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Monday, February 27, 2012

Speaker: The Honourable Andrew Scheer

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HOUSE OF COMMONS

Monday, February 27, 2012

The House met at 11 a.m.

Prayers

PRIVATE MEMBERS' BUSINESS

• (1105)

[*English*]

CRIMINAL CODE

The House resumed from November 28, 2011, consideration of the motion that Bill C-299, An Act to amend the Criminal Code (kidnapping of young person), be read the second time and referred to a committee.

Mrs. Joy Smith (Kildonan—St. Paul, CPC): Mr. Speaker, I am pleased to rise today to speak to Bill C-299. This bill was tabled by my colleague, the member for Kootenay—Columbia. I want to commend him for bringing forward such an important bill to strengthen Canada's legislation on kidnapping. As an RCMP officer for over 20 years, the member has been on the front lines protecting and serving many communities throughout B.C. My son is an RCMP officer. I thank the member for his service to our country.

The member has tabled a bill that I strongly support. Bill C-299 would amend the Criminal Code under subsection 279(1.1) to include a mandatory minimum sentence of five years imprisonment if the kidnapped victim is under 16 years of age. This would be an important amendment as it would recognize the grave implications of kidnapping a minor. I want to recognize that this legislation would focus on stranger abductions, which are abductions by someone other than a parent or legal guardian.

Parents and families are put through devastating emotional trauma when their children are ripped away from them. They face significant anxiety not knowing the condition of their children or if they will ever be reunited. There is often deep guilt around whether they could have done anything different to prevent the kidnapping. There is also a general fear and anxiety placed on communities where the abduction has taken place. In Canada, numerous stranger abductions, abductions by someone other than a parent or legal guardian, occur every year. The Missing Children Society of Canada documented 56 stranger abductions in 2008. In 2009, based on CPIC data, this number is up significantly from 31 in 2004 and 30 in 2005.

The tragic result is that each year approximately 100 parents in Canada lose their children to an often violent and abusive predator. As we heard from the member for Kootenay—Columbia, not all parents get their children back. There is much debate around the use of mandatory minimum sentences. However, I believe that child abduction is a serious matter that requires serious penalties. It is the role of Parliament to ensure that the Criminal Code contains measures and sanctions that denounce egregious crimes such as kidnapping and the abduction of a minor.

In 2009, I brought forward legislation that proposed similar five year mandatory minimum sentences for child trafficking. This bill is now law and is being used across Canada. I believe that the mandatory minimum sentences in this bill are appropriate for this crime and reflect similar offences in the Criminal Code.

The Supreme Court of Canada has affirmed the test for when a mandatory minimum sentence of imprisonment will constitute cruel and unusual punishment under section 12 of the Canadian Charter of Rights and Freedoms. In the unanimous reasons for judgment in *Regina v. Ferguson*, Chief Justice Beverley McLachlin stated:

The test for whether a particular sentence constitutes cruel and unusual punishment is whether the sentence is grossly disproportionate... As this Court has repeatedly held, to be considered grossly disproportionate, the sentence must be more than merely excessive.

I would argue that a five year minimum sentence for the crime of abducting a child from his or her parents would not be grossly disproportionate. Bill C-299 proposes a sentence that would reflect our society's denouncement of this horrid crime. I call on all members of the House to support this very important measure. It is well known that every day we see on TV and hear on the radio of children who disappear or are abducted. It is a very traumatic experience. In Canada, it behooves us to ensure that our most treasured and vulnerable children are protected and respected.

[*Translation*]

Mr. Philip Toone (Gaspésie—Îles-de-la-Madeleine, NDP): Mr. Speaker, I am pleased to have this opportunity to speak to Bill C-299, which would prescribe a minimum punishment of five years when a kidnap victim is under 16 years of age.

I am appealing to my Conservative colleagues' democratic values and asking them to take a close look at this bill, which has a number of faults that should be corrected. During the debate at second reading of this bill, members said that many children are kidnapped in Canada. The member who just spoke said that this is still a problem in Canada and that it happens often.

Private Members' Business

In Canada, children are rarely kidnapped by strangers. The RCMP, the Canadian Centre for Child Protection and other experts say that it is very rare. The last time a child was kidnapped by a stranger was 20 years ago. I have to wonder why we need a bill like this, which would impose a minimum sentence and prevent judges from exercising their discretion. This sentence would be imposed regardless of the circumstances of the kidnapping of a child.

Of course, nobody thinks that the kidnapping of a child is a good thing. That would be ridiculous. Parliament must send a clear message to Canadians and to the world that Canada will not tolerate the kidnapping of a child. The Criminal Code already states that the penalty can be as high as life in prison. Existing penalties are harsh enough; making them harsher would be pointless. It is up to judges to determine appropriate penalties in light of the circumstances. The government is using its legislative power to impose a five-year minimum penalty, thereby undermining judges' expertise and usurping their judicial authority. I do not think that this is a good way to legislate in Canada.

We know that strangers rarely kidnap children. At the beginning of this debate, the member for Kootenay—Columbia, who introduced this bill, said that relatives were not considered "strangers". Several sections, including section 280 of the Criminal Code, already set out penalties for the kidnapping of a child by a relative, specifically a mother or father.

During the debate, we heard that the bill does not cover close relations; it covers only strangers. However, I would like to quote from a study published by the RCMP in 2003, which I have before me in English.

• (1110)

[English]

The Abduction of Children by Strangers in Canada: Nature and Scope, December 1, 2003, is a report that was often cited in the last hour of debate back in November. Certain elements of the study were not raised. I would like to raise them now.

If I could speak to the definition of stranger, I will quote a paragraph:

To elaborate further, not only is the term "abduction" difficult to define, but also the term "stranger".

Boudreaux et al., 1999, define a stranger as:

Someone who the victim has never come into contact with before the offense; anyone who is not part of the immediate family; and everything in between. Commonly referred to as a "non-family member" this person is someone who is not part of the family, such as a babysitter, family friend, acquaintance, boyfriend, and so on.

I think that the next part of the quote is particularly revealing:

The Royal Canadian Mounted Police's Canadian Police Information Centre (CPIC) operating data entry guidelines define a "stranger" as someone other than the parent or guardian of the victim. This includes siblings, aunts, uncles, grandparents, cousins, as well as the non-family members, neighbours and close friends.

[Translation]

If I can continue the debate on the term "stranger", the bill does not give a proper definition of the term. The member who introduced the bill gave us his definition of stranger, that is, someone whom the child does not know.

However, the people who will be mandated to enforce this piece of legislation are the RCMP or the police. According to the RCMP's definition, a stranger is not someone whom the child does not know, but rather someone whom the child knows very well. An uncle, a grandparent, a cousin—these are close relations. We have all experienced difficult situations within our families. In a family situation that might be very complicated, I have a serious problem with the fact that someone would remove a child, thinking they are protecting that child.

In such situations, judges are in the best position to determine the punishment, which should definitely apply. Only the parent or legal guardian should be allowed to take the child. However, we need to be aware that there are very difficult and emotional situations and that a minimum sentence completely ignores the reasons for removing a child. It is very important to keep in mind that the RCMP's definition is completely different than the definition the bill before us seems to propose.

The bill clearly needs to be amended. It should define the term "stranger". One debate in the House is not enough. This needs to be clearly defined.

I would like to continue by addressing the issue raised by the Centre for Child Protection or missingkids.ca, which was mentioned in previous debates on this bill. The organization says that it is very rare for a child to be kidnapped by a stranger, which is defined here as a person whom the child does not know very well or at all. I have a problem with the fact that members are rising in the House and saying that this is a frequent occurrence. I would like to know how they are defining kidnapping by a stranger. In fact, from what I understand from organizations working in this field, such occurrences are rare.

A bill like this that will introduce such harsh sentences is completely intolerable. This bill should not be passed. Once again, this bill clearly needs to be amended. I would like the term "stranger" to be defined in the way that experts in the field define it, rather than in the way the legislator defines it, since the legislator, perhaps by omission, has left things vague and has left judges with the discretion to define the term. If the bill seeks to remove judges' discretion and then creates a situation in which it is impossible to define the term "stranger", the legislator has truly missed the mark.

Most missing children are not necessarily kidnapped. Many of them, particularly teenagers, have run away from home. The bill, which pertains to children up to the age of 16, ignores the fact that 16-year-old children are not usually kidnapped. When a child is kidnapped by a stranger—someone the child does not know—there are serious consequences. Once again, no one will tolerate a child being kidnapped by anyone. We want kidnappers to be punished but we want the punishment to fit the crime.

One member rose as part of this debate and gave the history of the Magna Carta. I do not want to have to refer to the Magna Carta to explain the reason why I do not support the bill as it stands today; however, it is important to understand that mandatory minimum sentencing completely disregards the purpose of—

• (1115)

The Deputy Speaker: Order. I am sorry to interrupt the hon. member.

Private Members' Business

Resuming debate, the hon. member for Mount Royal.

[English]

Hon. Irwin Cotler (Mount Royal, Lib.): Madam Speaker, I am pleased to participate in the debate on Bill C-299. Let me state at the outset, I realize that as soon as one opposes a mandatory minimum sentence one is regarded as being soft on crime or worse. That has occurred here in the House. However, it is my submission that the issue really is how can one be smart and effective on crime.

In that regard, mandatory minimums not only impugn the integrity of the legal process but they also are a failed criminal justice policy. Enhancing our Criminal Code with such mandatory minimums does nothing to reduce crime or improve public safety.

Moreover, the fact that this legislation is dealing with child kidnapping, a crime all of us abhor, is not a reason to suggest that a mandatory minimum that underlines it should be accepted without any form of reservation or critique. The abhorrence of the crime does not thereby validate the sentence.

Simply put, mandatory minimums do not advance the goal they purport to reach, that of crime prevention and of deterrence. This is not a personal conclusion. It is one that is anchored in studies the world over, from the United States, South Africa, from whence I have just come, which discussed and critiqued mandatory minimum sentences, New Zealand, and the like. That conclusion is found also in volumes of social science research and evidence.

Perhaps the strongest evidence against mandatory minimums comes from the United States where legal experts have increasingly critiqued their use. Indeed, just last week a coalition of American law enforcement officials, judges and prosecutors called upon the Senate of Canada to reconsider the mandatory minimum sentences in Bill C-10, concluding that such penalties “do not achieve their stated objectives”.

Indeed, the signatories of the letter expressed great confusion over the current government's emphasis on mandatory minimums, as these mandatory minimum sentences have been repealed in various jurisdictions of the United States for precisely the reason of being a failed criminal justice policy. Moreover, the letter itself bluntly states:

—we cannot understand why Canada's federal government and some provincial governments would embark down this road.

Lest it be thought that there is no Canadian evidence on the matter, our own justice department published a study in December 1990 called “A Framework for Sentencing, Corrections and Conditional Release, Directions for Reform”, which on page 9 states:

The evidence shows that long periods served in prison increase the chance that the offender will offend again. In the end, public security is diminished rather than increased if we “throw away the key”.

The truth is that mandatory minimum sentences also have a disproportionate impact on those minority groups that already suffer from poverty and deprivation and disadvantage. For example, we have a situation right now where 34% of aboriginal women are in prison, which is a shocking datum. Mandatory minimums would not alleviate let alone address this problem. Rather, they would exacerbate it.

As well, mandatory minimums prejudice the integrity of the legal and judicial process. They unduly limit judicial and prosecutorial discretion. We know that in some cases prosecutors will leverage or avoid mandatory minimum charges so that offenders will plead to a lesser offence, even if they are innocent of that offence.

Similarly, if more offenders plead not guilty given the particular mandatory minimums, we are likely to further strain our scarce judicial resources, something from which nobody benefits. The Canadian Bar Association has gone so far as to warn that if the courts become clogged with persons contesting the minimum, it may be that the right trial in a reasonable period of time would be infringed and criminals would thereby be set free.

Moreover, mandatory minimums may invite a spectrum of constitutional challenges that further backlog the courts and take us away from principles of justice and fairness. If they are gross and disproportionate, they may violate the charter.

The Ontario Court ruling in the Smickle case several weeks ago is proof on this point. The judge struck down a mandatory minimum in that case saying that its imposition would be, “fundamentally unfair, outrageous, abhorrent and intolerable”.

• (1120)

For a government that touts itself as being so concerned with cost cutting, it is surprising that it would embark on a criminal justice plan that would have it defending multiple charter claims at great expense to Canadian taxpayers without enhancing the integrity of our system and without serving as a deterrent or being fair in its application.

Further, as the U.S. Sentencing Commission and the Canadian Sentencing Commission pointed out, inequitable and inconsistent sentencing policies, and this can and very often does result from mandatory minimums as all of the evidence shows us, may foster disrespect for and lack of confidence in the federal criminal justice system. This is another consideration that we should be addressing in the debate on the bill.

At the end of the day, as all of the evidence demonstrates, relying on mandatory minimums would likely result in a situation where we would find ourselves incarcerating more people for longer periods of time and thereby also aggravating the existing problem of prison overcrowding. This in itself may raise a question of constitutional concern with regard to the question of cruel and unusual punishment as it has in the United States. We may find a similar concern being raised here in Canada.

Private Members' Business

These laws have helped to fill prisons but without increasing public safety. With respect to the subject matter of this bill, someone intent on kidnapping a child is not going to be deterred by the fact that there is a mandatory minimum sentence on the books. Odds are the individual is not even aware of the penalty. Unless we think criminals are using Google to look up the potential consequence of an offence, there is no deterrent value here. The evidence has shown that not only is there no deterrent value, but mandatory minimums end up also being unfair, injurious, grossly disproportionate, and the like.

Lest anyone be confused, the Liberal Party has a strong historical advocacy policy with respect to the protection of children. I might add that the first bill I introduced as minister of justice was exactly that, an act to protect children and other vulnerable persons, to help children who are the most vulnerable in Canadian society.

This is not about whether we do or do not protect children. We all agree that we must protect children. We all agree that the kidnapping of children is an abhorrent crime. The issue is about how we can effectively prevent and combat such a heinous criminal offence.

We support concrete measures to make Canada's streets and communities safer, particularly when it comes to protecting our children, but we cannot support the imposition of mandatory minimum sentences which have been proven time and again to be ineffective, costly, unfair, injurious, prejudicial, disproportionate, and as all of the evidence has shown in all of the jurisdictions that I have cited, an utterly failed criminal justice policy.

• (1125)

Mr. Ryan Leef (Yukon, CPC): Madam Speaker, I am pleased to rise today to speak in support of Bill C-299, an act to amend the Criminal Code (kidnapping of young persons), introduced by my colleague, the member for Kootenay—Columbia. I was proud to second the bill when it first was submitted for consideration by the House. I would like to applaud my colleague for taking the time and initiative to help better protect our nation's children. Our government has done much to help Canadian families, and I see this bill as a natural extension of all the work we have done and continue to do to make our streets and communities stronger.

Of course, an integral part of any community regardless of its size is its children. As a proud father I speak from experience when I say that children are precious and wonderful gifts to anyone lucky enough to have them. Children are often great motivators. They give their parents a reason to get up in the morning and go out and try to make the world a better place. Children deserve nothing more than to be loved and nurtured by their parents, family and friends. Children deserve to have all of the benefits and protections that we can possibly afford them. Children are only young once, and childhood is a beautiful thing that should not be compromised by those who would do our children harm.

Unfortunately, there are those who would upset this natural status quo. Kidnapping is a reprehensible practice, and it is even more heinous when the victim is a child. I am certain that every member of the House believes this. Kidnapping is currently a punishable offence in the Criminal Code of Canada, and it is only right that this would already be the case. I believe the bill is important because it emphasizes how deplorable it is to remove a child from the love and

protection of his or her family. Such an act is wrong by every definition of the word. The bill, by instituting a five year mandatory minimum sentence, ensures that someone who would commit such an act would be rightly punished for it.

Kidnapping is not the most common manner in which children can go missing. It is true that child abduction is relatively rare and that abduction by strangers is rarer still. However, this fact provides absolutely no comfort to the victimized children and their families who are also affected by this act. While I believe that the infrequency of child kidnapping is something we can be proud of, it does not mean we can pat ourselves on the back and call it a day. It does not mean we can consider our job done. In fact, I would say that it means we need to work even harder to fight child kidnapping. We should be doing everything within our power to bring the number of child kidnappings to zero.

We make buildings earthquake-proof even in areas where earthquakes are a remote possibility because the risk if something happens is too great to stand by and do nothing. We cannot do any less for our children. We cannot leave their safety to chance. We must act decisively to keep them protected. We need to send the message loud and clear to criminals in this country that kidnapping children will not be tolerated under any circumstance, for any reason, period.

Child kidnappers are characteristically habitual offenders and carry out their assaults in a highly stereotypical manner. They are some of the most frightening offenders because they plan the kidnapping down to the smallest of details with no regard for how their actions will affect others. Their sole desire is self-gratification.

Protecting the nation's children is one of the most important things, if not the most important thing, we can do in this chamber. We must remain vigilant in our responsibility to the nation. This is a discussion that we should most definitely be having, and I thank the member for Kootenay—Columbia for giving the House the opportunity to do just that.

We have heard a number of different perspectives on how best to approach this issue and I look forward to hearing even more. I know that some members in the House have expressed concerns about the scope of the bill as it is currently written. The only way we can work out any perceived imperfections is to send the bill to committee where it could be examined more closely and refined to ensure it accomplishes everything it sets out to do. I have complete confidence that once this happens and once the bill returns to the House for another look, any concerns will have been addressed and all members will be satisfied.

• (1130)

Let us give the bill a chance. Let us vote it through to committee so it can receive the in-depth examination it so rightly deserves. I hope that all members can set aside any differences they may feel and really focus on what matters, the safety of Canadian children. Our children deserve to be truly safe. Let us make that happen.

The trauma that any kidnapping victim undergoes is unimaginable. Since these children are at such a crucial stage of their personal development, the violence of kidnapping can be even more damaging. Even if the child is returned physically unharmed to his or her family, they will sadly carry painful memories with them for the rest of their lives. When physical violence is part of the equation, things can be even worse. These are wounds from which a child may never fully recover.

Things are not any easier for a child's family. Their most treasured loved ones are gone. There is no way to know what will happen to their children and they have no idea when they might see them again. They too are impacted and will forever have difficulty trusting the world around them. The safety of their world has been shattered.

The pain that children and their families suffer is beyond compare. There is no reason that anyone should have to live through such a terrible experience. It is not fair and it is not right.

People have said it before, but I have no shame in saying it again: even one kidnapped child is one too many. On this I am certain that we can all agree, so I invite every member of the House to stand and support this piece of legislation.

When we talk about the statistics of how frequently or infrequently this happens in our country, we see that the numbers have been fairly steady between 1995 and 2009, with a low of about 30 stranger abduction kidnappings to a high of 68. We had approximately 50 in 2009. We stand in the House and say this is still rare, but 50 is still an alarming number of children going missing in our country from stranger abductions. That may pale in comparison to the 237 parental abductions or the 35,000 runaways, but what is more staggering is what we do not know. In 2009, 11,757 children were reported missing for an unknown reason. We do not know if those were parental abductions, runaways, wanderers, other incidents or stranger kidnappings, but we do know that 50 is too many.

The bill signals that we will not treat these incidents, these children and their families, as insignificant. This is something that is far beyond party lines, so I encourage everyone to do their part to put an end to child kidnapping. It is the right thing to do. It is the only thing to do.

● (1135)

Mr. David Wilks (Kootenay—Columbia, CPC): Madam Speaker, I would like to thank all of the members who have spoken to this bill. The kidnapping of a child by a stranger is a crime that, in my opinion, as a retired police officer, parent and grandparent, is inexcusable. In most cases the results are devastating. The fact is that another child will be kidnapped by a stranger in Canada and that child's family and friends will live through myriad feelings to which very few Canadians can relate. Those who can relate are never the same. The physical and emotional toll is huge and the burden they carry is for a lifetime.

However, there is the odd time, such as in the case of Kienan Hebert, when a child is found and returned to his or her loved ones unharmed. It is by luck and good police work, in that order, that these rare cases happen. When they do, the attention soon changes from the return of the child to the apprehension of the suspect. In the case of Kienan Hebert, I will be so bold as to say there was not one

Canadian who was not hoping that the suspect would be arrested and incarcerated.

The accused persons in cases of stranger kidnappings usually have lengthy criminal records, have been incarcerated before and are escalating their criminal behaviour. They need self-gratification. They do not care about any other person's feelings except their own.

I listened intently as the debate on Bill C-299 has continued and have heard it said that our Conservative government and its tough on crime legislation, especially regarding mandatory minimums, is going to be too costly and will yield little if any results. If anyone in this place has notified the child's next of kin, as I have on a number of occasions, that person will know that the emotional toll on those receiving that type of news is devastating; that the accused in these crimes rarely come forward; and that when the accused are caught, rarely do they show remorse unless they believe it is of benefit to them, and that they will do anything to lessen the chance of incarceration. I have seen it time and time again.

The fact of the matter is there is a certain segment of society made up of career criminals. These people choose that way of life and accept the consequences that come with it. For crimes such as kidnapping by a stranger, there must be a strong deterrent, a strong message sent that this will not be tolerated in Canada. For this crime, there must be a minimum mandatory jail sentence and I hope that every member of Parliament will support this bill.

The Deputy Speaker: The time provided for private members' business has expired.

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

Some hon. members: Agreed.

Some hon. members: No.

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

Some hon. members: Yea.

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

Some hon. members: Nay.

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

And five or more members having risen:

The Deputy Speaker: Pursuant to Standing Order 93, the division stands deferred until Wednesday, February 29, immediately before the time provided for private members' business.

* * *

● (1140)

POINTS OF ORDER

STATEMENTS BY MEMBERS

Mr. Chris Warkentin (Peace River, CPC): Madam Speaker, on Friday, I inadvertently referred to the absence in the House of two members of the opposite side during a vote. That is unparliamentary language, and I do want to revoke that comment.

Government Orders

The Deputy Speaker: I thank the hon. member for those comments, and I believe that closes the matter.

[*Translation*]

SUSPENSION OF SITTING

The Deputy Speaker: The House will now suspend until 12 o'clock.

(The sitting of the House was suspended at 11:40 a.m.)

SITTING RESUMED

(The House resumed at 12 p.m.)

GOVERNMENT ORDERS

• (1200)

[*English*]

SENATE REFORM ACT

The House resumed from December 8, 2011, consideration of the motion that Bill C-7, An Act respecting the selection of senators and amending the Constitution Act, 1867 in respect of Senate term limits, be read the second time and referred to a committee.

Mr. Ted Hsu (Kingston and the Islands, Lib.): Madam Speaker, it is a pleasure to speak today to Bill C-7. I will begin by talking about the Senate and where it came from.

The Senate was established by the provinces. As everybody knows, Canada is a federation. Before Confederation, some individual provinces were working together, such as in the legislative Parliament of Canada, and Ontario and Quebec were in a confederation with the Atlantic provinces.

The origin of the Senate comes from Confederation. The provinces got together and decided they would have an elected House of Commons where most of the power would reside and then they would have a second body modelled after legislatures in other countries in which the members would be drawn from a class of people with a different viewpoint and it would be independent of the elected House of Commons. This legislature was established by the provinces when they got together to form the confederation that is Canada today. The existence and role of the Senate, the way it is composed and the way that senators are chosen is embedded in our Constitution.

The bill proposes to change how senators are chosen and, because that is a substantial change, I believe the only way to change how senators are chosen would be to amend the Constitution, which requires much more than an act of the House of Commons. In fact, it requires the participation of the provinces. It would require seven provinces with at least 50% of the population of Canada. It is my belief that the provinces should be involved in something that they helped set up in the first place.

We have a bicameral system, the House of Commons and the Senate, where the two bodies are supposed to be somewhat independent of each other. One should not be under the control of the other. They are supposed to think independently and have an independent point of view. Therefore, it should not be possible for

one body to decide how the members of the other body are chosen. This is sort of a moral reason that we should not be acting unilaterally here in Ottawa to change how senators are chosen. We really should be consulting with the provinces and amending the Constitution.

If the government thinks that what it is doing makes sense from a constitutional point of view and really believes it is the right thing to do, I would challenge the government to go to the Supreme Court, as we have done with other questions, such as the lead up to the Clarity Act. The government should ask the Supreme Court if it thinks, in light of the Constitution, that this is a legal thing to do. That would probably save time, money and effort in the future when one or more of the provinces decides to challenge the act, if the bill is passed.

I would like to focus my remarks today on what I view as a contradiction and I will try to explain what the contradiction is.

• (1205)

The bill asks the provinces and territories to provide the Governor General with the names of people who could become senators. It is expected, by this legislation, that the provinces and territories would hold some form of election in order for the people of that province to choose a list of potential senators. It is a little bit strange because the legislation would not provide funding to the provinces to run these elections to choose a senator who will work in Ottawa. It is kind of strange that the federal government would not provide funding for these elections for which it is calling.

Because the legislation says that the provinces and territories would simply be nominating people, as a result of an election or by other means, somehow that is not a substantial change in how we choose senators. Somehow, because these recommendations are not binding on the Governor General or the Prime Minister, in effect, this is not a substantial enough change to trigger the requirement of the federal government to consult with the provinces before proceeding with this kind of change.

The contradiction is that if we are to take these elections seriously, if we really think we will be changing the Senate so that it becomes elected, which is one of the Es of the triple-E Senate that many members of the Conservative side, the reform side of the House, have spoken to in the past, we need to believe that these elections would have some force and that the Prime Minister would be bound in some way. If not legally, then in a moral sense, the Prime Minister would be bound to accept the results of these Senate elections.

If we are to take seriously the idea of having an elected Senate and that Bill C-7 would implement an elected Senate, then we cannot take seriously the argument that the bill is not a substantial change to how senators are elected and that somehow we do not need to consult the provinces. That is the essential contradiction.

Government Orders

Related to that there is another contradiction. A lot of people who have talked about Senate reform want the Senate to be more representative of the people of Canada. That is one of the motivations behind having an elected Senate. I think Senate reform is a good thing because, from what I have seen in my less than one year working here in Ottawa, senators represent a great source of experience and wisdom which would be too valuable to simply throw away, as some of my hon. colleagues would like to do by abolishing the Senate. The Senate is a very valuable source of advice and experience and sober second thought makes sense.

However, it has always been the case that the Senate, not being elected, has deferred to the elected House of Commons whenever there was a conflict. In the past, because the unelected Senate always deferred to the elected House of Commons, it was not such a big deal if, because of an historical artifact, certain provinces had a proportionally higher representation in the Senate than other provinces.

• (1210)

If we were to pass this bill and have an elected Senate, the Senate would have stronger powers. It would have a mandate from the people to sometimes challenge the House of Commons. It would have more power, which would be given to it by hon. members who want to reform the Senate, and there are such members on both sides of the House. At the same time as the Senate would be reformed in this way, we would need to face the fact that some western provinces, in particular Alberta and British Columbia, would be underrepresented. The other contradiction is that hon. members who want to reform the Senate would be handicapping the ability of Alberta and British Columbia to be properly represented in Ottawa.

[*Translation*]

Ms. Ève Pécelet (La Pointe-de-l'Île, NDP): Madam Speaker, under the Canadian Constitution, Canadians gave the Senate a role of regional representation in order to increase representation of the Atlantic provinces, given that they are in the minority in the House of Commons. The problem is that that objective has never been met. In fact, there is no regional representation. What we have instead is a political game where the government appoints its friends.

What does this bill propose to ensure that the role of the Senate is respected? Does this bill really resolve all the problems with the Senate?

Mr. Ted Hsu: Madam Speaker, I want to thank the hon. member for her good question. In my opinion, the Senate needs to be reformed. Nonetheless, as the hon. member said, the problem is that this bill does not provide for Senate reform. It is true that the regions in our country are under-represented in the Senate at this time. I am totally in favour of a real reform of the Senate, but to achieve that we have to consult the provinces and the regions in order for the Senate to work.

Mr. Jamie Nicholls (Vaudreuil—Soulanges, NDP): Madam Speaker, I heard my colleague say a number of times that reforming the Senate is a good idea. I have a few specific questions for him.

What would the Liberals do to reform the Senate? What do they propose, since my colleague says this would be a good idea? Is he in favour of having an elected Senate?

Mr. Ted Hsu: Madam Speaker, I thank my colleague for the question. I am not an expert on the Senate, but I do have some thoughts on this issue. The problem with an elected Senate is that we do not currently have a mechanism for resolving conflicts between the House of Commons and the Senate. If the Senate were elected, it would be mandated by the people of Canada to exercise the power they confer upon it. Before senators are elected, we must study and establish, together with the provinces, a mechanism to resolve this conflict.

However, we can come up with other, very good possibilities. One that I like is establishing a committee to identify individuals in our country who are very experienced, who have played an important role and who are not usually active in politics. I am thinking of leading scientists, for example. It is very difficult to work in the sciences—doing research, for example—and to be actively involved in politics. In my opinion, this committee could look to such sectors for people who know Canada, who have played a major role in its history, but who are not usually involved in politics. They could be appointed to the Senate and contribute much to the work it does here.

• (1215)

Ms. Éline Michaud (Portneuf—Jacques-Cartier, NDP): Madam Speaker, I rise today to speak to Bill C-7, An Act respecting the selection of senators and amending the Constitution Act, 1867 in respect of Senate term limits.

I am pleased to have this opportunity today. I have a degree in political science and I am very interested in all matters pertaining to parliamentary process, especially Senate reform. It is a subject that I studied a number of times while in university. This is the third time that the Conservatives have introduced a bill dealing with either the election of senators or Senate terms. Thus, we have had a great deal of material to examine and analyze in recent years.

The purpose of the bill before us today is to reform the Senate in two main ways. The first limits the tenure of senators to a maximum of nine years for all senators appointed after October 14, 2008. The second allows the provinces and territories to hold elections, at their own expense, to decide the names to be submitted to the Prime Minister for consideration for future Senate appointments. The provinces could thus choose any system they liked for electing senators, provided that the system adhered to basic democratic principles.

The Conservatives say the measures they have introduced are intended to modernize the aging institution that is the Senate. For once, I agree with my Conservative colleagues on part of what they say: the upper chamber does in fact present major problems, and measures need to be taken to remedy the situation.

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However, the solution the NDP has been proposing for several years is quite different. In fact, we are calling for the complete abolition of the Senate. The reasons why we are calling for the abolition of the upper chamber are very simple. First, the institution is not democratic, and it is composed of unelected members appointed by the Prime Minister. More often than not, those appointments are partisan and are made to reward friends of the Prime Minister. As well, he sometimes adds insult to injury by appointing candidates, and even ministers, who were rejected by the public in a general election, as we saw after the last election on May 2. The people living in the greater Quebec City region can attest to that as well.

In addition, the Senate is also used for partisan purposes by the government, whether to guarantee the speedy passage of government bills or to kill bills that have actually been approved by the House of Commons. I am thinking in particular of the Climate Change Accountability Act and the bill to provide generic drugs for Africa.

Since 1900, there have been 13 attempts to reform the Senate, and they have all failed. Bill C-7 is no different from all those other failed attempts. It does not solve the problems that already exist in the upper chamber, and on top of that it creates new problems that simply worsen the present situation. First, limiting senators' tenure to nine years does not make them more accountable to Canadians; quite the contrary. In fact, the bill eliminates any form of accountability to the public, since senators would never have to face the public at the end of their tenure. Once senators were elected, they would never have to account for their decisions, their actions and their broken election promises, because they could never stand in another election. As well, they would be automatically entitled to a pension, regardless of their record.

I cannot see how having the Prime Minister give a senator a nine year non-renewable term increases democracy in the Senate. Nor do the measures proposed by the Conservatives in Bill C-7 prevent partisan appointments. The bill does not really change the way senators are appointed, and the Prime Minister remains entirely responsible for choosing senators. The Prime Minister is not obliged by this bill to select senators from the lists submitted by the provinces or territories, and he can continue to choose whomever he wants and ignore each and every list he receives. He can, therefore, continue to fill the Senate with senators who are loyal to the government rather than to Canadians. This is a major problem.

• (1220)

Canadians elect the members of the House of Commons and place their trust in them to be their voices in Parliament. The Prime Minister, on the other hand, appoints senators, as a reward, and they serve the governing party.

I shall now read a letter written by Senator Bert Brown to the members of the Conservative Senate caucus. It is dated June 15, 2001, which, in my opinion, perfectly illustrates a situation. I am going to read the first and last paragraphs, which I think are the most relevant. The letter reads, "Yesterday, in Senate caucus [the minister] was showered with complaints about Senate elections and a nine year term. ... Every Senator in this caucus needs to decide where their loyalty should be and must be. The answer is simple; our loyalty is to the man who brought us here, the man who has wanted

Senate reform since he entered politics, the Rt. Hon. [Prime Minister].

The message to senators is very clear: their loyalty lies not with the regions that they represent, nor with Canadians; their loyalty is to the Prime Minister. Canadians, too, have heard this message loud and clear.

Another consequence of this bill would be the creation of a two-tiered Senate with elected and unelected senators in the same upper house, which may be worse than what we currently have.

Bill C-7, if passed in its present form, will fundamentally change the nature of Canadian politics as we know it today. We will end up with senators elected at the provincial level who believe that they are more legitimate than the unelected senators. We will then have a Senate with different degrees of legitimacy based on the method by which senators are selected.

However, the most negative effect of this bill will be evident once we have an entirely elected Senate. According to the Canadian Constitution, the Senate currently has more or less the same powers as the House of Commons. However, since senators are unelected, they cannot indefinitely block legislation with financial implications because they have no direct mandate from Canadians but are appointed by the Prime Minister.

Once we have an elected upper house, it will be a whole different story. Senators will have greater legitimacy to introduce bills and block House bills. That could result in American-style impasses pitting two houses of elected representatives with essentially the same decision-making powers against one another in legislative conflicts with no apparent solution.

Ultimately, such impasses will force us to redefine the framework of Parliament, including the rights and responsibilities of both the House of Commons and the Senate. Major changes will require nothing less than a constitutional amendment. There is no other option, because that is the existing legislative framework.

The Conservatives claim that their bill will sidestep a constitutional debate on Senate reform, but I do not see how such a debate can be avoided.

Before passing a bill that will inevitably lead to interminable constitutional debates and discussions, we have to let Canadians weigh in on the issue of the Senate's very existence. All the provinces have done quite well without their upper houses since 1968, so it is high time we thought seriously about getting rid of the federal Senate. That is why, for years, the NDP has been calling for a referendum to find out if Canadians want to get rid of the Senate. Before setting in motion any major reforms of the Senate or abolishing it entirely, we need a clear mandate from Canadians, from the people of this country, and the only way to get a clear, legitimate mandate is to hold a referendum.

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The changes that the Conservatives have proposed in Bill C-7 are inadequate and will not solve the Senate-related problems. That is why I oppose this bill. If the Senate cannot be abolished outright, the status quo is better than the constitutional chaos into which the Conservatives apparently wish to lead us. Serious consideration is in order before passing Bill C-7. The government will find itself embroiled in constitutional debates that it would rather avoid. That deserves some thought.

