



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

House of Commons Debates

VOLUME 146 • NUMBER 097 • 1st SESSION • 41st PARLIAMENT

OFFICIAL REPORT
(HANSARD)

Thursday, March 15, 2012

—

Speaker: The Honourable Andrew Scheer

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HOUSE OF COMMONS

Thursday, March 15, 2012

The House met at 10 a.m.

[*Translation*]

Prayers

ROUTINE PROCEEDINGS

• (1005)

[*English*]

GOVERNMENT RESPONSE TO PETITIONS

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

* * *

PROTECTING CANADA'S SENIORS ACT

Hon. Gordon O'Connor (for the Minister of Justice) moved for leave to introduce Bill C-36, An Act to amend the Criminal Code (elder abuse).

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

* * *

COMMITTEES OF THE HOUSE

BILL C-11

Mr. Glenn Thibeault (Sudbury, NDP): Mr. Speaker, I have the honour to present, in both official languages, the first report of the legislative committee on Bill C-11, An Act to amend the Copyright Act.

[*Translation*]

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

[*English*]

STATUS OF WOMEN

Ms. Irene Mathysen (London—Fanshawe, NDP): Mr. Speaker, I have the honour to present, in both official languages, the second report of the Standing Committee on the Status of Women in relation to main estimates 2012-13.

OLD AGE SECURITY ACT

Ms. Laurin Liu (Rivière-des-Mille-Îles, NDP) moved for leave to introduce Bill C-409, An Act to amend the Old Age Security Act (application for supplement).

She said: Mr. Speaker, I have the great honour to introduce this bill to amend the Old Age Security Act, which makes registration for the guaranteed income supplement automatic and eliminates the requirement for those who are eligible to make an initial application. This bill is seconded by the hon. member for Hamilton East—Stoney Creek.

The purpose of this bill is to correct an injustice against our poorest seniors, who are being unfairly deprived of important income that is owed to them in the form of the guaranteed income supplement.

I often speak about the importance of intergenerational solidarity, and I believe that solidarity must go both ways. As the youngest woman ever elected to this House, I think that it is very symbolic and appropriate that my first bill seeks to do right by our seniors. I hope that the members of this House will take an interest in this cause and that they will support this bill.

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

* * *

[*English*]

PETITIONS

ANIMAL WELFARE

Mr. Glenn Thibeault (Sudbury, NDP): Mr. Speaker, it truly is an honour to rise today to present this petition on behalf of hundreds of individuals in my riding.

The petitioners are asking for the federal government to strengthen the Criminal Code provisions to prevent animal cruelty.

The petitioners state that the current laws are inadequate to prevent animal cruelty and that the Criminal Code has not changed that much since 1892. They would like to see this House of Commons strengthen the Criminal Code to ensure that this strengthening would receive royal assent.

Routine Proceedings

That brings me to an incident that happened in my riding of Sudbury last week. A great dog, which the community called “Buddy”, was found on the side of the road with two gunshots to the head. Buddy was rushed to the veterinarian's office but during surgery he passed away. Thousands of people in my community are outraged at what happened to this dog.

As a result, they are calling upon the federal government, through this petition, to help prevent more incidents like this from occurring. I look forward to presenting more petitions like this in the House.

WINE INDUSTRY

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, I rise to present two petitions today.

The first petition is in support of the private member's bill put forward by the hon. member for Okanagan—Coquihalla. The petition is signed by residents of my riding, particularly from Salt Spring Island, which is the home of three wonderful wineries: Salt Spring Winery, Garry Oaks and Mistaken Identity.

The petitioners call upon this House to free the grapes and state that we should end the prohibition era legislation that prohibits the interprovincial transportation of wines.

THE ENVIRONMENT

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, in the second petition, the petitioners call upon the Government of Canada to give a fair and science-based review of the proposed Enbridge project which would bring bitumen crude and diluent in a twin pipeline through the fragile ecosystems of northern British Columbia to Kitimat to a highly risky proposition of supertankers through some of the most dangerous waters on earth.

These petitioners are all from the Montreal area.

INVESTMENT CANADA ACT

Ms. Irene Mathyssen (London—Fanshawe, NDP): Mr. Speaker, I have a petition from the community of London and former workers of Electro-Motive Diesel.

The petitioners want the Parliament of Canada to know that Caterpillar illegally removed production equipment from EMD's plant in London against the collective agreement, that it forced a lockout on December 30, 2011, and demanded that the workers take in excess of a 50% reduction in wages and benefits and accept a reduced and insecure pension plan. All of this was despite the fact that these workers had made Electro-Motive Diesel a very profitable company. In fact, productivity had increased by 20% and profits were up by billions of dollars from last year.

The petitioners want the Parliament of Canada to investigate the conditions of sale of Electro-Motive Diesel to Caterpillar and to immediately enforce any and all appropriate penalties should there be violations under the Investment Canada Act.

In light of recent debates in this House about the need to strengthen the Investment Canada Act, it is most appropriate that the petitioners are calling on the government to make improvements to the Investment Canada Act so that the travesty that happened to the workers and their families in London, Ontario does not happen to another family.

● (1010)

TELECOMMUNICATIONS INDUSTRY

Mr. Andrew Cash (Davenport, NDP): Mr. Speaker, I stand in the House today on behalf of the residents of my riding in Davenport in Toronto who have serious concerns about the government's proposed lawful access legislation.

This petition is signed by many people in my riding who ask the government to please reconsider particularly elements in the proposed bill that would allow law enforcement agencies to, without a warrant, view private citizens' personal information on the Internet.

* * *

QUESTIONS ON THE ORDER PAPER

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC): Mr. Speaker, the following question will be answered today: No. 427.

[Text]

Question No. 427—**Hon. Dominic LeBlanc:**

With respect to Canada's liability as a financing member of the European Bank for Reconstruction and Development (EBRD): (a) what is the amount of Canada's unfunded liability; (b) what is the total amount of Canada's liability; and (c) what are the amounts of unfunded and total liability for other financing members of the EBRD, broken down by member?

Mrs. Shelly Glover (Parliamentary Secretary to the Minister of Finance, CPC): Mr. Speaker, for the European Bank for Reconstruction and Development's, EBRD's, latest breakdown as of December 31, 2010 of the callable and paid-in share capital of all members, including Canada's, please consult page 76 of the EBRD's “Financial Report 2010”, available at www.ebrd.com/downloads/research/annual/fr10e.pdf.

As per section 11.31 of the 2011 public accounts of Canada, available at <http://www.tpsgc-pwgsc.gc.ca/recgen/pdf/49-eng.pdf>, callable share capital represents a type of contingent liability where a portion of Canada's capital subscription to an international organization has not been paid-in and is subject to call by that organization. Due to the very strong capital position of the EBRD and its conservative financial practices, the likelihood of such a call is deemed to be extremely low.

However, as noted earlier in the latest report, “Canada at the European Bank for Reconstruction and Development 2010: Report on Operations Under the European Bank for Reconstruction and Development Agreement Act”, available at <http://www.fin.gc.ca/admin/bank-banque/pdf/ebd-berd10-eng.pdf>, in May 2010 the board of governors voted to temporarily increase the bank's total authorized capital from €20 billion to €30 billion. Of that increase, €1 billion consists of a reallocation of the bank's reserves to paid in shares. This reallocation took effect on May 14, 2010. As the shares were distributed among members based on existing shareholdings at the bank, there is no impact on relative voting share. The remaining €9 billion consists of a temporary increase in callable shares. As such, Canada's current shareholding at the EBRD is €1,020.49 million, consisting of €212.85 million of paid-in share capital and €807.64 million of callable share capital.

Speaker's Ruling

[English]

QUESTIONS PASSED AS ORDERS FOR RETURNS

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC): Furthermore, Mr. Speaker, if Question No. 437 could be made an order for return, this return would be tabled immediately.

The Speaker: Is that agreed?

Some hon. members: Agreed.

[Text]

Question No. 437—**Mr. Philip Toone:**

With regard to Exploration License No. 1105 (as amended on November 23, 2011) of Corridor Resources Inc., issued by the Canada-Newfoundland and Labrador Offshore Petroleum Board: (a) what are the reasons for the two-year extension of Period 1 from five years to seven years (Fundamental Decision 2011.05); (b) what is the total amount of license rental fees that Corridor Resources would have paid during Period 2 before the November 23, 2011, amendment; (c) what is the total amount that Corridor Resources will pay in license rental fees after the amendment; (d) what are the reasons for amending License No. 1105 so that no deposit was required to extend Period 1; (e) has Corridor Resources ever posted a \$1 million deposit under License No. 1105; and (f) has Corridor Resources posted deposits for any amount under License No. 1105, either before or after it was amended?

(Return tabled)

[English]

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

The Speaker: Is that agreed?

Some hon. members: Agreed.

* * *

PRIVILEGE

MEMBERS' ACCESS TO PARLIAMENTARY PRECINCT—SPEAKER'S RULING

The Speaker: I am now prepared to rule on the question of privilege raised on March 2, 2012, by the member for Winnipeg Centre regarding the difficulties experienced by certain members in gaining access to the parliamentary precinct that day during the visit of the Prime Minister of Israel, Benjamin Netanyahu.

[Translation]

I would like to thank the member for having raised this matter, as well as the Minister of State for Science and Technology and the Federal Economic Development Agency for Southern Ontario, the Chief Government Whip, and the members for Western Arctic and Winnipeg North for their comments.

[English]

In raising his question of privilege, the member for Winnipeg Centre claimed that, due to heightened security during the visit by the Prime Minister of Israel, certain members faced impediments when attempting to gain access to the parliamentary precinct. Some members were even sent back to their offices by RCMP officers to retrieve identification proving they were members of Parliament. While acknowledging the need to keep Parliament secure, he insisted that members' right to access had been interfered with to an extent that was unjustified, thereby impeding them in the performance of their parliamentary duties.

[Translation]

The member for Winnipeg Centre also raised questions regarding the broader issue of jurisdiction and control of the parliamentary buildings and precinct and suggested that these sorts of situations might not occur if the House and its members had greater control over the management of the buildings and the surrounding precinct.

[English]

On this point, in a ruling delivered on May 10, 2006, on page 1189 of the *Debates*, Speaker Milliken stated that it was the role of the Speaker "...to protect the House's control over its premises and to protect the access of members to these premises...". These premises are defined in page 163 in the second edition of Maingot's *Parliamentary Privilege in Canada* as including:

...those premises where each House, through its Speaker, exercises physical control to enable members to perform their parliamentary work without obstruction or interference.

As we all know, the parliamentary precinct and its buildings exist primarily to support the functions of the legislative branch. The Centre Block in particular, housing as it does the House of Commons and Senate chambers, is a working building where parliamentary proceedings are carried out and where members must be free to perform their duties without interference even when other activities are taking place. Needless to say, these heritage buildings, especially Centre Block, are also ideal venues for all sorts of events and we are all proud to showcase them for our distinguished visitors. However, when activities, such as the visit of the Prime Minister of Israel on March 2 take place, extra care is needed to ensure that competing requirements regarding the use of the buildings and precinct are understood, with due accommodations and with the proper balance.

[Translation]

The Chief Government Whip spoke of this need to balance security and access. However, the implementation of security measures cannot override the right of members to unfettered access to the parliamentary precinct, free from obstruction or interference.

[English]

The case before us today bears a striking resemblance to the one raised on December 1, 2004, in which, due to increased security surrounding a visit by the then president of the United States, George W. Bush, some members were denied access to the parliamentary precinct by security officers. Stemming from that *prima facie* question of privilege, the Standing Committee on Procedure and House Affairs presented to the House on December 15, 2004, its 21st report, which was eventually concurred in by the House and stated, in part:

The denial of access to Members of the House—even if temporary—is unacceptable, and constitutes a contempt of the House. Members must not be impeded or interfered with while on their way to the Chamber, or when going about their parliamentary business. To permit this would interfere with the operation of the House of Commons, and undermine the pre-eminent right of the House to the service of its Members.

Speaker's Ruling

[Translation]

House of Commons Procedure and Practice, Second Edition, at pages 110 and 111, lists several other relevant precedents and states, at page 110, that:

Incidents involving physical obstruction—such as traffic barriers, security cordons and union picket lines either impeding Members' access to the Parliamentary Precinct or blocking their free movement within the precinct—...have been found to be prima facie cases of privilege.

● (1015)

[English]

In view of the strong body of precedence in cases of this kind and given the information provided to the House by the member for Winnipeg Centre, I find that there are sufficient grounds for finding a prima facie question of privilege in this case. I, therefore, invite the hon. member to move the appropriate motion.

REFERENCE TO STANDING COMMITTEE ON PROCEDURE AND HOUSE AFFAIRS

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, thank you for the consideration you have given my appeal for a question of privilege. I move:

That the question of privilege regarding the free movement of members of Parliament within the Parliamentary Precinct during the state visit of March 2, 2012, be referred to the Standing Committee on Procedure and House Affairs.

He said: Mr. Speaker, I do not want to debate the merits of the issue as I understand you have carefully considered the jurisprudence and precedents in coming to your ruling. I would like to take the opportunity to give some direction to the procedure and House affairs committee in the context of the ruling.

I would like to preface my remarks by saying that in no way do we intend any disrespect for or criticism of the security officers or the RCMP officers who were providing added security to the parliamentary precinct on that day in light of a state visit. We all understand the need for heightened security. Even those members who brought it to the attention of the Speaker that they were inconvenienced intend no disrespect or heightened criticism of the actual police officers in question that day.

Our concern is that the procedure and House affairs committee understands fully the context and parameters of the grievance that we have brought forward today. In light of that, we did want to remind the members of the committee of the incident in 2004, the visit of George Bush, and the 21st report of the procedure and House affairs committee that you, Mr. Speaker, made reference to in your ruling. I am sure they will be guided by it and perhaps will use it as a starting point as they consider the implications of what happened on March 2. I would also like to point out work in the same vein just prior to and since that time.

I begin by making reference to page 19 of the 1992 report of the Auditor General of Canada. I will not go into great detail, but I will simply say that at that time the auditor general was seized of the issue of whether or not the House, the Senate and the RCMP should be working together to harmonize and communicate their security policies for the command and control and development of procedures that affect the parliamentary precinct. Denis Desautels, the auditor general at that time, made recommendations which I

think we would find useful today as the procedure and House affairs committee deals with this issue.

I would also like to point out the subsequent work of the former auditor general, Denis Desautels. In 2001 he was put in charge of the parliamentary precinct oversight advisory committee, which was established to put together a long-term vision and plan for Parliament Hill. Part of that was the massive renovations undertaken, but another part of that was to revisit the entire question as to whether or not there should be one central agency that takes over the maintenance, operations, security and control of the parliamentary precinct.

As he put it in this study, which is worth looking at, there are too many cooks in the kitchen. This has added to a great deal of confusion and difficulty for the basic administration and control of the parliamentary precinct, and has led to what we believe is the reason everything costs 10 times as much and it takes 10 times as long to get anything done. There are far too many agencies involved with the maintenance and operations. The same could be applied to the security measures, the Senate security, the House of Commons security, the RCMP and the general police forces that oversee these things.

We would like the procedure and House affairs committee to take seriously the recommendations of this blue ribbon committee that has been studying this issue for a great length of time. Among others the committee includes Denis Desautels, Frank LeBlanc, who is a professional engineer, Jean-Claude Marsam, who is an architect and urban planner, Terrance Williams, who is an architect as well, and former Speaker Fraser, who of all, talked about whether we should be masters of our own domain, whether we should be merely tenants of the parliamentary precinct or if we in fact are an integral part, the directors and controllers of the parliamentary precinct.

In that light, I would ask the procedure and House affairs committee to expand the parameters of its review and look at other jurisdictions, such as Westminster and Washington. Their capital precincts are overseen by a single office and agency. In the case of Capitol Hill, it is the architect of the Capitol Hill that oversees all of the maintenance, operations, control and security. In Westminster, it is the architect of the precinct there.

● (1020)

The final thing I would ask people to keep in mind is a study undertaken by former Speaker Milliken as recently as 2005 or 2006. He, in concert with the Speaker of the Senate at the time, made recommendations that there should be one person in charge of the parliamentary precinct. He believed it was a mistake, and the Speaker of the Senate agreed, that they had abdicated jurisdiction and control over the parliamentary precinct to Public Works and Government Services Canada, the Department of Canadian Heritage, the National Capital Commission, to all of the other bodies that now have influence and control over Parliament Hill. We believe that has led to a great deal of confusion.

Therefore, if it is the right of members of Parliament to have unfettered access to and freedom of movement and control of the parliamentary precinct, we as tenants should be seeking to have a tenants revolt to take back control of our parliamentary precinct.

Government Orders

I hope the Standing Committee on Procedure and House Affairs can be seized with this issue and come back with meaningful recommendations that will give some satisfaction to those who were inconvenienced on March 2, but also to give us the control of the parliamentary precinct, which I believe we deserve as parliamentarians.

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC): Mr. Speaker, I have a comment more for clarification for the benefit of the member for Winnipeg Centre. I am a member of the Standing Committee on Procedure and House Affairs. We already are examining a question of privilege. Mr. Speaker, you had found a prima facie case with respect to the group Anonymous and its threats against the Minister of Public Safety and in fact all members of Parliament. That study is ongoing.

As you know, Mr. Speaker, prima facie questions of privilege take precedence in our committee. However, since we are already engaged in a study on a previously ruled upon question of privilege, I would say to the member for Winnipeg Centre that I am sure we will be dealing with his question of privilege at our first opportunity, but that may not be for several meetings while we examine the question of privilege currently before the committee.

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, I thank you for your ruling. I thank the hon. member for Winnipeg Centre for raising this issue so that we may have an opportunity to maintain the House of Commons and Parliament Hill as a place where citizens belong.

I want to raise a slightly different point and I hope that my comment will be taken up in the ongoing investigation of this matter. The traditional and constitutionally appropriate place for greeting visiting heads of state is Rideau Hall, not Parliament Hill. Traditionally, heads of state have been greeted at Rideau Hall and the ceremonies there have been appropriate. It is much easier to provide security at Rideau Hall.

I can see that some of the members opposite are becoming exercised by this point, but heads of state have been greeted at Rideau Hall. I would like to suggest it is one very appropriate way of ensuring good security, which we all must have, and at the same time, ensuring that the business of the people in the House of Commons is not impeded.

It occurred to me as I tried to leave the House of Commons that day and was impeded by several tanks that had to be removed before the green bus could get out of the way that things were coming to a point where business of the House of Commons could be impeded by security. I ask the hon. member for Winnipeg Centre for his comments.

• (1025)

Mr. Pat Martin: Mr. Speaker, I do not have anything to add to that.

The Speaker: Is the House ready for the question?

Some hon. members: Question.

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

Some hon. members: Agreed.

The Speaker: I declare the motion carried.

(Motion agreed to)

GOVERNMENT ORDERS

[*Translation*]

PROTECTING CANADA'S IMMIGRATION SYSTEM ACT

The House resumed from March 12 consideration of the motion that Bill C-31, An Act to amend the Immigration and Refugee Protection Act, the Balanced Refugee Reform Act, the Marine Transportation Security Act and the Department of Citizenship and Immigration Act, be read the second time and referred to a committee, and of the amendment.

The Speaker: Resuming debate. The hon. member for LaSalle—Émard has six minutes left to finish her remarks.

Ms. Hélène LeBlanc (LaSalle—Émard, NDP): Mr. Speaker, Bill C-31 threatens this common vision of hope and our collective desire to build a nation where compassion is the rule, a nation that opens its arms and offers a fair opportunity to those seeking asylum, safety and protection.

[*English*]

I must state clearly that Bill C-31 puts aside all the hard negotiated and balanced compromise on immigration reform that all parties, including the government, worked to achieve in the previous Parliament in former Bill C-11.

[*Translation*]

Unfortunately, the balance and the compromises that were achieved at the time have disappeared. Instead of punishing human smugglers, Bill C-31 attacks the refugees who are the victims of these unscrupulous people. Even more worrisome, the minister is giving himself certain powers that will jeopardize a system that must be fair and must honour international conventions.

Under Bill C-31, the minister will establish a list of safe countries and a list of countries that are considered unsafe. What is troubling is that this list will be established by the minister, rather than by a panel of experts in international relations, not to mention that this list will change depending on his assessment of the safety of the countries on that list.

[*English*]

In the previous more balanced immigration reform act, Bill C-11, the decision on whether or not a country was safe was left to a board of human rights advisers, not a minister with a red pen.

Perhaps most troubling of all, Bill C-31's unbalanced approach to immigration reform enables the minister to revoke the permanent resident status of former refugee claimants if the minister decides that their country of origin is no longer threatening.

Government Orders

There are many permanent residents that have made my riding their home. It can take years for someone to obtain permanent resident status, as many of my constituents know. Imagine the anxiety they would feel, how vulnerable they would be to know that the minister could revoke their status on a whim, just as they have begun to rebuild their lives.

In the meantime, these constituents have settled in Montreal. They have made friendships and have married. They have worked hard to make a living so that one day their children can go to school, college and university, and participate in our society. They have come to build lives and share in the prosperity and security that too many of us born here take for granted.

● (1030)

[Translation]

My colleagues know as well as I do that when the government makes rash decisions, our constituency offices are the first to hear about it. Our constituents turn to us when they can no longer count on government services, for example, because the delays have become untenable or because the process has become fundamentally unfair.

We respond to calls from our constituents who hope to be reunited with a spouse overseas and who, after months and years, can no longer wait and confess to us that their marriage is about to fall apart. We open our doors to mothers who come with their children, begging us to intervene because they are about to be deported in less than two hours and they are overtaken by desperation.

Decisions made by governments have very real and very human consequences, often far from Ottawa; we see that every day. The government needs to put more resources into processing requests, well-trained human resources that can meet the demand.

Bill C-31 epitomizes this government's callous vision of a society made up of two classes of citizens: good Canadians and those whom the Conservatives consider profiteers.

It is no accident that Canada is called the "new world". Our country is a land of immigrants, a land that welcomes immigrants, a beacon of safety and hope and opportunity for a better life. That is the Canada whose values I stand for.

That is why I am urging the government to forget about Bill C-31, as it forgot about its predecessor, Bill C-4. I am asking the government not to repudiate the historic compromises that all parties achieved when they reformed our immigration system by passing Bill C-11 during the previous Parliament.

Those are the reasons why I oppose Bill C-31.

Ms. Rosane Doré Lefebvre (Alfred-Pellan, NDP): Madam Speaker, I thank my colleague from LaSalle—Émard for her wonderful speech on Bill C-31. This is a huge bill that would reform our country's refugee process. Canada is a country that welcomes immigrants. She had much to say about human rights, which are very important to her.

This bill gives a great deal of power to the minister, who would be able to decide the fate of refugees on a case-by-case basis. Would it not be better to rewrite the entire bill to make the process fairer for

refugees coming to Canada? I would like my colleague to comment on that.

Ms. Hélène LeBlanc: Mr. Speaker, I would like to thank the hon. member for her question. What is disconcerting and troubling about this bill and others, as we noted recently, is that the decisions are being put into the hands of a minister, whether it be the Minister of Citizenship, Immigration and Multiculturalism or the Minister of Public Safety. In a democracy, it is important that power be shared and that there be checks and balances. In other words, the process must include a mechanism whereby decisions can be appealed, and it must involve an outside body that can determine whether there was any political interference in the decision-making process.

[English]

Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP): Madam Speaker, I really appreciate the speech my friend from LaSalle—Émard just gave. I know her interest in the rights of Canadians.

We were visited at the subcommittee on human rights for foreign affairs and international trade by five human rights defenders from Mexico. They told us horrendous stories of the abuses in Mexico. One particular telling piece of information was that there are 120,000 widows. There was a delegation from a protest group who met with the president. Fourteen people went in, and subsequently, five were murdered.

I go to Cancún from time to time, as do other Canadians. It is as though there were two different worlds. The real concern is, if Mexico is designated as a safe place, there is this other part of Mexico. In the northern part and the coastlines, horrendous violations are going on, many of which have been attributed to the military. This strikes me as a major flaw in the bill. I would like the member's comments.

● (1035)

[Translation]

Ms. Hélène LeBlanc: Madam Speaker, I would like to thank the hon. member for giving us such a clear example. As a Canadian, I see Mexico as a vacation destination, but we do not know everything that goes on there. It is often human rights experts and people from that country who can tell us what is happening. That is the case with Mexico but also with some European countries that are currently in the spotlight. We have spoken a lot about it with reference to Bill C-31. Often, eyewitnesses can come and tell us what is really happening. That is why, in a democracy, it is very important to have a system of checks and balances.

[English]

Hon. Vic Toews (Minister of Public Safety, CPC): Madam Speaker, I welcome this opportunity to rise in support of Bill C-31, protecting Canada's immigration system act.

Government Orders

Canada has a long-standing and well-respected reputation as a nation that welcomes more than 250,000 refugees and immigrants every year. As I indicate to my constituents, that is the equivalent of building the city of Winnipeg every three years. We get a tremendous number of people coming into this country, given our generous refugee and immigration system. With Canada's population of approximately 33 million, that puts stress on government and infrastructure at all levels. Our immigration system is one of the most generous and fair systems in the world.

We have heard time and time again that Canadians have no tolerance for those who abuse our generosity and take advantage of our country. Make no mistake, there are those who look at Canada's generous immigration system through a different lens. They see it as an opportunity for exploitation, an opportunity to make profit by skirting the rules and smuggling people into our country. They have no regard for our rules and no concern for the safety and the well-being of their passengers.

Over the past several years we have seen more incidents in the media about human smuggling criminal operations at work around the globe, sometimes with tragic results. Two years ago, 30 people died when their wooden boat operated by suspected human smugglers capsized off the coast of Australia's Christmas Island. Also, close to 200 irregular migrants destined for Australia perished when their vessel capsized in rough waters off the coast of Indonesia last December.

Recent incidents in Canadian waters and on Canadian soil are a clear indication that these migrant smuggling syndicates are focusing their efforts on our nation. The headlines tell the story. There was the irregular arrival of two boats off the coast of British Columbia within a year of each other.

Human smuggling organizations around the globe continue to actively target Canada as a destination of choice. There must be stronger laws in place that specifically condemn the practice of human smuggling for what it is. It is a dangerous criminal activity that risks the lives of those smuggled and undermines Canadian sovereignty and our immigration system. I will be returning to these themes, but we must act now to prevent human smugglers from targeting Canada.

Bill C-31 contains important provisions that would help to address the growing threat of human smuggling, a despicable activity. Before I go into the specifics of our legislation, I would like to take a moment to provide some context to what we are talking about.

The United Nations Office on Drugs and Crime refers to human smuggling as a deadly business characterized by the following trends and patterns. First, human smuggling is increasing as more criminals are providing these services to irregular migrants to evade national border controls. Second, the crime of human smuggling is a low risk, high reward activity, meaning that more criminals are turning to this practice as a means of generating significant revenues. Third, smugglers continually evolve in their tactics in order to respond to changing law enforcement efforts by states that must respond to this activity. Lastly, smuggling puts the lives of those smuggled at risk.

All of these trends and patterns illustrate the need for all countries, including Canada, to be vigilant in responding to this crime. That is

exactly what we are doing in Bill C-31. The bill contains firm and reasonable measures that address specific challenges related to human smuggling and irregular arrivals. What are those challenges? I would like to quote from a case in the Ontario courts which summarizes them quite accurately. The judge noted, and I quote directly, that:

The implications of human smuggling are profound and far-reaching. The integrity of Canada's borders is compromised when criminals such as these smuggle illegal aliens across. There are no checks on the type of people entering, making it possible for criminals and terrorists to move back and forth between these countries at will. The risk to society generally of this kind of criminal activity is great.

• (1040)

He continues:

It is important for national security and public safety to send a message that those who would compromise our international borders in this manner will be dealt with severely. Illegal smuggling of human beings cannot be permitted to become a profitable business operation in Canada.

Those observations demonstrate the importance of improving our responses to this crime and safeguarding the integrity of Canada's borders. That is exactly what we are proposing to do in Bill C-31.

This bill would make it harder for human smugglers to undermine the integrity of Canada's immigration system while still continuing to offer protection to refugees. This has always been the position of our government. The 2011 Speech from the Throne underscored the government's commitment to combat human smuggling which can place migrants in dangerous conditions and undermine trust in Canada's immigration system.

During the last election, we were also clear. Our platform reiterated that it is not fair that criminal human smugglers and bogus claimants abuse Canada's generosity and jump the immigration queue ahead of those who follow the rules. Members probably know from their own experiences in riding offices how many legitimate immigrants are waiting to come to Canada, yet because others are jumping the queue, they and their families are suffering as a result. Quite frankly, that is not fair.

The bill before us today makes it clear that Canada and Canadians do not and will not tolerate the despicable crime of human smuggling. Canada has always been a strong and visible supporter of international efforts to fight human smuggling. Bill C-31 would provide law enforcement officials additional tools to investigate and prosecute individuals who organize, engage in and profit from human smuggling.

As hon. members are aware, our existing laws against migrant smuggling target a very specific manifestation of human smuggling. The crown must prove that the accused knew the people being smuggled did not have the documents needed to enter Canada. This bill proposes to change this law and broaden the offence to provide a more comprehensive response to the various manifestations of this crime.

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The first way it does this is by expanding the offence so that proof that the accused knew that any part of the act would be violated, and not just the failure to have the necessary documents, would constitute smuggling. The focus then is on the smuggler breaching the act, as opposed to whether the smuggler knew that the individual did not have the documents. That specific knowledge, of course, is very difficult to prove in any prosecution.

The second way this offence would be broadened is by adding the mental element of recklessness to the offence. This would mean that a prosecutor could lead evidence showing that the accused was subjectively aware of the substantial risk, but without absolute certainty that the smuggled persons would be entering Canada in contravention of the requirements of the act, and proceeded despite the risk.

This is a fairly common term in our criminal law. It is probably expressed best in the concept of wilful blindness where essentially someone knows there is something wrong but proceeds anyway and suggests that he or she did not know specifically what was wrong. In fact, that person is wilfully blind. The law has never viewed that as an excuse. I think this amendment would bring the legislation into that stream of well-established law in Canada.

These amendments would provide our police and prosecutors the necessary tools to respond to human smuggling in all of its forms. Bill C-31 proposes mandatory minimum penalties for anyone convicted of human smuggling. Depending upon the circumstances of the offence, these mandatory sentences would range up to a maximum of 10 years for the most grievous offences such as those conducted for profit by a criminal organization or terrorist group, or endangering the lives or causing the death of smuggled persons.

● (1045)

These mandatory penalties are highly tailored and respond to the most harmful and dangerous manifestations of a practice that is done with little or no regard for any of those being smuggled. Similarly, this bill would increase the penalties for violations of the Marine Transportation Security Act, such as refusals to comply with a ministerial directive to leave Canadian waters or for providing false or misleading information to officials. In such cases, individuals would be liable for fines of as much as \$200,000 and up to \$500,000 for a subsequent offence. These changes will deliver a strong, clear message. It is a message that must be delivered before the next migrant vessel sails for our shores, and that risk is very real.

Bill C-31 will deter human smugglers from mounting such ventures. Indeed, we must do more than simply express our distaste for human smuggling. There is also the simple yet profound matter of exercising our right as a sovereign nation to protect our borders. Canada has the right to decide who enters this country and there is no question that Canada is very generous in that regard, as I indicated in my earlier remarks. At the same time, we have an international obligation to assist those in need.

The existing rules allow a foreign national or permanent resident entering Canada to be detained if an immigration officer considers that person's detention necessary in order to carry out a proper investigation to make sure that the person is who they say they are. This is nothing different from what happens in our courts on a daily basis. If someone goes to court and a court cannot identify them, that

person will remain in custody, whether a Canadian citizen or not. That is the general rule in our criminal justice system. If someone cannot identify who they are and the court is not satisfied who they are, that is the regular rule applied within our criminal justice system. What this essentially does is to extend the same principle to foreigners and illegal migrants who come to our country and then demand entry. Our country must have the same rights that it exercises in respect of citizens who refuse to identify themselves with those who are not citizens or, indeed, those whom we have no idea who they are. This is prudent and it must be done. There is nothing in their background that would make them inadmissible to Canada, but we do not know who they are.

Detentions of this kind must be reviewed by the Immigration Review and Refugee Board within 48 hours, and again within seven days and, if necessary, every 30 days after that.

The system works well most of the time. However, it is not designed to deal with those who arrive en masse at one location, as was the case with the *MV Sun Sea* in 2010. Border officials did not have sufficient time to carry out the investigations so vital to protecting public safety. That is why the bill would give them the authority to declare the arrival of a group of people in circumstances such as the *MV Sun Sea* as an irregular arrival if the minister was of the opinion that their identity or admissibility could not be determined in a timely manner, or if there were reasonable grounds to suspect human smuggling done for profit by a criminal organization or a terrorist group. If a decision is made to designate the arrival, individuals who arrive under those circumstances would be detained until the Immigration Refugee Board determined they were refugees who needed Canada's protection. This would not apply to those 16 years of age or younger.

If they were still detained after one year, their detention would be reviewed at the Immigration and Refugee Board hearing, which would decide whether their detention would continue. At any point during that period, there would be the authority to order early release where exceptional circumstances existed. Subsequent detention review hearings, if necessary, would follow at six-month intervals. These mandatory detention provisions would not apply to individuals who are under 16 years of age.

● (1050)

As I said, these detention measures are needed in the context of irregular arrivals. They provide Canadian immigration law enforcement officials with sufficient time to examine and investigate individuals to determine the identity and admissibility of each and every individual. Presently, the officers do not have the time to process these individuals, and so in a number of cases the boards order the release of individuals whose backgrounds we do not know, that is, who they are and what criminal or terrorists organizations they may be associated with.

The determination of identity may take days, weeks, months and even years, particularly if individuals arrive with no documentation, as they often do. It also takes time to verify any documentation provided, in some cases from overseas. All migrants must be interviewed, and often several times. At the same time, the detention provisions ensure that those found to be refugees and those in exceptional circumstances would be released.

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It is not just the number of irregular arrivals but also the complexity of the human smuggling offence and the clandestine, sophisticated and transnational nature of the venture that extend the time required for officials to fully process individuals attempting to enter Canada.

These human smuggling ventures are launched from areas of the world where terrorist and criminal groups are known to be active. The threat is real. It would be irresponsible for our government to allow individuals to enter our country without fully determining their true identity and whether or not they pose a threat to Canada and Canadians.

Common sense dictates that we know who is entering our country in the same way that it is common sense for the courts, on a daily basis, to determine now whether the individuals before them are who they in fact say they are. As I say, this happens with Canadian citizens all the time, and it needs to happen with irregular migrants.

Canada will continue to afford a fair and independent hearing to all eligible asylum seekers and will uphold our obligations under international law to protect those who are found to be refugees.

We have heard from Canadians across the country that they are concerned about the threat of the illegal migrant process in terms of it potentially allowing suspected criminals and/or terrorist-linked individuals into the country. That such individuals attempt to gain admittance to our country taints our entire immigration and refugee system. It could also compromise Canada's reputation as a country able to secure itself against individuals connected to terrorism or organized crime. Indeed, it is our government's priority to defend the integrity of our immigration and refugee system.

The changes we are proposing with the bill will enhance the safety and security of Canadians and, indeed, protect the integrity of our immigration system.

A past editorial published in the *Globe and Mail* stated the situation we are facing with regard to human smuggling very clearly:

For immigrants, scams and crimes are broken promises that lead to broken homes and a burden of debt owed to middlemen. For Canada, that often means the entry of the wrong people into the country, while others Canada would prefer are forced to wait, or never get their chance to come.

This is certainly something we all hear about in our ridings from individuals who are looking to bring family members into the country.

Every successful incident of human smuggling encourages these reprehensible operators to continue their predatory schemes. Every successful incident of human smuggling encourages more people to try to take advantage of Canada's generosity by convincing individuals to cut in front of those who have followed the rules, who have filed the proper papers and waited patiently for the opportunity to begin a new life in the best country in the world.

I urge all hon. members to support the bill and the fine work that our Minister of Citizenship, Immigration and Multiculturalism has done.

•(1055)

Mr. Don Davies (Vancouver Kingsway, NDP): Madam Speaker, I would like to ask three questions of the minister.

First, the minister and the government introduced Bill C-4, the human smuggling component that is rolled into the omnibus bill, back in June of last year. If this bill is so important and urgent, why has the government withdrawn that bill and slowed down the process and now rolled those exact same provisions into this new bill, setting back the progress.

Second, I know that the hon. member was a lawyer in his previous career. In that regard, I would note that one of the main criticisms of the detention process in this bill is that it involves detention without review by a court for up to a year. The legal community has expressed concern that this may violate the charter. In fact, similar provisions have been struck down in the security certificate case, and yet the government has introduced an identical provision.

Third and finally, I want to get the minister's comments on article 31 of the UN Convention Relating to the Status of Refugees, which says that a country may not impose penalties on refugees because of their irregular arrival to a country. Yet this bill would impose on people, even if they were deemed to be legitimate refugees, the penalty of not being able to apply for permanent residency or to sponsor family members for five years. This does not target human smugglers but refugees and is a clear violation of the UN Convention Relating to the Status of Refugees. I would like the minister's comments on that as well.

Hon. Vic Toews: Madam Speaker, in respect of the process by which this bill is proceeding, I want to commend the Minister of Citizenship, Immigration and Multiculturalism for the work that he has done. It is important to see this bill in the overall context of our immigration reform, which is absolutely necessary. Had the opposition said it agreed that Bill C-4 was important and that it would move the bill along quickly, I am sure the Minister of Citizenship, Immigration and Multiculturalism would perhaps have viewed this differently. Yet the opposition has consistently opposed very prudent measures to protect our immigration and refugee system.

Contrary to seeing these provisions as penalties imposed on refugees, we have to see the measures in this bill as steps to protect the integrity of our immigration and refugee system. I think everyone recognizes that when they come here to this new country that we have a vested interest in ensuring that those who are not legitimate in their process of arrival have to be subject to very rigorous concerns.

Canada has no apologies to make for the number of immigrants that we accept in this country. I come from an immigrant background as well and understand what it means to have to follow the rules to get into this country. My ancestors were very fortunate to be allowed into this country, but we understood that there are rules. I still have relatives wanting to come to this country who are waiting patiently to come here. Every time an illegal, criminal—

•(1100)

The Deputy Speaker: Order, please. There were many members rising and I would like to give other members an opportunity to ask questions.

The hon. member for Winnipeg North.

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Mr. Kevin Lamoureux (Winnipeg North, Lib.): Madam Speaker, one of the things the minister is aware of is that in Bill C-4 there was a requirement that even children be kept in detention if deemed to be among the irregular arrivals. The government saw the wisdom of the opposition, who suggested that we should not be holding 8 or 10-year-old children in detention. In that sense, there was an improvement in Bill C-31 from Bill C-4, and I applaud the minister for listening to the opposition's concerns regarding the detention of children.

My question for the minister is this. In the case of a child who is eight years old and arrives with a parent, what would be the circumstances of the parent being detained for up to a year and child not? What is the government suggesting in that situation?

Hon. Vic Toews: Madam Speaker, the general rule is that we treat children in a different way from how we treat adults. Children should not bear the responsibility of crimes that their parents may have committed. If individuals come here illegally without proper documentation and we cannot determine who they are, the general rule is that the children are not committing the crime but they are obviously under the care and control of their parents.

As I understand it, in situations with some of the recent migrant vessels, the children have been placed into foster care in British Columbia. In those types of situations, the system has tried to take care of them. I know that has caused significant financial implications for the Government of British Columbia as it attempts to deal with that while their parents' application and identity are to be determined.

I think that is a reasonable compromise. This is an issue that was raised with me. We had long discussions about the line at which one should not have that automatic detention. We have settled on age 16 which I think is a reasonable compromise.

[*Translation*]

Ms. Rosane Doré Lefebvre (Alfred-Pellan, NDP): Madam Speaker, I would like to come back to what my colleague was just saying about detention of adults. They would be sent to prison for a minimum of one year, but children 16 or under would not. This is a very important point. It would be nice to know what is going to happen to the children 16 or under. Will they be separated from their family or detained without really being detained?

In my riding, there is an immigration detention centre where refugees who cannot prove their identity are incarcerated. They are incarcerated in prisons on federal prison property. They are handcuffed. Women are separated from men. They stay there for 28 days on average, but some are there for months.

Not only does the minister have discretionary power, but these people will be incarcerated for at least a year and might be released after that. What will happen to the families? Will they be separated or not?

[*English*]

Hon. Vic Toews: Madam Speaker, if there is a reason to hold the individuals who have arrived here illegally because their identity cannot be confirmed, they will be held under the legislation. That is a prudent practice that most fair-minded Canadians would agree with.

I think Canadians would also say that they are concerned about whether the children need to be detained. Therefore, our government made this compromise, which is a reasonable one given the national security concerns and other concerns that our government has with respect to the integrity of the immigration system.

• (1105)

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Madam Speaker, I find the hon. minister has conflated and confused the refugee stream with the immigration stream to this country.

The legislation on its face violates the 1951 refugee convention and the Convention on the Rights of the Child which deals with children up to the age of 18, so the jailing of children 16 to 18 is still a problem, and the Charter of Rights and Freedoms.

Is the hon. minister prepared to accept that when refugees come to this country they are neither automatically illegal nor does the legislation solely deal with people who do not have identification with them? It deals with anyone who is deemed to have come by irregular entry.

Hon. Vic Toews: Madam Speaker, I agree with the member that refugees should not be detained. The issue is how we determine if they are refugees.

Mr. Chungsen Leung (Parliamentary Secretary for Multiculturalism, CPC): Madam Speaker, I am also an immigrant to this country and it took me four years to wait in the queue. If I were to see other people jumping the queue, I would be pretty upset. People do abuse the Canadian immigration system because they think it is so lax.

Could the minister comment on the fact that in order to keep good governance and keep our immigration system to be fair to all that it is necessary to have these rules in place?

Hon. Vic Toews: Madam Speaker, what I can say is what our Minister of Immigration has said. We need a consensus in this country to continue immigration. We all appreciate the good that immigration has done and immigrants and refugees but, if the broad base of people in Canada lose faith in that system, that impacts adversely on immigrants and refugees. This system establishes that balance.

[*Translation*]

Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.): Madam Speaker, I will be sharing my time with the hon. member for Vancouver Centre.

