONSIBLE TAXATION POLICY...let's encourage spending in our economy!!!

...[H]armonization is bad for the housing market, bad for the Ontario economy and bad for consumers wishing to buy and sell homes in Ontario. If we continue to drive housing prices down through irresponsible and greedy policies we may soon find ourselves in the housing and financial CRISIS that our troubled American neighbours are in!

That is from Mike, who is a sales representative in the real estate industry.

Here is a third one:

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My husband and I have fractional ownership in a resort in Muskoka.... We have found out that if the HST legislation is passed that the Provincial government is looking to collect taxes retroactive for the past 7 years, resulting in an additional \$750. For those looking to purchase an interval, the HST will add an additional \$10,000 to the cost of purchasing. This is totally unfair! For the current shareholders trying to sell these intervals and continue the expansion...the HST will slow or stop sales thereby potentially deterring the future development and putting the tax burden on a few. This tax will cause undue hardship on our desire to have a vacation retreat and a place for our children to use. The HST will also increase our maintenance fees by approximately \$250+ a year.

...we are requesting that when the vote comes up in Parliament this week that you will vote No on behalf of the owners...and the people of Ontario.

We appreciate all you are doing for us in Parliament. Thanks for your attention to this issue and we look forward to a strong 'No' vote.

That is from Paul and Mary, also in my riding.

Echoing the concerns of small businesses are the voices of Ontario seniors. I quote:

We keep hearing that the present party in power of the Federal Government thinks that the H.S.T. for Ontario is a good idea. However we don't hear much from them on this subject only from McGuinty and his party, can you enlighten me on this subject.

If this is in fact the truth what are these politicians thinking at a time when the economy is basically in the toilet for a lot of people?

Adding this extra tax burden on necessities of life ie: heating, hydro etc. is a disgrace. I would like to know how they expect people on fixed incomes, low incomes or welfare are expected to come up with the extra money for this tax, some of these people are barely getting by now?

That is from Yvonne.

Here is another one:

I am a senior that must work part-time to be able to maintain my home and sustain a reasonable level of daily living and I am very concerned with regard to the blending of the two taxes.

Every day we are hearing that this utility, (hydro, water, sewer rates, bus fares, garbage collection, etc.) or real estate taxes are going up and we are just expected to be able to find the money from our meagre income to meet these new obligations. If we are able to drive a car the ever increasing cost of gasoline with the government taxes makes it almost impossible to utilize the vehicle without being required to sacrifice somewhere else in the household budget. With the cost of heating fuels going through the roof it is becoming almost impossible to heat your quarters without being deprived of some other part of your budget. Now !! the government proposes to blend these two taxes that will further increase the tax on heating fuels. Do these people have any idea what the average senior lives through each month just to get by. Where in God's name do they expect seniors to get the extra costs from - when the well is dry—the well is dry!! The government suggests the blending will make it easier and cheaper for industry to buy equipment, manufacture, operate, etc. In other words—seniors may not be able to make it through the month but, industry will—God help us all!! Oh!! but, in some instances we get a tax benefit at the end of the year to make up for the cost through the year. I would like one—just one—member of any government to tell me how this year end benefit helps any senior make it to the end of the year to get the damn benefit.

That is from Ms. Pattinson, also in my riding.

I have yet another email:

I would like you to add our objections to any petition or other document you may have in your possession in connection with the proposed harmonization of the GST AND PST. We are seniors and have seen our RRIF PORTFOLIO, as has everyone else I know, drop so that we are not sure it will be sufficient to cover our needs in the future.

● (1730)

From information I have been reading it seems to be that this proposed harmonization of taxes could affect our mutual funds inside of our RIFF Portfolio, but then again we are not sure if our understanding is correct or not. Also believe the intention may apply to home heating fuel or low cost meals.

Being a member of Carp we are kept pretty well up-to-date on the proposals being sought by the governments.

Thank you for your support to seniors in the past.

That is from Mr. and Mrs. Drumm in my riding.

It is not just seniors. The outrage goes to every part of my community. Here is another one:

This is no time to raise taxes when families are barely making ends now as it is! Shame on you!

That was from Rosa and Ken.

Clementina says:

Please tell the Members of Parliament that the government already takes too much of our money they don't need this extra tax! Thank you.

Claire and Marion add:

This is just another tax grab. Leave the taxation system as it is now. We already pay too much.

Diane and Mike comment:

Here we have a situation with many Canadians losing their homes and government's not taking a sympathetic action to help. All they want it to rip us off, yet again! Disgraceful!

Cyril mentions that:

Taxpayers were robbed to bail out the rich and corrupt. Now it seems we must give up our cash in case they want more. Call it what they like, HST or BST only changes the name of the animal not the odor.

Jutta implores:

Do not raise taxes on items every low income family with children needs. Raise the taxes on properties and other things that people spend money on when they have extra. We owe in Ontario approximately 24.5 billion—it has to be reduced and slowly paid back.

Tom, Betty and Bob believe that:

With Liberals supporting Tories on this tax, I hope more people will realize that Liberals are just small 't' Tories! They don't support average people!

Walter Young adds that:

I think or I know it is disgusting that the Conservative government and the Ontario Liberal government have lied and taxed people to the hilt and expect to get blood out of a stone with the Harmonized Sales Tax.

The quotes go on and on.

Someone else mentions:

We are taxed to death now. How can we buy anything new to help the economy along when this taxing never ends?

Finally, a family states:

Things are already too high. People are already finding it hard to make ends meet. This is a ridiculous and uncaring action towards the people of Ontario. What happened to helping and working for the people?

Madam Speaker, I see you signalling that my time is up. In essence, you are making the point for me. I said at the outset that Canadians are outraged by this new tax and that they must be heard. Yet sufficient time to do that in this House does not exist.

It does not exist because the government refuses to allow the normal parliamentary process to govern this debate. It refuses to allow a fulsome debate of the issues raised by taxpayers through us, their elected representatives, in the House of Commons. It refuses to allow taxpayers to speak for themselves by allowing for full public hearings on this important matter.

Government Orders

The government can muzzle their voices in this House, but the Conservatives will not be able to muzzle them at the ballot box. I can say with certainty that my constituents on Hamilton Mountain will not be silenced. They were the innocent victims in this recession. Their government promised them help. Now they are being played for fools by both the Liberal and Conservatives Parties in this House. It is outrageous, wrong-headed and unforgiveable.

As Dan and Judy wrote to me:

Just another perk for big business. Two less votes for the Liberals and Conservatives.

It is not too late for members to start listening to their constituents. There is still time for all members to ask themselves, which side am I on?

If we really represent the best interests of our constituents, we will be voting no on this regressive tax.

• (1735)

Mr. Ed Komarnicki (Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour, CPC): Madam Speaker, with respect to the first opening question, this is a motion, of course. When the bill is put on the floor, the member will see the bill and be able to discuss it.

The Parliamentary Secretary to the Minister of Finance made the connection between this motion and the billions of dollars in reduced taxes the government has provided for Canadian families and businesses and the hypocrisy of the position of the NDP on this issue.

I have never seen the NDP not like any particular tax or not want to hike any particular tax it has seen.

Some hon. members: Oh, oh!

The Acting Speaker (Ms. Denise Savoie): Order, please.

Mr. Ed Komarnicki: Madam Speaker, I am not sure that they are known as income tax busters or income tax fighters. In fact, I will answer the question that the member had about voting on something that she has not seen. The budget contained billions of dollars of tax reductions for families, small businesses and all those who would be affected. The leader of the NDP and that member and members of her party voted against the budget with billions of dollars of income tax reductions without even reading it or seeing it. Perhaps she could address that point.

Ms. Chris Charlton: Madam Speaker, I would be delighted to respond to the question about why we are opposed to this motion, why I am talking about the substance of the bill. The reason I am talking about the substance of the proposed HST legislation is that none of us in this House will have ample time to do it when the bill actually hits the House. That is the entire point of this motion.

I am sorry, but I do not need any lectures from that member about positions on taxes. Let me read to him a quote from the Prime Minister:

We need another way. This harmonization of the GST, this tax collusion between provincial and federal Liberal governments, is not the way to reverse the economic decline of this country.