•(1225)

Hon. Stéphane Dion (Saint-Laurent—Cartierville, Lib.): Madam Speaker, I thank my hon. colleague for her speech. I tend to agree with her. However, she concluded by saying that she does not want to open a constitutional debate, but at the same time, she and her party want to abolish the Senate. Abolishing the Senate would require a constitutional amendment, a constitutional reform supported not just by seven provinces representing 50% of the population, but by all the provinces. Trying to abolish the Senate would take us headfirst into a brick wall.

She said she would like to achieve this through a referendum. What would constitute a clear majority in a referendum? Since all the provinces would have to agree, would a majority be needed in each province to abolish the Senate?

Ms. Éloïse Michaud: Madam Speaker, I thank my hon. colleague. I am not at all surprised by this question regarding a clear majority, which is one of his favourite topics. If I were him, I would avoid this topic, since it has sometimes gotten him into hot water in Quebec, but let us not dwell on that.

To answer his question, I suggested that we not open a constitutional debate right away, but that we simply put the question to Canadians. So, before we pass this bill or even think about any reforms, we need to see where Canadians stand on this and hear their opinions on that institution. That is the first step I am proposing.

Mr. Raymond Côté (Beauport—Limoilou, NDP): Madam Speaker, I would like to congratulate my colleague from Portneuf—Jacques-Cartier on her very eloquent speech, which helped put things in perspective and gave some idea of the pitfalls that lie ahead concerning the government's bill on Senate reform.

We cannot ignore the fact that this government is a master at proposing superficial reforms and introducing detailed bills without worrying about all the consequences. My colleague very clearly illustrated the fact that this government is opening a Pandora's box that could lead to numerous problems.

What does my colleague think of the proposal to elect senators, even though the Prime Minister would have to approve all selections anyway?

Ms. Éloïse Michaud: Madam Speaker, I thank the member for Beauport—Limoilou for the question. This problem will not really change the current undemocratic situation in the Senate. Holding provincial senatorial elections and then giving the Prime Minister the final say will not change the current situation. Quite the contrary. I touched on this in my speech. It remains an arbitrary decision. People will still be rewarded for what they have done for the government or for the Prime Minister, and they will have no loyalty toward their fellow Canadians. Furthermore, when we start electing

senators, partisanship will taint the work of senators, and that will prevent them from properly representing their regions.

The Deputy Speaker: The member for Winnipeg North for a quick question.

[English]

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Madam Speaker, the position of the NDP is fairly clear. It wants to abolish the Senate. There is no other option. If a majority of Canadians wanted to retain the Senate in some fashion, would the NDP then change its position on the Senate?

•(1230)

[Translation]

Ms. Éloïse Michaud: Madam Speaker, that is a hypothetical situation and therefore I do not think I can address it appropriately. The first step is to ask Canadians what they want. Based on the response, we can look at scenarios and establish the steps to be taken. For the time being, I remain in favour of abolishing the Senate.

[English]

Mr. Jack Harris (St. John's East, NDP): Madam Speaker, I am pleased to have an opportunity today to speak to Bill C-7 before the House.

Just before I start, I note that the most recent question was whether or not it was wise to consult Canadians. Yet the government has not even consulted the provinces when talking about making massive changes to the Senate and its functions.

The rub in this particular legislation is that it all sounds very simple. In fact, if we look at the summary to the legislation it merely says that part 1 of the enactment is to provide that the Prime Minister, in recommending Senate nominees to the Governor General for a province or territory, as if the Prime Minister did not make the nominations and put them into effect, would be required to consider names from a list of nominees submitted by the provincial or territorial government. The list of nominees would be determined by an election held in accordance with provincial or territorial laws.

Therefore, what we have here is what a famous Canadian once called "meddling with the constitution". That man is considered one of the fathers of Confederation, none other than Sir John A. Macdonald. He talked about certain proposals coming forward prior to Confederation in the Province of Canada, between Upper and Lower Canada. Suggestions were made for some changes based on representation by population. It was really about changing the balance, in this particular case, between Upper and Lower Canada, or Quebec and Ontario. It was being proposed in some other fashion, not directly, but the idea was to change the nature of the Constitution.

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Sir John A. quite rightly identified this as meddling with the constitution. That is what is happening here. What is the effect of this legislation? Is it to improve the situation in Canada? Do we have a circumstance that requires adjustment by saying that we will appoint only senators who are elected in a province? Is that what the people are crying out for? Do we want to have a Senate now that has six members from Alberta, six members from B.C., six members from Manitoba, and ten from New Brunswick and four from P.E.I.? Are we going to improve things by saying they would be chosen from those who have been elected? Therefore, in the Senate we would have B.C. with six senators and P.E.I. with four. That is the representation we are going to have in the Senate, and we would start to give them legitimacy by saying they were chosen from people who were elected in the provinces.

That is going to be a muddle if ever there were one. If John A. Macdonald were here today that is what he would call it. He would say this is “meddling with the constitution”. If the bill passes, we do not know what the real effect is going to be, but it will give some legitimacy to senators, or at least the senators will think they have legitimacy. They will say they were elected by the people of Prince Edward Island or British Columbia, or at least that they “won” an election, because they are not allowed to be elected. A senator will say, “I am one of six senators and should therefore be able to flex my constitutional muscle in the Senate”.

That person will be up against someone from Prince Edward Island who will say: “I was elected. I won an election in Prince Edward Island. I am one of four. I have a vote in the Senate and my vote is just as important as yours. We collectively are going to have legitimacy because we were elected”.

What is that going to do to our constitution? It would muddle it at the very least and delegitimize this place, the House of Commons, the elected representatives of the people making the law. We have a Senate down the hall, “the other place” I think we are supposed to refer to it politely. We are not allowed to utter its name because it is the other place. That is the tradition here.

• (1235)

The tradition also is that the other place is supposed to defer to the House of Commons. That is the convention. If we look at the Constitution, it says they have equal powers, but the constitutional convention is that they are not supposed to be exercising those powers.

What have we had in the last couple of years? We have had a government that has been using the Senate as a tool to defeat the majority in the House of Commons. We saw that in the last Parliament. The climate change action bill was passed by the House, and what did the government do? It used its majority in the Senate to kill the bill. The will of the House of Commons, the elected people of Canada, was defeated by appointed people in the other place.

Who are they? They are appointed at the whim of the Prime Minister. Never mind the language about the Prime Minister “recommending” nominees to the Governor General. We know what that means: anyone who is recommended by the Prime Minister to the Governor General is appointed to the Senate. I do not even think they are called appointments. Instead, they are called to the Senate. I do not mean to mock this, but that is the way the system is

set up. Senators are clearly appointed by the Prime Minister based on whatever whim he has. This legislation says he would have to consider nominees who have won an election in a province. Some of them are recognizable people, such as defeated Conservative candidates, for example.

The former member for Avalon in my province was defeated in an election and appointed to the Senate. Then he resigned and ran in the last election. He was defeated again and re-appointed to the Senate. In my province that is not regarded very highly. It is not regarded as democratic that someone can become a senator because he is a defeated Conservative candidate who is rewarded for his loyalty by being put in the Senate, where he can serve for as long as the Constitution allows.

That is the body the government wants to give legitimacy to by saying that the persons chosen could potentially or possibly be from among those who have been elected. This is meddling with the Constitution, because senators and others have talked about how we will have differential senators as a result, some appointed until age 75 because they were appointed 20, 10 or 5 years ago, and then those who are appointed from a list of elected candidates. Not all provinces are happy with this. British Columbia does not seem to be happy about this. Quebec is not happy with it. In fact, it is saying it is going to take it to court to challenge the constitutionality of it.

There was a time when the Reform Party talked about a triple-E Senate: equal, effective and elected. That was the model and I think it has been rejected. What are we trying to salvage? Is it the notion that we can reform a body that ought to be abolished, like every other senate in Canada has been abolished? Every other province had the equivalent to the Senate. Most of them were called legislative councils and some were called other things, but the provinces got rid of them and we now have what are called unicameral legislatures across the country.

Democracy has not suffered; democracy has been enhanced. In fact, these senates or legislative councils were initially aimed in part to be a brake on democracy, to the effect that “We cannot let commoners pass laws unless the aristocracy and the establishment have an opportunity to veto them”. That was part of the original idea. There is talk about regional balance, yes, but it was also about this other notion.

It is a fundamentally undemocratic institution and ought to be abolished. Our first step, as was mentioned, would be to ask Canadians to reflect on this issue in a referendum. It would be a first step, and not a constitutional step, by the way. Do not mistake that. It would say that New Democrats wanted to develop a national consensus on abolishing the Senate. That is our policy. This alleged reform is in fact meddling with the Constitution and ought not take place.

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•(1240)

Hon. Stéphane Dion (Saint-Laurent—Cartierville, Lib.): Madam Speaker, again I agree with my colleague on almost everything he said. However, I am trying to get an answer from him on the following, since his colleague did not answer.

According to the Constitution, abolishing the Senate would require unanimity among all of the provinces. Would that mean that winning a referendum on abolishing the Senate would require a majority in every province of our great country? Yes or no?

Mr. Jack Harris: Madam Speaker, everyone in the country knows that the member is a constitutional scholar. However, I urge him not to get caught up in constitutionality.

When we are talking about holding a referendum, we are talking about political will. We first need a consensus in this country that that other place is undemocratic and ought to be abolished. Once we get that, then we will ask the hon. member to tell us exactly how he thinks it relates to the Constitution. We could have a debate about that. We might even refer it to the Supreme Court of Canada.

However, before we get involved in all of the constitutional issues and open up a can of worms, a Pandora's box, as some people call it, we should ask the question whether the people of Canada want to maintain this relic of the 19th century, as the Prime Minister has called it in the past. Do we want to get rid of this or do we want to keep it? That is the fundamental question.

We know where we stand and we would like to have an opportunity to convince the people of Canada that it should be abolished.

[*Translation*]

Mr. Pierre-Luc Dusseault (Sherbrooke, NDP): Madam Speaker, I want to thank the hon. member for his excellent speech.

I would like to know whether he agrees with me on something. Is the government not just creating a smokescreen with this bill—in claiming to want to reform the Senate? This is not the first time, because the government has been saying it wants to reform the Senate for years now. However, it presents us with false reforms every time. This bill still leaves the Prime Minister with the power to decide who he will appoint to the Senate, creating a situation whereby the elected candidates will not necessarily be appointed. Is it not ridiculous, today, to ask people to run in an election to become senators, knowing that after they win there is still no guarantee that they will become senators?

I wonder whether this bill is just a smokescreen and whether the best solution here, as my colleague has said a number of times, is to ask Canadians what they think of the Senate and what they think we should do before we launch into any reform. I would like to hear what my colleague has to say about that.

[*English*]

Mr. Jack Harris: Madam Speaker, I do not know if “smokescreen” is the proper word. It certainly is a subterfuge of some sort because I think it is part of a continued attempt to legitimize the work of the other place. We have seen the government use it in the past.

It is using it now in having introduced Bill S-7 in the Senate, a justice bill aimed at amending the Criminal Code, the Canada Evidence Act and other legislation to provide extraordinary powers to the Federal Court. That is legislation that died because of a sunset clause five years ago, but the government now wants to bring it back, not here but in the Senate. I think the whole idea here is to make the Senate more legitimate and maybe that will extend the government's power beyond when it is defeated.

Maybe that is part of the scheme. I am not a conspiracy theorist but I do see elements of that in this current legislation, with its nine-year terms and more and more appointments to be made by the Prime Minister, who received less than 40% in the last election and who is seeing if he can extend his power by making the Senate more powerful. That is very dangerous.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Madam Speaker, if provinces like Newfoundland, Nova Scotia, Manitoba and Saskatchewan, provinces with small population bases, want to retain a Senate in the form of a referendum but because the overall numbers across Canada show that 51% want it to be abolished, what would the NDP's position be then? Would it deny the opportunity of a Senate for the smaller provinces that might want stronger regional representation?

•(1245)

Mr. Jack Harris: Madam Speaker, we are looking at a particular institution that has failed, frankly. It is a relic of the 19th century. It does not provide for democratic representation. We are talking about a referendum that would test the will of the people.

Mr. Kennedy Stewart (Burnaby—Douglas, NDP): Madam Speaker, I am happy to rise today to speak about Bill C-7, the Senate reform act. I have two major concerns about this bill. One concerns the process by which the bill was derived, and the second is the substance of the bill. Once I have gone through those two points, I will also bring up a proposition of how we can move forward on this topic.

In terms of process, I find the way in which this bill was developed is cynical. I think it was really developed in the backroom by the Conservatives with very little consultation with the public, the academic communities or the provinces. In fact, I do not think there was a single robocall made through this whole process. Perhaps the Conservatives might want to change not only their position on how they develop bills or their approach to developing bills, but also how they consult the public in general.

The Senate is an outdated but important institution. It requires serious debate and public input. I think we learned from the Meech Lake accord that Canadians are no longer willing to develop important positions on the Constitution, institutions of Parliament or democracy by having a bunch of guys in the backroom make a decision and then kind of foist it on the public.

We need to involve the public and all the expertise that we have across the country in order to come forward with a position that all Canadians can accept.

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The Senate is a key institution of government. Its origins date back to the 11th century in England. Yet, despite the long-standing presence of this institution, both in other countries and in Canada, no public input has been sought on these changes. There is little consultation with the provinces. There is little academic input. This is unfortunate. For example, Tom Flanagan, a chief advisor to the Conservatives, said this legislation “scares me”. He opposes this legislation because he thinks it would further entrench all that is wrong with the Senate.

As I mentioned, this cynical approach to democratic reform really died with Meech Lake. Members of this House will remember that the Charlottetown accord, although it did not go forward, set a new way for major reforms in this country. This way is to bring the public in and to make sure that they are consulted. If the public does not want the change, then it is not made.

I am going to return to the idea of process at the end of my speech, but I am going to move on with substance. I have to say I agree with Professor Flanagan that this legislation is scary, not only in the way it was developed but also the substance of it. At best, this bill is frivolous and at worst it is damaging to Canadian democracy.

For example, the Prime Minister would only be required to consider these elections. A province could go through all the trouble of electing and selecting a new senator, to bring his or her name forward to the Prime Minister and the Prime Minister could reject it.

We are already in a democratic crisis here in Canada. We have voter turnouts at the lowest levels in history. Citizens do not participate between elections. I am sure we will get into that debate later today with a perhaps purposeful, fraudulent attempt on the other side to suppress public input which was brought to light over the weekend.

Again, this could only deepen the cynicism about our democratic institutions. The effect of this bill could also be no effect at all. Provinces have already indicated that they are going to take this to court if this goes ahead.

I would like to draw attention to clauses 38 to 50, which link Senate reform not only to the provinces conducting these elections for senators but municipalities. This part of the bill says that if the provinces do not want to conduct these elections, they could devolve them to municipal institutions. I think this would be very dangerous.

Three colleagues and I have just finished a book on the topic of local government institutions across Canada. I have to report that I think clauses 38 to 50 would be a very dangerous precedent to set. As we report in our book, municipal election processes in many provinces are in really dire shape.

• (1250)

The provincial government in British Columbia found it could not conduct referendums during municipal elections because the administration of these municipal elections is unreliable. There is improper record keeping and there are irregularities. There is not sufficient oversight to guarantee that these elections are fit for anything other than local issues.

Worse still is the influence of foreign money in municipal elections. This has come to light in the province of British Columbia.

It would be important to consider if we were to move ahead with Senate elections conducted on the back of these municipal elections.

For example, the head of CSIS reported last year that foreign funds were coming to the municipal elections in British Columbia and they were having a negative influence on municipal politicians. Premier Gordon Campbell was so concerned about the charges made by the head of CSIS that he convened a task force on this very topic. I am pleased to say that Premier Campbell invited me to testify at the task force. I was able to report on an investigation that I had conducted about the amount of foreign money coming into B.C. local elections. This would be especially worrying if Senate elections were to be conducted during these same municipal elections.

One councillor in the city of Vancouver received a lump sum donation of \$75,000 from a Taiwanese businessperson. This money was routed through various companies in Canada in order to land in his municipal election fund. This is one example of a large amount of money that came to one single councillor that could have the effect of influencing decisions made by councillors. If Senate elections were connected to municipal elections that in turn could influence who sits in our Senate. That is very worrying.

We reported to the provincial task force that donations from U.S. sources are common. Thousands of dollars are coming into B.C. municipal elections. This could have an influence on senatorial elections if this legislation were passed.

As additional information, there is currently no spending limit in B.C. municipal elections. In the last Vancouver municipal election over \$5 million was spent by candidates of different political parties. Some of this money has already been traced to foreign sources. The task force has investigated this and continues to investigate. Both the former premier and the current premier have expressed deep concerns and are moving forward with legislation to change this. This is an investigation only in one province. Before we move ahead with anything like clauses 38 to 50 we definitely have to make sure that this is not the case in other municipal elections across Canada.

It is our position that the Senate should be abolished. However, we do not think we should rush forward with this without talking to Canadians. We should learn from the mistakes of the other side. We should engage Canadians in the discussion of what is an important democratic institution in this country.

We have a four step proposal. Most of it has already been covered in my colleagues' speeches to the House, but it is good to remind the House of our proposal.

First, we are proposing to convene a number of experts who could give us a non-partisan overview of what is possible in terms of Senate reform, that is, the constitutionality in relation to the overall Constitution and how it affects the provinces. We have brilliant academic minds in this country who could come together and bring us this information.

Second, we would need to publicize this information through a mechanism to spur debate on this issue.

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Third, we would have to move to a referendum on this topic. I was an academic advisor to the B.C. citizens' assembly. With a few tweaks we could have something like a citizens' assembly that could help set the question to be asked of Canadians at large and perhaps answer some of my colleague's questions about what threshold would be appropriate. I would think 50% plus one would be fine. Again, this is a personal opinion.

Fourth, a referendum is binding. After this referendum, we would abide by the will of the people and move ahead with whatever is acceptable.

• (1255)

If the majority government moves ahead with the bill against our advice, I suggest that the government consult with the Province of British Columbia on foreign funding in municipal elections and take a very good look at clauses 38 to 50.

I am happy to provide the government with the briefing I gave to the Campbell task force. I am also working on a private member's motion on this matter, which I will raise at a later time.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Madam Speaker, I appreciate that the hon. member was very straightforward. He gave a proposal in which, to be very clear, he said that the NDP would abolish the Senate based on a referendum, if 50% plus one of the voters across Canada said yes to abolishing the Senate.

The question I have for the hon. member is this. There are provinces like Manitoba, Saskatchewan, Nova Scotia and Newfoundland which have smaller populations. Some of those provinces want to see better regional representation in Ottawa and look to the Senate as a possible solution to that issue.

If you were to get a majority of people in the province of Manitoba who said they would like to see that regionally based Senate, would you then abandon the position in terms of the 50% plus one in order to abolish the Senate?

The Deputy Speaker: I am sure the hon. member is not speaking about my position. I would encourage all members to direct their questions through the Speaker.

The hon. member for Burnaby—Douglas.

Mr. Kennedy Stewart: Madam Speaker, I welcome the question from the hon. member, although he is putting words in my mouth. The proposal I clearly outlined is to get expert advice on what would be not only constitutionally acceptable but also on the process.

The second thing would be to take this information to Canadians, to consult with them, to see what they would find acceptable. I propose getting advice from the public, perhaps through a citizens' assembly, about not only what question would be acceptable but what thresholds would be acceptable as well. Then have a referendum and abide by the will of that referendum.

Mr. Glenn Thibeault (Sudbury, NDP): Madam Speaker, I would like to thank the hon. member for his great speech and the work he has done in British Columbia on certain files.

I find interesting that Liberal members keep asking: what is the status? What is the number? What is it going to be? What is the majority? They do not even want to take this question to the Canadian people. I think that is what we really need to do. We need

to ask Canadians this question: do we really need the other place? It boggles the mind as to why they continue talking about this one subject when they do not even want to talk to the Canadian people. Maybe that is why they are sitting way down at that end now.

I would like to hear comments from the hon. member on that.

Mr. Kennedy Stewart: Madam Speaker, for me, the Liberal position is very consistent: it is to defend the status quo because that is what has benefited that party. It is also a cynical approach to politics.

I think that all parties in this House have to learn from past mistakes. All parties have to make sure that the public is included in a much deeper way, not only in the reform of democratic institutions but also in actual participation in our current democratic processes.

We do not have enough of that. In fact, if anything, the government and the Liberal Party have worked to exclude Canadians from these processes. However, members on this side of the House are going to make sure we bring forward proposals to include citizens, to increase voter turnout and public participation in between elections. We will continue to do so.

[*Translation*]

The Deputy Speaker: The hon. member for Saint-Laurent—Cartier for one last, very quick question.

[*English*]

Hon. Stéphane Dion (Saint-Laurent—Cartier, Lib.): Madam Speaker, my colleague said he would like to have a panel of experts to determine the process to abolish the Senate. The hon. member knows the Constitution. He is a professor himself. He knows that it requires the unanimity of provinces. Why would one need a panel for that?

• (1300)

Mr. Kennedy Stewart: Madam Speaker, I will respond with an extension of the last question. Why do the Liberals not believe in public participation? Why do they not believe in getting advice from citizens and experts?

I think the process I outlined showed that we are committed to a different type of Canada, where Canadians actually have a voice and get fair information about processes so they can make properly informed decisions about what should happen in Canada. Then we would move ahead with the consent of and advice from the Canadian people.

Ms. Megan Leslie (Halifax, NDP): Madam Speaker, I am pleased to add my voice to the debate on Senate reform. As has been made clear in the House, the position of the NDP is to abolish the Senate. I am comfortable with that position, I support it and I advocate for it.

However, at the same time, I am all right talking about other ideas. I love hearing from my constituents about this issue. We have different perspectives on the issue, but, unlike the Conservatives, I am not afraid of different perspectives. I am not afraid of people sharing their ideas with me even if we might not agree at the end of the day on how to solve the problem.

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People often talk to me about this, whether at events where they pull me off to the side and say that they have thought about Senate reform and want to talk about it. People write me letters. People stop me on the street. This is something people think about in their day-to-day lives and they try to figure out a solution. They are trying to work through what can be done.

Why are all these constituents preoccupied with Senate reform? Parliamentary procedure is not exactly something that people think about while having dinner. However, they care about this because they see our system is not working. They see that the Senate is not serving the purpose it was intended to serve. Therefore, people do legitimately talk to me about their ideas and I listen to them.

Before I came into the chamber today, I looked through some letters I received about Senate reform. I want to share a couple of them with the House. Again, they are proposing a solution that is not my solution, but it is encouraging to hear from people and know they are so engaged on this issue. I want to share just a couple of letters with you.

One letter is from Andre MacNeil, who is from Halifax. He wrote to me last year on International Women's Day. I will not even paraphrase. He said:

Hello Megan,

while listening to a news item on women's representation in the Senate (or its equivalent) in India (on the radio) this evening, I thought that we, in Canada, should consider something similar.

On the occasion of International Women's Day, I suggest that all Senate appointments be gender balanced, commencing today. From this point forward, every other appointment to the Senate should be a woman. To someone like myself—outside of politics—this seems like a reasonable possibility, since all Senate positions are appointed. As well, it should provide a much broader—and improved—representation for Canadians than the current approach.

Is this concept too “simplistic” ... or is this a viable alternative for public representation?

Thank you for your time and tireless efforts.

Andre and I have a different solution, but the point is he worries about the fact that the Senate is not working the way it should and he is trying to come up with a solution.

Mark Hoffberg wrote to me and summarized a proposal that he had. He said:

My proposal....changes the Senate from a regional representation body to one that represents the actual popular vote in the country, composed of a 100 seat chamber (with room for a rounding bump of a seat if needed). I would also allocate 5 additional seats for what the census would call Aboriginal Canadians (First Nations, Métis, Inuit).

The 5 Aboriginal seats I feel are important because of the nature of representation of Aboriginal people in the country. Making up 5% of the population but operating on wholly different governing systems, there's a lack of a voice in the direction of the country as a whole. The members would not be members of an existing party list but would be determined by other means and certainly not limited to those on or off reserves.

After a Federal Election, the number of Senate seats for each party would be determined based on the popular vote. The parties would then select members to represent them in the Senate. The parties would have a list of potential candidates available within 10 days of the writ of election being dropped....

I know the Senate is a topic of conversation so I wished to add my thoughts on it, thoughts I think would work well for all the parties in the House of Commons.

Have a good day.

He is right that the Senate is a topic of conversation.

These are two examples of Canadians writing to their MP saying that the system is broken and suggesting some ideas on how to fix it. I welcome those kinds of letters and I welcome a discussion on Senate reform.

I have a proposal. Why do we not abolish it? The reason we need to abolish the Senate is because it is “a relic of the 19th century”. Who said that? It was the right hon. Prime Minister.

•(1305)

The 2006 Conservative platform said that the Conservatives and the Prime Minister believed that the current Senate must either be reformed or abolished, that an unelected Senate should not be able to block the will of an elected House in the 21st century.

We can talk about these ideas on how to reform, but it is not serving us. We should abolish the Senate. At the very least, we should do what I have just done in the House, and that is welcome opinions, talk about ideas, hear from people who may even think something different than we think and put it to the test. Let us have a referendum. Why are we afraid of the Canadian people? Why are we afraid of hearing from them and getting a clear message from them, 50% plus one? Why would we not welcome that kind of participatory democracy? It is brilliant. Once we have done that, let them have a say and then follow the will of the people. Never mind party or regional posturing.

On the regional issue, I am from Nova Scotia, and the Senate is a big issue back home. People tell me that the Senate is about regional representation, that if we lose the Senate, then Nova Scotia will lose out and that this is an opportunity for Nova Scotia to have more of a say in parliamentary affairs.

When I first heard that argument, I thought it was a good point, but let us apply that to what happens in the House and the other chamber. When have we ever seen a senator stand up for Nova Scotia? When have we ever seen a senator stand up for Atlantic Canada? How are senators representing my interests as a maritimer and Atlantic Canadian? They are not because they cannot put their party allegiance aside. They are doing what the centre is telling them to do and they are not standing up for Nova Scotia.

Because I am here during the parliamentary calendar, I work and meet with constituents during the summer. Summertime is a great time to be with people in the community, whether it is at festivals or meetings. I met a senator in the airport on my way back to Ottawa and asked him how his summer was. He said that he was not busy and was so glad to go back to Ottawa. He said that he had been bored stiff. I tried to swallow the bile, because we work during the summer. We meet with our constituents and have outreach events. This man told me he was bored all summer. Well, cry me a river. Seriously, what the heck are senators doing?

I want to talk about the climate change accountability act, which was introduced in 2006 by Jack Layton. Parliament dissolved for the 2008 election so it did not get to the Senate. However, my colleague from Thunder Bay—Superior North brought it back and it passed on May 5, 2010, by a vote of 149 to 136. It went to the Senate and the Senate killed it on November 16, 2010. So much for sober second thought. Senators are activists. This is not what they are supposed to do.

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I will never forget that day because I was with Jack Layton and I had never seen him that angry. He was so angry at how undemocratic this was. At a press conference, he said that this was one of the most undemocratic acts we had ever seen in the Parliament of Canada. To take power that does not rightfully belong to senators, to kill a bill that has been adopted by a majority of Canadians is as wrong as it gets when it comes to democracy in our country.

As my time has expired, it is appropriate to end on those words from my former leader, Jack Layton.

• (1310)

Mr. James Lunney (Nanaimo—Alberni, CPC): Madam Speaker, the hon. member, being from Nova Scotia, raised the issue about whether senators from Nova Scotia were representing their province. I wonder if she would take issue with the former premier of Nova Scotia, the now retired senator, John Buchanan. Did he not represent Nova Scotia? I wonder if she would take issue with Senator Don Oliver, a well-known lawyer, entrepreneur, educator, a member of the black minority in Nova Scotia, nephew of a Canadian opera singer, politician Bill White and labour union activist Jack White. He is a distinguished Nova Scotian. Is the member suggesting that Senator Don Oliver does not represent the citizens of Nova Scotia?

Ms. Megan Leslie: Madam Speaker, Senator Oliver is an interesting fellow. He is one of the few senators who I actually see trying to engage with the community. I get a newsletter from him. I do not agree with his position on policies, but he is someone who tries to engage with community. He is out there doing what he can as a senator and I admire him for that.

However, that does not change my position on the Senate, especially when I am hard pressed to name the senators from Nova Scotia. I am a member of Parliament for the province of Nova Scotia and I do not know their names because they are non-existent in our province. They are not out meeting with people and talking about issues. I do not know what they do and I am here in this place. It is incredible to me.

There are some exceptions to the rule. I think Senator Jim Cowan and Senator Jane Cordy are working hard, but beyond that, it comes down to the fact that the Senate is not working. It does not matter to me that these are nice people who I happen to like, it does not work.

Hon. Stéphane Dion (Saint-Laurent—Cartierville, Lib.): Madam Speaker, I thank the hon. member for making more nuances now than in her speech in answering her colleague and recognizing the merit of many of our colleagues from the other chamber.

However, in her speech she said something completely unrealistic. She said that one vote would be enough of a difference, as in 50% plus one, to abolish the Senate in a judicial recount. That is completely unrealistic. What would she recommend if, in this referendum, some provinces had a clear majority to keep the Senate, but she had her one vote under judicial recount to abolish it?

The member's recommendation would have no impact anyway because the referendum could not change the Constitution. The unanimity of the provinces would still be needed to abolish the Senate.

Ms. Megan Leslie: Madam Speaker, I did not say one vote, I said a majority, and 50% plus one is a majority. That is more than one

vote. Why would we not follow the will of the majority of Canadians?

If the majority of Canadians are saying that it is something they want, then we act. Maybe I cannot stand here and say that then comes a, b and c. Maybe we need to take some time to figure out what that looks like, and we can find the political will to do it. Just because it might be complicated does not mean we should not try and figure out a way to do it.

The hon. member should not let people tell him that it cannot be done.

[*Translation*]

The Deputy Speaker: The hon. member for Beauport—Limoilou for a very quick question.

Mr. Raymond Côté (Beauport—Limoilou, NDP): Madam Speaker, I want to thank the hon. member for Halifax for speaking about the unfortunate moment when the bill that had been passed by the House was defeated by the Senate.

Indeed, among the very odd measures we find in this bill is the one whereby Senate election candidates have to be appointed by a registered political party, which seems like an awfully partisan shift to me. I would like to know what the hon. member thinks about that.

• (1315)

Ms. Megan Leslie: Madam Speaker, I would like to thank the hon. member for his comments.

As always, I am in complete agreement with my colleague and I would like to thank him for the idea.

Mr. François Lapointe (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, NDP): Madam Speaker, I am honoured to rise in the House to speak about Bill C-7, which is complete garbage. I hope it is not too unparliamentary of me to say so.

I came prepared to speak about many issues that have been raised by all sorts of people who are much more qualified than I am. I considered the content of the bill. I will start there. Everything that follows the word "Whereas" is complete nonsense: "it is important that Canada's representative institutions, including the Senate, continue to evolve in accordance with the principles of modern democracy and the expectations of Canadians".

The word "modern" is used. With this bill, the government is telling Canadians that people may be elected, or they may not be. They will then be recommended and may or may not be chosen. They will remain in limbo for six years and then they may sit for nine years. This extremely convoluted process, which cannot be called a suitable political process, is referred to as "modern" in the first paragraph of the preamble. Simple decency requires that, at the very least, the word "modern" be removed from the first paragraph of the bill. In 2012, the word "modern" cannot be associated with such a piece of garbage.

Government Orders

A little further on, the preamble states, “Whereas the tenure of senators should be consistent with modern democratic principles”. Again the word “modern” is used. I made a note for myself: nine years. Is there a modern democracy that would allow an individual to sit for nine years and to remain in limbo for six years once elected? That is 15 years. In addition, someone could be relieved of their mandate as senator for an indeterminate period of time and then come back. Could such a mechanism be used, for example, to improve the public standing of a person who was appointed by a party in power? That person would be in limbo, but he would also be in the public eye for six years. He could then sit for three years and take a break, perhaps to become a member of the House. While we are at it, why not allow senators to be elected for nine years and then come back after four or eight years for another six-year term? Such a process would allow an individual to be elected as a public official for 15, 20 or 22 years. For goodness' sake, can we take all the instances of the word “modern” out of this piece of garbage?

Another paragraph astonished me: “And whereas Parliament wishes to maintain the essential characteristics of the Senate...as a chamber of independent...thought.” Not all Canadians are that gullible.

I have here a letter from Senator Bert Brown dated June 15, 2011. It concludes as follows: “Every Senator in this caucus needs to decide where their loyalty should be and must be. The answer is simple; our loyalty is to the man who brought us here, the man who has wanted Senate reform...” His loyalty is to the person who appointed him. The bill talks about a “chamber of independent thought”. While the government makes claims, the way that chamber operates, in fact, has nothing to do with what is discussed by the elected chamber here.

In another clause, the bill says: “A person remains as a Senate nominee until whichever of the following occurs first:” Here we are talking about something I mentioned earlier. A person could be suspended after 15 years. Fifteen years is equivalent to three or four provincial terms. Elections of senators would be associated with provincial elections.

● (1320)

The governments in power in the provinces will change, in a democratic and modern way, every three or four or five years, while someone is going to be in limbo with a position as an elected public representative for two or three or four provincial terms.

If we look at the history of the Senate, we see the extent to which this completely bizarre construction that this government is on the verge of creating is based on something that has been bizarre since the outset: the founding instrument enacted in 1867. One of the first comments made by Sir John A. Macdonald was that that chamber could act to curb democratic excesses. That is the foundational instrument. A chamber was created to avoid democratic excesses. The other chamber does not seem to be questioning whether its approach is healthy and democratic. The goal of the foundational instrument was to prevent democratic excesses.

There is a clause in the Constitution, section 26 of the Constitution Act, 1867, under which the Prime Minister may, with the consent of Her Majesty, cause four or eight additional senators to be appointed. Those senators must represent equally the four regional divisions.

That clause has been invoked twice in history, but it has been used only once, in 1990. Brian Mulroney invoked it to make sure a bill creating the goods and services tax was passed.

Historically, something is put in place to prevent what was called democratic excesses, and then that instrument is used to make sure that every once in a while, a bill is passed with greater speed. Or, as was done recently, and as my colleague from Halifax pointed out, bills that have been passed by members of a chamber elected in the modern way are then defeated. Nothing in this mechanism will change one iota after this bill is enacted. We will be in the same position: the parties in power will use this chamber to their advantage morning, noon and night, 365 days a year.

As a final point from the past, I would remind the House that in November 2007, Jack Layton proposed holding a referendum. I would point out that, at the time, he was supported by someone who remains very politically active today, that is, the current Prime Minister of Canada. This marks another of the remarkable transformations of this Prime Minister, who, as we know, is an ardent defender of the centre-right-right-right, but who, about a decade ago, had at least a hint of a democrat in him. As the Brits like to say, let us agree to disagree and have a healthy democracy, even with someone who is on the centre-right-right-right, as long as he maintains his democratic reflexes. Instead, we are witnessing a complete shift. Barely five or seven years ago, he was prepared to support the NDP leader on abolishing the Senate. What we have before us now is garbage. I repeat, this garbage bill will allow the government to continue using the Senate as governments have done for the past 20 years. Bill C-7 only adds inconsistency to the absurdity.