[*English*]

In a speech he delivered in the House when Bill C-4 was introduced, the Minister of Immigration said that we needed this bill's harsh measures against asylum seekers in order to communicate to them in no uncertain terms that Canada's streets were not paved with gold and that Canada was not the place for them.

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As a case in point, the minister said that asylum seekers believe they will be given \$50,000 upon arrival in Canada. We know this, obviously, is not the case. There are no such pots of gold awaiting refugee claimants at Canadian border points. This false and, ultimately, disappointing picture for asylum seekers of the easy prosperity that supposedly lies at the end of a long, arduous and sometimes deadly boat trip across the seas has been attracting the world's poor, persecuted and downtrodden to North America for well over a century. As well as the very real promise of freedom, this has been a point of attraction for immigrants and refugees who desperately seek a better life free from violence or squalor.

I do not think the minister's speech nor the bill would change this fact. We also need to realize that there is a flaw in the argument that Bill C-4, which is now part of Bill C-31, somehow will discourage people from coming to Canada.

The minister assumes that we live in a world of perfect information as the neo-classical economists regularly assure us in their economic models, but the fact is that would-be asylum seekers are fundamentally unaware of what awaits them here beyond the images they have borne of a hope they often desperately cling to. Indeed, not even the minister can extinguish the hope that is, in some ways, the psychological and emotional sustenance on which many people around the world living in harsh conditions survive.

It is a given that asylum seekers have a distorted view of the benefits that await them here in this country. There is no \$50,000 pot of gold that awaits them when they arrive here. The corollary of course is that they also have a distorted view of any negative consequences that might await them should they arrive as refugee claimants aided and abetted by human smugglers. They cannot be expected to have accurate knowledge of the measures in Bill C-31, the measures imported from Bill C-4, that have been created in an attempt to discourage asylum seekers from coming to Canada.

Not only are would-be asylum seekers misinformed about what awaits them in Canada but many Canadians who have access to the 24-hour news cycle and who are generally well informed are themselves unaware of the manner in which Canada treats refugees upon arrival. I am sure many members in the House have received a chain email which I have been receiving if for about eight years now. I have been getting this email from highly educated Canadians, friends of mine, good people, good Liberals who believe in individual rights and who want fair treatment of immigrants and refugees. However, because it comes in on the Internet there is a tendency to take it at face value. I will quote from the email I have been receiving and that many members have been receiving. Only in Canada. It says:

It is interesting to know that the federal Government of Canada allows a monthly pension of \$1,890 to a simple refugee, plus \$580 in social aid for a grand total of \$2,470 monthly. That's \$28,920 in annual income.

By comparison the Old Age Pension of a senior citizen who has contributed to the development of Our Beautiful Big Country during 40 or 50 years cannot receive more than \$1,012 in Old Age Pension and Guaranteed Income Supplement per month, for \$12,144 in annual income.

That's a difference of \$16,776 per year.

Perhaps our senior citizens should ask for the Status of Refugees instead of applying for Old Age Pension.

●(1110)

That is what is circulating on the Internet here in Canada. It is so false, so prevalent and so ongoing as a form of a spam email that the Department of Immigration has actually put up a web page to try to clarify the situation.

There is a lot of misinformation both in Canada and overseas where people are getting their information from human smugglers about what awaits them here. That is true of the false benefits that await them. If we assume that, which is what the Minister of Immigration said, people think they are coming here to a pot of gold of \$50,000 when they arrive, that somehow officers from the Canada Border Services Agency await asylum seekers with chequebook and pen in hand, we also have to assume that would-be asylum seekers do not know what is in Bill C-31. They do not know what was in Bill C-4. They will not be discouraged by the harsh measures in Bill C-31. Who will tell them about the harsh measures in Bill C-31. Will it be the human smugglers? Will the human smugglers tell them that they will take their money, that they will bring them over to Canada, then tell them about the new legislation that may put them in detention for a year and say that maybe they will not do that human smuggling deal after all? There is a flaw in that logic.

We all view legislation through the prisms of our respective political philosophies. For me and others in the House that prism is liberalism. Liberalism is fundamentally about the primacy of the rights and dignity of the individual. Of course, liberals recognize and understand that human beings are social animals, that we can only thrive in a group or community. Living in a group or community makes everything possible, including individual economic prosperity. A simple example is the real estate value of one's home is a function of the vibrancy of the community in which it lies: no community, no capital gain upon home resale.

Community is not only the context necessary for individual fulfillment and security. It is also a source of identity. Liberals believe in the inherent value of community, but neither Conservatives nor the NDP spread misinformation on this point. Liberals are communitarians. We believe in safe streets, believe it or not. We believe in social cohesion and maintaining the social fabric.

Where we differ from the Conservatives is that we put the individual first. In a court of law or in an administrative tribunal, the focus is on the individual, not the group to which he or she belongs. In matters of justice, when we have to judge, we believe that we must judge based on the individual's unique circumstances, not the circumstances of the larger and more amorphous group to which he or she may happen to belong.

As an aside, that is why we as Liberals have trouble with minimum sentencing. We believe the circumstances of the crime and the offender must be evaluated, namely by a judge with years of legal training and experience because, as Liberals, we believe in the power of reason to find as close an approximation of the truth as we can. We believe in the ability of judges to apply reason to the facts of the case and develop a sanction that is proper to the individual circumstances, including one that is just to the victims. We believe in victims' rights.

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That is also why we object to judging a refugee claimant based primarily on his or her group affiliation or country of origin. We do not believe that a refugee's treatment at the hands of the Canadian government should be judged as a function of their country of origin, in other words, on the basis of their nationality essentially, anymore than on their race or ethnicity.

I will quote Audrey Maklin of the University of Toronto's Asper Centre for Constitutional Rights, and lawyer, Lorne Waldman, both in regard to Bill C-31's predecessor, Bill C-4. They state:

The legislation also gives the minister the power to decree certain countries as "safe." This formalizes in law the presumption that a refugee claimant from one of these countries is a fraud. Many countries are safe for most people most of the time. Refugees are usually people who are marginalized and vulnerable, so designating a country as safe tells us nothing about the risks faced by the people likely—

• (1115)

The Deputy Speaker: Order, please. The member's time has elapsed. Perhaps he can add some comments in questions and comments.

The hon. Minister of Citizenship, Immigration and Multiculturalism.

Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC): Madam Speaker, I regret that the member's time ran out because I found he was offering very thoughtful remarks based on first principles and dealing with some of the real issues, and I commend him for that.

There are a couple of points. He says that creating disincentives will not be effective because it will not be known by false asylum claimants overseas. In point of fact, we plan to consecrate an amount of money to advertising these new developments abroad, particularly media that would be in countries that are major sources of false asylum claims and human smuggling. This is what Australia and other countries have done.

I can tell the member that we know, through the good work done by our police and other agencies, the smuggling syndicates are paying close attention to the disincentives that have been proposed and we are confident the disincentives included in Bill C-31 will reduce the pull factors that we have for human smugglers and false asylum claimants.

However, if he does not think this package will be effective, then what does he propose as an alternative to deter human smugglers from targeting Canada?

Mr. Francis Scarpaleggia: Madam Speaker, I appreciate the minister's sincere, I think, compliment on the effort I put into the speech because it is an important issue. I am glad that the government is investing in informing people of what really awaits them if they come here aided and abetted by human smugglers.

The issue is enforcement. It is good that the RCMP go overseas and investigates human smuggling rings. Also, we need enforcement in Canada. When an asylum seeker who is turned down at the IRB disappears into the woodwork, that is a breakdown of enforcement.

I hope the government will not only invest in information campaigns, but will invest as well in enforcement, both in terms of tracking what is going on overseas before asylum seekers come here and in keeping track of rejected refugee claimants in Canada.

• (1120)

Ms. Rathika Sitsabaiesan (Scarborough—Rouge River, NDP): Madam Speaker, my colleague spoke mainly on the refugee aspect of this bill. I point out that Liberals were in government for 13 years and did nothing about creating some sort of further refugee protection. The New Democrats have continuously been calling for more further refugee protection, especially the Refugee Appeal Division. In the previous iteration of the bill we had agreement on this. Yet the minister, instead of letting Bill C-11 go through to fruition and seeing its impacts on society, has decided to quash it and have this omnibus bill.

Would the member please comment on that?

Mr. Francis Scarpaleggia: Madam Speaker, I suppose the NDP is fortunate in that it never has to say "when we were government, things were not always perfect".

Unfortunately I was not in cabinet so I do not know what discussions took place. However, I do know that we brought in the Refugee Appeal Division, but it was not implemented at the time. I also know that when the member opposite's party was the third party—

Hon. John Baird: Fourth party.

Mr. Francis Scarpaleggia: Fourth party, indeed. How quickly we forget.

We took the lead in negotiating with the government to make Bill C-11 more palatable by requiring that before the minister designate a country as a safe country of origin, that he or she consult an advisory committee.

We have been working to protect the rights of refugees, and we will continue to do so.

Hon. Hedy Fry (Vancouver Centre, Lib.): Madam Speaker, the Liberal Party agrees with reforming the system so processing times for refugees are fair and reasonable. After all, refugees are people seeking refuge, a safe place to go because life is untenable for them wherever they happen to be.

We are concerned that the government has taken this bill to reform the system and it has muddied the waters on it, using it as a vehicle for trafficking. The government is trying to say that it wants to separate the refugee from the trafficked person. No one is arguing the intent of that. We all agree with it. The question is to how it is being done. The process that the bill lays out is very unjust and it contravenes many pieces of international law, a charter and the United Nations convention on the rights of refugees. First and foremost, it gives two ministers the sole power to decide.

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It gives the Minister of Citizenship, Immigration and Multiculturalism the power to decide what a safe country is, with absolutely no accountability. There is nothing built in for sudden changes in circumstances in a country that sounds as if it is safe and in the offset is seen to be safe. I want to remind members of this. We thought Germany was a safe country and because of that, the people on the *St. Louis* were turned back to absolute death and to concentration camps. We did not know what was going on within Germany.

When we say we know about so-called safe countries, we have to look at countries that we trade with, countries that are on the surface a so-called European Union and developed countries, so-called democratic countries, where human, minority, women's, ethnic and religious rights have been denied to many groups and minorities within that country.

I go back to the issue of the Sinti and the Roma. Everyone likes to ask if the Sinti and the Roma cannot go off to one of the 25 European nations. I will quote Catherine Dauvergne, UBC professor, Canada Research chair in Migration Law. She said, "Some individuals have utterly inadequate rights protections, which is why some Roma are found to be refugees, in Canada and elsewhere".

I go to the Organization for Security and Co-operation. I am the special representative for gender. I work closely with the special representative for migration and minority rights and we see in pockets of many countries, the denial of any rights to the Sinti and Roma. In countries like Italy and Spain, we see this happening and yet they are so-called democratic countries. The idea that the minister will designate safe countries is a slippery slope.

Not only that, but people coming from a so-called safe country have no recourse, if they apply as a refugee, to due process or appeal. That is an unacceptable thing under the rule of law. The Minister of Public Safety has the power of mandatory detention for a people who make a refugee claim and if that refugee claim is made with another individual or individuals, they can go to jail for one year because this claim has been made by a group. We do not even have the definition of what a group is. The group is anybody over two people. That in itself is an infringement on rights of people. It infringes on the right of association.

I want to remind members of the Vietnamese boat people who came to our country seeking refuge. Canada opened its arms to them. They went into communities that embraced them. Today, those same Vietnamese boat people are model citizens in Canada and we have benefited very much by their being here.

Let us look at another so-called safe country. In 1989, when the Tiananmen massacre occurred in April, if the Chinese students who were being threatened had come to our country a month later, they would not have been accepted and would have been jailed because they came as a group seeking refuge because of changed circumstances regarding Tiananmen Square. We have to learn from our past experiences.

• (1125)

Today, we do not need to take this kind of abuse of rule of law. We have technology and we have diplomatic relations with many countries. It is easy for us to talk to these countries to get information

about a person of interest or about a suspicious person or group. I do not understand why we have to detain people for a whole year. We could use technology on this, if we want to be compassionate and understanding, to avoid harming people who are real refugees by sending them back to almost certain detention, torture and death in some instances. It is improbable that we cannot get this kind of information within 60 days.

The ministers should consider rule of law. If a government ignores rule of law, then it makes Canada a non-democratic nation. We love to talk about the pillars of democracy, rule of law is one of them. The government is ignoring rule of law and basing fear-mongering on the fact that there are all kinds of people coming to Canada who are terrorists. There are ways around this, so I do not understand why the government would ignore rule of law. There are ways in which the government can dilute the threat. It can use technology. It can talk to diplomatic people within the country and find out if these people are people of interest.

What is the process or the provision for the release of mass arrivals in the event that it comes to light that there were significant changes in circumstances within the country from which those mass arrivals came? I go back to China and Tiananmen Square. I go back to the *St. Louis*. I go back to the Vietnamese people. Is there a provision in the legislation that would allow us to say that we were wrong, that we are sorry, that circumstances have changed and that we need to accept these people? No. They would have been placed on mandatory detention immediately for a minimum of a year.

I want to go back to the list of safe countries. Should we put in a clause that says it would be mandatory to review that list if we hear from another nation or other groups about something suspicious going on in another country that we deem to be a safe country? Is there a way of going back and looking at a sunset clause on that place?

These are the kinds of checks and balances that we need in good legislation. We all have concerns about the backlogs. We care about that. Let us not forget that it was the government that failed to fill a lot of vacancies on the refugee board, creating that backlog. The Conservatives dragged their feet on that.

Let us not forget the United Nations Convention on the Rights of the Child to which the government is a signatory. The minister has looked at that and said that minors under 16 years of age will be excluded from this, but we would be taking children away from their parents. Imagine children leaving their homes, going into some hole of a boat scared and frightened and then upon arrival, they are taken away from their parents who are put in detention without those children knowing where they will be sent. Imagine the psychological damage we would do to that child. That is totally abhorrent. It totally opposes the United Nations Convention on the Rights of the Child. It is cruel, it is inhumane and it also contravenes the 1951 refugee convention.

Government Orders

There is another piece in the bill that bothers us. People cannot apply on humanitarian and compassionate grounds for one year following a negative decision. What is this? Where do these people go? Are they stateless people? What happens to them? These are important questions we have to ask.

There is also a five year waiting period before an individual can apply for permanent residency. This would create a bunch of people with absolutely no rights.

Section 7 of the charter speaks to life, liberty and security of the person. The denial of access to families, denial of appeal violates that right to liberty of the person.

Section 9 of the charter speaks to the right not to be arbitrarily detained. This legislation would break that section.

Section 12 of the charter talks about cruel and unjust punishment. The bill would inflict cruel and inhumane punishment.

People who are afraid of torture, afraid for their lives or the lives of their families will do anything to come to safety. Australia found that it costs more to detain people than if there were a different set of circumstances. Australia is now looking at its bill.

This bill has a basis of political intentions. It appeals to the fear in people. It does not give information and education to Canadians to allow them to understand the reality of the circumstances of refugees and to understand the difference between refugees and traffickers. It therefore—

• (1130)

The Deputy Speaker: Order, please.

The hon. Minister of Citizenship, Immigration and Multiculturalism.

Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC): Madam Speaker, we have gone from the most thoughtful and informed opposition speech on the bill to the most unthoughtful and uninformed speech that was filled with complete falsehoods and outrageous suggestions.

For example, there was the notion that we would seek to deny due process and would violate charter rights for would-be asylum claimants from designated countries. In fact, the bill would guarantee access to an independent quasi-judicial hearing on the merits of an individual claim for all asylum claimants regardless of the nature of the country they came from or the manner in which they arrived in Canada. That exceeds both our charter and UN convention obligations. What the safe country claimants would not have is access to the refugee appeal division, which the Liberals refused to give any failed asylum claimants.

The member referred to immigration detention as jail. However, she was part of a government for 13 years that maintained immigration detention.

She said that Canada would reject people like those on the *St. Louis*. Under this law, they would have access to our fair and independent quasi-judicial asylum process. They would not have been sent back the way a former Liberal government did.

She said that we are denying people access to humanitarian and compassionate consideration for one year after a failed asylum claim. She voted for that provision in Bill C-11 in the last Parliament.

She said that the Vietnamese would be placed under detention. No, they went to UNHCR camps overseas and waited their turn to be resettled in Canada.

The Deputy Speaker: Order, please. I will give the hon. member for Vancouver Centre the opportunity to respond.

Hon. Hedy Fry: Madam Speaker, I have researched this under the rule of law. I have consulted with many people who are lawyers and constitutional experts and they have verified what the bill would do.

It is interesting when one raises questions, when one has done one's research and homework, the government's response is personal vilification.

I did not throw any grenades at the government. I talked about the rule of law, what the bill would do and how it would defy United Nations conventions and the Constitution.

All I have to say is that I did my homework. The minister can use as much rhetoric as he wants.

• (1135)

[*Translation*]

Ms. Laurin Liu (Rivière-des-Mille-Îles, NDP): Madam Speaker, as my hon. colleague mentioned, the bill deprives some refugees of the right to apply for permanent residency and to have access to their families, including their children, for five years. The government's response is that these people must be patient. I find that insulting and my constituents are outraged by this bill.

The case of Paola Ortiz made the headlines in Quebec. This Mexican woman had to leave her children behind in Quebec when she was denied refugee status and had to return to Mexico.

[*English*]

The bill talks about things like safe countries. What effect would this have on women like Paola Ortiz in Quebec?

Hon. Hedy Fry: Madam Speaker, the member's question is a very important one. We have heard the minister accuse me of not doing my homework, et cetera. In answer to the member, I will quote the Canadian Council for Refugees. Therefore, the minister is not getting my opinion.

The Canadian Council for Refugees is concerned that this bill would create a two-tier system of refugee protection in Canada. It stated, "It makes refugee protection in Canada dangerously vulnerable to political whims, rather than ensuring a fair and independent decision about who is a refugee. It also includes costly measures"—as we saw in Australia—"to detain refugee claimants and to revoke the status of refugees who are now permanent residents". This bill is in violation of Canada's rule of law.

Government Orders

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Madam Speaker, I want to refer to the question about what happens to the children of refugees who arrive as irregular entrants as designated by the minister. Those who are under 16 are not to be detained. It seems very likely, as in the case of the *Sun Sea*, that children would opt to remain with their mother and therefore they would be detained.

How will this affect the rights of the child under our international convention obligations?

Hon. Hedy Fry: Madam Speaker, it would in fact contravene the convention on the rights of the child, to which we are a signatory. The important thing is the psychological damage to the child.

If a child is under 16 and his or her parents are detained, will the child be sent to a foster home? Where would the child be sent? Do members realize that separating a child from his or her parents is cruel and inhuman?

[*Translation*]

Mr. John Weston (West Vancouver—Sunshine Coast—Sea to Sky Country, CPC): Madam Speaker, I will be sharing my time with the member for Scarborough Centre.

I am pleased to be able to participate on the debate on Bill C-31, Protecting Canada's Immigration System Act, which will further improve Canada's asylum system.

Canada has a well-deserved international reputation because it has the most generous and fair immigration system in the world. Every year, Canada extends protection to more than 10% of the world's resettled refugees, more than any other industrialized country. However, Canada's asylum system is vulnerable to abuse.

Canadians have no tolerance for people who take advantage of our generosity and our country.

The government is concerned about the recent increase in asylum claims by citizens of countries usually considered to be safe.

In view of the fact that, last year, 62% of asylum claims were abandoned or withdrawn, or denied by the IRB, the Immigration and Refugee Board of Canada, it is evident that too much money is spent on asylum seekers who receive taxpayer-funded social benefits.

The facts speak for themselves. For example, in 2011, Canada received more refugee claims from the democratic and human rights-respecting countries of the European Union than from Africa or Asia. Last year alone, a quarter of all refugee claims came from European Union countries.

Over the past few years, nearly all asylum claims from EU countries have been withdrawn, abandoned or rejected. In 2010-11 alone, that was the case for 95% of claims from EU countries. Last year's unfounded asylum claims by 5,800 EU nationals will cost Canadian taxpayers nearly \$170 million. Obviously, something has to change.

We expect that the new refugee protection system will save the provinces approximately \$1.65 billion over five years in welfare and education costs.

The Protecting Canada's Immigration System Act builds on and enhances reforms introduced in the Balanced Refugee Reform Act.

The new measures will expedite asylum claims processing for nationals of designated countries, those that are not a usual source of refugees. In addition, the new measures will reduce the number of options available to unsuccessful asylum seekers, options that allow them to delay their departure from Canada.

Thanks to the Balanced Refugee Reform Act and associated regulations, IRB processing times have gone down to 60 days for claimants from designated countries and 90 days for other asylum seekers. However, as we were preparing to implement the act, it became clear that these processing times were still too long for people who do not need our protection.

The government has always made it clear that reforms to the asylum system are ongoing and that further measures will be introduced as needed and when needed. Given recent surges in the number of bogus asylum claims from human rights-respecting EU countries, it is clear that further reforms to Canada's asylum system are needed sooner rather than later.

● (1140)

Faster decisions regarding refugee claims are the key to an improved system. That is why, under the new provisions, wait times for hearings will be further improved.

The government is acting responsibly and in the best interest of Canadian taxpayers by presenting reforms meant to resolve problems related to the rise in false refugee claims. These claimants, many of whom withdraw or abandon their claims, are seeking to abuse Canada's generous immigration system and take advantage of our generous welfare benefits, such as social assistance and health care, and this costs taxpayers hundreds of millions of dollars a year.

Shorter processing times and faster removals will limit access to these social benefits and to work permits, which will also help prevent the abuse of our refugee system.

Under the proposed changes, refugee claimants coming from designated countries of origin will be given a hearing within 30 days, if their claim has been filed at an office in Canada, and within 45 days if it was filed at a point of entry, compared to over 1,000 days in the current system.

I would remind the House that the Balanced Refugee Reform Act creates a new refugee appeal division, or RAD, within the IRB. The appeal process will include an examination of the original decision, and in some cases, new evidence that was submitted later.

Government Orders

Under Bill C-31, claimants from designated countries of origin and those who have manifestly unfounded claims or claims with no credible basis, will not have access to the RAD. All asylum seekers whose claims are deemed admissible will have a fair hearing and can always appeal to the Federal Court in the event of a negative decision.

I want to read from an editorial that appeared in *The Gazette of Montreal*:

Canada has a long-standing and well-deserved reputation as a place of refuge for people fleeing persecution in their homelands.

At the same time, however, it has also gained repute as an easy mark for the unscrupulous who fraudulently use our generous refugee determination system as a way to get into Canada without submitting to standard immigration requirements and procedures...

Shielding the refugee system from false claimants is not only in the best interest of Canadians, on whom they are a financial burden, but also of legitimate applicants who stand to lose out if bogus claimants cast the system as a whole into disrepute.

Establishing a system that is both efficient and fairly balanced is a daunting challenge, but it is one that should be tackled realistically and at the same time in a spirit of generosity that should stand as a Canadian hallmark.

We want to ensure that the refugee protection system is solid enough to deal with unfounded asylum claims, and these changes will send the right message: if you do not need protection, you will be sent home quickly.

The significant changes introduced in the Protecting Canada's Immigration System Act will accelerate the processing of asylum claims and discourage abuse of the redress process. The bill will also make it possible to offer protection more quickly to those who really need it.

I therefore encourage all hon. members to support Bill C-31, which will help to maintain the integrity of our immigration and refugee protection system.

• (1145)

Ms. Rosane Doré Lefebvre (Alfred-Pellan, NDP): Madam Speaker, I would like to thank the hon. member for his speech, which was all in French. I would like to commend him on it. It was enjoyable to listen to. He speaks French very well.

This bill is extremely important. I understand that it is important to crack down on human smuggling, which is a serious problem. However, the bill does not necessarily attack smugglers but mostly attacks refugees. In my riding, we have an immigration holding centre, where people who cannot prove their identity are held. It operates exactly the same way as a prison. It is located on federal property just next door to the penitentiaries in my riding.

Approximately 2,000 people pass through there each year. The average detention time is 28 days, the time it takes them to prove their identity. However, this bill proposes a mandatory maximum detention of one year. I am concerned about the rights of refugees and of the people who work in these detention centres, and I am concerned about how this is going to be implemented.

Will these individuals really be detained for a maximum of one year or could it be for longer? Some deadlines are already not being met. These people are experiencing severe mental anguish. Will the maximum detention period really be one year?

• (1150)

Mr. John Weston: Madam Speaker, I very much appreciate my colleague's support. Francophiles in British Columbia really enjoy speaking the language of Molière, and of Quebec. I also thank her for the question. This bill extends a great deal of protection to refugees. For example, it maintains the right of appeal to the Federal Court.

In order to protect all refugees, it is important to maintain a generous system. If we do not improve the current system, we will not be able to continue accepting as many real refugees from other parts of the world. If the minister had the right to designate the countries whose citizens are not true refugees we could greatly speed up the current process.

[English]

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Madam Speaker, when the member for Vancouver Centre spoke, the minister took exception to some of her comments. I take exception to the minister's comment. It is not just opposition members who are concerned about the lack of respect toward our Constitution and charter.

I would like to refer to a fairly telling statement by one of the lawyers for the Canadian Association of Refugee Lawyers. It refers to Bill C-4, which of course is now Bill C-31, and states that the "proposed mandatory, unreviewable, warrantless, year-long detention is patently unconstitutional".

I wonder if the member would acknowledge that there are many lawyers across this country who have experience in dealing with these matters, have grave concerns about the constitutionality of this legislation and believe that, in fact, there may be a need for amendments so that it would pass—

The Deputy Speaker: Order, please. The hon. member for West Vancouver—Sunshine Coast—Sea to Sky Country.

Mr. John Weston: Madam Speaker, my colleague works hard on the immigration committee. I certainly appreciate sharing that experience with him.

It is interesting that even the former leader of my colleague's party, Michael Ignatieff, supports the notion that there are countries from which we should not be treating refugee claimants in the same way as other countries. For instance, it does not make sense for us to be taking people who claim refugee status from European Union countries. We know they have strong democracies, human rights records and independent judiciaries, all mentioned in the bill as criteria. This would, in a very objective way, give the minister criteria to distinguish countries which would be subject to the accelerated program. There are no constitutional issues that I can see.

Ms. Roxanne James (Scarborough Centre, CPC): Madam Speaker, I am very pleased to rise today and have the opportunity to speak on Bill C-31 protecting Canada's immigration system act.

Canada has the most fair and generous immigration system in the world. However, our immigration system is open to abuse. Canadians are generous people, but we have no tolerance for those who abuse that generosity and who take unfair advantage of our great country.

Government Orders

Canadians have told us, loud and clear, that they want us to put a stop to this type of abuse. Our government has listened and we are taking action. That is why our Conservative government introduced Bill C-31. It would make our immigration system faster and fairer. It is the latest step by our government to ensure that our immigration system is no longer abused by foreign criminals, bogus refugee claimants and human smugglers.

This bill includes three major components. First, it includes much needed reforms to our refugee system. Second, this bill includes the provisions in C-4, preventing human smugglers from abusing Canada's immigration system act. There is one important difference to note. It has been brought up in the House today, but it is important to stress once again, that there is now an exemption from detention for anyone under the age of 16.

Third, and the focus of my remarks today, is that this bill would provide the government with the authority to collect biometric data, specifically fingerprints and a photograph from foreign nationals who seek to enter Canada.

Canada welcomes thousands upon thousands of visitors each and every year, tourists, family members and business people, among others. In 2010, under our Conservative government, over 920,000 temporary visa permits were issued. That is a 13% increase compared to the previous Liberal government.

We have also increased the maximum length of multiple entry visas from 5 to 10 years to make it easier for eligible applicants to visit Canada and come back. Our government introduced the parent and grandparent super visa so that loved ones can visit their children and grandchildren for a period of up to two years at a time. Since 2006, our government has also lifted visa requirements from eight countries: Taiwan, Poland, Slovakia, Croatia, Estonia, Latvia, Hungary and Lithuania.

Our government is facilitating the travel of legitimate travellers to Canada. I want to stress the word "legitimate". It is no secret that there are countless numbers of people, each and every year, who are not allowed to come to Canada and who nevertheless find their way in.

There are countless examples on almost a daily basis of violent criminals, terrorists, human smugglers and war criminals, among others, who have entered Canada using false or fraudulent documents. There are several examples of criminals entering Canada on multiple occasions even after they have been deported. There are even examples of criminals re-entering Canada using false identities and documents up to 15, 19, 21 different times.

We must take action. We cannot allow this to continue. This has to stop. Biometrics would help our government end this fraud and the obvious abuse. Biometrics would help our government protect the safety and security of all Canadians. That is one of the number one priorities of any government. Biometrics is one of the most effective ways to correctly identify individuals. Biometrics would be an important new tool to help protect the safety and security of Canadians by reducing identity fraud and identity theft. As fraudsters become more sophisticated, biometrics would improve our ability to keep violent criminals and those who pose a threat to Canada out of Canada.

Let me explain how biometrics would work. When foreign nationals apply for a visa to enter Canada, they would go to a visa office or one of the many visa application centres located around the world. They would provide their fingerprints and have a high quality, digital photo taken.

This data would then be checked against other databases. If no flags were raised and they met all other criteria, they would be provided with a visa to visit Canada. However, if a flag were raised and a person found to be inadmissible, that person would be denied a visa to enter Canada.

When the visa holders enter Canada, they would again be asked to provide their biometric data. This would ensure the person who is entering Canada is the same person who provided the data when he or she applied overseas and who was approved to travel on that visa.

In other words, we must ensure that "who applies is who arrives". Needless to say, biometrics would be an effective security tool.

● (1155)

Understandably, there are concerns about privacy when it comes to the collection of biometric data. I would like to be perfectly clear. Biometric data would not be required of Canadian citizens or permanent residents. The personal information of visa applicants would be used, retained, shared and disposed of in accordance with Canada's privacy laws. Citizenship and Immigration is working closely with the Office of the Privacy Commissioner on the implementation of biometrics. In fact, the Privacy Commissioner's office has stated that it is "satisfied that CIC is taking its privacy responsibilities as part of the protocol seriously, and with the fact that it has been receptive to much of our advice".

It is also important to note that if someone acquired Canadian citizenship before their biometric data was due to be disposed of, it would be disposed of immediately upon the individual receiving citizenship.

The collection of biometric data makes such common sense that the only question it begs is why it was not done decades ago. In fact, it was done decades ago in many other countries around the world. Bill C-31 would finally put us in line with other countries, such as the United Kingdom, Australia, countries of the European Union, New Zealand, the United States and Japan.

Biometrics would not just help our government keep those who pose a threat out, it would also facilitate the travel of legitimate visitors, and again I stress "legitimate". It could lead to faster processing times.

There has been widespread support for biometrics. In fact, a *Globe and Mail* editorial on Bill C-31 stated:

The bill will also implement biometric identification, such as fingerprints and photos, for people who apply for visitor's visas. This welcome change will guard against the use of false identities.

A *Montreal Gazette* editorial gave the following praise. It stated:

And it allows for the collection of biometric data—fingerprints and digital photos—of people entering Canada on a visitor visa, a work permit or a study visa. Both of these measures are advisable.... The collection of biometric information is a sensible security precaution that will be a valuable tool in preventing people from slipping into the country with false identities.

Government Orders

I know that all Canadians want our government to strengthen our security screening process to ensure that serious criminals, terrorists, bogus refugee claimants and war criminals, among others, are not permitted to enter Canada. My constituents in Scarborough Centre do not want these criminals to be able to enter Canada or live in our neighbourhoods. I am certain the NDP and Liberal MPs' constituents do not either. That is why I was so shocked to learn that the opposition parties, both the NDP and the Liberals, are voting against this bill and against the use of biometrics. Not only do they oppose the provisions to give the government the authority to collect biometrics, they also voted against the funding necessary to start the collection of biometric data. In other words, the NDP and Liberals have voted against and continue to vote against one of the most important measures to prevent criminals and terrorists from entering our great country. They are voting against a tool that would help protect the safety and security of all Canadians, including their own constituents. For that they will be held accountable.

Bill C-31, protecting Canada's immigration systems act, would make our immigration system faster and fairer. Most importantly, it would help protect the safety and security of all Canadians. I implore all members of the House to support this important and much needed piece of legislation.

• (1200)

[*Translation*]

Ms. Rosane Doré Lefebvre (Alfred-Pellan, NDP): Mr. Speaker, I would like to thank my colleague for her speech and opinion, which, sadly, I do not fully share. I will explain why a little later.

Many things in this bill should be revisited. Many of the act's provisions will be amended, which will directly affect refugees. In exchange, the minister will have the discretionary power to decide, case by case, whether or not these people fall into the right categories. It is as though he were deciding who is naughty and who is nice. That should not be the case, especially not in our current democracy, unfortunately one that is losing its lustre these days.

Does my colleague not feel that it is a little unfair that the minister is being given so much power? Is it not up to the people on the ground who deal with refugees to determine whether or not the refugees need help? What does she think about the fact that human rights and refugee conventions are currently being violated?

[*English*]

Ms. Roxanne James: Mr. Speaker, first and foremost, my colleague's point that the minister has arbitrary, sole power to designate or determine the status of a refugee based on his or her country of origin being designated a safe country is completely false. I would like to reiterate that: it is completely false.

The most important factors determining whether countries are deemed safe or not are objective and quantitative. That information is based on previous refugee claimants or asylum seekers who have either actually walked away from their claims to begin with or were refused by the Immigration and Refugee Board.

To ensure that the member opposite knows the facts, I would reiterate that this is not at the sole discretion of the Minister of Citizenship, Immigration and Multiculturalism.

The hon. member across the way has also mentioned the Charter of Rights and Freedoms. I would also state that her point is completely false: the legislation before the House today is not in violation of those rights and freedoms but is correct and legitimate.

• (1205)

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, on so many fronts I would contest the member's answer to my colleague's question.

Having said that, she made reference to biometrics. She tried to give the impression that this is something that the NDP and the Liberals do not support whatsoever, and that if the government does not act to put in place biometric checks, terrorists and criminals will be free to run around Canada.

The Conservatives have been in government for six years now. This is the first time we have heard anything about it; the government itself has been lagging.

I ask the member, because she is a member of the citizenship and immigration committee, why, when we are in the midst of studying the issue and spending thousands of Canadian tax dollars on studying it, this particular minister brings in the whole issue of biometrics?

Why did the minister not at least wait and hear what we had to say? What was the great urgency, given that the minister has been sitting back and doing nothing for the last five years on this issue. Why are we wasting taxpayers' dollars on a biometric study in committee when the minister already knows what he will do? He is not waiting for any committee report.

Ms. Roxanne James: Mr. Speaker, my hon. colleague and I are both members of the citizenship and immigration committee, but I am surprised by some of the content of his question.

First and foremost, I would stress that one of the most important roles of any government is ensuring the safety and security of its Canadian citizens.

The government and this country need to move toward biometrics. That would be in line with many other countries and our allies around the world, who have been using biometrics for a very long time. To be specific, we could talk about the fact that if biometrics had been place years ago, people who are now in Canada might not be here and there would have been no need to deport them 10, 12, or 15 times.

My hon. colleague across the way in the Liberal Party talked about the cost of this particular system. That is interesting because the provisions in Bill C-31 would actually save taxpayers \$1.65 billion over five years. That is what we should be talking about, respect for taxpayers dollars and the safety and security of Canadian citizens.

[*Translation*]

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP): Mr. Speaker, I am pleased to have the opportunity to speak about this important bill, which was introduced by the Conservatives. I would like to indicate right away that I intend to share my time with the hon. member for Notre-Dame-de-Grâce—Lachine.

This is an important bill introduced by the Minister of Citizenship, Immigration and Multiculturalism but, as we have just heard from the Conservatives, it has a confrontational tone similar to what we saw with the bills designed to intrude and spy on our private lives through our computers, bills that were introduced by the Minister of Public Safety. In that case, if we did not agree with the government, then it meant that we were siding with pedophiles and child pornographers. Now, we get the impression that, if we dare to oppose the minister's bill, we will be accused of siding with terrorists and criminals. This is really childish politics, like something you would see in the schoolyard, and I deplore it.

I would like to begin my speech with the words of an Argentinian poet. This is something I rarely do, but I think it is important. It gives an idea of the tone and vision that I would like the debate on immigrants and refugees to have.

The Spanish title of this poem is *Los hermanos* or, in English, *The Brothers*.

I have so many brothers,
more than I can count,
from the valleys, the mountains,
the plains and the seas.

People connected by work,
by dreams,
with hope ahead,
and memory behind.

[...]
That's how we go on
tanned like leather by loneliness.
It's how we lose each other in the world.
It's how we find each other again.

[...]
I have so many brothers,
more than I can count
and a sister, very beautiful,
whose name is freedom.

That is what people do when they are trying to find a bit of hope, a bit of light in their life, when they are trying to get out of terrible situations, when, for their own sake and for the sake of their children, they want to go live a better life in a free society. They think they will be welcomed there with open arms on humanitarian grounds and received as our brothers and sisters.

Unfortunately, we have Conservative policies that are clamping down and taking us in a completely different direction. That is why, as a New Democrat, I am opposed to Bill C-31. I will elaborate as to why.

We have problems with clauses 24 and 25 of the bill. We had a Conservative colleague explain to us the benefits of democracy and human rights in the European Union. We will come back to that and talk about Hungary and the problem of the gypsies and the Roma.

However, I would like to share the opinion of a few judges of the European Court of Human Rights: Judges Rosakis, Tulkens, Hajiyeve, Spielmann and Hirvelä. They said that depriving someone of their freedom for a long period of time constitutes a serious injustice if they committed no crime and had no intention of doing so. They also said that no civilized country should knowingly tolerate this kind of injustice.

Government Orders

These are very wise words. The bill introduced by the Minister of Citizenship, Immigration and Multiculturalism does not contain the same wisdom. Indeed, Bill C-31 would automatically incarcerate refugee claimants designated by the minister, with no chance of release. That is exactly the situation the judges of the European Court of Human Rights criticized.

If this bill passes, any refugee claimants who arrive with the help of a smuggler will have to serve at least 12 months in detention. On March 6, the minister defended this measure by describing it as humane detention. That is absolute nonsense and reminds me of the newspeak that George Orwell wrote about.

Moreover, the bill will punish people who have been given refugee status by denying them permanent residence and family reunification for five years. We think five years is extreme. Overall, the bill targets refugees, not human smugglers. The language, the rhetoric, says it is targeting smugglers, but in fact the people who will really be affected are refugees. The minister is aiming at the wrong target. Certainly, the bill is well intentioned. The good intentions are there, but the cure it seeks to apply is worse than the disease.

The people who will suffer if this bill is passed are people fleeing persecution, people fleeing war or violence or discrimination in their country based on sexual orientation or other grounds. The people who will suffer are the adults who come here, but also their children.

I heard the Minister of Foreign Affairs mocking our concern for children. This is important to us. We care about our families and we think our children are important, but we also think the children of all families are important.

• (1210)

There is a difference between wanting to arrest terrorists, people who endanger the security of Canada and our fellow Canadians, and wanting to arrest everybody on the pretext that they came here with a smuggler because they were in a desperate situation, and putting them in a detention centre because the government does not dare call it a prison. It is talking about putting adults in those places with their children for a year. Theoretically, children under the age of 16 will not be detained, but in reality, families of claimants are faced with the wrenching choice of staying together in detention or separating from their children.

In January of this year, in an unequivocal study, research psychologists affiliated with McGill University warned the government about the negative impact of detention on the mental health of refugee claimants. According to those researchers, separating children from their parents in detention is not an acceptable alternative, in terms of mental health. The effects of the separation are generally harmful to the child's development, with very serious long-term consequences.

The situation is just as alarming when it comes to adult claimants. In Australia and the United Kingdom, automatic detention is common practice, however numerous cases of suicidal behaviour, severe depression, suicide and self-mutilation have been reported among detainees. Yes, in our opinion, this bill flies in the face of the charter.

Government Orders

In attempting to justify their bill in this House, the Conservatives' rhetoric seems to vacillate between humane treatment and repression. In our opinion, this approach is incompatible with the values of the Canadian Charter of Rights and Freedoms and with Canada's international commitments in the area of human rights. This point of view is shared not only by the Canadian Council for Refugees, but also by the Table de concertation des organismes au service des personnes réfugiées et immigrantes.

The automatic detention of designated refugee claimants is arbitrary, since it permits the imprisonment of innocent people. The vast majority of foreign national detainees are not criminals and have no intention of becoming so. In 95% of cases, these people are detained because officers have doubts about their identity or whether or not they will be present for immigration proceedings.

"Designated claimants" are criticized for the manner in which they entered Canada. Yet, by definition, a refugee is a person who travels and crosses a border in search of protection. Migration is, therefore, an inherent part of the refugee process. The means whereby this migration is carried out is circumstantial in nature. Basing the detention of refugee claimants on the manner in which they arrived in Canada is nonsensical. It equates to punishing a refugee for simply being a refugee.

The government is criminalizing the migration process. This violates article 31(1) of the Convention relating to the Status of Refugees, which prohibits the application of penalties on refugees for illegal entry or presence. This measure also violates sections 7 and 9 of the Canadian Charter of Rights and Freedoms.

In our opinion, this is a discriminatory measure. Making a distinction between refugee claimants based on their mode of arrival is discriminatory under section 15 of the Canadian Charter of Rights and Freedoms and articles 1 and 3 of the Geneva convention relating to the status of refugees. The creation of the category of "designated claimants" is based on absurd logic that implies different treatment with serious consequences. The system of automatic detention for "designated claimants" creates a system of "infra-rights", otherwise known as a two-tier system, which prevents one category of refugees from effectively taking advantage of their fundamental rights as compared to other claimants.

This measure is also complete overkill—it uses a bazooka to try and kill a fly by imposing 12 full months of detention without the option of a court review. It is abusive not only because the period of detention is excessive, but also because it denies designated refugee claimants essential procedural guarantees against arbitrary detention. Preventing designated claimants from challenging the grounds for their continued detention over the 12-month period is another clear violation of the charter.

The Supreme Court of Canada has already ruled that the lack of review of the detention of foreign nationals infringes the guarantee against arbitrary detention in section 9 of the charter, which encompasses the right to prompt review of detention under section 10(c) of the charter.