That was said by the now Prime Minister on December 10, 1996. In case members think it was only the Prime Minister, this is what the minister of aboriginal affairs said:

The proof is in the pudding. This harmonized sales tax is going to hurt Atlantic Canada.

In the new Liberal-Conservative coalition that we now have to raise taxes on hard-working families and seniors, let me also tell the House what the member for Vancouver South, a Liberal member, said:

It is absolutely horrendous and criminal on the part of the Conservative government to be pushing this policy in a time of deep economic recession.

Yet the Liberals are joining with the Conservatives to hurt families and communities such as my riding of Hamilton Mountain.

• (1740)

Hon. Shawn Murphy (Charlottetown, Lib.): Madam Speaker, rather than get into the merits of the debate, I would like the hon. member to address one point. She did mention that taxpayers should be allowed to speak for themselves. This is a provincial issue. We are talking in this case about the governments of Ontario and British Columbia. They are democratically elected governments. They did have elections. They did debate, discuss and vote on this issue. Each province came forward with the decision to implement the HST.

I find it difficult that the federal government should say no, when it already said yes to New Brunswick, Nova Scotia, Newfoundland, and Quebec to a certain extent—

The Acting Speaker (Ms. Denise Savoie): I regret I will have to interrupt the hon. member because the hon. member for Hamilton Mountain will have less than a minute to answer.

Hon. Shawn Murphy: Madam Speaker, how can we force our will on Ontario and British Columbia when we did not—

The Acting Speaker (Ms. Denise Savoie): The hon. member for Hamilton Mountain has less than a minute to answer.

Ms. Chris Charlton: Madam Speaker, I can be very, very brief.

I appreciate that it is difficult for the Liberals to now accept responsibility for imposing higher taxes and that the member would try to weasel out of that. The reality is that it is beyond belief for people who are watching this debate to suggest that this is a provincial issue and not a federal issue when we are debating this issue in this House.

I hope that is brief enough, Madam Speaker, although I would be pleased to go on. This is not a provincial issue. The federal government is a key partner in this. That is why we are debating it. We need to give people an opportunity to appear before the committee. Let us have public hearings. Let us make sure people's voices are heard.

[Translation]

The Acting Speaker (Ms. Denise Savoie): Order. It being 5:43 p. m., the House will now proceed to the consideration of private members' business as listed on today's order paper.

PRIVATE MEMBERS' BUSINESS

[Translation]

CANADA LABOUR CODE

Mr. Mario Laframboise (Argenteuil—Papineau—Mirabel, BQ) moved that Bill C-386, An Act to amend the Canada Labour Code (replacement workers) be read the second time and referred to a committee.

He said: Madam Speaker, I am pleased to introduce, on behalf of the Bloc Québécois, Bill C-386, An Act to amend the Canada Labour Code (replacement workers). I am also pleased to be seconded by the member for Saint-Bruno—Saint-Hubert, who worked very hard in the previous Parliament to have a similar bill passed. I would like to quickly read the summary of Bill C-386.

The purpose of this enactment is to prohibit employers under the Canada Labour Code from hiring replacement workers to perform the duties of employees who are on strike or locked out. It extends the obligation to maintain essential services.

The enactment also provides for the imposition of a fine for an offence.

The bill would ensure that all workers who are fortunate enough to work in Quebec are subject to the same legislation, since replacement workers are prohibited in Quebec. I would like to provide a quick background on anti-scab legislation.

The Bloc Québécois believes that the best way to acknowledge the outstanding contribution of all those who contribute to Quebec society on a daily basis is to show true respect for their rights, by preventing the use of replacement workers during a strike or lockout. Therefore, it is imperative that workers governed by federal labour legislation have the same rights as those governed by Quebec legislation, including a true right to strike.

The Canada Labour Code should be amended and brought into line with the Quebec labour code, so as to ban the use of replacement workers, or scabs, once and for all. Anti-scab legislation would ensure that workers governed by federal legislation enjoy balanced bargaining power, and would keep tension on the picket lines to a minimum. That is the objective of Bill C-386, which would prohibit the hiring of replacement workers.

Unlike in Quebec, which has prohibited replacement workers since 1977, there is currently nothing in the Canada Labour Code that clearly and specifically prohibits the use of replacement workers.

Subsection 94(2.1) of the Canada Labour Code contains a prohibition relating to replacement workers, but only where an employer uses replacement workers for the purpose of undermining a trade union's representational capacity. That prohibition is very weak, because to be entitled to use replacement workers, an employer need only continue to recognize the union in place and continue bargaining to demonstrate its good faith. As we see, it is very easy for employers to have access to replacement workers.

A firm prohibition, which is what Bill C-386 proposes, is essential, however, for civilized bargaining to take place during a labour dispute and to promote industrial peace, and is also the cornerstone for establishing an equitable balance of power between employers and employees.

Private Members' Business

Workers in industries that are governed by the Canada Labour Code, such as telecommunications—workers in Internet businesses, cable companies and cell phone companies—and banks, ports, bridges, airports or Canada Post, who make up about 8% of the Quebec labour force, are therefore at a disadvantage when they have to bargain with their employer, and as a result they get dragged into longer strikes.

According to figures from the Quebec Ministère du Travail, for instance, Quebec workers whose employer is federally regulated are practically always overrepresented in the number of days of work lost. While they account for just under 8% of Quebec's labour force, they experienced 18% of the person-days lost in 2004 and 22.6% of the person-days lost in 2003. In fact, a peak was reached in 2002. While 7.3% of Quebec workers were employed in federally regulated organizations, they accounted for 48% of days of work lost because of labour disputes.

In a nutshell, there were, on average, two and a half times more person-days lost in the last decade in labour disputes in Quebec involving workers governed by the Canada Labour Code than those workers represent in demographic weight. Obviously, this translates into longer and more violent disputes when the employer is able to hire strikebreakers.

• (1745)

Remember the three-month dispute at Sécure, the Vidéotron dispute that lasted over 10 months and involved acts of sabotage, and the dispute at the Cargill grain elevator in Baie-Comeau that ended in 2003 after a three-year lockout. And let us not forget the unionized workers at Radio-Nord Communications, employees of the three Abitibi television stations, TVA, TQS and Radio-Canada, and the two radio stations in northwestern Quebec, who were on strike for over 20 months.

The Conservative government stated its opposition at the outset, and having no genuine arguments, retreated behind apocalyptic scenarios that have nothing to do with reality. Quebec has had legislation prohibiting replacement workers for 30 years, and there have been no catastrophes.

In spite of Conservative opposition, the Bloc Québécois was able to have Bill C-257 passed on second reading, and got it as far as the report stage. That was the first time an anti-strikebreaker bill had made it that far. The Liberals, who had supported the bill in principle on second reading, ultimately did an about-face and said the bill would not have guaranteed that essential services would be maintained.

The Canada Labour Code already includes provisions that require both the employer and unionized employees to continue the supply of services, operation of facilities or production of goods to the extent necessary to prevent an immediate and serious danger to the safety or health of the public. The Conservative government, and now the Liberal Party, have done their best to ignore these provisions.

Private Members' Business

In the March 21, 2007, vote on Bill C-257, during the last Parliament, the Conservatives and the Liberals, with the exception of some Liberal members from Quebec, joined forces to defeat the bill by a vote of 177 to 122. It is important to remember that this Minister of Labour, the same one who fiercely condemned the Bloc Québécois bill and made all kinds of irrational arguments, supported a bill to prohibit replacement workers in 1990. The Liberals tried to avoid completely losing face by introducing a bill similar to the one drafted by the Bloc Québécois. There was not enough time to vote on that bill before the election was called.

I want everyone to understand that we are making a direct connection between the Conservatives' opposition to anti-scab legislation and special bills because the right to negotiate is a basic right. However, Quebecers also believe that the right to balanced bargaining power is a basic right.