The Prime Minister is under no obligation to appoint someone who has been elected. Another part of the bill surprised me. The word “election” does not appear anywhere in the title of the bill. Instead, it refers to “selection”. So, given that this system allows for the election of a certain portion of people in one chamber who could then later be selected, how is this really a democratic process? That was a rhetorical question; the very definition of the exercise clearly indicates that this is not democratic.

● (1325)

As for costs, an analysis conducted by the NDP in 2009 found that in the previous fiscal year, so 2007-08, senators had spent \$19.5 million on travel, an increase—

The Deputy Speaker: I must interrupt the hon. member. Perhaps he can continue during questions and comments.

The hon. member for Saint-Laurent—Cartierville for questions and comments.

Hon. Stéphane Dion (Saint-Laurent—Cartierville, Lib.): Madam Speaker, I would like to thank the member for his speech.

I would like him to comment on his colleague's remarks about judicial recounts. She said that one vote would be enough of a difference, as in 50% plus one, to abolish the Senate in a referendum, when in fact the unanimity of the provinces would be needed.

Government Orders

What does the member think his party should do if a majority of Canadians vote to abolish the Senate, but a majority of Quebecers vote to keep it? That is certainly possible given that the Government of Quebec opposes his party's position and is not in favour of abolishing the Senate.

Mr. François Lapointe: Madam Speaker, my colleague is well known in his province for his opposition to a very simple democratic principle: 50% plus one. That is why I am not surprised at his take on this issue. In democracies around the world, 50% plus one means nothing less than a clear mandate for change. I do not see why 50% plus one would suddenly be meaningless.

Mr. Pierre-Luc Dusseault (Sherbrooke, NDP): Madam Speaker, I enjoyed listening to the speech by my colleague from Montmagny—L'Islet—Kamouraska—Rivière-du-Loup.

He spoke of the rhetoric in the preamble to the bill that the Conservatives are using to try and mislead people. The term “independent” is used, for example. I had not noticed it when I read the bill. I find it quite ridiculous that this term is used in a bill that refers to the Senate. In fact, it is quite clear that both the Conservatives and the Liberals have appointed party cronies to work in the other chamber and that they are accountable to the Prime Minister. That much is clear and nobody here questions it. Even they would have to agree that senators are accountable to the Prime Minister. Abolishing the Senate, an archaic institution in our 21st-century political system, could obviously change this.

I would like to know whether the member believes the bill would make the partisanship problem in the other chamber worse and that an election—which would inevitably involve political parties—would only aggravate the partisanship in the other house and actually make things worse?

Mr. François Lapointe: Madam Speaker, at the start of this exercise I understand that there was at the very least a desire to strike a regional balance. I am not the only one to have observed that. Far more eminent constitutional experts than I noticed this. However, even that approach does not work, and worked barely, if at all, in the past.

My colleague from Sherbrooke just highlighted a tradition that goes back several decades of the party in power exploiting this chamber. Throw into the mix the fact that this limited desire initially to have some degree of regional representation, which might have been meaningful, was of little or no use. The only conclusion to be drawn therefore is that it is a chamber that is of little or no use.

[English]

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Madam Speaker, the members of the NDP need to get together, give their heads a shake and think about this. They are prepared to break up the country if in the province of Quebec there is 50% plus one. They will break up the country. On this issue, if 50% plus one in the province of Quebec say yes to Senate reform and having a Senate contrary to what the rest of Canada might say, the member is saying that he will not take the side of Quebecers even if there is 50% plus one and he will go with the majority in the rest of Canada. Is that what he is saying? If we listen to what he says, that is what he is saying. I am asking him to be consistent with respect to breaking up the country and Senate reform.

• (1330)

[Translation]

Mr. François Lapointe: Madam Speaker, the likelihood that there will be riots in Quebec regarding the Constitution and the Senate—that is, the kind of disastrous situation that my colleague just evoked—is non-existent. I can guarantee this. People do not care about the Senate. It will simply be a democratic exercise to determine whether the Senate should be kept in some intelligent form or completely abolished. There will be no riots in Quebec, there will be no breaking up the country over an issue like the Senate. That is impossible.

Ms. Lysane Blanchette-Lamothe (Pierrefonds—Dollard, NDP): Madam Speaker, I am pleased to join this debate on Bill C-7.

Some hon. members: Oh, oh!

The Deputy Speaker: Order, please.

The member has the floor.

Ms. Lysane Blanchette-Lamothe: Madam Speaker, I thank my colleagues for allowing me to speak. When they have the opportunity to ask questions, even repetitive ones, I will be happy to answer as best I can, as all the members who spoke before me have done.

I believe that Bill C-7 is a bogus reform of the Senate. The Prime Minister promised Senate reform. He obviously had no choice, because the legitimacy of the Senate is constantly being questioned by all sides.

Thus, we have before us a bill that attempts to save face and to support the legitimacy of a Senate by proposing measures that make no real changes and provide no pertinent solutions to the concerns that people have expressed about the Senate.

This is not the first time that we have seen bills that herald bogus and ineffective changes. For example, I would like to talk about last spring's proposal regarding income enhancement for seniors living in poverty. After the enhancement was announced, some major associations representing thousands of seniors in Quebec and Canada said they were more or less satisfied and pleased with the measure. They were expecting that it would really benefit seniors who needed additional income to leave poverty behind. However, after a more careful analysis of the eligibility criteria for such income, they came to the realization that very few seniors living in poverty would qualify. Thus, they felt betrayed by an announcement that said millions of dollars would be paid to seniors in need, but that did not disclose a number of criteria and sub-criteria and gave almost nothing—just two dollars a day more—to the poorest of poor seniors. It did not provide any real support.

That is just one example that illustrates how it is now commonplace to introduce bills that announce change, but are really just smokescreens.

Government Orders

For example, there is no mention in Bill C-7 of the unequal distribution of the seats in the Senate. That is a concern that has already been raised and it is not being addressed here in Bill C-7. We are trying to tackle the legitimacy of the Senate. Why do unelected members have the right to interfere in decisions by the House of elected members? What we have here is pure hypocrisy: the government says it is in favour of electing senators, but in fact the bill provides for holding an election to create a list that the Prime Minister could use to then appoint senators. Does that truly enhance the legitimacy of the senators? I do not see how, because at the end of the day, the Prime Minister still appoints his senators. What are the criteria? That remains to be seen.

There are other frustrations that might stem from Bill C-7, other things that can be refuted. For example, the provinces are not being consulted. A bill is introduced that says that the provinces could, if and as they wish, hold elections at their expense to allow the citizens of the province to elect potential senators and to establish a list. The provinces are being affected by a decision on which they are not being consulted at all.

Again, I am not really surprised. The government is constantly trying to send the bill to the provinces without consulting them or to pit one province against another. When the government was talking about minimum sentences, it forgot to mention that the bill would be sent to the provinces, whether they wanted the legislation or not. When the government was talking about abolishing the firearms registry, did it listen when Quebec said it wanted to recover the data? No, not at all. The government totally ignored Quebec.

• (1335)

Old age security is another good example. Lowering the age of eligibility for old age security would certainly mean additional costs for the provinces, which would have to provide social assistance to people with no income for an extra two years.

There are many examples. It is becoming common practice for the Conservatives to send the bill to the provinces and then turn a deaf ear to what they want. This is yet another case in which the provinces have not been consulted about measures that will affect them. This is rather unfortunate.

What tangible impact will a bill such as Bill C-7 have? Unresolved issues are still a cause for concern, and with good reason. For example, if senators are elected, will their mandate have to be redefined? Will senators who win an election be entitled to request more duties or to have their duties changed because they are now elected officials just like members of the House? This is a question to consider.

In fact, we have a complex system that has been around for a number of years. Are changes needed? Yes, without a doubt. However, we must also take the time to determine what the impact of such changes would be. In my opinion, the Conservatives have not done enough in this regard. They talk about measures and tangible results without telling us the basis for or the expected outcomes of these changes. Since the provinces will be able to choose whether or not to hold elections, some senators will be elected and others will not. Will this create a hierarchy among the senators? That is another question to consider. Unfortunately, the Conservatives have not had

much to say on the subject. These are real concerns that deserve our attention.

We also have other concerns. What criteria will the Prime Minister use to appoint a senator from a list of elected candidates? Will more women and aboriginal people be appointed to the Senate? Or will selection be based on partisan considerations that will allow the government to have a new senator who is loyal to the government or the party? We have to consider these questions.

Once again, the authority will be left in the hands of a single individual with discretionary power, namely the Prime Minister. These are legitimate questions. Voters who will have chosen a list of Senate candidates may be upset to see the Prime Minister not appointing their first choice but, instead, their second one. So, this whole process all very vague and there are many questions about the criteria that will guide the Prime Minister's choice and the impact that choice will have.

There are other questions about this legislation. Ultimately, will senators still be appointed by the Prime Minister? Will they be less loyal to the Prime Minister who appoints them?

As I said at the beginning of my speech, there is a lot of dissatisfaction with the fact that senators are not elected. Now, the government is proposing a bill which includes an election process. Is this really going to change the legitimacy of senators? One has to wonder.

If I may, I would remind the House that the Senate, as an institution, was meant to be a chamber of wise people representing the territorial diversity of the country and acting as a counterbalance to the decisions made in the House of Commons. Wisdom is an important aspect. I do not want to question the wisdom of current senators, but what good is wisdom if, in the end, one must obey the Prime Minister and be faithful to one's party? What good is senators' wisdom and judgment? Can this aspect be questioned? Perhaps. After all, senators are not accountable to the people they represent for the decisions they make. Therefore, what is the impact of a decision? We really wonder about that.

Currently, one may even get the impression that the Prime Minister is doing through the back door what he does not want to do publicly.

These are my concerns about Bill C-7. All hon. members know that the NDP's position on the Senate is clear, so I will not repeat it in detail.

• (1340)

The solution is not Bill C-7 but, rather, the abolition of the Senate.

Hon. Stéphane Dion (Saint-Laurent—Cartierville, Lib.): Madam Speaker, my colleague said many very true things. She ended by saying that her party's position was clear. Would she mind clarifying her party's position? She seems surprised that her Liberal colleagues keep asking the same questions today. We have to, because we have not yet received any answers. I will make my question as clear as possible. I would like her to provide a clear answer, not beat around the bush like her colleagues.

Government Orders

If there is a referendum on abolishing the Senate, and if a majority of Canadians say that they want to abolish it, while a majority of Quebecers say that they want to keep it, which majority will win the day?

Ms. Lysane Blanchette-Lamothe: Madam Speaker, I would like to thank the hon. member for his very clear question, which I am sure everyone understood perfectly. If he wants to keep asking it, that is fine by me.

Earlier, my colleague asked whether we really had consulted the people and whether using the results of that consultation would be complicated. People can turn a blind eye and a deaf ear when they know that it will be complicated to do something about a problem or about what people want. Personally, I do not think that is the solution. We should consider how we can use the results of our consultations. That is fundamentally irrefutable. We have to ask whether the Senate should be abolished and involve Canadians in the decision-making process. If my colleague is against that basic fact, I would certainly like to hear about it.

Mr. Raymond Côté (Beauport—Limoulu, NDP): Madam Speaker, I thank my hon. colleague from Pierrefonds—Dollard for her speech. I am very pleased that she talked about how this will affect the provinces. Indeed, this government bill will have serious financial and other repercussions on the provinces.

This is completely typical of how this government normally operates, that is, downloading its responsibilities and putting another huge burden on the provinces. This has been the trend for nearly 20 years now, unfortunately, in many different programs.

According to the government's bill, the provinces would be free to chose their system of electing senators, but they would have to cover the cost themselves. After the election process, the Prime Minister would have the privilege of accepting or refusing the senators without any justification. What does my colleague think of a system in which the provinces would have to spend public money needlessly, while the final choice of senators would be left to the whims of the Prime Minister of the day?

• (1345)

Ms. Lysane Blanchette-Lamothe: Madam Speaker, I asked myself that very question when I first read the bill. Would these elections bring anything positive to the Senate? Maybe, maybe not. It is not entirely clear. If the Prime Minister is the one who makes the final decision, to what degree would Canadians' choices be taken into account? That is a very good question.

Would this penalize provinces that cannot afford to hold an election? Would this create some sort of hierarchy in the quality of senators selected in each province? A great deal of uncertainty remains in that regard. However, one thing is certain: it is important that we probe much deeper into the issue of the Senate and ask ourselves if we should keep it or abolish it.

Ms. Ève Pécelet (La Pointe-de-l'Île, NDP): Madam Speaker, I am very pleased to rise in the House to speak to Bill C-7.

It is important to state that this bill does not make senators accountable. Regardless of whether they are elected or not, they will not have to keep any of their election promises, knowing that their term is not renewable. That is one of the major problems with the

Senate. Under the Constitution, the role of the Senate is to represent people, as we are doing today in the House of Commons. I am representing the people in my riding, La Pointe-de-l'Île. I must admit, I have never attended a debate or consideration of a bill in the Senate, but I am certain that no senator ever rises to go against the will of his or her political party and vote against something in order to defend the interests of the people in the Maritimes, for example, as the hon. member for Winnipeg North was saying. Senators have never represented the people they are meant to represent.

This bill does not resolve the biggest problem, which is that the Senate has become a political battleground to which the elected government appoints its cronies, its financial contributors or anyone else who has accomplished some obscure task. Senators will not be any more accountable.

What is more, the bill was supposed to correct those things that people and the Prime Minister himself have often complained about when it comes to the Senate, namely that senators should be elected. The Prime Minister has said himself that he would never again appoint an unelected senator. After the May 2, 2011, election he appointed three defeated Conservative candidates. I, personally, do not trust him. I do not think that Canadians are going to trust a Prime Minister who says one thing but does the complete opposite after the election because he won a majority in the House of Commons.

Then the bill gives the impression that senators will be elected. But as my colleague pointed out earlier, it may be that an individual will be elected, and that individual may also be appointed by the Prime Minister, but we cannot be certain. This means the provinces will spend money to hold elections and submit names to the Prime Minister, but the Prime Minister will keep the arbitrary power of appointing his own personal choice. I think we all agree that the bill, which seeks to have senators elected, does not really achieve its objective. That power remains with the Prime Minister. It is still an arbitrary and undemocratic power. The Prime Minister is under no obligation to respect the will of Canadians. We are well aware that, for this government, respecting the will of Canadians remains a rather vague and fuzzy principle that has yet to be defined.

All this to say that, personally, I think the government has failed miserably with this bill. It gets a 0 out of 10. I realize the Conservatives must keep certain tools at their disposal, but my party is in favour of abolishing the Senate.

As for the Senate itself, its mandate under the Constitution, which is to generally represent the population of a region, has never been respected. Instead, it is a political battleground to which the government appoints its friends to reward them.

Government Orders

We are talking about Senate reform, but there is currently no system allowing the House of Commons and the Senate to work in harmony. For example, in the United States, the institutions that fill the role of the Senate and of the House of Commons work in harmony. There is a system which determines how these institutions work together. For example, if senators were elected, who would have more power? Would it be the House of Commons or the Senate? How are we going to determine the way bills will be passed, and who is going to review them? What about amendments? Things will be exactly like in the United States. Bills will be blocked and it is going to take months before they can be passed. Even if we were to reform the Senate, it would be impossible to have harmony—and a system that works—between the House of Commons and the Senate.

• (1350)

Even if we reform the Senate, the House of Commons and the Senate cannot work in harmony. We do not have a system. It is not in Canada's parliamentary tradition. Therefore, abolishing the Senate is the solution. It would be impossible, especially with this bill, to solve all the problems of the Senate. Even if the government came up with a new proposal for reforming the Senate, it would not work. It would completely skew Canada's democracy. People are elected to the House of Commons. We, here, represent the people.

Bill C-7 does not make the Senate democratic, not in the least. Senators would purportedly be elected by the provinces, which will spend money on these elections, and then the government would retain the arbitrary power to appoint whomever it wants. None of the problems with the Senate the Prime Minister has identified will be solved by this bill. It is wrong to say that passing Bill C-7 will make the Senate democratic.

How would we decide which house has the most power to pass legislation? A bill passed by the majority, or even unanimously, in the House of Commons could be rejected by the Senate. Voters in my riding could ask me to vote for a bill, which would be passed by the House of Commons and then rejected by the Senate. It will not work. It is undemocratic. The solution is to abolish the Senate. That is how we can solve the problems.

Hon. Stéphane Dion (Saint-Laurent—Cartierville, Lib.): Madam Speaker, I am very persistent. Perhaps we will eventually get an answer. According to the hon. member, if a referendum is held and a majority of Canadians vote to abolish the Senate and a majority of Quebecers vote to keep the Senate, which majority will rule?

Ms. Ève Pécelet: Madam Speaker, it is important to understand that the will of the people will rule.

Mr. Pierre-Luc Dusseault (Sherbrooke, NDP): Madam Speaker, I am pleased to be able to ask the hon. member a question. As she mentioned several times, this bill is a phoney reform. I get the impression that the Conservatives are trying to dodge the issue and avoid a constitutional debate. Right now, they are introducing a bill that will allow the Prime Minister to keep his power to choose. We do not need to amend the Constitution to do that. I get the impression that this bill is a way to avoid having the constitutional debate that perhaps we should have. The Conservatives are trying to undertake a reform without talking about the main issue—the Senate. We have reiterated our position on the Senate a number of times.

Does the hon. member think that, with this debate, the Conservatives are trying to avoid the issue and that they are pretending to undertake a reform without opening the debate on the Constitution?

• (1355)

Ms. Ève Pécelet: Madam Speaker, the Conservatives introduced this bill without consulting the provinces. To amend the Constitution, the provinces and the people of Canada must be consulted. Regardless of the outcome of the referendum, the people of Canada must be consulted.

A 2011 survey showed that 61% of Canadians were in favour of holding a referendum. The government, therefore, knows full well what Canadians want, but that does not necessarily correspond with what the government wants. The government insists on avoiding the issue. It did exactly the same thing in the case of the Canadian Wheat Board. The government knew full well that farmers wanted a referendum and what the result of that referendum would be, but it decided not to hold the referendum because it was not in line with its principles. Yes, the government is refusing to listen to and consult the people of Canada.

[*English*]

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Madam Speaker, the Constitution is very clear. It says that in order for there to be a constitutional amendment to abolish the Senate, which is what the NDP wants to do, every province has to agree to it. Even under the NDP's proposal of holding a referendum, if the province of Quebec said no, that it saw some value to the Senate, that means the premier in the Manitoba legislative assembly would not support the change to the Constitution that would be required.

Does the member not see that her policy would not work? She would not be able to get all 10 provinces—

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

Ms. Ève Pécelet: Madam Speaker, I know exactly what the Constitution says. I studied law. I have a law degree and I know exactly what the Constitution says.

There is a difference between the provinces having to agree together and consulting the public. The member is putting everything in the same basket. We have to consult the public and then the provinces would negotiate together. He is putting the two principles together in the same basket and that is not the same thing.

[*Translation*]

Mr. Raymond Côté (Beauport—Limoilou, NDP): Madam Speaker, I admire the member for La Pointe-de-l'Île's spirit. She really stressed that the Liberals would be encroaching on provincial jurisdiction. With respect to the voting system, it is no secret that the government has downloaded all responsibility onto the provinces, with very different systems from one province to the next, and has chosen to ignore the outcome. I would like my colleague to comment on the pitfalls that would create.

The Deputy Speaker: The hon. member for La Pointe-de-l'Île for a brief question.

Ms. Ève Pécelet: Madam Speaker, regardless of a given province's voting system, and regardless of what the provinces do, this bill will not fix the problem. The Prime Minister will still decide who gets into the Senate. It will not matter how many millions of dollars the provinces spend; it will not matter if voters go to the polls. In the end, the government will refuse to listen to the voters.

STATEMENTS BY MEMBERS

[Translation]

AIR CANADA

Ms. Ève Pécelet (La Pointe-de-l'Île, NDP): Madam Speaker, last Friday, I attended a press conference in Montreal held by the two unions that represent Air Canada employees. Here is the situation: this government refuses to obey a law passed by Brian Mulroney's Conservative government in 1988.

Air Canada is moving jobs from Montreal to Toronto, even though the law stipulates that the head office must remain in Montreal. A number of employees have already lost their jobs and more will lose theirs in the coming years. The NDP is determined to force the government to be accountable to Canadians and obey the law.

Air Canada's head office must remain in Montreal, and the company must stop moving jobs from Montreal to Toronto.

* * *

● (1400)

[English]

CONSERVATIVE PARTY OF CANADA

Mr. John Williamson (New Brunswick Southwest, CPC): Madam Speaker, Canadians place immense trust in us to act in their best interest and to, at all times, work diligently for the betterment of our country.

As a Conservative, I believe that government does not always know best. Innovation does not come from a government bureaucracy but springs from hard-working Canadians. Solutions to our toughest problems come from individuals with their God given freedom to thrive.

Government has a very important responsibility to provide a level playing field with fair rules that apply to all. That is why I am proud of the Conservative record. We have lowered taxes. We respect personal freedoms. We take the tough action needed to keep our communities safe and ensure criminals are put where they belong.

We do not practise crony capitalism and we do not pick economic winners and losers. We trust Canadians with their family's best interests and we work to pass laws that reflect the timeless Canadian values of faith, freedom and family.

We know that Canada is the best nation in the world today, tomorrow and always.

Statements by Members

ELEVATION TO CARDINAL

Mr. Frank Valeriote (Guelph, Lib.): Madam Speaker, words can hardly describe my feelings as I sat in the majestic splendour of the Vatican for the elevation of a favourite son of Guelph, Thomas Collins, to cardinal.

Born and raised in Guelph, Cardinal Collins demonstrated, through his leadership in the archdioceses of Edmonton and Toronto, a deep spiritual conviction and intellect matched only by incredible moral strength and humility. His entire life has been dedicated to the service of his community and, through his words and actions, he has shown the value and importance of servant leadership. When I first heard the then Bishop Collins expand on this, he revealed an absolute dedication to the service of others before self, something we must try to emulate as members of this House and an important lesson that we all too often forget.

I was fortunate to join an immensely proud and elated Canadian delegation in Rome on February 18 to witness the deeply spiritual and exceedingly moving ceremony installing Cardinal Collins as a prince of the church.

The Roman Catholic Church will be well-served by his counsel, just as Canada continues to be well-served by his leadership.

* * *

[Translation]

KOOTENAY SKI HILLS

Mr. David Wilks (Kootenay—Columbia, CPC): Madam Speaker, in February and March of this year, the ski hills of Kootenay, British Columbia, are hosting some important downhill ski competitions.

[English]

Kimberley Alpine Resort hosted the International Paralympic speed event, which had several world-class athletes, such as Josh Dueck and Sam Daniels, using these races as a tune-up for a world cup event.

That Paralympic World Cup event is being held at Panorama Mountain Ski Village near Invermere, B.C., between March 13 and 16. Four events will take place: the super "G", super combined, giant slalom and slalom.

Finally, the Golden Nordic Ski Club in Golden, B.C. is hosting the Master's National Nordic championships between March 12 and 17, with over 250 master skiers from Canada and the United States competing for the top prizes.

[Translation]

Good luck to all the competitors and enjoy your stay with us in the Rockies.

* * *

[English]

OSCAR AWARDS

Mr. Tyrone Benskin (Jeanne-Le Ber, NDP): Madam Speaker, Canada shines brightly this morning as the 84th Oscar awards saw a number of Canadians take home gold for technical and artistic merit.

Statements by Members

However, a special and heartfelt congratulation goes out to Montreal's native son and colleague, Mr. Christopher Plummer, recognized as the 2012 best supporting actor.

From stage to big screen and flat screen, Mr. Plummer has demonstrated the depth of talent Canada has always had to offer. Having worked with him more than once, I can attest to the gift that he truly is to his fellow performers.

Alongside this much honoured Canadian are others who continue to showcase the wide-ranging talents of Canadian creators: Andrew Clinton, Mark Elendt, Ian Cavén, Raigo Alas, Greg Marsden, Michael Lewis and Michael Vellekoop, winners in the science and technology categories.

[Translation]

And let us not forget the creative team behind *Monsieur Lazhar*, which represented Canada and Quebec with great distinction. These are Quebeckers.

[English]

These are Canadians, ambassadors of the creative, technical and scientific art of storytelling. I congratulate—

The Deputy Speaker: The hon. member for Essex.

* * *

AUTOMOTIVE INDUSTRY

Mr. Jeff Watson (Essex, CPC): Madam Speaker, this Conservative government has done more for Canada's auto industry than any previous federal government.

Our auto action plan, launched in 2008, has invested significantly, including at Ford Essex Engine, to create jobs through flex manufacturing and improved research. We have harmonized regulations, invested toward a new bridge at Windsor-Detroit to boost trade and negotiated an historic beyond-the-border agreement with the U.S., measures that secure a future for blue collar auto workers in Canada, measures voted against or opposed by NDP MPs.

At the height of the great recession, it was our government, not opposition New Democrats, that stood up for Canadian workers and their families by voting to save Chrysler, GM and 600,000 high paying jobs across Ontario. We have resisted NDP calls for high carbon and corporate taxes that would have killed the futures of auto workers by killing their jobs.

It is the Conservatives, not the NDP, who stand up for Canadian auto workers.

* * *

• (1405)

SHIPPING INDUSTRY

Mr. Pierre Poilievre (Nepean—Carleton, CPC): Madam Speaker, last week we were reminded again that quiet, focused, hard work pays off for the country.

For the last year, 72,000 jobs related to the St. Lawrence Seaway have been on the knife's edge as a result of New York's unattainable shipping regulations on ballast water. After vigorous Canadian

intervention with the state, New York has now decided to accept uniform regulations that will protect the environment and save jobs at the same time.

In short, jobs are saved. I thank the Minister of Transport for assigning me to work with him on the file and for his direct collaboration with the Obama administration and Brooklyn senator, Diane Savino, for working with me as well. I thank the exceptional public servants at Transport Canada for their second to none world-class knowledge on the file.

Ballast water is not exactly a sexy issue but it is an important one to the thousands and thousands of families who rely on the shipping industry for their jobs. We will and we have fought for every single one of them.

* * *

[Translation]

THE ENVIRONMENT

Ms. Marie-Claude Morin (Saint-Hyacinthe—Bagot, NDP): Madam Speaker, last week I met 13 secondary IV students in the sports program at Fadette secondary school in Saint-Hyacinthe. These students are worried and unhappy, and they shared with me their concerns and questions about the government's inaction on climate change.

I left their classroom with letters addressed to the Minister of the Environment. In these letters, the students express their strong opposition to Canada's withdrawal from the Kyoto protocol. Their concerns about the environment are shared by millions of Canadians. Their teacher, Émilie Ferland, has done a fantastic job of guiding them through this project.

It is crucial to raise awareness among our youth, no matter what their age, of the importance of citizens' opinions in our country's decision-making process. These students, who are just 15 or 16 years old, understand this and are asking the government to make more responsible decisions.

* * *

[English]

RELIGIOUS FREEDOM

Mr. Bob Dechert (Mississauga—Erindale, CPC): Madam Speaker, as the democratic process continues in Egypt, our government continues to be worried about the mistreatment of the Coptic community.

The violence against the Coptic community must stop. Tensions have led to violence and, most recently, forcible home evictions. I share the concerns of the Canadian Coptic community that is worried to hear about the recent reports that several Coptic families have been forcibly evicted from a village in northern Egypt.

I urge the Egyptian authorities to take the necessary steps to ensure a peaceful democratic transition. There should be no place in the new Egypt for repressive and violent acts on members of religious minorities. Freedom of religion is a fundamental human right and a vital building block for healthy democracies. People of faith must be able to practice and worship in peace and security.

Canada continues to support the ongoing democratic transition in Egypt and urges those writing the country's new constitution to safeguard the principles of freedom, democracy, human rights and the rule of law for all Egyptians.

* * *

PUBLIC TRANSIT

Mr. Andrew Cash (Davenport, NDP): Madam Speaker, the greater Toronto area is home to 5.5 million people, 17% of the Canadian population, 40% of corporate head offices and one-fifth of Canada's GDP.

In other words, what happens in Toronto and how it happens matters except, it seems, to the Conservative government.

The GTA loses \$6 billion a year due to gridlock and yet the government will not endorse the NDP's national transit strategy. What is worse, it has not come up with its own plan.

In the midst of an affordable housing crisis, the government will not endorse the NDP's national housing strategy. What is worse, it has not come up with its own plan.

When it comes to confusing voters about which polling station they should go to at election time, in that case the Conservatives come up with their own plan.

The NDP has come up with our own plans for housing and transit. Will Canadians have to wait until 2015 and an NDP government before they see real leadership for cities like Toronto?

* * *

•(1410)

RELIGIOUS FREEDOM

Mr. Greg Rickford (Kenora, CPC): Mr. Speaker, Christian congregations in the great Kenora riding are extremely distressed regarding the unjust persecution of Pastor Nadarkhani and are united in prayer on his behalf.

Indeed, our government is deeply concerned by reports that the Iranian authorities may imminently execute Christian Pastor Youcef Nadarkhani on charges of apostasy.

Freedom of religion or belief is a fundamental right recognized by the international community. Pastor Nadarkhani's case is another example of the regime's utter disregard for human rights and its failure to meet the internationally recognized norms. Iran consistently violates the human rights of religious and other minority groups.

We call on Iran to release prisoners, such as Pastor Nadarkhani, who face execution for charges contrary to Iran's own laws and constitution, and to reverse its current course and meet its international human rights obligations.

Statements by Members

SHORT CIRCUIT DREAM

Ms. Judy Foote (Random—Burin—St. George's, Lib.): Mr. Speaker, I rise today to recognize a remarkable young man from Marystown in my riding of Random—Burin—St. George's.

Now 19 years old, at the age of 14, William Short wanted to lift the spirits of terminally ill children so he formed the charity, Short Circuit Dream, to raise funds to grant them a dream. To date, the charity has granted 12 dreams that included TV sets, video games and computers to a bedroom makeover.

William's kindness has been recognized with various awards, including the Terry Fox Humanitarian Award, the Knight of the Year Award, the URock Volunteer Award, the finalist for TD Canada Trust Community Leadership Scholarship, the Loran Award national finalist and the Knights of Columbus state scholarship.

Last year he received the Newfoundland and Labrador Knights of Columbus Award and was selected as one of the 10 provincial finalists for the Experience Genie title, finishing in an impressive third place.

William is currently a student at Memorial University in St. John's.

I ask all members of the House to join me in saluting William Short whose thoughtfulness has made a difference in the lives of terminally ill children.

* * *

[Translation]

ITALIAN CAMPAIGN

Mr. Royal Galipeau (Ottawa—Orléans, CPC): Mr. Speaker, Saturday marked the 67th anniversary of the end of Canada's involvement in the Italian campaign. It is important to recall the courage of the Canadians and the sacrifices they made in defence of our rights and freedoms.

Canadian troops played a crucial role in one of the longest battles of World War II. Of the 93,000 Canadians who fought on the front lines of that long campaign, almost 6,000 made the ultimate sacrifice in the name of world freedom.

[English]

They fought in the rugged mountains, flooded rivers and rubble filled streets of Sicily from July 10 to August 6, 1943. On September 3, they landed on the Italian mainland. Canadians fought a bitter battle until February 25, 1945, when the major Canadian presence in the Italian theatre ended.

We honour this legacy by caring for the World War II veterans who are still with us and those who have come after them. We stand with the veterans and their families when they need it. They can count on our care and support.

Lest we forget.

*Oral Questions***CONSERVATIVE PARTY OF CANADA**

Mr. David Christopherson (Hamilton Centre, NDP): Mr. Speaker, The Conservatives were elected on a promise to clean up the Liberal style scandals of the past. There is the first election fraud. Then they got caught trying to buy an election with a big money shell game. In fact, not four months ago, the Prime Minister's Conservative Party had to plead guilty to election fraud. That is twice.

Now Canadians see they have been at it again. Misleading voters about their polling station is shameful. It is wrong and it is illegal. This is also election fraud.

Canadians demand answers. They deserve better than another five year runaround by the Prime Minister before their next inevitable guilty plea.

The Prime Minister has it within his power to get to the bottom of this today, to identify the guilty parties and to ensure that they are prosecuted to the full extent of the law. Or, the Prime Minister will have proven that in no time at all he has become exactly that which he used to loathe.

* * *

• (1415)

VIA RAIL DERAILEMENT

Mr. Mike Wallace (Burlington, CPC): Mr. Speaker, as the member of Parliament for Burlington and on behalf of all Canadians, our government offers our sincere condolences to the family and friends of the three VIA employees who died when a VIA Rail passenger train derailed in Burlington yesterday: Ken Simmonds, 56 years old, and Peter Snarr, 52 years old, both from Toronto and both with more than 30 years of service as locomotive engineers with CN and VIA. The third individual was Patrick Robinson, 40 years old, of Cornwall, Ontario, a new VIA employee who was on board as an observer as part of his training program.

One accident is one too many. We wish a speedy recovery to all VIA passengers who were injured.

I thank the first responders to the scene yesterday who clearly did their very best to address the immediate needs of those involved. Our thoughts and prayers are with all of those affected by this tragic accident.

ORAL QUESTIONS

[*Translation*]

41ST GENERAL ELECTION

Mrs. Nycole Turmel (Leader of the Opposition, NDP): Mr. Speaker, thousands of Canadians received fraudulent telephone calls during the last election from individuals claiming to be from Elections Canada, telling people to vote at the wrong place. There were even people who got phone calls in the middle of the night. The government must take action.

What is the Prime Minister going to do to prevent these fraudulent tactics? What is he really going to do to restore people's confidence

and increase, rather than decrease, the voter turnout? That is the issue: people's confidence in the election process.

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, the Conservative Party of Canada has denied and still denies such allegations. When we become aware of such information, we pass it on to Elections Canada. I encourage the opposition to do the same if it has this sort of information.

Mrs. Nycole Turmel (Leader of the Opposition, NDP): Mr. Speaker, voters want more than that. They want to know that the government is going to protect them from election fraud.

Even the Prime Minister's riding association uses the services of RackNine, one of the firms involved in this affair, so it is understandable that people have doubts about the process.

Is the Prime Minister prepared to force byelections to restore voter confidence?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, once again, we do not have such information. If the NDP has this sort of information—and I am not certain that it does—then it must pass that information on to Elections Canada.

[*English*]

Mrs. Nycole Turmel (Leader of the Opposition, NDP): Mr. Speaker, this whole thing is about trying to stop people from voting, whatever the technology.

Call centre employees have now confirmed that they read scripts to misinform voters on behalf of the Conservative Party. Fixing elections means that byelections could be called. People could end up in jail.

The Prime Minister must be tough on crime. Will he commit all the necessary resources to investigate and prosecute and put an end to vote suppression?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, the calls in question are calls the Conservative Party of Canada placed to its own supporters.

If the NDP has any information that inappropriate calls were placed, and we certainly have information in some cases, which we have given to Elections Canada, then I challenge that party to produce that information and give it to Elections Canada.

