



HOUSE OF COMMONS  
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OFFICIAL REPORT  
(HANSARD)

**Monday, April 22, 2013**



**Speaker: The Honourable Andrew Scheer**

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# HOUSE OF COMMONS

Monday, April 22, 2013

The House met at 11 a.m.

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*Prayers*

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## PRIVATE MEMBERS' BUSINESS

• (1100)

[*English*]

### RELIGIOUS FREEDOM

The House resumed from March 5 consideration of the motion.

**Mr. Deepak Obhrai (Parliamentary Secretary to the Minister of Foreign Affairs, CPC):** Mr. Speaker, it is my pleasure to rise today to support my colleague, the member for Lambton—Kent—Middlesex.

This is an issue of great importance to me, both in my role as a member of Parliament and as parliamentary secretary for foreign affairs. I am very pleased to be able to take a few minutes to discuss this motion that speaks to the question of human rights and to Canada's uniquely placed role in standing up for those who are prosecuted based on their religious belief.

It is clear that our government has been incredibly vocal on the issue of freedom of religion or belief around the world. We have made it a key objective of our foreign policy to protect and promote this universal right. As the Prime Minister has said:

There is a crucial and historical link between respect for religious pluralism and the development of democracy itself.

To this end, our government has spoken out consistently, and we have spoken out emphatically.

During the most recent UN General Assembly, the Minister of Foreign Affairs co-sponsored a high-level side event entitled Freedom of Religion or Belief: An Individual's Choice.

This past December, through our High Commission in London, Canada co-hosted the third meeting of the Istanbul Process with the U.K. and Wilton Park, which examined best practices in domestic implementation of the Human Rights Council resolution 16/18 on combatting intolerance and promoting freedom of religion or belief for all through inter-religious co-operation.

We are proud to have been a co-sponsor of the EU-led United Nations Human Rights Council and the United Nations General Assembly resolutions on the elimination of religious intolerance.

The repression of religious freedom is widespread, and it is increasing. We are deeply concerned about the situation in various parts of the world where individuals, including Ahmadis, Baha'is, Chaldeans, Christians, Copts, Falun Gong practitioners, Jews, Muslims, Rohingyas, Sufis, and Zoroastrians, among others, experience difficulty in their ability to worship and practise their faith in peace. We strongly condemn all attacks on places of worship, whether at temples, synagogues, shrines, mosques, gurdwaras, or churches. Canada cannot and will not condone such cowardly acts. It is of utmost importance that every individual is able to practise their faith in safety and security.

Our advocacy on the issue of religious freedom has been steadfast and ongoing.

As others have already mentioned, we have established the office of religious freedom within the Department of Foreign Affairs and International Trade. Under the leadership of Dr. Andrew Bennett, as Canada's first Ambassador of Religious Freedoms, the office will promote freedom of religion or belief as a core human right. It will encourage protection of religious minorities, and it will promote Canadian values of pluralism and tolerance around the world.

The office will advance policies and programs that protect and promote freedom of religion and belief, and it will focus on advocating for Canadian values of pluralism and tolerance abroad. In other words, it will reflect the very best of Canadian society, and it will show the world that we are determined to work for the day when everyone enjoys the rights and privileges that come with living in a free and democratic society.

In addition to creating the office of religious freedom, our government will also continue to stand by those who strive to make a difference in the world. It is why we established the John Diefenbaker Defender of Human Rights and Freedom Award, to recognize individuals who have shown exceptional leadership in defending human rights and freedom.

As members may know, the award was bestowed last year on Shahbaz Bhatti, a tireless defender of religious minorities in his homeland of Pakistan. Tragically, Mr. Bhatti paid the ultimate price for his dedication and courage. However, his life should serve as an example that, despite the risks, we must defend the rights of the afflicted and give voice to the voiceless.

*Private Members' Business*

The world needs to hear that voice, today more than ever. Time and time again, Canada has spoken out against discrimination and violations of freedom, including freedom of religion. We will continue to stand for what is right, not for what is easy, and to defend the principle of freedom of religion and conscience both in Canada and around the world.