I am pleased to be discussing Bill C-386 here in the House. The Speaker recently received a letter dated December 1 from the Federally Regulated Employers - Transportation and Communications. This association, Federally Regulated Employers - Transportation and Communications, wrote to the Speaker. It is worth hearing what they had to say. The association wrote to the Speaker of the House of Commons to recommend that he vote against Bill C-386. This is a group of employers under federal jurisdiction. Apparently, it is an organization that strongly opposes the rights currently in force in Quebec. I will list some of the members: Air Canada, WestJet, VIA Rail, Canada Post, Fedex, Iron Ore, NAV CANADA, Purolator, Telus, Canadian Pacific, the Airports Association and Bell Canada.

The association does not include banks, which have employees under federal jurisdiction, but they have their own association. It is very interesting to read what the association wrote to the Speaker of the House to convince him to vote against the bill. I will read it in English.

• (1750)

[English]

They believe it is bad public policy because it would shift the balance of power in collective bargaining overwhelmingly in favour of the unions.

[Translation]

That is like saying that it is the employers who hold the power right now, and if this bill were ever introduced, it would shift the power to unions. This is despite the fact that the bill has evolved. Essential services have been added. Despite the fact that this works very well in Quebec, there is always this direct opposition from employers. This is important.

They thought it would be good to form an association, the Federally Regulated Employers - Transportation and Communications, to address this. Their letter indicates that 14 anti-scab bills have been introduced since 2000, and they are quite proud that none of those bills has passed.

In the end, they always win. It is clear in their correspondence, and in 1977 Quebec passed anti-scab legislation to ensure some degree of balance.

So employers form an association and send letters to say that if this ever changes, the unions will have all the power. This means that right now, it is the employers that have all the power. But anti-scab legislation, legislation that would prohibit replacement workers and ensure that essential services would be maintained, is a form of balance. This has definitely been proven in Quebec. Once again, it is a difficult situation. When 92% of unionized employees in a nation like Quebec are covered by anti-scab legislation, and the other 8% fall under the Canada Labour Code and do not have the same ability to negotiate or enjoy the same labour relations, this creates a clear imbalance.

Earlier I gave some examples of labour disputes that have occurred, of delays in negotiations, and the use of scabs to allow the work to continue and allow the business to operate as it did before without having to use the employees. Of course, this only fuels the debates.

This often provokes nasty situations. Indeed, people are very unhappy when no progress is being made in negotiations. The employer continues to count on replacement workers to carry on its operations. At this time, in any civilized employer-employee relationship, anti-scab legislation with the maintenance of essential services is necessary. This is what we are proposing in the bill I am introducing here today in my name and on behalf of the Bloc.

We are not engaging in these debates and making these proposals without support. There is a real consensus in the union movement to support this anti-scab bill. This legislation is supported by the Canadian Labour Congress; the Fédération des travailleurs et des travailleuses du Québec; the Confédération des syndicats nationaux (CSN); the Canadian Union of Public Employees (CUPE); the Public Service Alliance of Canada; the Brotherhoods of Locomotive Engineers of Manitoba, Ontario, British Columbia, New Brunswick and Alberta; the Syndicat des employé-e-s de techniques professionnelles et de bureau d'Hydro-Québec; the Ontario Teachers' Federation; the Congress of Union Retirees Canada; the United Food and Commercial Workers Union; the Manitoba Federation of Labour; and the Graphic Communications International Union.

We have support to offset the Federally Regulated Employers—Transportation and Communications, this association of federally regulated employers that has formed and is sending letters to the Speaker of the House of Commons. It is only natural that there should be a balance. As the letter I read earlier said, things are currently weighted in favour of the employers. It is only natural that unionized workers should want a better balance. That is why Bill C-386 is the answer. It prohibits replacement workers and maintains essential services.

• (1755)

I call on all the members of this House to support Bill C-386.

[English]

Mr. Paul Szabo (Mississauga South, Lib.): Madam Speaker, this subject matter has been before the House on a number of occasions. The issue has been the definition of essential services. Essential services, in paragraph 87.4 of the Canada Labour Code, are defined as those which prevent or cause an immediate or serious danger to the safety or health of the public.

Private Members' Business

I wonder if the member could comment on a situation. For instance, say baggage handlers at Pearson airport were to go on strike and all of a sudden the other unions within Pearson withdrew their services in support of them. It would appear that in a matter of hours the entire airline industry in Canada would grind to a halt. This has nothing to do with health or safety, but it surely does have something to do with disrupting the country. I wonder if the member would comment. Is that the case under this bill?

• (1800)

[Translation]

Mr. Mario Laframboise: Madam Speaker, when we reread the amendments to paragraph 87.4(1) we see:

During a strike or lockout not prohibited by this Part, the employer, the trade union and the employees in the bargaining unit must continue the supply of essential services, operation of facilities or production of goods to the extent necessary to prevent an immediate and serious danger to the safety or health of the public.

It talks about the operation of facilities and the safety or health of the public. The full operation of the airport is in the public interest. It is certain that if we take the provision of essential services even further, given that there is a public interest and an impact on health and safety, airports are facilities that must remain in operation.

I think that essential service legislation could apply in this case.

[English]

Mr. Jim Maloway (Elmwood—Transcona, NDP): Madam Speaker, I have letters here from some of the same people who were opposed to the air passenger bill of rights. The Canadian Airports Council says:

The Canada Labour Code has an emergency services provision designed to "prevent an immediate and serious danger to the safety and health of the public". It kicks in when there is a clear and present danger to the public. However, it does NOT cover many other essential services provided by federally regulated industries that the Canadian public view as critical to their well-being. For example, it could not be used to deal with a strike or lock-out of the following work groups who are essential to keeping an airport open and operational:

The letter spells out:

Workers who provide snow removal services at many airports during the winter
A contractor's employees who providing de-icing services
Commissionaires, or other groups who provide important security-related duties
Non-safety/security labour groups, such as baggage handlers

It goes on to say that—

The Acting Speaker (Ms. Denise Savoie): Order. The hon. member for Argenteuil—Papineau—Mirabel.

[Translation]

Mr. Mario Laframboise: Madam Speaker, I want to thank my colleague for his question.

What he just read from the documents he obtained shows that this bill could work. These employers in the aviation industry know it as well.

That is why for years now the Bloc Québécois and I have been trying hard to make people realize that a fair balance can be achieved in labour relations. We cannot allow scabs to come in and not think that this benefits one side. That is the reality. That is Quebec's experience. We know that because labour disputes involving the 8% of employees under federal jurisdiction who are governed by this

legislation last much longer than those involving employees governed by Quebec's anti-scab legislation.

When there is anti-scab legislation, essential services must be maintained. I think the bill introduced today is balanced. That is why I am asking my colleagues to avoid getting carried away, which both sides can do too easily. I am asking them to be logical and strive for balance in labour relations.

[English]

Mr. Ed Komarnicki (Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour, CPC): Madam Speaker, there is no question that this is a private member's bill.

I would like to remind the member that the Canada Labour Code was amended and it was a compromise between the interests of unions and the interests of employers.

In fact, when the Sims Commission came to that balance, it retained the right to engage in legal strikes for the employees and the employers were able to use replacement workers temporarily during a strike. Striking employees were entitled to get their jobs back after the strike and the employers were prohibited from using replacement workers to undermine the union. It was a type of balance that needed to be preserved.

This bill proposes to make significant changes to the Canada Labour Code. If it were to pass, it would ban the right of federal employees to use replacement workers during a labour stoppage. It is looking just at that particular aspect of the Canada Labour Code without regard to all of the other aspects that were used in arriving at the balance.

Our government's position on Bill C-386 is very clear. It is bad for labour relations. It is bad for our economy. It is bad for Canada.

Consider the risk that the bill poses to our economy today. Notwithstanding the positive signs of economic recovery, these are still times of uncertainty. We need to be doing everything we can to demonstrate and reaffirm that Canada is a great place to work and also to do business.

That is the spirit behind Canada's economic action plan. We have shown all Canadians that our government is determined to take whatever steps are necessary to help citizens and Canadian businesses overcome the latest economic crisis.

Canada has done and continues to do a good job of weathering the economic storm and that is thanks to our highly educated, skilled, largely mobile modern workforce. It is also thanks to the strength of our banking system, the soundness of our nation's fiscal position, and our enviable record of low and stable inflation.