Most importantly, this measure is completely ineffective and counterproductive because it is based on the myth that repression is a deterrent. However, in countries where similar measures have been

introduced, the number of asylum claims has not gone down. Most migrants do not know the laws of the country in which they are seeking asylum. Their only motivation is to get out and seek protection.

Migratory patterns follow their own rules and conditions. Neither legal barriers nor bricks-and-mortar ones will stop migrants from coming here. Automatic incarceration will not reduce the number of asylum seekers; it will just increase their suffering. Whatever the government says, this treatment is not humane.

As legislators, we are the guardians of the Constitution. It is our duty to ensure that everything we do is inspired by the values in the charter, Canada's humanitarian tradition and our country's obligations vis-à-vis international law and human rights.

• (1215)

Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC): Mr. Speaker, the NDP member is once again giving the impression that he is not familiar with Canada's laws and obligations. He is not familiar with the obligations resulting from international treaties or conventions on refugees. He said that it is inappropriate to designate certain countries since that violates fundamental rights. And yet, even the UN High Commissioner for Refugees has clearly stated that it is completely normal and appropriate to do so.

[*English*]

I will now move to English because it is getting technical.

It is totally appropriate for countries to designate certain countries, which are not normally known to produce refugees, for accelerated treatment. Virtually every asylum system in the democratic world, all through Europe, Australia, New Zealand and the United States, all have consideration of faster treatment for claimants coming from countries that are not normally known to produce refugees.

In any event, he says that we would be denying fundamental rights to those individuals. In what respect? Every claimant under the system that we are proposing would have a full, fact-based oral hearing in front of a quasi-judicial body on the merits of his or her individual claim, which goes above the requirements of the Charter of Rights and Freedoms. Therefore, what right is he talking about denying with respect to safety country claimants?

• (1220)

[*Translation*]

Mr. Alexandre Boulerice: Mr. Speaker, I would like to thank the minister for his comment even though my interpretation of his bill is fundamentally different than his. He spoke about Australia. The NDP is convinced that it is extremely likely that the courts will rule against the provisions that are likely to infringe upon the right to equality, the right to liberty and the right to a fair and equitable trial and interfere with the best interests of children, because they are clearly inconsistent with the Canadian Charter of Rights and Freedoms.

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I would like to come back to the warning that a number of refugee advocacy groups in Australia sent to the Prime Minister in a letter dated December 22, 2011. In that letter, people who have experienced the system that the Conservatives are trying to impose here ask the Prime Minister not to follow the failed example of Australia by creating new laws that will generate innumerable financial and human costs and damage Canada's international reputation and proud history of fairness and multiculturalism. They urge us to abandon this bill because it will not be dissuasive and it will not work, as was the case with the laws in Australia.

That is what really happened.

Mr. Hoang Mai (Brossard—La Prairie, NDP): Mr. Speaker, I would like to thank my colleague for his eloquence and for reciting a poem. As he knows, my parents are from Vietnam. They had the opportunity to come here to study. Canada also accepted many boat people, as they were called, who came here as refugees. I am concerned about how children fleeing their country, who have problems such as not having any papers, will be treated in Canada. What does the bill say about these children? I would like my colleague to talk about that.

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP): Mr. Speaker, I would like to thank the hon. member for Brossard—La Prairie for his kind words and his question, which is very relevant given his personal and family experience. This is something we are extremely concerned about. Unfortunately, this bill does not do much to help children. Sadly, it follows the most repressive and ineffective models in the western world.

Of course, the Conservatives are saying that children under the age of 16 do not have to be detained with their parents, but this creates other problems. Where will the children go to school? How will they get health care? Who will look after them? Who will make them do their homework?

Researchers affiliated with McGill University have found that there are significant mental health problems associated with these types of situations, which can cause problems for the stability and future of these children. There is nothing in this bill to ensure that the children will be well treated and that they will receive health care and an education. We see that the Conservative government has very little concern for refugees and particularly for their children.

Ms. Isabelle Morin (Notre-Dame-de-Grâce—Lachine, NDP): Mr. Speaker, I am very pleased to have the opportunity to speak to Bill C-31 today, because nearly a quarter of the residents of my riding of Notre-Dame-de-Grâce—Lachine were not born in Canada. Every week, we meet foreign nationals who ask us to guide them through the sometimes long and often difficult process of claiming refugee status.

Bill C-31, which we are discussing today, generates strong reactions among immigrant families in my riding. People are afraid that under these new rules, the thousands of people who come to Canada every year seeking protection will no longer have an opportunity to prove their claims. They are questioning the transparency and fairness of the process.

Unfortunately, we have no arguments to persuade them otherwise. It must be clearly understood that people who come to Canada and claim refugee status are in an extremely vulnerable position. Some

have been tortured, threatened or persecuted; others have a genuine fear that this will happen to them if they are sent back to their country of origin. And even though the reasons they give sometimes do not correspond to the very specific definition of “refugee”, they may still have left their country of origin for entirely legitimate reasons. In most cases, they have left everything behind, hoping they will be given some protection here. These extremely sensitive situations call for the greatest vigilance.

We have to make sure that each of these nationals is entitled to a real opportunity to make their claim in a process that is just and equitable. If this bill is enacted, refugee status claimants will now have only 15 days to complete their claim and 15 days to appeal the decision if their claim is refused. Those deadlines are unrealistic and the consequence will be that some of them will not be able to make their claims.

To understand clearly how inadequate this measure is, we have to look at the context. People have left their country of origin, where, for one reason or another, they were threatened or persecuted. They arrive in Canada, perhaps traumatized by their experience, and they have only 15 days to complete their claim. These people must write down their life stories, then get legal advice, and most importantly, obtain the supporting documents for their claim. Demanding that people do all this, and in such a short time, when they have just escaped from a situation where they feared for their lives and sometimes speak neither French nor English, will often amount to asking the impossible.

We are deeply concerned that there will be a designated safe country list unilaterally determined by the minister. The purpose of this measure appears to be to expedite the processing of claims, however it could in fact have serious consequences. Not only do we fear that this approach will taint the entire claim review process by bringing into play political considerations that have no place in the process, we also believe that this way of categorizing countries as safe and unsafe is totally out of touch with reality.

This approach to immigration does not take into account the individual characteristics of each foreign national. A country that is safe for a majority of people may not be safe for certain individuals or minority groups. One need only reflect for a moment to realize that such situations exist the world over, for example, for the Kurds in Turkey, the Roma in Hungary, and journalists and political opponents in Russia. Such situations exist when it comes to the rights of homosexuals in certain countries or the treatment of women. Our immigration system must provide each and every claimant with a fair process based on the claimant's specific situation and the facts as they relate to the claim, regardless of country of origin.

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Not taking into account these specific considerations, ignoring the very existence of repression and discrimination, means choosing to bury one's head in the sand and leaving the most vulnerable people to their fate; it also violates Canada's humanitarian tradition. Even though their particular circumstances require closer review, foreign nationals from safe countries will have to comply with even shorter deadlines, and they will be unable to appeal decisions. It seems obvious to us that by shortening deadlines and considerably reducing the possibilities of appeal, the government is endangering the lives of refugees, because it will no longer be possible to correct mistakes that may have been made early on in the process. I wish to remind the government that it has a responsibility to protect foreign nationals.

The immigrant population in my riding, just like elsewhere in Canada, plays a key role in the growth of the country. Immigrants contribute on a daily basis to the economic, social and cultural development of our country.

• (1225)

The immigrant population will play an even more important role in the society of tomorrow. Our immigration system must continue to evolve in order to meet changing needs and world circumstances. In my opinion, Bill C-31 does the opposite. I remind the government that we are entirely opposed to all the criteria contained in this bill.

[*English*]

Mr. Rick Dykstra (Parliamentary Secretary to the Minister of Citizenship and Immigration, CPC): Mr. Speaker, the member has done a fairly good job of over-viewing a number of things in the bill and I appreciate that she is questioning some of the bill's content.

One of the points she made was in reference to the applications we receive in this country from countries like Hungary. She insisted that we should be accepting all of those applications regardless of whether they are true asylum cases or actually bogus refugee claims. She mentioned a number of times in her speech the importance of Canada's acceptance of refugees and the impact they would have on our immigration system. I do not question that, but she has indicated two parallels that are running against and into each other, which is that there are bogus applicants coming from countries that have been proven to be bogus, such as Hungary, and yet she indicates that we should be assisting refugees. This bill would do that. I wonder why she would think that allowing bogus claims would somehow be good for Canada's immigration and refugee system.

• (1230)

[*Translation*]

Ms. Isabelle Morin (Notre-Dame-de-Grâce—Lachine, NDP): Mr. Speaker, I thank the hon. member for his question.

However, I must correct what the hon. member said. I have never said that we had to accept every claim. What I said is that all claims must be considered in a process that does not take country of origin into consideration. That is what I said. I said that this principle, having safe countries and unsafe countries, was going to bias the way a claim would be analyzed.

If I receive a claim from anywhere in the world, from someone who says they have a problem with the justice system in their country or who says they are experiencing a particular situation, and

they would like their claim to be considered to determine whether they can be granted refugee status, I think that where the person comes from should never be considered, because that clouds the analysis that is done. That is what I said.

[*English*]

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I would like the member to highlight what I think is an issue with this bill, and that is the fact that the minister believes that he alone can best determine which countries should be listed on the safe list. There was a bill that passed not that long ago in which there was a consensus that that decision would best be determined by an advisory group of individuals who have some background in human rights.

I wonder if she might want to provide comments as to why that would be an important amendment to this legislation in order to make it even better overall.

[*Translation*]

Ms. Isabelle Morin: Mr. Speaker, I thank my colleague for his question. In fact, that is an issue I did not have time to address in my speech.

The minister wants to give himself excessive powers. We think these questions should be examined by a committee, because putting all the power in the hands of a single person does in fact leave room for safe and unsafe country designations based on political considerations or considerations that take foreign policy questions into account.

We are talking about a bill that is going to determine the lives of hundreds of people who come to Canada to ask us for help because things are bad for them in their countries. But this bill would allow the minister to designate safe or unsafe countries based on what he thinks and based on his concerns. He would be giving himself the right to do that, even though it would have an impact on people's lives.

In my riding, people come to see us every week to claim refugee status. It is extremely difficult for these people, who have had problems with the justice system. Many journalists who have written negative things about the regimes in power in their countries have said they fear for their lives. And now we are going to have to tell them that the minister has decided, on his own, that their country is on a blacklist.

I think this in fact detracts from the bill and I think an amendment in this regard is needed.

[*English*]

Mr. Parm Gill (Brampton—Springdale, CPC): Mr. Speaker, I will be splitting my time with the member for Langley.

I am grateful for the chance to speak in the House today on Bill C-31, the protecting Canada's immigration system act. I would like to congratulate my hon. colleague, the Minister of Citizenship, Immigration and Multiculturalism, for tabling this important legislation, and I encourage all members in the House to join me in supporting Bill C-31 to ensure that it passes into law.

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Canada has always been a welcoming country and continues to be so. Since 2006, our government has welcomed the highest sustained, average number of immigrants in Canadian history. Our generous immigration system is not only the envy of the world but also enjoys broad support among Canadians.

Why is this? In my opinion, there are two big reasons. First is an economic reason. Canadians know that without a strong immigration system, our economy would suffer. We now live in a globally competitive world, where countries that can attract the best and the brightest from around the world will best be able to compete internationally.

Second is historic experience. Canadians know that for generations newcomers have come to Canada and have helped to build it into the strong and pluralistic country it is today. There is every reason to believe they will continue to do so in the future. However, for that to happen, we must be vigilant in ensuring that our immigration system remains robust, efficient and working in the best interests of our country.

I believe that the measures in Bill C-31 will help ensure exactly that. What are these measures? As the minister has clearly articulated, they fall into three complementary categories, all of which will help protect the immigration system. First, Bill C-31 will build on the reforms to the refugee system that were passed into law on June 2010 as part of the Balanced Refugee Reform Act. Second, this legislation will help crack down on the disreputable business of human smuggling. Finally, Bill C-31 will pave the way for the introduction next year of biometrics for screening applicants for temporary resident visas, or study or work permits.

Once these measures are implemented, I am confident they will live up to the name of the bill, the protecting Canada's immigration system act.

For the benefit of my hon. colleagues, I would like to briefly discuss the importance of each of these measures in turn. On the day that the Minister of Citizenship, Immigration and Multiculturalism introduced the bill, he spoke about the significant increase in refugee claims originating in countries that we would not normally expect to produce refugees, democratic countries that respect human rights.

The most striking example of this is the fact that last year alone almost a quarter of all refugee claims made in Canada were by EU nationals. In other words, a quarter of all claims are coming from our democratic European allies, not from war-torn countries ruled by tyrants and plagued by persecution. That fact alone makes the case for additional reform of the system, but consider the cost to Canadian taxpayers in recent years from almost all EU claims being withdrawn, abandoned or rejected. Indeed, the unfounded claims among the 5,800 EU nationals who sought asylum last year cost Canadian taxpayers \$170 million.

• (1235)

In order to remove a failed refugee claimant from Canada, it still takes an average of four and a half years from the time of the claim to the person's removal, and removals have dragged out for more than a decade. Failed claimants are eligible to receive taxpayer-funded social benefits, which contributes to their overall economic burden on taxpayers. For many years, Canada has spent far too much

time, effort and money on failed refugee claimants who do not need this country's protection. This hurts those who are very much in need of our protection.

As the minister has stated, these measures would help provinces save about \$1.65 billion over five years in social assistance and education costs. The reforms proposed in the bill would speed up the process of both deciding on refugee claims and on removing failed claimants from Canada.

Even with these reforms, Canada will still have one of the most generous asylum systems on earth. In fact, because these reforms would enable those who need our protection to get it even faster, I would say that it makes the system even better.

Bill C-31 would help to bring our immigration and border control systems more fully into the 21st century by creating a legislative framework for the long planned implementation of biometric technology as an identity management tool in those systems. In plain language, collecting biometric data would mean photographing and fingerprinting people applying to Canada for a temporary resident visa, or for study or work permits. Because biometric data is more reliable and less prone to forgery or theft than documents, these measures would strengthen immigration screening, enhance security and help reduce fraud. This is an effective way to manage a high volume of applications and some forms of sophisticated identity fraud. It would help prevent serious criminals, previous deportees and terrorists, among others, from using a false identity to obtain a Canadian visa. Alternatively, the use of biometrics would also help facilitate legitimate travel by providing a fast and reliable tool for confirming the identity of travellers, students and temporary workers.

I said at the beginning of my remarks, Canadians must always be vigilant about keeping our immigration system robust, efficient and working in the best interests of Canada. When we examine the measures in Bill C-31, it is clear that they will do all of these things.

The bill would make Canada's immigration system faster and fairer. It would help us put a stop to foreign criminals, human smugglers and bogus refugees abusing our generous immigration system and receiving lucrative taxpayer-funded health and social benefits. At the same time, Bill C-31 would provide protection more quickly to those truly in need.

For these reasons, I am very hopeful that all of my colleagues in this House will join me in supporting the bill's passage into law.

• (1240)

[*Translation*]

Ms. Paulina Ayala (Honoré-Mercier, NDP): Mr. Speaker, certain subjects really attract my attention. When my esteemed colleague began his speech, he was talking about the economy. I think that when we talk about refugees, we are speaking primarily about human rights, in fact.

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I would also like to draw a parallel with what I heard the minister say: the parents are criminals, so they are taken into custody, and the children are taken into care. I have also heard people say that refugees are just freeloaders. They are people who are taking advantage of the system and therefore they are costing the system money.

Suppose we do an economic analysis. How much does it cost to build a detention centre? How much does it cost to keep someone in detention for year? These people cannot work and therefore they cannot support themselves. This is going to cost taxpayers even more.

Because of the costs of detention centres and all that is involved in keeping each claimant in custody for a year, taxpayers will have to pay even more. Does my esteemed colleague not agree with this opinion?

[English]

Mr. Parm Gill: Mr. Speaker, as I mentioned in my speech, we have one of the most generous immigration systems in the world and it is important that we protect it.

The fact of the matter is that we have far too many bogus refugee claimants coming into the country, whose appeals sometimes drag on for years. We know that it takes on average four and half years to get an obvious bogus refugee out of this country, and that is what is costing Canadian taxpayers billions of dollars. While these bogus refugees are here, they are obviously costing taxpayers in social assistance, health care and education.

I would like to applaud the efforts of the hon. Minister of Citizenship, Immigration and Multiculturalism for addressing this issue. It is a concern that truly needs to be addressed urgently.

•(1245)

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, Bill C-11 attempted to deal with the backlog and had the support of all three political parties. It too attempted to deal with the backlog by speeding up the process. The member would find all party agreement on wanting to speed up the process.

If a 25 year-old comes here as a legitimate refugee and has done nothing wrong and is trying to save his own life by entering Canada, and is then told that he has to wait at least five years before he can sponsor his daughter or his son or his wife, he will be into his thirties before he can see the spouse he left behind because someone was trying to kill or torture him.

Is that fair?

Mr. Parm Gill: Mr. Speaker, as I mentioned earlier, our immigration system is far too generous to bogus refugee claimants, who would like to take advantage of our system and all of the services that federal and provincial governments provide in terms of social assistance, education, health care and so on.

If a legitimate refugee comes to this country, Bill C-31 would actually help that person. The bill would help speed up the process and get a person who is in real need integrated into the country faster and sooner. The bill targets bogus individuals who are trying to take advantage of our country and our system and Canadian taxpayers.

Mr. Mark Warawa (Langley, CPC): Mr. Speaker, it is an honour to represent the incredible people of beautiful Langley, British Columbia.

I thank the member for Brampton—Springdale for his commitment to improving the Canadian immigration system. He is an inspiration to all of us in this House. I wish more people had the passion that he has to ensure we have an immigration system that is well protected.

This is a great opportunity to speak to this bill before us today. We do need to protect Canada's immigration system and I believe that Bill C-31 would allow us to do just that. This legislation would help us maintain the faith that Canadians have in our immigration and refugee system. Our great nation has been built on the hopes and ambitions of people from other countries who choose Canada as a home and we continue to depend on contributions of newcomers to help preserve our prosperity and the wonderful quality of life that we experience in Canada.

For that reason, Canada opens its doors to more than a quarter of a million immigrants and refugees every year. In fact, since 2006, our Conservative government has welcomed the highest sustained average of immigrants in Canadian history. Is that not incredible? We have a well-earned reputation around the world for the generosity of our immigration and refugee system.

Unfortunately, though, this generous reputation has made us a target for criminals who want to abuse our system for their own gain. I am talking about the crime of human smuggling. I am sure all members have heard of and recall the irregular arrival of the *Sun Sea* in our waters off British Columbia in August 2010 with its 492 passengers. That incident and others have shaken the faith of Canadians in our immigration and refugee system. They fear some immigrants may have links with organized crime or even terrorist organizations. Canadians wonder if authorities can assess and expedite the entry of so many people into Canada at once without making a mistake. They might well ask that because, frankly, our current system is not designed to process quickly such an influx of people or complex cases arising from transnational, sophisticated human smuggling ventures.

That is why a key provision of Bill C-31 would allow us to bring in new rules to deal with irregular arrivals. Currently, for example, an immigration officer can detain a foreign national entering into Canada. This would include where the officer is not satisfied or not certain about the person's true identity. The Immigration and Refugee Board reviews these kinds of detentions within two days. If the person is still in custody, the board will look at that case again within seven days. Subsequently, it can look at it every 30 days after that.

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Our current system is not meant to deal with mass arrivals in one location, which is what can often happen with human smuggling. As a result, authorities do not have adequate time for complete and proper identity, admissibility and security checks. We have a problem then. Depending on the complexity of the case, a security check can take days, weeks or even months. If a person arrives with no documentation, as is often the case with people who arrive en masse, the process can literally take years to complete. The reality is that the people carrying out human smuggling know this is how our system works.

I hope that all members, particularly those in the opposition, will change their minds and support this legislation.

Under this proposed legislation, the Minister of Public Safety would declare the arrival of groups as irregular in two situations: one, if the minister believes the identity or admissibility of the arrivals cannot be determined in a timely manner; two, if there are reasonable grounds to suspect criminal elements or terrorist groups are engaged in human smuggling for profit or for the benefit of, at the direction of or in association with a criminal organization or terrorist group.

• (1250)

If the minister does designate the group as an "irregular arrival", then authorities would detain all the individuals who have arrived under these circumstances. These individuals would remain in detention until the Immigration and Refugee Board determined they were refugees. Under the proposed changes to our asylum system, this would take only a few months in many cases. If, after a year, an individual still has not been identified and is still in custody, the board would review his or her case and decide whether there should be continued detention or release.

I want to stress that the legislation would give the minister power to order early release in exceptional cases. I also want to point out that those under 16 years of age would be exempt from detention. I want to ensure the members of the opposition hear that. This is an important change from the previous human smuggling bill, Bill C-4. The opposition members do not like to hear the truth, unfortunately, but they have heard the truth and I hope the truth will set them free.

The proposed changes would give authorities the time they need to do proper background checks into identity and admissibility. This is absolutely crucial. When individuals with ties to organized crime or terrorists slip into our country they put the safety and security of all Canadians at risk.

On one hand, these incidents reinforce Canada's reputation as an easy target for human smugglers. On the other hand, they undermine the faith of Canadians in their immigration refugee system.

Our country needs newcomers to keep us strong. We can ill-afford for Canadians to lose trust and confidence in how we welcome immigrants and refugees. Our government is determined to address these challenges head on.

Centuries ago, when the first newcomers came to our shore, they harboured no thoughts about organized crime or terrorism, as some do now. They simply wanted a better life for themselves and their families. This same wish has drawn many people to Canada ever since. In 1906, my grandpa, my *gido* and *baba* came from Ukraine to

Canada for a better life. As newcomers continue to take advantage of all our opportunities, they also contribute to our collective wealth in all sense of the word.

Together, to the envy of the world, we have woven a fabric that is a model of tolerance, compassion and prosperity. We cannot take this achievement for granted though. Indeed, as I speak, human smuggling is pulling at the fabric and threatening to unravel.

Irregular arrivals, like those on the *Sun Sea*, are making many Canadians question the merits of our immigration and refugee system. It will be a sad day indeed if our country loses faith in the merits of what new arrivals can bring us, so we must guard the vision of Canada closely. We must refuse to let criminal elements exploit our goodwill for their own ends. We must reassure all Canadians that we are ready to strengthen our immigration and refugee system. We must act now.

The provisions I have highlighted would give authorities more tools to manage large influxes of irregular arrivals. Officials would be able to do the necessary checks into immigration security and identity in order to protect Canadians. Other provisions would hold shipowners and operators accountable for their actions, including increasing the penalty for offences under the Marine Transportation and Security Act.

There are also proposed changes to our smuggling offence, including the imposition of mandatory minimum penalties for persons convicted of smuggling. We know the opposition does not support getting tough, including mandatory minimums, but the courts need that guidance. These changes would go a long way to keep smugglers from doing their evil deeds in Canada.

We all need to get together and support this legislation. I thank the world's best environment minister for the incredible job he has done.

• (1255)

Ms. Rathika Sitsabaiesan (Scarborough—Rouge River, NDP):
Mr. Speaker, I thank our environment minister as well.

In his speech, the member mentioned the 400-plus people who came off the migrant vessel *Sun Sea* and called them a threat to our security and public safety. Those people risked their lives on a rickety cargo ship for two months to come to Canada's shores, holding their life in dear hand. Most of the people who came on that ship had UNHCR refugee cards. As the parliamentary secretary or the minister mentioned earlier, the Vietnamese boat people went back to get UNHCR refugee cards. Those people who came to our shores already had them. They had their identification taken away from them and then were told that they did not come with sufficient identification.

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For the member to sing the tune that the minister sang before and say that people who arrive at Canada's borders by boat are considered irregular arrivals just because they are real asylum seekers who cannot afford an airplane ticket, is the member and the government calling people who do not have the ability to afford an airplane ticket bogus refugees?

Mr. Mark Warawa: Mr. Speaker, I thank the member for her encouragement for people who cut into line, which is not what Canadians want.

Earlier I called the Minister of Citizenship, Immigration and Multiculturalism the Minister of the Environment. Maybe it is the beautiful green tie he has on. However, he is the world famous, best in the whole world Minister Immigration and I want to thank him for his hard work.

I want to read a quote from Logan Logendralingam, who said, "We believe that the government should have the tools it needs to defend our borders and protect the fairness of our immigration. That is why we fully support new legislation that will target human smugglers who prey upon and exploit vulnerable people. Mandatory minimum sentences for convicted human smugglers will deter those who profit from putting human lives at risk. We understand that it is unfair for those who wait years to reunite their family members just to have others, who arrive through illegal means, jump ahead of them".

That is what the NDP wants but that is not what Canadians want.

• (1300)

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I can assure the member that there are literally tens of thousands of Canadians who would dispute his comments in terms of the Minister of Immigration.

All one needs to do is look at some of the actions of the government, such as the freezing out of parents and grandparents, to the building up of hope with the super visa, which turned out to be a super disappointment in the eyes of thousands of individuals who tried to get their parents to come here through the super visa.

There is some concern in regard to why the government tends to want to demonize the whole refugee community. It is best said in terms of when the member makes comments about the boats, the *Ocean Lady* and the *Sun Sea*. I know the minister will remember. He was on the back of the ship with the Prime Minister proclaiming that refugees were all these bad people.

Mr. Rick Dykstra: No, that is not at all what he said.

Mr. Kevin Lamoureux: Well, he did not say "bad people", but there was a powerful message when the minister stood with the Prime Minister on the back of that boat. That is reason we have the legislation that we have here today.

Would the member tell the House how many of those refugees who were on that boat were terrorists or criminals? Could the member give us any indication as to how many of those who were on those—

The Acting Speaker (Mr. Barry Devolin): The hon. member for Langley.

Mr. Mark Warawa: Mr. Speaker, the member questioned as to who was trying to demonize the immigration system. It was the 13 long years of Liberal government that demonized the immigration system. It created a backlog where people had already died and yet were still in the system.

It took this minister and this government to make a commitment to clean up that Liberal mess. The Liberals made a mess of the immigration system, the environment system and the justice system. There was nothing they touched that they did not mess up.

This government is taking action and I thank that minister again for his hard work.

Mr. Randall Garrison (Esquimalt—Juan de Fuca, NDP): Mr. Speaker, I rise today to speak very strongly in opposition to Bill C-31, which has been given another one of those new-speak titles, protecting Canada's immigration system act.

It is really a reincarnation of the previous Bill C-4, which I spoke against on second reading, so I will repeat some of those same arguments. Essentially this new bill has most of those same flaws as the previous bill.

I am opposed to the bill based, first, on my personal experience. In the 1980s, I became involved in refugee work, largely around the political crisis in Central America. I became the co-founder of the Victoria Immigrant and Refugee Centre and I opened my own home to refugees who fled for their lives, having had other members of their families killed or tortured as a result of violence in Central America. I also worked as an international human rights monitor in East Timor, Ambon in Indonesia and in Afghanistan. Therefore, I have seen the situations which create the international refugees who seek safety for themselves and their families in Canada.

I am also opposed based on my concerns about the bill being a violation of both Canada's Charter of Rights and our international obligations, in particular, the designation of certain claimants as irregular arrivals and creating a second class of refugee claimants who are subject to various severe measures, including potential detention for a year.

Members on the other side like to the point to the fact they have improved the bill because now children will not be kept with their parents in detention, but will be sent into some limbo outside detention.

The bar on applying for permanent residency status for five years means it would be very difficult to reunify families because individuals would also not be allowed to sponsor their families for five years and would have no access to the refugee appeals division.

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It is also based on my general opposition to the new-speak we see again and again on the other side of the House in taking away the status of permanent resident, which would imply, once an individual is granted it, they would be allowed to stay in Canada permanently. Under the bill, a permanent resident would no longer mean permanent. It would be subject to a decision of the minister to decide whether individuals could stay in the country or whether they would have to go back. Individuals, having brought their family to safety, having established themselves in Canada, after an arbitrary decision by the minister, they could be forced to leave and return to that country and give up all the progress they have made in re-establishing their lives.

It is also based on my doubts about how we have come to have the bill in front of us. The previous bill, Bill C-11, passed in the previous Parliament, was a compromise between all parties working on the immigrant and refugee system, but it was never allowed to work.

What we have before us is another unfortunate example of what I call government by headlines and the politics of resentment. In particular, in Conservative speeches we hear lots of reference to queue-jumping, to exploiting our generosity and playing on the emotions of Canadians about somehow, someone getting something to which he or she is not entitled.

The Conservatives like to pick the extreme examples. They like to pick the exceptions, which no one would support, and then attempt to make public policy on those exceptions.

I am also opposed to this because it is another case of a policy based on the concept of deterrence, which the government likes to use in criminal justice. It is a concept which has no basis in fact. Tough penalties would of course deter law abiding citizens. As one of the witnesses who appeared at the public safety committee said, "Yes, tough sentences deter you and me because we have something to lose. They deter all law-abiding citizens who understand the concept of community. They do not deter criminals".

They certainly would not deter genuine refugees fleeing for their lives and they certainly would not deter the profiteers engaged in human smuggling. They already face maximum penalties of up to \$1 million and life sentences. Therefore, if tough penalties were deterrents, we would see no human smuggling because there are no penalties bigger than that in the Canadian legal system.

However, make no mistake, I believe in deterrents based on what actually works. If we look at all the literature on criminal justice, it is the same things that also apply to refugee claimants. What works is the certainty of being caught and the swiftness of prosecution. Therefore, the certainty that a bogus claim would be identified and the speed with which that claim would be dealt with is what would deter those claims, not making restrictions on legitimate refugee claimants' rights and their ability to access the process.

The real solution is to apply more resources to the front end of our existing system so that those who make claims know that their claims will be dealt with in a matter of weeks or months, not a matter of years, and they know that bogus claims will not succeed in our system.

● (1305)

The government appears to set out some very nice targets in the bill that these new categories of refugees will have to meet, but in the absence of new resources the government will not meet those targets either. Therefore, we will pass a bill, which endangers the rights of many legitimate refugees, without achieving the swiftness the government claims will result from these measures because it will not have the resources in the system to actually accomplish this.

I will now turn to what I think is the most serious flaw in the bill, which is the process of designating certain countries as safe countries. This is a flawed concept and, once adopted, creates another second class of refugee claimants and provides severe restrictions on the rights of those who come from what is designated a safe country and on their ability to make effective refugee claims.

There was a compromise reached in the previous bill, Bill C-11, which said that safe countries could be designated, but it would be done by a panel of experts, not the minister, and the designation would allow for the exemption of certain geographic areas or certain classes of persons. We all know that there are certain countries where things are completely safe and other regions of the country where things might not be safe.

Under this bill, the designation of a country is either safe or not safe. It is safe for everyone in every place or it is not safe. The previous bill would have allowed the designation of women, in areas where violations of rights against women are rampant, as an exempted class, so the country might be safe for men but not for women. It would have allowed the designation of gays and lesbians, bisexuals and transgendered people, who are rarely safe in most countries around the world, as a class of people who could come from what was otherwise a safe country. The bill does not allow those designations of classes or geographic areas as exempt from the safe country designation.

Now I will turn to the particular situation of lesbian, gay, bisexual and transgendered refugees under the bill. I want to do so not just because I am a gay man and also an immigrant whose basic decision to move to Canada was, in large part, based on the criminalization of homosexuality in my country of origin at the time. It is a big part of why I stand here today. The safe country concept will have a disproportionate impact on these refugees from my community. Those coming from a designated safe country are required to make a claim within 15 days of arrival. In that 15 days they have to decide whether they would make a humanitarian and compassionate claim or a refugee claim. When I came, I would have had no idea what that meant, and in 15 days I would have had no ability to figure that out. I firmly believe that most refugees will be in that situation. As well, they have only 15 days to find legal representation. If they come from a society, and sometimes from a family, where declaring their sexuality meant great losses on a personal level and a great threat to their safety, they have only 15 days to change their mindset whether to go and talk to a stranger and confess everything that has happened in their personal life that caused them to become a refugee.

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From personal experience, I can say that would have been very difficult for me to do. I know it is very difficult for the current lesbian, gay, bisexual and transgendered refugees.

There is a particularly large problem with the 15-day limit because the claimant would then appear before an adjudicator, a single individual who would have no knowledge of the situation of the lesbian, gay, bisexual and transgendered communities in the country of origin. Therefore, not only would individuals have to make their personal claim about their sexual orientation and how that made them unsafe, they would also have to demonstrate how their community was unsafe in their country as a whole. I doubt there are any refugees from the lesbian, gay, bisexual and transgendered communities who would be able to do so in that 15-day period.

Without identifying the individual, I want to talk for a moment about a refugee who came from the Caribbean when he was 17 years old. His life was threatened when it was found out that he was gay. Every day he went to high school in a taxi, paid for by his aunt from Toronto so that he could finish high school at home. Then he was spirited to Canada. When he went to make a refugee claim, he did not want to talk about the personal experiences that made it necessary for him to flee. He did not want to confess to being gay even to his lawyer. It took six months for his lawyer to get the full story from him and then document what had happened to him in his country of origin. Therefore, to try to do that in 15 days is virtually impossible.

What is the real solution here? The Canadian Council of Refugees said scrap the bill. I certainly stand with it here today. The Canadian Bar Association has expressed its concerns about charter rights violations. Amnesty International said that the bill fell far short of Canada's international obligations.

What would I suggest? I would suggest that we go back to letting Bill C-11, the compromise bill, work and that we ensure the government provides a proper resource system so Canada can continue to be a safe place for refugees, genuine refugees, from around the world to make their home.

•(1310)

Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC): Mr. Speaker, that speech was essentially incoherent. The member criticized the current system, which is also the system wherein claimants have access to a full fact-based quasi-judicial hearing in front of a decision maker at the quasi-judicial Immigration and Refugee Board. Every claimant will continue to have the same access to the same natural justice and due process and refugee protection. Nothing changes.

In terms of 15 days, there is no limit on when foreign nationals who arrive in Canada can file a claim. They could be here for two years or four years as a student, as a temporary worker, as somebody out of status, and make a claim. There is no 15-day limit.

The member says that this will endanger the life of legitimate refugees. How? This does nothing to curtail the current generous access to a full review on the merits of an individual claim.

In terms of having to demonstrate the generalized risks that people might face if they belong to a particular social group in their country of origin, that is the same requirement under the current law. That is

the requirement under the UN convention that someone must demonstrate he or she has a well-founded fear of persecution based on various criteria.

He suggested that under this bill the minister would have the arbitrary power to revoke permanent residency from people with protected status. That is absolutely, categorically and completely false. There is no change in the law proposed here in the prospective revocation or cessation of protected status or revocation of permanent residency. Those powers are vested in the IRB and there is no additional power proposed in that respect.

I invite the member to actually go back and research this, rather than spreading fear and hysteria on this important matter.

•(1315)

Mr. Randall Garrison: Mr. Speaker, if what the minister says is true, then I am not sure why we have the bill in front of us if it does not change anything.

He says that the 15-day deadline for filing a claim will not have any application, that people can wait as long as they like before they file a claim, except for the fact that they would have no status in Canada during that period, they would have no protection and they could be deported back to their country of origin. The only thing that provides that protection is actually filing the claim.

The minister is being some disingenuous in saying that there are no changes in the bill whatsoever and that all the rights and status remain exactly the same. It does not appear to do so and if it did, then I do not know why we have the bill here in the first place.

[Translation]

Ms. Paulina Ayala (Honoré-Mercier, NDP): Mr. Speaker, I would like to thank my colleague. What he said moves me deeply. My little brother is also gay. He had to leave Chile at the end of the dictatorship because of the terrible homophobia there. He has been granted refugee status. He is a man with a job, who contributes a great deal to the Canadian economy.

I would like to come back to the issue of human trafficking. I think personally that we are focusing on the wrong target. I have heard it said that refugee claimants who arrive by boat are criminals. The children are sent to foster homes, and so on. We are looking at the wrong target. The real criminals we should be putting in prison are the smugglers, the ones who are taking advantage of these people in distress. Instead of putting people in jail and putting children in foster homes, we should increase the number of employees and the number of judges dealing with refugee claims. There is money for this, but there is a shortage of professionals. I agree with putting smugglers in jail, but not the people who are living in misery.

Does my colleague not believe that we are focusing on the wrong people when we criminalize the people who are seeking asylum instead of the traffickers?

[English]

Mr. Randall Garrison: Mr. Speaker, I often know how women feel when their arguments are described as incoherent, irrational and hysterical, because that is what the minister has just said.

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However, it really does not catch the absolute danger that many lesbian, gay, bisexual and transgendered people face around the world. It is a crisis. It is not hysterical to point out that in more than 70 countries around the world it is actually a crime to be a gay or a lesbian.

As to the specifics of the member's question, again, the government likes to spend money at the back end of the system by detaining and imprisoning people instead of spending money at the front end of the system, in terms of research, policing and prosecution, which would ultimately eliminate the costs at the back end of detention.

It is a question of choices as to where we want to spend resources. I would like to spend those at the front end of our system, ensuring we have a fair system which cannot be gamed or schemed by the bogus refugees, which cannot be exploited by smugglers, but which will provide fair treatment and justice for refugees.

Mr. Wladyslaw Lizon (Mississauga East—Cooksville, CPC): Mr. Speaker, it is with great pleasure that I rise to speak to this important bill, Bill C-31, the protecting Canada's immigration system act.

Every single day hundreds of thousands of people apply to immigrate to Canada. Who can blame them? After all, Canada is the best country in the world. These people fill out the paperwork and wait in line.

Unfortunately, every single year there are also thousands of people who choose not to fill out the paperwork. They choose not to wait in line with everyone else. Instead, they decide to jump the queue. They know that Canada's refugee system is broken and easily abused, so they choose to file bogus refugee claims in the hope that the lengthy processing times and endless appeals will result in their obtaining permanent residence in this country.

Immigrants to Canada, like myself, are very welcoming and fair, but we have no tolerance for people from safe countries who abuse our refugee system as a way to jump the queue and get into Canada without having to wait and follow the proper process like everyone else. We have no tolerance for those who take unfair advantage of our generosity.

Our government has listened to Canadians, including those in my riding of Mississauga East—Cooksville, who have told us very clearly they want us to put a stop to this abuse. This is exactly what we are doing with Bill C-31.

It is unfortunate but not surprising that the opposition NDP and Liberal members conveniently ignore the facts when they speak against Bill C-31. It is not surprising because the facts underscore the need for this important piece of legislation and undermine the opposition's criticism of it.

These are the facts. In 2011, Canada received 5,800 refugee claims from the European Union alone, a 14% increase from 2010. That means that a quarter of all refugee claims were from the democratic and human rights respecting European Union. That is more than Africa and Asia. Canada's top source for refugee claims was Hungary, an EU member state. In fact, in 2011, Canada received 4,400 refugee claims from Hungary alone. In comparison, Belgium

received only 188, the U.S. only 47, France and Norway, only 33 each.

It is very telling that in 2010 Hungarian nationals made a total of 2,400 refugee claims around the world, 2,300 of which were made in Canada. That means only 100 refugee claims were made in all other countries around the world. Canada received 23 times more than all other countries combined.

What is more, in the past few years virtually all of these claims were abandoned, withdrawn or rejected. The majority of these claimants chose to abandon or withdraw their claims themselves, a clear sign they are not in need of Canada's protection. These claimants are, by definition, bogus.

Instead of travelling to neighbouring safe countries which are easy to reach, these claimants are making the trip all the way to Canada. Instead of seeing their claims to completion, these bogus claimants are abandoning their claims and heading back home.

There is a reason these bogus refugee claimants are targeting Canada. In fact, I have been told of an instance in which a CBSA officer asked someone who landed at the airport and claimed refugee status the reason for the claim. The response was, "Free income". Well, it is not free. It is paid for by hard-working Canadian taxpayers. Canadian taxpayers pay upward of \$170 million per year for these bogus refugees from the European Union. Taxpayers fund their welfare, education and health care.

• (1320)

Hard-working Canadian taxpayers are sick and tired of footing the bill for bogus refugee claimants who abuse the system at everyone else's expense. Too many tax dollars are spent on these bogus refugees.

It is not just the tax dollars that are being wasted that is of concern; it is also the severe impact these bogus claims are having on genuine refugees. Those who are truly in need of protection are waiting a long time to receive Canada's help because the system is being bogged down by these bogus refugee claimants. Fortunately, Bill C-31 would make Canada's refugee system faster and fairer.

Among other things, Bill C-31 would provide the authority for the minister to designate countries that are generally safe and democratic and respect human rights. Refugee claimants from these designated countries would have their claims expedited.

Under Canada's current asylum system, it takes on average more than 1,000 days to process a refugee claim. This is unacceptable. Under Bill C-31, refugee claims from generally non-refugee-producing countries, such as those in the European Union, would be processed in 45 days. Every single refugee claimant would continue to have his or her claim heard and decided on its merits by an independent immigration and refugee board.

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Bill C-31 would also do away with endless levels of appeal that currently exist. All refugee claimants would still have the ability to apply for judicial review of a negative decision, as they do now, but the refugee claimants who come from countries that are considered generally safe would not get access to the refugee appeal division. In addition, the bill would enable more timely removal from Canada of failed refugee claimants.

These improvements are just common sense. These measures would help prevent abuse of the system and would ensure that all of our refugee determination processes are as streamlined as possible. This would be accomplished without affecting the fairness of the system and without compromising any of Canada's international and domestic obligations with respect to refugees.

Bill C-31 would save Canadian taxpayers \$1.65 billion over five years. It would result in genuine refugees receiving Canada's protection much sooner. Anyone who has the best interests of real refugees at heart should support this bill.

To maintain the support of Canadians for our generous immigration and refugee system, we must demonstrate that Canada has a fair, well-managed system that does not tolerate queue jumping. All of the reforms included in the bill are aimed to determine abuse of Canada's generous immigration and refugee system. With these measures, the integrity of Canada's immigration programs and the safety and security of all Canadians would be protected.

Bill C-31 would put a stop to bogus refugees, foreign criminals and human smugglers abusing our immigration system and receiving lucrative taxpayer-funded health care and social benefits. The bill sends a clear message to those who would abuse Canada's generous asylum system that if they are not in need of protection, they will be sent home quickly.

Canadians gave our Conservative government a strong mandate to protect Canada's immigration system and we are acting on our mandate. I urge all members to support this important piece of legislation and ensure its timely passage.