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, it is more in sadness than anger that Canadians watch what could be the most comprehensive election fraud in Canadian history and there is not a person in the country that is buying the theory of a lone gunman on the sixth floor of the book depository. This took big money and sophistication to execute.

What is the relationship between the government and the company called Campaign Research and its principals Nick Kouvalis and Richard Ciano? What is the extent of their relationship? What contracts were signed? When were they signed? What were they for?

Mr. Dean Del Mastro (Parliamentary Secretary to the Prime Minister and to the Minister of Intergovernmental Affairs, CPC): Mr. Speaker, all of the statements made by the member in his lead up to his question are patently false.

Oral Questions

If the NDP has any information, any evidence at all related to the allegations it has been making over the past days, then it should provide all of that to Elections Canada and allow Elections Canada to conduct a review. We would call on Elections Canada to do that review without delay.

• (1420)

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, we know that Campaign Research is a virtual organ of the Conservative Party and that it has built a career selling American style dirty tricks to Conservative election campaigns, whether for the mayor of Toronto or against the member for Mount Royal.

The Conservative House leader calls this free speech. Impersonating an elections official to interfere with the right of a Canadian to cast his or her ballot is not free speech; it is a criminal offence.

The public has a right to know the full extent of the relationship between the government and Campaign Research and its principals.

The Speaker: The Parliamentary Secretary to the Prime Minister.

Mr. Dean Del Mastro (Parliamentary Secretary to the Prime Minister and to the Minister of Intergovernmental Affairs, CPC): Mr. Speaker, the statements made by the member opposite are outrageous. I say to the member, if he has any evidence, any information at all, he should provide that information to Elections Canada and allow it to conduct an investigation into this matter. We call on members to do that without delay. I would point out to the member and to the House that almost 900,000 more Canadians voted in the 2011 election, a significant increase over the previous election.

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, it is hard to understand or believe the government's answers. The party that has control of the information with respect to Crestview, with respect to RackNine, with respect to Campaign Research, with respect to in-person calls and robocalls at midnight and during the day, and the government that understands and knows that and has control of that information is over there. They are the ones who have to come forward with the information.

When is the Prime Minister of Canada going to take some degree of personal responsibility for what is taking place in this country?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, this is the same old Liberal Party making broad, sweeping allegations and frankly in most cases we do not know any details of the bases of these allegations. If the Liberal Party actually has such information, it should provide it to Elections Canada and Elections Canada can investigate it. I can certainly assure the member that on this side we can produce all the documentation necessary on our own activities, but we are interested to see what information the members opposite actually claim to have.

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, my colleague from Guelph has already presented information. It is the Conservative Party that is in possession of information. It is the Conservative Party and the leadership over there that knows how much money was spent, which contracts were signed, what instructions were given to the callers, what information was provided. The responsibility for that is right over there. That is where it lies. That is where it continues to lie.

Right Hon. Stephen Harper (Prime Minister, CPC): Of course, Mr. Speaker, the Conservative Party reports all information it is

required to report to Elections Canada, but it is the Liberal Party and the leader of the Liberal Party making broad, sweeping allegations, exactly the kind of behaviour from the Liberal Party that Canadians rejected in the last election. If the Liberal Party has such information, let it come forward, provide it and give it to Elections Canada.

[Translation]

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, we will continue to bring forward the information we have. The fact is that the people of this country are still providing information.

My question is for the Prime Minister. So far, we have not heard him say that, as party leader and Prime Minister of Canada, he takes any responsibility for what happened during the 2011 election.

Will the Prime Minister tell us to what degree he, as party leader, is responsible for what happened?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, once again, the Liberal Party made these vague allegations. We have no information about this. On the contrary, we deny any involvement in such activities, and I challenge the Liberal Party to provide information to Elections Canada, if such information exists. The Liberal Party appears to be engaging in the same behaviour that voters rejected during the last election.

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP): Mr. Speaker, these illegal calls were made by a firm connected to the Conservative Party. The objective was clear: to mislead voters. That is a tactic used by bums, by goons, something reminiscent of the Duplessis era. The owner of RackNine released a picture in which he is holding a Government of Canada cheque and said that it is true, that the government paid his company. Documents prove that the Prime Minister and three of his ministers used RackNine services.

The question is simple. How many cheques did the Conservative Party send to RackNine, and for what services did it send these cheques to that company?

• (1425)

Mr. Pierre Poilievre (Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities and for the Federal Economic Development Agency for Southern Ontario, CPC): Mr. Speaker, the allegations made by the hon. member are false. The reality is that during elections the Conservative Party provides information in a totally honest and ethical fashion. However, if the hon. member has evidence to support his allegations, he should give it to Elections Canada.

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP): Mr. Speaker, it is the same Conservative scandal, but with new companies. We learned that 11 ministers worked with RMG and four others worked with Campaign Research. Calls made by firms connected to the Conservative Party gave false instructions to people for a single purpose, namely to discourage them from voting and thus violate their fundamental rights. No minister or member has provided information on this issue.

Who paid for these calls? Who is really responsible for this disgusting scheme? Is it a 23-year-old? Come on. Who is calling the shots in the Conservative Party?

Oral Questions

Mr. Pierre Poilievre (Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities and for the Federal Economic Development Agency for Southern Ontario, CPC): Mr. Speaker, instead of providing evidence, the hon. member is merely making noise. The reality is that the Conservative Party of Canada ran an honest election campaign. That is why we won.

If the hon. member has evidence to support his allegations, he should give it to Elections Canada.

[English]

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, one more time the Conservatives are caught with their fingerprints all over the broken safe.

Who is involved now? We have the Prime Minister and three cabinet ministers linked to RackNine. We have eleven ministers linked to the Responsive Marketing Group and four cabinet ministers who did work with Campaign Research. They are up to their eyeballs in this.

Are they going to continue to pretend it was some 20-year old ideologue down in Guelph, or are they going to take responsibility and hold a public inquiry so Canadians can find out who is guilty and who should be going to jail?

Mr. Dean Del Mastro (Parliamentary Secretary to the Prime Minister and to the Minister of Intergovernmental Affairs, CPC): Mr. Speaker, that is interesting. As recently as Friday the interim Leader of the Opposition was calling on all members to provide all evidence and information to Elections Canada.

That is what we are saying today, and I would say to this member that Elections Canada has now confirmed that at least 127 late polling station changes were made during the recent election, affecting as many as 1,000 polls. We contacted our supporters to make them aware of those polling station changes so they could cast their votes.

If the member has any evidence to back up any of the allegations he has made, we call upon him to turn it over to Elections Canada and for Elections Canada to look into that matter without delay.

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, the Conservatives do not get it. They are the only party that is being investigated, so they are the ones with the evidence.

The Prime Minister promised that he would raise the ethical bar. Instead he has broken trust with the Canadian people. We are talking about the largest electoral fraud scheme in Canadian history, and the government needs to restore faith with the Canadian people and stand up and turn over the guilty parties so they can be tossed into jail.

Who are they covering up over there?

Mr. Dean Del Mastro (Parliamentary Secretary to the Prime Minister and to the Minister of Intergovernmental Affairs, CPC): Mr. Speaker, once again that is very interesting. The member for Winnipeg Centre was counting ridings yesterday claiming that he had evidence, and now this member says they have no evidence at all to back up any of the claims they have made.

We say to these members very clearly, if they have any evidence, any information at all related to the allegations they are making, they

should provide that to Elections Canada and Elections Canada should review that evidence and report back to the House without delay.

* * *

PUBLIC SAFETY

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, the hon. member has to fire the 20-year old and get some better talking notes because the wheels of the Conservative Party bus have fallen off.

They have ministers who obviously cannot even read their own bills. Let us look at the Minister of Public Safety who says he now needs an explanation for the more egregious aspects of Bill C-30. Why? It is because he did not have the decency to read the details of this intrusive snooping bill.

How can Canadians trust a minister who cannot even read his own legislation?

Hon. Vic Toews (Minister of Public Safety, CPC): Mr. Speaker, Canadian law does not adequately protect law-abiding Canadians from online criminal activity.

The member for Timmins—James Bay said this bill would allow police to track someone's cellphone or to follow someone on the Internet however they wanted, whenever they wanted. Clearly, the member did not do his job. He has not read the bill.

I can perhaps explain the bill to him.

● (1430)

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, I will help the minister out a little bit. Let us go to clause 34, where the minister gets to hire his own personal inspectors. Check this out. They can walk into any private telecom business. They can snoop through any file, any hard drive with no warrant needed.

The minister's appetite for spying knows no bounds. Instead of spying on law-abiding citizens, why does he not go after the crooks in the Conservative Party who have run the biggest electoral fraud scheme in Canadian history?

Hon. Vic Toews (Minister of Public Safety, CPC): Mr. Speaker, now at least this member has given Canada the opportunity to see his ignorance. This clause gives law enforcement authority to enter a TSP, a telecommunications service provider, to examine its systems in order to observe compliance only.

This does not and should not give police the powers to search or seize documents.

* * *

[Translation]

SERVICE CANADA

Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP): Mr. Speaker, once again the Conservatives are showing blatant favouritism towards their friends.

The upcoming transfer of the employment insurance processing centre, which is completely effective, from Rimouski to Thetford Mines is a partisan move. We now know that the building that is going to accommodate the new offices belongs to an associate of the industry minister's father, which certainly hints at a conflict of interest. We know there is a backlog of 80,000 employment insurance claims in Quebec. What we need is more resources.

Can the minister announce that she is going to right this wrong and keep the employment insurance processing centre in Rimouski open?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, the current Service Canada centre in Thetford Mines opened five years ago. At the time, that location was chosen by officials from Public Works and Government Services Canada because it was the lowest bidder in a fair and competitive process. The hon. member for Mégantic—L'Érable did not play any role.

Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP): Mr. Speaker, as far as I can tell, this government is confused about this, because this minister is saying one thing and the Minister of Industry is saying the opposite.

The employees in Rimouski are being forced to choose between moving to Thetford Mines and losing their jobs. Some, like the man who has joint custody of his children or the woman who acts as a caregiver for her mother, will simply lose their jobs to satisfy the whims of the Minister of Industry.

Does this government have no shame? How can it be so reckless with the families in my riding who are counting on these jobs?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, our government is improving the employment insurance benefits system by modernizing and automating it. However, that is not going to be done in the more than 120 offices across Canada. We are going to consolidate those 120 sites into 22 centres. It will be much more efficient, much faster and more accountable. Regardless of the location, the process will be open and fair and run by Public Works and Government Services Canada.

* * *

[English]

VIA RAIL DERAILMENT

Ms. Olivia Chow (Trinity—Spadina, NDP): Mr. Speaker, our thoughts and prayers are with the families of the three VIA employees, Ken Simmonds, Peter Snarr and Patrick Robinson, who died in the derailment yesterday.

Research shows that trains are five times safer than cars, but Canadians are worried today. That is why the NDP supports the Railway Safety Act. It is why the government must guarantee further investment in rail services.

Could the transport minister give Canadians an update on the investigation of yesterday's tragedy?

Hon. Denis Lebel (Minister of Transport, Infrastructure and Communities and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC): Mr.

Oral Questions

Speaker, our thoughts go out to the families of those who have been affected by the accident.

Transport Canada takes all accidents involving railway safety very seriously. Transport Canada will provide the Transportation Safety Board with any assistance it requires for its investigation. Should safety deficiencies be identified as a result of the Transportation Safety Board's investigation, Transport Canada will take immediate action.

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41ST GENERAL ELECTION

Mr. Frank Valeriote (Guelph, Lib.): Mr. Speaker, more allegations are emerging from what is clearly a sophisticated election fraud designed as a systematic effort to mislead Canadians and subvert their right to vote.

Caught red-handed by Elections Canada, the Conservatives are falling over themselves to feign the appropriate amount of indignation. Nobody believes that this is an isolated incident, especially not after malicious Conservative calls into Mount Royal. Nothing they do is done without central party permission.

When will the Prime Minister finally admit that they tried to defraud and deprive Canadians of their right to vote during the election?

● (1435)

Mr. Dean Del Mastro (Parliamentary Secretary to the Prime Minister and to the Minister of Intergovernmental Affairs, CPC): Mr. Speaker, as I said earlier, Elections Canada has confirmed that during the recent election, at least 127 polling stations, affecting as many as 1,000 polls, received late changes. Like any party, we called our supporters to ensure that our voters were aware of these changes.

We call on the members of the official opposition and members of the Liberal Party who have been making these allegations to provide any evidence they have related to this matter to Elections Canada. Let us call on Elections Canada to look into this matter and get back to this House and all Canadians without delay.

Hon. Carolyn Bennett (St. Paul's, Lib.): Mr. Speaker, the science of voter suppression, well documented at stealing democracy.com, has been systematically executed by the Conservatives.

In my riding of St. Paul's, in the last election fraudulent calls impersonating my campaign went to the homes of Jewish voters during the sacred Seder of Passover. We reported these calls to Elections Canada then.

Will the Conservatives stop the "I am not a crook" rhetoric and comply fully with Elections Canada and the RCMP to get to the bottom of the largest electoral fraud known in Canadian history?

Mr. Dean Del Mastro (Parliamentary Secretary to the Prime Minister and to the Minister of Intergovernmental Affairs, CPC): Mr. Speaker, that is very interesting rhetoric from the member opposite.

Oral Questions

If the hon. member believes that voter suppression occurred in the last election, I would simply point out the numbers to her. Almost 900,000 more Canadians voted in the last election than in the previous election. Voter turnout went up significantly, including in a number of the ridings the Liberals cited yesterday specifically.

If the members opposite have any information at all related to the allegations that they have made, I call on them to submit all of that information to Elections Canada and for Elections Canada to report back without delay.

[*Translation*]

Mr. Marc Garneau (Westmount—Ville-Marie, Lib.): Mr. Speaker, when I went into politics, I never thought I would see so many possibly criminal actions against voters. We are talking about harassment meant to discourage people from voting. We are talking about people who pretended to be Elections Canada representatives in order to direct voters to fake polling stations.

Will the Prime Minister apologize to Canadians and tell us that he plans to respect democracy and fully co-operate with the RCMP?

Mr. Pierre Poilievre (Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities and for the Federal Economic Development Agency for Southern Ontario, CPC): Mr. Speaker, as I just said to the other members, if the hon. member has any evidence to support these allegations, he should provide that information to Elections Canada.

* * *

[*English*]

GOVERNMENT SPENDING

Mr. Dan Harris (Scarborough Southwest, NDP): Mr. Speaker, we learned yesterday that the Prime Minister personally approved a whopping \$22,000 to wine and dine European bureaucrats. Posh receptions, free wine, nothing is too good for the Prime Minister's friends, yet at the same time he is telling Canadians to tighten their belts and he is telling seniors that their retirement just costs too much.

How can the Prime Minister justify blowing thousands on his friends while telling Canadians to tighten their belts?

Mr. Dean Del Mastro (Parliamentary Secretary to the Prime Minister and to the Minister of Intergovernmental Affairs, CPC): Mr. Speaker, this was the first time that Canada hosted this group from the OECD in 20 years. We extended hospitality to these guests similar to that extended to Canada and in keeping with international protocol. It is no secret that our government has taken significant steps to reduce and restrain spending on travel and hospitality across government.

Let me be clear. Canadians can count on our government to spend tax dollars responsibly while meeting our commitment to international organizations like the OECD.

Mr. Dan Harris (Scarborough Southwest, NDP): Mr. Speaker, it seems if others are spending money the Conservatives will just follow them like lemmings.

When it comes to tough economic times, the Prime Minister is losing all credibility. He preaches restraint and then goes out and blows nearly five times more on a fancy reception than his own

government rules allow. It is the same old story from the Prime Minister. His friends always come first and according to the government, Canadians just have to buck up.

When will the out of touch Prime Minister realize that he works for Canadians and not just his insider friends?

• (1440)

Mr. Dean Del Mastro (Parliamentary Secretary to the Prime Minister and to the Minister of Intergovernmental Affairs, CPC): Mr. Speaker, again, this three day summit that was hosted with these guests from the OECD was the first time this had occurred in some 20 years. We extended hospitality to them no different from how Canadians are treated when they attend these meetings in other countries.

It is no secret that this government has sought savings across government when it comes to travel and hospitality. We put our record up against any government that has preceded us. We respect Canadian taxpayer dollars and we are working to reduce spending in every way possible.

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NATIONAL DEFENCE

Mr. Matthew Kellway (Beaches—East York, NDP): Mr. Speaker, we cannot be away a day much less a week without more unfortunate news on the F-35 file. Lockheed Martin has just lost \$32 million in performance bonuses for failing to meet production targets. The best trial pilots in the world are grounded because of safety concerns and delays. The facts continue to contradict what the Conservative government tells the House every day. The jet is not even being tested.

Why is the government so committed to this unproven and overpriced fighter jet?

Hon. Julian Fantino (Associate Minister of National Defence, CPC): Mr. Speaker, the only thing that is unproven is the very item that the member opposite spoke to.

The Royal Canadian Air Force plays an important role in protecting our sovereignty and defending our interests at home and abroad. Canada's CF-18s are nearing the end of their lives and we have set a budget to replace them. We have been clear that we will operate within that budget. We will make sure that the air force has the aircraft necessary to do the job we ask of it. We intend also to ensure that Canadian taxpayers are well served by these decisions.

Mr. Matthew Kellway (Beaches—East York, NDP): Mr. Speaker, by now we all know about the emergency meetings the government has called, two of them in fact, and one even being hosted by the minister in Washington at the end of this week. Yet, the same minister continues to tell Canadians that everything is on track. No wonder Canadians have lost confidence in the government's ability to manage this file.

The Japanese and the British are also nervous, issuing warnings about production delays and the price escalation of this plane.

Oral Questions

Will the minister tell the House today how many planes the government is buying, by what date and at what price?

Hon. Julian Fantino (Associate Minister of National Defence, CPC): Mr. Speaker, we intend to continue monitoring the situation. As I have stated before, when the current aircraft come to the end of their useful life, we will ensure that our men and women in uniform have the best equipment necessary to do the important job we ask of them.

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AGRICULTURE AND AGRI-FOOD

Mr. James Bezan (Selkirk—Interlake, CPC): Mr. Speaker, the Marketing Freedom for Grain Farmers Act was passed into law two months ago, despite the best efforts of the opposition to block the rights of farmers. Since then, the opposition and its allies in the far left fringe have been using the court to try to overturn Parliament's passage of this bill. Their stated purpose is to cause economic uncertainty so marketing freedom fails for our farmers come August 1.

Could the Parliamentary Secretary to the Minister of Natural Resources and for the Canadian Wheat Board please tell the House if the courts are buying these bullying tactics employed by the opposition?

Mr. David Anderson (Parliamentary Secretary to the Minister of Natural Resources and for the Canadian Wheat Board, CPC): Mr. Speaker, I want to thank the member for Selkirk—Interlake for his great work on this file. Finally, we have a question that touches directly on Canadians' lives.

On Friday, western Canadian farmers were thrilled to hear the Manitoba Court of Queen's Bench throw out the arguments of Allen Oberg and his group of former directors. The judge denied their request for an injunction. He upheld Parliament's right to pass this legislation.

Our government has always maintained that farmers in western Canada deserve the same freedom to market their grain as farmers in Ontario and elsewhere have. It is clear from this ruling that as of August 1, 2012, farmers right across Canada will enjoy all the benefits of marketing freedom.

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[*Translation*]

FOREIGN AFFAIRS

Ms. Hélène Laverdière (Laurier-Sainte-Marie, NDP): Mr. Speaker, last year Canada exported \$4 billion in weapons to Saudi Arabia. In March, Saudi troops helped Bahrain brutally attack unarmed protesters seeking democratic reforms. Canada has an obligation not to export weapons to countries that violate human rights.

Will the minister ensure that weapons manufactured in Canada will not be used to commit serious human rights violations?

[*English*]

Hon. John Baird (Minister of Foreign Affairs, CPC): Mr. Speaker, we have legislation in Canada and a directive that public

servants interpret in terms of granting export permits or not. These decisions are made at the public service level.

Let me say that I read the issue that the member opposite has raised. Every two or three years that cabinet directive is reviewed and I certainly would review it. I would welcome her suggestions and advice. If she wants to ask the member for London—Fanshawe for her suggestions and advice, they do make those materials and trucks in her constituency.

● (1445)

[*Translation*]

Ms. Hélène Laverdière (Laurier-Sainte-Marie, NDP): Mr. Speaker, more than 35 people were killed and the human rights of hundreds more were violated in Bahrain. Weapons manufactured in Canada must not be used against civilians.

Canada no longer produces an annual report on exports of military equipment. The most recent report covers the period that ended in 2009. Canadians have the right to more transparency.

Will the minister ensure that these reports are produced on an annual basis?

[*English*]

Hon. John Baird (Minister of Foreign Affairs, CPC): Mr. Speaker, as I have said, this directive is reviewed every two or three years and I will certainly use that occasion to consider her thoughtful suggestion.

* * *

[*Translation*]

CITIZENSHIP AND IMMIGRATION

Mrs. Sadia Grogue (Saint-Lambert, NDP): Mr. Speaker, this government has not managed to reduce the waiting lists for immigration applications. Even though the Conservatives promised to solve the problem four years ago, things have just continued to get worse. The waiting time in most classes has increased. Some people have now been waiting more than seven years. Waiting for years for a simple answer affects families and has disastrous consequences for the economy.

What does the minister have to say to these families who are waiting for their cases to be heard?

Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC): Mr. Speaker, I would like to thank the member for her question.

Since this government came to power six years ago, immigration to Canada has risen by 14%, which means an increase in the number of permanent residents settling in Canada, including in the family class, where we have increased the number of parents and grandparents admitted to Canada by 60%, thanks to the action plan for faster family reunification. So we are making progress. Before, the problem was that the number of immigration applications exceeded the number of people admissible. The Standing Committee on Citizenship and Immigration has therefore done a study, and I am eager to see its recommendations on this point.

Oral Questions

Mrs. Sadia Groguhé (Saint-Lambert, NDP): Mr. Speaker, unfortunately, the problems associated with immigration are not limited just to waiting lists. *Le Devoir* revealed this morning that under Bill C-31, the Minister of Citizenship, Immigration and Multiculturalism wants to reserve the right to take permanent resident status away from anyone who ceases to be protected by refugee status. This is a major change that affects the status of thousands of residents.

Why make this change, which threatens permanent residents? And why concentrate so much power in the hands of the minister?

Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC): Mr. Speaker, it is simply because there are cases where people receive Canada's protection, through a positive refugee protection decision, and immediately return to their country of origin. When refugee protection claimants settle in Canada and make a claim for protection because they are afraid to return to their country, then receive Canada's protection but return to their country, that is an indication of a fraudulent refugee protection claim.

What worries me and does not trouble the NDP at all is fraud; these people are circumventing the immigration system. Yes, we have to be open, but we have to protect—

The Speaker: The hon. member for Etobicoke North.

* * *

[English]

THE ENVIRONMENT

Ms. Kirsty Duncan (Etobicoke North, Lib.): Mr. Speaker, the Parliamentary Secretary to the Minister of the Environment appears astonished that Environment Canada conducted 1,000 interviews last year. However, between 2008 and 2010, scientists answered at least 2,000 media requests per year. The government's policy of muzzling scientists has been very successful.

When will the government introduce an integrity policy that allows scientists to speak freely?

Hon. Peter Kent (Minister of the Environment, CPC): Mr. Speaker, my department appreciates the interest of Canadians and journalists in the environmental science that is done on their behalf. Canadians can indeed be proud of the many international papers and reports that are published and of the many hundreds, more than 1,000 interviews given.

However, I would remind my colleague that the scientists are enabled to speak on the scientific work that they do, but our government speaks with regard to the policy.

* * *

• (1450)

[Translation]

FOREIGN AFFAIRS

Hon. Dominic LeBlanc (Beauséjour, Lib.): Mr. Speaker, the Conservatives are unjustifiably proud of their sanctions against Iran, which lack teeth.

In their haste to build pipelines all over the country, they are happy to do business with, for example, Chinese companies that also do business with Iran.

The Conservatives want everyone to know how tough they are; meanwhile, the back door is wide open.

Our allies, such as the United States, do not permit such breaches in their sanctions.

Why do our sanctions have a double standard when it comes to Iran?

[English]

Hon. John Baird (Minister of Foreign Affairs, CPC): Mr. Speaker, let me be clear. All Canadian-based companies and their subsidiaries are subject to and are required to follow Canadian laws and Canadian sanctions.

Canada has worked with our allies, with the United States, the European Union, the United Kingdom and others, to have some of the toughest sanctions in the world when it comes to Iran and the huge problems that exist there.

We are certainly prepared to do anything we can to strengthen those sanctions, to make them tougher and to try to ensure that peace and security is protected in the world.

* * *

ABORIGINAL AFFAIRS

Ms. Linda Duncan (Edmonton—Strathcona, NDP): Mr. Speaker, the Truth and Reconciliation Commission has determined that residential schools constitute an assault on aboriginal children, their families and their culture. In the opinion of the commission, these schools also constituted an assault on self-government and self-sustaining aboriginal nations.

Will the government now move beyond the apology? Will it heed the advice of the commission and use the United Nations Declaration on the Rights of Indigenous Peoples as the framework for reconciliation between aboriginals and non-aboriginal peoples?

Hon. John Duncan (Minister of Aboriginal Affairs and Northern Development, CPC): Mr. Speaker, we thank the Truth and Reconciliation Commission for its work.

Through the settlement agreement provided to and agreed to by all the parties, our government did provide \$60 million for the Truth and Reconciliation Commission to carry out its mandate. We provided additional funds to assist in the cost of administering a federal department. Significant funds have been committed to providing in-kind services and supporting the Aboriginal Healing Foundation and creating the advocacy and public information program.

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TELECOMMUNICATIONS

Mr. Glenn Thibeault (Sudbury, NDP): Mr. Speaker, against the advice of his own department, the former minister of industry threw out three years of work and \$1.4 million. Big telecomm decided to phone a friend and just like that the minister hung up on Canadians.

Oral Questions

Conservatives are the ones who swear by the power of the market. Therefore, why did they interfere and drop a cellphone plan calculator that would have helped Canadians save money and pick the plan best suited for their needs?

Mr. Mike Lake (Parliamentary Secretary to the Minister of Industry, CPC): Mr. Speaker, in 2009 the government did cancel this program because it did not represent the full spectrum of offerings available to consumers. Technical limitations restricted the calculator to voice and text plans and did not include data plans, handset costs, bundling or promotional offers.

The market dynamics contributing to our decision in 2009 continue today. However, we will look for other means to provide consumers with clarity on cellphone costs.

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JUSTICE

Mr. David Wilks (Kootenay—Columbia, CPC): Mr. Speaker, the protection of all Canadians against violence, especially children, is a continued priority for our government. Today we continued second reading debate on my private member's bill C-299, kidnapping of a young child.

Canadians across the country were shocked when young Kienan Hebert was taken from his home. Thankfully he was returned safely, but the emotional toll this took is incalculable.

My legislation would impose a five year mandatory minimum sentence on strangers convicted of kidnapping a child. Could the minister please inform the House about the government's position on my legislation?

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, first, I thank the member for Kootenay—Columbia for introducing this important legislation and for all his years protecting Canadians as a member of the RCMP.

The bill would ensure that a stronger, more appropriate penalty would be given to those who kidnap children. The bill also serves as a welcome complement to the safe streets and communities act, which would impose a number of stronger sentences on those who commit sexual offences against children.

I am pleased to report that the government completely supports Bill C-299. I encourage all members to do so as well.

* * *

NATIONAL DEFENCE

Hon. John McKay (Scarborough—Guildwood, Lib.): Mr. Speaker, last week the Minister of National Defence said that Canada would get 65 F-35s for \$9 billion. This week Canadian officials are in Washington to discuss problems with these planes. What problems will be discussed: technical problems, waning international confidence or soaring costs? When the U.K. minister was asked in the House of Commons about the soaring costs of the F-35 he said, "The honest answer is we don't know".

Would the minister give this House of Commons a similar honest answer?

● (1455)

Hon. Julian Fantino (Associate Minister of National Defence, CPC): Mr. Speaker, we are always discussing these issues with our allies and partners in the multinational Joint Strike Fighter program. We agreed that it would be beneficial to be updated in person on the progress and challenges of the program. Canada will be hosting this update as soon as March 2. This is the responsible leadership role that we have taken.

* * *

[Translation]

HEALTH

Mr. Pierre Nantel (Longueuil—Pierre-Boucher, NDP): Mr. Speaker, that was very energetic. Last week, 700 employees at the Sandoz drug factory in Boucherville learned that they would have to reduce the factory's output because the U.S. FDA found that the factory's practices were not in compliance with standards. How is it that U.S. authorities discovered problems in the factories that serve the Canadian market?

Instead of letting other countries conclude that our factories do not comply with standards, putting people's health, our jobs, and our drug supply at risk, will the minister tell us her plan to clean up this appalling mess?

[English]

Hon. Leona Aglukkaq (Minister of Health and Minister of the Canadian Northern Economic Development Agency, CPC): Mr. Speaker, our government is playing a leadership role when it comes to dealing with drug shortages. We are doing our part to ensure that the information about drug shortages is made available as quickly as possible. We are also working to ensure relevant information and access to safe alternatives is not held up in red tape. If some industry players do not meet their responsibilities in providing information in a timely manner, we will consider all other options.

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INTERNATIONAL CO-OPERATION

Mr. Devinder Shory (Calgary Northeast, CPC): Mr. Speaker, people around the world are expressing concern as the Sahel region continues to experience drought and a deficit in food production. More than 8.8 million people are suffering, having barely any time to recover from the crisis that took place during 2009 and 2010.

Our government took action during the famine in East Africa, fulfilling our responsibilities and assisting those in need. Could the minister for CIDA update the House on the government's response to this crisis?

Privilege

Hon. Bev Oda (Minister of International Cooperation, CPC): Mr. Speaker, we are concerned with the situation in the Sahel region, a region with some of the worst child mortality levels and acute malnutrition. Over 10 million people are facing a perfect storm: high food prices, extreme poverty and year after year of drought. If we do not act now, they will be facing a severe humanitarian crisis in the coming months. That is why I have announced that Canada is taking action now and is the second largest country to support the people in the Sahel region with food, water, nutrition and health care.

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[Translation]

OFFICIAL LANGUAGES

Mr. Robert Aubin (Trois-Rivières, NDP): Mr. Speaker, for some time now, the NDP has been criticizing the deplorable situation that prevails in employment insurance services. Not only have processing times quadrupled, but on top of that, we are receiving more and more complaints from francophones who cannot obtain service in French. Every day this government is demonstrating how little regard it has for Canada's Francophonie.

Is the anglicizing of Service Canada services merely a negative side effect of budget cuts or is it a deliberate attempt to suppress French in Canada?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, that is crazy. We are trying to provide Canadians with the services they need in the official language of their choice. Every Canadian has access to employment insurance services and to every Government of Canada service in the official language of their choice.

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41ST GENERAL ELECTION

Mr. André Bellavance (Richmond—Arthabaska, BQ): Mr. Speaker, ever since it was first revealed that fraudulent telephone calls were made during the last election, the Conservatives have been trying to downplay the scandal by alleging that these were isolated incidents. However, the more we look into the situation, the more ridings we find that have been affected and the more it seems that this was a systematic Conservative practice. The situation is also oddly reminiscent of the calls about which the Bloc Québécois complained during the byelection held in Rivière-du-Loup in November 2009.

Given the increasingly serious allegations regarding the existence of an organized system of fraudulent phone calls, is the Prime Minister going to take responsibility and call for an independent public inquiry? If he has nothing to hide, he will do so.

• (1500)

Mr. Pierre Poilievre (Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities and for the Federal Economic Development Agency for Southern Ontario, CPC): Mr. Speaker, if the hon. member wants to make allegations here in the House of Commons, he must have evidence and he must provide that evidence directly to Elections Canada. We will wait until he does so.

[English]

PRESENCE IN GALLERY

The Speaker: That concludes question period for today.

I would like to draw the attention of hon. members to the presence in the gallery of the Honourable Cal Dallas, Minister of Intergovernmental, International and Aboriginal Relations for Alberta.

Some hon. members: Hear, hear!

The Speaker: The Chair has notice of a question of privilege from the hon. Minister of Public Safety.

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PRIVILEGE**ALLEGED INTERFERENCE OF MINISTER'S ABILITY TO DISCHARGE RESPONSIBILITIES**

Hon. Vic Toews (Minister of Public Safety, CPC): Mr. Speaker, I rise on a question of privilege to bring to your attention activities which I believe to be a contempt of this House.

On Tuesday, February 14, I introduced Bill C-30. In the days that followed I received a great deal of communications from Canadians in regard to this legislation. These ranged from the personally supportive to the critical and indeed to the humorous, but a handful were deeply threatening. It is with those in the last category that I take exception and rise in the House to seek determination of my rights as a parliamentarian.

First, on Friday, February 17, I indicated by letter to your office that news reports revealed that the vikileaks30 account on Twitter had connections to the House of Commons IT system.

The fact that House of Commons resources appear to have been used in an attempt to anonymously degrade my reputation and obstruct me from carrying out my duties as a member of Parliament is, I contend, a contempt of the House. I take no issue with an open attack on the floor of this House, in which the source of the attack may be seen by all. I take strong issue with the idea that House resources would be used to secretly attack a member of the House.

I will await the results of your investigation into that matter. I reserve the right to make supplementary or new arguments should that be appropriate in view of the finding.

Second, videos posted on the Internet on February 18, 22 and 25, published various allegations about my private life but also made specific threats, all of which are clearly stated to be in reaction to my sponsorship of proposed legislation tabled in the House, namely Bill C-30.

I will continue to do my duty and carry out my responsibilities in respect of this piece of legislation, including seeing a motion moved to refer the bill to committee where it can be discussed and debated in an open forum.

Nevertheless, the actions and threatened actions contained in these videos constitute an attempt by the creators of the videos to intimidate me with respect to proceedings in Parliament. The fact that these videos contained threats and have attempted to intimidate me in my role as a member of Parliament for Provencher I contend is a contempt of the House.

Third, I would like to address the fact that there is a campaign to inundate my office with calls, emails and faxes. This campaign is hindering my staff from serving the people of Provencher and I contend is a contempt of the House. Individuals who have real and legitimate needs have been unable to contact their member of Parliament in a timely fashion.

As you know, Speakers have consistently upheld the right of members to serve constituents free from intimidation, obstruction and interference. Speaker Lamoureux stated in a 1973 ruling that he had no hesitation in reaffirming the principle that parliamentary privilege includes the right of a member to discharge his or her responsibilities as a member of the House free from threats or attempts at intimidation.

Mr. Speaker, it is important that we engage in debate in this House. Sometimes that debate may be vigorous, including heated rhetoric. I have served as an elected official since 1995. In that time I have been called many things and, while occasionally distasteful, I have accepted it as part of my job. However, the online attacks launched on both myself and my family have crossed the line.

Attacks on the personal life of a member of Parliament, while not appropriate, can be judged by the public where there is public accountability. This should concern all parliamentarians. Members of Parliament must have the freedom and ability to effectively represent our constituents in the House.