Private Members' Business

Let me take a moment to talk about the first key factor, our labour force, our workforce. Our government is investing wisely in Canada's workforce and that includes fostering good labour relations. We do this so Canadian workers and businesses can be competitive and strong in today's economy, and well into the future.

Bill C-386 stands in the way of our progress and the progress that we are making. Where we have worked hard to bolster confidence, the provisions in the bill would heighten uncertainty. Where we have invested wisely in the Canadian workforce, Bill C-386 would undermine the sense of balance that has helped build and sustain good labour relations in this country over several years.

Bill C-386 would result in wholesale changes to our federal labour law in Canada without consultation, without compromise, and without consideration for the fact that existing provisions work well.

Part I of the Canada Labour Code was enacted in 1999. This achieved an important balance, as I said at the outset, between the needs of workers and the needs of employers. This was the outcome of hard work and hard fought debates and compromise. These amendments followed after a lengthy and extensive review process involving wide ranging consultations with client groups. They also followed in the wake of an in-depth study by an independent task force of industrial relations experts. That is the context under which the compromise was made and the amendments made to the Canada Labour Code.

Back in 1999, just like today, the issue of replacement workers was highly divisive. Labour and management representatives held divergent views and were unable to reach a consensus, but a solution was found and it was in the form of a compromise.

As a result of amendments that were made to the Canada Labour Code, the use of replacement workers is not generally prohibited. However, the use of such workers for the purpose of undermining a union's representational capacity, including the pursuit of legitimate bargaining objectives, is prohibited and constitutes an unfair labour practice.

The majority of parties who engage in collective bargaining under the Canada Labour Code accepted this approach as a reasonable compromise. It did not give one side everything it wanted. Instead, through compromise there was balance and good labour relations benefited as a result. Canada benefited and our economy benefited. Those gains are all put at risk by Bill C-386.

I do not see anything in the bill's proposed provision that would help boost Canada's ability to create jobs and to be more competitive in today's economy. What I do see in the bill is a recipe for instability and uncertainty in Canadian labour relations.

● (1805)

This is not the first time that this matter has been debated in the House in recent years. The total number of legislative initiatives over the last two decades are too numerous to count. In my term in the House, numerous bills and motions have come in the same respect and with the same regard as this particular bill, but all of these attempts were eventually defeated. Why? Because a majority of members of the House recognized in every instance that attempts to legislate a ban on the use of replacement workers would be

inherently harmful to labour relations and the economic health of Canada.

A common characteristic shared by some of the more recent legislative efforts is that they do not fully consider just how vital it is that a middle ground be maintained between unions and employers in the matter of replacement workers. It is a very important and delicate balance and a balance that must be maintained.

Bill C-386 defies well established facts about replacement worker legislation. First of all, 97%, and that is a high amount, of all collective bargaining disputes in the federal sector were settled last year without resorting to a strike or a lockout, often with the assistance of government-appointed mediators and conciliation officers.

Second, most federally regulated employers do not hire external replacement workers during a work stoppage. In the majority of cases, even when a dispute could not be avoided through good labour relations, employers reassigned management and other non-bargaining personnel to keep their operations functioning.

Third, several independent studies on the impact of replacement workers concluded that there is no empirical evidence to support the idea that banning replacement workers would lead to a decrease in the incidence of work stoppages and the number of person-days not worked.

In conclusion, it is important we recognize that a legislative proposal calling for the wholesale change to labour law in Canada poses a threat to the compromise that has been achieved and sustained between labour and employers in Canada. This proposal risks making our economy seem less stable and secure. It would create doubt when we need to reaffirm confidence. It would make it harder for all of us to focus on protecting and creating jobs. Just as important, it would undermine the balance achieved in labour relations.

As with each previous legislative attempt introduced in the House, Bill C-386 calls for amendments that would ultimately harm workers and undermine the labour peace that both sides have enjoyed for years. For that reason alone the bill should be opposed and defeated. There are a number of good reasons it should not go forward. It certainly should not go forward in the context of a private member's bill, particularly when there have been extensive hearings, extensive discussions, give and take on both sides, and a compromise that has been reached, a compromise that works, a compromise that has seen 97% of work disruptions settled and contracts negotiated, a good record.

When we find other jurisdictions that have used this type of legislation they have not reduced the amount of work stoppages. They have not seen a reduction in the number of strikes. In fact, it has been more litigious. There have been more applications to the Canada Labour Relations Board or to a like board. So when we look at the big picture, we do not need to disrupt what already works. The bill should be defeated. All members of the House should be encouraged to work against it and should vote against it to see that it does not become law.

Private Members' Business

•(1810)

Hon. Maria Minna (Beaches—East York, Lib.): Madam Speaker, I am pleased to discuss Bill C-386 again tonight. I say “again” because, as members know, there have been 14 private members' bills and motions on this subject in the last 10 years alone. I supported many of those bills in the past, even though I thought at the time that there were shortcomings with the bills because of the concept or the idea.

However, I think it is important that we look at the history of this particular issue. The Sims report in 1999 reviewed part I of the Canada Labour Code. Most items at that time were agreed upon, except for the replacement workers, between the union and the employers. This was an area that they were not able to come to consensus on. I think we all know that, and it has been discussed in this House for some time.

It is important to note that under the current labour code there is no general ban on replacement workers. However, they cannot be used to break a union. This is an important thing to note.

There is always an attempt to create an important balance in the collective bargaining process. This is what the labour code tried to achieve at the time, but as I said, there was one area on which there was not agreement.

B.C. and Quebec have replacement worker bans. Maybe we need to start looking at some of these other examples that we have around the country.

In Quebec, for instance, the average work stoppage, according to the data that I have been looking at, was 43.8 days between 2005 and 2007. This is an area in which there is a great deal of debate as to the impact of this type of legislation, with respect to work stoppage. These are some of the figures.

Under the Canada Labour Code, the average stoppage was 41 days. As we can see, there is not a great deal of difference between the two.

In Quebec, there were 25 complaints to the Labour Relations Board regarding unfair use of replacement workers. Of those 25 complaints, 10 were upheld. Again this is another area that people raise as an area of contention. Since 1999, under the Canada Labour Code, there have been 23 complaints. None were upheld and one is still pending. So again, the numbers are really quite comparable. There is not a whole lot of difference between one or the other in terms of the arguments that one system would cause more of a burden than the other.

Under the proposed legislation, managers and directors could still be used as replacement workers. I think that has been made very clear in the bill. However, other replacement workers cannot be brought in. For instance, I think CN would have been eligible to bring in retired workers or retired engineers. I do not think that would be allowed under this legislation.

The arguments for and against this legislation have been made for quite some time. I just want to remind members of some of these arguments because I think they are important to note, and then I am going to talk about a couple of other specific things.

One argument against banning replacement workers made by people who do not support this is that there is a possibility of more strikes, that this would create more strikes in the system. This has not happened in Quebec. I know we have looked at that, and I have looked at it, and that does not seem to be the outcome of this type of direction.

Another argument is that it will upset the balance in collective bargaining, giving more power to the unions. Again, I do not know that it would necessarily be the case, but that is an argument that is made by many people.

Another is that it does not allow for an employer to continue operating his or her business during the strike. Again, I do not think that is case. Of course, the bill does mention that management would be allowed to replace workers, but of course, as I said, other workers cannot be brought in.

One argument also is that services that do not necessarily have an immediate threat to the health and safety of the public but have economic consequences could not function.

This model is quite different from the Quebec one in that it is true that if one looks at the function of telecommunications, transportation, and so on, they could be deemed essential services, but not for the purpose of health and safety necessarily. I do not think that CN, in the most recent strike, would have fallen under that category.

•(1815)

The arguments for banning replacement workers, made by those who support it, will talk about the fact that unions argue that it would encourage employers to bargain fairly, that by having this legislation, employers would be more likely to bargain fairly at the table rather than unfairly, as I guess is assumed to be the case right now.