I thank the House for the opportunity to discuss this motion, which I am very proud to support.

• (1105)

[*Translation*]

**Mr. Jonathan Genest-Jourdain (Manicouagan, NDP):** Mr. Speaker, the election-minded legislative measure currently before the House gives us food for thought. It makes us think about the tactics used to avoid public debate on major issues of creating and enforcing government policies and instead focus on topics with the potential to indoctrinate and brainwash the masses.

I will refer today to some concepts, such as trademarks and the political approach taken by the Conservatives in their current mandate. I will also talk about target audiences and the ensuing lobbying that is at the root of many amendments and legislative measures introduced over the past few years.

Members will agree with me that the Conservatives are in damage control mode right now and that Canada's rating is in free fall according to international authorities, including the United Nations, to name just one.

Over the past two years, whenever UN rapporteurs—on food safety or housing—have come to Canada, they have received a cold reception. These are major social issues. Those types of measures are excluded from debate and are neither up for discussion in the House nor subject to reasonable amendments by the government.

As we have seen over the past few months, everything is just for show. I have heard some rumours about a reality show on immigration to Canada and many other topics primarily chosen for being dramatic and introduced with great fanfare.

I will also talk about the advertising for Canada's economic development plan, our economic action plan, I should say, for which ads are broadcast during prime time. In short, everything is planned. It is a whole media operation. They try to show people smiling.

If we take a close look at the economic action plan ads, we can almost think that Canada is selling rolls of sod, since all we see is green space, trees, people smiling and people drinking water from the river as they canoe. Really, we even wonder if the Conservatives chose the green theme, because we know that our economic development actually relies primarily on natural resource extraction. That is the engine being promoted. This bill is no exception. The goal is to appeal to a specific segment of the population, with an eye on the election.

The Conservatives conducted market studies before undertaking these initiatives to ensure, first and foremost, that this would meet the needs expressed by one segment of the population and to please one sector of the Canadian electorate that has already shown an affinity for these things, but also to please certain newcomers.

I have a very clear message for newcomers. In fact, their allegiance and loyalty are of very little importance to the Conservatives. Their economic situation is what matters when it comes to assessing whether they can come to Canada. That is what I would like to tell them today.

Let us not kid ourselves: religious freedom for newcomers is enshrined in the Constitution. That is one of the backbones of our country. It is simply being reiterated. This is stating the obvious, and the Conservatives are reiterating something that is well rooted in Canadian tradition.

While inclusive ideals should be promoted in all public policies, the ostentatious aspect of the bill submitted for our consideration points to the vote-getting objectives and preconceived notions that characterize many initiatives brought forward by this government, which is abusing its majority.

When a government insists a little too much on its majority, when it tries to sell itself or boast excessively, quite often this is really to hide a lack of confidence or, at the very least, a weakness in its arguments.

It is my reflex as a practising lawyer to look for the weaknesses in an argument and continue to chip away at them non-stop in order to expand on and really expose all the details of those weaknesses, as well as the motivations behind these kinds of bills and amendments.

• (1110)

To the Conservatives, political action is akin to selling a product or coming up with a marketing plan to appeal to the target audience. We have seen it before. Many of the government's public appearances are a way of getting media attention. We see it often with aboriginal issues, to use an example I am familiar with. When historic meetings are held, the government always makes sure to have good representatives who are accommodating and submissive, who will make them look good in the photos and will help sell the product and help them gain an advantage. That is highly objectionable and is not limited to freedom of religion or to aboriginal issues. It can be seen in other areas as well.

There was a time when the government also did photo ops with fighter jets. Now that the Conservatives are in hot water on that topic, photo ops are a little more rare, but we used to see them. This issue is no exception.

It makes no sense to focus on freedom of religion, as it is already well established in this country. The whole point of this is to promote an agenda and detract the public's attention from important, essential and serious identity issues before us today.

*Private Members' Business*

Identity issues are often addressed privately or in secret. The public is kept far away from these issues and the government tries to distract them, much like a reality TV show. Instead of giving people things to think about, the government would rather spoon feed them. It simply puts dinner in the microwave and says that dinner is served, so there is no need to think because everything is done.