I understand that the hon. government House leader or the deputy House leader will be making further, more detailed submissions in support of this question of privilege.

Should you find that there is a *prima facie* question of privilege here, I would be prepared to move the appropriate motion.

• (1505)

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, I had intended to rise today on a question of privilege with respect to the use of House of Commons computers in the matter which has been raised today by the Minister of Public Safety.

I was advised yesterday that an employee of the Liberal Research Bureau is responsible for the *vikileaks30* site that the minister has referred to. I discussed the matter with that individual this morning. He offered his resignation and I have accepted his resignation. I want to offer my personal apology to the minister for the conduct of a member of my staff.

I do not share many things with the Minister of Public Safety all the time but one thing I do share with him is a sense of longevity. One of the things that makes public life difficult is when political attacks become personal. I have tried, but have not always succeeded, in my political life to make it very clear that matters of personal and private conduct are not to be the subject of political attack or political reference.

Privilege

I want to say very clearly that we did not meet that standard with respect to the establishment of that site by a member of the Liberal Research Bureau. I want to apologize unreservedly to the minister for that particular incident and for that particular issue.

I will not comment further with respect to the minister's question of privilege. Some of it is justified. Some of it is a bit more problematic, but that is a view that perhaps others who are a little less directly involved in this issue will be able to comment on.

[*Translation*]

I want to make it very clear that I am apologizing personally and on behalf of my party for the fact that a certain member of our research bureau was responsible for creating the Twitter account concerning the minister's personal life.

I will repeat what I said previously. I have been in the public eye for 30 years and I have always tried to differentiate between the personal and private matters of everyone in public life. Quite frankly, the rules I have tried to follow in my public life were not followed by a member of our group.

I wish to extend to the minister my personal apology for what has happened. Of course, others may have something to say about the minister's question of privilege, but I will repeat once again that I respect certain aspects of his position and that I disagree with others. However, that will be up to the Speaker to decide.

[*English*]

Mr. Joe Comartin (Windsor—Tecumseh, NDP): Mr. Speaker, it is difficult for us to get on our feet at this point and be at all sympathetic to some of the requests from the Minister of Public Safety. On the other hand, the *vikileaks30* type of approach, that type of politics, is totally offensive to this side of the House and to my political party. I want to be on the record as saying that to the minister.

However, on February 10 the Minister of Foreign Affairs stood in the House and accused my party repeatedly and unequivocally, using offensive terminology and terms like “sleazy practices”, of exactly what we have now heard came from a staffer from the Liberal Party. We had nothing to do with that.

On this question of privilege that I have to raise for my party, I have to ask you, Mr. Speaker, to compel the Minister of Foreign Affairs to come back into the House at the earliest opportunity and apologize to my party and the members of my caucus.

• (1510)

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): Mr. Speaker, I rise in response to the comments just made by the opposition House leader.

In setting out the terms of what the foreign affairs minister said the last Friday we were sitting, I added on a point of order afterwards that of course the reliance was on media reports that had indicated through their research that the source was obviously from the NDP or someone within the NDP in the House of Commons. Obviously that information was incorrect.

Privilege

Based on the information today, I have every confidence that the Minister of Foreign Affairs will give his most fulsome and complete apology and withdraw those remarks from the last Friday that the House was sitting. I certainly would do the same on behalf of our government.

I will leave it to the minister himself to deal with the apology that has been offered by the hon. member for Toronto Centre on behalf of the Liberal Party in taking responsibility for the actions in this case. I can assure the hon. member that on behalf of the government we withdraw those remarks.

I am sure that the Minister of Foreign Affairs would be prepared to do the same.

[Translation]

Mr. Louis Plamondon (Bas-Richelieu—Nicolet—Bécancour, BQ): Mr. Speaker, as a member of the Bloc Québécois and also as dean of this House, I would like to pause to say how shocked we have been by the intrusion into the minister's private life. I believe it is one of the worst attacks I have seen in the 27 years that I have served this House.

We share the minister's indignation and we fully agree that the public and the private lives of a politician should be completely distinct.

In closing, I would like to say to the leader of the Liberal Party that I admire the honest, transparent and most appropriate statement that he gave a few minutes ago on this matter.

[English]

Hon. Vic Toews: Mr. Speaker, I thank the members in the House for the comments that they have made.

I accept the personal apology from the hon. member for Toronto Centre. I think it is a heartfelt apology and is worthy of acceptance.

I would point out though, and this is something I will have to take under advisement, there were members of the Liberal Party who actively encouraged the use of the *vikileaks30* website and continuously promoted the use of that website. Mr. Speaker, I think you have to look into that.

While I am prepared to take the member's comments at face value that he had nothing to do with it, I think the evidence on the public record is clear that there was at least one hon. member who advocated on a continuous basis the use of that website. Mr. Speaker, I would respectfully submit you need to take a look at that.

Hon. John Baird (Minister of Foreign Affairs, CPC): Mr. Speaker, I saw the interventions by the hon. member from Windsor—Tecumseh and the government House leader.

At times emotions get strained in this House. I think they get particularly strained when one has a friend and colleague who is under attack. Sometimes one rushes to judgment and believes certain media reports.

I heard the comments from the opposition House leader. I want to unequivocally and unconditionally apologize and retract my comments to him and to anyone in the New Democratic Party who may have taken offence.

I think I went out of my way to not single anyone out, but I unconditionally retract those comments. I unconditionally apologize to the hon. member, his caucus and the members of his party who were offended.

Mr. Speaker, I would also like to retract the comments I made about the Liberal Party on the last Friday the House was sitting as well, in which I said I was not accusing it of anything.

● (1515)

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC): Mr. Speaker, I have a further submission dealing with my colleague, the hon. member for Provencher, in his intervention on a question of privilege just a few moments ago. My comments will be restricted to a question of privilege regarding the group Anonymous and not on the *vikileaks* issue, which we just clarified a few moments ago.

I am rising to provide the Chair with additional submissions with respect to the question of privilege, as I mentioned a few moments ago. My hon. friend has put before the House a submission that his rights as a member of Parliament have been breached with respect to freedom from obstruction, interference, intimidation and molestation. In particular, his freedom from intimidation in connection with the proceeding in Parliament has been breached, amounting to a contempt.

Moreover, Sir, I submit there is a second contempt in relation to the obstruction of the hon. member for Provencher through an interference of nepotism and an accusation of criminal activity.

The classic definition of parliamentary privilege can be found at page 75 of the 23rd edition of Erskine May's *Treatise on The Law, Privileges, Proceedings and Usage of Parliament*. It states:

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

A more pithy summary of privilege can be found in Mr. Speaker Lamoureux's decision at page 5338 of *Debates* for April 29, 1971, where he stated:

In my view, parliamentary privilege does not go much beyond the right of free speech in the House of Commons and the right of a member to discharge his duties in the House as a member of the House of Commons.

Citation 93 on page 25 of Beauchesne's *Parliamentary Rules & Forms*, sixth edition, states:

It is generally accepted that any threat, or attempt to influence the vote of, or actions of a Member, is breach of privilege.

Citation 99 on page 26 of that same publication adds:

Direct threats which attempt to influence Members' actions in the House are undoubtedly breaches of privilege.

While some parts of the situation are time tested, other characteristics of this case present novel aspects to contemplate. On the one hand, responding to threats is among the first matters of parliamentary privilege dealt with in Canada. Page 198 of the second edition of Joseph Maingot's *Parliamentary Privilege in Canada* tells us of an incident in 1758 where the Nova Scotia House of Assembly proceeded against someone who made threats against a member.

Privilege

Although the framework of privilege has largely solidified through centuries of common law statutes and even the Constitution, it continues to have sufficient flexibility to adapt and be applied to a changing environment, such as televising proceedings, as noted at page 63 of *House of Commons Procedure and Practice*, second edition.

Page 225 of Maingot advises:

While privilege may be codified, contempt may not, because new forms of obstruction are constantly being devised and Parliament must be able to invoke its penal jurisdiction to protect itself against these new forms; there is no closed list of classes of offences punishable as contempt of Parliament.

That speaks to the novel aspects in this case where we are dealing with publications on the Internet, particularly with videos on the website YouTube. The YouTube videos of the so-called Anonymous include comments which are, I submit, threats and even blackmail. These comments seek to induce the Minister of Public Safety to undertake certain actions in respect of a bill he has introduced and sponsors.

Before I press further into my submissions, I want to make it very clear that I do not seek to bring ordinary free and democratic expression or critical speech into what is being considered here.

Page 235 of Maingot offers an articulate review of the balance to be considered. It states:

—all interferences with Members' privileges of freedom of speech, such as editorials and other public comment, are not breaches of privilege even though they influence the conduct of Members in their parliamentary work. Accordingly, not every action by an outside body that may influence the conduct of a Member of Parliament as such could now be regarded as a breach of privilege, even if it were calculated and intended to bring pressure on the Member to take or to refrain from taking a particular course. But any attempt by improper means to influence or obstruct a member in his parliamentary work may constitute contempt. What constitutes an improper means of interfering with Members' parliamentary work is always a question depending on the facts of each case.

• (1520)

The February 18 video of Anonymous said, in respect of my hon. friend, that, “you will cease your efforts...immediately. If you do not...you will soon find yourself not only mocked, but jobless and despised.

The video went on to suggest that my hon. friend, “is bound to have many skeletons in his closet. Some of these have already been brought to light and we have no doubt that this is only the tip of the iceberg”. The video later inferred that he would not be allowed “to have any secrets of his own”.

The February 18 video also included a broad swipe at all hon. members by threatening, “Let this be a warning to any politician.... Your actions will not stand. You cannot run. You cannot hide”.

In a subsequent video published on February 22, after disclosing a number of items of personal information in respect to the hon. member and of individuals close to him, Anonymous rhetorically asks:

Do we have your attention? How does it feel to have personal information about your family in the hands of people you know nothing about, with no control over who disseminates it or how it will be used?... Let it be known this is only a taste of the information we have access to. And this is only the beginning.

Later in the video, there was another broad threat to all members of this House. I suppose that this very intervention I am making will

come within the ambit of this threat to the effect that, “to the rest of the Parliament of Canada: you would do well to mind your words about Anonymous”.

In the most recent video on February 25, a further threat to the hon. member for Provencher was uttered to the following effect, “You have seven days to reflect upon your personal and political crimes. After that, the Canadian people will also be made aware of just how disgustingly unscrupulous and corrupt you are.”

As I will review later, there have been false and misleading statements meant to malign the hon. member. We should expect more of the same.

In this weekend's video, there was yet another threat aimed generally at all hon. members:

And to the rest of those who support Bill C-30: do not believe for a moment that you are untouchable. Anonymous has received information implicating many of you in both political and personal scandals....Let the next seven days serve as a period of reflection for the entire House of Commons. Ask yourselves, how many more scandals can you afford?

To summarize the various quotes, they are more than just intimidation or threats. Quite frankly, they are blackmail.

In a ruling on September 19, 1973, Mr. Speaker Lamoureux on page 6709 of the *Debates* stated that he had:

—no hesitation in reaffirming the principle that parliamentary privilege includes the right of a member to discharge his responsibilities as a member of the House free from threats or attempts at intimidation.

Speaker Bosley, on May 16, 1986, at page 13362 of *Debates* held that the threat or attempt to intimidate cannot be hypothetical but that it must be real or have occurred.

For his part, Mr. Speaker Parent, on March 24, 1994, at page 2706 of *Debates* said:

Threats of blackmail or intimidation of a member of Parliament should never be taken lightly. When such occurs, the very essence of free speech is undermined. Without the guarantee of freedom of speech, no member of Parliament can do his duty as expected.

In that instance, a prima facie breach of privilege was not found because the threats were associated with an appeal then pending at the Ontario Court of Appeal.

On page 143 of Erskine May, it says, “The House will proceed against those who obstruct Members in the discharge of their responsibilities to the House or in their participation of its proceedings”.

Indeed, Mr. Speaker, your own decision on December 13, 2011, at page 4396 of the *Debates*, also turned on the principle of whether there was an impact on parliamentary duties. This brings me to whether or not these threats arise from a “proceedings in Parliament”. The circumstances before us today arise from Bill C-30, which was recently introduced and now sits on the order paper as an order of the day. Pages 91 and 92 of O'Brien and Bosc quote two definitions of this term “proceedings in Parliament”, from Erskine May on Australia's Parliamentary Privileges Act 1987. May's definition states that:

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● (1525)

An individual Member takes part in a proceeding usually by speech, but also by various recognized forms of formal action, such as voting, giving notice of a motion, or presenting a petition or report from a committee, most of such actions being time-saving substitutes for speaking.

The Australian statutory definition contains the expression “all words spoken and acts done in the course of, or for purposes of or incidental to, the transacting of the business of a House”.

Page 80 of Maingot addresses the point that:

—two of Parliament's constituent elements, the House of Commons and the Senate were established for the enactment of laws, those events necessarily incidental to the enactment of laws are part of “the proceedings of Parliament”.

The introduction and sponsorship of a bill cannot get closer to the process of enacting a law. Therefore, I would submit that the threats and accusations are quite clearly relating to a proceeding in Parliament.

While I am making references to Australia, that is one case when the Commonwealth which shares features to this case, particularly with regard to generalized threats to all hon. members.

On May 4, 1993, the President Sibraa of the Australian Senate ruled that page 19 of *Hansard* on two related questions of privilege. On one of the matters the president said:

The essence of the matter raised by Senator Walters is that a person has allegedly threatened to publish certain supposed information concerning Opposition members of parliament if the Opposition members adopt a certain policy in relation to X-rated videos.

The subsequent Forty-third Report of the Committee of Privileges, in December 1993, described the threats identified by Senator Walters as: first, an alleged threat “to 'out' Liberal party figures if the party adopted what it claimed was a leaked policy document proposing a sex industry crackdown” and second, an accusation regarding a “potential release of security film of a coalition member at a sex shop”.

The president found that:

The possible contempt of parliament contained in the matter raised by Senator Walters is that of seeking by threats to influence senators in their conduct as senators. This is one of the well known contempts of parliament...

The alleged threat is directed to Opposition members generally and not to any particular person, but it is well established that the threat to unnamed members, or to a group or category of members, or to members in general, can be a contempt just as can a threat to particular members.

The alleged threat as reported and also directed to Opposition members of Parliament generally, and does not distinguish between members and senators. If the threat as reported were made, it could be regarded as being directed to senators as well as members of the House of Representatives. This is so particularly having regard to the fact that senators could, and probably would, participate in the formulation of any policy relating to X-rated videos.

The formulation of such a policy by a group of senators clearly falls within their duties as senators and their conduct as senators...A threat such as the one reported obviously has the potential substantially to obstruct senators in the performance of their functions.

In the event, after hearing submissions and evidence, the committee concluded that, in view of the further details it acquired, this particular case “did not have the effect or tendency of substantially obstructing senators in the performance of their functions”, although the committee did find the actions of those responsible to be “inept and offensive”, and part behaviour which was “cavalier and unprofessional”.

One area I should address is the identity or source of the threats and the ability to make a specific charge. Citation 99 on page 26 of Beauchesne's states that:

Direct threats which attempt to influence Members' actions are undoubtedly breaches of privilege. They do, however, provide serious problems for the House. They are often made anonymously and it is rarely possible for the House to examine them satisfactorily.

In his September 19, 1973, ruling, Mr. Speaker Lamoureux found, at page 6709 of the *Debates*, that the instance raised by a member could not be a prima facie question of privilege because the member did not know the identity of the person at the other end of the telephone conversation which gave rise to the complaint.

Nonetheless, the unknown identity of those responsible for breaching privilege did not deter Mr. Speaker Milliken in his October 15, 2001 ruling, at page 6085 of the *Debates*, from stating:

There is a body that is well equipped to commit such active inquisition, and that is the Standing Committee on Procedure and House Affairs, which has a fearsome chairman, quite able to extract information from witnesses who appear before the committee, with the aid of the capable members who form the committee of the House

● (1530)

I have no doubt that the hon. member for Elgin—Middlesex—London is an even more fearsome inquisitor than his predecessor 11 years ago. I believe that the same principle about the role of committee holds equally true today, that is to say, any unanswered questions can be resolved there.

As for how one could start to get to the bottom of this, I have some thoughts. I am sure others do too. However, my prevailing thought is that it should go to a committee to sort out this approach, hear from appropriate experts and go from there.

Mr. Speaker, I would commend to you the decision of your immediate predecessor from October 6, 2005, at page 8473 of *Debates*. The Chair wrestled with a novel question related to new statutory and Standing Order provisions pertaining to the Ethics Commissioner and that the officer of Parliament's conduct in respect of an investigation of the hon. member for Calgary East.

In those circumstances, Mr. Speaker Milliken opined that he was prepared to find a prima facie case of privilege, “to afford the House an opportunity to pronounce itself on how it wishes to proceed”.

Indeed, Mr. Speaker Jerome asked, in his March 21, 1978 ruling on page 3975:

Does the act complained of appear to me at first sight to be a breach of privilege? ...or to put it shortly, has the Member an arguable point? If the Speaker feels any doubt on the question, he should...leave it to the House.

Mr. Speaker Lamoureux also took this perspective of a member getting the benefit of the doubt on October 24, 1966, at page 9004 of *Debates* and on March 27, 1969, at page 853 of *Journals*.

In the present novel circumstances, I think the same course of action is equally appropriate.

Before concluding, I want to turn briefly to the other source of contempt in this argument: the unjust damaging of a member's name as constituting an obstruction.

In the February 22 video, “Anonymous” accuses the hon. member for Provencher, through an inference by using sarcastic language, of nepotism in respect of an employee of a member of the other place.

Again, on February 25, it was said that, “It is widely known that you have engaged in criminal activity to further your political career, as you did in 1999”.

It needs to be clear that the hon. member has not been convicted of any criminal offence.

These statements are not only misleading but are false and can only be viewed as an attempt to discredit the reputation of my hon. friend.

Mr. Speaker Fraser's ruling on May 5, 1987, at page 5766 of *Debates* stated:

The privileges of a Member are violated by any action which might impeded him or her in the fulfillment of his or her duties and functions. It is obvious that the unjust damaging of a reputation could constitute such an impediment. The normal course of a Member who felt himself or herself to be defamed would be the same as that available to any other citizen, recourse to the courts under the laws of defamation with the possibility of damages to substitute for the harm that might be done. However, should the alleged defamation take place on the floor of the House, this recourse is not available.

Nonetheless, Mr. Speaker Milliken issued several rulings with respect to the damaging of a member's reputation, including some decisions with respect to mailings by a member into another member's constituency, as well as the previously mentioned case on comments made by the Ethics Commissioner.

Given this departure from Mr. Speaker Fraser's view, but more so the inseparable nature of the accusations from the threats contained in the video published by “Anonymous”, I would submit that the Chair should find this to be further ground for finding a prima facie case of privilege.

In closing, the Chair is faced with a case where those who have legitimately held concerns about some business before Parliament have gone about expressing their opposition, and seeking to secure actions in view with their thinking, in an utterly despicable manner.

Extortion and blackmail are not part of legitimate debate. Threats against MPs to vote one way or else are unbecoming of the Canadian political discourse. Not only are they awful and inappropriate, they cross a line. They are a contempt of this honourable House.

The ancient privileges of Parliament were first meant to secure the independence of members' actions free of the interference of the Crown. They subsequently broadened to encompass freedom from interference regardless of the source.

• (1535)

As an institution, we cannot allow this reckless and irresponsible behaviour to go completely unchecked. The first step would be to find a prima facie case of privilege so that the hon. member for Provencher may offer his motion to refer the matter to a committee where the facts can be investigated and the issues studied so that we may, as a House, respond to such behaviour now and in the future.

Mr. Joe Comartin (Windsor—Tecumseh, NDP): Mr. Speaker, I would like to reserve the right to come back to the House in the next day or two to speak to this in more detail. I do not think I heard

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anything from the deputy House leader on the government side that I would take issue with, but there were a couple of comments from the Minister of Public Safety on which I may want to make some comments, so I would reserve that right. I will get to it as quickly as possible.

The Speaker: The Chair will look forward to the member for Windsor—Tecumseh's response.

* * *

POINTS OF ORDER

ORAL QUESTIONS

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, I seem to be in the correction and apology business today. In the course of question period I referred to a company by the name of Crestview. I would like to withdraw, unreservedly, any association of Crestview with the activities in the 2011 election.

ROUTINE PROCEEDINGS

[*English*]

GOVERNMENT RESPONSE TO PETITIONS

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC): Mr. Speaker, pursuant to Standing Order 38(6) I have the honour to table, in both official languages, the government's response to four petitions.

* * *

COMMITTEES OF THE HOUSE

JUSTICE AND HUMAN RIGHTS

Mr. Dave MacKenzie (Oxford, CPC): Mr. Speaker, I have the honour to present, in both official languages, the fourth report of the Standing Committee on Justice and Human Rights in relation to Bill C-290, An Act to amend the Criminal Code (sports betting).

The committee has studied the bill and has decided to report the bill back to the House with an amendment.

PROCEDURE AND HOUSE AFFAIRS

Mr. Joe Preston (Elgin—Middlesex—London, CPC): Mr. Speaker, I have the honour to present, in both official languages, the 15th report of the Standing Committee on Procedure and House Affairs in relation to its study of the report of the Chief Electoral Officer of Canada, entitled “Responding to Changing Needs – Recommendations from the Chief Electoral Officer of Canada Following the 40th General Election”.

Pursuant to Standing Order 109 of the House of Commons, the committee requests that the government table a comprehensive response to this report.

Mr. David Christopherson (Hamilton Centre, NDP): Mr. Speaker, we provided a dissenting report on this. I want to thank the hon. member, who chaired an excellent meeting. This has far-reaching ramifications for future elections.

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I do not have a lot of time so I will only comment on one of the three areas where we disagreed. I want to emphasize that we were very strongly in support of the work and the recommendations, except for the three we disagreed on. Much of the credit is due to the chair, who did an excellent job over the two years we have been working on this.

The one item I want to raise very succinctly is that the recommendation from the Chief Electoral Officer was that he be given the power directly to request documents that he may need to verify that taxpayers' subsidies being provided to parties were appropriately filed and that they should get that money.

The recommendation, unfortunately, did not carry by the majority. We were opposed to the fact that the recommendation of the Chief Electoral Officer was not accepted by the majority, meaning that when the Conservatives stand in their place now and talk about all the powers of the electoral officer and that everything should be turned over to that office so that office can go after it and get to the bottom of things, like we are seeing now, when it comes to giving power to the Chief Electoral Officer, the Conservatives do not want to do that.

They went the most expensive route, the least efficient and the one that will hurt smaller parties the most. On this issue we want to strongly oppose and dissent and say that the Chief Electoral Officer should always be given the powers he needs to verify all reports that are submitted, particularly when taxpayer money is being received.

* * *

INVESTMENT CANADA ACT

Mr. Claude Gravelle (Nickel Belt, NDP) moved for leave to introduce Bill C-401, An Act to amend the Investment Canada Act (committee members).

He said: Mr. Speaker, I am pleased today to table my bill entitled "An Act to amend the Investment Canada Act (committee members)". I am pleased the bill is being seconded by my colleague from Thunder Bay—Rainy River.

Liberal and Conservative governments have consistently rubber-stamped foreign takeovers of Canadian companies without any transparency or accountability to the Canadian people. When parliamentarians seek details of these takeovers they are told by the industry minister that they are not allowed.

This bill would change all that. It seeks to expand section 36 of the Investment Canada Act to include members of the Standing Committee on Industry. Amending section 36 in such a way would provide meaningful oversight by parliamentarians and would allow a multi-party review of foreign takeovers. This would provide greater public confidence in the process.

For too long, federal industry ministers have hidden behind section 36 of the Investment Canada Act to deny stakeholders and the public access to the terms of agreements between foreign companies and the federal government. With this bill, the Minister of Industry would now have to co-operate with parliamentarians and the industry committee, which is a much-needed improvement over the current act.

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

● (1540)

CRIMINAL CODE

Mr. Peter Julian (Burnaby—New Westminster, NDP) moved for leave to introduce Bill C-402, An Act to amend the Criminal Code (public transportation workers).

He said: Mr. Speaker, Canadians rely on transit operators and bus drivers across the country to get them, their friends, their family members and their loved ones to work and to events safely.

However, over the last few years we have seen is a disturbing trend where a growing number of transit operators and bus drivers are being assaulted in the line of duty. While they are protecting Canadians, taking them from point A to point B, often they are subject to verbal threats and often quite worse. What we have seen in places like Vancouver, Winnipeg, Toronto and Montreal is a growing trend of assaults against bus drivers and transit operators, which is why I am moving forward with this bill. I thank my seconder from York South—Weston. The bill would increase penalties for those who assault bus drivers and transit operators in the line of duty.

The bill has been supported by the Canadian Auto Workers and the Amalgamated Transit Union. I think we have a broad based consensus across the country that we should be protecting our bus drivers and transit operators when they are working in the line of duty and ensuring that our loved ones are safe.

I hope the bill will receive support from both sides of the House and that we can move rapidly to its adoption.

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

* * *

ELECTIONS CANADA

Mr. Joe Comartin (Windsor—Tecumseh, NDP): Mr. Speaker, there have been consultations among all parties and I believe that if you seek it you would find unanimous consent for the following motion. I move:

That this House call on all members to provide Elections Canada and the Royal Canadian Mounted Police with any and all information they have on voter suppression and illegal phoning during the last election;

offer its full support to both the Commissioner of Canada Elections and the RCMP in their investigations into these despicable practices;

and call on all parties to immediately hand over any and all documents requested or required by the authorities to assist in their investigation.

The Speaker: Does the hon. member for Windsor—Tecumseh 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.

Routine Proceedings

(Motion agreed to)

* * *

PETITIONS

MULTIPLE SCLEROSIS

Ms. Kirsty Duncan (Etobicoke North, Lib.): Mr. Speaker, I am pleased to present this petition regarding CCSVI as I am just back from delivering talks at the International Society for Neurovascular Disease conference.

Why does the government continue to ignore the evidence from over 30,000 CCSVI procedures, scientific studies from nine CCSVI conferences and returning Canadian MS patients? Why does the government continue to ignore leading physicians and researchers in North America: Drs. Haacke, Hubbard, McDonald, Sclafani, Siskin, et cetera, who strongly support my Bill C-280?

The petitioners call for the Minister of Health to consult experts actively engaged in the diagnosis and treatment of CCSVI to undertake phase III clinical trials on an urgent basis at multiple centres across Canada and to require follow up care.

• (1545)

SHARK FINNING

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, I rise today to present two petitions. One is from a number of residents of Calgary who are concerned with the practice of shark finning. They are asking the House to take legislative steps to ban the importation, trade and use of shark fins.

It is well understood by scientists that this one practice is leading to the decimation of shark populations globally.

THE ENVIRONMENT

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, the second petition deals with the issue of the proposed pipeline across northern British Columbia. This petition is largely from residents of the Gatineau area of Quebec.

Since we last raised this issue as a petition, we have had a decision from Transport Canada, without the benefit of hearings and without examining the reasons for the 1972 moratorium against oil tankers along the B.C. coastline, that it is prepared to give this a green light.

Therefore, with increasing urgency, Canadians from coast to coast are asking the House and the government to examine this issue with full evidence and not jump to conclusions before the hearings are over.

HEALTH

Ms. Megan Leslie (Halifax, NDP): Mr. Speaker, I have quite a large petition to present to this House concerning health care in Canada.

The petitioners have an interesting point. They say that the federal government should preserve and enforce the Canada Health Act and should be supporting and maintaining the five principles of medicare. The petitioners' call upon Parliament to enshrine the Canada Health Act and the five principles of medicare in the Canadian Constitution to guarantee national standards of quality, publicly funded health care for every Canadian citizen as a right.

I enter this petition and I look forward to the minister's response.

PENSIONS

Ms. Judy Foote (Random—Burin—St. George's, Lib.): Mr. Speaker, I rise today to present a petition on behalf of my constituents, who are having a real problem with any suggestion by the government that it would raise the age of eligibility for OAS from 65 years to 67 years.

Forty per cent of old age security recipients earn less than \$20,000 a year in retirement, and 53% earn less than \$25,000. The petitioners are saying that this two-year delay will cost our lowest income seniors over \$30,000 in benefits. Single women will be disproportionately affected by this change, as they tend to rely more heavily on OAS and GIS payments. Low-income Canadians rely far more heavily on OAS and GIS.

The petitioners recognize as well that for those who work in a fish plant, for example, and spend their lives standing on their feet in very cold circumstances, by the time they reach 40 years they are ready for retirement because their bodies have been affected so severely by their working conditions. When one looks at any suggestion that the age will be raised from 65 years to 67 years, it does not take into account some of the circumstances under which Canadians have to work.

The petitioners are totally opposed to any suggestion by this government of raising the age from 65 years to 67 years.

SEARCH AND RESCUE

Mr. Jack Harris (St. John's East, NDP): Mr. Speaker, I rise today to present a petition on behalf of a number of residents of St. John's East, St. John's South, and some other ridings in Newfoundland and Labrador, in opposition to the closure of the marine rescue sub-centre in St. John's, Newfoundland and Labrador.

The petitioners are asking the Government of Canada to acknowledge and understand that the closure of the centre will mean that services will suffer and lives will be put at risk. They note that the rescue centre is responsible for 900,000 square kilometres of ocean and nearly 29,000 kilometres of coastline. The importance of this centre, particularly the local knowledge of the rescue coordinators, has been pointed out many times.

The result of this closure and the closure in Quebec City will be that instead of having six rescue coordinators on duty at any one time, the number will be cut in half, down to three, with a resulting loss of the marine rescue coordinators' local knowledge in St. John's, both of the coastline and the fishers and people engaged in marine activities, which is very valuable and useful in saving lives.

Government Orders

● (1550)

QUESTIONS ON THE ORDER PAPER

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

The Speaker: Is that agreed?

Some hon. members: Agreed.

* * *

REQUEST FOR EMERGENCY DEBATE41ST GENERAL ELECTION

The Speaker: The Chair has notice of two applications for an emergency debate. I will hear them in the order in which I received them.

The hon. member for Toronto Centre may go first.

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, given the debate in question period today and the amount of national concern that has been expressed, and that continues to be expressed, about what certainly would appear to be a pattern with respect to interference in the free decision-making of Canadians in the last election, this needs to be aired and discussed in the House of Commons.

The House has now passed a motion indicating the willingness on the part of all of its members to share information. The difficulty, as I suggested in question period, Mr. Speaker, is that it is the government that has access to most of the information, as well as the companies with which the government has contracted its polling research and its telephone calling information.

I believe it would be in the public interest for the House to debate this question at the soonest opportunity. I hope very much that the Speaker would recognize that this is not an event that can simply be described as something that has happened in one riding or another. It has to be seen as something that clearly has an element of central direction and planning. That is the issue the House needs to discuss and we need to share as quickly as possible the information that we have on that issue.

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, I rise on the same issue and ask for an emergency debate on what appears to be a coordinated attempt to subvert a free, fair and full vote on May 2.

Nothing is more important in a democracy than citizens being allowed and also in fact encouraged to exercise their right to vote, and the subversion of this is deeply alarming.

I am mindful of precedents. Certainly, Speaker Anglin back in 1978 said that the matter must be immediately relevant and of attention and concern throughout the nation. With all respect, I think that point has been made.

We know that the matter need not be of the kind of “emergency” or “crisis” as in the general sense of those words. Speaker Jerome spoke to this, as found in the *Debates* of February 22, 1978, at page 3128, which states:

—the provisions of the rule are such that I cannot hear any argument....

It seems...the Chair is in a rather invidious position.

Mr. Speaker, I sympathize with you at this point.

Speaker Jerome continued:

To take too restrictive a stance...would mean it would be almost impossible to get the benefit of this rule and to bring to the House a discussion of a matter which is important and requires urgent consideration, although it is not necessarily an emergency or a crisis, as the words have been used.

The precedents on this matter suggests that a matter such as this one that has been discovered now, although we have certainly known of it for some time, falls into the kind of category to which the Speaker referred back in 1977, where RCMP malfeasance in 1973 was discovered in 1977, and the Speaker found that those circumstances gave rise to an urgent matter that required an emergency debate.

I join my friend from Toronto Centre, and just as we had the unanimous consent of all members of this place to provide evidence of the wrongdoing that took place on May 2, I would hope we have the support and unanimous consent of all members to have an emergency debate on this matter today.

SPEAKER'S RULING

The Speaker: There is no debate on applications for emergency debate and not having received notice of request for one from the member for Richmond—Arthabaska, I cannot hear the member at this time.

I have no doubt that members take these concerns very seriously.

One of the criteria in O'Brien and Bosc in setting out how the Speaker determines whether or not to grant an emergency debate mentions that when matters are being investigated by other administrative bodies, they are generally rejected. Given the fact that it is my understanding that these matters are being investigated by Elections Canada at this time, I do not think it meets the criteria for that reason.

GOVERNMENT ORDERS

● (1555)

[Translation]

CANADA-PANAMA ECONOMIC GROWTH AND PROSPERITY ACT

The House resumed from December 12, 2011, consideration of the motion that Bill C-24, An Act to implement the Free Trade Agreement between Canada and the Republic of Panama, the Agreement on the Environment between Canada and the Republic of Panama and the Agreement on Labour Cooperation between Canada and the Republic of Panama, be read the second time and referred to a committee, and of the motion that this question be now put.

Ms. Ève Pécelet (La Pointe-de-l'Île, NDP): Mr. Speaker, I rise here today to speak to Bill C-24 regarding the free trade agreement between Canada and the Republic of Panama.

Government Orders

I am very pleased to speak on behalf of the interests of the people of my riding, La Pointe-de-l'Île, I would like to thank them once again for placing their trust in me on May 2. I continue to work hard every day on their behalf.

It is important to mention that the NDP does not oppose free trade agreements, despite what the Liberals and Conservatives often like to say. They say that the NDP has always been against free trade and that our party opposes all free trade agreements. That is false. We do not oppose free trade agreements; we are simply saying that Canadians must benefit from them.

I would like to commend the important work done by our former international trade critic, the hon. member for Burnaby—New Westminster. Most free trade agreements do not benefit Canadians and we can see the result of that. Every time Canada has adopted a free trade agreement, our exports have declined and our trade balance has become increasingly negative. For instance, since the Conservatives came to power in 2006, the trade deficit has gone from about \$16 million to \$81 million. This proves that free trade does not create jobs in Canada; instead, jobs go elsewhere, to other countries.

That was my introduction.

By way of context, since the failure of the Doha round on freer trade, the Government of Canada, in all its wisdom, has decided to negotiate a great number and variety of free trade agreements, especially bilateral agreements, without any clear strategy and without taking into consideration the possible consequences for Canadian workers of adopting multiple free trade agreements. It has not taken into account the consequences that freer international trade would have on Canada's domestic markets.

We often hear the parliamentary secretary say that one job in five relies on trade, but there are still four jobs out of five that do not and therefore rely on commerce within Canada. Those are the jobs we are talking about here.