• (1325)

Ms. Linda Duncan (Edmonton—Strathcona, NDP): Mr. Speaker, I wonder if the member could respond to the concerns I have with a couple of provisions in the bill.

The first is the provision of the discretionary power to the minister to singularly designate the name of safe countries. Generally speaking, when dealing with a sensitive area like this, it is important to keep out "political factors". That is in no way pointing fingers at any particular party that may have its preferences, but making sure that we have very clear criteria when making an important decision on the fate of somebody's life and liberty.

My second concern goes to the clause that would prohibit refugee claimants who had been incarcerated in their home country for more than 10 years. We are well aware of certain situations in some regimes where people are being incarcerated for rather inappropriate reasons and would not be incarcerated in our country through a proper open judicial review process. I wonder if the member thinks that is perhaps a little too hard-edged and that there should be some exceptions to the rule.

Mr. Wladyslaw Lizon: Mr. Speaker, first of all, we are dealing with very complicated issues here and in order to be fair both to refugees and to our own citizens, we have to act on the problems that exist. We cannot hide our heads in the sand and pretend there is no problem. There is a very serious problem of abuse of our generous refugee system which we are witnessing right now. We have to protect genuine refugees and our hard-working citizens who finance the system. There is no reason that we should offer our very generous system to anyone who claims to be a refugee without any basis for the claim.

As I indicated in my remarks, there are many people who come from safe countries. European Union countries generally are safe countries. Why would people come here and claim refugee status when there are safe countries in Europe?

• (1330)

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, could my friend from Mississauga East—Cooksville explain how the bill would help us to reduce costs to taxpayers? I cannot find any reference anywhere to cost estimates for the internment of up to a year of any refugees who arrive here by means of what is described as an irregular entry. Surely there has to be a cost for clothing and feeding people, for educating children between the ages of 16 and 18, and the basic maintenance of the internment facilities. Do we know what the cost is?

Mr. Wladyslaw Lizon: Mr. Speaker, first of all, the internment of refugees is not something that happens every day. By having strong laws, we discourage people from the practice of hiring criminals to transport them here and then having to pay for the transportation for the rest of their lives.

I hope the hon. member opposite agrees that once people on a boat land in Canada, this country has a duty to ensure that the identities of the people on the boat are well established and that our country is protected.

[*Translation*]

Ms. Anne Minh-Thu Quach (Beauharnois—Salaberry, NDP): Mr. Speaker, the Conservative Minister of Immigration's Bill C-31 looks a lot more like a monopoly on the power to make decisions than a way to improve refugees' quality of life.

Once again, the Conservatives' thirst for power, their lack of rigour and their refusal to listen are taking a toll on justice, respect and equality. This bill is the latest in a long line of bills that most stakeholders consider irresponsible, even senseless. Opponents include the Canadian Council for Refugees, Amnesty International Canada, and the Canadian Association of Refugee Lawyers, to name but a few.

All of these opponents have indicated that this bill will make the system vulnerable to political considerations rather than ensure fair, independent and balanced decisions about who can be considered a refugee.

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Bill C-31 makes us fear the worst for refugees who have become permanent residents. It is also discriminatory and, as the Canadian Council for Refugees pointed out, it creates a two-tier refugee protection system. According to the council, strict, tight deadlines will put victims of sexual trauma and members of the LGBT community at a major disadvantage. These people often need time to open up and tell their story. Two weeks is not enough. But for the Conservative government, ignoring the needs of the most vulnerable is nothing new.

To think that barely 18 months ago, the Conservative minister congratulated his opposition colleagues on reaching an agreement on some amendments that would make the refugee system, and I quote, “faster and fairer”.

Now that the Conservatives have a majority, we can expect that measures that the Centre for Refugee Studies calls radical and draconian will be added to these fair amendments. While last year the minister agreed to a sensible compromise in a minority situation, he can now pass whatever legislation he pleases, no matter how undemocratic it is. This is serious and appalling.

No longer will it be left up to a panel of experts—as it should—to come up with a list of “safe countries”, from which the federal government does not think refugees usually come. In addition, no longer will it be possible for residents of those designated countries of origin to appeal their cases if their claims are rejected. This is a human rights violation. Unsuccessful claimants will have to wait one year before applying again on humanitarian grounds, during which time they can be sent back to their country, a country they tried to flee.

It is especially unfortunate that the government continues using terms like “bogus claimants”, terms that are extremely harmful.

While not every individual who files a refugee claim necessarily needs extreme protection, that does not make these refugee claimants “potential abusers”. These people may have very good reasons for leaving their country.

Refugees are some of the most vulnerable members of society and are, therefore, easy targets for attack as non-citizens in a foreign country. Denigrating labels, especially those given by the government, have a serious negative impact on the public's perception of refugees and non-citizens in general.

Canada is a model for the rest of the world. It is known for welcoming people who are fleeing persecution. This important asset is going to be lost because of a new proposal by this government that emphasizes speed and categorization, at the expense of fairness, justice and protecting individuals.

In our opinion, the government is pushing its mandate far too far. In many ways, Bill C-31 represents the unprecedented dismantling of Canada's refugee system. If we just take the example of Australia, which had to go back to a system similar to our current system, it is clear that the approach outlined in Bill C-31 does not work. The Conservatives would save Canadians a lot of time and money if they stopped navel gazing and starting using facts, expert studies, statistics and concrete examples to support their bills.

On average, 25,000 refugees have obtained permanent resident status every year of the past five years. Last year, the number was 24,700. After a waiting period of three years, it takes an average of 18 to 22 months before the person can apply for citizenship, which takes an average of 19 months.

●(1335)

It takes at least five to six years for a person to become a citizen, if the process goes quickly. This bill threatens the thousands of refugees admitted every year, not to mention those who have not yet applied.

The minister wants to pass this vague bill in September, when the former Bill C-11 has not even come into force. Why be in such a rush to pass, at all costs, a bungled bill that has such serious consequences for people's lives? What is more, clause 19 literally undermines Canada's commitment to refugees, makes a mockery of our commitment to the United Nations to grant permanent residence to refugees, and puts tens of thousands of refugees who have already been granted permanent resident status in Canada at risk of deportation.

Out of respect for Canada's commitment to the United Nations, refugees who have settled here permanently have and should always have the right to rebuild their lives, to work and to raise their families knowing that Canada is and will remain their permanent home.

This is one of the most positive characteristics of our country. Canada's promotion of rapid and permanent resettlement is an enormous advantage, just as much for all Canadians as for all refugees. Instead of living in uncertainty, refugees become active and productive members of our society. The feeling of security that accompanies permanent residence cannot be overestimated and should be a formality.

Canada's commitments to the UN are nevertheless clear: refugees who receive permanent resident status are entitled to rebuild their lives in the host country, to work and to have a family. They will not succeed in integrating into Canadian society if they are constantly under the threat of being sent back to the country they fled.

Canada is a land of refuge and I am grateful, for if it had not been, I would not be here today. My parents came here in the wave of boat people after the Vietnam War, which enabled a number of new Canadians to take refuge here. In certain cases, this change might expose them to potentially violent reprisals if they go back to their country of origin.

Determining refugee status is complex and difficult. It is not easy to decide whether a person needs protection or not. On the other hand, for refugees, the need for protection at all times is simple, but critical. For Canadians, the question is simple: are we going to make sure that refugees are not going back to persecution? It seems to me that the answer should be simple.

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In summary, what the Conservative government wants is the discretionary and automatic power to remove at any time a person who was granted refugee status in Canada and who then received permanent resident status. This is what I vehemently oppose, on behalf of all refugees, like my parents and my brothers, who flee their country, risking their lives, without identification and who hope, no matter what happens to them, to find a safe haven and live with dignity in a country to which they will contribute on a social, cultural or economic level. These people want to go on living with their heads held high, and they have human rights that must be respected.

Bill C-31 does not target criminals or human traffickers or those who would take advantage of refugees. We worked on the old bill C-11; there are many points that need another look. I am therefore asking the Conservative government to go back to the drawing board with this bill.

• (1340)

Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC): Mr. Speaker, I see once again that the NDP does not understand Bill C-31.

The changes that the bill will make to the asylum system will not alter the fact that all asylum seekers from all countries, by means of all types of immigration, including smuggling, will have an oral hearing before the independent decision-makers of the Immigration and Refugee Board. That exceeds our obligations under the Charter of Rights and Freedoms and the UN convention on refugees. Our legal and moral obligation is clear: we have an obligation of non-refoulement of people who have a well-founded fear of persecution because of their ethnicity, nationality, political views, and so forth.

We are not changing or weakening our obligation of non-refoulement of bona fide refugees. However, by the same token, we are trying to prevent waves of well-organized, bogus or fraudulent refugee claims, often by people from democratic and liberal countries.

Is the NDP not at all concerned about the abuse of Canada's generosity by bogus refugee claimants from democratic and safe countries?

Ms. Anne Minh-Thu Quach: Mr. Speaker, with all due respect to the Minister of Citizenship, Immigration and Multiculturalism, maybe he takes us for fools, but his claim that Bill C-31 does not make any major changes to the measures in Bill C-11 is completely false.

For a moment or two, he should put himself in the position of a refugee, a person who is trying to escape his country, perhaps because he faces persecution, and who arrives here by boat, on foot or in a group.

This bill places several discretionary powers in the hands of the minister. It gives the minister three main discretionary powers. The first is the power to designate safe countries of origin. In many situations, even in developed countries, people can be persecuted and subjected to sexual violence. The previous speaker talked about sexual persecution of gay people.

The minister can also designate as an irregular arrival the arrival of a group of persons, which is completely arbitrary, and can impose

conditions on a designated asylum claim. In addition, the minister can incarcerate individuals whose eligibility is unknown because they do not have any documentation. People who flee serious situations because they fear for their lives might not think to bring the proper documentation.

• (1345)

[*English*]

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I have already cited the specific example of a refugee becoming a victim once again.

Imagine someone leaving his or her country to come here maybe because of the possibility otherwise of being tortured or put to death. Because the minister wants the power to say that the refugee is an irregular, it will mean their detention for up to 12 months. After the person is released, it will be another five years before he or she can sponsor their spouse or a child. Therefore, if a 25-year old makes it to Canada, he or she will be 30 years old before being able to sponsor someone. It will then take even more time to go through the sponsorship process. That refugee's five-year old child could be end up being 14 or 15 years old before they see their parent again.

I wonder if the member could comment on that.

[*Translation*]

Ms. Anne Minh-Thu Quach: Mr. Speaker, I would like to thank the Liberal member for his question.

The immigration process that people have to go through upon arrival in Canada is already very long and difficult. People will now risk being imprisoned for one year, which can cause many mental health problems. Moreover, it will be even more difficult for people to wait to be reunited with their families after going through the whole process.

I do not know whether members on the other side of the House could just think about all this, but this bill will have a lot of negative impact on people's lives, and that has to change.

[*English*]

Mr. Andrew Saxton (Parliamentary Secretary to the President of the Treasury Board and for Western Economic Diversification, CPC): Mr. Speaker, I rise to lend my support to Bill C-31, Protecting Canada's Immigration System act. I am going to focus my remarks on how the proposed legislation would change our existing laws in respect of the crime of human smuggling. Before talking about the proposed reforms, it is important to contextualize this issue.

Government Orders

The United Nations Office on Drugs and Crime says that human smuggling puts the lives of those smuggled at risk. Clearly it does, as evidenced by the tragic deaths of countless smuggled migrants around the world every year. It is important to remember that such occurrences are not restricted to smuggling by sea. Every year, people die as a result of smuggling operations by transport containers, as well as on the high seas. It says this crime is on the rise. In fact, just a few weeks ago, international media reported that a massive human smuggling ring had been organizing a trip for several hundred migrants from Togo to Canada. Fortunately, this ring was discovered and dismantled. However, this is clear evidence that human smugglers are making plans for Canada as we speak. Canada remains a prime target.

Benjamin Perrin, a law professor at the University of British Columbia, says that maritime migrant smuggling is the deadliest form of illegal international travel and its illicit proceeds fuel criminality. Canada is an attractive destination for migrant smugglers and these new measures send a strong message that our country is no longer open for business to these criminals. He says that it is shocking to hear apologists from migrant smugglers portraying these criminals as providing a service for illegal migrants seeking to enter Canada. He also says that migrant smugglers have been linked to organized crime, human trafficking and terrorist organizations. They care nothing for the wellbeing of those they transport in perilous and often deadly vessels.

While it is difficult to precisely estimate the extent of smuggling, there is some information. According to the United Nations Development Programme, in 2009 there were an estimated 50 million irregular migrants in the world. A significant number are believed to have turned to smugglers to assist them across international borders. It is also believed that the number of persons who are turning to smugglers to help them enter other countries continues to increase.

The United Nations Development Programme says that smugglers continually change their tactics to keep one step ahead of authorities. As countries around the world work together to respond to the practices of smugglers, these criminals adapt. Corruption among state actors has become an important tool in the smugglers' arsenal and provides additional impetus for ensuring that all countries, including Canada, step up their efforts to respond.

It is important to remember that migrant smuggling is big business, generating million upon millions of dollars for transnational organized crime every year. Interpol has said that compared to other types of transnational organized crime, human smugglers benefit from weak legislation and low risk of detection, arrest and prosecution. Logically then, Canada needs strong legislation that gives authorities the tools to detect, arrest and prosecute human smugglers.

While it is true that we already have a robust criminal law framework in place to respond to human smuggling, we must continue to build on that. That is why Bill C-31 is proposing important amendments in this area.

Allow me to highlight those provisions within the bill that relate to cracking down on human smuggling. Currently, when faced with an incident of human smuggling, authorities must prove the accused

knew that the smuggled person did not have the documents needed to enter Canada. While this is certainly one manifestation of this crime, it is not the only way it can be committed. For example, sometimes smuggled persons may be brought into Canada in a way that evades contact with immigration authorities. In other words, the smuggler agrees to help the person smuggled enter the country clandestinely. The proposed amendments would more clearly capture this behaviour. It would do this by broadening the offence to enable prosecution where there is evidence that the accused knew that the persons smuggled were in contravention of any requirement under the Immigration and Refugee Protection Act. This would provide additional ways to establish that the smuggling offence had occurred.

The second way the existing smuggling offence would be broadened is by making clear that the prosecutor could show that the accused was reckless as to whether the smuggled person would be entering Canada in contravention of the requirements under IRPA.

• (1350)

Recklessness is a well-known and accepted form of subjective fault in criminal law. It means, in this context, that the accused was aware that there was a significant risk that the smuggled persons would be entering Canada in contravention of the IRPA, and in the face of this fact proceeded nevertheless.

This additional element would provide further assistance to police and prosecutors who must respond to such conduct. Migrant smuggling is a reprehensible crime. It undermines the integrity of our immigration system. It puts the lives of those smuggled at risk. It lines the pockets of organized crime, which in turn better enables such groups to engage in other criminal activity, the effects of which can be far-reaching. It also has an effect on the public's perception of immigrants and immigration.

For all of these reasons, we must state in unequivocal terms that such criminal actions must be strongly denounced and deterred. That is why Bill C-31 proposes mandatory minimum penalties for anyone convicted of human smuggling. It is clear that the penalties proposed target only the most harmful manifestations of this crime.

They would not apply in all cases. The most serious mandatory penalties would be reserved for the most serious instances. Some might suggest that these mandatory penalties are inappropriate and would not do anything to deter this crime. I strongly disagree and would reiterate that these penalties are about more than just deterrence. They are a reflection of our belief that such conduct is utterly unacceptable and must be condemned and punished in the clearest of terms, particularly when the conduct in question is linked to organized crime or terrorism, or where the lives of those smuggled are in danger.

I believe that Canadians would agree that in such cases, such penalties properly reflect the gravity of the crime. It is important to note that the Immigration and Refugee Protection Act is not the only piece of legislation that this bill would strengthen.

Statements by Members

The bill also proposes higher penalties for violations of the Marine Transportation Security Act. For example, if individuals refused to obey a ministerial directive to leave Canadian waters or if they misled or lied to officials, they could be slapped with fines of up to \$200,000 and or a prison sentence. If they were caught again, they would be looking at fines of up to \$500,000. This would send the right message and ensure a more complete response to this crime.

Bill C-31 would be an important next step in our fight against smuggling. It is important to note, however, that it is not the only step we are taking. I am aware of the significant efforts being pursued by the government around the world to respond to this crime, including through the work of the Prime Minister's special advisor on migrant smuggling.

Taken together, we are moving forward in the right direction to ensure that smugglers think twice before they try to ply their trade here in Canada. I urge all my hon. colleagues to join with me in supporting Bill C-31.

• (1355)

[Translation]

Ms. Anne Minh-Thu Quach (Beauharnois—Salaberry, NDP): Mr. Speaker, I would like to ask the member opposite a question.

Everyone agrees that we must do more to crack down on human smugglers.

The problem with Bill C-31 is that it does not crack down on the smugglers; rather, it causes problems for the victims, the refugees. It is refugees who will be imprisoned and who may then have to pay the price. These people risk their lives, and all they want is to leave their country and to make sure that they and their families are safe.

Even if stricter laws were to put these people in imprisoned, if they had to do it all over again, they would. You can ask any refugee who has left his country because of fear of reprisal or persecution. Refugees will still want to leave their country, whether it be by boat, plane or any other means. They will do anything to leave. Yet, they are the ones who are going to be imprisoned.

Bill C-31 does not target the right people and does not solve the problems.

[English]

Mr. Andrew Saxton: Mr. Speaker, Canada has long been a refuge for legitimate refugees, for people who are being persecuted in other countries.

The purpose of this bill is to make sure that those legitimate refugees get protected as quickly as possible. Under the current system, refugees wait many years before they can finally have their claim heard. This bill would speed up that process by making sure that those who do not have legitimate claims could not clog up the system for years to come. We are here to protect those legitimate refugees who seek protection here in Canada.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I do not believe there is anyone here who would support human smugglers and the types of horrific things they do for money in order to smuggle people into Canada or into any nation. I can assure the member that is the case.

As I have made reference to before, we take great exception to the Minister of Citizenship, Immigration and Multiculturalism standing up on the back of a ship, the *Ocean Lady*, with the Prime Minister to try to portray a message about refugees across Canada and to try to label them. That was the case with the *Ocean Lady* and the *Sun Sea*. That is the reason we have this legislation before us today. Of all those refugees who came to Canada on those two ships, can the member indicate if one of them has been deemed a criminal or terrorist in any fashion whatsoever? That is the premise. It would be nice to hear from the member what the status is of those refugees.

Mr. Andrew Saxton: Mr. Speaker, this particular bill is designed to deter the human smugglers, to go after those criminals who are putting other people's lives at risk by trying to bring them here in ships where they could get sick, where they could die. That has happened in many cases. This bill is designed to go after those who are putting other people's lives at risk and who are taking advantage of our system.

We have a great, fair system in this country. It is designed to protect those who need protection most. It is not designed to be clogged for years by false claims from people who do not need the protection they are claiming. We have people coming from the European Union, from Hungary which is determined to be a fairly safe country. They are coming here in record numbers to claim refugee status. Ninety-six per cent of those who claimed refugee status abandoned those claims. There is definitely something wrong with a system that allows 96% of those claimants to make those claims under false pretenses. That is what we are here to stop.

STATEMENTS BY MEMBERS

• (1400)

[English]

STOP TUBERCULOSIS DAY

Mr. Joe Daniel (Don Valley East, CPC): Mr. Speaker, I rise to highlight Stop Tuberculosis Day. March 24, 2012 is the anniversary of Robert Koch's discovery of the cause of tuberculosis, the bacterium *M. tuberculosis*. In his time, which was 1882, it was responsible for a third of the deaths of young adults. It is still a killer if found late or untreated.

Last year, tuberculosis resulted in 1.4 million deaths around the world and it is the biggest single killer of people with HIV. This bacteria is not limited to countries in Asia and Africa; it is right here in Canada. Last year there were approximately 300 cases of TB just in Toronto alone and 8 per cent of them lost their lives.

Fortunately, this government has funded \$30 million through CIDA to the global fund in support of reducing TB. This will save many lives around the world. I commend the government for its continuing support of stop TB initiatives, such as Taima TB in the north, despite the current economic conditions.

Statements by Members

[Translation]

AGRICULTURE

Mr. François Lapointe (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, NDP): Mr. Speaker, last week, I was fortunate enough to attend the UPA gala in La Pocatière, recognizing excellence in the agricultural community on the South Shore.

The event highlighted the fact that Alfred Boulet, of Saint-François-de-la-Rivière-du-Sud, was inducted into the Quebec Agricultural Hall of Fame. Mr. Boulet has contributed significantly to the development of the Holstein breed.

The title of female farmer of the year went to Hélène Couillard, owner of Fruits et Légumes R.G. in L'Islet.

Roland Morneau, a pork producer from Saint-Roch-des-Aulnaies, was recognized as farmer of the year.

The Bard family, from La Pocatière, who have been farming the same land for four generations, received the title of farming family of the year.

Claire Lajoie won the people's choice award. She heads the Syndicat des agricultrices de la Côte-du-Sud and more recently became the vice-president of the UPA de la Côte-du-Sud.

I wish to pay tribute to all the winners, including those whom I did not have time to name here today. Your hard work and courage will be a great source of inspiration for me and my colleagues when, unfortunately, we have to defend here in this House concepts as important as supply management and food self-sufficiency.

* * *

[English]

RUTH AND NAOMI'S MISSION

Mr. Mark Strahl (Chilliwack—Fraser Canyon, CPC): Mr. Speaker, last month I was pleased to join over 400 people at the grand opening of the new Ruth and Naomi's Mission building in Chilliwack. Ruth and Naomi's Mission got started eight years ago when Ann and Ted Stoker felt called to reach out and help the homeless and others struggling to make ends meet. They wanted to address their physical and spiritual needs by providing them with a warm meal, a safe place to sleep and to show them that they had value as individuals.

After outgrowing their temporary facilities, Ann and Ted and many others took action. They did not start writing grant applications, they did not look for a handout from government. They brought people together from dozens of local churches and the business community; they raised money, found volunteers and overcame the various obstacles they encountered along the way. The result is a beautiful new facility that will serve the less fortunate in our community for years to come.

I congratulate everyone who played a part in making this dream a reality. May God richly bless them and those they serve.

[Translation]

WORLD WATER DAY

Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.): Mr. Speaker, I want to draw the attention of the House to World Water Day, which is one week from today on March 22.

[English]

Since its inception nearly 20 years ago, World Water Day has provided the opportunity for the world's citizens and their governments to reflect on the universal and vital importance of water. This year there is positive news to celebrate and ongoing challenges to address.

The United Nations recently announced that one of the millennium development goals, namely, the goal of cutting in half the number of people worldwide without access to safe drinking water, has been met five years early. Yet, sadly, there remain many first nations communities right here in Canada that still lack basic access to safe drinking water.

[Translation]

The federal, provincial and municipal governments must ensure responsible management of fresh water, which is essential to our identity, our environment and our economy, as well as to the health of Canadians.

● (1405)

[English]

As World Water Day approaches, I call on all members of the House to commit to working together to make the protection of Canada's most vital resource a national priority.

* * *

DONALD GORDON

Mr. Bev Shipley (Lambton—Kent—Middlesex, CPC): Mr. Speaker, the community of Wallaceburg is mourning the recent passing of a great Canadian, Donald Gordon, most affectionately known as “Chip” or “Mr. Wallaceburg”.

A former member of the Chatham-Kent Council, Chip was the driving force behind the Wallaceburg Antique Motor and Boat outing for over 20 years. His efforts as a community and sports booster were legendary. Chip was a man of unbridled enthusiasm and tireless energy. He never started or ended a conversation without a joke, a quip or a pun, but as a man of humble means, he possessed untold wealth in friendships and goodwill. His lone fault was an inability to say no to anyone needing a helping hand.

Chip will be missed, but his legacy of community service will live on in the thousands of people he helped along life's journey. I ask the House to join me in extending our sympathy to his wife Darlene, daughter Heather and son Donald Jr.

Statements by Members

[Translation]

INTERNATIONAL DAY OF LA FRANCOPHONIE

Mr. Robert Aubin (Trois-Rivières, NDP): Mr. Speaker, throughout the month of March, francophones around the world are celebrating their language, culture and values. Canada is obviously very proud to be part of the Francophonie and to contribute to the dissemination of the French language and francophone culture and values.

Today, being a member of the Francophonie is not about recognizing the travels of Cartier or Samuel de Champlain; it is about getting involved with other countries in essential missions such as the consolidation of the rule of law, peace, gender equality, sustainable development and solidarity, beginning with the francophone community and extending to the entire international community. All members of the NDP from coast to coast, wish to participate in these great missions of the Francophonie, and will be especially vigilant in ensuring that the current government respects its commitments.

Speaking of commitments, we will also ensure that the Government of Canada's commitments with regard to defending and promoting official language minority communities, mostly francophone communities, are reflected in the budgets of the various departments.

I call on all francophones and francophiles to celebrate the Francophonie together on March 20, both at home and abroad.

* * *

[English]

UKRAINE

Mr. James Bezan (Selkirk—Interlake, CPC): Mr. Speaker, I call on the Ukrainian government to respect the democratic wishes of the Ukrainian people and stop its politically motivated attacks against its opposition.

Last week the foreign affairs committee heard from expert witnesses who confirmed that the situation in Ukraine continues to worsen, with the erosion of human rights, freedoms and democracy.

Former primer minister Yulia Tymoshenko is currently in prison, where she is reportedly in poor health and is being denied the medical attention she needs. I would like to thank the Canadian doctors who visited Ms. Tymoshenko in February.

Former minister of interior Yuriy Lutsenko was recently sentenced to four years in prison as part of the Ukrainian government's ongoing pursuit to silence the opposition.

These convictions are a miscarriage of justice and are nothing but show trials. I call on President Yanukovich to restore the rule of law and judicial independence in Ukraine.

The Ukrainian government's blatant gerrymandering of the election laws prove that there must be international election monitoring for Ukraine's upcoming parliamentary elections. Canada and the world are watching and continue to strongly state that President Yanukovich's actions will not be tolerated.

NIK ZORICIC

Mr. Ted Opitz (Etobicoke Centre, CPC): Mr. Speaker, it is with sadness that I rise in the House to today to remember Nik Zoricic, 29-year-old Canadian ski cross star. Nik had a catastrophic accident while competing in a World Cup ski cross race in Grindelwald, Switzerland. His family home is located in my riding of Etobicoke Centre.

A pioneer in Canadian ski cross, Nik had a stellar future before him. Prior to his untimely passing, Nik had been working toward earning a place on Canada's Olympic ski cross team.

Last Sunday, Nik's Canadian teammates, friends, coaches and competitors from the World Cup ski cross community skied down the same course that claimed Nik's life. They all wore jeans in a touching tribute to the jeans Nik wore during his first World Cup ski cross race four years ago.

On behalf of all parliamentarians and all Canadians, I extend the condolences and sympathies of this House to Nik's parents, Silvia and Bebe Zoricic, and the whole of the Zoricic family.

Nik's fun-loving attitude, passion and competitive dedication will be missed by Canadian sports enthusiasts and the ski cross community in particular.

* * *

ANTONIO SILIPO

Ms. Olivia Chow (Trinity—Spadina, NDP): Mr. Speaker, today we mourn the loss of Antonio Silipo.

First elected as a school trustee at the Toronto Board of Education, Tony Silipo embarked on his political career to ensure that all children, especially those from immigrant families, had equal opportunities to reach their highest academic performance. Tony Silipo continued that passion as the chair of the Toronto Board of Education, and then as the Ontario minister of education.

Tony sought to protect the most vulnerable during a severe economic downturn when he became the minister of community and social services in 1993.

We are immensely grateful that Tony, a life-long New Democrat, dedicated his life to public service. May his legacy continue through the scholarship in his name at the Toronto District School Board.

On behalf of Canada's New Democrats, we wish to extend our deepest condolences to Tony's wife, Anne Marie, his son, Adrian, and all members of his extended family.

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● (1410)

SCIENCE AND TECHNOLOGY

Ms. Wai Young (Vancouver South, CPC): Mr. Speaker, earlier this week, the Minister of State for Science and Technology further delivered on our government's commitment to research and development. He announced 132 newly awarded or renewed Canada research chairs, to attract and retain the world's best researchers right here in Canada.

With this funding, our researchers will continue making advances in disease prevention and treatment, information technology, and genetics, to name only a few.

Our government has made investments in science and technology across the board, from basic research and discovery all the way through to commercialization.

Canadians can count on our government to continue investing in science and technology to create jobs, grow our economy and improve the quality of life of Canadians.

* * *

[Translation]

INTERNATIONAL DAY OF LA FRANCOPHONIE

Mr. Yvon Godin (Acadie—Bathurst, NDP): Mr. Speaker, on March 20 we will celebrate the International Day of La Francophonie, a UN day of observance that celebrates the French language.

La Francophonie is made up of more than 220 million French speakers worldwide. In Canada, more than 9.5 million people speak French. North America's Francophonie originated in Acadia and is now found across the country.

Canada's Francophonie is enriched by francophone newcomers from around the world who contribute to Canada's economic and cultural development. Did you know that French is an official language in 36 countries?

As Jack Layton pointed out, "Canada's varied and unique francophone communities have made an invaluable contribution to Canadian society. Over time, these communities have helped shape our identity as a country, something we are very proud of."

The NDP wishes you a happy International Day of La Francophonie on March 20 and invites you to discover or rediscover the beauty of the French language all year round.

* * *

[English]

IRAN

Mr. Robert Sopuck (Dauphin—Swan River—Marquette, CPC): Mr. Speaker, reports suggest that Iran is courting Canadian aboriginal leaders, offering to fly a group of Manitoba chiefs to Tehran under the mantle of care and concern.

We all know what this is really about. This is about channel changes, distractions and continued deception by Iran's leaders on real matters of human rights.

Iran has a deplorable record in this area. Its treatment of women, religious minorities and others is simply horrific. That it would attempt to lecture a country like ours on human rights is truly delusional.

The Iranian regime's continued failure to address its own internal shortcomings borders on the criminal. This same Iranian regime is now attempting to exploit Canadian aboriginal leaders and feign concern as part of another PR stunt to distract from its own abhorrent record.

Statements by Members

We hope that the aboriginal leaders in question will not allow themselves to be used as pawns in this pathetic game the Iranians are playing.

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[Translation]

REDPATH MUSEUM

Mr. Marc Garneau (Westmount—Ville-Marie, Lib.): Mr. Speaker, this year marks the 130th anniversary of the Redpath Museum at McGill University in Montreal.

The Redpath Museum opened in 1882 and was the first museum dedicated to the study of the diversity of our biological, geological, and cultural heritage. The faculty, staff and students of the Redpath Museum are active in scientific research, the study of collections and education at all levels.

[English]

To mark the museum's 130th year, the students of the Redpath Museum Club have published a book entitled *Beyond the Roddick Gates* celebrating the history of the museum.

[Translation]

The Redpath Museum is an important public resource that welcomes tens of thousands of visitors every year, who come to see its exhibits, attend conferences and take part in its bilingual public programming. As set out in its original charter in 1882, the museum is free for the general public.

• (1415)

[English]

I wish the Redpath Museum a happy birthday.

* * *

LIBERAL PARTY OF CANADA

Mr. Ed Komarnicki (Souris—Moose Mountain, CPC): Mr. Speaker, we all know that Liberals can engage in underhanded, sleazy tricks, whether it is making illegal or improper election phone calls in Guelph or, in this case, using taxpayer-funded House of Commons resources to smear the Minister of Public Safety.

They have even gone so far as to engage their go-to, soft on crime lawyer to try to make sure that Adam Carroll does not attend the ethics committee to tell Canadians who was behind this smear.

The fact is that Parliament has the absolute authority to send for persons when it sees fit. This is not limited by any sense of Liberal entitlement or otherwise. Adam Carroll must attend as soon as possible to tell the committee who ordered him to post this information, what the Liberals knew about this and when they knew.

Indeed, all Canadians have a right to know the full extent of Liberal involvement and what they knew.

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NATIONAL DEFENCE

Mr. Matthew Kellway (Beaches—East York, NDP): Mr. Speaker, in March of last year the Prime Minister described the F-35s as the "only option available" to replace our CF-18s.

Oral Questions

Apparently not. Two days ago at the defence committee the Associate Minister of National Defence said that it was not clear if they would actually purchase the F-35. He then added, "...we have not as yet discounted the possibility...of backing out of" the program. Finally, he admitted to an active search for alternatives to the F-35.

The crusade is in full retreat. What the Conservatives had once described as all that is "holy and decent" is now clearly a matter of mismanagement and, ultimately, duplicity.

Our troops deserve better than this gross incompetence. Canadians deserve a transparent and responsible government. We know that means an NDP government in 2015, but in the meantime it is clearly time to take this file out of the hands of the flip-flopping minister and put this contract out to tender.

* * *

SYRIA

Mr. Deepak Obhrai (Calgary East, CPC): Mr. Speaker, as the Syrian crisis enters its second year, there are more signs today that the Assad regime is completely detached from reality.

While Syrian security forces have killed and maimed innocent men, women and children by the thousands, Assad and his wife have been searching the web mail ordering designer shoes and downloading their favourite songs. It is not pop tunes, it is loony tunes.

With every passing day it becomes more clear that Assad must go.

I am very proud that Canada, under the leadership of the Prime Minister and the Minister of Foreign Affairs, has been at the forefront of international efforts to end the Syrian crisis.

Today, our thoughts are with the innocent victims of Assad's brutality. We know that he is becoming more and more isolated.

We know that brighter days lie ahead for the Syrian people. Our government will continue to be a part of the solution to this crisis.

ORAL QUESTIONS

[Translation]

GOVERNMENT SERVICES

Mrs. Nycole Turmel (Leader of the Opposition, NDP): Mr. Speaker, while the other parties are too busy with their own scandals, we are taking action for families. For example, yesterday, the NDP proposed a solution to essential drug shortages.

Families are very worried about how cuts to the services they need will affect them. The government says that families will not know what to expect until the fall. That is unacceptable.

Will the Prime Minister finally tell us the truth? Will he tell us which public services are going to be eliminated?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, all of these questions will be answered in the budget. I encourage the NDP leader to wait for the budget.

EMPLOYMENT

Mrs. Nycole Turmel (Leader of the Opposition, NDP): Mr. Speaker, families cannot wait. They need to know.

[English]

Canadian families deserve better. Instead of reckless cuts, we need a real jobs plan. More than 60,000 full-time jobs have disappeared since September. Canadians are giving up their search. Families are giving up hope.

The New Democrats have a better plan. The Conservatives even voted for it. Why will they not implement the NDP's jobs plan in their budget and get Canadians back to work.

• (1420)

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, not only does the government have a plan that is working for jobs, growth and long-term prosperity, I see that the leader of the NDP, in her most recent parliamentary bulletin to her constituents, actually praised a whole range of Conservative measures, all of the measures that she and her party actually voted against. However, I congratulate them on seeing the light and coming around to the Conservative—

Some hon. members: Oh, oh!

The Speaker: Order, please. The hon. leader of the opposition.

* * *

[Translation]

41ST GENERAL ELECTION

Mrs. Nycole Turmel (Leader of the Opposition, NDP): Mr. Speaker, at least we keep our constituents informed. It is very important that they know what they are entitled to.

[English]

On voter fraud, the Conservatives have avoided taking any responsibility. They are the only ones being investigated. Their database is being examined by Elections Canada. Now they are trying to scapegoat the staffer they fired. Surprise.

This is my last question for the Prime Minister as the NDP leader. Why will he not call a public inquiry? Why will he not show leadership? What is he afraid of?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, this may be my last opportunity to address the leader of the NDP as the leader. I must say, reading over this householder for constituents, how delighted I am with the progress that we have made over the past few months. We have not only turned the leader of the NDP into a federalist but now, apparently, into a tax cutter and even into a Conservative.

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, whenever the heat gets too close to the Prime Minister, we see a pattern. The Conservatives grab some kid and throw him under the bus.

Oral Questions

However, there is a real problem with their latest scapegoat. The *Globe and Mail* is now reporting that Mr. Sona did not pull the list from the Conservative national database. As well, Elections Canada was not even interested in Mr. Sona until the Conservatives leaked his name.

Why are the Conservatives so desperate to blame it on this kid? Who had access to the database? Who supplied the scripts? Who paid for the phone calls? Who are they trying to hide?

Mr. Dean Del Mastro (Parliamentary Secretary to the Prime Minister and to the Minister of Intergovernmental Affairs, CPC): Mr. Speaker, as we know, and as I indicated yesterday, the NDP is obviously backtracking on many of the baseless smears that it has made. It has in fact had to apologize for many of the statements that it has made outside of this House. I think there are still some lawsuits ongoing for some of the things that it has said. Now, its own dirty tricks are coming to light. We are seeing that right across the country as well.

The NDP has a lot to atone for. We hope that it will assist Elections Canada.

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, there we go. It is so bad for him that he has had to move into living in a make-believe world. However, we need to get back to the real facts and reality.

It has been just four months since the Conservatives pled guilty to electoral fraud and, as I speak, investigators are going through their database to get to the bottom of the latest round of Conservative electoral fraud. My God, the rates of criminal recidivism on that bench are staggering. No wonder we need a public inquiry. We have to get—

Some hon. members: Oh, oh!

The Speaker: The hon. member for Westmount—Ville-Marie.

* * *

NATIONAL DEFENCE

Mr. Marc Garneau (Westmount—Ville-Marie, Lib.): Mr. Speaker, on spiralling F-35 costs, during the last election, the Prime Minister told an audience in Mississauga that we had a contract that basically sheltered us against any increases in the development costs of the F-35 and that he was confident of his cost estimates. That was incorrect and clearly misled Canadians.

Yesterday, he tried to do some damage control and talked about a memorandum of understanding. I am afraid the Prime Minister does not understand this file very well. I would like to ask him today if he could clarify.

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, I am having a lot of trouble following the Liberal Party on this particular issue. For almost 10 years it had us involved in the development of the F-35s and spent hundreds of millions of dollars. Then, after the Liberals were defeated, they came out against it. Today they are mad that we have not yet signed a contract.

Obviously we will sign a contract when and if that is the appropriate thing to do. We will always ensure that when we reach the end of the useful lives of our present aircraft that we have the best aircraft for the Canadian Forces.

• (1425)

[Translation]

Mr. Marc Garneau (Westmount—Ville-Marie, Lib.): Mr. Speaker, I am not sure that I understood the answer.

I would like to quote the Minister of National Defence, who said on December 15, 2010 in the House of Commons, “Here is the truth. The truth is that the cancellation of the F-35 purchase could cost this country up to \$1 billion.”

And yet, no contract has yet been signed. Can the minister explain to Canadians what he meant?

[English]

Hon. Julian Fantino (Associate Minister of National Defence, CPC): Mr. Speaker, I am pleased to explain one more time that we are involved in a development process with the—

An hon. member: Explain yourself.

The Speaker: Order, please. The hon. associate minister has the floor.

Hon. Julian Fantino: Mr. Speaker, Canada is one of nine countries involved in the joint strike fighter program. We have been engaged with our partners in the development of an aircraft not yet purchased. No contract has yet been signed.

Some hon. members: Oh, oh!

The Speaker: Order, please. The hon. member for Westmount—Ville-Marie has the floor.

Mr. Marc Garneau (Westmount—Ville-Marie, Lib.): Mr. Speaker, the government has bungled the CF-18 replacement right from the beginning. Will it now do the right thing, which is: first, define a statement of requirements based on our objectives from a defence and foreign policy point of view; second, hold an open and transparent competition; and third, choose the best aircraft based on performance, cost, industrial benefits and, I need to add, availability? In other words, do what the Liberals did 30 years ago when we chose the CF-18.

Hon. Julian Fantino (Associate Minister of National Defence, CPC): Mr. Speaker, that is pretty rich talk from the party that sent our men and women to Afghanistan in green uniforms and wearing black boots and that cut the military budget over the length of its tenure. It became the era of darkness in the military. The Liberals are not the ones to criticize this government.

* * *

[Translation]

41ST GENERAL ELECTION

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP): Mr. Speaker, when the resignation by the famous scapegoat Michael Sona was initially refused by the Parliamentary Secretary to the Minister of Veterans Affairs, the Conservative Party's director of political operations, Jenni Byrne, hurried to make a telephone call to get rid of him, thinking she could sweep the entire business under the rug. I think it is quite clear that she had key information about this whole scandal.

Oral Questions

The Conservatives have information about the election fraud, but they would rather cover their behinds than be honest and frank with people.

How high in the Conservative hierarchy will we be going? Who on the other side of this House is involved in this massive cover-up operation?

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, this is a question that comes from the same party that has a member from Winnipeg who has already had to apologize and withdraw his false allegations. It is the same party that made up letters on a website that were described as complaints to Elections Canada. It is the same party that broke the law in financing the Broadbent Institute.

The New Democratic Party should stop making false allegations and tell the truth.

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP): Mr. Speaker, with regard to the contemptible attacks on the Broadbent Institute, could we perhaps stop tarnishing the memory and the last will of a man who died from cancer. I want this to stop.

Canadians know how things work in the Conservative government; everything is centralized. We have even seen government ministers reduced to mere puppets, obedient and sheepish, reading the blue cards written out by the Prime Minister's Office. And now, the government wants us to believe that Jenni Byrne, the Conservative Party's director of political operations, was aware of election fraud on an unprecedented scale and that she never said a thing to anyone—

• (1430)

The Speaker: The hon. parliamentary secretary.

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, this is the same New Democratic Party that has already been forced to withdraw its comments and apologize to Canadians for making false accusations. The hon. member for Winnipeg is particularly guilty in this regard. He is the one who most often made these false accusations. Shouting false accusations louder does not make them any truer.

[*English*]

Ms. Chris Charlton (Hamilton Mountain, NDP): Mr. Speaker, the parliamentary secretary's list of fantasy investigations cannot hide the fact that he refuses to answer questions about the actual Elections Canada investigation into his party for electoral fraud. Conservatives are the one-stop shop for voter suppression and illegal election financing.

In response to questions, the parliamentary secretary claimed that the Conservatives deny "any involvement whatsoever in the matter pertaining to Guelph". How can that be when they are also saying that they found the Conservative from Guelph who is responsible?

When will the Conservatives stop the doublespeak and call a public inquiry?