That is what we are seeing with freedom of religion. The government decides what the public should focus on instead of focusing on the oil sands or other potentially incendiary—no pun intended—social, environmental or cultural issues. The bastions of our identity are in jeopardy today.

Using a major identity issue as a distraction for short-term political gains only masks the many ethical inconsistencies and shows that a biased agenda is dictating this country's economic and policy directions.

The government knows that Canadians are fully aware that religious freedom is already enshrined and that it is one of the bastions of Canadian identity. There is a strong possibility that this religious freedom initiative is meant to appeal to new Canadians, who will not necessarily know that religious freedom is already protected in Canada.

As I said, the main message is that the Conservatives do not care that much about the faith of new Canadians. The deciding factor in whether or not they are accepted to become Canadian citizens is their economic situation, which is unfortunate. However, that is how things work in 2013.

I submit this respectfully.

[English]

**Hon. John McKay (Scarborough—Guildwood, Lib.):** Mr. Speaker, the statement from the member for Lambton—Kent—Middlesex is actually a good statement that is worthy of support on the part of our collective here. It highlights a couple of things that need to be brought forward in a place of debate such as this.

I will take it from two points. The first has to do with its impact as a domestic, aspirational statement. The second is with respect to its positioning in our foreign policy.

The first point, with respect to our own domestic society, is that we live in a pluralistic society, a far more pluralistic society, Mr. Speaker, than when you and I were growing up, in which the religious divide was essentially Catholic and Protestant. Now the religious divide is multi-faceted. I point to my own riding as an example. At Markham Road and Highway 401, to the left is the Armenian place of worship. On the right is the Taiwanese cultural centre. Further down that street is a huge evangelical community, where literally hundreds of people worship on a Sunday morning. On the left-hand side is a substantial Tamil community. On the right-hand side is the Salvation Army. Further down on the left-hand side is a huge mosque.

This may unintentionally act as a message to our own society that we have to practise pluralism. We have to not just believe in it, talk about it, think that it is a good idea and just tolerate one another; rather, we have to actively encourage it and actively participate in our society. In my riding, many of my constituents come from

communities where that is not a belief and where a particular religion is the dominant religion and the belief is that all other religions need to be expunged or moved out of that country.

This is an aspirational statement, but it is an aspirational statement for our own society in particular.

The second point is its positioning in the greater panoply of human rights, particularly as we express our human rights in foreign affairs. We can literally go on a world tour. The government's initiative, particularly the Office of Religious Freedoms, is important. How it is going to play through with other equally if not as important initiatives, particularly rights initiatives, has yet to be seen.

Religious rights conflicts around the world are complicated. For instance, this week we are receiving a delegation from Myanmar. Some of us just returned last month from Myanmar. The conflict there is between Muslims and Buddhists, in a country where poverty and corruption are rampant. Is it a religious, economic or ethnic conflict?

Iran seems to be a source of conflict for the Kurds. Is that a religious conflict, or is that a conflict involving their aspirations to have their own country, even though the people share the same Muslim faith. Similarly, in Iran, there is Shia versus Sunni. Again, we see the influence of Iran and Iraq. The only thing they actually seem to agree on is that they should run all the Christians right out of the country.

**Mr. Brian Jean:** There are also the Baha'i.

**Hon. John McKay:** Baha'i is another example.

In Syria, there is a conflict between the Sunni and Shia but also a conflict between the Alawites and the rest, and a conflict between the Christians and the Druze. Is that an expression of religious conflict, ethnic conflict or economic conflict?

•(1115)

If we move on to Israel, there is a conflict between Judaism and Islam. The Coptic Christians are not doing very well in Egypt, in spite of the so-called Arab Spring. While the Muslim Brotherhood might like to eliminate Christianity from that part of the world, it is still a conflict of ethnicity and an economic conflict.