The government is trying to copy the strategy of the United States because to this government, any American idea is a good one. It seems that the government did not take certain essential factors, such as resources, into consideration. In the same breath as the government is making cuts to the public service, it is asking the departments of Foreign Affairs and International Trade to simultaneously negotiate 14 different agreements, with Morocco, the European Union, the Caribbean common market, Ukraine, India, Singapore, Guatemala, El Salvador, Honduras, Nicaragua, Korea and the Dominican Republic. Exploratory talks are also under way with Japan and Turkey.

In terms of the negotiations under way with the European Union alone, a number of stakeholders are saying there is a major risk for Canada because we are in the process of negotiating an agreement that will have a direct, major impact on businesses here. No serious impact assessment has been made by the government or, if it has, the government certainly does not want to share the results with us. While the government is struggling to create jobs in Canada, it wants to export jobs abroad. That is irresponsible.

We might also talk about the trade balance, as I mentioned earlier. It is further proof of this government's inadequacy and of the

Conservatives' failure to do a satisfactory job. In 2008, we had a positive trade balance of \$50 billion. Since 2009, we have had a negative trade balance of approximately \$5 billion.

● (1600)

The government should think seriously about creating jobs here before negotiating free trade agreements that, as we know, do not promote job creation in the Canadian marketplace.

The lack of a strategy is not this government's only shortcoming. A denial of the democratic process also seems to be this government's wont. The entire negotiation process is but a farce. It makes a mockery of the democratic process if the content of what is being negotiated is, quite simply, unknown. Everything is shrouded in great secrecy and the government's true intentions are kept secret from Canadians. We find out the details once the treaty is being ratified.

How do we expect members—who are supposed to represent the interests of their constituents—to do their job if the government keeps everything from them? There are no studies, no consulting of members, no opportunity for members to simply get information on the key negotiating points of the treaty. No information is provided. It is almost as if members had to go and ask members of the European Parliament, for example, for information on the negotiations. The government refuses to give members this information. It makes no sense whatsoever.

I am afraid that this will be a recipe for disaster and that the final product will reflect the interests of the major lobbyists, the multinationals and, of course, that small segment of the population, the top 1%. We are quite familiar with that concept.

Once again, it will be the workers who pay the price for this government's policies; they will have to pick up the tab for the caviar and champagne that the CEOs crack open when it comes time to celebrate the ratification of these free trade agreements. These individuals will in no way whatsoever take into consideration the thousands of people who will lose their jobs.

A report published by the Canadian Centre for Policy Alternatives, the CCPA, says that the treaty between Canada and the European Union will lead to a deepening of the Canadian trade deficit and massive job losses.

Economist Jim Stanford modelled three scenarios in order to study the socio-economic repercussions of such an agreement. In each of the scenarios considered, the model indicated a worsening of the current situation. It is important to understand that Canada already has a large trade deficit with the European Union of approximately \$20 billion, of which \$15 billion involves trade in goods and approximately \$4 billion, trade in services. He estimates that this deficit already amounts to approximately 70,000 jobs that have relocated to Europe.

Based on the scenarios reviewed, a free trade agreement between the two regions could lead to the additional loss of somewhere between 28,000 and 150,000 jobs. According to Jim Stanford, this deterioration is due to the fact that Canadian tariffs are currently higher than European tariffs. This means that an agreement would first adversely affect Canadian products.

Government Orders

Is there a plan to correct this discrepancy, yes or no? The government refuses to tell us. Personally, I do not think there is one.

Unfortunately, the government does not stop there. The House is currently dealing with Bill C-24 on the implementation of the free trade agreement between Canada and the Republic of Panama.

Again, not only is the government not creating jobs, but it is sending our money to a tax haven. Could it be that tax havens serve the middle class? Tax evasion is not something to be taken lightly.

Panama is a tax haven, and not just any tax haven: it is one of the most active, one of the least co-operative and of the most integrated with organized crime. When large corporations and rich people transfer their assets to tax havens, it means that huge tax revenues are lost for Canadian taxpayers. None of this will benefit workers, whether they are from Panama or Canada.

● (1605)

Let me summarize. Our jobs are being transferred to Europe, our revenues are going into Panamanian banks, corporations are not paying taxes, billions of dollars that should be reinvested in education, health and infrastructure are lost, and I see no plan to help Canadian families make ends meet, and no plan to help the Canadian economy improve.

A fair tax system is based on everyone paying a fair share of taxes. The Government of Canada is losing \$9 billion annually because of these tax havens. Does this mean that, in order to make up for this shortfall, it will have to increase the tax share paid by citizens and by small and medium size businesses? Or will it have to reduce the tax rates for big companies even more, to induce them to continue doing business in Canada? This will not change anything at all. They will continue to send their money to tax havens.

The government would have us believe that cutting taxes for big corporations will stop them from putting their money in Panamanian banks, which costs Canadian taxpayers billions of dollars, but that is not true. How can this government claim that the economy is its priority? Its real priority is exporting our jobs and our money and raising individual and small business taxes.

At the same time, the government is cutting services. Take, for example, Service Canada and employment insurance, a vital service that helps people who have lost their jobs put food on the table. One of my constituents lost her house because she waited three months for her first cheque even though claims are supposed to be processed within 28 days.

The government says that this agreement is good because Panama is an established market for Canadian exports and because there is significant potential for long-term growth in bilateral trade and investment. Some large Canadian companies have sensed good business deals in the making and believe that an agreement will facilitate trade with Panama, which has a dubious tax reputation. But what will be the cost to Canadians? That is the real issue the government should keep in mind during negotiations, not the interests of its big business buddies.

There are no restrictions on capital entering or exiting Panama. Transactions are protected by banking secrecy, and financial activity is not monitored. The Organisation for Economic Co-operation and

Development—the OECD—which is nevertheless fairly accommodating when it comes to evaluating how co-operative tax havens are, did not remove Panama from its grey list until July 2011. The grey list includes countries that have not signed a series of agreements to comply with international standards. The OECD Secretary-General, Angel Gurría, stated, “Panama has worked hard to achieve this milestone and has made remarkable strides toward complying with the international standards in a very short time.” However, he cautioned that the global forum must still evaluate whether Panama’s domestic laws will allow for effective availability, access to and exchange of information. He said, “The global forum will follow up to make sure they work as intended. It is important that Panama continues to work to fully implement the standards.”

Panama is one of the world's worst tax havens. It is home to an estimated 400,000 corporations, including offshore corporations and multinational subsidiaries. This is almost four times the number of corporations registered in Canada. So Panama is not just any developing country. It offers foreign banks and firms a special offshore licence to conduct business there. Not only are these businesses not taxed, but they are subject to little or no reporting requirements or regulations.

The Canada-Panama trade deal would only make the tax haven problem worse. As the OECD has said, having a trade agreement without first tackling Panama's financial secrecy practices could incentivize even more offshore tax dodging.

As the member for Windsor West, the critic for international trade, has said, when we want to get into a fair trade deal, we need to have access to the same types of conditions and strategies as our competitors. These tax havens give advantages on trade arrangements that do not favour Canadian exporters, and that is why we have seen the trade surplus diminish under the current government and a trade deficit emerge and become the norm.

● (1610)

Our manufacturers and our workers abide by international and Canadian standards that prevent them from competing with corporations that are able to use subsidies or tax havens to reduce their costs and become more competitive, and so the relationship becomes unfair and unequal. The trade deal will not only increase tax haven abuses but will also make fighting them that much harder.

Government Orders

The NDP is calling for an agreement with Panama to transfer tax information. The United Kingdom, the United States, France, Italy and the Netherlands have already signed such an agreement. How can the government not respond to this demand? If the government really had the interests of Canadians and the people of Panama—who gain nothing at all from this transaction—at heart, it would stand up today and tell this House that it commits to requesting that an agreement to transfer tax information be included in the Canada-Panama free trade agreement.

In 2007, the Auditor General of Canada mentioned that she had expressed concerns about the fiscal arrangements for foreign subsidiaries on several occasions in the past. The June 2008 study by the Université du Québec à Montréal concluded that the five Canadian banks avoided paying \$16 billion in federal and provincial taxes by means of their offshore subsidiaries between 1992 and 2007. I would call that a hemorrhage of tax dollars.

Statistics Canada reported that \$88 billion in assets of Canadian corporations were transferred offshore, that is to tax havens, in 2003. The secrecy of financial transactions in Panama makes it a major site for money laundering. According to the U.S. State Department, major Colombian and Mexican drug cartels, as well as illegal Colombian armed groups, use Panama for drug trafficking and money laundering purposes. The funds generated from illegal activity are susceptible to being laundered through Panamanian banks, real estate developments, and more.

Because money laundering consists of using illegal investments to covering up the use of money obtained through crime, the Canada-Panama free trade agreement will promote, in Canada, the illegal transfers of these black market funds. Conversely, the Colombian and Mexican mafias, which are very active in Canada, will view the agreement as a series of formalities facilitating the reverse transfer of proceeds of crime.

The Canada-Panama agreement will foster illicit activities in that country and increase tolerance for such activities. Although the importance of dealing with problems caused by tax havens was highlighted at the 2009 G20 meeting in London, Canada is moving in the opposite direction and is creating a new means of facilitating the flight of capital. This type of strategy is irresponsible. Do we really want to foster money laundering and drug trafficking? The Conservatives, who like to pass repressive bills, should be outraged.

Let us be clear. The government is negotiating an agreement at the expense of Canadian workers. This agreement will lead to the loss of millions of dollars in tax revenues. This proves that a small country like Panama can dictate Canada's policy on tax evasion. If the Government of Canada cannot stand up to Panama, how will it defend our country's interests when negotiating with the United States or the European Union?

•(1615)

Mr. Raymond Côté (Beauport—Limoilou, NDP): Madam Speaker, I would like to congratulate my hon. colleague from La Pointe-de-l'Île on her speech. I am honoured to serve with her on the Standing Committee on International Trade, where she pours her heart and soul into a subject that can be somewhat dry.

My colleague's speech raised some very important points. Teresa Healy, a senior researcher with the social and economic policy

department of the Canadian Labour Congress, appeared before the Standing Committee on International Trade in the course of its work on the free trade agreement with Panama. When she talked about the issue of jobs in Canada, she raised a large number of concerns and pointed out that, again recently, the president of Panama announced many unilateral changes to labour law.

We know that Panama is far from being a model in terms of workers' rights. Furthermore, it has serious problems managing its own affairs when it comes to obeying tax rules. Can my colleague tell me if entering into this agreement would not amount to condoning the serious problems that exist in Panama in terms of labour law?

Ms. Ève Pécelet: Madam Speaker, I want to thank the hon. member for the question. As a member of the Subcommittee on International Human Rights, this is an issue that concerns me a great deal as well. In fact, at the Standing Committee on International Trade, I have focused my speeches on human rights. There are certain provisions that have to do with human rights in the free trade agreement, but they are not an integral part of the agreement, but a separate part of the agreement.

The Americans have included these provisions in the agreement. Why is the Government of Canada refusing to ask the Government of Panama to specifically include provisions in the free trade agreement to ensure that labour rights and the fundamental rights of workers will be respected?

Here, the international organizations' fears might be realized if the government does not make more of an effort to ask the Government of Panama to stand up, be responsible and respect the rights of workers, as Canada asks of a number of its economic partners elsewhere in the world. Why not do the same in Panama? Why not ask the same of the Government of Panama? If we are talking about tax evasion and everything to do with organized crime, then it is even more important. In that type of country, human rights violations are even worse and people are generally much more at risk.

The government has to take a stand and call on the Government of Panama to respect human rights. This has to be spelled out in the agreement and not be a separate part of the agreement.

[English]

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Madam Speaker, we in the Liberal Party also recognize the importance of labour laws and working conditions, the environment and so forth. Whenever we go into negotiations or discussions in regard to freer trade they have to be at the top of the list in terms of ensuring as much as possible that we are contributing to that debate.

Government Orders

The example I will use is the pork industry. In the province of Manitoba it is a huge industry with so much potential, much like many other industries across Canada that depend on foreign trade in order to sustain themselves and allow them to grow.

What is the New Democratic Party's position on trade in general? Does it support freer trade agreements with countries such as India, the Philippines, and other countries of that nature?

[*Translation*]

Ms. Ève Pécelet: Madam Speaker, I began my speech by talking about the false stereotype that the NDP is against free trade.

I am well aware and I heard many witnesses who appeared before the Standing Committee on International Trade say just how important free trade agreements are. However, in my speech, I demonstrated that, most of the time, the Government of Canada negotiates free trade agreements that are detrimental to local Canadian farmers. We have a trade deficit, and our exports have been drastically declining for a number of years, which shows that our exports do not increase when we sign free trade agreements and that our jobs are going elsewhere.

We are not against trade. It is important to make that distinction. There is fair trade and international trade. We know that the world is experiencing an economic crisis, but that does not mean that we have to run to every country and claim that free trade agreements will solve all of our problems. On the contrary, these agreements will create other problems.

The NDP wants to ensure that the people of Canada benefit from free trade agreements and that these agreements create jobs and benefits in Canada before giving other countries all the advantages to the disadvantage of Canadians.

• (1620)

Mr. Raymond Côté: Madam Speaker, one point I find very striking when we look at proposed free trade treaties to be signed with small countries like Panama or Jordan, where there is really very marginal economic activity, is the eagerness of those countries to sign treaties with Canada. That is understandable, because Canada has an excellent reputation around the world, although it is deteriorating now that it is becoming increasingly sullied.

I recall one striking aspect of the 2008 campaign, when I ran for the New Democratic Party. I was approached by an entrepreneur of Latin American origin who told me that when he went to South America, he was told straight out that Canada was now no better than the United States, in terms of the things we have done that have seriously weakened our reputation.

Given what I consider to be unwise conclusions on the part of the government, does my colleague from La Pointe-de-l'Île share my concerns about Canada's reputation and its ability to serve as a model around the world?

Ms. Ève Pécelet: Madam Speaker, yes, I share my colleague's concerns, but simply in terms of the fact that Canada seems to be playing both sides.

Canadians are hearing something totally different from what the government says in other countries. I observed this when I went to Europe with the Standing Committee on International Trade for the

free trade treaty. What the Canadian government says outside Canada sounds reassuring: do not worry, everything will be fine, the government has a majority, and so on. That is a total denial of the situation in Canada that Canadian producers find themselves in. The government is signing free trade treaties, it is abolishing the Canadian Wheat Board, and it may want to discuss supply management.

We do not know what the government wants to do, but all I know is that what it says to Canadians in an election, and even here, is completely different from what it says outside Canada. At some point, everything is going to blow up in the government's face and it will not be able to continue along this road and sign 15 or 20 free trade treaties, thinking that Canadians are going to manage and will not understand the game it is playing now. The government is trying to distance itself from the United States as an economic partner, which is entirely legitimate, but to Canadians' disadvantage, which is not.

The Deputy Speaker: 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 Mount Royal, Iran; the hon. member for Nanaimo—Cowichan, Poverty; the hon. member for Etobicoke North, The Environment.

• (1625)

Mr. Raymond Côté (Beauport—Limoilou, NDP): Madam Speaker, it is an honour for me to rise in this House to discuss a government bill that involves much more than simply entering into an economic agreement.

Bill C-24 is an example of a bill where one questions what benefits there will be for Canadians and Panamanians and what problems it could cause. It is quite obvious that Panama has, unfortunately, a long history of money laundering. It is not the only problem with the country's reputation, but it is the most visible. Panama is famous for the huge amounts of money laundered there in order to escape the taxman and law enforcement authorities in other countries.

One has to ask what Canada will get out of this treaty with Panama. The government wants us to approve this process. The core problem is that Bill C-24 proposes a treaty without sufficient guarantee that Panama will go to the effort required to improve its situation and become a good partner from a trade, political and social standpoint. In short, a country that is making progress for its population and for good order in the world. Panama is a far cry from that.

Throughout my speech, I am going to provide facts on Panama and the relationship that it has with Canada. I am going to put things into perspective to demonstrate the dangers that this government could expose us to by entering into this kind of agreement.

Government Orders

Just like my colleague, the member for La Pointe-de-l'Île, I serve on the Standing Committee on International Trade. Over the course of the last few months, having observed the manner in which members of the governing party have acted, I have been surprised, and even disgusted, by the government's bad faith. The government is trying to lecture us, ram through measures, and short-circuit the process of consideration without giving us an opportunity to act as equals and carefully study the issues we face. The government is trying to silence us on every issue we deal with. The government is trying to reassure us, as my colleague said previously in her speech, by telling us that it is going to negotiate in the best interests of all Canadians. The government is asking us to blindly accept what it is doing.

The elected representatives in this House and I cannot simply give this government a blank cheque. If the government really wants at least minimal approval from us, it should be amenable to debate. And I am not necessarily referring to criticism. My colleague from La Pointe-de-l'Île expressed it well.

● (1630)

On principle, the New Democratic Party is not opposed to pursuing free trade agreements. However, as regards all the free trade agreements examined in this House, and in all the debates that have taken place here, the New Democratic Party has always made observations on various fundamental aspects that affect the interests of all Canadians.

We are certainly not asking for any preferential treatment, or anything like that. We are simply asking for a respectful debate as equals between all members from all parties, whether in committee or here in the House of Commons.

I have been watching the behaviour of government members for a number of months. The government is running away from the issues to avoid facing the real challenges, its own turpitude and the problems it is creating on a large scale. That is not too strong a statement. By running away and signing all sorts of free trade agreements with countries with which we have limited trade, compared with Canada's overall trade activity with the world's nations, the government is trying to hide the fact that it is leaving Canadians to fend for themselves.

I would remind the House that, in my riding, I was the victim of the government's reprehensible abandonment when the management of White Birch Paper brutally shut down the Stadacona plant. Now, there is a possibility that management and the workers may reach a respectful agreement as equals and that the plant will resume operations. However, through its inaction or, rather, its desire to run away from the reality of Canadians and go all over the world to engage in marketing operations, the government is putting the weight of all these new treaties on the shoulders of officials from the Department of Foreign Affairs and International Trade. Unfortunately, we recently learned that there is a bottleneck. The government does not even care about the impact that these free trade agreements, which are multiplying for no good reason, could have. That is very disturbing.

The problem is that the government wants us to approve a free trade agreement with a country that has a very bad reputation but that seems—yes, “seems”—to want to clean up its act. Unfortunately,

Canada seems content to rubber-stamp the agreement without insisting on guaranteed outcomes. France did not hesitate to criticize the Republic of Panama, and it signed a tax information exchange agreement, but Canada did not. Canada wants to sign a partnership with another country without protecting itself and without knowing what it is getting itself into or whether the Government of Panama is truly making an effort to improve the situation and become a respectful and respected member of the international community.

● (1635)

The absence of a tax information exchange agreement is a problem to begin with, but in the context of this agreement, it can be interpreted as an agreement to protect investors. I must say that I cannot support the government in this folly. Let me be clear. I want Canadian investors to benefit from a certain degree of protection when they do business in Panama, but how is it in Canada's interest for a Panamanian investor to be protected by this kind of clause? This kind of clause in NAFTA, in chapter 11, was really bad for us. In Canada, the rule of law prevails, and all investors, like all Canadians, can rest assured that their rights will be protected if they have been wronged.

The problem is that this type of provision to protect investors creates two classes of citizens. We have seen this with our American and Mexican trading partners and, unfortunately, we risk seeing it if we sign an agreement with our European partner. On one hand, there are the average Canadians for whom the normal legal protections are in place if ever their rights are violated and if they have the means. In fact, that is another problem—whether a person has the financial means, the perseverance and the moral capacity to use the court system. All Canadians are protected in that sense. On the other hand, there is the investor class, who have extraordinary powers to take the Canadian government, or a province or municipality, to court if they feel their rights have been violated by legal provisions legitimately passed by the House.

What is this perspective, this direction that the government wants to commit to taking? Based on this provision alone, the New Democratic Party absolutely cannot support Bill C-24. Nevertheless, it is far from being the only problematic provision. Quite the opposite, in fact.

I mentioned another problem earlier: when an agreement such as this is signed with a country like Panama, we find ourselves in a position where, to some extent, we are directly supporting that country's practices and reputation. We are telling the whole world that Canada believes that everything is going very well, or at least rather well, in Panama and that, ultimately, we do not see any problem with supporting the government's practices and we are prepared to live with the consequences if things ever go awry.

It is important to remember that this type of agreement will create strong ties with Panama—very strong ties—and that the government of Panama stands to benefit very handsomely. Such an agreement is far from benign because Canada has already signed many other international agreements, whether it be human rights agreements or agreements against illegal money laundering and tax evasion.

Canada has already made commitments to all the countries in the world, or at least with all those who have signed this type of agreement, to say that it finds certain practices to be unacceptable.

Government Orders

This means that, by passing this bill, Canada could find itself practically committing perjury, to use a legal term. It would be perjuring its signature, its commitment to defend rights, justice, and good behaviour and to oppose bad behaviour.

• (1640)

Coming from a government that claims to defend victims and uphold law and order, if this were not such a serious subject, such antics would almost be funny. However, this is definitely no laughing matter. Indeed, this means that Canada is going to earn a bad reputation by association. Any time Canadians are travelling abroad, whether for business or pleasure, wand showing off Canada's savoir-faire, they may find themselves accused of supporting tax evasion, money laundering and repressing workers who are simply asserting their right to respectful, egalitarian negotiations. Those are rights that workers in Panama unfortunately do not have.

Then, Canadians will have to say that there is no problem—it is business as usual—and that this agreement is important because of business and trade worth \$149 million in 2008, which really is peanuts. Too bad for our reputation, because the important thing is that we enter into this free trade agreement. I can clearly see the media scrum with a staff member of the Minister of International Trade, where this agreement will be described as “fundamental”. We are talking about \$149 million. I know that trade, without free trade agreements, is increasing significantly, but this really is a small amount. It is an insignificant fraction of all of Canada's economic activities. Are we willing to sell our reputation for next to nothing for this? To use the biblical terms, in the end, Canada will sell its birthright for a mess of pottage. This is very worrisome. I do not agree with this.

As a legitimately elected representative of all Canadians, I want to maintain that reputation. Canadians have quite often said they are proud of having a reputation that until recently was practically above reproach. We see the government frantically running, out of breath, to conclude free trade agreements with Panama and Jordan, without any serious studies, without any serious guarantees that everything will go well. At the end of the day, those countries, which have very serious domestic problems, will make no effort to correct those problems. I am sorry, but Canada is positioning itself for a future role as a has-been in the community of nations. That is not an exaggeration.

I have been interested in matters of international relations for a very long time now. I even studied international relations at Laval University. Let us not forget that in the community of nations, in terms of international relations, the actions of a country are very closely observed. I know—I am convinced—that this agreement the government is trying to conclude too quickly will forever alter Canada's reputation. Indeed, a very large number of countries, upstanding ones and good partners to Canada, are going to react quite negatively to this.

The government is on notice. It cannot count on our support and I will continue to denounce this type of hastily concluded agreement.

• (1645)

Mr. Matthew Dubé (Chambly—Borduas, NDP): Madam Speaker, I thank my colleague for his comments. The government members are trying to make this a black and white issue, and trying

to say that the NDP is simply against free trade. My colleague has introduced many important nuances. My question and my comments will focus on a fairly central aspect of his speech, the international impact.

When I attend events in my riding, people often talk about Canada's international image. It is not just about involvement in a war or financial aid to countries in difficulty. It is also about our conduct when trying to reach agreements with other countries. What kind of dealings do we wish to promote—although it may be done in a more subtle and not necessarily direct manner—with a free trade agreement that is bad for the other country and for human rights in general?

I would like to give him an opportunity to provide more details about that and to tell us what we could do to improve Canada's reputation when negotiating free trade agreements.

Mr. Raymond Côté: Madam Speaker, I would like to thank my colleague from Chambly—Borduas. As well, I congratulate him on his work on the ground. I know he is a very engaged member of Parliament. I would like to mention his youth, although I would not want to embarrass him. It is particularly important for him to be concerned about this issue, because—and not to suggest that I am a little old man since I too am very young—the fact remains that his generation is going to be committed for a long time to the kind of agreement the government is trying to get us into.

I recall very clearly that when I was his age, it was the era of the North American Free Trade Agreement negotiations with Mexico and the United States. There were several provisions I was not happy with and I criticized some of them at that time. Free trade agreement or no, we will agree that there is still work that can be done, and trade, cultural and other exchanges that are happening with countries. Often, we are too easily sold on the principle of a free trade agreement as a panacea, which it is not.

Unfortunately—and I am going to engage in a little caricature—the treaties that are signed in haste and in secret are snake oil remedies that easily end up making us sick. Let us use that image. That is why we must be vigilant and there must be a full debate in this House. That is why we must use this time fully to understand the implications and examine the impacts for all Canadians.

[English]

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Madam Speaker, New Democrats have been clear that they intend to vote against this bill.

I want to address the issue of international trade. All the provinces rely heavily on exports. Exportation contributes immensely to the Canadian economy and creates thousands of jobs. Canada would benefit from freer trade among nations.

To the best of my knowledge, New Democrats have never voted in favour of any free trade agreement. If that is not the case, could my colleague give me one example of a trade agreement that they have voted for?

Government Orders

[*Translation*]

Mr. Raymond Côté: Madam Speaker, I would like to thank my colleague for his particularly germane question. We have always opposed free trade treaties for very simple reasons: these treaties were signed in the most naive way with our trading partners. I would offer an example relating to NAFTA. Canada is tied in to supplying oil and gas products to the United States. Unfortunately, the American government could demand delivery, even at the expense of our own interests in that regard.

The Mexican government had the wisdom not to get involved in this, even though Mexico is a major oil producer. The Mexican government valued its autonomy. I will not conceal the fact that there has been an appalling lack of candour on the part of successive governments in Canada. Because, while Canada essentially keeps its head in the clouds when it says it is freeing its market, when it invites countries to invest freely and assures them that there will be no problems, those countries, all around the world, like the emerging nations with their very productive economies, are taking strong action and seriously protecting their domestic markets, and from now on are not going to let themselves be tricked when it comes to the massive export of good jobs, which is what we are doing here.

• (1650)

Ms. Lysane Blanchette-Lamothe (Pierrefonds—Dollard, NDP): Madam Speaker, I thank my hon. colleague for his interesting speech. The question raised by the member who spoke before me is very interesting, but I would like to modify it. Clearly, the NDP supports trade agreements between Canada and other countries, but not at any price and not under just any conditions.

I wonder if my colleague could talk about the conditions that must be included in an international trade agreement. Such conditions would allow us to support this kind of agreement. We must ask who wins and who loses in these agreements and if they protect those who need it. The NDP often opposes such agreements. Thus, it is important to point out what conditions must be included in agreements of this kind for us to support them.

Mr. Raymond Côté: Madam Speaker, I thank my colleague for her question. This is a very good time to talk about what would make it possible for the New Democratic Party to support free trade agreements. I talked about the investor protection clauses, which are utter nonsense. Let me be clear. Chapter 11 of NAFTA is pure garbage. The United States and Canada are two countries governed by the rule of law that provide full protection for investors and all citizens. Why have an extra clause to protect investors? Perhaps such a clause would be useful for Canadian or American investors wishing to invest in Mexico, but even in that case, the governments of the United States and Canada could simply ask Mexico to harmonize its domestic laws.

With respect to labour law, what are we to make of free trade agreements with Jordan and Panama if these two countries do not even respect basic worker and citizen protection principles? These countries permit the authorities to engage in the arbitrary beating and imprisonment of union leaders and workers who want nothing more than respectful negotiations between equals. Unfortunately, this element, among others, has been left out of the free trade agreements brought forward by various governments over the past 20 years. That

is why the New Democratic Party will never support the Canadian government in this endeavour.

Mr. Matthew Dubé: Madam Speaker, I also want to allude to the comments made by our Liberal colleague. He said that, given that we have never voted in favour of any free trade agreement, we are automatically against any effort to promote our products and our businesses. As my two NDP colleagues said so well, we do not have to conclude such agreements at any cost and under any conditions. So far, no free trade agreement has met the expectations of Canadians and those of the international community. I would like to allow my colleague to conclude his speech by talking about that.

• (1655)

Mr. Raymond Côté: Madam Speaker, I want to thank the hon. member for his remarks. The blunt statements we are getting from the government and the representatives from the Liberal Party are truly deplorable. In Quebec—and my colleagues can attest to this—on May 2, we were sent a very clear message that Quebecers no longer tolerate this type of gratuitous accusation. The New Democratic Party will continue to look at the details and make constructive proposals for all Canadians.

[*English*]

Ms. Joyce Murray (Vancouver Quadra, Lib.): Madam Speaker, I am pleased to speak to Bill C-24, an act to implement the free trade agreement between Canada and the Republic of Panama, the agreement on the environment between Canada and the Republic of Panama and the agreement on labour co-operation between Canada and the Republic of Panama. As members of the House are aware, the Liberal Party supports this bill. The Liberal Party supports free trade and free trade agreements, and has provided leadership in that regard over many decades.

This has been an interesting bill on which to prepare my thoughts. Yes, this is a free trade agreement and we support that. In addition, Panama is the largest market for Canada in Central America, and that is significant.

[*Translation*]

It should also be noted that the Panama Canal, which is essential to international trade, is undergoing expansion to the tune of \$5.3 billion. This work will create significant opportunities for Canadian companies working in construction, environmental engineering and major project consulting services, among other things.

[*English*]

There are some opportunities here. I want to keep in perspective in this debate that in 2009 Canada's exports to Panama totalled about \$90 million. That \$90 million is important to those companies that sell goods and services to Panama. I do not want to minimize that, because \$90 million is \$90 million. That amount could grow 30%, 50% or 100%, in which case it would be \$180 million.

Government Orders

We support the Canada-Panama free trade agreement. It is a small positive step forward. However, I want to frame that by looking at the purpose of the free trade agreement and whether it is a good choice for Canada's resources compared with other things the government, the civil service and parliamentarians could be doing to accomplish those same objectives. My conclusion is no it is not. It is a distraction. This is yet another free trade agreement with a minor trading partner. We have seen the Conservative government ratchet up numbers with other minor trading partners to say there is another free trade agreement. It appears to be optics over substance.

I would contend that what the government needs to accomplish as its goal is a vital thriving economy that provides jobs and benefits for Canadians. That objective is not being met by the Conservative government. It is spending its time signing many small, minor free trade agreements. Where is the strategic thinking? There has been no strategic thinking. It is all optics.

The objective should be to have a strong thriving economy that creates jobs and benefits for Canadians. However, the facts clearly show that the Conservative government has a history of mismanaging our economy. For example, the government greatly increased government spending while reducing government revenues which threw the country into a deficit situation even before the onset of the recession. The government did not recognize when the recession was upon us. In fact, the government said that Canada was not in a recession and would not be in a recession. There has been a record of mismanagement by the government. One of the unhappy effects of that mismanagement is that today, Canada still has 525,000 fewer net full-time jobs than it had before the recession.

Members opposite have been throwing around job growth numbers, but they have been measuring that from the trough of the recession, which is not a metric that represents the kind of progress Canada wants to make. From before the recession to today, we want to see a country that is building jobs, building its economy and having the kind of fundamentals that allow Canadians to have jobs and feed their families.

There are 525,000 fewer full-time jobs thanks to the government's policies at a time when our population has increased by more than one million. Not surprisingly, the unemployment rate is much higher than it was when the Conservative government first took office. In fact, the unemployment rate is 7.6%, which is two percentage points higher. We are seeing somewhat of a jobless recovery. How is the free trade agreement with Panama going to help that?

• (1700)

Canada had \$90 million in exports to Panama. What was the total exports of Canadian goods and services from Canadian businesses in and around 2009-10? It was \$339 billion worth of exports, so \$90 million versus some \$339 billion. The exports to Panama turn out to be something like 3/100th of a percent of our total exports, which is \$3 on every \$10,000 that Canadians export.

Should we not be signing free trade agreements? No, that is not my point. My point is whether we are focusing on the key success factors for our economy and the job creation that is the goal of this? I see spending some three years negotiating a free trade agreement with Panama as being destructive to some of the much more

significant things the government could and should be doing to accomplish that goal.

Unfortunately, we are going backwards with many of the government's policies. I will mention one other one which is the impact of the government on small and medium size businesses, which has not been positive. Industry Canada's analysis shows that in its last 20-year analysis of job creation it was not only the small and medium size businesses that created the jobs. On a net level, they created all of the net new jobs in Canada. In fact, large 5% of the jobs created by large businesses were lost on a net basis in that 20-year period up to 2003 which, as far as I know, was the last analysis of a 20-year period that Industry Canada has done.

What does that tell us? If we want jobs in Canada, we need to work with the small and medium size businesses. What has the Conservative government done? Unfortunately, it has done the opposite. The tax rates for large businesses have gone down from 22.5% to 15%, the ones that are net job losers. What has been the corresponding reduction in tax rates for small and medium size businesses? Actually there has been no reduction. There has been an increase in their costs through an increase in the EI payroll tax rate. Although the Liberals, the business community and the economists across Canada argued that taxing employment was the wrong thing to do at a time of economic challenge, in a recession, the Conservative government went ahead and did just that and added \$1.2 billion in EI payroll tax increases.

We have a situation where we have a jobless recovery and we have the job engines, the small and medium size businesses, being ignored by the government. Industries that are big job creators, like tourism, have been mismanaged, unfortunately, by the Conservative government.

Tourism is an incredibly vital and important industry for the small and medium size businesses but we are falling behind. Even though Canada is recognized as the number one tourist destination, we have fallen from being seventh in the international competition for overnight visitors to fifteenth. We are losing market share dramatically. During the Conservative government's six years, we have seen a lot of that market share decline.

Why is that declining? The tourist industry representatives have some answers to that, and it is the policies of the Conservative government for the most part. Yes, there are some factors that have been outside the government's control but the government did control its decision to slap a visa on Canada's fastest growing tourist market, Mexico, with no consultation, upsetting an important trade partner and reducing the number of Mexican tourists substantially, by some 35%, through that act.

Government Orders

•(1705)

The government has been told time and again that its fees and taxes at airports make air travel uncompetitive and drives tourists to airports in the United States. It is very costly to businesses along the border in Canada. As far as I know, nothing has been done to address those cash grabs through the airports. In fact, we are seeing another addition to the cash grab at the Vancouver International Airport with an additional \$5 being added to the airport improvement fee that all travellers will be paying.

In the skills and trades training, we know there is a serious mismatch between the kinds of skills and trades training happening in Canada for the jobs of today and in the future. Some of the key analysts on this issue are telling us that within about five years Canada will likely have 1.5 million jobs without people who are suitable to fill them and 1.5 million people without jobs. Where is the overall strategy to address that?

Unfortunately, the government is ideologically against having a hand in providing leadership on issues like this. It is leaving it to the provinces to solve. The government says that each of the 13 provinces and territories can battle it out themselves. The present federal government does not want to provide leadership or some kind of a framework to address a national problem that impacts national productivity and undermines Canada's prosperity, our economy and the jobs that a thriving economy can produce.

Given those challenges that the government is facing and has created, its answer is a free trade agreement with a country to which we sell \$3 out of every \$10,000 of our export goods and services? I would argue that if that same time and energy had been put into managing more effectively the relationship that Canada has with our most important trading partner, the United States, there would be a far greater return on effort.