These are some of the arguments that go against this type of legislation, which has been coming back to the House for quite some time. I think it is important for us to look at the one point that seems to come up over and over again. It seems to be the one that creates very strong differences of opinion on one side or the other, and that is the issue of essential services.

Under the current labour code, the definition of essential services is very limited. It is limited to immediate threats to public health and safety. That is quite restrictive. It is not as broad as what we have seen in Quebec. I will come back to that again in a little while. It is restricted to immediate threats to public health and safety. This is the definition in the Canada Labour Code.

During the OC Transpo strike here in Ottawa, for instance, it was not deemed a threat to health and safety; therefore, that strike, as we recall, went on for quite some time. Under the labour code, it was not deemed to be a threat to health and safety, therefore the strike went on for quite some time and there was no intervention on that.

The CN strike that we just averted or came out of recently in the last day would not have qualified for it either. It would not have been deemed a situation that posed an immediate risk to health and safety. Therefore, the strike got started and was going on, and again, in that instance, it would not have affected that.

Private Members' Business

In Quebec, the definition of essential services, which is where we come to the nub of all this debate, is quite broader. That changes the debate and the discussion altogether. This is very important to note, because if we ever come to some conclusion on this type of legislation in the House, we need to grapple with this particular issue in terms of the definition and then how we apply it and how it is structured.

As I said, in Quebec, this is very different. The definition of essential services is broader, but they also have an establishment called the Essential Services Council. I believe that is part of the legislation in Quebec. In this case, the employer and the union both come before the council if there is a strike. They both need to appear in front of the council if they have reached an impasse, as we have seen in other cases. The employer will state its case, that it is an essential service and that it cannot function without a certain number of employees without causing undue hardship, or something to that effect. The union then either states that it is not an essential service and tries to make that argument, or if it is and it agrees with that, it indicates how many employees it would need to provide that service. They both make a representation to the council. This is a very formal thing.

The council then makes a ruling on whether the service is essential and the number of employees who must work. They make that decision. So this is a very important thing.

It is not a threat or danger to the public, but rather, an economic issue. So it is broader. The issue is not just health and safety but also includes an economic issue in this case. An economic argument can also be made.

If the replacement worker ban were implemented in Canada, we would need a similar framework. I think we need to look at the way it has worked in Quebec. After 14 times in 10 years, the issue is not going away. Now is the time to work together to try to reach a consensus, and I think we need to do that. I would suggest that we come together in the House and try to have a discussion around some of that and see if we can come to some consensus.

• (1820)

Ms. Chris Charlton (Hamilton Mountain, NDP): Madam Speaker, I am delighted to participate in today's debate on the anti-scab legislation brought forward by the member for Argenteuil—Papineau—Mirabel.

As members here will know, I introduced a similar bill, Bill C-337, even earlier in this Parliament than the one we are debating today, but the lottery system that assigns our days for debate means we are debating Bill C-386 first, and I am good with that. In spite of the huge egos that some members bring to the House, it is not all about us. In fact, it should not be about us at all. We are sent here to represent the views and aspirations of our constituents and to protect their interests, not ours. Therefore, I do not care who brings forward solid pieces of public policy, I will stand in my place and proudly support them.

This, as has been said before, is not the first time we have debated anti-scab legislation in the House. Each time, as would be expected, the Conservatives opposed the ban on replacement workers and the NDP and the Bloc supported it. Each time, the Liberals said all the right things, but when push came to shove and they had to stand and

be counted, they voted against the legislation in sufficient numbers to ensure its defeat.

Although I make no claims to be clairvoyant, I am absolutely certain that under the current Liberal leadership, the Liberals will once again allow Bay Street to determine their vote and this bill too will be defeated. However, that does not mean it is not worth fighting for. In fact, it is now more crucial than ever.

Just this past Monday, we debated a motion related to back to work legislation. I spent a considerable amount of time talking about the importance of a level playing field to the success of collective bargaining. I will not repeat the arguments here because I only have 10 minutes in today's debate. Suffice it to say that allowing employers to bring in replacement workers during a legal labour dispute negates entirely the only power that workers have at the bargaining table, and that is the right to withhold their labour. When workers are so unilaterally stripped of their power, they become desperate. The largest single cause of injuries on a picket line is the use of scab labour.

In Ontario we had a brief period of time when the NDP outlawed scab labour. The benefit of that legislation is beyond dispute. During the time that the ban on replacement workers was in effect, the strikes and lockouts were shorter. That benefited both workers and employers, but sadly, Mike Harris, who never let good public policy stand in the way of ideological politics, repealed the legislation as soon as he came to power. I guess that should be expected because it is also successive Conservative and Liberal governments that sold out our country to foreign businesses and allowed their culture of labour relations to flourish here.

Let me tell members how the American business model has impacted my hometown of Hamilton. In the last 20 years, we had watched business after business, representing thousands of well-paying manufacturing jobs, be sold off to American corporations, only to shut their doors within months. They send in new plant managers and CEOs who have no personal stake in my community, do not bring their families to live among us and approach their new roles in the manner of colonial overlords. They do not want to be here and cannot wait to go home.

They reap huge individual bounty for short-term assignments and leave hundreds of devastated lives in their wake. They ignore the workplace culture and challenge the laws of the land. They defy the unions to take them on and even when they lose their challenges before the OLRB or the WSIB or the MOL, these employers continue to ignore the decisions to the brink of enforcement.

They even find ways around legislative protection for the disabled. They enter into agreements with the government of the day in bad faith, knowing that the deals are weak and likely unenforceable. They have closed plants and transferred standing product orders to U.S. facilities. They have locked workers out for no other reason than to take advantage of the current economic distress, thumbing their very noses at Canadian labour laws.

At the former Stelco plant, previously known as Hilton Works, U.S. Steel idled the blast furnace and curtailed production barely a year after acquisition. It forced hundreds to retire who were not, under normal circumstances, prepared to do so. It has recalled the remainder only so as to avoid severance payments while simultaneously locking out the workers at Lake Erie Works.

● (1825)

That is the new culture in the workplace, not just in Hamilton but at Vale Inco at Sudbury, at ECP at Brantford, and at countless other companies right across the country. Companies come into our country and tell Canadian workers that they want and need to change the culture of the workplace.

Let me remind members what that culture looked like in Canada. It was a culture in which workers had dignity, where workers were treated with respect, where workers were able to earn wages that provided a decent standard of living for them and their families. It was a culture where workers were able to bargain at the negotiating table with their employers for things like pensions and health benefits for their families. That is the culture we had in our country, a culture where workers could go to work in the morning and come home safely in the evening because we had health and safety standards in this country.

Was it a perfect world? No. There was plenty of room for improvement. New Democrats have been fighting for that at every possible opportunity. However, it was a far cry from what we see now, where companies come in and tell workers, “You are no longer able to expect to receive the very things that you have negotiated after decades and decades of bargaining. Not only can you not expect that any more, but we will put you on a picket line and we will have other workers come in and do your jobs until we break the backs of you and your union brothers and sisters”.

By failing to protect workers from these predatory employers, we are complicit in their corporate agendas. I, for one, refuse to play any part in that. Along with my NDP colleagues, I will fight that agenda every step of the way so workers have the protection of Canadian laws and we as legislators live up to the commitments we have made as signatories to UN and ILO conventions.

It is not just unionized workers who have a stake in this fight. Every Canadian does. In fact, it makes no sense that anyone would want to be a scab. In the end, those people are only hurting themselves.

In the type of economy that we have developed, where there are more and more unemployed and where people are earning lower and lower wages, sometimes family heads, women or men, feel compelled to take any job at any price. Although at first blush that is understandable, it is ultimately shortsighted.

Private Members' Business

The effect of scabbing, especially now when the theme in labour relations by the corporate world is to end defined benefit pension plans, when the agenda of the corporate world is to reduce wages and when the agenda is to reduce workforces, scabs simply join with that agenda. They endorse it, they support it, they advocate for it and they make that agenda possible.

In the end, they lose along with every other Canadian worker. It is no wonder that the very notion of a scab evokes such strong responses. Let me read just one quote:

After God had finished the rattlesnake, the toad and the vampire, he had some awful substance left with which he made a scab.