Mr. Dean Del Mastro (Parliamentary Secretary to the Prime Minister and to the Minister of Intergovernmental Affairs, CPC): Mr. Speaker, I am not exactly sure where that NDP member has been, but we have said no such thing. She just made an allegation that the Conservative Party is under investigation. That is factually false. I am sure she would want to be accurate.

We do know that the NDP is apologizing and backtracking for its baseless smears. It has had to apologize for these things. We have seen just recently on the public broadcaster, the CBC, some other allegations brought against the NDP. We are very interested in these. We hope that Elections Canada investigates these matters and that the NDP assists it in that regard.

Ms. Chris Charlton (Hamilton Mountain, NDP): Mr. Speaker, three-quarters of Canadians agree that there should be an independent inquiry into the electoral fraud scandal. Instead of taking action, the Conservatives are sounding a lot like the Liberals did 10 years ago. Back then, Stan Keyes called questions about the sponsorship scandal a "typical opposition slur with no proof". He, of course, had to eat his words in the end.

Is that why the Conservatives are afraid of an inquiry? Will they listen to Canadians who want an independent public inquiry?

Mr. Dean Del Mastro (Parliamentary Secretary to the Prime Minister and to the Minister of Intergovernmental Affairs, CPC): Mr. Speaker, some words have been eaten, but unfortunately the buffet has been occurring on the NDP side. It is like a virtual word-eating buffet in the NDP. Those members have had to apologize for the baseless smears they have made. It is a smorgasbord of apologies from the NDP for the allegations that it makes.

A number of things have been alleged by the CBC with respect to the NDP's conduct in a whole range of ways in the last election. We hope Elections Canada investigates all these matters as it is the body that has the authority to do so. We hope the NDP participates.

* * *

[*Translation*]

TELECOMMUNICATIONS

Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP): Mr. Speaker, yesterday, the government announced its intentions with regard to foreign ownership in the telecommunications sector and the upcoming auction of wireless spectrum.

Clearly, this announcement was designed to try to please everyone, yet, in the end, almost no one is satisfied.

By lifting foreign ownership restrictions completely for companies with a less than 10% market share, the government is on the verge of creating a two-tiered industry, which could cause serious problems in the future.

The Minister of Industry needs to go back to the drawing board. Does he even see the distortions he risks creating in the industry in the future if he goes ahead with this measure?

Hon. Christian Paradis (Minister of Industry and Minister of State (Agriculture), CPC): Mr. Speaker, yesterday's decision was historic. We are acting for Canadian families, and we are going to support them.

*Oral Questions***ROYAL CANADIAN MOUNTED POLICE**

I would also like to point out that the NDP critic said that his party heard the government's intention to cover 90% of the Canadian territory within five years and that they liked the idea. The critic also said that he comes from a rural riding where there are major problems with coverage and that this is an issue that is very dear to him.

If he is saying that no one likes this announcement—and I disagree—at least he said he liked it.

Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP): Mr. Speaker, I also said that I would reserve judgment until I see the details. The minister will hear from me this afternoon.

The Minister of Industry is trying to please everybody and, ultimately, is pleasing virtually nobody.

The decision to place a cap on the auction rather than opting for the concept of set-aside will hamper the proper development of next-generation cellular technology, LTE.

With LTE technology, companies will be offering the equivalent of a Ferrari to consumers, but the motor that the government will provide will be that of a conventional car. The upshot of this is that the Canadian cellular network is going to stagnate. WIND Mobile has already announced its decision to boycott this auction.

Will the minister review his plan, so that new entrants can provide genuine competition?

• (1435)

Hon. Christian Paradis (Minister of Industry and Minister of State (Agriculture), CPC): Mr. Speaker, we have presented a balanced approach that takes into account the complexity of this issue. We have done this for Canadian families. We want to support sustainable competition. We want to promote investment and innovation. We want all Canadians to have access to new technologies wherever they reside in Canada. This means better prices, more choice, and greater quality for all Canadian families. That is what this tremendous announcement means.

[English]

Mr. Glenn Thibeault (Sudbury, NDP): Mr. Speaker, as our economy and society increasingly move into a wireless world, rural Canadians have watched from across a digital divide suffering from poor Internet and cellphone service. The spectrum auction was a golden opportunity to fix the problem but the minister dropped the call. Weak rural build-up requirements will once again see most people outside urban centres waiting years for high-speed service and even then costs will be higher.

Why is the minister choosing to exclude rural Canadians from the digital economy?

Hon. Christian Paradis (Minister of Industry and Minister of State (Agriculture), CPC): Mr. Speaker, it is the opposite. This is a great announcement for rural areas. Let me quote the NDP industry critic. He said, “We heard the intention of the government to cover 90% of the Canadian territory within five years. We like the idea. I come from a rural riding. There are major problems of coverage in my riding so this is something that is very dear to me”.

What a great announcement.

Mr. Jasbir Sandhu (Surrey North, NDP): Mr. Speaker, the men and women of the RCMP have dedicated their lives to serving Canadians. Unfortunately, some members face mental health issues and PTSD as a result. RCMP members have been allowed to access mental health services from the Canadian Forces, but the RCMP has no program of its own. A pilot program for members was cancelled by the government. This is disgraceful. When will the Conservatives establish mental health services for the RCMP members?

Hon. Vic Toews (Minister of Public Safety, CPC): Mr. Speaker, the member is wrong. We recognize the courage of RCMP officers and we are ensuring that they have the tools they need to do their job. The RCMP continues to offer services to treat members with operational stress injuries such as post-traumatic stress disorder. We will continue to rely on the experts to ensure that the mental health of our RCMP officers is taken care of.

[Translation]

Mr. Sylvain Chicoine (Châteauguay—Saint-Constant, NDP): Mr. Speaker, it is troubling that the Conservatives are cutting a key program during its trial period.

Last year alone, over 1,900 RCMP officers received a pension for post-traumatic stress disorder. That is not normal. If nothing is done, members of the RCMP and their families are going to continue to suffer.

RCMP officers deserve our respect, and it is high time that the Conservatives realized this.

Why do the Conservatives fund bad priorities and refuse to support RCMP officers who need assistance?

[English]

Hon. Vic Toews (Minister of Public Safety, CPC): Mr. Speaker, every time our government brings forward proposals to take better care of our RCMP officers, that member votes against them. The RCMP continues to offer services to treat members with operational stress injuries such as post-traumatic stress disorder. We will continue to rely on experts to ensure that the mental health of our RCMP officers is taken care of.

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41ST GENERAL ELECTION

Ms. Joyce Murray (Vancouver Quadra, Lib.): Mr. Speaker, the allegations of systemic Conservative election fraud in the last election continue to grow.

Now there are reports from at least two Scarborough ridings of scores of ineligible voters who not only cast ballots but voted twice. The government dismisses sworn affidavits about a secret bank account in Vaughan, but refuses to say where that money went. Meanwhile, Conservative officials in Guelph are hiding from Elections Canada investigators.

What will it take for the government to call a royal commission? Just how bad does this have to get?

Oral Questions

Hon. Tim Uppal (Minister of State (Democratic Reform), CPC): Mr. Speaker, I am pleased to inform the hon. member that voter registration is the responsibility of Elections Canada, not political parties.

* * *

[Translation]

FEDERAL-PROVINCIAL RELATIONS

Hon. Stéphane Dion (Saint-Laurent—Cartierville, Lib.): Mr. Speaker, a Quebec minister, Yvon Vallières, said that Ottawa no longer even returns any calls from the Government of Quebec, regardless of the issue.

Can the federal Minister of Intergovernmental Affairs explain this unacceptable situation? Has he spoken with Minister Vallières? Has he alerted the Prime Minister and his colleagues?

• (1440)

[English]

How will he fix the government's ever-worsening relations with the provinces and territories of our great country? If he has no proposition, if he is doing nothing, does he at least enjoy his limousine?

[Translation]

Hon. Christian Paradis (Minister of Industry and Minister of State (Agriculture), CPC): Mr. Speaker, it is surprising to hear that question from a member of a party that engaged in a dialogue of the deaf with the Government of Quebec for 13 years. Since we came to power, major issues that are very important to Quebec have been resolved at an unprecedented speed. We are always very pleased to work constructively with our Quebec counterparts. We certainly will not take any lessons from a member of such a centralist party.

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[English]

ABORIGINAL AFFAIRS

Hon. Carolyn Bennett (St. Paul's, Lib.): Mr. Speaker, it has been almost a year since the devastating flooding in Manitoba displaced thousands of first nations residents.

Forty million dollars has been spent on hotels and food so far, and yet there is no plan to get these families home. The Conservatives appointed a special representative who has done nothing. Almost a year later, the minister has no answers and no plan.

How much longer will the Conservative government abdicate the responsibility for the people in Lake St. Martin and their neighbours and neglect their families, children and schools? Where is the plan to bring them home?

Hon. John Duncan (Minister of Aboriginal Affairs and Northern Development, CPC): Mr. Speaker, we have been working in collaboration with the first nations. We have been working in collaboration with the Province of Manitoba. I have been working in collaboration with the—

Hon. Carolyn Bennett: That's not what they say.

The Speaker: Order, order. The member for St. Paul's asked a question. She should listen to the answer. The hon. Minister of Aboriginal Affairs and Northern Development.

Hon. John Duncan: Mr. Speaker, we are working with our first nations partners. We are working with the Province of Manitoba and with the minister responsible.

My special representative has performed a very needed liaison function. We are doing everything we can. We need the collaboration and co-operation of the first nations leadership in order to relocate these people appropriately.

* * *

[Translation]

JUSTICE

Ms. Françoise Boivin (Gatineau, NDP): Mr. Speaker, it was to be expected. The Conservatives' prisons act is going to be challenged in court. Quebec's criminal lawyers have made their position clear: this law muzzles Canada's entire legal system. "Muzzle" is a word we have been hearing often in the House. First, the Conservatives muzzled parliamentarians, and now they are muzzling judges, lawyers and probation officers who will not be able to do their work freely.

Why does this government think it can do a better job of justice than the people who work at it every day?

Hon. Steven Blaney (Minister of Veterans Affairs, CPC): Mr. Speaker, the purpose of the law is very clear: to ensure that victims take priority over criminals. We have made our position so clear that in Quebec, our crime laws are more popular than New Democrats. Let me be clear: Quebec can maintain all of its young offender rehabilitation programs. One thing is certain: we will continue to work with Quebec and Quebecers to make our streets safer.

Ms. Françoise Boivin (Gatineau, NDP): Mr. Speaker, for some time now, I have been saying that Canada is in desperate need of a justice minister.

This government is still deliberately turning its back on Quebec at every opportunity. The prisons act is just another example of that. An influential Quebec minister publicly declared that communications with Ottawa have been cut off.

When will the government decide to listen to Quebecers? When will the Conservatives realize that they are way out in left field? When will they see reason? Most importantly, when will the Conservatives remember a certain Prime Minister's 2006 speech in Quebec City about open federalism?

Hon. Steven Blaney (Minister of Veterans Affairs, CPC): Mr. Speaker, the real question is, when will the New Democrats' justice critic use the word "victim" in her question? On Monday evening, victims from across Quebec thanked our Prime Minister, the Minister of Justice and Senator Boisvenu for finally taking care of them.

When will the New Democrats get off their soapbox and do something for victims in Quebec?

•(1445)

COPYRIGHT

Mr. Pierre Nantel (Longueuil—Pierre-Boucher, NDP): Mr. Speaker, prisons are just the tip of the iceberg. The copyright bill shows that the interests of Quebec artists are not important to this government. It is obvious that the Conservative government is abandoning Quebecers. The list is long: prisons, copyright, the environment, defending French, the gun registry, international co-operation, et cetera. Do members want more examples?

Is there a Quebec minister in this place who will defend Quebecers?

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, our Bill C-11 on copyright will do the following for Quebecers and Canadians: protect the interests of consumers, artists and creators; make piracy illegal in Canada and implement the WIPO Internet treaties; and ensure that creators all across Canada know that their efforts to achieve cultural excellence will be protected in Canada and abroad. That is the Government of Canada's job, and we take it seriously. That is what Bill C-11 will do.

Mr. Pierre Nantel (Longueuil—Pierre-Boucher, NDP): Mr. Speaker, it is ironic that not one artist called the Conservatives to support them. Only popcorn vendors did. All these words are just fine and dandy, but the Conservatives do not even return calls from Quebec journalists or Quebec ministers.

Is there a minister in the House who understands Quebec values? Who listens to Quebecers? Is the Minister of Intergovernmental Affairs satisfied with this situation? Is he at least aware of what is happening in his portfolio?

[English]

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, that is entirely ridiculous. With regard to our copyright legislation, there are all kinds of Canadians and organizations that support our bill because we have struck the right balance between what is in the best interests of consumers and the best interests of creators.

He says that the creative industries do not support our bill. He is entirely wrong and he should know that. He was on the legislative committee that saw countless presentations before the committee of organizations that supported our legislation. The Canadian Council of Music Industry Associations said, "From coast to coast, artists have been hit hard by unchecked Internet piracy. That is why we enthusiastically back this government's legislation".

They are supporting our bill because it works, it is balanced, it is responsible, and that is why we presented it. That is probably why those members are against it.

* * *

JUSTICE

Ms. Roxanne James (Scarborough Centre, CPC): Mr. Speaker, the abuse of vulnerable Canadians, including the elderly, cannot be tolerated. We are committed to ensuring that Canadians are made aware of this serious issue and have the necessary information and support to take action and help prevent such abuse.

Oral Questions

Thanks to our government's very successful elder abuse initiative, awareness is at an all time high. In 2010, 93% of all Canadians said that they were aware of the term "elder abuse".

Could the parliamentary secretary please inform the House about our government's next step toward combatting elder abuse and protecting Canada's seniors?

Ms. Kerry-Lynne D. Findlay (Parliamentary Secretary to the Minister of Justice, CPC): Mr. Speaker, once again we are taking action when it comes to fighting crime in our country, something supported by 77% of Quebecers, by the way.

I know we just passed the Safe Streets and Communities Act, but when we say we are committed to tackling crime, we mean it. Today we introduced the protecting Canada's seniors act. This legislation will help ensure tough sentences for those who take advantage of vulnerable members of our society.

Elder abuse will not be tolerated. We all have the responsibility to ensure that crimes against seniors are punished accordingly. I call on the opposition members to finally put aside their soft on crime ideology and support our efforts to protect seniors.

* * *

[Translation]

SEARCH AND RESCUE

Ms. Annick Papillon (Québec, NDP): Mr. Speaker, the Quebec City marine rescue sub-centre is under threat of closure by Fisheries and Oceans, allegedly because that will save \$1 million. From now on, calls from Quebec will be handled in Halifax and Trenton, two centres that will require costly expansion work in order to accommodate Quebec City.

What is more, the criteria for selecting francophone agents to answer distress calls have been watered down recently, which is unacceptable. By closing the Quebec City centre, the government is putting the lives of francophones at risk and wasting a lot of money. Can the minister explain the logic behind this decision?

•(1450)

[English]

Hon. Keith Ashfield (Minister of Fisheries and Oceans and Minister for the Atlantic Gateway, CPC): Mr. Speaker, what the member is saying is totally untrue. First, we would never put at risk our mariners. Because of the language issues, locations of offices is a reasonable solution, a cost saving measure, but at the same time, provides a better service by combining forces with proper language training and skills.

Oral Questions

Mr. Jack Harris (St. John's East, NDP): Mr. Speaker, changes in the military's emergency protocol after the tragedy of Makkovik is some acknowledgement that there are problems within Canada's search and rescue system. Indeed, the Minister of Intergovernmental Affairs and Newfoundland and Labrador's representative in the federal cabinet, has said there are problems "Right from ground search and rescue, the RCMP, the province, the national defence, all the different elements that are involved in the search and rescue".

Does the Minister of Intergovernmental Affairs stand by his call for an inquiry into every aspect of search and rescue and if not, why not?

Hon. Peter MacKay (Minister of National Defence, CPC): Mr. Speaker, the improvements that the hon. member has referred to are just part of a package of ongoing efforts to improve both communications, availability of assets, but it is a coordinated approach. It involves provinces and territories, which have primary responsibility for ground search and rescue, and ensuring that we have greater ability to communicate with one another, particularly in remote parts of our country.

Eighteen million square kilometres of territory is the responsibility of search and rescue. We work hard every day. We have members of our SAR tech community performing daily heroics and assistance to Canadians in need. We will continue to back them all the way.

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FISHERIES AND OCEANS

Mr. Philip Toone (Gaspésie—Îles-de-la-Madeleine, NDP): Mr. Speaker, yesterday at the fisheries committee, when asked whether he planned to eliminate fish habitat protection from the Fisheries Act, the Minister of Fisheries and Oceans could not answer. "Who knows" he said, "I don't know for sure". Without habitat protection, new megapipelines could go ahead without environmental review and though the changes may be buried in the budget two weeks from today, the minister knows nothing.

Has the minister ever been consulted, or is it PMO that is calling the shots?

Hon. Keith Ashfield (Minister of Fisheries and Oceans and Minister for the Atlantic Gateway, CPC): Mr. Speaker, obviously the member opposite did not read the transcript. Nothing could be further from the truth.

It is very clear that the current habitat policies go well beyond what is necessary to protect fish and fish habitat, and at the jeopardy of Canadians. For example, in 1993 a farmer in Quebec was fined \$1,000 for dewatering of his field that had gone through a flood because there were a couple of fish in it. He had to buy a permit for fishing in the last flood because he would have been subject to a \$100,000 fine otherwise.

[*Translation*]

Mr. Philip Toone (Gaspésie—Îles-de-la-Madeleine, NDP): Mr. Speaker, we know that these references to these plans are false. Documents show that the government plans to change the fishery and set us back several decades.

The Conservatives want to get rid of environmental rules in order to push through their pipeline and supertanker schemes as quickly as possible.

Lobbyists have been consulted, but not Canadians. The Conservatives want to make changes in the budget in an underhanded way.

Will the minister finally confirm that in the next budget, section 35 of the Fisheries Act will be changed?

[*English*]

Hon. Keith Ashfield (Minister of Fisheries and Oceans and Minister for the Atlantic Gateway, CPC): Mr. Speaker, as I indicated yesterday in the House and at committee, there have been no decisions made. However, I might reference the member opposite to the flooded out farmer who needed a permit to remove fish. They are not false comments. The *Abbotsford Times*, on September 16, 2003, said that the B.C. government had long complained about DFO enforcement policies that made it impossible to clear drainage ditches or clogged streams that threatened to overflow and flood properties. This is nothing new, just ask average Canadians.

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NATURAL RESOURCES

Hon. Scott Brison (Kings—Hants, Lib.): Mr. Speaker, when the Conservatives broke their election promise and cancelled the eco-energy home retrofit program, thousands of Canadian jobs were lost. Sustainable Housing, a firm in Wolfville, laid off half its workers. However, if the program is brought back, Sustainable Housing will hire new college graduates to grow its business.

With Canada facing a youth jobs crisis, will the Minister of Finance use this budget to bring back the eco-energy home retrofit program and create green jobs for young Canadians?

● (1455)

Mr. David Anderson (Parliamentary Secretary to the Minister of Natural Resources and for the Canadian Wheat Board, CPC): Mr. Speaker, we have the bizarre opposition side, which voted against the program three times, begging us to bring it back.

It has been successfully creating jobs across the country. Our government was clear that this program would end after 250,000 registrations were in. It has been fully subscribed. We expect to be close to the budget amount of \$400 million. We will continue to work with Canadians to support our clean energy sector.

* * *

[*Translation*]

GOVERNMENT SPENDING

Hon. John McCallum (Markham—Unionville, Lib.): Mr. Speaker, yesterday in committee, the President of the Treasury Board was unable to tell us exactly when Canadians will be given the details regarding spending cuts. We do not know if they will be revealed this spring, in the fall or even if the strategic review is complete.

After spending \$90,000 a day on consultants, can the minister tell Canadians when the cuts will happen?

Hon. Tony Clement (President of the Treasury Board and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC): Mr. Speaker, what the member said is completely false. I invite my hon. colleague to wait for the budget.

* * *

[English]

NATURAL RESOURCES

Mr. Claude Gravelle (Nickel Belt, NDP): Mr. Speaker, this morning the Conservatives killed an NDP proposal for the popular eco-energy retrofit program. It did not matter that a quarter of a million Canadians used the program to save money and energy, or that the industry and environmental experts wanted to make the program permanent or that the government's own numbers proved it was a success.

Why are the Conservatives so eager to kill a program that is good for the environment and job creation? Why are Canadians being ignored?

Mr. David Anderson (Parliamentary Secretary to the Minister of Natural Resources and for the Canadian Wheat Board, CPC): Mr. Speaker, what kind of gall is that? That program would never have existed if the NDP had decided on it. It voted against it three times.

Our government has been a strong supporter of energy efficiency. Our eco-energy homes program has saved Canadians on their energy bills across the country. We budgeted \$400 million for that program this year. It has been fully subscribed. We will continue to work with Canadians on clean energy projects.

[Translation]

Mrs. Anne-Marie Day (Charlesbourg—Haute-Saint-Charles, NDP): Mr. Speaker, we voted against the budget because it did not get the job done.

Some hon. members: Oh, oh!

The Speaker: Order. The hon. member for Charlesbourg—Haute-Saint-Charles.

Mrs. Anne-Marie Day: What we understand is that the Conservatives have once again turned their backs on families. The average family saves \$700 a year for a \$2,000 investment thanks to the eco-energy retrofit program. The program was so successful that it generated more money than it cost.

Are the Conservatives so out of touch with reality that they would eliminate a program that works so well? Why not make this program permanent?

[English]

Mr. David Anderson (Parliamentary Secretary to the Minister of Natural Resources and for the Canadian Wheat Board, CPC): Mr. Speaker, it was a pleasure at the beginning of question period to hear the leader of the NDP support so much of our budget program last year. It has been exciting to hear the Liberals and now the NDP step forward and talk about what great programs and projects we brought forward for Canadians. We look forward to them enthusiastically supporting our budget when it is presented as well.

Oral Questions

FOREIGN AFFAIRS

Mr. Joe Daniel (Don Valley East, CPC): Mr. Speaker, today marks a grim anniversary. One year ago today Syrian forces cracked down mercilessly on a peaceful protest in the city of Daraa. In the year since, in towns and cities across the country, there have been escalating crackdowns, more violence and ever more mounting casualty counts.

Could the Minister of Foreign Affairs please tell the House what Canada has done, and is doing, in response to this crisis in Syria?

Hon. John Baird (Minister of Foreign Affairs, CPC): Mr. Speaker, Canada has been on the forefront of the international effort to isolate the Assad regime in Syria. The events of the past year are absolutely tragic, abhorrent. We condemn them in the strongest of terms.

We have been very clear that President Assad must go. We are working with our allies to exhaust every diplomatic means and we are examining ways to address the humanitarian crisis that, regrettably, is worsening by the day.

Canada has stood and will continue to stand with the Syrian people. They will realize for themselves a better future and Canada will support them very significantly in that regard.

Hon. Ralph Goodale (Wascana, Lib.): Mr. Speaker, backsliding on democracy in Ukraine is getting worse. Yulia Tymoshenko has been denied medical care and a twisted judicial system has been used to jail another political figure, Yuri Lutsenko.

Will the Canadian government do three things: one, provide the 1,500 observers requested to oversee Ukrainian elections this fall; two, reset CIDA's focus on democratic development; and, three, fund Radio Canada International to resume broadcasting in Ukraine? Will these three things be in the budget in two weeks?

● (1500)

Hon. John Baird (Minister of Foreign Affairs, CPC): Mr. Speaker, Canada has been very involved in Ukraine and in the efforts to provide medical assistance to the former leader. We also believe strongly that we can help by participating in the election with election observers and we were committed to do that. In fact, earlier this week, when I appeared before a committee, I spoke very directly to the issue that the member for Wascana spoke to. The government has no plans to raise the budget of the CBC.

Oral Questions

[Translation]

INTERNATIONAL CO-OPERATION

Ms. Hélène Laverdière (Laurier-Sainte-Marie, NDP): Mr. Speaker, out of the \$142 million in subsidies given to development projects on December 23, 2011, only 11.6% went to organizations in Quebec. What is more, the Association québécoise des organismes de coopération internationale, the largest network of development NGOs in Quebec, has asked to meet with the minister a number of times, but she always refuses.

What did the NGOs of Quebec ever do to deserve such contempt from the Conservatives?

[English]

Hon. Bev Oda (Minister of International Cooperation, CPC): Mr. Speaker, as I told the member at committee yesterday, we are fortunate to have many reputable NGO communities working around the world, founded in Quebec and based in Quebec.

Our government is not about organizations. Our government is about finding the best organizations to deliver the results we want to see in developing countries. We want to ensure that we are maximizing our aid dollars and we will pick the best organizations to do so.

We are fortunate to have French-speaking NGOs so that we can make them available in the global effort.

* * *

THE ENVIRONMENT

Mr. Mike Allen (Tobique—Mactaquac, CPC): Mr. Speaker, our government remains fully committed to moving forward with the Lower Churchill hydro-electric generation project.

Today's release of the environmental assessment response represents another important milestone. Not only will this project bring important economic benefits all over Atlantic Canada, as well as reduce greenhouse gas emissions, it will also reaffirm Canada's role as a reliable energy source.

Would the regional minister for Newfoundland and Labrador update this House on today's important announcement in regard to the Lower Churchill project?

Hon. Peter Penashue (Minister of Intergovernmental Affairs and President of the Queen's Privy Council for Canada, CPC): Mr. Speaker, I am proud to announce, on behalf of the Minister of Natural Resources, that we are moving forward with the Lower Churchill environmental assessment process. We are keeping on course with this project that will bring countless economic benefits to my province, to Nova Scotia and to the rest of the country.

Our government has once again delivered on its commitment to protect Canada's long-term economic prosperity.

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INTERNATIONAL CO-OPERATION

Ms. Jinny Jogindera Sims (Newton—North Delta, NDP): Mr. Speaker, thanks to the minister, CIDA's new funding process is leaving Canadian NGOs out in the cold. They are being forced to abandon important development programs. Why? It is because the

minister has shifted focus to projects that pair NGOs with mining companies.

Why are the Conservatives rewarding the rich mining industry while punishing Canadian NGOs?

Will the minister fix CIDA's funding process so development and poverty eradication are the real priorities?

Hon. Bev Oda (Minister of International Cooperation, CPC): Mr. Speaker, as I also told the member yesterday at committee, our government wants to ensure that its development and aid dollars will make a real difference for those who are in need.

It is not about organizations. We will pick the best organizations that can deliver those results effectively and efficiently.

We have a number of good, reputable, experienced NGOs here in Canada and that is why I am very confident that, by also extending our reach, we will enhance the work we can do by gaining the expertise and the advice that the private sector can help with our international—

The Speaker: The hon. member for Richmond—Arthabaska.

* * *

[Translation]

AGRICULTURE

Mr. André Bellavance (Richmond—Arthabaska, BQ): Mr. Speaker, although we have reached the last stretch of the free trade negotiations with the European Union, now the United Kingdom is lining up behind France to take its turn to call for a weaker supply management system in order to boost its own dairy product exports. If the United Kingdom has any hope of making any gains, it is because the Conservative government left supply management on the table and did not completely close the door to making concessions. Quebec is clear on this: supply management has to remain intact.

Does the Minister of Agriculture and Agri-Food intend to support the will of Quebec and supply-managed producers by respecting the Bloc Québécois motion adopted unanimously by this House in November 2005?

● (1505)

[English]

Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC): Mr. Speaker, of course we respect that motion but we have gone further than the Bloc. In the last election, it was in our campaign as a major plank. We brought it into our throne speech, which, of course, the Bloc voted against. We continue to support a supply managed sector in Canada because it gives us a top quality product, a good consistent product and our consumers are well served.

Business of the House

[Translation]

POINTS OF ORDER

ORAL QUESTIONS

Mr. Yvon Godin (Acadie—Bathurst, NDP): Mr. Speaker, two days ago, on March 13, the Minister of Labour said, and I quote:

Mr. Chair, I can say that if there were to be a work stoppage during the period of time that has been indicated, the March break, there would be no alternate domestic air service to the following places in British Columbia: Castlegar, Nanaimo, Penticton, Sandspit. In Ontario it would be Kingston and Sarnia. In Alberta, Lethbridge and Medicine Hat....In Nova Scotia it would be Sydney. In New Brunswick [my riding] it would be Saint John, Bathurst and Fredericton. In Quebec...

She misled the House because these cities would not have been affected by the Air Canada strike, since Jazz is the airline—

[English]

The Speaker: I did not hear anything that was an actual point of order there.

Mr. Dean Del Mastro (Parliamentary Secretary to the Prime Minister and to the Minister of Intergovernmental Affairs, CPC): Mr. Speaker, I will respond to that point of order by indicating that the member clearly had an opportunity to ensure air service into his own riding but instead decided not to do that.

* * *

SYRIA

Hon. John Baird (Minister of Foreign Affairs, CPC): Mr. Speaker, there have been consultations among parties and I believe if you seek it you would find unanimous consent for the following motion, jointly seconded by the hon. member for Laurier—Sainte-Marie and the hon. member for Wascana. I move:

That, on the one year anniversary of the uprising of the Syrian people, this House condemn in the strongest terms the ongoing and reprehensible use of violence against the Syrian people at the hands of the Assad regime, including the use of landmines by Syrian forces; that it recognize the impact of the internal displacement and refugee situation on the safety of the Syrian people and the stability of the region; that it call on those backing this illegitimate and irresponsible regime to reverse their current position and to allow for unhindered humanitarian aid to reach those who need it most; that this House express its deep disappointment at the continued failure by the UN Security Council to effectively deal with the crisis in Syria; and that this House stand in support with the Syrian people as they strive to build a better, brighter future.

The Speaker: Does the hon. minister have unanimous consent to have this motion, jointly seconded, before the House?

Some hon. members: Agreed.

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

Some hon. members: Agreed.

(Motion agreed to)

Hon. Ralph Goodale (Wascana, Lib.): Mr. Speaker, in relation to the matter that the House has just dealt with, could the minister confirm that the Canadian government is in close contact with the Syrian Diaspora across Canada? They are represented from one end of this country to the other and have useful ideas to offer. I just want to confirm with the minister that he and his department are in communication with these Canadian citizens of Syrian ancestry and are taking their views closely into account.

The Speaker: I see the hon. Minister of Foreign Affairs rising. I am not sure this is a point of order. It sounds more like an appropriate question to be made during question period but I will give the minister a brief chance to respond.

Hon. John Baird: Mr. Speaker, I certainly have, in my eight or nine months as Minister of Foreign Affairs, met with a good number of Syrian Canadians, people with family in Syria and people who have immigrated from Syria. I met with four representatives just this past week. Last year, I met with our former colleague from Mississauga, Omar Alghabra, to get his perspective on things.

I will keep in close contact with them.

* * *

POINTS OF ORDER

ORAL QUESTIONS

Ms. Kellie Leitch (Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour, CPC): Mr. Speaker, I want to correct the record so it is clear. All of the machinists, baggage carriers and others actually provide services to both Jazz and Air Canada. It should be noted that the Minister of Labour made a point that was factually correct.

* * *

● (1510)

BUSINESS OF THE HOUSE

Mr. Joe Comartin (Windsor—Tecumseh, NDP): Mr. Speaker, I was going to get up on another point of order on Air Canada because that last statement was not correct.

[Translation]

I would like to ask the Leader of the Government in the House of Commons what the House's plans are for the rest of this week and for the week of March 26.

[English]

I am particularly curious to ask the government House leader to confirm that the reason the budget is being brought down, as opposed to tradition, on a Thursday is that the next day, when the debate would start, is a Friday when we have little time. It is a way of hiding the budget from the Canadian people because of the negative backlash the government is expecting.

It is an ongoing pattern, the Minister of Finance ducking all sorts of questions in this regard. It is another technique. I just want the minister to confirm that this is just another technique by the government to limit debate around serious issues confronting this country.

Government Orders

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): Mr. Speaker, on the contrary. It has been suggested in the past when we have had budgets on Thursdays that we were doing that so we could go out and talk to Canadians about it for several days. Clearly, our interest is to tell Canadians about our economic action plan 2012 which is focused on keeping taxes down and creating jobs and economic growth for Canadians. We hope we will be able to speak about it a lot to Canadians. We are confident that they will see that we share their priorities strongly. I thank the opposition House leader for giving me the opportunity to explain that.

We will conclude this hard-working, productive and orderly week in Parliament by continuing debate on Bill C-31, the protecting Canada's immigration system act this afternoon and tomorrow. We will also debate that bill on Monday, March 26.

[*Translation*]

Next week is a constituency week where we will all be hard at work in our ridings.

[*English*]

The highlight of the week we return to Ottawa will be when the Minister of Finance rises in the House to present Canada's economic action plan 2012. That will be on Thursday, March 29 at 4 p.m. Canadians can look forward to our economic action plan which will include, as I indicated earlier, important measures focused on jobs and economic growth.

I understand that the Standing Committee on Finance agreed to a responsible work plan for its study of the financial system review act, Bill S-5 so that this House can pass the bill before Canada's banking laws expire in mid-April. Canada has the world's soundest banking system. It is important that we keep it this way. That is why I trust we will see a responsible approach to this bill in the House, similar to what we saw at committee. In anticipation of the bill being reported back to the House tomorrow afternoon, I will be giving priority to report stage and third reading of Bill S-5 on Tuesday, March 27 and Wednesday, March 28.

[*Translation*]

If we have additional time on those days, I hope we can finish second reading debate of Bill S-4, the Safer Railways Act, and then deal with Bill C-12, the Safeguarding Canadians' Personal Information Act, at second reading.

On Thursday, March 29, we will resume debating Bill C-24, the Canada–Panama Economic Growth and Prosperity Act, before question period. After question period, the House will turn to Bill C-15, the Strengthening Military Justice in the Defence of Canada Act.

Friday, March 30, shall be the first full day of debate on the budget.

GOVERNMENT ORDERS

[*English*]

PROTECTING CANADA'S IMMIGRATION SYSTEM ACT

The House resumed from consideration of the motion that Bill C-31, An Act to amend the Immigration and Refugee Protection Act, the Balanced Refugee Reform Act, the Marine Transportation Security Act and the Department of Citizenship and Immigration Act, be read the second time and referred to a committee, and of the amendment.

Ms. Judy Foote (Random—Burin—St. George's, Lib.): Mr. Speaker, I welcome the opportunity to speak to Bill C-31, An Act to amend the Immigration and Refugee Protection Act, the Balanced Refugee Reform Act, the Marine Transportation Security Act and the Department of Citizenship and Immigration Act.

While I listened to the debate on Bill C-31 with great interest, I noticed a very disturbing and continuing trend by the Conservative government. Attention must be drawn to the irresponsible and undemocratic procedural tactics used by the government during this debate.

Through Bill C-31, the government has continued to display its fervour to obstruct the parliamentary process. On Monday, March 12, the government broke its own record for silencing debate. The Conservatives' mind-boggling 18th declaration against democratic debate in the House of Commons is an affront to the majority of Canadians who did not vote for the Conservative Party in the last election.

The Minister of Citizenship, Immigration and Multiculturalism falsely claims that his government has the authority to ignore the opposition because it received the majority of seats in the last election. By unnecessarily limiting debate, the government is directly stifling democracy.

Canadians elected members of Parliament of all parties to defend their interests. It is reprehensible when this government prohibits the representatives of all Canadians from making their views known. The only explanation for such action must be that the Conservatives are afraid that too much debate will expose the many flaws in their illogical legislation.

This is not the first time the government has introduced a time allocation motion but the 18th time in under a year. Time allocation is only one procedural method that the government has abused to deny Canadians proper, transparent and democratic debate.

Previously the Conservatives twice prorogued Parliament, preventing members of Parliament from representing their constituents in the House of Commons. It is not only in the House that the government has prevented open debate. In committee, we see the Conservatives dangerously abusing motions to go in camera far too often. What is the government trying to hide? It is a good question. Why does it fear transparency? Why can it not be honest with the Canadian people and debate the validity of their ideas instead of abusing procedural tactics?

Government Orders

Furthermore, Bill C-31 undermines the study on biometrics now under way at the Standing Committee on Citizenship and Immigration. I am surprised that the minister would include biometrics in the bill, not because biometrics are without merit but because the committee has not finished its study and therefore has not issued a report to Parliament. It seems the minister intends to subvert his own Conservative colleagues and the rest of the immigration and citizenship committee who have been working diligently at committee to hear from Canadians on this very important and very vital topic.

Canadians have a right to be heard. Unfortunately, the government does not have the time to listen. Sadly, this is not the first time the minister has undermined the work of the immigration and citizenship committee. The committee was previously studying the backlog of immigration. Midway through the study, the minister announced a freeze preventing people from sponsoring family members to immigrate for at least two years. Through his actions, the minister has displayed a complete disdain for the witnesses and their testimony heard at parliamentary committees. Clearly, the Minister of Citizenship, Immigration and Multiculturalism thinks he knows best and does not listen to those who testify at committee. People come to committee to be heard and provide input into this most important discussion, yet they are not given the opportunity.

Now the minister has abandoned Bill C-4 before the Standing Committee on Immigration and Citizenship could even study it, even though his own government used its majority to push the bill to committee for study. Go figure.

I find it striking that a minister of the crown could have such disdain for the committee under his portfolio. While the bill does not allow for the unconstitutional detention of those under 16 years of age, it does in fact violate the Charter of Rights and Freedoms through its use of warrantless detention for up to a year for those 16 years of age and older. I must ask the same question my colleagues have throughout this debate. What would happen to a six-year-old child whose parents were being unconstitutionally detained after a family arrived in Canada?

• (1515)

As I discussed when Bill C-4 was debated here in this House, in the Supreme Court's 1985 Singh decision, the highest Canadian court ruled that the Charter of Rights and Freedoms applies, not just to Canadians, but to anyone who steps foot in Canada, whether or not they arrived legally.

Within Bill C-31, as was included in Bill C-4, are provisions that would enable the government to arbitrarily name refugee groups as designated foreign nationals and permit for the legal and unjust detention of said groups for up to 12 months, regardless of whether they were legitimate refugees or not. Section 9 of the Charter of Rights and Freedoms, under the heading of Legal Rights, ensures that everyone has a right not to be arbitrarily detained or imprisoned. Section 11, under the same heading, states that any person charged with an offence has the right to be tried within a reasonable time.

Liberals do not support an erosion of our constitutional rights, and for very good reason. The path the Conservatives are pursuing is a very slippery slope that would end in the trampling of the rights and

freedoms of Canadians, similar to the warrantless search and seizure in the government's Bill C-30.

In addition, Bill C-31 would entrust the Minister of Public Safety and the Minister of Citizenship, Immigration and Multiculturalism with far too much political power over our refugee system. Enabling the Minister of Public Safety to determine which groups were irregular arrivals while simultaneously enabling the Minister of Citizenship, Immigration and Multiculturalism to personally designate safe countries of origin would give the ministers far too many discretionary powers and would offer no accountability or appeal system to protect refugees from the Conservatives' politically motivated agenda.

Canadians from coast to coast are concerned with Bill C-31. I have heard from constituents throughout my riding of Random—Burin—St. George's, as I am sure other members of Parliament have heard from their constituents, that this is a serious piece of legislation. It is a flawed piece of legislation that must be addressed by this Parliament.

To quote a constituent of mine from St. David's, Elin Steele says:

I am particularly concerned that decisions such as designation of "safe" countries be left to the Minister as I do not believe the level of expertise is there. I am concerned that we, as a country, are not only living up to international obligations and standards, we are not living up to our perceived status, domestically and internationally, of fairness, justice and compassion.

My constituent is right to talk about the reputation that we have as Canadians. She talks about the reputation we have in this country. She is seriously concerned about what is going to happen to that reputation and how we will be looked at by those who are looking to Canada as a safe haven. Not only has Ms. Steele written to express her concerns, but other constituents throughout Random—Burin—St. George's have, as well. What I have given here is an example of the kind of concern that exists throughout our country. If it exists in Random—Burin—St. George's, it undoubtedly exists in other parts of Canada.

As with Bill C-4, Canadians do not support the trampling of their enshrined Charter of Rights and Freedoms, nor do they support the trampling of anyone else's enshrined charter of rights. We believe in caring for others. We believe in reaching out to others. We believe in letting them know that Canadians are caring and that they are welcomed here.

The Liberal Party will continue to stand up for the Charter of Rights and Freedoms and oppose this dangerous bill. This bill that is so flawed that we have to make our views known, we have to try to get changes to the bill. Liberals believe that there must be judicial oversight and an appeal process to enshrine the internationally guaranteed rights of refugees.

• (1520)

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): Mr. Speaker, I rarely rise on these kind of occasions. I have to express some frustration, listening to the hon. member complain about the lack of time available.

Government Orders

The time we allocated for this was based on the best we could get from our consultations with members of the other parties, some of whom are not prepared to tell us how long they want. But this was an exception. Some people did tell us.

In fact, even on the second day of debate, the member for Winnipeg North asked, "What's the hurry? Why can't we allow for 15 to 20 hours of debate?" That was asked after two days of debate had already taken place and a further 15 to 20 hours of debate was already in the motion. We were doing exactly what he stood and said we should be doing.

Now the Liberals are complaining that there is inadequate process. Members can see my position as House leader, trying to deal with them. Clearly, there is no willingness to co-operate, to give clear indications of the time.

My question for the whip from the Liberal Party is, will you commit, today, right now and here on this floor, in view of the complaints you are making and your public declarations, that you will actually give public declarations of how long you wish to see each bill debated so that we have a reasoned co-operative process in this House?

• (1525)

The Speaker: I would remind the hon. government House leader to address his comments to the Chair and not directly to colleagues.

The hon. member for Random—Burin—St. George's.

Ms. Judy Foote: Mr. Speaker, I welcome the question from the government House leader. The issue, and I have raised it time and time again, is about time allocation. The member knows only too well that we need to have open dialogue and open discussion. Every time he has raised it we have always said that we would check with our critic and get back to him. We have been co-operative. It is not like we do not get back to them.

The issue is this is the 18th time in a year that there has been time allocation. This is a place where we are supposed to debate legislation. This is a place where we are supposed to be able to represent the interests of our constituents, no matter what party one represents.

At the end of the day, when time allocation is imposed time and time again, what happens is we get legislation that is flawed.