We need to look at what is happening with our relationship with the United States in terms of trade. Our trade with the U.S. exceeds \$1.4 billion every day. That compares with \$210 million on both sides of the ledger between Canada and Panama in a year.

One would think that we would be focusing on the United States and our trade relationship, really being present where decisions are made in the United States, ensuring that our case is understood, using the department's resources that instead are doing free trade agreements with countries like Colombia, Jordan and Panama, and focusing on where it can really count. When organizations want to achieve a result, they focus on the key factors that will drive that result.

We have a government that wants to notch up some more numbers by saying that it has more free trade agreements than other governments have had. It is as if that will deliver the result that Canadians need, which is a thriving economy and jobs.

Eighty per cent of Canada's economy depends on access to foreign markets, and our largest partner, of course, is the United States; that is 75% of Canada's merchandise exports go to the United States. Panama is not even on the list if one looks at the top countries of importance for Canada's exports.

How are we doing with our U.S. exports? Canada's share of United States' imports have fallen in a great number of sectors. In furniture, we used to have a 25% share and it is down to 9.1%. In electrical equipment, we used to have a 10% share of U.S. imports and we now have just over half of that, 5.4%. In textiles, we used to have a 6.8% share that the U.S. imported and now it is down to 2.2%. Printing has fallen from 30.3% down to 17%. Fabricated metal used to be at 18% and has now dropped down to 10%. Rubber and plastics used to be at 31%, and are now down to 19.9%.

•(1710)

What has been happening? We have been losing market share with our biggest trading partner that accounts for 75% of Canadian export sales.

The government has had its talented people running around and organizing a free trade deal with Panama. What was the rush? Why did it not spend that time working on recovering some of our market share in the other core markets and the other core products and services?

The Prime Minister insulted the United States president and its people who wanted to take the time they needed to properly study a potential thousand kilometre pipeline on American soil that would run through some environmentally sensitive areas. Did we say that we would respect the right of Americans to study the costs, benefits and risks and make a decision? No. The Prime Minister postured and basically insulted our largest trading partner by saying that if it did not take our crude oil without any questions, we would sell it somewhere else. That was very diplomatic. That will really help. Canadians need the United States to be a co-operative trading partner. However, the government is essentially amateur hour when it comes to trade, and that has been shown from day one.

The Prime Minister has been blindsided by U.S. protectionist policies. The Conservatives were surprised by the initial buy America provisions in the 2008 stimulus package. They negotiated a solution to that, which lasted all of a year, and then buy America was back, which surprised the Canadian government's administration again.

The Prime Minister and his minister were taken off guard by the surprise announcement of a maritime commission. The commission will do research and could potentially impose fees and tariffs on U.S. goods coming through Canada at our ports. Canadians will have to pay a new border tax. These costs undermine our trade with America but we are busy doing a free trade agreement with Panama.

The complete and utter amateurishness of the Prime Minister with respect to the government's relationship with China has put Canada back about four years in terms of getting its assured destination status. This was important for tourism and we lost about four years of that tourism boost.

Government Orders

As a result of the kind of insults that the Prime Minister has delivered in public to the Chinese leadership, our trade with China has been languishing. Other countries are taking advantage of the great growth and the economic well-being of China while Canada has been stagnant. Canada has a four to one trade deficit with China. For every \$4 that we spend buying goods from China, we only receive \$1 from selling our goods to that country. Have we had a strategy focused on that key success factor for Canada's trade? No, we have not. We are busy negotiating free trade agreements with Panama and posturing about our natural resources.

• (1715)

The Deputy Speaker: Order, please. The hon. member may add a few more comments in questions and comments. Her time has elapsed.

Questions and comments. The hon. member for Saint-Maurice—Champlain.

[Translation]

Ms. Lise St-Denis (Saint-Maurice—Champlain, Lib.): Madam Speaker, I would like to thank the hon. member for her speech. She spoke a little about the environment when she indicated that negotiating free trade agreements with certain countries is more important to the government than improving relations with the United States.

Does she believe that this government is using this indifference towards the environment to seek out contracts in countries that do not care about the environment and people's living conditions?

Ms. Joyce Murray: Madam Speaker, I would like to thank my colleague for the question because the environment is indeed very important. There are some very worrisome issues with respect to environmental regulations in Panama.

[English]

In fact, the United States trade representative noted that, according to a Congressional Research Service Study Panama faced a number of challenges in protecting its environment as it supported its economic population and growth. These concerns included deforestation, loss of wildlife, threats to water quality, et cetera. It also included the poaching on protected territory that was under the stewardship of the Embera first nations. There are some 7,000 hectares that settlers have moved in on with the Panamanian government being complicit in that.

Therefore, I ask the government this. What was the hurry? Why not try to settle some of these regulatory improvements that are needed before and have bargaining power for our free trade agreement?

Mr. Jamie Nicholls (Vaudreuil—Soulanges, NDP): Madam Speaker, I am a bit confused. The member of the third party has said that this is just a distraction and yet the Liberals will support it. I am not really sure. Are they going to support this? Are they going to support the fact that Panama is a tax haven, that there is money laundering that goes on there with drug traffickers, that by taking measures toward eliminating trade deals with tax havens, we could recoup lost revenue of tax dollars?

What I got from the member is that if the economy is a powerful one, the Liberal party is willing to get into bed with it and damn the

negative aspects, just because it will bring money or economic growth. This shows where the Liberal party stands with its principles. It flip-flops. Basically, it is not willing to stand on principle for the environment, against money laundering. The Liberals are saying that they are going to support this even though it is doing bad things because it helps the economy in some way. I think Canadians are tired of this.

• (1720)

Ms. Joyce Murray: Madam Speaker, I am disappointed at that kind of rhetoric. We are talking about something that is important to the lives of Canadians, their jobs and their ability to support their families.

I think my debate has been clear. It is as though the Conservative government is like a chef that has prepared a very tiny snack of a few peanuts and spent the same amount of time for which that chef could have prepared a healthy meal for a family. Do we throw away the peanuts? No, we eat the peanuts, but we ask why the Conservatives have wasted their time with those peanuts when we are hungry. We wanted the meal and they could have provided it. That is what we are saying.

Free trade is positive, but we believe these resources could have been far better utilized in managing our trading arrangement with the United States, or China or managing some of the key failures of the government on the economy itself.

Mr. Jamie Nicholls: Madam Speaker, the NDP actually looks at the ingredients before we prepare a meal, rather than giving carte blanche to putting whatever ingredient into the meal that is being prepared, like the Liberal Party and the Conservative Party. We look at the ingredients and we look at the bad things and we make propositions.

Unfortunately, the third party and the government rejected propositions we made to this legislation in the past. These propositions would have improved the legislation in terms of the environment, which the member spoke to, yet the party does not act on it when it comes time to vote. We also made propositions on tax havens, which the third party and the government rejected. Therefore, I find it a bit rich for the member to stand and talk about peanuts and good healthy meals for Canadians when she does not look at the ingredients of the food she prepares.

Ms. Joyce Murray: Madam Speaker, Liberals know that the member of the NDP is with a party that is ideologically against free trade agreements and will find ways to express that. I do not take very much from what the member is saying in terms of moving the debate forward.

The reality is it is positive for farmers and growers of pulses and potatoes who would like the tariffs removed that Panama has placed on those goods so they could potentially sell more to Panama. That means farmers could increase the size of their farms and profits and possibly put a family member through school. Unfortunately the member is adhering to an ideology to really think about the people.

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It is useful to have free trade agreements. My view, though, is that this has been a distraction. Now that the government has spent three years doing that, why would we flush it away? It makes no sense and it is not in the interests of Canadians or the jobs that depend on those industries that, even in a small way, will benefit from this free trade agreement.

Mr. Jamie Nicholls: Madam Speaker, I fail to see ideology in protecting the environment and workers' rights or the fact that certain countries are havens for money launderers and to make propositions to change those things. I do not see that as ideology; I see that as common sense.

I find it troubling that the third party continually flip-flops on these issues. She talks, on one hand, about helping farmers and the poor in Panama, but, on the other hand, is unwilling to implement changes to the legislation that would protect the poor families in Panama and the Panamanian environment and put pressure on that trading partner to adhere to international standards. It troubling that she is willing to write this off as ideology. That is symptomatic of the fact that when push comes to shove, the third party is willing to give up its principles for the sake of an easy buck.

• (1725)

Ms. Joyce Murray: Madam Speaker, I appreciate that the member has reiterated his position three times now. There was nothing new in that question.

My request of the Conservative government in the debate today is to look at what it is doing to undermine small business growth in our country with its EI tax increases and why it is choosing large businesses over small businesses by giving major corporate tax reductions to the large businesses and nothing but a slap in the face to small businesses. I would ask the government to create a tourism strategy that has some actual numbers, accountability and action in it rather than vaguely referencing the problems the government has created and having no road map to fix those problems.

I encourage the government to take a look at the bigger issues around our trade-dependent country and really focus on repairing some of the damage the Conservatives have done with our important trading partners, including Korea, China, India and America, on behalf of Canadians who need the jobs and want that trade. We appeal to the government to actually focus where it counts.

Mr. Jamie Nicholls (Vaudreuil—Soulanges, NDP): Madam Speaker, I rise to speak to Bill C-24, a bill that troubles me because of its weaknesses in addressing many issues, including tax havens, possible money laundering, lack of fairness provisions and a seeming lack of responsible policy making.

The lack of leadership of that milk toast government troubles me when I see other countries, like Australia, showing true leadership on fair trade, innovation and building an economy for the 21st century, not only for the sake of their own people but for all global citizens.

The process of this bill began in October 2008 and here we are four years later. This is a government that is interested in policy making by template, resting on its laurels. Most troubling is the blind eye that the government is willing to show toward tax havens.

I will not hide my allegiance here. The member for Outremont in our party would like to see a smarter tax system, one that eliminates

illegal tax havens and ensures that our economic players play fair, in other words, that everyone who is an economic player in Canada pays his or her fair share of taxes and does not use tax havens to hide money from respective governments for personal enrichment.

Panama is a country that has refused transparent measures to ensure that money laundering by organized crime and drug traffickers does not happen. Therefore, it pains me that the government puffs its chest continually about cracking down on crime, while permitting laundering of drug funds, through tacit approval of Panama in this area, by engaging in a trade agreement with a country that permits money laundering of proceeds of drug trafficking, of illegal activity, of organized crime. The hypocrisy is pretty evident in this position.

Conservatives elsewhere in the world understand this fact of not promoting tax havens. Recently French President Nicolas Sarkozy, in a speech made at the end of a G20 conference in Cannes in November, named certain countries, such as Antigua, Barbados, Trinidad and Tobago, among eight others, and he included Panama in the list of countries that were troubling tax havens. Sarkozy threatened that countries that remained tax havens would be shunned by the international community. Apparently Canada does not want to participate in the international community that shuns these tax havens.

Social democrats elsewhere in the world understand. Australia's Labour government has a comprehensive policy on tax havens. That is one of the reasons why the work of that government has been recognized worldwide. Wayne Swan, its minister of finance, was named the best finance minister in the world recently, making social democrats worldwide proud of our achievements.

As the opposition, we have made propositions in the past to improve this agreement. During the clause-by-clause review, we proposed 11 amendments that would have made progressive changes to the bill. These included the addition of crucial concepts of sustainable development and sustainable investment and, most important, we proposed a requirement for taxation transparency. All of our proposed amendments were voted down by the Conservatives with the help of the third party. That shows where those two dinosaur parties stand on proper, responsible tax policy.

• (1730)

If we look in the past at former Prime Minister Paul Martin and Canada Steamship Lines, anybody in the know will know of the former prime minister's actions to avoid paying proper taxes. We see examples where members of both parties used loopholes for their own personal enrichment and to avoid paying their share of taxes.

Even worse is the Conservatives' protection of big-time organized criminals, the real drug traffickers, the big guys, the big players, by supporting Panama. Cocaine and heroin dealers can find a good partner in Panama to launder their money and the big profits they have made off the backs and misery of the cocaine and heroin addicts of this world. Meanwhile, the government is planning on punishing the small-time guy while letting the big-time organized criminals go. It leads to questions about our ports and the government's real willingness to prevent the importation of hard drugs.

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For instance, the talks for this process began in October 2008, under the Torrijos government. Torrijos put Manuel Noriega's old team in place. Members of a certain age in this room will remember Manuel Noriega. He was apprehended by the Americans for complicit activities and drug trafficking. The Torrijos government put Noriega's old boys back into key positions.

Colonel Daniel Delgado Diamante, the minister of government and justice, is another example of people Noriega had worked with in the regime when the Conservatives started talks with the Panamanian government. Anyone sufficiently schooled in politics would know that it is never just a single actor who contributes to corruption, crime or criminal activities but always a team.

Trade agreements are an opportunity to brand Canada. Instead we see that the government does not understand this concept. Australia, our Commonwealth partner, understands. On November 8 last year, in the biennial Sir Alan Westerman lecture delivered by Australian Minister for Trade Hon. Dr. Craig Emerson, he asked whether free trade can be fair. His answer was that free trade can be fair. We in the NDP agree.

The Australian government knows its brand. Dr. Emerson said:

Australia's future is as a high-skill, high-wage country. It is in the interests of working Australians that we compete in the production of goods embodying high levels of skills and innovation, not on the basis of low skills and low wages.

Furthermore, he said:

The existence of people struggling on very low wages is not unfair to rich countries; it is unfair to them and the families they are trying to support. For them, free trade is fair and if we have any compassion for them we should agree.

One would think this would support the Conservatives' bill. Not at all.

Dr. Emerson talked about the World Trade Organization. He said:

Members are protected from unfair practices by other members, but non-members enjoy no such protection. The philosophy of the WTO is free trade conducted under fair rules; there's no inherent conflict between the two. But the world trading rules are far from perfect in ensuring fairness. Some countries have high tariffs while others have none. Some countries have tough quota restrictions while others have none. Some countries have many nasty non-tariff barriers in place behind their borders while others have few. Some countries have big subsidies on domestic production of agricultural and manufactured goods while others have none. Some countries dump their surplus products onto export markets at below-cost prices while others do not. Some countries heavily subsidise their offshore fishing industries—contributing to fishery depletion—while other countries do not.

● (1735)

Clearly, the WTO's rule book contains loopholes and has pages missing, such that trade is neither free nor fair, though it is freer and fairer than would be the case if there were no rules. The objectives of both free trade and fair trade are best served by applying rules to everyone and making sure the rules cover all unfair practices.

The idea is not to close our eyes and say everything is fine, but to propose improvements. Instead, we face the laziness and complacency of the government that sees no problem using a template from 1988 repeatedly. Free trade can be fair trade. In the words of our former leader, Mr. Jack Layton, "Don't let them tell you it can't be done".

Here are the kinds of things that we proposed. The first was regarding sustainable development. The amendment would define sustainable development as development that meets the needs of the

present without compromising the ability of future generations to meet their own needs, as set out in the Brundtland report published by the World Commission on Environment and Development.

The second amendment was regarding the definition of sustainable investment. The amendment would define sustainable investment as investment that seeks to maximize social good as well as financial return, specifically in the areas of the environment, social justice and corporate governance in accordance with the United Nations Principles for Responsible Investment.

The NDP has consistently opposed NAFTA-style trade templates that focus on the interests of multinational corporations and ignore workers and the environment. These trade agreements have increased inequality and decreased the quality of life for the majority of working families. That is not fair. That is not fair trade and we need to be future forward on trade. We need to look to the future.

We strongly believe in proposing an alternative and better form of trading relationship such as the one that could be established with Panama or any other country, if we are willing to make the changes to the legislation. We need an overall fair trade strategy that provides a comprehensive common sense impact assessment on all international agreements that demonstrates that Canadian negotiations are beneficial to Canadian families, workers and industries.

The government does not sign any trade agreements that would lead to a net job loss. Here we can look at what Air Canada did with Aveos and how we are bleeding jobs now because of this agreement that was made with a foreign company. Also we can look at the fundamental principle that all trade agreements must promote and protect human rights by prohibiting the import, export or sale in Canada of any product that is deemed to have been created under sweatshop conditions, forced labour or other conditions that are not in accordance with fundamental international labour standards and human rights.

We will not be supporting the bill, not because we are against trade, but because it is weak on trade. It is weak on fairness and it will only serve to legitimize the activities of organized crime groups. It will fail to help the workers of Panama. Furthermore, as long as the government continues with its lazy template, we will continue to oppose free trade deals that are not fair trade deals as well.

● (1740)

Mr. David Anderson (Parliamentary Secretary to the Minister of Natural Resources and for the Canadian Wheat Board, CPC): Mr. Speaker, I have to say that we have heard these arguments time and time again, because with every free trade agreement that comes up the NDP uses variations of them.

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The NDP members are actually against trade. The member opposite claims they are not, but they are. They stand against trade at every opportunity. Every time we have had to deal with these free trade agreements, NDP members stand against them. They seem to think that it is somehow good, that they are trying to protect people with poverty. They are trying to protect them by keeping them in poverty. We do not believe in that. We believe that we should be protecting them with prosperity.

Clearly the free trade agreements that we have dealt with and have been able to bring in have protected people with prosperity. Earlier the Liberal member opposite was talking about peanuts and large meals. The reality is the Liberals did not serve Canada anything at all. They did nothing in their 13 years. We have had to step forward and begin to bring these free trade agreements into place.

I have a lot to say, but I want to ask the NDP members opposite, why do they oppose every free trade agreement? I have never heard them come to the House and say that they will support one. At the end of his speech today the member said it was all about criminals and not supporting workers. The reality is every free trade agreement that we have made has improved the lives of workers in this country and it has improved the lives of the workers in the countries we have made agreements with.

Why do the NDP members refuse to support every single free trade agreement?

Mr. Jamie Nicholls: Mr. Speaker, the answer is simple. It is because every single free trade agreement uses the same flawed template that started in 1988. That template does not truly protect workers' conditions, does not protect the environment and is not fair to the people of that country.

I am sure his constituents would disagree with the member's definition of prosperity. In some of the countries with which we engage in trade deals, workers are making 50¢ an hour. I think his constituents, if they saw the working conditions of people in these countries, would fail to see the prosperity that these trade deals are supposedly bringing to the countries.

I am glad to see that the government has finally woken up in this debate tonight. I received my first question from the government and I look forward to getting more.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I do not necessarily agree with the Conservative member's assertion regarding Mr. Martin or Mr. Chrétien, former prime ministers. He might want to rethink the whole team Canada concept. That was a federal Liberal initiative which brought provinces and the federal government together to travel to places like Asia to attract trade.

The Council on International Trade, 2011, was an international trade strategy for the Province of Manitoba. Peter Bjornson, who is a New Democratic cabinet minister, talked about how free trade agreements are in fact beneficial to the Province of Manitoba because they take away from some of the problems with tariffs. The concept of free trade was perceived as a positive thing.

Would the member say that the national federal New Democratic Party is different in terms of its position on more open markets which would ultimately generate more jobs for all Canadians?

● (1745)

Mr. Jamie Nicholls: Mr. Speaker, a week in my riding among my constituents has done me good.

When I am there I often wonder if the member for Winnipeg North stays here in the chamber, because he seems out of step with Canadians and his own party in seeing that the government he opposes is over there. I have given ample examples of our propositions. Maybe the member should listen instead of continuing his election campaign while here in the House.

I implore the member to go home to Winnipeg and to listen to his constituents. He asked about our free trade position. We do not flip-flop here in the NDP. We are true to our principles. The Liberals seem content to vote to support free trade, as long as it makes some sort of economic growth for somebody.

It is a far cry from the time of John Turner and his spirited opposition to free trade agreements in 1988. It seems that Liberals are supporting money laundering. I find it sad. I find it very sad.

The Acting Speaker (Mr. Bruce Stanton): I would just remind hon. members, and I know the hon. member for Vaudreuil-Soulanges did not specifically say so, to please take some caution when referring to the absence or even the presence of hon. members in the chamber.

[*Translation*]

The member for Chambly—Borduas.

Mr. Matthew Dubé (Chambly—Borduas, NDP): Mr. Speaker, I heard it in the questions posed to my colleague and I also heard it from other speakers: it seems that the NDP's opposition to certain free trade agreements automatically makes us the villain who is always opposed to any kind of trade.

It is important to point out that if there is continual opposition to something, it is because the same mistakes are being repeated. As my colleague said so well, since the 1980s we have seen the same problems in Canada and in the countries we trade with, or in countries where wages are very low or the working conditions are very poor. I would like to give my colleague the opportunity to go into more detail about what he just spoke about.

In the history of Canada, the Conservative Party and the Liberal Party have traded positions depending on their status, that is, depending on whether they were in opposition or in government. The NDP, however, has practical proposals that we have not yet had the opportunity to put forward, and we will oppose measures that are unacceptable in Canada and elsewhere.

I would like to hear a little bit more about this from my colleague.

Mr. Jamie Nicholls: Mr. Speaker, that is exactly it: the two old parties have never really taken a principled position.

That is what we have been doing for years and years. We believe that free trade can be fair too. Free trade and fair trade can go hand in hand. We have seen examples in Australia, where the government is taking steps to promote truly fair free trade.

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We believe that Canada should do the same. We should promote free trade agreements that are not only free, but also fair to both parties.

[*English*]

Mr. David Anderson: Mr. Speaker, I had a chance to ask a question a little bit earlier, and the member opposite referenced my constituents. I can tell him right now that my constituents need trade. I am from an agricultural area and the people there need to have trade.

My constituents know full well the penalties that were paid when the provincial NDP was allowed to implement its policies. I come from Saskatchewan where, by the time the provincial NDP government was done with us, we were 50 years behind the neighbouring province. It seems that those policies implemented anywhere in this world will have the same result.

I want to ask my hon. colleague why he is against Canadian companies being able to more effectively export things like machinery, precious stones and metals, aerospace products, minerals, fuels and oils, electrical and electronic equipment, paper and paper board and those kinds of things, and pharmaceuticals? Why is he against our being able to bring in some of those same things, like gold, fish and seafood, and articles of stone and plaster?

All of us understand that as we increase trade, we increase the opportunities for people and that folks who have lived in poverty will begin to move up the economic chain and be able to rely more on the things they are doing and the money they are making themselves.

• (1750)

Mr. Jamie Nicholls: I am not talking about protectionism here. We are not talking about shutting off the borders and stopping the import and export of goods. What we are talking about here is having standards and principles when one enters into international trade agreements with partners.

Panama is a tax haven. There is money laundering going on there by drug traffickers, by big-time organized criminals who launder their money through Panama.

We are not opposed to increasing the prosperity of the people of Panama or the people of Canada. We are not opposed to these things, but we must have standards and principles and ethics. When we enter into a free trade agreement with a country like Panama, knowing it is a tax haven for drug traffickers and organized criminals, how can the government sit back and say, “Oh, we are not going to look at that because it is going to be good for and benefit some people”.

Everyone has to benefit from it. There has to be prosperity for all parties.

Ms. Megan Leslie (Halifax, NDP): Mr. Speaker, I am rising today to speak to Bill C-24 on Canada-Panama trade.

However, earlier today I was up on my feet talking about Bill C-7 on Senate reform. I know we have moved on, but during the debate on Bill C-7 I pointed out that I was hard pressed to name the senators from Nova Scotia and noted that they were politically absent from

the scene in Nova Scotia. I received an email from a constituent who was at home watching. He wrote:

Excellent points. Here's a note: since 2008 I have been periodically emailing Nova Scotia Senators...in relation to various political, environmental, or other issues. If memory serves me correctly, in those four years I've never received a response from any of them. I've never met any of them. You're right: they're absent from the Nova Scotia political landscape.

I know it is off topic, but it is the same day and I am hoping for a little latitude on this.

Getting back to Bill C-24, I would love to give a little shout out to Meghan Lawson who is working in my office through the parliamentary internship program. She has helped me greatly in doing research on the bill and for this speech.

I am pleased to rise today to speak to this piece of legislation. As with many other pieces of Conservative legislation, the title of the bill tries to paint a pretty rosy picture of a quite troubling proposal. The bill's long name is an act to implement the free trade agreement between Canada and the Republic of Panama, the agreement on the environment between Canada and the Republic of Panama and the agreement on labour cooperation between Canada and the Republic of Panama, otherwise known as the Canada–Panama economic growth and prosperity act and the protecting Panamanians from childhood predators act. That last part may not be part of the title, but the point is that we have a short title painting a rosy picture of something that just does not exist.

It is a very worrying piece of legislation. I think it jeopardizes Canadian growth and overlooks distressing concerns when it comes to Panama's record on environmental issues and workers' rights. We will hear this as a theme in many NDP speeches, because those are two things that we hold dear to our heart: the planet and the rights of people who are working. It is about the rights of the environment and the rights of people.

We think that Canada's trade policy should be based on the principles of fair, sustainable and equitable trade. Canada should build trading partnerships with other countries that support the principles of social justice and human rights while also expanding our business and economic opportunities.

If we just pursue these NAFTA-style deals, we are adopting legislation with a one-size-fits-all mentality. They overlook the fact that some of these countries we are negotiating with are not on the same footing, which is the situation here: Canada and Panama are not on the same footing.

We are taking the NAFTA template designed to function between large industrialized nations and are applying it to Panama, a global south community or a “developing nation”. Instead of helping Panama to grow in a sustainable way, this trade deal is really just about benefiting big multinational corporations. It would actually promote further inequity and inequality within Panama. Instead of these shortsighted bilateral deals, we need multinational trade deals that are going to benefit all trading partners both now and in the future.

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As I pointed out, bilateral trade deals usually favour the dominant players. They facilitate a degree of predatory access by large corporations to less powerful domestic economies, in this case Panama, not us. If this legislation passes, we risk failing not only countless Canadian workers but also countless workers and families in Panama. They will be subject to increased inequality, and possibly a decreased quality of life.

• (1755)

According to the UN, a third of Panama's population lives in poverty.

Some of my colleagues discussed testimony that was submitted to committee by witnesses. Teresa Healy, a senior researcher at the Canadian Labour Congress, appeared before the Standing Committee on International Trade this past December and gave some interesting testimony. She stated:

[Panama]...is currently recording relatively high growth rates, but it is the second most unequal society in the region: 40% of the population is poor and 27% is extremely poor, and the rate of extreme poverty is particularly acute in indigenous populations. Although the country has endured extensive structural adjustment, liberalization, and privatization in recent years, this has not translated into economic benefits for the population.

We need trade deals that promote sustainable growth for all partners, not ones that put big business before people. Remember that tag line, "big business before people", because I will shortly talk about a company in Nova Scotia that specifically talks about people and the planet before profits.

The glaring shortfalls of this trade deal do not actually stop there. Although Panama refuses to sign a tax information exchange agreement, the Conservative government is still going ahead with this deal. This is really troubling considering the large amount of money laundering that takes place in Panama, including money from drug trafficking, as we know. According to the U.S. Department of Justice, Panama is a major financial conduit for Mexican and Colombian drug traffickers' money laundering activities. Both local and international corruption watchdogs also rank Panama really low in terms of its transparency.

Panama's complete lack of taxation transparency has even led the OECD to label the nation a tax haven. As another parentheses about tax havens, we have recently seen the U.S. trying to crack down on tax havens. It loses about \$100 billion a year to offshore tax evasion and avoidance. Canada loses about a tenth of that or \$10 billion a year. The U.S. is trying to crack down on these tax havens by making sure that people are tax compliant and introducing new legislation like FATCA, for example. The problem is that they are actually scooping up the wrong people. They are not going after the folks who are tax avoiders or are ferreting off this money and trying to hide it, but are hitting ordinary citizens, like ordinary Canadians.

In my riding of Halifax, there are many people who have immigrated to Canada from the U.S. and are dual citizens, as well as people who are American by accident, whose parents were American citizens and whose offspring are therefore considered American citizens for tax purposes. They did not know they had to file taxes over all these years and are now finding out that they may face tens of thousands of dollars' worth of fines. The phone was ringing off the hook in my constituency office from these folks calling and saying that they were scared, too scared to find out what their rights were

and too scared to find out if they are considered U.S. citizens and do not know what to do.

As a result, we held an information session on rights and filing obligations, how the amnesty works, and those kinds of things. Myta Blacklaws in my Halifax office organized this information session. We booked a room for 60 people but when we managed to fit 125 people into that room, we started putting people into a second room. It was unbelievable. It was standing rooms only, as it were. This information session was led by a woman named Blair Hodgman, an immigration lawyer, and some tax accountants were also present.

It is really stressing people. People are scared and under a lot of pressure. Yet the NDP has been asking the Conservative government to take action to start discussions with the U.S. about what is going on, why regular folks are being penalized and that this is not what we are going after with the tax haven legislation, that this is not the intended effect and that we should be reasonable.

• (1800)

We have not seen action from the government on this issue. I know it is the opposite situation that we have in Panama with tax havens, but the track record on tax havens by the government has been pretty appalling, so I cannot imagine that it is going to try to enact anything when it comes to Panama as well.

Anyone who has been in the House for any period of time knows my colleague from Burnaby—New Westminster and his passion for international trade and for fair trade. He has spoken to this many times in the House. He has done a lot of dedicated work on many pieces of international trade legislation and free trade deals, including this one. He actually proposed that the Canada—Panama trade agreement not be implemented until Panama agreed to sign a tax information exchange agreement. That sounds reasonable. We can do that. We can say that Panama only gets this if it does something. We can offer up a good faith piece that we can work with.

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My colleague brought this up I think at committee. His motion was defeated by the Conservatives and the Liberals who argued that the double taxation agreement that Panama agreed to was satisfactory. The problem with the double taxation agreement is it only tracks legal income. We heard that Panama has some pretty big issues when it comes to non-legal or illegal income. What my colleague proposed would actually track all income, including income made through illegal means. As the OECD has noted, having a trade agreement without first tackling Panama's financial secrecy practices could incentivize even more tax dodging. We could be making things worse by having this agreement in place. Why would we not try to avoid making it worse, but also mitigate the problem in the first place? I think he came up with a really good solution. Considering Panama's history and reputation on these matters, it is pretty clear why this kind of agreement is absolutely necessary before signing a trade deal.

This deal also fails to take real action on addressing Panama's record on the environment and workers' rights.

First, let us look at the environment. I am the environment critic. While this deal includes an agreement on the environment, as we saw with the free trade agreement with Colombia which has a separate agreement on the environment, it actually provides no enhanced environmental protection or resources for affected communities. Given Panama's lax environmental regulations especially when it comes to mining, this oversight is extremely worrying. Let me illustrate.

One current proposal from the Canadian mining corporation, Inmet Mining, includes plans for an open pit copper project west of Panama City. This plan would see 5,900 hectares of mostly primary rainforest deforested. According to media reports, the controversial presence of another Canadian mining corporation, Corriente Resources, on indigenous lands has spurred protests from civil society groups and indigenous nations in Panama. Earlier this month reports surfaced of protesters being killed in violent clashes with police.

We know full well the devastating impact of deforestation, especially in that area of the world. Instead of taking real action to address the current and impending threats to Panama's precious natural resources, the Canada—Panama trade agreement risks encouraging a race to the bottom on environmental protection.

Why is the government so willing to ignore huge threats to Panama's environment? All trade agreements, including this one, should respect sustainable development and the integrity of all ecosystems. That is another carrot and stick idea. We could say we are not going to enter into this agreement until we see action, but we are not seeing any action on that.

Lack of concern for labour rights in this trade agreement is also deeply troubling. As Teresa Healy pointed out in her testimony before the Standing Committee on International Trade, this agreement is weaker than previous agreements when it comes to workers' rights.

• (1805)

This agreement does not include specific protection for the right to organize and the right to strike. It provides instead for the “effective”

recognition of the right to collective bargaining. The Conservatives appear to assume that the free flow of trade and investment automatically leads to better wages and working conditions, but we know that is not the case, whether it is in Panama, Canada, or wherever.

The fact of the matter is that the agreement fails to ensure that labour rights are not denied to Panamanian workers as they have been in the past. In effect, this agreement creates a free trade zone that belittles the rights of labour. This is a serious problem that already is prevalent in Panama.

I have heard some comments from the other side that the NDP is at it again, that we are against trade. That is not the case. The reality is that fair trade should be the overarching principle, not just an afterthought, of any trade negotiation. It is possible. We see these winning examples in our local communities.

For example, in Nova Scotia there is a company called Just Us!, which in 1997 became the first certified fair trade licensed coffee roaster in North America. It is actually in the riding of Kings—Hants but it does have a coffee shop in my riding. It was the first in 1997 which was not too long ago. Now there are 250 licensed fair trade companies just in Canada. They are in communities all over Canada. They recognize the need for sustainable development, the need for relationships with communities in the global south, and the need for fair trade.

The motto of Just Us! is “People and Planet Before Profits”, but mark my words, it is a profitable company. It is doing very well. It has expanded. It has a museum of fair trade in its coffee shop in Wolfville. It has two coffee shops in Halifax. The company keeps getting bigger and bigger. It is all based on the principle of fair trade. This is an idea that came from our local communities and it is working.

I also note that behind the chamber's curtains there is a little area where we can have a cup of coffee or a glass of water. I note that the coffee there is fair trade. It is good enough for parliamentarians, but somehow it is not good enough for Canada, not good enough for Canadians, not good enough for our trade agreements. I do not understand how that works.

Canadians need an agreement that supports our sovereignty and the freedom to chart our own policy, an agreement that supports our ability to be a competitive force on the world stage. We need an agreement that upholds the principles of a multilateral fair trade system, but instead we have an agreement that shows complete disregard for corruption and money laundering practices that are rampant in Panama, not to mention the country's glaring environmental and labour rights records.

We need an agreement that puts people before big business.

Government Orders

Mr. Chris Alexander (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, the member opposite mentioned a number of companies that embrace fair trade. She seemed to embrace that concept across the board. Many of us on this side have successful, profitable companies in our ridings that pursue fair trade.

Would the member not agree though that often these companies have grown out of a local initiative, often making profits, in a country that trades on the basis of a huge number of free trade agreements? There is a lot of skepticism in my riding about her party's position on this point. Would she be prepared to point out which trade agreements that Canada now has and which, if any, that we are now negotiating her party would support for the benefit of companies in her riding and mine that pursue fair trade on the basis of the trading relationships we have or are pursuing around the world, one of the most liberalized trading relationships that any major advanced industrialized country has?

● (1810)

Ms. Megan Leslie: Mr. Speaker, I would be hard pressed right now to find anything that we support because of the problem with the template that is being used. As I said at the beginning of my speech, it is a NAFTA-style template which is really a template for negotiations between two countries with essentially the same power level. That is not the case here. I stood up in the House in the last Parliament and spoke against the Canada-Colombia free trade agreement as well, which used NAFTA as the template as well, which neglected to consider workers' rights as well, which neglected to consider environmental issues as well.

The local companies in Canada are successful working in fair trade in a country that has free trade, but they are doing it in spite of that. They are actually going to communities in the global south and developing fair trade relationships as a model despite what our government is doing.

Hon. John McKay (Scarborough—Guildwood, Lib.): Mr. Speaker, in the hon. member's speech, I picked up on the issue of this being fair trade. The condition precedent for fair trade is access to a fair justice system, a system which actually balances the rights of parties in a fair and transparent manner.