While I congratulate the government on its efforts to bring these kinds of conflicts to the fore and actually speak to the religious component of these conflicts, I do not know how it is going to speak in a way that is coherent and respectful of a variety of other aspects of these conflicts, whether it is ethnic, racial or religious. If we just focus on the religious conflict, I do not know whether it will move the ball forward or have no impact whatsoever.

Mr. Speaker, as you know, I am substituting for my colleague, the member for Mount Royal, who is far more articulate than am I. Had he been able to be here, he would have read into the record his own views. His point is that this motion does not, frankly, go far enough. He states:

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M-382 makes no mention of any of the other fundamental human rights contained in Articles 18 of the Declaration of Human Rights and the International Covenant on Civil and Political Rights, the two documents to which this motion makes express reference. Freedom of speech, the freedom to peacefully assemble, the freedom to marry—or choose not to marry—the freedom to participate in civil society and to take part in the government of one's country, the right to an adequate standard of living, the right to be free from discrimination on the grounds of race, gender, or sexual orientation. Indeed, this motion appears to be unnecessarily limited when considered in relation to the very international documents to which it refers. Mr. Speaker, I want to emphasize that I support this motion without hesitation because the principle of religious freedom should without a doubt be a foundational element of Canadian foreign policy. It is a fundamental human right and it must be promoted...as such.

Then he introduces the big but, and goes on to state:

But, Mr. Speaker, our foreign policy must take a broader view—we must not elevate one human right above all others.

In that respect, I agree with him that we must not emphasize one right above all others. We are in kind of a strange situation in our own, so to speak, post-Christian society. We are a pluralistic society. We are post-Christian, and 20% to 25% of our population says that it does not identify with anything, so the promotion, understanding and application of pluralism is foundational to the success of our society.

The hon. members presenting this motion are right in the sense that in the process of recognizing that we are a post-Christian pluralist society, we should continue to recognize the importance of faith as a core component of many people's lives, not only in our society but in the broader foreign policy context.

A lot of the conflicts I enunciated over the past couple of minutes are core to the belief system, the value system and the cultural expression of those people. To live in kind of a western blindness to the importance of faith to many of the people living in those countries, many of whom come from those countries to our own, is quite naive.

As I say, this is an aspirational statement. It is an important statement to support. I congratulate the hon. member for bringing it forward, and I hope that other members will see that the expression of religious freedom is, in fact, something we need to practise.

• (1120)

**Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC):** I am speaking in support of this excellent motion. I generally agree with much of what my colleague has said on this and many other issues. However, today I want to take issue with something he said when speaking on behalf of another member, who was not able to be present today. I take issue with the assertion that this is one right among many.

I maintain that freedom of religion, of conscience, and of thought, including the right to be an atheist and have no religion, is a fundamental right, and all others stem from it. If we cannot believe that which seems to be the truth, which to a religious person is God's own truth, and if we cannot express that and try to convert others from what we believe are mistaken beliefs to our beliefs, then no other freedom is of any meaning. That is the foundational belief.

I have always believed that. I have a great and intense personal interest in freedom of religion and religion in general, which perhaps comes from my own background. My father was raised a Baptist. My mother was Jewish. I was raised as a Unitarian. I like to sometimes joke that I am perhaps the world's only Unitarian

fundamentalist, which means that I take very seriously the idea of looking into other faiths and trying to understand what they have to say, on the theory that there is something worthwhile in all of them.

With that in mind, I have a bookshelf in my office devoted exclusively to texts on religion. I have brought some of them to the House today. I have a couple of copies of the Koran, one in verse and one in prose; a Bible; a Book of Mormon, and a whole shelf of books on Buddhism, including an excellent one entitled *What the Buddha Taught*, by a Theravada monk, Walpola Rahula, which, according to my notes, I read back in 1988.

My very first Standing Order 31, back in 2001 when I was first selected, was on the issue of the persecution of Falun Gong practitioners by the Chinese government. I chaired the Canadian Parliamentary Coalition to Combat Antisemitism in 2010-11, which included looking into our chairing an international meeting on anti-Semitism.