A scab is a two-legged animal with a corkscrew soul, a water brain, a combination backbone of jelly and glue. Where others have hearts, he carries a tumour of rotten principles.

When a scab comes down the street, men turn their backs and angels weep in heaven, and the devil shuts the gates of hell to keep him out.

No man or woman has a right to scab so long as there is a pool of water to drown his carcass in or a rope long enough to hang his body with.

Judas was a gentleman compared with a scab. For betraying his master, he had character enough to hang himself. A scab has not.

Esau sold his birthright for a mess of pottage. Judas sold his savior for thirty pieces of silver. Benedict Arnold sold his country for a promise of a commission in the British army. The scab sells his birthright, his country, his wife, his children and his fellow men for an unfulfilled promise from his employer.

Esau was a traitor to himself; Judas was a traitor to his God; Benedict Arnold was a traitor to this country; a scab is a traitor to his God, his country, his family and his class.

That is what Jack London had to say back in 1905. More than a century has gone by, but many of the thoughts behind that quote are still as relevant today as they were then.

By voting for the anti-scab legislation before us today, I am voting for my country, my family and my class. I urge all members to join me in taking that stand.

● (1830)

[*Translation*]

Mr. Luc Desnoyers (Rivière-des-Mille-Îles, BQ): Madam Speaker, I am pleased to speak to Bill C-386, An Act to amend the Canada Labour Code (replacement workers). This bill was introduced by my colleague, the member for Argenteuil—Papineau—Mirabel. I thank him for his excellent presentation on this subject.

Once again, the Bloc Québécois is fighting to provide workers governed by the Canada Labour Code with the same protection afforded their colleagues governed by the Quebec Labour Code when it comes to the use of replacement workers. With this bill we are again calling on parliamentarians to eliminate a double standard that penalizes several thousand workers in Quebec. We invite them to examine their conscience and seize this new opportunity to show the necessary leadership to rally their troops and to provide overwhelming support for our bill.

The Bloc Québécois has never given up defending Quebec priorities and values. In fact, Bloc Québécois members have introduced 11 bills to amend the Canada Labour Code to prohibit the use of replacement workers during strikes or lockouts. Five of these bills have gone to a vote.

Private Members' Business

In 1990, Bill C-201 was defeated by a vote of 90 to 72. The majority of Conservatives voted against it. The member for Jonquière—Alma supported it. The Liberals voted for it, but some were not in the House. The NDP voted for it but, there again, some were not present.

In 1995, in the case of Bill C-317, the Liberals voted for the bill, which was defeated 114 to 104.

In 2003, Bill C-328 was defeated by a vote of 104 to 86.

On April 13, 2005, the Conservatives and the Liberals joined forces to deny workers under federal jurisdiction a true right to strike, defeating Bill C-263 by 143 votes to 131.

On October 25, 2006, Bill C-257 was finally passed at second reading, with the support of a number of Liberal and NDP members, by a vote of 167 to 101. The Prime Minister stated that he was against the bill and it was defeated on March 21, 2007, at report stage when the Liberals changed their minds.

The struggle for anti-scab legislation has had the support of the major Quebec unions over the years and has been a clear demand from Quebec for more than 30 years, or since Quebec adopted its own legislation to prohibit replacement workers.

We need to remember that Quebec and British Columbia have laws that prohibit the use of strikebreakers. A number of other provinces are considering such legislation.

In Quebec, anti-scab legislation was enacted in 1977 and brought into force in 1978 under the René Lévesque government. Everyone agrees that it was an impressive leap forward in terms of workers' rights. It came about at the end of a particularly stormy strike, as we may recall, at the United Aircraft plant in Longueuil, now called Pratt & Whitney. The legislation seriously restricted employers' abilities to limit the rights of unionized workers and placed Quebec in the vanguard in this respect in North America.

For 30 years in Quebec, an employer has not been permitted to hire people to replace employees who are on strike or locked out. The ban, which is incorporated in Quebec's Labour Code, prevents an employer, after the bargaining phase begins, from hiring managers and senior staff to perform the duties of employees on strike or locked out, and also prohibits the use of personnel from another employer in the establishment that is on strike. There is also a ban on employers using the services of employees from its other establishments in workplaces affected by the strike or lockout.

In fact, in an effort to genuinely respect employees' right to strike, only managers from the establishment that is on strike and employees who are part of the bargaining unit that is on strike may continue to work during a strike or lockout.

In addition, only managers may perform the duties of striking employees.

• (1835)

It is these provisions that the Bloc Québécois wants to see in the Canada Labour Code. As my Liberal Party colleague pointed out, the Canada Labour Code already contains some provisions requiring both the employer and unionized employees to continue activities, to continue providing operational, installation or production services,

where it is necessary to prevent an immediate threat to the health or safety of the public. Those provisions exist, but the Conservative government seems to be completely unaware of them.

There have been lengthy strikes at the federal level. The strikes at Vidéotron and Sécur also lasted for months. There were incidents on the picket lines, when strikebreakers were hired. Those strikes hurt Quebec families and people found themselves in difficult financial situations.

In Quebec, since the anti-scab legislation was enacted, labour relations and strikes have become more civilized. We no longer hear about fights on picket lines or damage done to this or that. Now there is symbolic picketing, because production stops at a plant that has been struck.

Now that things are more civilized, there are fewer and fewer strikes in Quebec. According to the statistics, federal workers account for 7.3% of the Quebec workforce. In 2002, though, 48% of all the work days lost were due to labour disputes on the federal level. Federal strikes in Quebec tend to increase the number of days lost.

In Quebec, this legislation has been beneficial. That is what employers say now. When people return to work, relations are not as bad as they were back in the days when strikebreakers were used. Just imagine the tension that arises when returning employees have to work alongside strikebreakers hired by the employer. That is not a very profitable climate for employers.

Thus, this legislation is beneficial from an economic standpoint. We have known that for a long time in Quebec and British Columbia. They use the economic argument to claim that this bill will have harmful consequences. In Quebec, though, we have not had any.

The Quebec legislation also provides for essential services to be maintained. Even in anti-replacement worker legislation, allowance can be made for places where prevention is necessary, whether in factories or other sectors.

This bill is important to us. My Liberal colleague said she was prepared to study it very carefully. People have started to realize some things since we began talking about anti-scab legislation in the House. The votes are always close and we have succeeded in making progress and raising people's awareness.

We have now arrived at the stage where we should take the time to study a bill like this and see what effects it could have on the economy. It would be very easy to draw comparisons with Quebec and British Columbia. I am sure that if we manage to agree, Canada would benefit.

In conclusion, various business leaders have made important statements. They have said that the efforts they made to civilize labour relations have borne fruit.

• (1840)

The Acting Speaker (Ms. Denise Savoie): The time provided for the consideration of private members' business has now expired, and the order is dropped to the bottom of the order of precedence on the order paper.

*Adjournment Proceedings***ADJOURNMENT PROCEEDINGS**

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

[*English*]

INTERNATIONAL AID

Hon. John McKay (Scarborough—Guildwood, Lib.): Madam Speaker, about a year and a half ago, this House passed unanimously Bill C-293, known as the better aid bill.

Putting a bill through this House and through the other place is a formidable undertaking. It takes a lot of time, it takes a lot of effort, it takes a lot of people getting behind the bill and indeed a lot of witnesses, et cetera. We were very fortunate to have ultimately got the bill through this House unanimously.

The legislation basically contains three commandments. The first commandment is that Canada's official development assistance will be directed to poverty alleviation and only poverty alleviation. The second is that we will take into account the perspectives of the poor. The third is that it be consistent with Canada's international human rights standards. The bill had a reporting period, and the first reporting period due was September 30. However, the government gave early indication that it had absolutely no interest in complying with this legislation.

Members will recollect that in the early part of this year, the government reprofiled Canada's focus on those who receive our aid. It took it from essentially the desperately poor countries in Africa and reprofiled it to some less desperately poor countries in the western hemisphere.

The minister made it abundantly clear that those who trade with us or vote with us will get our aid, but if they do not, they will not. In her speech and her press release there was not a word mentioned about Bill C-293, which ultimately, as I said, got royal assent and is the law of this land. We have a situation where a government absolutely ignores the will of Parliament.