Mr. Rick Dykstra (Parliamentary Secretary to the Minister of Citizenship and Immigration, CPC): Mr. Speaker, I am fascinated by the argument that the member presents. She complained throughout her speech that she is not being given the opportunity to debate the bill. She used the entire time not to come up with one addition, one recommendation, one supposed solution or enhancement to the bill, but in fact, she spent the whole time complaining about process.

She obviously needs to hear from her counterpart, the Liberal critic at the citizenship and immigration committee, because the last time we heard from a witness, one recommended by the Liberal Party, Mr. Cheema, he could not go on long enough to endorse 100% what we are doing with respect to this bill and what has been happening at Citizenship and Immigration. In fact, he complimented

the minister on a number of occasions. It is surprising that I have heard two mistakes in the presentation this afternoon.

My question is, if there is something in the bill that the member is so against, or if there is something that would improve the bill, what is it? Let us have her get up today and make a recommendation as to how this bill could be improved from what it is right now.

Ms. Judy Foote: Mr. Speaker, my colleague across the way referenced the member for Winnipeg North. He is a superb member of our party and he certainly is a good representative for us on the citizenship and immigration committee. He has put forward several amendments.

My question for the government would be, are you prepared to accept his amendments instead of standing up and complaining that I am talking about process? Of course I am talking about process when we do not have time to debate a bill of this significance and what it means to people who are looking to our country as a safe haven. Why do you not accept the amendments that are put forward? Why is it that only the government has all the answers?

The Speaker: I am not making any kind of comment on the amendments. I encourage the hon. member to address her comments to the Chair and not directly at other colleagues.

The hon. member for Bourassa has less than 30 seconds.

[*Translation*]

Hon. Denis Coderre (Bourassa, Lib.): Mr. Speaker, I congratulate and thank my colleague for her speech.

My question is simple. As the former immigration minister, I know that a minister must have certain powers, but that he must not have arbitrary power. He must also work with the system and ensure balance.

Does the member agree that if we want Canada to maintain its reputation, we must not start painting everyone with the same brush? Each immigration case, each refugee case is unique, so it would be a mistake to designate a country as being supposedly safe.

[*English*]

Ms. Judy Foote: Mr. Speaker, my colleague is absolutely right. We should all recognize that in this world no two people are alike and no two situations are alike. If we are not prepared to look at cases that come forward on an individual basis, then we are not doing what we should be doing under the Charter of Rights and Freedoms, which in fact applies to everyone who sets foot in our country.

• (1530)

Hon. Bal Gosal (Minister of State (Sport), CPC): Mr. Speaker, I rise today in support of protecting Canada's immigration system act.

Canadians want a timely and effective refugee system, one that provides protection to those who genuinely need it in a reasonable amount of time. At the same time, Canadians want a refugee system that is able to quickly identify and remove people who seek to abuse our system.

Government Orders

Illegitimate claimants clog our refugee system and create unnecessarily long wait times for those truly in need of Canada's protection. Under the current system, the average asylum claim takes four and a half years to come to a conclusion. Some cases even take longer than a decade. Illegitimate claimants come here at a huge cost to Canadian taxpayers with the average unfounded claim costing \$55,000. They also bog down the system which results in genuine claimants waiting long periods of time before they receive Canada's protection.

The protecting Canada's immigration system act seeks to address these problems with the refugee system by providing faster protection to those in genuine need, but quickly removing those who are not, to support a more robust refugee system and prevent fraud in our immigration system in general. This legislation also recognizes that our country must be at the forefront of current technologies.

Protecting Canada's immigration system act aims to strengthen Canada's immigration and refugee system in three ways. First, it would build on the long-needed reforms to the asylum system that were passed in Parliament in June 2010 as part of the balanced refugee reform act. Second, it would give Canadian authorities the tools needed to crack down on the lucrative business of human smuggling. Third, it would introduce biometric technologies for screening certain visa applicants.

Canadians have given us a strong mandate to protect Canada's immigration system. We are acting on that mandate.

Taken together, these three elements seek to help improve the integrity of our immigration and refugee system. Here is how.

One of the problems with our current refugee system is that it takes far too long for claimants to make their way through the system. This applies whether the claim is legitimate or not. This makes Canada an attractive target for illegitimate claimants since they know they can remain in Canada for several years while their claim is processed. Currently, it takes an average of four and a half years from the time a refugee claim is made until a failed claimant has exhausted all legal avenues and is removed from Canada. During this time, claimants can access our generous social benefits and establish themselves here in Canada.

To help reduce the attraction of coming to Canada, this bill would further expedite the processing of all refugee claims, particularly for nationals from designated countries that generally do not produce refugees. This policy would provide the government with an important tool to respond to spikes in claims from countries that do not normally produce refugees.

In 2011, Canada received 5,800 refugee claims from the European Union. That is more than we see from Africa and Asia. Virtually all these claims from the European Union are abandoned, withdrawn or rejected. In other words, these claimants were not in genuine need of protection; they were bogus refugees.

Canada's top source country for refugee claims is Hungary, which is a stable democratic country. The number of refugee claims from Hungary in 2011 was 4,400. That is up almost 50% from 2,300 in 2010. That is 18% of the total percentage of refugee claims in Canada. In comparison, in 2011, Belgium received only 188, the

U.S. only 47 and France and Norway only 33 each. In 2010, a total of 2,400 Hungarian nationals claimed refugee status around the world and 2,300 of these were in Canada alone. That is right; Canada received 23 times more bogus refugee claims from Hungary than did all other countries combined.

• (1535)

Even though virtually all these claims were abandoned, withdrawn or rejected, these applicants knew they had several avenues of appeal which allowed them to prolong their stay in Canada. These bogus refugee claimants cost Canadian taxpayers \$170 million per year.

This is proof that Canada has become a target for bogus refugees. We must take action to crack down on this abuse. Canadian taxpayers work very hard and do not appreciate it when their hard-earned dollars go toward supporting foreign nationals who should not be here in the first place.

Canadians have given us a strong mandate to protect Canada's immigration system. We are acting on that mandate. Bill C-31 would save Canadian taxpayers at least \$1.6 billion over five years.

These new measures would be accomplished without affecting the fairness of our generous refugee system and without compromising any of Canada's international and domestic obligations with respect to refugees. By improving the refugee system in these ways, this legislation would also ensure that those refugee claimants who really do need our protection would get it even faster.

The second part of this legislation would enable Canadian authorities to crack down on human smugglers who seek to abuse our generous refugee system. It would make it easier to prosecute human smugglers and would impose mandatory minimum prison sentences on those convicted of human smuggling.

At the same time, it recognizes that shipowners and operators are one part of the problem. The other part involves those who seek to use the services of a human smuggler in order to get to Canada. This legislation, therefore, also aims to reduce the attraction of coming to Canada by way of dangerous voyage.

The third part of this legislation would introduce new biometric technology to screen visitors to Canada. This legislation and the regulations would make it mandatory for certain visa applicants to have their photographs and fingerprints taken as part of their temporary resident visa applications.

In order to protect the health and safety of Canadians, it is critical that we stay on top of new technologies, including the methods used by fraudsters to manipulate our immigration system to fraudulently gain entry into Canada.

Government Orders

Linking an individual's biometric data with his or her biographic data would help us to more quickly identify applicants. It would therefore become much more difficult to forge, steal or use someone else's identity to gain access into Canada. Biometrics would make it easier to prevent known criminals and previous deportees from entering Canada. It would make it easier to prevent serious criminals, failed refugee claimants and terrorists, among others, from re-entering Canada by using false identify documents.

Alternatively, the use of biometrics would also bolster Canada's existing measures to facilitate legitimate travel by providing a fast and reliable tool to confirm identity. These measures would put us in line with our international partners, such as the United Kingdom, the European Union, Australia, the United States and Japan.

All these reforms are aimed at deterring abuse of Canada's generous immigration and refugee system. Bill C-31 would make our immigration system faster and fairer. Canadians have given us a strong mandate to protect Canada's immigration system. With these proposed measures, the integrity of Canada's immigration programs and the safety and security of Canadians would be protected.

I implore my fellow members of the House to vote in support of this legislation.

• (1540)

Ms. Jinny Jogindera Sims (Newton—North Delta, NDP): Mr. Speaker, I looked at the legislation and we would be creating two tiers of refugees.

What really concerns me is that the not so acceptable refugees by the minister's standards, which standards are very arbitrary and unknown to all of us right now, would be detained. When those people are put into a detention centre, and prison would be another word for it because they are not going to have travel documents, what would happen to the children?

We have to remember that some of these children and families will be arriving from war-torn countries where they would have spent years in refugee camps. They will arrive looking for refuge at a safe haven called Canada and we are going to put them into prisons.

What will happen to the children while the parents are imprisoned?

Hon. Bal Gosal: Mr. Speaker, that is completely false. According to Bill C-31, there is an exemption from automatic detention for minors under 16 years of age.

We want to have a fair refugee system and this bill would create a fairer system for our country. Our government is committed to strengthening Canada's immigration system and that is what we will do with the bill.

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, I had another question in mind, but the response of the Minister of State for Sport to my colleague's question missed the point.

We understand the changes that improve the bill, between Bill C-4 to Bill C-31, in that children under 16 are not to be automatically jailed for the year with their parents and older siblings over 16. However, I think the question was what would happen to children under 16 who would not automatically be interned, but who would be with their families when they arrived in Canada. I hope one would

presume out of compassion and any common sense that we would want to keep children with their parents. I think that is the essence of the question.

Although I am now surrendering my own question to pursue another matter, could the Minister of State for Sport respond to that?

Hon. Bal Gosal: Mr. Speaker, as I said earlier, with this bill we are trying to stop foreign criminals, human smugglers and bogus refugees from abusing our generous immigration system. They could receive lucrative health care funded by Canadian taxpayers. That is what we are trying to stop with this to create a fairer immigration and refugee system. Children under the age of 16 would not be jailed.

Mr. Kennedy Stewart (Burnaby—Douglas, NDP): Mr. Speaker, again, I will follow-up with this question.

Let us say we have refugees from India. They are deemed to be bogus and are imprisoned. They have two or three kids who are between the ages of six and nine. What happens to these children? Are they imprisoned? Are they kept at the pleasure of Her Majesty's government? Are there are any provisions at all in the current form of the bill to deal with that?

Hon. Bal Gosal: Mr. Speaker, as mentioned, we are trying to create a fair system. Children under the age of 16 can either choose to stay with their parents or they can be released to provincial custody, while the case is being processed.

At the end of the day, we are trying to create a fair system where we can stop foreign criminals, human smugglers and bogus refugees from abusing our system.

[*Translation*]

Mrs. Anne-Marie Day (Charlesbourg—Haute-Saint-Charles, NDP): Mr. Speaker, I would like to thank my NDP colleagues for expressing their points of view on immigration and the shortcomings of Bill C-31 so brilliantly.

I agree with my colleagues and I have reservations about this bill, which should be reviewed and amended. There is no doubt that in a world as globalized and complex as the one we live in, the Canadian government must always make it a priority to protect Canadians and keep them safe. However, the approach proposed by the Conservatives clashes with Canadian values and fails to achieve the primary goal, which is to protect our borders while remaining a welcoming and attractive country for immigrants.

I would like my colleagues on the other side to justify the glaring deficiencies in this bill to the House. First of all, one of the clauses in the bill concentrates too much power in the hands of the immigration minister by allowing him to decide which countries will be designated as safe countries of origin, which will reduce the number of refugees coming from these countries. An elected official, by himself, cannot replace an impartial expert panel. In addition to handing over too much power to the minister, this type of procedure leaves the door wide open to partisanship that is directly associated with our country's foreign policy objectives.

Government Orders

The NDP believes that immigration and support for refugees cannot be manipulated in this way merely to serve the country's economic interests. A sound immigration policy should promote Canada's economic development, but it cannot ostracize refugees who are seeking asylum in Canada without violating our international obligations. How can this government claim that only the minister has the expertise and holds the truth in immigration law in Canada?

Another very important point concerns the status of thousands of permanent residents. The bill would make it easier to cancel the claim for refugee protection if the circumstances were to change in the refugee's country of origin, even if he or she had become a permanent resident of Canada.

What this really means is that the new Conservative bill might result in thousands of refugees with permanent resident status having that status withdrawn and being expelled from Canada. We know that under the current legislation Canada's protection may already be withdrawn if, for instance, calm has been restored in the refugees' country of origin and they can live there in safety, or if they obtain citizenship in another safe country. However, once they had obtained permanent resident status, these nationals were guaranteed the right of residence and could keep their status unless they committed a serious crime or fraud in order to obtain permanent resident status.

Why should we toughen up the existing legislation if it is only to frighten immigrants who are trying to rebuild their lives in Canada and who will have this provision hanging over them like the sword of Damocles?

This type of provision will undoubtedly prove to be counter-productive because future immigrants, most of whom are skilled and interested in contributing to Canada's economic prosperity, will instead choose other countries where their lives will be less constrained and more stable in the long term. Furthermore, the fact that this government is not required to strictly apply this law makes too much room for vague and ill-defined powers and uncertainty as to how the law will be applied.

In this regard, I will quote *Le Devoir*:

An average of 25,000 refugees a year have obtained permanent resident status over the past five years. The number last year was 24,700. On average it takes between 18 and 22 months. They must then wait three years before applying for citizenship, which takes an average of 19 months. It takes a minimum of five to six years to become a citizen, if the process goes quickly. Under the new legislation, the thousands of refugees admitted every year are at risk, not to mention those who simply have not yet applied.

In addition to this major concern, I would like the government to explain why its new bill contains a clause that prohibits entry of asylum seekers who were incarcerated in their country for more than 10 years, and why no discretion is given to a tribunal in the case of political refugees. We all know that thousands of refugees flee their country of origin because they run the risk of having to serve, or they have served, prison sentences because of their religion, ethnicity, political convictions or sexual orientation.

• (1545)

This type of unfair legislation quite simply endorses the discriminatory position that certain countries impose on their citizens rather than helping them to start their lives over in a

supposedly fairer and more democratic country such as ours. I am not saying we should be bringing criminals to Canada, but we should be helping refugees who have been unfairly accused in their home countries.

Bill C-31 permits the arbitrary designation of irregular arrivals and their mandatory detention, which is completely unconstitutional. Need we remind this government that the arrival of refugees by irregular means, such as by boat, is legitimate and that we must respect the international treaties regarding refugee rights that we have signed? Canada has recognized these humanitarian rights in accordance with the 1951 Convention relating to the Status of Refugees, called the Geneva convention.

An individual's right to life, liberty and security of the person is also spelled out in the Canadian Charter of Rights and Freedoms. It is therefore mandatory in Canada to protect refugees and not expose them to persecution. Those persons who arrive in Canada by their own means can claim refugee protection at any Canadian border or at an immigration office within Canada.

However, according to the new proposed legislation, irregular arrivals will be subject to maximum mandatory imprisonment of one year if they are 16 or older. They will not be able to apply for permanent residence or sponsor a family member for five years and will not have access to the new Refugee Appeal Division. Now, that is a two-tier system. It is totally illegitimate and unfair to immigrants and flies completely in the face of Canadian values.

In its press release announcing the new bill, the Conservative government accuses "bogus refugee claimants" from what it considers to be safe countries of slowing down Canada's immigration process and penalizing the "good" immigrants. The government even contends, "These bogus claims cost Canadian taxpayers upwards of \$170 million per year. That's why the government... introduced the Protecting Canada's Immigration System Act."

The government is therefore proposing savings of \$170 million to protect an immigration system that will never be 100% secure. What, then, is the total cost of imprisonment? We do not know. Can the government provide an estimate as to the cost of this legislation?

I would like to remind Canadians and my colleagues in the House that Bill C-11 from the previous Parliament had to do with balanced reforms concerning refugees. I would also remind the House that that bill was the subject of many compromises and was supported by all parties. By bringing a bill like Bill C-31 back to the table, this government is doing three things that are totally unacceptable.

First of all, it is preventing anyone from seeing the effectiveness and the value of legislation that has already been passed, since Bill C-11 is being killed before it even came into force. Second, it is arrogantly rebuffing all the work that was done on Bill C-11 by introducing a new bill that is practically identical, but ignores all the amendments adopted in the previous Parliament. Third, it is disgracefully wasting taxpayers' money by forcing us members to redo work that was already done respectfully and conscientiously.

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Some 14% of the people of my riding are immigrants. Among them are thousands of permanent residents who work hard and contribute to the social and economic development of Charlesbourg—Haute-Saint-Charles and the greater Quebec City region. Thousands of them are also worried about their status and want answers.

The NDP believes that we must fulfill our duty to refugees while maintaining an effective, impartial immigration system. Bill C-31 puts refugees in a class with criminals. The bill is ineffective and leaves too much room for the political manoeuvring that characterizes the party across the floor. The government needs to redo its homework.

● (1550)

Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC): Mr. Speaker, unfortunately, there are a number of errors in the member's speech, including her statement that the designation of safe countries will be made arbitrarily by the minister himself. In a bill, when it is a question of a power being given to a minister, it is a power that is a responsibility of the department. Ministers never intervene on a matter of designation without seeking the expertise of all the officials in the department.

In the bill, there are clear, firmly grounded criteria for the designation of safe countries. There are also numerical and mathematical criteria. For instance, the IRB will begin the study of claims for the countries from which 75% or more of asylum claims originate. It is therefore the IRB's decisions that will determine that.

Secondly, she repeated that the bill gives the minister the power to withdraw permanent resident status from refugees, which is an error because it is totally false. The current legislation gives the IRB the power to withdraw refugee status or permanent resident status from individuals who have committed fraud, for instance. There is no change in this regard.

The member must not spread fear among legitimate refugees, who have absolutely no reason to worry about this bill.

● (1555)

Mrs. Anne-Marie Day: Mr. Speaker, unfortunately, I think this fear exists already, and we in the NDP are not the ones who created it. This fear really exists.

In the bill, it clearly states that the minister can make the decision, and while he may consult a panel of experts, it is up to him to make the final decision. He can therefore make unilateral decisions. It is much too much power in the hands of a single individual.

Hon. Jason Kenney: Mr. Speaker, the member has just said that the bill gives the minister the power to withdraw permanent resident status from refugees. Where did the member find this information, in which clause of the bill? I wrote this bill. I have the bill right in front of me. There is no clause in this bill that gives the minister the power to withdraw permanent resident status. What clause is she talking about? It does not exist.

In addition, she is talking about a two-tier system. I would like to remind the member that, during the last Parliament, Bill C-11, supported by the NDP, aimed at creating a two-tier system, that is, an accelerated process for asylum seekers from designated safe countries.

Why is she against a two-tier system now, when her party was in favour of such a system in the last Parliament?

Ms. Anne-Marie Day: Mr. Speaker, in my remarks, I said that amendments had been proposed to the previous government's Bill C-11 and that we were starting from scratch in this current Parliament. We could have taken the amendments previously approved by the three parties and continued with the work at hand.

The bill refers to sending refugees to a safer country. What country is safer than Canada? Why do we not keep out immigrants and refugees? And why would we send them to a so-called safer country? What safer country is there than Canada?

Hon. Jason Kenney: Mr. Speaker, is the member aware that the United Nations High Commissioner for Refugees clearly stated that it was entirely legitimate and normal according to the essence of the Convention relating to the Status of Refugees to permit refugee systems and to designate certain countries as safe countries, that is, countries from which refugees do not normally originate?

Is she against this UN policy?

Ms. Anne-Marie Day: Mr. Speaker, I will certainly not question UN policies. However, when a refugee comes to Canada because Canada is a safe country, it is important that we keep the refugee and even support him by providing him with all the services that he needs to become a citizen, a worker, and to develop our labour market. We are in great need of labour.

[English]

Mrs. Joy Smith (Kildonan—St. Paul, CPC): Mr. Speaker, I am very pleased to have the opportunity to rise in support of this important legislation. We all know Canada is a compassionate nation. We have a generous spirit that compels us as Canadians to protect the vulnerable.

In fact, Canada has one of the most generous immigration and refugee systems in the world. We resettle approximately 1 in 10 of the world's resettled refugees, more than almost any other industrialized country in the world. We are continuing our tradition as a leader in international refugee protection by increasing the number of refugees resettled from abroad by 20%. By 2013, Canada will resettle up to 14,500 refugees, or 11% of the refugees resettled globally.

The plight of the world's refugees has always moved us to help. Some 30 years ago, people from all walks of life helped to rescue and resettle more than 60,000 Indochinese refugees in Canada. This effort firmly established private sponsorship as a vital component of our refugee program and, in fact, private sponsors across Canada have stepped up and helped more than 200,000 refugees in the past 30 years.

The government is also active with our international partners to help those in need. Take for example, the government's commitment to resettle up to 5,000 Bhutanese refugees from Nepal. We have already welcomed more than 3,600 Bhutanese refugees in several communities across Canada. In addition, we have resettled over 3,900 Karen from Thailand.

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Canada has a record of compassion and concern for the world's most vulnerable, a record that we can all be proud of, but we are not pushovers. No Canadian thinks it is acceptable for criminals to abuse Canada's immigration system for financial gain through the crime of human smuggling. It will come as no surprise to anyone in the House that human smuggling is an issue of great importance to me. That is why I introduced Bill C-310, which would amend the Criminal Code to add the offence of trafficking in persons to the list of offences committed outside of Canada that Canadian citizens or permanent residents may be prosecuted for in Canada, among other things. I was very pleased earlier today to appear before the Standing Committee on Justice and Human Rights as the first witness to appear on its study of my bill.

The simple fact is that our country has become a target for human smuggling. The arrivals of the MV *Sun Sea* and the *Ocean Lady* are a clear indication that Canada is a favoured destination for human smuggling networks, and recent international media reports have made it clear that human smugglers continue to target Canada. Just a few weeks ago, the media reported that a massive human smuggling operation headed for Canada was dismantled in Togo. Canada is a prime target for human smugglers. That is why we must take action.

Let us not forget what we are talking about here. Human smuggling is a transnational criminal enterprise that is a growing global phenomenon. Human smugglers consider their passengers to be little more than cargo. Migrants are typically stranded at sea on an overcrowded boat with unsanitary and unsafe conditions. As a result of these inhumane conditions, countless people die in human smuggling operations every year. By charging people large sums of money for their transportation, human smugglers have made a lucrative business out of facilitating illegal migration, often by counselling smuggled persons to claim asylum in the country to which they are smuggled. Once they arrive to their destination country, these migrants are often at the mercy of their human smugglers. Many of them are forced to work for years in the underground economy just to pay off their debts to the smuggler.

Interpol says that human smuggling syndicates benefit from weak legislation, and low risk of detection and prosecution and arrest compared to those engaged in other transnational organized crimes. If we do not take strong action now, more vessels will arrive and more lives will be put at risk.

• (1600)

The government will not stand by and allow these exploitive operations to continue. This legislation would enable us to crack down on human smugglers who prey on vulnerable migrants. It also aims to discourage those tempted to use this perilous form of migration. Here is how.

The legislation would make it easier to prosecute human smugglers. We would make shipowners and operators liable for the use of their ships in human smuggling. This legislation includes stiffer penalties and fines for shipowners and operators, as well as mandatory minimum sentences for those convicted of human smuggling. At the same time, the government recognizes that ship operators and owners are only part of the problem. We must also discourage those who would consider using the services of a human

smuggler. This bill aims to do that by reducing the attraction of coming to Canada by way of irregular arrival.

First, it would prevent illegal migrants who are part of the smuggling operation from obtaining permanent resident status for five years, thereby also preventing them from bringing their family members to Canada during that period. During this time as well, if refugee claimants return to their country of origin or demonstrate in other ways that they are not in legitimate need of Canada's protection, we can take steps to cease their protected status and remove them from Canada. This is because returning to the country from which they are claiming prosecution is very strong evidence that they are not in need of Canada's protection. Canadians, especially those who waited in line to come to Canada legally, have an innate sense of fairness and want our government to take action to prevent the entry of those who seek to use illegal means to jump the queue.

Through Bill C-31, our government is also ensuring that the medical benefits received by those who arrive by these means are not more generous than those received by the average Canadian.

In addition to these measures, this legislation underscores our top priority, which is to protect the safety and security of Canadians. The mandatory detention of irregular arrivals, excluding those who are under the age of 16, would provide us with the time needed to confirm these individuals' identities and whether they pose a threat to Canadians upon their release.

Simon Zhong, executive director of the Toronto Community and Culture Centre, has said the following: "Human smuggling is a criminal activity that puts people's lives at risk. It involves a network of international criminal organizations and Canada has become their target because of our compassion and fairness.... We support the government's proposals as we need to send a strong message that criminal human smuggling will not be tolerated. Smugglers need to understand that they will be prosecuted to the fullest extent possible and that these proposals will make this easier to accomplish that".

Canada is a compassionate nation of immigrants with a proud history and tradition of welcoming refugees, but every sovereign country has a responsibility to protect its citizens and its borders. The legislation before the House is a necessary step to protect our borders and the integrity of our immigration system. It also sends a message that the Government of Canada is serious about deterring human smuggling and the people who participate in it.

I urge all members of the House to give this bill grave consideration and, ultimately, their support.

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•(1605)

Mr. Kennedy Stewart (Burnaby—Douglas, NDP): Mr. Speaker, we just heard an extraordinary statement by the Minister of State (Sport) a few minutes ago. When I provided an example of an Indian family, including parents and children, arriving in Canada and being deemed bogus refugees and I asked the minister what would happen to the children, he replied that the children would be separated from their parents, who would remain in detention centres, and be held in provincial custody. I am wondering if perhaps my colleague could flesh that out a bit.

Mrs. Joy Smith: Mr. Speaker, I thank my colleague for his consideration for children, as our government is showing as well. That is why our government stipulated that children aged 16 and under would not be detained. What we have to do is to look at the best interests of the children. Often when parents are detained, they make a decision as to whether the children will stay with them or go to a relative they know in the country, or go under government care. That is a parental decision to be made by them, and it is part of their parental responsibility when they decide to get on a boat and bring their children over. That is going to be clearly outlined so that parents know before they get on the boat that these are their choices.

Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC): Mr. Speaker, on that question, the member for Kildonan—St. Paul is precisely correct. Indeed, there was a misrepresentation of the statement made by the Minister of State for Sport, who said that children under the age of 16 who were accompanied by parents could be released into the custody of the relevant provincial child welfare agency that would determine whether to place them with a guardian, relatives, or other care. However, if their parents chose to, they could live in the family detention centre, where the conditions are entirely appropriate for families, as they are in all the immigration detention centres. All of the immigration detention centres in all democratic countries around the world make provisions for families.

Unaccompanied minors under the age of 16 would be at the direction of the responsible provincial child welfare agency, which has statutory and constitutional authority for the guardianship of unaccompanied minors.

•(1610)

Mrs. Joy Smith: Mr. Speaker, I appreciate the minister's continuation of the answer to the question. It is a very important and sober question. Often when parents bring their children over with them on the boat, they need to be aware of what the parameters are around Canada and what Canada will accept. That is what we need to do as a government. Also, with that provision, there is protection for unaccompanied minors as well.

The government has certainly put forward grave consideration that helps so minors can be protected, fed and clothed when they are here.

[*Translation*]

Ms. Anne Minh-Thu Quach (Beauharnois—Salaberry, NDP): Mr. Speaker, I would just like to remind the member opposite that when refugees flee their country because they are persecuted, because they want to escape danger and be safe, they do not take the time to find out about the country they are going to. They do not come as tourists. They do not come for pleasure. They are fleeing the

difficult and dangerous conditions in which they found themselves in their countries of origin. That is why certain people flee and take a great many risks—because it is better to risk their lives than to stay in their homeland.

I speak from experience. That is what my parents did. So here is my question. If Bill C-31 was so well thought-out, why is it that Australia, which did the same thing and put refugees in detention, has reversed its decision and once again adopted the immigration system that currently exists in Canada?

[*English*]

Mrs. Joy Smith: Mr. Speaker, I cannot speak for Australia because I do not live in Australia. I know there has been very careful consideration made to the legislation in Canada. There is a proper way to come to Canada. People do not have to get on a ship. They can flee their countries in other ways.

The immigrants who are here, refugees who have come the proper way, do not like it when they hear of others who come across in ships. It is a very dangerous way to do it.

Ms. Jinny Jogindera Sims (Newton—North Delta, NDP): Mr. Speaker, I am very pleased to rise to speak to the bill. I have been listening to the debate and I am trying to work out what it is we are trying to fix.

Obviously, after the refugee incident that happened off the B.C. coast, it is my understanding, and I have seen the legislation, that there was an all party agreement that addressed a lot of the issues.

When I look at this legislation, even though it is called protecting Canada's immigration system act, it really talks about punishing smugglers and it is against human smuggling. I keep wondering how the punishments for human smugglers are any different under this bill than they were in the previous bill, in which there was life imprisonment. This is the greatest sentencing that can be given by a Canadian court.

I am also hearing a lot about what a wonderful country Canada is, and I absolutely agree. I chose Canada to be my home. I am an immigrant who arrived from England because Canada went over there to look for teachers who could come to teach in this beautiful country, and my husband and I moved here. We came with a profession to a teaching job.

However, the immigrants we are talking about in the bill are refugees. They are not immigrants in the normal sense. These are people who are fleeing what are for most of us unimaginable challenges in their home communities and some of them are not even fleeing from their homelands. They have been sitting in refugee camps or they have escaped from one country to another.

With respect to the stress in the Middle East right now, I heard this morning that over a thousand refugees had crossed over into Turkey from Syria. Those people are not leaving for Turkey because they are just looking for a new place to live. They are leaving because they are living in an environment where bombings are going on and their lives are at risk.

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In those circumstances, parents take their kids with them. That is normal. I remember doing this exercise when I was a teacher. If individuals were going on a boat, who would they take with them? If I had my kids with me, they would go on the boat first and I would ensure they were on the boat when I got on. Yet I heard a very respected colleague from across the aisle say that it was their choice whether they brought their young kids with them or not.

I want to get back to the refugees who are escaping these unexplainable and unimaginable situations, and let us say they are now in Turkey. From Turkey they are looking to go somewhere, because even in those camps it is not safe for them.

These people are desperate. They are not going on a cruise ship. They do not have the money to buy first-class tickets or even safe tickets. When a gun is pointed to the backs of individuals, when hunger surrounds them, when they are not sure whether they will wake up the next morning and know their children are with them, or whether they have been shot or whether they will even have enough food for them, they become desperate.

We have different types of refugees. We have those who come here for humanitarian reasons, because of hunger, and those who are fleeing very violent conditions in their country. As a counsellor, I have had the privilege of working with many youths from those refugee camps who have come to Canada and are now contributing members in our society.

When all of these families are looking for a way out, it is because they feel their lives are in danger. At that time, surely we are not saying to them that over in Canada we have a law, so really they should leave their children behind. That is just not how things work.

Absolutely punish those who are engaged in human smuggling. Absolutely punish those who are engaged in fraudulent cases, and we can prove it. However, in that process, let us not lose our humanity and punish the innocent because a few people are fraudulent or are using means unacceptable to us or anyone else.

• (1615)

Once these children arrive with their families on our shores, will we now tell them that their parents will go to prison because they have been designated? We can call them detention centres or whatever we would like, but basically that is what they are. Then we tell their parents that their children do not have to remain in the detention camps because we are humanitarian in Canada and care about children, that they have a choice. They can be farmed out to the provincial governments that can find orphanages, foster homes or some place to look after them. Imagine how those parents and children would feel.

As a mother, I cannot imagine that. As an immigrant who arrived in England willingly at the age of 10, I cannot imagine somebody saying to me, when I arrived in a brand new country and did not speak the language, that I could not stay with my parents because they would be put in a detention centre, that I would be put with a strange family and if I did not want to go with that family, I could go back to the detention centre prison and be with my parents. Where is the humanity in that?

I want to make it absolutely clear. We want a fair and transparent process, but humane processes. I do not see why we would punish

refugees who were brought in boats to our country. They came based on a promise that they would go to a safe place. If that is what they have to face when they get here, I would bow my head in shame for treating those who had come from very fragile and violent surroundings, whether that be the war fields or refugee camps where they had lived for ages. The impact is not pleasant on children who have lived in those refugee conditions overseas before they escaped.

I had cold shivers earlier when I heard an esteemed colleague on the other side being asked the question with respect to what would happen to the children, whether they could remain in detention with their families or be fostered. I wondered where that fitted into the Canadian way.

Some members might stand to say that we want to support smugglers or that I say this because I want these illegal activities to continue. That is not correct. All my life I have been an advocate for fair, open and transparent processes. I absolutely believe that those who engage in human smuggling or any other kind of illegal activities or use fraudulent means to get here should be punished. Surely, we should not punish everybody in order to punish those few people.

As a teacher, I often like to use an example. I will use the example of drinking and driving. We all know that drinking and driving is absolutely wrong and the consequences can be terrible on people. Because people drink and drive, we do not say that all cars are banned in Canada and that nobody can drive. Rather we get involved in education. I believe we need to provide education with respect to our refugee processes, as well as punish those who do wrong.

• (1620)

I urge my colleagues on the other side to ensure they amend this bill so only people who do wrong are punished and we do not put innocent people in prison with their children or take their children away from them.

Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC): Mr. Speaker, I have a lot of respect for that member. We all share her concern for the welfare of children, particularly vulnerable children. I really do believe that she is massively overstating her concern in respect to this bill.

In the large scale smuggling operations, in almost every case a family chooses to send one member to pay the fee, which is a commitment. The Southeast Asia smuggling syndicates, which used to be gun runners by the way, are charging about \$50,000 with a 10% down payment and 95% payable upon establishment in Canada. They typically send one young man in his 20s from the family to Canada so that he can start paying off the debt and then bring subsequent family members in. There were 600 who came in the last two years. I am not aware of there being any children but there may have been a couple of adolescents.

It is not really a serious issue in terms of the reality. I would say that social democratic parties, the member's sister parties, like the labour party in Australia and in the United Kingdom, have far more robust detention provisions.

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The member asked where our humanity is. We are the leading country in the world in terms of refugee resettlement. We resettle one out of every ten resettled refugees in the world. We are increasing that number by 20%. The member talked about the Syrians going to Turkey. Well, we have a special program where we are bringing in 20,000 UN convention refugees from Syria. We are increasing our targets from Turkey. We are doing more than any other country in the world to welcome refugees who are in need of our protection.

• (1625)

Ms. Jinny Jogindera Sims: Mr. Speaker, I thank the minister for his question, I think.

I would just say that, absolutely, those who are engaged in fraudulent and illegal practices need to be punished.

However, when we look at this bill, it reaches into far more than that. If it is not a problem, as the minister said, and we have not had that many children, et cetera, then why are introducing this bill at this time? This bill would do nothing to address greater punishment, and I do not think we can give a greater punishment, for those who smuggle.

This bill would actually punish refugees. For families that are petrified, scared for their lives, trying to get away from a situation, may have sold everything they had, and may have begged, borrowed and stolen to get over here, are we then going send them to a detention centre while we determine whether they are refugees? The minister's office will determine that. To me, that just does not seem to be humane.

[*Translation*]

Ms. Ève Pécelet (La Pointe-de-l'Île, NDP): Mr. Speaker, I would like my colleague to comment on two things. First, in her riding, has she met any people who have talked to her about this bill? Has she had any feedback on it? Does anybody in her riding have something to say about this issue?

I would like her to give examples of this. I know that my hon. colleague works on a lot of issues for the NDP, and I would like to congratulate her on the good work that she does.

Second, I would like her to talk about the fact that the minister can determine whether a country is considered dangerous or not. Under this bill, the minister will be able to determine which countries' inhabitants can truly be considered refugees.

[*English*]

Ms. Jinny Jogindera Sims: Mr. Speaker, I have had discussions in my community. I have had a town hall meeting or a forum where we have discussed different aspects of our immigration policies and their concerns with visas, super visas and family reunification, including refugees.

I have also had people in my office. I had one gentleman come to see me who was really surprised that his refugee status had not been accepted. He wanted to know if I could do something to assist him. I looked at the file and I had to tell him no, that he did not meet the criteria.

I am very honest, as the minister knows, with my constituents when they come in to see me. I do not raise their hopes. For me to

get this passionate about this business, the minister has to know that there are some really serious concerns in the community.

[*Translation*]

The Acting Speaker (Mr. Barry Devolin): It is my duty pursuant to Standing Order 38 to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Gaspésie—Îles-de-la-Madeleine, Atlantic Canada; the hon. member for Charlesbourg—Haute-Saint-Charles, Employment; the hon. member for Drummond, Search and Rescue.

Resuming debate. The hon. member for Calgary Northeast.

[*English*]

Mr. Devinder Shory (Calgary Northeast, CPC): Mr. Speaker, I rise in the House today in support of Bill C-31, the protecting Canada's immigration system act.

Canadians are enormously generous people. For decades, Canadians have welcomed millions of immigrants into our country with open arms. I know this because I was one of them. I know first-hand that whether we fly, sail or drive here, Canada had a place for those who work hard and play by the rules. In fact, over the past six years, Canadians have welcomed the highest sustained number of immigrants than ever before in Canadian history.

However, Canadians want an immigration system that is fair, balanced and in the best interests of our country and our economy. They welcome those who can contribute to Canada, those who have family in Canada and those who are in genuine need of our protection.

However, Canadians also demand that our immigration system keep out those who mean our country harm, those who aim to take advantage of our generosity and those who pretend to need our humanitarian protection but are actually just queue jumpers who do not want to wait in line like everyone else.

I often like to describe my constituents in Calgary Northeast as the hardest working constituents in Canada. Our people are industrious, enterprising, skilled workers and many of them are new Canadians. They have immigrant stories similar to my own. I can tell this House that the message I get from my constituents is that they support a fair and balanced immigration system that does not punish those who play by the rules. They want us to stop those who abuse our immigration system. They want us to keep out those who break our laws. They demand that we close the doors to those who lie and cheat their way into Canada.

If citizens cannot trust in the integrity of their country's immigration system, that system will fail. Canada's immigration system is a success story because our citizens have trust in our immigration system and that is also why it is so important for everyone in this House to ensure the passage of the measures that are found in Bill C-31, measures that would strengthen the integrity and functioning of Canada's immigration system and would help ensure its success.

I will quote from an *Edmonton Journal* editorial published the day after the minister first introduced Bill C-31. It states, in part:

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As ideals go, extending everyone the benefit of the doubt for an in-definite period has become unsustainable.

Take the case of refugee claimants. ... Canada now receives more applications for refugee status from Europe than it does from either Asia or Africa.

...there has to be a more efficient, cost-effective means of weeding out the bogus claimants from Europe and elsewhere. Simply put, we cannot continue to give everyone the benefit of the doubt when it costs that much money and taxes our social systems unduly to do so.

The facts speak for themselves. The total number of refugee claims from the European Union in 2011 was 5,800. That means the percentage of total refugee claims coming from the European Union in 2011 was 23%. That is more than Africa and Asia. It is also a 14% increase from 2010.

Canada has one of the most generous refugee systems in the world. We admit more refugees on a per capita basis than almost any other country. In fact, our Conservative government has increased the number of resettled refugees by 20% or 2,500 refugees per year.

However, we cannot sustain that generosity if our refugee system is being abused by bogus refugee claimants making false claims. We need to effectively fulfill our humanitarian obligation to give protection to those asylum seekers who genuinely need it.

● (1630)

Members need not take my word for it. They need only look at the actions of the bogus refugees themselves. Virtually none of the claimants from the European Union show up for their refugee hearings but virtually all of them show up for the initial screening interview that will allow them to receive taxpayer funded social services. Canadians have the right to question this practice and demand recourse.

Bill C-31 would accelerate the processing of refugee claims for nationals from designated countries that generally do not produce true refugees so those refugees would be dealt with more quickly. It would also reduce the options and delay tactics available to the failed claimants to delay their removal from Canada.

Today it takes a claimant from Europe over 1,000 days to receive an answer from our government. That is nearly four years of welfare, four years of work permits and four years of taxpayer funded health care. Under Bill C-31, the government hopes to reduce this timeline to 45 days for designated countries that have excellent human rights records and democratic governments. This means faster removal of bogus claimants who have abused the generosity of Canadians and shoved aside real refugees for their own selfish purposes.

We are currently dealing with big loopholes that make our generous immigration system open to abuse. We must take action to crack down on this abuse. Canadians have given our Conservative government a strong mandate to protect Canada's immigration system and that is exactly what we are doing.

This legislation would save Canadian taxpayers at least \$1.6 billion over five years. It would put a stop to foreign criminals, human smugglers and bogus refugees abusing our generous immigration system and receiving lucrative taxpayer funded health and social benefits. At the same time, the bill would provide protection more quickly to those who are truly in need.

Bill C-31 would help crack down on human smugglers worldwide who are targeting Canada and charging large amounts of money to facilitate illegal migration. Not only that, these human smugglers often treat their clients in a manner that is exploitative and downright dangerous. The measures in this bill would strongly discourage anyone from becoming involved in this criminal activity, while making it easier to prosecute human smugglers. This dangerous queue jumping must be curtailed.

Other measures in the bill, such as mandatory detention, would give Canadian authorities enough time to conduct investigations and examinations into identity, admissibility and criminal activity. Canadians want their government to find out who is being let into our country. It is simply the logical and responsible thing to do.

This is what another Canadian newspaper, the *Montreal Gazette*, wrote in a recent editorial lauding the measures in the bill that address this criminal activity. It reads:

Human smuggling is an odious enterprise that should be severely punished. And while the smugglers' clients are perhaps desperate people in many cases, they are nevertheless participants in an illegal activity that should be strongly discouraged.

However, all those who arrive in Canada as part of a designated irregular arrival will still have access to a refugee determination and anyone who is determined to be a refugee would be released from mandatory detention. Under Bill C-31, minors under the age of 16 would not be subjected to mandatory detention. These children would be given appropriate accommodation and assistance.

In the short time I have had to speak, I have tried to demonstrate how important Canada's immigration system is to our country and how Bill C-31 would strengthen that system for Canada and for the refugees we seek to help. Canadians have no tolerance for those who abuse our generosity and who take unfair advantage of our country, which is why we are taking action to address these concerns.

I hope my hon. colleagues from all sides will agree and join me in supporting this fair and balanced legislation.

● (1635)

Mr. John Rafferty (Thunder Bay—Rainy River, NDP): Mr. Speaker, I must say the bill makes me feel somewhat uneasy, particularly the provisions on detention.