I wonder if the hon. member would be able to tell me if this particular treaty allows an aggrieved person in Panama to actually pursue judicial remedy in Canada.

Ms. Megan Leslie: Mr. Speaker, I do not know that I am able to answer that question. It is a good question.

I know that in the appendices concerning environmental rights and workers' rights, there is recourse, but I also know that we have had the same type of appendices in other free trade agreements and we have seen absolutely nothing come of it. Canada is not willing to actually pursue this.

That is a good question. I will do my research.

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, I want to thank my friend, the hon. member for Halifax West, for identifying the systemic problems in the NAFTA model. Certainly there are trade agreements for blocs around the world that were premised differently. Members might look at the way the European

Union was organized. All countries within the European Union were called upon to raise themselves up to the highest standards of environmental regulation. The poorer nations within the EU received some funding assistance from the wealthier nations.

The NAFTA model, as the hon. member for Halifax West said, is a race to the bottom.

I wonder if the hon. member has any comments on the investor-state provisions within the Panama-Canada trade deal.

Ms. Megan Leslie: Mr. Speaker, I am getting some very technical questions today. There is nothing wrong with that. I welcome them. That is great. I like being on my feet.

My colleague raised the EU issue. All nations were called upon to reach an agreement together and to develop some sort of consensus around how to move forward with the EU. In stark contrast here, this trade deal was negotiated in record time. There was no consultation with trade unions, with environmental groups, with civil society organizations, nor with citizens.

That is not what we should expect, a fast, quick trade deal where people are not consulted. However, we do see time and time again here in Canada that is exactly what the Conservatives are doing on pretty much every subject, especially when we consider things like the pipeline with the minister saying there are too many people who want to testify. I guess it is in keeping with the Conservatives' general theme.

● (1815)

[*Translation*]

Mr. François Lapointe (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, NDP): Mr. Speaker, I would like to thank the hon. member for Halifax for her comments.

The members opposite always talk about the right of workers to reach a fair agreement that deals with their education and status. That is a problem for the free market.

If trade does not make for real progress, then we are preventing these countries from one day developing an actual market. People who have gone to school and who have decent jobs create a market. The position of the members opposite is inconsistent, as though standing up for fundamental rights does not lead to a better quality of life and the development of markets. I would like to hear the hon. member's comments on this issue.

[*English*]

Ms. Megan Leslie: Mr. Speaker, my colleague's point makes me think a lot about the idea of using a carrot.

We can say to countries with a bad record on workers' rights that we want to do trade with them, that we want to engage in these kinds of relationships but not until they clean things up, not until they actually respect workers' rights and put in place legislation and we see there is a real commitment.

We could tell them that they have a terrible environmental track record, but that would be the pot calling the kettle black. We could tell them to clean up their act, and once we see that we will engage in trade negotiations.

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Canada should be taking that kind of position where we offer an exchange for securing workers' rights, where we offer an exchange for securing environmental protection in other countries. That is the way Canada should act on the international stage.

[Translation]

Ms. Lysane Blanchette-Lamothe (Pierrefonds—Dollard, NDP): Mr. Speaker, I very much appreciated the hon. member's speech because he clarified the NDP's position on trade agreements.

A little earlier, I heard a Conservative member ask why the NDP did not want to export Canadian products abroad. That is a completely ridiculous blanket statement. It makes me think of when the Conservatives said that, if we did not support the lawful access legislation, then we supported pedophiles. In fact, I would like to give the hon. member time to clarify our position further. An agreement like the one proposed here can serve to increase inequality. We know that there are always winners and losers when it comes to this type of agreement.

According to the hon. member, what conditions must be included in a trade agreement such as this one in order to ensure that the most vulnerable are protected and do not end up the losers?

[English]

Ms. Megan Leslie: Mr. Speaker, I want to share something with my colleague from Just Us!. In its mandate it says:

Most importantly as small-producers organize, they gain collective power and a collective voice. In many areas they have traditionally been exploited by colonialism, oppressive regimes and large corporate commodity traders. Cooperative organization increasingly allows farmers to control their economic and social activities and to make the decisions and investments that impact their own communities. We see their choice to farm...in the Fair Trade market, as a statement to work towards a healthier existence....

Would that not be nice?

[Translation]

The Acting Speaker (Mr. Bruce Stanton): Before recognizing the hon. member for Honoré-Mercier, I must inform her that I will have to interrupt her at 6:30 p.m. at the conclusion of government business. I will let her know when she has one minute left.

The hon. member for Honoré-Mercier.

● (1820)

Ms. Paulina Ayala (Honoré-Mercier, NDP): Mr. Speaker, I believe that Canada can play a positive role in taking up the challenges faced by Panama, a country that has to carve out a place for itself with a population of barely three million people in an ever-changing America. These three million people, for the most part, deserve to participate in and contribute to the growth being enjoyed by Latin America.

There are, however, facts that cannot be ignored if we wish to enter into a free trade agreement with Panama. Panama is one of the most active tax havens. The main economic activity in Panama is the provision of financial services. The G20 met in London in 2009 and stressed the importance of dealing with the problems caused by tax havens and now, Canada is working in the opposite direction and opening up a new front to facilitate tax leakage. An agreement with Panama will promote tax evasion, which involves depriving the taxman of huge sums of money. Canadians will not benefit from the agreement any more than Panamanians.

One aim is to significantly reduce tariffs. However these reductions in a poor country such as Panama could have serious consequences. For example, Panamanian products will end up in competition with Canadian products when, in fact, Panamanians will have little chance of exporting their own goods unless it is produced in conditions of poverty.

We know that the Conservative government has calculated the potential gains for Canada. Nobody is denying that Panama has a lot to offer. Nor is anyone denying that Panamanians are every bit the equals of their Latin American neighbours when it comes to their talent and their determination to provide a rich and honest life for their families.

An outstretched hand between two nations has tremendous potential. Today, I would say that such gestures are necessary. Canadians have extended a hand to welcome, dialogue and co-operate. Obviously, this co-operation benefits Canadians, who in turn create coveted wealth with their partners: jobs, good jobs, a peaceful youth, well-being, and even some money under the mattress. Canadians have a hand extended, but we are not sure that the government really understands why.

Canadians are afraid the government will use this outstretched hand to take without giving back. Canadians are afraid the government will flout Canadian values in its trade with other nations. The many oversights in this free trade agreement only fuel this fear. We need to ask ourselves if they are in fact oversights or if they are deliberate omissions. As it has done regarding the environment and in other areas, is the government limiting itself to developing international agreements based on what it can get out of them? Is it forgetting to include what it has to offer and should offer because it has run out of steam or run out of ink, or is it doing so deliberately? Are these omissions an invitation to Canadian companies to simply take what they like, without giving anything back, an invitation to traffickers of all kinds to continue to plunder?

● (1825)

I am certain that Canadian values are dear to the Conservative members. I have travelled with some of them and, together, we have seen how Canada can help meet certain challenges faced by these countries.

We were all touched by the difficulties being experienced by a number of our neighbours in the Americas. We discussed some promising solutions.

For that reason, I find it difficult to understand the lack of ambition in the bills they are introducing today. Having seen what we are capable of and what contributions we can make, I am surprised by the silence of the proposed agreements. The Conservatives could use the opportunity afforded by this new relationship to provide more education for young Panamanians, and more training for workers and upgrading for those who persevere.

However, they are taking the laissez-faire approach. They are choosing to let others promote Canadian values, and to let corporations make the decisions on trade reciprocity.

In its bill, the government claims to want to “protect, enhance and enforce basic workers' rights”. If the government were as serious about this aspect as it is about eliminating trade barriers, there would be more substance in these agreements. There might be a little more for Panamanians. If the government were serious, it would not merely list the areas of co-operation that are likely to be developed in the future.

The Conservatives could immediately guarantee adequate working conditions, whether by ensuring a minimum wage or labour standards that meet Canadian standards. Instead, they adopt a laissez-faire attitude. They could immediately protect children by offering them education and ensuring they are not put to work. This does not only mean eliminating the worst forms of child labour, but also asking businesses to reinvest 1% of their payroll in training, or promoting local hiring and co-operation with training programs. But the Conservatives adopt a laissez-faire attitude.

Yet, these would be winning conditions for all in an international relationship. He who extends his hand to grab is protecting his own pocket first and foremost. If the government's intention is to simply ensure a secure environment for Canadian investments, then it will confirm Canadians' fear and betray their values. On the other hand, if the government is serious in its desire to develop the potential of the Canada—Panama relationship, then it must be ambitious.

Canadian businesses must bring in as much as they take out. That is a principle of fairness essential to trade. If, in exchange for opening up the Panamanian market we only get a few fruits and vegetables at a discount, while also allowing tax evasion on a bigger scale, then there will be no gain for Canadians. Panama does not deserve to be isolated. On the contrary, that is the worse thing that could happen, including to us. Such isolation would give even more freedom to profiteers. Panama also does not deserve to open its frontiers to speculation and to investment without restrictions.

As for Canadians, they do not deserve to see their confidence and values betrayed by their government's negligence. They do not deserve to see agreements signed on their behalf promote abuse instead of combating it. We have all a duty here to ensure that this free trade agreement between Canada and the Republic of Panama is balanced and ambitious. Therefore, let us work together to ensure that it is indeed the case.

• (1830)

The Acting Speaker (Mr. Bruce Stanton): The hon. member for Honoré-Mercier will have 10 minutes remaining for her speech and another 10 minutes for questions and comments when debate resumes on this motion.

* * *

[Translation]

BUSINESS OF SUPPLY

OPPOSITION MOTION—EDUCATION FOR FIRST NATION CHILDREN

The House resumed from February 16 consideration of the motion.

The Acting Speaker (Mr. Bruce Stanton): It being 6:30 p.m., pursuant to order made Thursday, February 16, 2012, the House will

Government Orders

now proceed to the taking of the deferred recorded division on the New Democratic Party motion relating to the business of supply.

Call in the members.

• (1855)

[English]

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

(Division No. 134)

YEAS

Members

Ablonczy	Aglukkaq
Albas	Albrecht
Alexander	Allen (Welland)
Allen (Tobique—Mactaquac)	Allison
Ambler	Anderson
Andrews	Angus
Armstrong	Ashfield
Aspin	Atamanenko
Aubin	Ayala
Baird	Bateman
Bélanger	Bellavance
Bennett	Benoit
Benskin	Bernier
Bevington	Bezan
Blanchette	Blanchette-Lamothe
Blaney	Block
Borg	Boughen
Boulerice	Boutin-Sweet
Brahmi	Braid
Breitkreuz	Brison
Brosseau	Brown (Newmarket—Aurora)
Bruinooge	Butt
Calandra	Calkins
Cannan	Caron
Carrie	Cash
Chicoine	Chisu
Chong	Choquette
Chow	Christopherson
Clarke	Cleary
Clement	Coderre
Comartin	Côté
Cotler	Crowder
Cuzner	Daniel
Davidson	Davies (Vancouver Kingsway)
Day	Dechert
Del Mastro	Dewar
Dion	Dionne Labelle
Donnelly	Doré Lefebvre
Dreesen	Dubé
Duncan (Vancouver Island North)	Duncan (Etobicoke North)
Duncan (Edmonton—Strathcona)	Dusseau
Dykstra	Eyking
Fantino	Findlay (Delta—Richmond East)
Finley (Haldimand—Norfolk)	Flaherty
Foote	Freeman
Fry	Galipeau
Gallant	Garneau
Garrison	Genest
Genest-Jourdain	Giguère
Gill	Glover
Godin	Goguen
Goldring	Goodale
Gosal	Gourde
Gravelle	Grewal
Groguhé	Harris (Scarborough Southwest)
Harris (St. John's East)	Harris (Cariboo—Prince George)
Hawn	Hayes
Hiebert	Hillyer
Hoback	Hoeyppner
Holder	Hughes
Hyer	Jacob
James	Jean
Julian	Kamp (Pitt Meadows—Maple Ridge—Mission)
Keddy (South Shore—St. Margaret's)	Kellway
Kenney (Calgary Southeast)	Kent

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Kerr	Komarnicki
Kramp (Prince Edward—Hastings)	Lake
Lamoureux	Lapointe
Larose	Latendresse
Lauzon	Laverdière
Lebel	LeBlanc (Beauséjour)
LeBlanc (LaSalle—Émard)	Leef
Leitch	Lemieux
Leslie	Leung
Liu	Lobb
Lukiwski	Lunney
MacAulay	MacKay (Central Nova)
MacKenzie	Mai
Marston	Martin
May	Mayes
McCallum	McColeman
McGuinty	McKay (Scarborough—Guildwood)
McLeod	Menegakis
Menzies	Merrifield
Michaud	Miller
Moore (Abitibi—Témiscamingue)	Moore (Port Moody—Westwood—Port Coquitlam)
Moore (Fundy Royal)	Morin (Chicoutimi—Le Fjord)
Morin (Notre-Dame-de-Grâce—Lachine)	Morin (Laurentides—Labelle)
Morin (Saint-Hyacinthe—Bagot)	Murray
Nantel	Nicholls
Norlock	Nunez-Melo
O'Connor	Obhrai
Oda	Oliver
Opitz	Pacetti
Paradis	Patry
Payne	Péclet
Penashue	Perreault
Plamondon	Poilievre
Preston	Quach
Rae	Rafferty
Raitt	Rajotte
Rathgeber	Raynault
Regan	Reid
Rempel	Richards
Richardson	Rickford
Rousseau	Saganash
Sandhu	Savoie
Saxton	Scarpaleggia
Schellenberger	Seeback
Sellah	Sgro
Shiple	Shory
Simms (Bonavista—Gander—Grand Falls—Windsor)	
Sims (Newton—North Delta)	
Sitsabaiesan	Smith
Sopuck	Sorenson
St-Denis	Stanton
Stewart	Stoffer
Storseth	Strahl
Sullivan	Sweet
Thibeault	Tilson
Toet	Toews
Toone	Tremblay
Trost	Trottier
Trudeau	Truppe
Tummel	Tweed
Uppal	Valcourt
Valeriotte	Van Kesteren
Van Loan	Vellacott
Wallace	Warawa
Warkentin	Watson
Weston (West Vancouver—Sunshine Coast—Sea to Sky Country)	
Weston (Saint John)	
Wilks	Williamson
Wong	Woodworth
Yelich	Young (Oakville)
Young (Vancouver South)	Zimmer — 268

NAYS

Nil

PAIRED

Nil

The Speaker: I declare the motion carried.**ADJOURNMENT PROCEEDINGS**

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

● (1900)

[English]

IRAN

Hon. Irwin Cotler (Mount Royal, Lib.): Mr. Speaker, I rise to follow up on a question that I first posed in the House last November respecting the Iranian fourfold threat: the nuclear threat, the threat of state sanctioned incitement to hate and genocide, the state sponsorship of international terrorism and massive domestic repression.

In particular, I asked whether the government would sanction the Central Bank of Iran, put the Iranian Revolutionary Guard Corps on the terrorist list and expand the orbit of sanctions against those entities and individuals engaged in the massive assault on human rights in Iran.

Since posing that question three months ago, the Iranian fourfold threat has not only escalated but intensified. In the matter of the nuclear weaponization program, the International Atomic Energy Agency has just reported a dramatic acceleration in the nuclear weaponization program. Indeed, it is reported that Iran has tripled its production capacity for a more purified type of fuel that is far closer to what is needed to make the core of a nuclear weapon. In a word, and on this threat, the report documents and details an elaborate and highly organized nuclear weaponization program designed to develop, produce, test and deliver a nuclear bomb.

In the matter of state sanctioned incitement to genocide, the Supreme Leader Khamenei, on February 4, publicly called for the annihilation of Israel, saying that it was cancerous tumour that must be cut out and will be cut out, while underpinning the genocidal threat with theological justification for the eradication of Israel in a matter of 9 to 12 minutes.

In the matter of the state sponsorship of international terrorism, in the last weeks alone we have witnessed terrorist threats and terrorist activities in such diverse places as Thailand, Georgia and India, the whole with Iranian footprints, following up on earlier terrorist threats and activities from Central Asia to Central America.

In the matter of massive domestic repression, we have witnessed yet again an escalation of human rights violations that are tantamount to crimes against humanity, including the highest per capita rate for executions in the world. I might add that in 2012 alone the rate is above the rate that it was in 2011, which itself was the highest rate. It has jailed more journalists than any other country in the world. It has engaged in the persistent and pervasive assault on women's rights. It targets ethnic and religious minorities, particularly the Baha'i and the ethnic Kurds. It criminalizes fundamental freedoms to speech, association and assembly. I could go on in that regard.

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Accordingly, I called then, and reaffirm now with even greater urgency, the need for the government to undertake the following measures: First, sanction the Central Bank of Iran, the nerve centre of Iran's financing of the nuclear weaponization program and international terrorism; and second, list the IRGC as a terrorist organization. Simply put, the IRGC is at the epicentre of the fourfold Iranian threat and, in order to combat that threat, we need to list the IRGC as a terrorist entity.

When I put a question on the order paper on this point, the response noted that "the listing of an entity pursuant to the Criminal Code is a very public means of identifying a group or individual as being associated with terrorism". Precisely, and that is the reason I sought it.

The answer then goes on to say that Canada's position was that "sanctions targeted at key IRGC entities and individuals were considered to be the most effective mechanism to disrupt IRGC involvement in nuclear proliferation activities".

That response misses the point entirely. First, we are not talking only about sanctioning the nuclear threat. Second, we are not talking about a fragmented response but a comprehensive response to listing it as a terrorist entity.

● (1905)

Mr. Deepak Obhrai (Parliamentary Secretary to the Minister of Foreign Affairs, CPC): Mr. Speaker, before I start I want to acknowledge the great work that the member for Mount Royal has been doing on the human rights issues around the world. I would like to commend him for the work that he has done.

Canada is deeply concerned by the Iranian government's continued disrespect for the human rights of its citizens, its destabilizing regional role and its nuclear proliferation activities.

I would say to the hon. member that Canada has taken a very strong stand against Iran. Since February 2007, Canada has imposed multilateral sanctions in line with four UN Security Council resolutions against Iran's nuclear activities. Since July 2010, Canada has imposed two major rounds of sanctions in tandem with our allies and concerned countries around the globe against the belligerent government of Iran.

Most recently, on November 21, 2011, Canada again implemented a number of strong measures against Iran under the Special Economic Measures Act. These expanded sanctions prohibit almost all financial transactions with the Iranian government, add individuals and entities to the list of designated persons and expand the list of prohibited goods. With the enactment of the 2011 round of sanctions, Canada has targeted measures in place that prohibit the export of any goods used in the oil, gas and petrochemical industry in Iran. This comprehensive ban covers the Iranian crude sector.

In the same round of sanctions, Canada prohibited virtually all financial transactions between Canada and Iran, including transactions with the central bank as part of more comprehensive measures against Iran, which is what the member has been demanding.

Innocent citizens of Iran are not intended to be the target of these sanctions. The nature and scope of these measures have been proportional to the defiance and non-compliance of the Iranian

regime to the international community. Their purpose is to put pressure on the Iranian authorities to address the concerns of Iran's nuclear program and the military linkages that were revealed in the most recent IAEA report.

Canada has already targeted several branches of the Iranian Revolutionary Guard Corps, notably, as the member has said, many of the forces are in the IRGC.

Canada's concerns about human rights violations in Iran are long-standing. As part of its ongoing efforts to promote respect for human rights in the country, Canada led the adoption of the resolution "Situation of human rights in the Islamic Republic of Iran" in the fall 2011 session of the United Nations General Assembly. This is the ninth consecutive year Canada has led this initiative. The resolution was co-sponsored by an additional 42 member states and supported by 89 in the vote, with only 30 member states voting against it. This represented the largest margin of adoption since Canada assumed lead of this resolution in 2003.

Canada's sanctions against Iran are among the toughest in the world. We will continue to lead the international community's attempts to put pressure on Iranian authorities to comply with their international obligations and return to negotiations regarding its nuclear weapons.

Hon. Irwin Cotler: Mr. Speaker, I agree with my hon. colleague that Canada is deeply concerned. It has acted and taken a strong stand regarding, as the member put it, the Iranian nuclear activity. It has sought the sanction of individuals and entities regarding the financial complex and the like. However, my point is that we need to adopt a comprehensive and integrated approach.

One, Canada should not just sanction certain financial activities, but it should sanction the Central Bank of Iran, which is the nerve centre of the financial activity.

Two, Canada should not only sanction certain individuals and entities connected to the IRGC, but also sanction the IRGC as a whole by listing it as a terrorist entity. It has been called the world's deadliest terrorist organization. That would at the same time deter its Iranian nuclear weaponization program, undercut its terrorist activities and combat its human rights violations.

Finally, on the matter of the human rights violations, we have to expand the orbit of our sanctions not only with respect to the individuals and entities, but with respect to the entire approach that I mentioned earlier and make combatting those human rights violations a priority in our foreign policy.

● (1910)

Mr. Deepak Obhrai: Mr. Speaker, again, we have no problem with what the member is asking for. We have one of the toughest sanctions against Iran and we agree with him on the threat that Iran poses to international peace.

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Our sanctions prohibit dealings between individuals in Canada and Canadians abroad with the Revolutionary Guard Air Force. Our measures currently in place target those individuals making the decisions to carry out acts of nuclear proliferation and human rights violations.

There is a ban on virtually all financial transactions subject to certain exemptions for transactions under a contract signed before November 22. These are exemptions against the Central Bank of Iran. There are also exemptions to make sure that the embassies in both countries are operating and that people can transfer money less than \$40,000.

These are very strong sanctions. Again, they are the strongest in the world against the brutal regime in Iran.

POVERTY

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, previously in the House I raised a question around child and family poverty. Part of my question focused on the reality that most families needed to work two jobs just to make ends meet, yet nearly 3 million children did not have access to regulated child care. An affordable high quality child care program could pay for itself. Let us just look at Quebec.

I want to reference the Quebec model. This is from a paper by Pierre Fortin on “Economic Consequences of Quebec’s Educational Childcare Policy” from June 22, 2011. There are a number of aspects to this policy, but the three I want to talk about are the fact that: full day kindergarten has been offered to all children age 5 since September, 1997; early childhood education and care, as of 2004, cost \$7 a day; and before and after school programs for children age 5 to 12 have also been available at \$7 and prior to that it was much cheaper.

The paper talks about three macroeconomic impacts of Quebec’s early childhood education program: on women’s labour force participation, on gross provincial income and on federal and provincial finances. The federal government might want to pay attention to the impact on taxes and transfers. It states that increased family income generates more tax revenues and lower government transfers and credits and that all types of tax revenues increase, not only income and payroll taxes, and all levels of government benefit, not only the provincial level.

The paper talks about the impact on gross provincial income. It states that adjusting for hours of work and productivity of the new participants, it was found that the program was adding 1.7% to Quebec’s GDP in 2008. The paper also talks about the longer term effects. It states that on net, for every dollar spent on early childhood education, the provincial government harvests \$1.05 and the federal government gets 44¢ for doing nothing.

In the province of Quebec, where there has been a very progressive child care program, the federal government directly benefits to the tune of 44 cents on every dollar and it does not invest directly in child care.

In summary, the paper states that by 2008 Quebec’s early childhood education program: had increased women’s employment by 70,000, an increase of 3.8%; had increased provincial GDP by \$5.2 billion, an increase of 1.7%; it was entirely self-financing

within the provincial budget; and it was procuring \$717 million in additional revenue to the federal government.

New Democrats have consistently called on the government to invest in a national child care strategy, which would increase child care spaces in the country. I want to emphasize investment.

I know in my own riding of Nanaimo—Cowichan, several child care centres have had to close down because of the fact that people cannot afford them. I think part of that points to the failed policies of the \$100 a month, which is less after tax, that simply does not create child care spaces. We need an early childhood education program that assists parents in going to work and contributing to the family incomes.

Often the government across the way talks about the best way out of poverty is a job, and we would agree, but it has to be a good paying job and there has to be child care available. Therefore, once again, I ask the minister this. When will the government invest in a national child care strategy?

● (1915)

Ms. Kellie Leitch (Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour, CPC): Mr. Speaker, I am happy to respond to the member from Nanaimo—Cowichan on the state of Canadian families.

The member stated that too many Canadian families were burdened with high debt, and the government could not agree more. One of the ways of dealing with that is exactly what she mentioned a few moments ago, which is to ensure that people are employed.

Our government has invested almost \$2.5 billion each year to the provinces and territories to deliver critical services and supports to Canadian workers needing help transitioning into the workforce and to new jobs. Helping Canadians gain the skills and opportunities to achieve self-sufficiency is one of our government’s approaches to reducing poverty.

The other approach is to provide targeted support to those facing particular barriers. Families represent the most important building block in society and as such our government provides over \$14 billion per year in benefits for families with children. The funds are invested through the Canada child tax benefit, including the national child benefit supplement for low-income families, and through the universal child care benefit and the child tax credit.

Our efforts are working. The low-income rate for children has been cut by almost half in most recent years from a peak of 18.4% in 1996 to 9.5% in 2009. Since 1996, the number of single female-parent families with children under the age of 18 living in low-income circumstances has dropped from 56% to 21.5% under this Conservative government in 2009. That is tangible and measurable progress.

This is partly explained by the fact that women are earning more income through employment. Women's participation in the labour market has increased by 8% since 1996 and their average weekly earnings have increased over 30%.

The decrease in poverty among female-headed families might also point to the positive impact of federal programs and the positive work incentive effects of the national child benefit supplement and the working income tax benefit. The Canada child tax benefit provides a base benefit that goes to 90% of Canadian families and children. The Canada child tax benefit includes the national child benefit supplement for low-income families and provides a tax-free monthly benefit of up to \$3,485 per year for the first eligible child under 18.

In budget 2009 we raised the level at which the child tax benefit base and the national child benefit supplement for low-income families are phased out. This allows families to earn additional income and still qualify for full or partial benefits.

Thanks to these important adjustments, a family with two children now receives an extra \$436 a year.

The national child benefit initiative has been successful in reducing the incidence of children living in low-income families. The national child care benefit initiative has also allowed families that continue to live below the income threshold to improve their living conditions.

Our government also supports families with young children through the Canada social transfer. Approximately \$1.2 billion was transferred to provinces in 2010-11, and will be \$1.3 billion by 2013-14.

Families have been the centre of our government's work. We have made substantial investments in their benefits and we have improved the tax regime, all for the purpose of supporting Canadian families.

Ms. Jean Crowder: Mr. Speaker, we still are talking about structural barriers.

According to Campaign 2000, one in ten children and their families in our country live in poverty. In my own province of British Columbia, it is one in five children and their families, which is 20%, still living in poverty.

What we know, again according to Campaign 2000, is that the economy has more than doubled in size over the last while, yet the income of families in the lowest end have virtually stagnated. The gap between rich and poor families has continued to widen, leaving average-income families struggling to keep up. Again, I point to the structural barriers that are getting in the way of eradicating poverty.

Research and the facts from the province of Quebec show that the earning ability of families can be increased by providing a child care program that not only looks at children between the ages of zero and four years, but also looks at after school care.

Again, since we know this is a factor in helping eliminate poverty, when will the government put in place a national child care strategy?

• (1920)

Ms. Kellie Leitch: Mr. Speaker, one of the most important investments we can make in our country is to help families with

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children. The universal child care benefit provides approximately \$2.6 billion each year to 1.5 million families and has lifted an estimated 55,000 children in 24,000 families out of low income.

Budget 2010 make improvements to the registered disability savings plan, a long-term savings plan to help Canadians with disabilities and their families save for the future.

Our government also provides Canada disability savings grants and Canada disability savings bonds to low and modest-income families with a disability.

In recognition of the fact that a family having a child with a disability children may not be able to contribute regularly to their plan and that it may take some time for these types of plans to be set up, budget 2010 allowed a 10-year carry forward time frame for these opportunities.

Our government is supporting Canadian families in their quest to live, work and contribute to a prosperous and inclusive economy. The NDP do not seem to want to support any of these efforts to help these struggling families.

THE ENVIRONMENT

Ms. Kirsty Duncan (Etobicoke North, Lib.): Mr. Speaker, on November 28 I asked the Minister of the Environment about the then upcoming climate negotiations in Durban, South Africa. I asked why the Conservatives were misleading Canadians and the international community by trying to hide the fact that they are actually negotiating in bad faith. The minister responded that in Durban Canada would continue to work to encourage the international community to embrace a new international climate change agreement that includes all major emitters. On the same day, the environment minister repeatedly refused to confirm or deny whether Canada planned to formally withdraw from the Kyoto protocol. Specifically, the minister said, "I won't comment on a speculative report". He further said, "I am neither confirming nor denying. This is not the day. This not the time to make an announcement".

Why is there a lack of transparency and accountability to Canadians and the world? In stark contrast, South Africa's High Commissioner to Canada said that there had been speculation for weeks about the Conservative government's planned withdrawal and about it wanting other countries to follow suit.

We all know what happened. Canada pulled out of Kyoto after the minister returned from South Africa.

I will now address some of the climate change comments by the Parliamentary Secretary to the Minister of the Environment on February 7 as they are relevant to the discussion at hand.

First, I want to make it very clear that the Kyoto protocol is a seminal agreement in modern environmental diplomacy and is the only legally binding framework for greenhouse gas emissions. I am enormously proud that my party signed it. Even the environment minister recently admitted, "Kyoto was a good idea for its time".

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Second, while the government is quick to point out that the original agreement did not include major emitters, it fails to recognize that the accord struck in Copenhagen in 2009 and confirmed in Cancun in 2010 created a system for registering commitments from all major emitting nations. The government should stop trying to pull the wool over Canadians' eyes regarding major emitters.

Third, the parliamentary secretary's claims that Liberals had no plan to implement the Kyoto protocol is patently false, and she should stop repeating such claims. The Liberal government was up against the Conservative-Reform alliance that did not even believe in the science of climate change and threw up every conceivable roadblock. The Liberals attempted to hold a debate in the House of Commons to discuss the merits of the Kyoto protocol but the party of the members opposite, many of whom are now ministers, filibustered and slowed down progress considerably.

While Kyoto was signed in 1997, it was not ratified until 2002. In 2005 the Liberal government introduced project green, a comprehensive plan developed with stakeholders across the country to put Canada on the right track to meet commitments. The Conservatives killed the plan when they became government. The Conservatives are trying to rewrite history by calling the Kyoto protocol a blunder. The only purpose is to mask their own inaction.

Fourth, if the parliamentary secretary believes, and I quote, "In order to see real action in global greenhouse gas reductions we need to have a global agreement which includes all major emitters", why did her government walk away from Kyoto, the only legally binding agreement for greenhouse gas emissions?

Last, how can she be "proud of this approach" and claim to look forward to "continuing the good work that was started in Copenhagen, Cancun and in Durban"?

Let us unpack the spin. What good work: negotiating in bad faith, obstructing climate negotiations, or failing to take action on climate change?

• (1925)

Ms. Michelle Rempel (Parliamentary Secretary to the Minister of the Environment, CPC): Mr. Speaker, I thank my colleague opposite for her question and her response because we do agree on one thing, that we do need to have action on reducing greenhouse gas emissions in this country because we want to see action on climate change. Our government fully supports that.

However, I would like to review her version of history when looking at the Kyoto protocol.

The fact remains that when the Kyoto protocol was ratified, it did not include all major emitters. In fact, it only covered less than 30% of major emissions in the world at that time. That does not lead toward a real reduction in greenhouse gas emissions for the purpose of dealing with climate change. That is why our government has a pragmatic approach and is saying that we need to have all major emitters come to the table now, especially since the Kyoto protocol in its present format targets considerably smaller reductions in global emissions. Therefore, we are working toward getting an agreement where all major emitters come to the table. We have seen progress happen in Copenhagen, Cancun, and now in Durban. We are proud

of that approach because we are working toward an agreement that would see all major emitters come to the table. That is very important.

Looking at history, again my colleague opposite is supporting an agreement that does not have all major emitters around the table. Her former leader actually said that her party did not get the job done when it came to dealing with climate change. Under her party's watch, our country's greenhouse gas emissions actually rose considerably, about 30% I believe, from 1997 onward. What shocks me is that for someone who is so committed to this issue, she cannot accept the fact that we now have a practical target aligned with other major economies, one that would not disadvantage our economy, and that we are making real progress.

I talk often about our sector-by-sector regulatory approach. It is a really important plan. We have looked at the coal-fired power generation sector and have proposed regulations on the table for that. We have dealt with the transportation sector so far, and we have other sectors to come, but we are doing that in consultation with important groups that affect the economy because we believe in balance. We want to see real action, which the member's government did not achieve. It did not achieve that. The only thing it has done recently is to have put forward a plan for a carbon tax in its 2008 election platform, which was overwhelmingly rejected by the Canadian electorate.

Now we have a plan to see real reductions. I believe the International Institute for Sustainable Development said that we are on the right track with our policy in this area. It is a balanced approach and we continue to look forward.

I just want to quote a *Globe and Mail* article from this week that talked about the fact that the World Wildlife Fund had commissioned a report by the firm Cleantech Group, which now rates Canada as seventh in the world for creating green technology firms.

We have this wonderful sector in our country where we have both industry and new jobs being created around clean technology. It is very exciting. Therefore, to say that we are not world leaders is false. Our government has a plan to see real action with reductions in greenhouse gas emissions. This is something that I hope my colleague and I can work forward toward implementing because it is about balance and about seeing real action.

Ms. Kirsty Duncan: Mr. Speaker, even the minister recently admitted that Kyoto was a good idea for its time. The reality is that Kyoto has been far more of a success than a failure. Most of the parties that were subject to binding emission targets either met or exceeded their goals. Canada is among a relatively small number of countries that failed to do so. The minister's excuses for pulling out of Kyoto are predictable and meant to blame others and whitewash the government's own failings, namely that Canada's original targets were unreachable, targets that the government has cut by 90%, and that action by Canada is pointless unless the United States and rapidly developing economies like China and India are also subject to binding emission targets.

It is important to note that the government's withdrawal would still allow Canada to continue to be a negotiator on the future of the protocol and, according to Alden Meyer of the Washington-based Union of Concerned Scientists, would allow Canada to water down the treaty and wreck the jobs of others.

● (1930)

Ms. Michelle Rempel: Mr. Speaker, earlier my colleague brought up the year 2005 and her government. In 2005, the Commissioner of the Environment said, with regard to the Liberal government's inaction regarding the environment:

When it comes to protecting the environment, bold announcements are made and then often forgotten as soon as the confetti hits the ground. The federal government seems to have trouble crossing the finish line.

Again, I implore her to move past her party's inaction in this area and to work with us and our balanced, pragmatic approach that

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would see us go forward as an international negotiating partner to get an agreement with all major emitters signed onto it with binding targets. The Kyoto protocol does not do that. She should look past her determination in calling the Kyoto protocol an important symbol. We need to have more than a symbol: we need real action. That is what our government is doing with our sector-by-sector regulatory approach.

I really hope to work with her constructively on this, rather than just hear continued rhetoric.

The Acting Speaker (Mr. Bruce Stanton): 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 7:31 p.m.)

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