Along comes September and we get the minister's report. Here it is and strangely enough the cover is blue. I wonder why that would be. It references the bill. It references the three things that are in the bill, poverty alleviation, perspectives of the poor and international human rights standards, and then promptly proceeds to ignore the last two, human rights standards and perspectives of the poor. What we have is a bunch of numbers, an accountancy. It is not accountability. It is accountancy.

It is a painful contrast to what British MPs get. British MPs get from DFID, the Department for International Development, a rather substantial package which analyzes how programs and policies are going. British MPs know whether their foreign assistance is effective. We, on the other hand, being Canadian MPs and getting the back of the hand from this particular government, have no idea. In fact, there is not a person in this House who has any idea as to the effectiveness of our aid. There is no metric, no basis on which we can tell whether our aid goes to poverty alleviation, whether the government has taken into account the perspectives of the poor, or whether our aid is consistent with human rights standards.

The government obfuscates. It does anything but account. This is a legacy of the government. It is also a legacy of this bill.

● (1845)

Hon. Jim Abbott (Parliamentary Secretary to the Minister of International Cooperation, CPC): Madam Speaker, on September 29 the Minister of International Cooperation tabled in Parliament the first summary of our government's official development assistance, ODA, activities, the first such report since the Official Development Assistance Accountability Act came into effect.

This evening, on behalf of the minister, I am pleased to tell the member that the government has taken a significant number of steps to fully implement the act.

Allow me to note that the act requires federal departments administering ODA to demonstrate that they are contributing to poverty reduction, that they are taking into account the perspectives of the poor, and that they are being consistent with international human rights standards. Naturally, we were already doing this.

Two new reports are required, one within six months of the start of the fiscal year, focusing on the nature of results achieved through our government's development assistance activities, and the other at the end of 12 months, giving a statistical report on ODA disbursements.

As I mentioned, the first report was tabled on September 29. The next one will be tabled before March 31 of next year. The ODA disbursements included in the summary report meet the ODA definition of the act and of the OECD.

In addition to regular reports, consultations are an important part of the act. CIDA is responsible for about two-thirds of our government's ODA and thus plays the leading role in implementing the act. We see consultations as an integral part of our policy and programming cycles.

This summer consultations with experts and stakeholders took place on three thematic priorities which we, as the government, have mandated for our ODA: increased food security; sustainable economic growth; and a secure future for children and youth.

In addition, prior to the announcement of our 20 countries of focus, we held discussions with many governments, international organizations, leading experts and civil society organizations about the need to focus our bilateral development assistance program. I would like to point out that we are making our aid much more focused, and this is the country of focus policy. It only applies to our bilateral funding. Every other nation in need of aid can still receive our multilateral and partnership support.

Before the ODA Accountability Act was passed, our project assessment process already took into account those principles and they are incorporated in our planning documents, including the country development programming frameworks that guide our funding decisions.

Adjournment Proceedings

Our government has led CIDA into incorporating poverty reduction, human rights and perspectives on poverty in its policies and programs. Our programs are consistent with international human rights standards, which require a do no harm approach, ensuring that our programs do not contribute to violations of human rights.

We have also provided direction to CIDA staff through a variety of tools that spell out how the act is to be applied to the work of the agency. Finally, the agency has developed a consultation directive to give its employees formal direction on consultations.

As the member can see, our government had already taken steps to ensure that our aid is focused, accountable and effective. It is imperative that we use our aid to produce real results to assist the people of our world who are struggling against various circumstances.

Unlike the previous government's administration, we are taking our foreign aid seriously and continue to make CIDA an effective and respected agency. Our approach to foreign aid already reflected the principles of the act and it was therefore not difficult for us to abide by it.

• (1850)

Hon. John McKay: Madam Speaker, the hon. member has just given an illustration of exactly what I am talking about.

His idea of compliance is to say that the government complied because the government said it complied. That is exactly what the minister said in her report.

There is no metric, statistical or otherwise, by which anything can be measured because the government, for whatever reason, has decided that it will not benchmark itself against anything or anyone. Without benchmarks, to just simply say the government complied because it complied is a meaningless statement. I could say that I am an NHL hockey player because I am an NHL hockey player, but if anybody saw me on the ice, they would no darn well that I am not an NHL hockey player.

It is a useless report. I fail to understand why the same level of accountability that British MPs get, Canadian MPs cannot get.

It is a simple idea. We want accountability. We do not want accountancy. This is just a ream of statistics which are utterly meaningless.

Hon. Jim Abbott: Madam Speaker, it is always interesting to listen to my friend. He has some rather interesting ideas. He can trust me that we have never envisioned him in a Maple Leafs uniform, so he can go to bed safely.

I really do not know what the member is after. I truly do not. We have complied with the act. We were already doing things that are covered by the act. We have simply formalized our reporting system.

In his first question, if I heard him correctly, he was complaining about the fact that we gave him too many statistics. I have a lot of difficulty with that. It seems to me that no matter what, the member will never be satisfied and maybe he should try his fate in the NHL, I do not know.

ABORIGINAL AFFAIRS

Mr. Todd Russell (Labrador, Lib.): Madam Speaker, I rise in the House today to address a question that was raised on October 7 in this honourable place. At that time the question concerned the 520 cases of missing and/or murdered aboriginal women and girls. During that question I called upon the government to launch a full, public, national, independent investigation into these particular cases.

This call for a national investigation has been supported by aboriginal women's groups, women's groups generally, Amnesty International, NWAC. It is supported by myself and my colleagues of the Liberal Party, and so many more throughout this country.

We also are at a time when we are memorializing the memory of École Polytechnique and the violence against women, when 14 women were gunned down. We are in the midst of 16 days of activism against gender violence. Just a couple of months ago we had the fourth annual Sisters in Spirit vigils across this country. They were held in small towns and in large cities, and at each and every one of those vigils, they called for the government to launch an independent national investigation.

There are 520 cases of murdered and/or missing aboriginal women and girls. I ask in all seriousness and all sincerity, where else in this world would we have this astounding number of documented cases and the federal government does not rise and see it as a national tragedy, a blot on our reputation, and take appropriate action to deal with it?

It is a matter of sexualized and racialized violence. It is a matter of discrimination. The government has answered each and every time that we have invested in Sisters in Spirit. No doubt Sisters in Spirit has done tremendous work, research work. In fact, Sisters in Spirit has been pivotal in identifying the 520 cases of murdered and/or missing aboriginal women and girls.

However, such a tragedy requires more. I ask any Canadian out there to just look at the response when a non-aboriginal, middle-class, dare I say white person, goes missing in this country. The response is appropriate and it is always tragic. We see cars, helicopters, police forces and special agents out searching.

Has anyone heard about Maisy Odjick or Shannon Alexander, two aboriginal young women who went missing approximately a year ago? Did anyone see helicopters flying? Special agents out? Police cars? I bet people do not even recognize those names. They are among the 520 murdered and/or missing aboriginal women. Just pause for a moment and think why are the responses different. That hits the heart of the matter.

I ask the government once again and this is not the first time the question has been asked. It has been asked many times. Can we have a national investigation?

• (1855)

Mr. John Duncan (Parliamentary Secretary to the Minister of Indian Affairs and Northern Development, CPC): Madam Speaker, the Government of Canada makes it a key priority to address violence against all women, and in particular aboriginal women who experience both a higher rate and more serious forms of violence than non-aboriginal women.

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As to the question of when, we are working right now to address the complex web of societal issues related to the disappearance and murder of so many aboriginal girls and women in Canada. My friend talked about the Native Women's Association of Canada's Sisters In Spirit initiative which is collaborative and multi-departmental. We are continuing to work with the Native Women's Association of Canada beyond that.

This initiative is now in its fifth year and it has really laid the foundation to address the roots of violence against aboriginal girls and women. This is the responsibility of all of us, all levels of governments, the police, the justice system, civil society, and other stakeholders. There are currently ongoing investigations at the provincial level and the RCMP is taking part in them as well.