Canadian governments in the past have had no problem turning refugees away from our shores to their death. Governments in the past have had no problem with detaining Canadians, Japanese Canadians, Ukrainian Canadians, Italian Canadians, and the list goes on. Whenever we talk about detention, I get a little concerned.

I would like to ask my friend across the way what he really thinks about the detention provisions that are in the bill.

● (1640)

Mr. Devinder Shory: Mr. Speaker, let me tell my colleague what I think and what my constituents think.

I am an immigrant. The constituency I represent has a lot of new Canadians. They are all outraged by the abuse of our system.

Government Orders

Talking about detention, as a matter of fact the bill would give potential immigrants an opportunity, I would say a fair chance, of dealing with the issue in a very timely manner. If we talk to Canadians, in the existing system, it takes years and years to find out the fate of a genuine refugee.

Hon. Wayne Easter (Malpeque, Lib.): Mr. Speaker, I did not intend to get up, but the member never answered the question he was asked. It was a very serious question.

I know the member. I have been in his riding. There are a lot of new Canadians in that riding, and they came in under our current system.

What we are worried about is abuse of the system, unnecessary detention. If the Minister of Citizenship, Immigration and Multiculturalism is to be the sole decision-maker on what is a “safe country of origin”, I do not believe, given the record of the Conservative government, there would be proper accountability. It dangerously politicizes the refugee system. We know of so many other areas where the government has really been unaccountable.

How can the member stand in his place and say that he has confidence in this new system when he knows that his own government would politicize the system for the government's own reasons?

Mr. Devinder Shory: Mr. Speaker, if the hon. member were to research the record-setting results of this immigration minister, he would find that the minister is a very logical, very intelligent and very unbiased minister in the recent history of our Parliament.

To answer his question, in my opinion, this bill actually sets up the criteria. It tells how the system would work, what the maximum time would be to have a hearing and what the maximum time would be to make a decision as to whether a person is a genuine refugee or not. If the person is a genuine refugee from a designated country, which is what he is talking about, that genuine refugee would get the results within 45 days, hopefully. In those 45 days, the person would get his or her papers and move on with his or her life.

Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC): Mr. Speaker, on the latter point raised by the member for Malpeque, there is no politicization proposed. There is nothing dangerous proposed. No access to our asylum system would be restricted by the bill at all. Every asylum claimant from every country, regardless of the means of their arrival, whether it is a smuggling operation or not, would have the same access to a full fact-based appeal on the merits of their case before the quasi-judicial Immigration and Refugee Board. We would not refole anyone who has been deemed by our legal system to face danger. There is nothing arbitrary about the designation process of certain countries. I refer the member to section 58 of Bill C-31, which is a page and a half of criteria by which the designation process would be conducted.

Does the member not agree with me?

Mr. Devinder Shory: Mr. Speaker, as the minister mentioned, there will be a set criteria. I mentioned the same thing. The minister talked about the set criteria for the designation of countries. There will be a set criteria on how the applications will be processed in a timely manner and how the cases will be determined.

• (1645)

Mr. Ed Komarnicki (Souris—Moose Mountain, CPC): Mr. Speaker, I am pleased to add my voice in support of Bill C-31, the protecting Canada's immigration system act. The bill would protect the integrity of the system. We cannot allow abuses of the system to undermine trust in Canada's immigration system.

As we have heard, Bill C-31 would do three things. First, it would make further much needed reform to the asylum system. Second, it would enable the introduction of biometric technology for screening visa applicants in order to strengthen our immigration program. Third, and the area I will focus on, there are measures that would help crack down on the growing and dangerous business of human smuggling.

I do not think it comes as a surprise to any hon. member of the House that our government is pushing ahead with reforming our immigration and refugee laws to put an end to human smuggling.

Canada enjoys a global reputation as a nation that cherishes fundamental freedoms, that champions democracy and freedom of speech, and that believes strongly in the benefits and opportunities that come from a diverse, multicultural society. That is not disputed.

Most Canadians, and I include myself in that category, have a chapter in their family history that includes immigration and resettlement. For some it was added recently; for others that chapter was written three or four generations ago. There are countless individuals and families around the world who want to add that same chapter to their family history by coming to Canada. Canada is a destination highly desired by many.

The unfortunate reality is that there are individuals and criminal organizations that see our generous immigration system as an easy target to make a high profit with low risks. These criminal elements use Canada's reputation to conjure up their own outlandish stories of how refugees can bypass the proper channels by paying a set fee and arriving en masse. Human smugglers convince these individuals that they will be processed quicker and will be able to start a new chapter of their lives sooner than if they apply to come to Canada by other methods. We have seen strong evidence of this with recent events on Canada's shores.

Until recently, most Canadians believed that any large-scale human smuggling was something that did not happen here, that it was something they would read about in the papers or hear about on the news from other countries.

That changed in 2009 when Canadians witnessed the arrival on the west coast of the MV *Ocean Lady* which carried 76 migrants. Less than a year later close to 500 migrants arrived on a second vessel, the MV *Sun Sea*. Shortly after that, a sea container was uncovered at the port of Montreal revealing yet more individuals who had tried to enter Canada illegally.

Canadians are becoming very much aware of this problem. It is a reality that must be faced. They want the government to act, and the government has acted.

Government Orders

I have heard from my constituents, and like all Canadians they have told me that they want our government to act decisively to crack down on those who would endanger the lives of men, women and children by selling them false dreams and transporting them in unsafe vessels or shipping crates. This disregard for human life is an affront to all Canadians.

We must therefore act before another tragedy strikes, such as the one that occurred off the coast of Indonesia last December when close to 200 irregular migrants destined for Australia perished when their vessel capsized in rough waters.

We cannot rest on our laurels and wait for the next incident. That is why our government introduced legislation in October 2010 to crack down on human smuggling. That is why the 2011 Speech from the Throne underscored this government's commitment to combat human smuggling, which can place migrants in dangerous situations and undermine trust in Canada's immigration system.

Today we are proud to see these changes included in Bill C-31, which encompasses some important reforms that would strengthen our immigration and refugee system. These changes would help us to meet the challenges associated with human smuggling while continuing to provide protection to those who require it most.

With this legislation we are delivering on our commitment to Canadians to combat human smuggling, a crime that undermines trust in Canada's immigration system.

• (1650)

First and foremost, the proposed reforms would allow Canada to crack down on human smugglers who would abuse our generous immigration system and endanger the safety and security of Canadians. It also proposes measures that would act as a deterrent for those who are planning and organizing human smuggling operations. Those who plan human smuggling and think it is low risk would now have to reconsider given the measures that would be implemented in this bill.

First, these measures would enable the Minister of Public Safety to designate the arrival of a group of persons as an irregular arrival, thereby making those involved subject to the act's measures. Canadians expect as much. Canadians demand that the government take action along those lines and perhaps even to a greater extent. I would add, though, that there are safeguards in place that would ensure the minister cannot delegate this authority given the significant consequences that flow from a designation.

Second, it would make it easier to prosecute human smugglers, including broadening the definition of the offence of human smuggling to better capture all the ways this crime occurs and make it easier to prove the offence was committed.

Third, it would impose mandatory minimum prison sentences on convicted human smugglers.

The sentence length would escalate based on factors such as if the offence was committed for profit or in association with a terrorist or criminal organization. I do not think anyone would disagree that is a significant consideration and should factor into the sentencing or the consequences. Another factor would be if the person who committed the offence endangered lives, caused bodily harm or death to any of

the persons smuggled. The persons being smuggled undergo an extreme amount of suffering and are in danger. People are putting them in that position simply from the motive of profit. Those considerations need to be taken into account in the sentencing provisions.

Some may question the need for such mandatory penalties given the offence can already be punished by life imprisonment. Our government believes strongly that the most harmful manifestations of this crime must be clearly denounced. Our proposed mandatory minimums would do this. Not only would this denounce these types of actions but I believe it would also deter these types of actions. It is important to note, however, that these would only apply in situations where aggravating factors can be proven, factors which reflect the most harmful, serious and reprehensible aspects of this crime.

Fourth, the bill proposes measures that would hold shipowners and operators to account for the use of their ships in human smuggling operations. It is important that liability and accountability be placed on those who allow their assets to be used in this fashion.

In addition to these deterrent measures, the bill includes other measures required for the proper identification and investigation of those wishing to enter Canada as part of an irregular arrival. This includes establishing the mandatory detention of participants in designated human smuggling events to allow for the proper and full determination of identity and admissibility and any other investigations. It is in this last point that we will see wording changes in the legislation to expressly exclude designated foreign nationals under the age of 16 years.

Bill C-31 includes other reforms to help reduce the attraction of coming to Canada by way of illegal human smuggling operations. For example, it includes measures to prevent those who come to Canada as part of an irregular arrival, including those who subsequently obtain refugee status, from applying for permanent resident status for a period of five years. It also includes measures to enhance the opportunity to rescind the refugee status of those who return to their country of origin for a vacation or demonstrate in other ways that they are not truly in need of Canada's protection. Finally, it would prevent individuals who participate in designated human smuggling events from sponsoring family members for a period of five years.

Our government believes that these actions are tough but fair. More than ever before, Canada must take a strong stand with our international partners and allies to help end the illegal practice of human smuggling.

I would urge all members to support this bill and ensure its swift passage.

Government Orders

●(1655)

MESSAGE FROM THE SENATE

The Acting Speaker (Mr. Barry Devolin): I have the honour to inform the House that a message has been received from the Senate informing this House that the Senate has passed the following bill: Bill C-33, An Act to provide for the continuation and resumption of air service operations.

* * *

PROTECTING CANADA'S IMMIGRATION SYSTEM ACT

The House resumed consideration of the motion that Bill C-31, An Act to amend the Immigration and Refugee Protection Act, the Balanced Refugee Reform Act, the Marine Transportation Security Act and the Department of Citizenship and Immigration Act, be read the second time and referred to a committee and of the amendment.

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, Bill C-31 reminds me of what governments have done over the years to people on welfare: scapegoat the target, demonize people, design the system to basically take away people's rights, and focus on a minority of cases to whip up public frenzy. That is exactly what this bill is doing around refugees.

One section of the bill that I am very concerned about is the humanitarian and compassionate consideration. I do a lot of casework in my riding, as I know others do as well. The bill would require that a person choose at the beginning whether to file for refugee status or an H and C consideration. That would be devastating for someone who is making a claim. An individual may not know at the time about an H and C application.

How on earth can the member defend limiting the H and C consideration? All of us know that for many people, at the end of the day, that is all they have left. To take that away seems to me to be quite disgusting, very unfair and very harmful.

Mr. Ed Komarnicki: Mr. Speaker, there is no question that those who are legitimate refugees would have the opportunity to establish their cases and, to the extent that they are able, they would receive the appropriate status. As the system was, people could apply by any means. They could jump the queue and go through a number of processes to stay in the country. They could apply for humanitarian and compassionate leave under a number of circumstances, after having settled. In fact, some cases take four and a half years or longer to settle. By that time they could have married, had children and built a case for humanitarian and compassionate grounds.

The provision in Bill C-31, as I understand it, would allow for an application for humanitarian and compassionate grounds, but not under a number of conditions and after a number of years. A claimant could apply once and either be successful or not. If they made an application before the board, the board would make the appropriate determination.

What I like about the bill is it would start to focus the time in a narrow window so that cases would be disposed of fairly quickly, instead of taking a number of years.

Hon. Wayne Easter (Malpeque, Lib.): Mr. Speaker, I am smiling because the member said that the bill allows for taking into

consideration of human hardship and compassionate grounds. Compassion from that party? I do not think so.

The member also mentioned that there are safeguards in place surrounding the ultimate power of the minister. Would he care to list those safeguards? I do not find the safeguards in the bill to be very strong. Could he outline to me what they are?

Mr. Ed Komarnicki: Mr. Speaker, certainly, it is a compassionate position to allow people who apply for their status to have it determined in a reasonable period of time and to allow then for that provision.

What is wrong is a situation where there is a buildup of legitimate cases because the previous government was not prepared to deal with claims that were bogus, or allowed others to jump the queue and clutter the system so they could not have determination. In fact, many claimants from European Union countries would apply and then abandon those applications over time, after they had an opportunity to be in the country for a great length of time.

There are specific provisions in the legislation that if the claimants themselves from the country of origin abandon their claims, or do not pursue them, and a great percentage, let us say 60% or so, do that, or if the refugee board refuses up to 75% of the applicants from a particular country, those are the kinds of objective bases that we might use. If a country has a democratic system, if it has a judiciary and if it protects human rights, those countries might not be the ones that we would want to allow applications from.

This particular legislation does have compassion for those who want to have their claims heard in an appropriate and expedited fashion.

●(1700)

Hon. Wayne Easter (Malpeque, Lib.): Mr. Speaker, I am pleased to speak to Bill C-31, An Act to amend the Immigration and Refugee Protection Act, the Balanced Refugee Reform Act, the Marine Transportation Security Act and the Department of Citizenship and Immigration Act. As we can tell by the title, it covers quite a broad range.

We, as a party, have quite a number of concerns with the bill. First and foremost is what seems to be the amount of power granted to the minister. As previous speakers talked about, the bill does bring some accountability. However, we have seen the government in other venues talk about bringing in more progressive legislation, for instance its accountability act. Yet, ever since the Conservatives formed the government we have seen anything but accountability. In fact, the debate on this bill is a prime example, as there are time limitations again.

Government Orders

What we have seen from the government is less debate, more closure, less transparency and less openness. We certainly cannot go by what the Conservatives have promised in previous elections. If the Minister of Citizenship, Immigration and Multiculturalism were the sole decision-maker of safe countries of origin, there would be no accountability from our perspective and no recourse. It would dangerously politicize the refugee system. This would be all about giving one person in the country the power to choose who can claim refugee status and who cannot.

Hon. Jason Kenney: That is wrong.

Hon. Wayne Easter: The minister claims that is wrong. He will have the opportunity to stand and explain that. Certainly our interpretation of the bill is that is the case. Giving this particular minister all this power is indeed worrisome.

Allowing the minister to determine which groups were irregular arrivals would give the minister too much discretionary power with very little accountability.

I asked the previous member from the Conservative Party who would outline the safeguards. I really did not hear any safeguards that would amount to a whole lot.

The removal of an appeal process for those originating from a country on the safe list or from those identified as being part of an irregular arrival would not afford due process. We all know that due process is extremely important. We do not see due process in this section of the bill.

Our party is opposed to the lengthy, warrantless detentions coupled with an unfair review process where the first review would only occur after 12 months. The policies proposed really constitute cruel and unusual punishment. There should be balance in this kind of legislation. There does not seem to be balance or fairness in the act in terms of how the bill would affect people's lives. They come here, maybe abused by others in other countries and other systems. We need to protect those individuals. They come here with dreams and could find them so much dashed.

We do believe in reforming the system so that processing times are fair and reasonable for refugees. We do not think the bill does that to the extent that it should. As I outlined at the beginning, the amount of authority given to the minister is beyond.

● (1705)

The legislative proposal of the bill has quite a number of impacts. It would allow the minister to create a safe list of countries identified as being designated countries of origin. Claimants from those designated countries of origin would be subject to specific guidelines, including expedited application processing and denial of access to the refugee appeal division.

It would allow the minister to determine who was part of an irregular arrival, and therefore a designated foreign national. Designated foreign nationals would not have access to the refugee appeals division.

The bill would include all the proposed changes that, if members will recall, were in Bill C-4. However in Bill C-31, minors, those under the age of 16, would be excluded from the mandatory

detention. On that we would have to say congratulations for that slight change.

Biometric data would be required from temporary resident visa applications or those applying for a study or work permit.

Refugees would be at risk of losing protection status. Changes would be made through the bill to prohibit individuals from applying for humanitarian and compassionate consideration while awaiting an IRB decision. Failed refugee claimants would not be able to apply for a year following negative refugee decisions. Those are the kinds of impacts that we see in the bill.

As a party, we cannot support the bill. In addition to the humanitarian and constitutional issues raised by the bill, key points which we oppose include the following: the ability of the Minister of Public Safety to unilaterally determine which groups would be irregular arrivals and, as I said, that would give undue power to the minister; and the ability of the minister to unilaterally determine which countries would belong on the safe list and would be designated countries of origin.

Again, what would be the absolute criteria in terms of making those decisions? Maybe the minister, if he does get up, could explain that further. There have to be more criteria than what we see in the bill currently, so that there would not be just political considerations on the part of the minister to make these decisions.

Another point is the lengthy mandatory detentions related to those deemed designated foreign nationals and the lack of a timely review process.

On this, Canadians are concerned, and rightly so. I would say that the government is correct in saying that there are concerns out there. When there are people who enter the country improperly, it does take too long to get decisions made for many in the refugee process. If people have to be removed from the country, it is a long and burdensome process.

Canadians are dissatisfied with that. It needs to be addressed through legislation. It has to be done in a way that is fair and balanced, and includes due process. We are concerned that at the moment it does not.

The last point I would make is that we are concerned about the removal of the appeal process of designated foreign nationals and individuals from designated countries of origin.

● (1710)

Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC): Mr. Speaker, the member portrayed a fundamental misunderstanding of the legislation when he said that the bill concentrates, in the hands of the minister, the power to decide who may or may not make asylum claims in Canada.

That is patently and completely incorrect. The bill would do no such thing. All claimants from all countries, whether designated by the minister or not, whether they have arrived in a designated smuggling operation or not, would have the same access to an oral hearing at the IRB on the merits of their claim. No one would be denied access at the discretion of the minister or on the basis of their country of origin.

Government Orders

Safe country claimants and claimants determined to be manifestly unfounded would have an accelerated process, which the Liberals and the NDP already agreed to in the last Parliament in Bill C-11. What Bill C-31 changes is that it removes access to the refugee appeal division for safe country claimants. However, under the Liberals, for 13 years they refused to give any failed asylum claimants access to a refugee appeal division.

Why is the member opposed to a bill that gives the vast majority of failed claimants access to a fact-based appeal when his government, in which he was a minister, refused to give any failed refugee claimants access to a fact-based appeal?

Hon. Wayne Easter: Mr. Speaker, what I outlined for the minister were our concerns with the amount of authority and power encapsulated with the minister's decisions. One of our greatest concerns with this particular legislation is that it goes too far in sourcing authority with one authority within the Government of Canada.

[*Translation*]

Mrs. Anne-Marie Day (Charlesbourg—Haute-Saint-Charles, NDP): Mr. Speaker, is the hon. member aware of the provisions in the current legislation that say that when smugglers are arrested, they may incur a fine of \$1 million and imprisonment for life? In the context of the bill, can the hon. member tell us how there can be any stronger punishment for smugglers than what is provided for in the current legislation and if he thinks that the government is trying to refocus the legislation on refugees to try to send them back to their own country?

[*English*]

Hon. Wayne Easter: Mr. Speaker, the way the question came through to me, and maybe it is a matter of my interpretation of the language, is why penalize the smugglers further.

I do not think that is the issue. I have no problem penalizing the operatives behind smuggling people into Canada illegally. Those who take money from people who are looking for greater opportunities in life, who see Canada as a beacon of hope and who end up paying huge sums of money to get shoved on a ship or, as the member said earlier, in a container to come Canada, should be penalized to the full extent of the law.

What I am concerned about is the individuals who happen pay those moneys under false pretenses, probably knowing it was wrong but, given their circumstances in their home countries, feeling trapped. Those are the people I am concerned about. They need to be treated with fairness and due process when they arrive in this country.

However, the people who are behind those illegal actions that would entrap those individuals in that kind of a campaign are the ones who should be dealt with to the full extent of the law.

• (1715)

Mr. Corneliu Chisu (Pickering—Scarborough East, CPC): Mr. Speaker, I am pleased to rise today in support of Bill C-31, the protecting Canada's immigration system act, one of the most advanced and modern immigration acts to date.

Members of the House already know that the integrity of Canada's immigration system is a key priority for the government of Canada.

To maintain the integrity of our immigration system is also a concern of my constituents in the riding of Pickering—Scarborough East.

[*Translation*]

Canada has the fairest, most generous immigration system in the world. However, Canadians have no tolerance for people who abuse our generosity and take advantage of our country. We have to take steps to clamp down on these abuses. Our government is determined to strengthen the integrity of Canada's immigration system.

[*English*]

The protecting Canada's immigration system act would make our refugee system faster and fairer. We have already taken actions that underscore this. These include measures to crack down on crooked immigration consultants. We are also cracking down on immigration and citizenship fraud. The legislation in front of the House today is another key part of that effort.

No Canadian thinks it is acceptable for criminals to abuse Canada's immigration system for financial gain through the crime of human smuggling. This legislation would put a stop to foreign criminals, human smugglers and bogus refugees abusing our generous immigration system and receiving lucrative taxpayer funded health and social benefits.

Human smugglers manipulate our immigration system for financial gain. They charge their passengers upwards of \$50,000 to be smuggled into Canada. The passage can be extremely dangerous onboard rickety ships that either leak or should not be in commission. Every year, thousands of people die while on these dangerous trips.

We must make no mistake that human smuggling is a despicable enterprise and yet human smuggling networks in Southeast Asia are large and growing. By charging people large sums of money for their transportation, human smugglers are making a lucrative business out of facilitating illegal immigration.

Human smugglers in various countries around the world are working on large operations as we speak. In fact, the international media very recently reported the dismantling of a large human smuggling operation in Togo that was planning to bring hundreds of immigrants to Canada on yet another dangerous voyage in a rickety boat.

These human smuggling arrivals are not events from the past. They are events that are being planned right now and will continue into the future. We must take action now. The human smugglers are playing a dangerous game with people's lives. It is a game the government wants no part of. The legislation before the House is a strong and necessary response to the crime of human smuggling.

This legislation would punish human smugglers. It would also help to discourage those who would rely on human smugglers to come to Canada by this irregular means.

Government Orders

The changes put forward in this bill would enable the Minister of Public Safety to designate the arrival of a person to Canada as an irregular arrival. This designation would make those involved subject to the proposed act's measures. The legislation would make it easier to prosecute human smugglers and strengthen the criminal laws in response to human smuggling.

The bill would make shipowners and operators accountable for the use of their ships in human smuggling operations. It would introduce stiffer penalties and fines, including mandatory minimum prison sentences, for those convicted of human smuggling.

The actions of these human smugglers and the irregular immigrants they bring to our shores represent a real challenge to our ability to conduct rigorous identity and admissibility examinations. The arrivals of the *Ocean Lady* and the *MV Sun Sea* taxed our system heavily, particularly with respect to conducting the required identity and admissibility examination in a timely manner.

Human smuggling undermines the integrity of Canada's borders and it poses an unacceptable risk to the safety and security of Canadians. We must be in a position to verify whether these individuals have been involved in any other illegal activity and whether they are admissible to Canada.

The legislation would protect Canadians by establishing the mandatory detention of irregular arrivals for up to one year, excluding those who are under the age of 16. This provision would provide us with the time we need to perform proper investigations, to confirm the identities of passengers and to determine whether they pose a risk to the safety of Canadians before they are released.

• (1720)

The government also recognizes that the best interests of a child must come first and that each situation would be considered on a case-by-case basis. In cases where it is determined that it is in the best interests of a child to remain with the parents or guardian, the Canada Border Services Agency would house the minor child with the parents or guardians.

Like all persons 16 years of age or older who are subject to the mandatory detention provision of the new legislation, the parent of an accepted minor could also avail themselves of the exceptional circumstances provision and request release from detention from the Minister of Public Safety. This provision would provide enough flexibility for the minister to grant release to the parents of accepted minors if, in the minister's opinion, exceptional circumstances warranted release.

We are also introducing measures that would discourage people from arriving in Canada by these irregular means.

Canadians have an acute sense of fairness and have no tolerance for people who pay human smugglers thousands of dollars to come to Canada to jump the queue. Canadian immigrants who have followed all the rules and waited patiently in line to come to this great country have told our government they want us to put a stop to queue-jumpers who come to Canada using illegal means.

Through Bill C-31 we would ensure that the medical benefits received by these arrivals under the interim federal health program are not more generous than those received by the average Canadian.

We would also impose a five-year bar on applications for permanent resident status for protected persons who are part of a designated irregular arrival. We have determined this bar to be a reasonable period of time to serve as a deterrent to migrants arriving in this illegal manner. We believe the five-year bar will reduce the attraction of coming to Canada.

Every eligible refugee claimant would be entitled to a fair and independent hearing before the independent Immigration and Refugee Board, the IRB. However, under the proposed legislation before the House, refugee claimants who are part of a designated irregular arrival and who have received a negative decision from the IRB would not be eligible to appeal that decision to the refugee appeal division. As well, during this time if refugee claimants return to their country of origin from which they are claiming persecution or demonstrate in other ways that they are not in legitimate need of Canada's protection, we can take steps to cease their refugee or protected person status and remove them from Canada.

Taken together these measures underscore the government's commitment to preserving the integrity of Canada's borders and immigration system and our national security. At the same time, we will continue to ensure that those who genuinely need our protection receive it.

However, do not just take it from me. This is what Balan Ratnarajah, president of the Peel Tamil Community Centre, had to say:

We are pleased to see the Government taking action to deter human smugglers who charge victims enormous sums of money.

Those who take part in human smuggling make our immigration system less fair for legal immigrants. We believe that the Government should have the tools it needs to protect the fairness of our immigration system.

We on the government side want to ensure that Canada is not an easy target for human smugglers. We want to discourage migrants from taking part in these ventures that place their lives at risk, and we want to protect the safety and security of Canadians.

These measures are necessary and fair. I urge all members of the House to support this important legislation.

• (1725)

[Translation]

Ms. Francine Raynault (Joliette, NDP): Mr. Speaker, as you might suspect, the NDP is strongly opposed to this bill, which punishes refugees instead of offering them a rapid and equitable system.

I have a question. This bill concentrates more powers in the hands of the minister by allowing him to designate safe countries and to restrict the number of refugees from these countries.

Under the old bill C-11, this decision was made by a group of experts, including experts in human rights. Why is this change being made?

Private Members' Business

[English]

Mr. Corneliu Chisu: Mr. Speaker, I just want to emphasize what another member said in the House, that the minister does not have outrageous power like those in various dictatorial countries. He would be making his decision on bogus refugees based on consultations on the situations arising in the countries where these refugees originate. The decision would be made in a wise and orderly manner. It is not a matter of one person having all of the power but a decision made in a wide consultation on the facts and events, all which will decide the issue.

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, there are several sections of the act. Being changed are all of the following: the Immigration and Refugee Protection Act, the Balanced Refugee Reform Act, the Marine Transportation Security Act and the Department of Citizenship and Immigration Act.

If I am correct in what I am hearing from the opposition benches, almost all of our criticisms relate specifically to the decision that refugee claimants who have arrived here by irregular entry, largely meaning ships but potentially other means too, would have to go into some form of internment or detention for up to a year. That is what we find most objectionable.

Is the government open to amending the act to take that out and find other means to keep track of new people who have arrived on our shores?

Mr. Corneliu Chisu: Mr. Speaker, this is an issue of public safety and security. We need to be able to determine that these refugees are not posing a threat to Canada. Sometimes when they come here with fake passports and documents, we do not know whom we are dealing with. Therefore, it is important that we put the security and safety of Canadians first.

Ms. Lois Brown (Parliamentary Secretary to the Minister of International Cooperation, CPC): Mr. Speaker, I just want to pick up on what the hon. member said about safety and security for Canada.

In 1998, under Liberal immigration policy, a man arrived in Canada under a forged French passport. He was allowed to stay. Although his refugee claim was turned down, he was not deported and later crossed the border into the United States in December of 1999 with a car packed full of explosives destined for the Los Angeles airport.

I wonder if the member could speak to how Bill C-31 would prevent something like that from happening again.

● (1730)

Mr. Corneliu Chisu: Mr. Speaker, it is very important for us to protect the safety and security of Canadians.

As members know, I fought in Afghanistan. With the events that are taking place in the world today, it is very important for us to be able to identify threats to the good people here in Canada.

PRIVATE MEMBERS' BUSINESS**EMPLOYMENT INSURANCE ACT**

The House proceeded to the consideration of Bill C-316, An Act to amend the Employment Insurance Act (incarceration), as reported (with amendments) from the committee.

[English]

SPEAKER'S RULING

The Acting Speaker (Mr. Bruce Stanton): There are five motions in amendment standing on the notice paper for the report stage of Bill C-316.

Motions Nos. 1 to 5 will be grouped for debate and voted upon according to the voting pattern available at the table.

[Translation]

I will now put Motions Nos. 1 to 5 to the House.

MOTIONS IN AMENDMENT

Ms. Elizabeth May (Saanich—Gulf Islands, GP), moved:

Motion No. 1

That Bill C-316 be amended by deleting Clause 1.

Motion No. 2

That Bill C-316 be amended by deleting Clause 2.

Motion No. 3

That Bill C-316 be amended by deleting Clause 3.

Motion No. 4

That Bill C-316 be amended by deleting Clause 4.

Motion No. 5

That Bill C-316 be amended by deleting Clause 5.

[English]

She said: Mr. Speaker, I want to thank my hon. friend from Haute-Gaspésie—La Mitis—Matane—Matapédia for seconding these amendments.

Bill C-316, a bill put forward by the hon. member for Cariboo—Prince George, I believe has a lot of people confused about the nature of employment insurance for people who have been incarcerated. There has been a lot of media coverage of this and I will just summarize it before I explain why I have put forward these amendments.

The media coverage and the comments from Conservative members of Parliament have tended to be of the nature that average Canadians are shocked to find that people who have been incarcerated get better employment insurance than law-abiding Canadians. If that were true, I would be shocked and I would also support any efforts to take away preferential treatment for people who have been incarcerated.

However, when we look at the act, that is not the case. I have before me the Employment Insurance Act, particularly subsections 8(2) and 8(6). What these subsections do is to establish when people are entitled to their employment benefits. They have to have, of course, an adequate number of weeks of work. They have to show that they are unemployed and, at that point, because they and their employer have paid into the system, they are entitled to collect benefits. However, they are not entitled to sit back and wait, not work for a while, and then go for their benefits later. Instead, they have to apply immediately.

Now, there is an exception to this qualifying period, and it can be extended. According to subsection 8(2) of the Employment Insurance Act:

A qualifying period mentioned in paragraph (1)(a) is extended by the aggregate of any weeks during the qualifying period for which the person proves, in such manner as the Commission may direct, that throughout the week the person was not employed in insurable employment because the person was

- (a) incapable of work because of a prescribed illness, injury, quarantine or pregnancy;
- (b) confined in a jail, penitentiary or other similar institution;
- (c) receiving assistance under employment benefits; or
- (d) receiving payments under a provincial law—

—relating to danger to an unborn child, et cetera.

Therefore, let us just be clear on what the current state of the law is.

People in jail do not get to collect employment insurance benefits. They are, by definition, not searching for work, not capable of work. They are in jail. When they leave prison, do they get better benefits than anyone else? No, they do not. This piece of legislation only says that for the people who are entitled to their employment insurance benefits because they have worked and are unemployed, if the period of time in which they could normally have applied for employment insurance was interrupted by illness, pregnancy, and a number of other conditions, including if they happened to be in jail, their qualifying period will be extended.

Most of us hope that we will never be in jail; we are all law-abiding citizens here. However, let us imagine the kinds of situations in which we would now deprive people of the employment insurance benefits to which they are entitled.

Believe me, as I stand here speaking against Bill C-316 and calling for the amendments that we have put forward, which would, to be clear, eliminate the entire bill, I am aware that my position could easily be mischaracterized as though I wanted people who have gone to jail to get preferential treatment, as though I am not siding with law-abiding Canadians against people in jail.

However, let us look at the public policy question here. If someone is incarcerated for more than two years, this act would not help that person. The employment insurance regulations or the current status quo would not extend benefits for so long that someone who has gone to jail for a serious offence could get out of jail and then apply for employment insurance. That would not work.

By definition, the extension of their qualifying period, not an extension of cheques or any additional money, would only apply if they had been incarcerated for a year or less. That applies to certain types of offences.

Private Members' Business

Under the new omnibus crime bill, that would potentially apply to someone who had grown six marijuana plants, or, to use a real-life example from this chamber, to someone who had refused a breathalyzer test, for example, and might be sent to jail for a year or less.

• (1735)

Let us then imagine the public policy implications of what is essentially punishing this person again. In this light, I would like to read into the record some of the testimony given in committee by a representative of the John Howard Society to explain why it opposes these measures.

Let me commend the committee for the amendment that clarified that the first version of the bill would have applied to someone who was awaiting trial and then found innocent. We now have an amendment, which certainly improves the situation, that says people will only be deprived of employment insurance opportunities, in other words their entitlements, if they have been in jail because they were found guilty of something.

Let me read into the record what Catherine Latimer, executive director of the John Howard Society, said at committee. She stated:

—Bill C-316 would disentitle people to the benefits of an insurance scheme to which they and their employers had contributed. It would create unfairness for claimants...For those convicted and sentenced in a criminal court, it would amount to an additional ex post facto penalty to a criminal sentence that is dubious in law and could lead to a disproportionate penalty.

She continued:

It would also undermine public safety by jeopardizing employment prospects and denying insurance payments to a vulnerable group as they seek to successfully reintegrate into the community. For these reasons, the John Howard Society of Canada urges you to oppose Bill C-316.

The Elizabeth Fry Society did as well, pointing out that there were a disproportionate number of marginalized people in jail, particularly low-income women, first nations, et cetera.

I would like us to step back and reconsider. It may be fun to pretend that our current employment insurance scheme gives a disproportionate benefit to criminals. It does not. It might be fun to let people think that people in jail collect employment insurance cheques. They do not. All I am saying is that if people go to prison, they have, in the words that we are so used to hearing, paid their debt to society. Now we are going to say no, that they have not quite finished paying their debt to society and we are going to pull the legs out from under them. If they were entitled to employment insurance benefits to help them get back on their feet, to help them find work, to be meaningful members of our society, we will kick them while they are down and say that they will not get employment insurance even if they or their employers have paid into it.

Private Members' Business

There are some crimes that one might describe as victimless crimes, particularly crimes that would apply to this legislation, where people were in jail for one year or less. The trend of the current flood of legislation in the House that seeks to punish people who have made mistakes, that says they can never pay their debt to society, or get back on their feet or be given a chance is worrying. The employment insurance scheme is for people who have been incarcerated for a year or under, maybe for shoplifting, which is not commendable. Driving under the influence and refusing a breathalyzer is not commendable, but we have to give people a chance.

When they have paid their debt to society and get out of prison, they are entitled under the current statute to, at that point, put in their claims. They will not get any more money than others who find themselves unemployed. They simply have the opportunity to have their qualifying period extended. If people were entitled to employment insurance when they went to jail, they are entitled to employment insurance when they get out. They can get back on their feet, hopefully find jobs and swear off whatever it was they did wrong in their lives. Goodness knows, a lot of good people can make mistakes and end up in jail. We ought to give them a helping hand and not pass additional punitive legislation that takes away their right to employment insurance.

With that, I would ask all members of the House to give serious consideration to the amendments we have tabled today.

● (1740)

Mr. Ed Komarnicki (Souris—Moose Mountain, CPC): Mr. Speaker, I am pleased to speak to these amendments, but I am not pleased to support them. Neither would the member for Cariboo—Prince George, for sure. By amending each of the five clauses in the bill, by deleting them, it takes all the provisions out of there and only the title and the enactment provisions will be left, and I suppose that would go as well.

It is fair to say that the government will not be supporting these amendments for the reasons that are obvious, based on what I just said.

Last year, our government passed legislation to prevent federal inmates over the age of 65, who were sentenced to prison for more than two years, from collecting old age security and guaranteed income supplement benefits. This relates to the qualifying period, and I do not think the legislation pretends to say it deals with receiving or not receiving employment insurance while in prison. It deals with extending the qualifying period and the benefits period.

We brought forward the previous legislation because Canadians told us it was not fair that criminals could collect retirement benefits while they were incarcerated, especially since their living expenses were already covered by taxpayers. We are supporting this further reform to our social programs in the interest of fairness and justice for law-abiding Canadians.

Under the Employment Insurance Act as it now stands, people who have been in jail can get an extension, as the member has mentioned, of up to 52 additional weeks of their employment insurance qualifying and benefit periods. We think this EI extension is unfair as it provides preferential access for convicted criminals to benefits over law-abiding citizens.

Let me outline how employment insurance works.

Employment insurance is intended to provide temporary income to replace lost wages while the claimant looks for a job. To be eligible for EI regular benefits, people must have paid EI premiums and have worked a certain minimal number of insurable hours, depending on the region of the country in which they live. They must have worked those hours in the 52 weeks before the interruption of the earnings. This is what is called the “qualifying period”.

When people qualify for EI benefits, a 52-week benefit period is established during which they may collect EI benefits to which they are entitled. Normally claimants must be able and willing to work. However, the qualifying period or the benefits period may be extended for up to two years for people in special situations. People who are unable to look for work because of illness, injury, pregnancy or quarantine are given an extension or they may apply for an extension so they do not lose their right to EI benefits because of the special circumstances or situations that are beyond their control.

To be clear, we are all in agreement that extensions to individuals should be granted for life circumstances beyond the control of the individual, such as injury or illness. However, this is not the case with the person who commits a crime.

To be convicted of a crime, an individual makes a choice resulting in a criminal act. This choice is within the control of the individual. However, the current EI legislation treats imprisonment as a circumstance beyond a person's control. This logic does not follow. It does not make sense to most Canadians who feel this is not fair because people do not commit crimes by accident.

Going to prison is not something that just happens to a person. It is a matter of bad choices, perhaps a series of bad choices. It is not like getting a serious sickness or disease or being involved in a car accident. It is something that people bring on themselves by the actions they have taken. These are people who are convicted and the view is that they should not be given preferential treatment or access over law-abiding citizens who are limited to 52 weeks instead of 104 weeks. As a result, there would be an increase in the cost of the program to ordinary working Canadians if the extension were not removed.

● (1745)

Extensions of the qualifying and benefit periods are not available to most EI claimants, and that is an important distinction and something at which we need look. Why should there be an available extension to someone who is a prison inmate?

That is why I would urge the House to support Bill C-316, which will correct this aberration, and not support the amendments which would take that away.

Now, some will argue that amending the Employment Insurance Act to remove the right of inmates to an EI extension would be unfair to innocent people who have simply been detained before trial and were eventually not convicted. That is a fair point and we agreed with it.

This is why the government moved amendments to the bill that would allow qualifying and benefit period extensions for people who were on remand prior to a verdict, but who were ultimately found not guilty. We have said that just the fact of being in prison or incarcerated is not going to disentitle someone, but actually being convicted will. Anyone who was in prison but not convicted would still be able to apply for the extension.

An extension may be granted for the time spent incarcerated if the person is acquitted, the charges are dropped or there is a mistrial. This is because individuals were unavailable for work because they were charged with a crime they were not guilty of, and it was not something of their choosing. These individuals could apply to Service Canada for an EI extension as long as they could prove they were found not guilty of the offence for which they were detained.

Another objective I have heard about the bill is that denying EI benefits to prisoners is cruel because it leaves them with nothing to live on when they are eventually released. That may have been the case in days gone by, but there are halfway houses now. There are programs in place on which they can rely.

Our government supports legislation to fight crime and improve security for all Canadians. To that end, we believe our initiatives ought to highlight responsibilities as well as rights. People who break the law should understand they are accountable for their own actions.

Bill C-316 should be supported by all members of the House to improve fairness in the EI system.

In previous debate on this bill in both houses and in the committee, I heard the opposition go to great lengths to defend this distinction. I think it is one that most Canadians would not want us to defend.

In other cases, like paternity, parental, sickness and compassionate care benefits, our government has gone further in helping Canadians balance their work and family life and responsibility.

That is why, for the first time ever, we have granted access to EI special benefits to hard-working people who are self-employed as well. These EI benefits come from premiums that are paid employers and employees. Every time there is an extension, it costs the program and it relates to the premiums that are paid. People want to be sure, as we do, that those premiums will result in benefits that can be justified.

We also wanted to be fair to members of the Canadian Forces who were ordered to return to duty while on parental leave or whose parental leave was deferred as a result of a military requirement.

Our government introduced measures to extend the time that EI parental benefits could be taken for these families. We wanted to be fair to people who could not work because they were caring for loved ones or who were seriously ill. That is why we modified the eligibility criteria of the EI compassionate care benefits to broaden the definition of family members.

This is the type of legislation that Canadians want us to proceed with, but they do want to be sure that where the system is found not be fair and equitable that corrections are made. They want to be sure that those discrepancies are taken care of.

Private Members' Business

It is not fair to say that those who are incarcerated by acts of their own choosing should somehow have an extension to their benefit and qualifying period by an additional period of time when ordinary Canadians do not benefit from an extension such as that.

There is a clear distinction between getting a special benefit or being able to apply for a special benefit when people have been met with circumstances beyond their control and getting a special benefit in a situation where they do have control and their action caused them to lose the ability to make that application.

● (1750)

I think most fair-minded Canadians would say that if individuals have committed a crime, they should not, because of that, be entitled to some kind of special benefit that other Canadians who have not committed crimes are not entitled to. That is the logic and that is why it is important to for us to correct the system. Even though it would result in millions of dollars of savings, it is the principle behind this that most Canadians would find offensive, which is why they want us to take action.

We will take action, which is why we proceeded with this bill. I would ask for the support of all members of the House.

* * *

[Translation]

ROYAL ASSENT

The Acting Speaker (Mr. Bruce Stanton): I have the honour to inform the House that a communication has been received as follows:

Rideau Hall

Ottawa

March 15, 2012

Mr. Speaker,

I have the honour to inform you that Mr. Stephen Wallace, Secretary to the Governor General, in his capacity as Deputy of the Governor General, signified royal assent by written declaration to the bill listed in the Schedule to this letter on the 15th day of March, 2012, at 5:09 p.m.

Yours sincerely,

Patricia Jaton

Deputy Secretary

The schedule indicates the bill assented to was Bill C-33, An Act to provide for the continuation and resumption of air service operations.

PRIVATE MEMBERS' BUSINESS

[Translation]

EMPLOYMENT INSURANCE ACT

The House resumed consideration of Bill C-316, An Act to amend the Employment Insurance Act (incarceration), as reported (with amendment) from the committee, and of Motions Nos. 1 to 5.