Since 2007 our government has supported 117 projects to address violence against women in all of its forms, including violence against aboriginal women. A federal-provincial-territorial working group of senior criminal justice officials is currently reviewing criminal justice system responses to cases involving serial killers who target vulnerable women.

I know Justice Canada is playing an active role in this working group, while Status of Women Canada is actively involved with the subcommittees of this federal-provincial-territorial group on healing and on missing and murdered aboriginal women. Together with the partners, Justice Canada is working hard to improve the criminal justice system in response to missing and murdered aboriginal women.

The Government of Canada recognizes that the solution to the problem of missing and murdered aboriginal women, and to the more generalized problem of violence against women lies in the achievement of equality for women. We today recommit ourselves to that goal.

• (1900)

Mr. Todd Russell: Madam Speaker, much of what the parliamentary secretary has spoken about in his four minutes was what we have heard so many times before.

He talks about justice. He just cannot speak about justice. He must seek justice. He must seek justice for the 520 documented murdered and missing aboriginal women and girls. He must seek justice for their families and for their communities. One could argue that he has to seek justice so that the Canadian society itself can heal.

However, I ask the fundamental question again. Very simply, what is stopping the Conservative government from launching a national public independent investigation into the 520 cases of murdered and/or missing aboriginal women and girls?

If the member can do all these other things, as he purports, why not have a national public independent investigation?

Mr. John Duncan: Madam Speaker, the government has also actively supported the National Aboriginal Women's summits, NAWS I and II, where the areas identified for action were leadership, health and safety, empowerment and honour. Through a number of government departments and agencies, including Status of Women Canada, the government has been working with aboriginal organizations. There are many challenges and this is a

subject that has been looked at by many people across the spectrum, so we will make progress on this file.

AFGHANISTAN

Mr. Jack Harris (St. John's East, NDP): Madam Speaker, I rise this evening to follow-up on a question I asked on November 30 of the Minister of Foreign Affairs regarding the number of visits that Canadian officials made to Afghan prisons since the 2007 agreement was made. It was the new and improved agreement with the Afghan government as to the handling of detainees and a supposedly robust monitoring program.

I asked the minister whether or not the government was prepared to release the reports of those visits. We still have the Afghan independent human rights commission and the United States state department saying that torture still remains commonplace in the prisons of Afghanistan. We continue to need confidence that we are not violating international law in this matter. We are asking that the government make those reports public. I think the question was whether it will continue to claim that everything is all right without revealing any facts.

In response, the government responded similarly to the way it has in the past. The government has been obfuscating on this issue. That does not have anything to do with hockey or skating. It has to do with pretending to answer the question but in fact not. It talks about improvements to human rights in Afghanistan. I do not want to hear about that, although I know a lot of effort has been made to try to improve human rights in Afghanistan.

I would like to know whether or not the government is going to release these reports and have the kind of transparency that other countries have in dealing with this issue. Frankly, we are not satisfied that the kind of monitoring that would be expected and needed is in fact taking place. The special committee on Afghanistan has had some witnesses before it, talking about the new system and the improvements that were made.

However, we are learning that, when Canadian officials find that something is going wrong, all they do is tell the authorities in Afghanistan. They do not actually do an investigation of their own. For example, in November 2007, after hearing half a dozen people or so talk about how they were tortured or ill-treated in the prison, describing issues related to being beaten with cables, et cetera, they discovered in the investigator's office of the prison a wire cable that they then reported to the authorities in Afghanistan. This particular investigator was fired as a result.

If that was there in November 2007 and the individuals were complaining about being beaten with wire cables, surely there is some connection between one and the other. When dealing with law, it is called corroboration. Yet, the government maintains that it had no proof of any individual Afghan detainee being tortured. That is not good enough. That is not the issue that has to be answered first of all. The main issue is whether there was a risk of torture and if Canadians passed over Afghan detainees to that real risk of torture.

Adjournment Proceedings

I do not think the government is answering the question. Information has come out today. The Canadian Press as well as the CBC are reporting issues that confirm Mr. Colvin's concerns that ordinary people, who Canadian generals and military officers describe as local yokels, were being passed over and that the monitoring was not adequate. Will the government release those reports so we can have transparency on this issue?

• (1905)

Mr. Deepak Obhrai (Parliamentary Secretary to the Minister of Foreign Affairs, CPC): Madam Speaker, before I start, let me be very clear in regard to what the member has been saying. We have been doing that. Investigations have been done by the Military Police Complaints Commission and by other authorities.

The opposition has already made up its mind that there should be some minefield over there, that there should be some kind of torture, and they are going on a fishing expedition to try to find it, irrespective of the fact that we have had witnesses appear before the special committee on Afghanistan, of which I am a member, and the hon. member opposite sits on that committee as well.

The generals, the people in charge, the people who are looking after the whole process, have laid out in clear terms and have outlined exactly what they have been doing, how they have been monitoring, working with the Afghan authorities, and working with the Red Cross, working with the Afghanistan Independent Human Rights Commission to do exactly what is required under international law.

First of all, let me remind my colleague that Taliban prisoners are detained by Canadian Forces and then turned over to Afghanistan because they have attacked or killed soldiers, or they are going to do harm to the soldiers. These are the detainees who have been captured in that theatre of war, and are now being transferred by the Canadian Forces to the Afghan authorities.

The witnesses who came before the committee have been absolutely clear about the process. When the 2005 agreement was not adequate enough, we went into a further agreement in 2007 to ensure, and I want to repeat this to the member, that there was monitoring. They have been monitoring all these things.

The member has asked a question about what we have done and how many visits we have made to the prisons since May 2007. I can say that Canadian officials have conducted nearly 200 visits to Afghan detention facilities in Kandahar and Kabul.

Yesterday when we were in the committee, we heard from the corrections officer about how many times she has gone over there and witnessed. But the fact remains that everyone has said they have not seen evidence of torture.

Yes, claims of torture have been made. That is what the opposition is trying to find from the claims of torture, but there has been absolutely no evidence. That is what all of the officers have said, including those who have gone to the prisons and monitored them.

I find it very strange that somebody in this Parliament, away from the theatre of Afghanistan, can sit here and say there was torture

there. They do not want to listen to the people on the ground who have gone there to see and verify that there has been no torture, I am going to repeat this, to the detainees transferred by Canadians.

We are not talking about the overall aspect of others who are out there. For the other aspect, that is where Canada's assistance comes into play by helping the Afghans respect international human rights conventions.

• (1910)

Mr. Jack Harris: Madam Speaker, we know there have been at least 182 visits. What we are asking for is the reports of those visits.

Will the government release the reports of those visits so that we can see the results and how the monitoring is working?

One of the things we do know, and it was revealed today by the Canadian Press, is that on June 2, 2006, at Kandahar airfield, Mr. Richard Colvin, a military lawyer, the RCMP officer in charge of training Afghan police and other diplomatic staff were present and were all advised about potential torture at the hands of Afghan prison officials. A Red Cross representative made a point of raising the issue of treatment of Afghan detainees, including some who had been transferred to the Afghan authorities by Canadian Forces. That was as early as 2006.

We have reports from the committee yesterday that in November 2007 they found evidence of torture in an Afghan prison.

So what was going on during this period? What is going on now? I think people want to know. They are saying that the people who are being picked up are actually attacking Canadian Forces. That is not the case. That is not supported. All of those people are not people who are attacking.

Mr. Deepak Obhrai: Madam Speaker, that is the precise case. Canadian Forces only pick up soldiers in the theatre of war, and we are talking about Canadian detainees. Of course Afghanistan may not have all the conditions, but that is where Canada helps the justice system. As far as the Canadian detainees are concerned, there is not a shred of evidence. People who have gone to visit them have reported that there is no credible evidence of torture.

I repeat it again. Mr. Colvin came in front of the committee, but he did not prove this. People who have been on the ground have given a very clear indication.

As far as the documents are concerned, the government has stated this and will continue to state it. Yesterday the committee received the documents that we could legally give out. Therefore, this government is transparent and if members want the documents, they get them.

[Translation]

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

(The House adjourned at 7:12 p.m.)

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