Private Members' Business

Mr. Claude Patry (Jonquière—Alma, NDP): Mr. Speaker, this is the second time I have spoken to Bill C-316. Before I begin my speech I would like to say that the NDP is often accused of protecting prisoners, but we agree that someone who commits an offence should be incarcerated and pay his debt to society. That is a principle of justice. That is the world we live in.

However, we must not forget that we are dealing with human beings. Our duty in the House is to ensure that these people are rehabilitated and that they have the opportunity to find a job. Some have had hard luck in life. That does not make them hardened criminals, as I have been hearing in speeches in the House over the past few months.

There are two types of criminals. There are people who are in prison for stealing food. Many single mothers with no income get caught stealing food and end up in prison. We have to give people like that the chance to rehabilitate and not kick them while they are down. We live in a society. We have a duty in this House to help these people.

The Conservatives are claiming that inmates can be granted privileges and receive benefits for 52 to 104 weeks. Pregnant women do not have that right. That is why I am rising in the House. The hon. member explained that this represents a minimal cost. Since this privilege represents a minimal cost, rather than getting rid of it, we would be better off extending it to pregnant women who lose their jobs or who become ill and are not entitled to employment insurance benefits. It is true. That is the reality right now.

Rather than also extending this privilege to pregnant women, which would be the logical course of action, the Conservatives would prefer to take it away from inmates. Is this not a good example of the lack of vision or the wilful blindness of the government, which is motivated by its own ideology rather than by common sense?

First, I would like to explain the reason for these 52 weeks. The hon. member explained it very well earlier, as my other colleagues in the House have done. People are entitled to these 52 weeks in accordance with their qualifying period and the unemployment rate in their region.

The Conservative members are simplifying the facts and distorting reality. Inmates are not eligible for benefits while they are in prison. These are privileges that people are granted. Inmates do not have rights in prison.

The people who benefit from this special measure are those who worked enough hours to obtain benefits. They deserve to get them when they get out of prison since they contributed to the employment insurance program. It is workers and employers who contribute to this fund. It is not the government. The government simply manages it. The government has managed the money in our employment insurance fund so well. We can see what is left today.

That being said, Bill C-316 seeks to repeal the provisions of the Employment Insurance Act that allow for qualifying periods and benefit periods to be extended as the result of time spent by the claimant in a jail, a drug treatment centre or another similar institution. When someone goes to a drug treatment centre, it is because he needs help. If we kick him when he is down, we just

make matters worse. It will make it harder for him to get back on his feet.

The Conservatives want to abolish the exceptional provision that encourages former inmates to rejoin the labour force and regain their self-confidence. If my memory serves me correctly, it was even the Conservatives who introduced the 52 to 104 weeks in the 1960s. They did so to help people find a job, get training and receive benefits in the meantime. When people get out of prison, that does not look good on their CVs. That is why it is difficult to find a good job after serving a prison sentence. Things are not easy for these people. Rather than helping them, we are digging them a deeper hole. We are penalizing them. We are penalizing them instead of giving women this right. If we were to give women this right, it would cost between \$70 million and \$75 million, according to our estimates. Pregnant women would be entitled to these privileges when they lose their jobs or fall ill after a pregnancy.

The Conservatives are abolishing an exceptional provision that encourages inmates to rejoin the labour force, regain their self-confidence and have access to paid training. Unfortunately, the Conservatives have failed to come up with any solutions to help pregnant women who are the victims of injustice in this area.

We in the NDP want this to apply to pregnant women.

Can the Conservatives tell us how they intend to assist pregnant women in this area?

Personally, I get the impression that the Conservatives would prefer to waste energy and punish everyone, and that the injustice of this bill is only a pretext for a government that is intent on being tough on criminals, come what may. This bill is a good, though pointless, example. We need to stop it from spoiling the future of thousands of Canadians who would benefit from a second chance.

Sometimes, in life, we are out of luck. Someone here might enjoy a cocktail or two in company. Instead of having two cocktails, that person might have three, and get caught.

● (1755)

That does not make us hoodlums or hardened criminals.

This bill is not good enough for Canadians. The question is not about equality for Canadians with regard to the employment insurance system, nor is it about the alleged favouring of prisoners in the employment insurance system. It is about making the necessary changes to an unfair piece of legislation, and rectifying a situation that is unfair to women on maternity leave. It is my duty to highlight the Conservative government's incompetence in this area, despite the fact that the Conservatives consider themselves the standard-bearers of family values.

The Conservatives do not distinguish between different types of crime. They do not give rehabilitation a chance and their only strategy to prevent repeat offences is to throw people in prison. Yet, in Canada, the figures show that our social rehabilitation system works well and that the crime rate is steadily falling in most provinces.

Regardless of what the member for Cariboo—Prince George says, helping inmates escape the cycle of crime has always worked well in Canada, and we are currently reaping the benefits of this system. It is thanks to these measures, some of them exceptional ones like the one we are debating today, that we have been able to build a solid system. It may be imperfect, but is well intentioned, and it suits us. It is our duty in this House to look after people by making decisions on their behalf. That is the duty of parliamentarians.

In general, former inmates have a lot of trouble finding work after they get out of prison, and their time in jail has a lasting negative impact on their income. Of course, when you have bad luck and you lose your job, when your CV says that you spent six months in prison for stealing a litre of milk from a corner store, it is not very good when you are looking for a job. However, these people deserve a second chance, especially since former inmates are more likely to be unemployed or to hold jobs that pay less than the jobs they held before they went to jail.

Someone who has spent more than a year in jail cannot receive benefits until he has accumulated enough insured hours of work after leaving prison, while if he spends less than a year in jail, he can qualify for employment insurance because of the hours he worked during the extended qualifying period. Employment insurance also provides access to vocational training and to officers who provide job-search support. In a number of cases, the employment insurance program has changed lives in a positive way.

There is a major problem with this ridiculous bill. We must point out that an innocent person may be in jail while waiting for a verdict to come down that clears him. That could be detrimental and costly, and the person could also be refused access to employment insurance.

The solution to the inequities in the employment insurance program is not to abolish an exceptional measure that provides assistance to inmates, but to make a clear-cut change to the legislation in terms of the maximum number of weeks of regular and special benefits.

The Employment Insurance Act must allow new mothers as well as workers who have lost their jobs to receive sickness benefits when they need them. It must allow a mother who is on parental leave to benefit from the same extension of the qualifying and benefit periods as an individual who has been in prison, not the opposite. In this case, the government is taking something away from inmates and not looking after mothers. It would be better to keep what is left for inmates, because it does not cost too much. They said it. They were not even able to give us the real numbers. It would be much better for us to take care of our people.

Moreover, the Minister of Human Resources and Skills Development acknowledged that there was a problem with the interpretation of the Employment Insurance Act with regard to women on maternity leave and access to the special sickness benefits and regular benefits. She must now make a commitment to rectify this situation, which is unfair to Canadian working women, rather than looking for feeble solutions that are only good for pleasing people who support the Conservatives' hard line on crime.

Private Members' Business

It is quite clear that this bill does not reflect the values of Canadians. It does not represent the views of Canadians, and the government must recognize that a mistake is about to be made. We cannot let this bill go forward; it is harmful and adds absolutely nothing useful to the employment insurance system. We must concentrate on the real priorities of Canadian families: jobs, health care, quality of life and workers' rights.

I oppose this bill. We want to correct a situation that we think is unfair. These people have paid in and they are going to have that money taken away. But if we do that, it will not mean that we can give this money to women on maternity leave. We must be fair with everyone and apply this to women on maternity leave, so they are at least entitled to employment insurance if they become sick or lose their job when they return to the work force. That is social justice. That is what it means to help people, to work together and take care of people. Here in the House, we are supposed to make decisions to take care of Canadians.

● (1800)

We in the NDP oppose this bill because it punishes people and takes things away from them, without being able to help others. On the contrary, we should be able to give this to women on maternity leave who still have rights. They will have less to worry about when they go back to work and if they lose their job when they do go back.

The NDP will be voting against this bill.

● (1805)

[*English*]

Mr. Rodger Cuzner (Cape Breton—Canso, Lib.): Mr. Speaker, I believe the member for Cariboo—Prince George was well intentioned in trying to fill what he thinks is a loophole in the EI system, but he failed to dig deeply into why the extension was first created and why it serves a purpose today, even for only that small handful of people it impacts.

Before I get to the why though, I want to start with the who. The who is Michael Starr. For the benefit of the House, Michael Starr was a Progressive Conservative member of Parliament, first elected in 1952 for the riding of Oshawa. He served under Prime Minister John Diefenbaker as labour minister from 1957 to 1963. He ran for the leadership of the Progressive Conservative Party in 1967. Bob Stanfield won the leadership of the Progressive Conservative Party and while he waited for a byelection, Michael Starr served as the leader of the official opposition.

After politics, he had a great career. He was chairman of the Ontario board for workmen's compensation. He has a collection of civilian citations. There is an Ontario provincial building that is named after Michael Starr. This week, which by the way has been deemed Michael Starr week in Oshawa, people gathered in the Michael Starr building to celebrate Michael Starr's induction into the Oshawa Walk of Fame with all proceeds going to the Michael Starr scholarship fund.

I mention Michael Starr's name for a purpose. It was this Progressive Conservative minister of labour, the Hon. Michael Starr, who introduced this particular change that this private member's legislation would delete. He introduced this in 1959. I want to read from *Hansard* what he said at that time:

Private Members' Business

Ordinarily a person who had spent up to two years in penitentiary, would lose the benefit of unemployment insurance contributions, which would impose a further punishment in addition to those levied by the court. This disability is now removed and it will help a great deal in the rehabilitation of [our citizens].

That is what the Progressive Conservatives thought then. I am very interested in what progressive Conservatives think now. As Liberals, we do not base our decisions on ideology. We base them on evidence and sound reasons for doing or not doing something.

Let us look at some of the people who could be affected by the bill. First, it only affects in almost all cases people who are confined to provincial jail for a period of less than two years. We are not talking about hardened criminals. We are talking about those in jail for under two years. Seventy-five per cent of these people have been sentenced to less than three months. There are no murderers, no rapists, no child molesters, no crime bosses. We are not talking about their receiving EI benefits, getting any money; this is just about the grace period.

I could talk about several aspects of the bill that are going to undoubtedly deny other people because of the bureaucratic red tape and federal-provincial black holes that will be created, but I want to focus on the one main reason our party is against the bill.

Many people who end up in jail are there because of poverty. We could argue that it does not absolve them from their crime. However, if we are changing legislation that affects them, we need to understand the reasons they are in jail.

I am sure the Conservatives would like everyone to think they are cracking down on the Charlie Mansons in the world. Let us look at the one group that is most affected by the bill, and that is single mothers.

The National Council of Welfare's 2011 report, "The Dollars and Sense of Solving Poverty", had a shocking statistic that almost sums up the position on this bill. Eighty per cent of incarcerated women are in there for poverty related crimes. Thirty-nine per cent are there for failure to pay a fine. Seventy per cent of incarcerated women are single mothers struggling with the high cost of living and as a result, crimes of desperation are sometimes committed.

United Way of Calgary issued a report in 2008 called "Crimes of Desperation". It said this regarding women in jail for their failure to pay fines:

Incarcerating a woman for a poverty-related crime does punish her, but the punishment is for being poor and trying to cope by using a socially inappropriate but readily available means. Given this, the rates of re-offence are significant and costly.

• (1810)

When the member for Cariboo—Prince George appeared before the committee to testify about the bill, he said that he could not believe people would be in jail because of a fine. This is what he said:

I'm surprised, given our justice system, that people are thrown in jail for not paying parking tickets or fines.

Maybe my colleague would be surprised if people were thrown in jail because he is from B.C. which has a very low incarceration rate. However, since B.C. is one of the lowest, maybe he should talk to his colleagues next door whose rate of incarceration because of non-payment of fines is 60% higher.

According to a National Council of Welfare report in 2000, "Justice and the Poor", in 1997 and 1998, over 40,000 people were in jail in Canada because of failure to pay fines. The same report showed that between 1984 and 1988 the major crime that was charged, accounting for 42% of all charges, was theft under \$1,000. The number of charges for theft under \$1,000 started to increase in August, when children are going back to school, and peaked in December, just before Christmastime.

The 1995 National Council of Welfare report, "Legal Aid and the Poor", reported the fact that thousands of low-income Canadians are imprisoned routinely because they are unable to pay fines. The report found that people are still being sentenced for failure to pay fines because of traffic tickets and the Liquor Control Act because it does not take into account people's ability to pay. This report also stated:

The vast majority of people admitted to prison because of fines are there because they have no money to pay, and a disproportionate number are Aboriginal people.

Let us consider a scenario. A woman who is on EI is riding the C-Train on Thursday morning and is caught riding without a ticket because she is too cheap and did not want to pay the \$2.50. For this she is fined \$150. She goes to court and pays the \$150 fine because she has the means to do so. She receives no jail time and her EI eligibility period is not affected.

Let us look at another woman, a single mom on EI who is having an extremely hard time making ends meet. She rides the C-Train and is caught without a ticket because she cannot afford to pay the \$2.50. She is fined \$150. However, unlike the woman in the previous example, she cannot afford to pay. She may have been charged with previous offences. She may not qualify for community service and therefore will be incarcerated at the Calgary Remand Centre. She could be there for a week and as a result not only would lose a week's EI benefits, but she could also lose her job and a week from the grace period.

The cost to incarcerate this woman at the Calgary Remand Centre is somewhere between \$410 a day and \$690 a day. Even without that, the cost would be about \$1,400. Add in on top of that the cost for the state to look after her children while she is incarcerated. It would be \$1,400 in incarceration costs to cover a \$150 fine, all for a \$2.50 train ticket.

Maybe for my colleagues on the other side losing a week of EI may not be a big deal, but to this woman it is devastating.

Private Members' Business

In 1938 a royal commission investigated the penal system in Canada. It said, "Imprisonment for non-payment, when the convicted person has not the means or ability to pay, is, in fact, imprisonment for poverty". That was in 1938. Therefore, I say to the progressive Conservatives on the other side, as much as it was right then, I still believe it is right now. I would hope that the progressives on the government side of the bench would move to make sure that this bill does not pass.

Mr. Jack Harris (St. John's East, NDP): Mr. Speaker, I am pleased to have an opportunity to speak, but I am not very pleased to speak to this bill because it is Bill C-316, An Act to amend the Employment Insurance Act, which would seek to further penalize individuals who find themselves in jail as a result of the commission of an offence, or perhaps they are awaiting trial and may even be acquitted of the offence.

The hon. member opposite has seen fit to take a piece of legislation that is designed to ensure that people who have earned through paying premiums the right to employment insurance and deprive them of some of those benefits in addition to whatever penalty they receive.

In fact, what it says is that there are two people who are equal before the law, one of whom happens to qualify for EI and the other does not. It wants to make the system work as follows. If people happen to be in receipt of EI, they are going to be punished differently and more heavily than another person who is not in that circumstance—

• (1815)

Mr. Richard Harris: Mr. Speaker, on a point of order. In the opening of his presentation, the member opposite characterized Bill C-316 as an act to further penalize those who have been incarcerated. I do not think he has read the bill, otherwise he would see that is not what the purpose—

The Acting Speaker (Mr. Bruce Stanton): I really do not hear anything in there that is indeed a point of order. I think it is a matter of debate on the facts and the way they are presented.

The hon. member for St. John's East.

Mr. Jack Harris: Mr. Speaker, I do not know if the member was listening carefully but I said that it was an act that would amend the Employment Insurance Act.

This is a matter for debate, but I have no doubt that this legislation would further penalize people who have either committed an offence or may be only awaiting a trial to determine whether they committed an offence. Bill C-316 would unfairly add additional penalties on people and treat them unequally. An individual who may have paid the premiums and was collecting employment insurance would lose that benefit instead of having it postponed, the way it is now. It is an unfair bill.

What is really unfair about the bill is that it is so contrary to the notion of members opposite who talk a lot about their concern about crime and victims of crime, never mind the Christian charity or any other kind of charity toward people. One would think that the Conservatives would be concerned about the rehabilitation of offenders, particularly the kinds of offenders we are talking about here, most of whom serve a sentence of less than a year for some

first offence or minor offence. One would think they would want them to be rehabilitated so they could get back into the workforce to be able to support their families.

What are we saying here? Do we want to ensure that people who happen to be in jail for six weeks or three months are deprived of the ability to collect employment insurance when they get out of jail? Who depends on that employment insurance? It is the individual and his or her family. Are we going to deprive the family of three months of employment insurance income because someone went to jail? The individual may have been deprived of income while in jail but that is part of the consequence of being in jail.

I do not know who will vote for this legislation. I did not hear the minister get up and say that they will vote for this because it is a government measure. However, we will find out how mean-spirited, negative, uncharitable and uncompassionate those members are if they support the member's bill. The member did a disservice to his party by bringing the bill before the House. This measure would further penalize individuals who commit crimes for which they are serving usually relatively minor sentences in jail.

We know that many former inmates have considerable difficulty finding work after release from prison, which is why we have the John Howard Society. I do not know if the Conservatives are against the John Howard Society helping prisoners to reform themselves and rehabilitate themselves, something that society wants and desires and we should be encouraging.

We should be encouraging that for two reasons. First, because we want everybody to be a good citizen, even people who have committed an offence. We want them to have an opportunity to reform. Second, because we want to protect society. We want these individuals to be productive members of society so they do not commit further offences and create further victims. I think that is a common goal. I do not know why anybody would want to turn the screw a little tighter, hurt them and their families, and deprive them of a benefit that they are entitled to under law because they paid their premiums. Instead, the government wants to turn the screw a little tighter.

We know that incarceration has a lasting negative effect on how much an individual earns, lowering his or her average annual income already. The average income of a household with children and a parent in prison declines by 22% over the period of incarceration and after the parent is released from prison the household income remains 15% lower than before that parent was committed.

What are we doing here? Are we saying that we will penalize not only the individual but the family even further? What would be gained by that? Is that a deterrence? No. It is a continuation and enforcement of misery on somebody who is already poor. Is that what the government wants to do? I do not know if the government is going to support the bill but we will find out.

Private Members' Business

● (1820)

That, obviously, is what the member wants to do. Maybe he has talked to his colleagues or maybe has not. I have not heard all of the speeches here. However, it will be a very sad day if the government passes this legislation. I do not think people on this side will support. There are some in that corner. I see one hand in the Conservative corner that is voting with the government.

Mr. Leon Benoit: He cares about victims.

Mr. Jack Harris: He cares about victims. He cares enough about victims that he wants to create more. He wants the children of people who end up in prison to suffer. He wants to ensure that when people get out of prison, who would otherwise, under the current law, be eligible to either receive employment insurance that was interrupted by the incarceration or who had earned an opportunity to participate in an employment program or skills training program, they will be deprived of that, just cut them off. They were in prison and therefore are somehow pariahs on society and should have no chance to use the benefits of the Employment Insurance Act to rehabilitate themselves, to look after their families, to qualify for upgrades in skills so they can get better jobs and to be more productive members of society.

No, we want more victims. We want those people to be victims and we are prepared to see their children be victims also. That is shocking. And they say that this in the name of victimhood.

Mr. Richard Harris: They should have thought of that before.

Mr. Jack Harris: I hear the member say they should have thought of that before they committed the crimes. So we are going to visit the sins of the father upon the children. That sounds to me like a bad movie. If I do something wrong, my children should not have to pay because the government—

Mr. Richard Harris: It's called responsibility.

Mr. Jack Harris: It is called responsibility. I have heard before that it is called responsibility. Therefore, the parents are responsible, the children should suffer and we are prepared to see that happen. That is the kind of logic and lack of compassion that we are hearing from the other side. I hope every Canadian is watching this and hearing how people think over there. I am afraid to repeat it because it seems to me that it is actually true.

As I say, I am glad to have a chance to talk about this but I am very sorry that this kind of bill is before the House. I hope that other wiser heads over there with more compassionate and charitable views actually prevail and say that if people commit crimes, they will go to jail. The judge decides how long they will be there. I do not want members opposite saying that people should be deprived of the opportunity to rehabilitate because they happen to have been in jail.

● (1825)

Mr. Ryan Leef: Mr. Speaker, I rise on a point of order. I am sure my hon. colleague did not exactly mean what he said when he speculated what I was thinking in terms of attacking offenders' children. He said that I wished for that. That is certainly not the case. We are dealing with people who have committed crimes and are in jail. It is certainly no reflection on how I feel about families. I think

that was specifically his speculation on how I feel about victims. He accused me of wanting to create more victims and I certainly do not want to do that. It was a little over the top.

The Acting Speaker (Mr. Bruce Stanton): I would simply say that the comments of the hon. member for St. John's East did come somewhat close. Members are cautioned about alluding to the presence or absence of members in the House. This is one of the reasons that there is in fact a Standing Order that suggests that. As I said, the hon. member was coming close to that but did not quite cross that line. There was no transgression, so we will carry on.

Before I recognize the hon. member for Burnaby—Douglas, I will let him know that I will have to interrupt him at 6:30 p.m., which signifies the end of private members' business for today.

Mr. Kennedy Stewart (Burnaby—Douglas, NDP): Mr. Speaker, it is a pleasure to speak to Bill C-316. I have really enjoyed the robust debate we have had in the House. We have good speakers in favour and against the bill, and this is what Canadians of the House, to have motions put forward, to have good debate and, in the end, for members to vote the way they feel is right.

To start on a positive note, I applaud the member for attempting to reform the act. There are a lot of changes that need to be made to the EI system in Canada. We on this side of the House have mentioned it a number of times. The government and private members will bring forward their own ideas about how we might amend the Employment Insurance Act and a number of other acts.

Unfortunately, after reading the bill, which is quite short, the act needs to be reformed in different ways and perhaps slightly more meaningful reforms, not the ones being forwarded by the member for Cariboo—Prince George.

However, I do applaud the member for Cariboo—Prince George for pointing out the problem that pregnant women have in terms of accessing EI. My colleague mentioned that earlier today and that is perhaps a reform that the government or a private member might want to bring forward in terms of how to ensure that women are not excluded from this very valuable social safety net that has been in Canada forever.

Again, I applaud the member for bringing up those ideas for change and I encourage him to bring those forward and perhaps steer his efforts in this direction.

While I am thinking about private members' bills and other bills that are coming up in the House, I think about whether a bill will be good for our community. If it were put in place, would our communities be better places in which to live? That is not only Canada as a whole but also individual communities.

My mind goes immediately to my constituency of Burnaby—Douglas but also drifts back to the community in which I grew up just outside Wolfville in rural Nova Scotia. The communities have quite different circumstances. Burnaby is a land of opportunity. It is the best managed municipality in Canada. We have industry, universities, all kinds of ample opportunity and all kinds of jobs can be attained there.

However, where I grew up in rural Nova Scotia there is not so much the same kind of opportunities. In fact, that is why I moved. My mind goes back to the point when I was growing up in rural Nova Scotia and starting to make my way, the opportunities I had and the people I hung out with, my friends and colleagues.

I grew up in quite a poor area of rural Nova Scotia where individuals went on one of two paths. One path was where they made their way along, usually with some kind of family support, and they socialized with people who were good influences. On the other hand, there were people who went slightly down the wrong path. When I go back to Nova Scotia to visit, we talk about people who went down one path or the other path.

I will get back to this when I have my second five minutes to talk about whether these kinds of acts good for the community. In the second half of my speech, which I am sure all members will be keen to hear, I will allude to how I was on unemployment insurance in Nova Scotia. I looked for work, could not find it and eventually I got on what was then UI, which I was able to transfer out to Vancouver.

The valuable part of being on EI was the job retraining. What really changed my life was being able to access a very small amount of employment insurance. However, employers at that point could top up people's EI and train them. That really started me down the right path. I look forward to explaining more about that in a couple of weeks.

• (1830)

The Acting Speaker (Mr. Bruce Stanton): The hon. member for Burnaby—Douglas will have five and a half minutes remaining when the House next considers the motion.

The time provided for the consideration of private members' business has now expired and the order is dropped to the bottom of the order of precedence on the order paper.

ADJOURNMENT PROCEEDINGS

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

[*Translation*]

ATLANTIC CANADA

Mr. Philip Toone (Gaspésie—Îles-de-la-Madeleine, NDP): Mr. Speaker, how can this government proclaim itself a champion of the economy when it is jeopardizing the economy of an entire region? It is more like the champion of empty rhetoric. The facts are clear. The fishery is the cornerstone of the economy of Gaspé and the Madeleine Islands. Yet this government is doing everything it can to hurt the economy of my region.

We know that cuts at Fisheries and Oceans Canada will have a major impact on the eastern provinces, and on Gaspé and the Madeleine Islands in particular: 150 to 280 jobs cut, including 30 in my region. That is truly scandalous.

These positions are jobs that pay well. This will be tragic for those families. Those salaries will no longer contribute to the local economy. On top of that, this government is completely incapable of

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looking to the future. How can it cut fisheries resource conservation programs and hope for the sustainable management of fish stocks?

We know that groundfish stocks are already considered to have collapsed for several reasons: a lack of essential scientific information, weak international laws and climate change. And what does the government do in response? It slashes the expertise of fishers and scientists, it eliminates fleet separation and owner-operator policies, and it withdraws from Kyoto. Canadians deserve more from their government than a short-term vision that serves only large corporations.

It was not enough that they jeopardized the financial well-being of fishers. Now the Conservatives are putting their very lives at risk. It is closing the Quebec City search and rescue centre, the only bilingual centre in Canada. When there is an emergency at sea, there is not a moment to lose. Without this centre, there is no guarantee that distress calls from francophone fishers will be understood. Is the life of a francophone fisher worth less than that of an anglophone fisher? Does this government not take the safety of Canadians seriously?

In addition to the Quebec City centre, it is also closing the St. John's centre and reducing Coast Guard staff. Why is this government barely interested in the marine safety of a region where the ecosystem is so precious?

In closing, can the minister explain why eastern Canada will bear the brunt of these cuts? The Conservatives' slogan in the last election was "Here for Canada". Did they mean "just here for the oil sands regions"?

• (1835)

[*English*]

Ms. Lois Brown (Parliamentary Secretary to the Minister of International Cooperation, CPC): Mr. Speaker, I appreciate the opportunity to set the record straight. The hon. member has raised the issue of cuts to essential services such as the Coast Guard and science. The facts tell a different story than the hon. member has put before the House.

In truth, the Canadian Coast Guard's recent changes were made to standardize the organization structure to be consistent across the country, not to reduce service. This is critical to ensuring that it conducts its business consistently as a truly national institution. Adopting these new standard structures has affected some areas of the organization. In fact, less than 1% of the personnel within the Coast Guard are affected and they have been expecting these changes for two years.

Letters were delivered to Coast Guard employees at the same time as to Fisheries and Oceans Canada employees affected by the strategic review so they would have the same opportunities to seek alternative employment.

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The Canadian Coast Guard is a vital national institution and our government is proud to invest in its future, which is why we are equipping the organization with the tools and training needed to keep Canada's waters safe and secure. Our government has invested more than \$1.4 billion, including critical funding for the new Hero Class midshore patrol vessels, as well as for offshore fisheries science vessels. From motorized lifeboats to midshore patrol craft and a new polar icebreaker, the state-of-the-art vessels we are procuring will provide us with a fleet for the future. This modernized fleet will not only serve the department, but will play a key role in helping other government departments to fulfill their mandates.

As for changes to science, we are strengthening the department's regulatory duties in relation to fish health and environmental interactions. We are streamlining and simplifying how science is managed by aligning science resources to reflect the transition to an ecosystems approach to science.

Fisheries and Oceans Canada believes science is an essential contributor to all resource management decision making. By adopting a team approach to science that looks at whole ecosystems rather than single issues, fewer single-issue experts are required.

As for timing, the decision to inform employees in December was not taken lightly. In fact, it was based largely on feedback from employees who, on the whole, wished to be informed as early as possible. The rationale was that every affected employee could benefit from workforce adjustment resources and have an early opportunity to make appropriate decisions accordingly. The actual transition process for employees will take many months.

As members can see, Fisheries and Oceans Canada has embraced deficit reduction as an opportunity for renewal and transformation. It has taken advantage of this opportunity to find better ways to do things, seek efficiencies, develop seamless delivery and respond better to Canadians' expectations.

Fisheries and Oceans Canada is making business decisions that are in the long-term interest of the country. Within the department, there has been positive engagement and mutual support to find sustainable and innovative solutions to operating with fewer resources, changing the way we work for the better.

We have a responsibility to review the department's spending in light of the government's efforts to manage the deficit. We have a duty to ensure that government programs are efficient, effective and achieving expected results for Canadians.

Mr. Philip Toone: Mr. Speaker, I take issue with the thought that cutting so substantially at Fisheries and Oceans is in any way going to mean long-term savings for our country. It is firing 30 people at L'Institut Maurice-Lamontagne in Mont-Joli, Quebec. This will have a seriously negative impact on my region and I think on fisheries as a whole.

I do not see how, when scientists are fired, the government can then say that it takes a scientific approach to the fisheries. The scientists are simply not in the department anymore; they have been fired. We do not have the staff that is required. We are not going to be doing yearly inventory of the fish stocks. It is passing it from yearly to once every three years and once every five years. The science will not be there anymore.

Would the parliamentary secretary please address that issue?

Ms. Lois Brown: Mr. Speaker, we are looking to do things more efficiently. Fisheries and Oceans Canada has been working very hard in the last few months to develop a plan that would streamline and modernize the way we do business, while also helping the country achieve a balanced budget.

The changes proposed last fall would enable us to advance our goals for a viable, market-driven, business-oriented and sustainable Canadian fishing industry, safe and accessible waterways and effectively managed and protected aquatic ecosystems.

Informing employees of these much needed changes as soon as possible was the right thing to do. It was a responsible decision, designed to provide those affected with as much information and as many opportunities as possible.

Implementing a workforce adjustment directive was the best way to help staff find alternate employment quickly. Support is being provided to the affected employees so they can consider options and make appropriate decisions that best suit their individual situations.

● (1840)

[*Translation*]

EMPLOYMENT

Mrs. Anne-Marie Day (Charlesbourg—Haute-Saint-Charles, NDP): Mr. Speaker, as I begin, I would like to thank the minister's representative who will be answering my question.

Last December, just before the holiday break, I asked the Minister of Human Resources and Skills Development what the government was going to do to help Canadians who had not yet received their employment insurance benefits after weeks of waiting. On the eve of the holidays, I was very worried about the deplorable situation in which many families in my riding found themselves when employment insurance claims were not handled within the prescribed time limits. My office in the riding of Charlesbourg—Haute-Saint-Charles answered calls from dozens of claimants who said that they were unable to speak to anyone at Service Canada and that they were still waiting for their employment insurance benefits.

I would also like to remind members that this situation is ongoing, that calls for assistance in my riding are growing, and that it is quite unacceptable to make citizens wait this long. Workers have paid their premiums and they are entitled to receive their benefits in an efficient and timely manner in order to look after their families in difficult times.

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We all know that the Conservative government has cut jobs at Service Canada since the end of the recession. Unfortunately, since the government has failed to come up with a real job creation plan, the unemployment rate remains high. In October 2011, over 360,000 people—I am rounding down—were waiting for their benefit claims to be processed. In October 2007, just before the beginning of the 2008 recession, that number was 82,000.

Canada's unemployment rate was 7.4% in November, 7.5% in December and 7.6% in January 2012. In February, the unemployment rate dropped slightly to 7.4%, but we know that is because fewer people were looking for jobs, which is hardly good news.

With respect to the quality of services to the public, I would like the minister to explain a few things. Why does processing take considerably longer than 28 days in 25% of claims? Why do more than 22,000 people have to wait over 128 days for their employment insurance benefits? Why have Service Canada employees been told not to let clients know about the Office of Client Satisfaction unless clients mention the office by name?

When the minister responded to my question in December, she said that more resources would be allocated to address the increased number of claims that Service Canada receives during the holidays. Internal and media sources confirm that the usual extra holiday hours were not authorized this year. Additional resources were not on the job until January. The NDP believes that that is too little, too late. The minister also says that the processing system is being upgraded to improve efficiency and responsiveness.

I would like the minister to provide details about the timeline for this new system and measures that have been or will be implemented to minimize the impact of these delays in processing people's claims.

More specifically, I would also like to know exactly when Service Canada will be fully functional. In other words, when will it be in a position to ensure satisfactory service provided by employees who are not on the brink of exhaustion?

Mrs. Shelly Glover (Parliamentary Secretary to the Minister of Finance, CPC): Mr. Speaker, I would like to thank the hon. member for her question, which is a bit surprising because we were given a different question earlier. However, I am happy to answer on behalf of the minister who is obviously not here for the adjournment proceedings.

Protecting Canadian families is a priority for this government. When it comes to employment insurance, it is important to protect all those who have to use these benefits because, clearly, we want to take care of all families and we want to give them a way to pay their bills and meet their needs. When the hon. member asks questions about employment insurance, I immediately think of our Canadian families. What I hear, and what I think the hon. member often hears, is that families need more money in their pockets. They need their employment insurance benefits as soon as possible.

They need them because Canada has been affected by these difficult times and the global upheaval. Are families asking for higher taxes, as the NDP, the hon. member's party, suggests? No. I never hear families who need employment insurance benefits asking for higher taxes. Are Canadian families asking for higher taxes for corporations? No, because Canadian families understand full well

that, if corporations have to pay higher taxes, then consumers are the ones who will have to pay the price. Employees will clearly have to pay the price, employees who we do not want to become unemployed.

So, when we talk about employment insurance, we have to think about consumers and Canadian families because, once again, it was the party of the hon. member who just spoke that suggested letting people be eligible for employment insurance benefits after working for only 45 days. Only having to work 45 days a year in order to receive employment insurance benefits is ridiculous. There is not one Canadian family who is asking for that. Canadian families want jobs.

However, when we talk about employment insurance, it is important to note that it was our government that took steps to ensure that additional resources are put in place when needed. That is what we did at Christmastime. The hon. member does not understand that additional resources were put in place and that we are proud of that. Yes, we must always do more, but we are adapting.

We are in the process of implementing a completely automated system that will meet needs and distribute cheques more quickly. We will continue along this path, but what we are not going to do is increase taxes for Canadian families and corporations, as the NDP and the hon. member opposite are suggesting.

• (1845)

Mrs. Anne-Marie Day: Mr. Speaker, the unemployed cannot wait months to pay their bills. The number of claimants in dire straits who are unable to pay for basic needs such as food and housing keeps going up. A loaf of bread costs \$3.69 or more.

Job creation is well below what the government initially projected. The Conservative government does not have a job creation plan. If it does, where is it?

To serve the public well, the Conservative government has to take the necessary measures to restore the levels of service to what we had before. After all, Canadians are entitled to receive the benefits for which they have paid.

Will this government admit that the major cuts made to Service Canada over the past year were completely unjustified and inappropriate in an economy that is still fragile and unstable?

[English]

Mrs. Shelly Glover: Mr. Speaker, once again this government has moved forward with a plan to ensure that Canadians do have access to the benefits that they receive under employment insurance in a timely fashion. We have also done a number of things that will lead to more jobs and a stronger economy. Unfortunately, it is so disappointing to hear the NDP oppose lower taxes like we are suggesting, oppose support for the economic growth of this country.

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Nevertheless, our government is focused on what matters most, that is jobs and economic growth. Canada saw continued economic growth in the fourth quarter and over 610,000 net new jobs were created since July 2009. I might remind the House that 91% of those jobs were full-time jobs, which is extraordinary. These are encouraging signs that we are on the right track for the economy and again, for Canadian families.

We all know more needs to be done. We all know that Canada is not immune to global economic turbulence like we see in the United States and Europe. That is why in the upcoming budget, economic action plan 2012, we will remain focused on those items. We truly hope that the NDP will support them because Canadian families will be depending on them.

● (1850)

[Translation]

SEARCH AND RESCUE

Mr. François Choquette (Drummond, NDP): Mr. Speaker, I rise today to address the Minister of National Defence about the still unclear matter of his return from a fishing trip in Newfoundland using a Canadian Forces search and rescue helicopter on July 9, 2010.

This scandal, which received a lot of media attention, as we know, is something Canadian taxpayers are concerned about. They wonder about the careless spending of certain Conservative ministers who have yet to provide any detailed answers to questions raised on this matter. More than anyone, the Minister of National Defence has a duty to conduct himself with absolute rigour and honesty in the performance of his ministerial duties, which involve protecting the safety of Canadians.

How can the government guarantee the safety of the Canadian public in search and rescue situations in the event of incidents and accidents if the minister himself is using an emergency helicopter to return to work, as he likes to say, and limiting access to a rescue helicopter for Canadians in danger?

What would have happened to those Canadians, if, at that same time on July 9, 2010, their lives had been in danger and the situation required an emergency rescue? On that day, no other rescue helicopter would have been available in the event of an incident. How irresponsible, what an error in judgment by a minister in charge of national defence. How will Canadians ever believe that the Conservatives truly protect their safety and their right to adequate emergency services?

In addition to coming up with different versions to explain his decision to use an emergency helicopter, he claimed that he had to cut his fishing trip short and get to London quickly in order to make an announcement. He then said he took the opportunity to be part of a search and rescue demonstration aboard a helicopter.

In addition to costing Canadian taxpayers the exorbitant sum of \$32,000 an hour—yes, that is the figure—for a short trip, search and rescue demonstrations are planned well in advance and require a lot more than half an hour of preparation. In other words, Mr. MacKay truly cut corners in his preparation for this so-called demonstration. Can we say that he was well informed about the procedures for a search and rescue operation in just half an hour? I highly doubt it.

Documents released in December revealed that even National Defence employees were concerned about the negative optics of the minister's helicopter ride. One of them strongly suggested that it be described as a search and rescue drill. Sounds pretty fishy to me.

In addition, emails exchanged between military personnel, which were made public under the Access to Information Act and which CBC received copies of, reveal that the demonstration story was just a story. According to the CBC and the documents, it was just an excuse. So it appears the minister did use the helicopter.

What funding announcement could have been so important that the minister's presence was required in London urgently enough to justify the use of a rescue helicopter for half an hour? Were Canadians drowning?

Mrs. Shelly Glover (Parliamentary Secretary to the Minister of Finance, CPC): Mr. Speaker, I would like to thank the opposition member for asking this very important question and providing me with the opportunity to set the record straight with regard to the use of government aircraft.

Taxpayers demand that their government representatives manage the country's business at a reasonable cost. The government takes this very seriously. Government aircraft are used for government activities. They are used when it is not possible to take a commercial flight. This applies across the board to all ministers, including the Prime Minister.

Furthermore, the minister, like the Chief of the Defence Staff, uses his time on board government aircraft to do the tremendous amount of daily work that goes along with his duties. This work routinely consists of classified discussions and reviewing sensitive documents, and could not take place on board a commercial aircraft.

The Minister of National Defence has already been very clear on this matter. The minister must have in-depth knowledge of the daily problems faced by the Canadian Forces, including all aspects of search and rescue.

● (1855)

[English]

The minister was welcomed by the 103rd search and rescue squadron in Gander, Newfoundland in July 2010 to participate in a search and rescue training mission. During this time the squadron had two serviceable CH-149 Cormorant aircraft, one of which was in a high readiness posture for search and rescue. This visit involved less than one hour of flight time, as stated by the opposition member, and represented only a portion of the training typically done by the SAR standby crew during their day.

While 103 squadron was pleased to have had the opportunity to demonstrate its capabilities, this training mission, like any other, would have been immediately terminated had a distress situation arisen that required the CF's unique SAR capabilities.

Let me quote members of the Canadian Forces about this opportunity to showcase their skills and techniques to our ministers. Major Stephen Reid said:

The flight would have been flown regardless of whether or not the minister was included because the squadron conducts two training events per day as part of a regular routine. In this case, a new flight engineer required hoist training, therefore the training intentions were well matched.

He also said:

This was an opportunity for us. We took it, and I think it was great. I personally had a chance to have five or 10 minutes with him after we shut down to give him the latest update on our squadron and the issues we were facing. This was valuable to us, and that's totally appropriate in my mind.

Or listen to what Warrant Officer Morgan Biderman said:

As a SAR Tech, I appreciate the support the [Minister of National Defence] provides the [Canadian Forces] and I welcome future opportunities to conduct this style of contact training with any member of the government.

The government remains steadfast in its support for the needs of the military and in providing the resources it needs so that our troops can continue to do the important work that is asked of them. This requires taking every opportunity to familiarize the minister with this work, and I am very proud of the dedication that our minister shows to this important work.

[*Translation*]

Mr. François Choquette: Mr. Speaker, I would like to thank my hon. colleague, however, I am very disappointed by her answer. I have a great deal of respect for my colleague, but she did not answer my question at all. Her answer was extremely vague, and only feeds the scandal.

What we want to know is what important announcement did the minister have to make in London? If his travel to London was so urgent, what was the big announcement? Was the sky falling?

On the other hand, if, as the parliamentary secretary said, he had to do this trip for a search and rescue demonstration, these things do not happen with a half hour's notice; they are planned weeks or even months in advance. We know ministers have very busy schedules, so he would not have had time to prepare for such a demonstration with only a half hour's notice. These things must be prepared way ahead of time. All of these pretexts and answers are questionable. Once again, it is disappointing.

Adjournment Proceedings

I have another question. Why did the Minister of Public Safety not use another mode of transport, like a plane or something, to expedite his hasty return to work? We are completely in the dark with all kinds of questions and no answers.

• (1900)

[*English*]

Mrs. Shelly Glover: Mr. Speaker, perhaps the NDP members' rigid attention to their agenda actually prohibits them from doing good work with their constituents. We on this side are able to adjust because we take very seriously the needs of not only our constituents but certainly also the needs of our Canadian armed forces members.

I must say that this minister has been absolutely passionate about the things that he does in his daily work with the Canadian armed forces members. He has also taken some measures to reduce some of the use of government aircraft. In fact, across government, if we compare the situation with the previous Liberal government, the use of government aircraft has gone down by almost 80%, which is a huge number.

[*Translation*]

To come back to my original point, government planes are to be used for government activities and that includes their use by the minister so he can fulfill his many duties.

[*English*]

I want to finish by saying, once again, I am so proud of the Minister of National Defence, who is among the most recognized and most passionate about what he does. As the granddaughter of three World War II vets, I just hope that my grandparents had a minister who was so dedicated to his duties during their time of service.

[*Translation*]

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 7:01 p.m.)

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