For five years, I have been the chair of the human rights subcommittee of the House of Commons, which gives me a chance to look at that giant smorgasbord of human rights abuses that goes on around the world. There is so much to choose from. However, by consent of all the parties, our committee has agreed to look at, among other things, rights persecutions in Burma, which are partly ethnic and partly religious; the persecution of the Copts in Egypt, on which we are just now examining a draft report; the persecution of Christians in a number of Muslim states; the persecution of Tibetan Buddhists, and one could dispute whether it is religious or national persecution, but I think it has a bit of each; the persecution of the Falun Gong; and the persecution of a variety of religious groups, including Christians, Jews, Baha'i, and other forms of Muslims in Iran, on which we have spent a bit of time.

All of this causes me to want to focus on section (b)(i) of the motion put forward by my colleague from Lambton—Kent—Middlesex

Section (b)(i) urges the Government of Canada to:

support...the opposition to laws that use “defamation of religion” and “blasphemy” both within states and internationally to persecute members of religious minorities,

I want to spend the rest of my presentation making seven points on why this is an excellent proposal and why we should be opposed to this idea.

First, based on all of the experiences I have had, it seems clear to me that religious persecution is the most pervasive and widespread form of human rights abuse worldwide. There are many other forms of abuse, such as racial, gender-based, and the abuse of sexual minorities and national minorities. However, the number one form of persecution, by far, in terms of the number of people persecuted worldwide is persecution, on the basis of religion, of those who practise a faith the state does not approve of, and more particularly, of those who try to convert others to their faith when the state does not want that to happen.

Second, all major religions and some minor religions, such as the Baha'i, face at least some persecution in some parts of the world. The only exception I can think of to this rule is Shinto, which is practised exclusively in Japan.

*Private Members' Business*

●(1125)

If our goal is to assign guilt, and this is point number three, then it is also true that advocates of all major religions are, or in the past have been, guilty of repressing others.

Atheists have been and continue to be among the world's worst oppressors of religious minorities. I draw the attention of the House to North Korea, an atheist regime, and the People's Republic of China and its oppression of Christians, Tibetan Buddhists, Muslims in the Uyghur region and Falun Gong practitioners to make the point. That is probably the world's largest source of human rights abuse right there: atheism. We might want to look at Stalin's Russia, Pol Pot's Cambodia and so on.

The reverse is also true, and this is very important. Members of each faith have done much to assist others to carry on their own faith. If we want to see how true that is, we should go to the Avenue of the Righteous Gentiles in Jerusalem to take a look at the people who are commemorated there. We will see members of all religions, including atheists, many Christians, some Muslims and some people who are members of none of those religions.

In a debate such as the one we are having here, I do not think there is any value in looking at it in terms of which group is being defended or which group is being attacked as we go through the discussion. It is important to understand the principle involved.

Point number five is this: religions are explanations of how the universe works. It is conceivable that every religion is wrong, but it is objectively impossible that all of them are right. How we who are involved in the system of drafting laws deal with this and with the fact that advocates of each version of the truth feel themselves morally compelled to defend their own version of the truth and to speak on its behalf is the real subject of this debate. This includes particularly how we deal with attempts to convert members of one religion to another.

To make this point, two of the books I have brought today, the Koran and the Book of Mormon, may both be wrong, but they cannot both be true. It may be the case that advocates of the one will try to convert members of the other faith. They may feel themselves compelled to try to convert members of the other faith to theirs, even see it as their highest moral duty. They cannot do so without saying, "The faith you currently hold is false to the extent that it is inconsistent with the faith that I hold". It is impossible for them to do that.

However, the United Nations Human Rights Council looked at making that illegal and tried to incorporate into international law a forbidding of engaging in that kind of fulfilment of one's own moral duty.

On March 27, 2008, UNHRC passed a resolution—which was not endorsed by Canada, I should emphasize—that stated as point 12 that "...everyone has the right to freedom of expression, and...the exercise of this right carries with it special duties and responsibilities, and may therefore be subject to certain restrictions, but only those provided by law and necessary for the respect of the rights or reputations of others...", by which it means other religions.

●(1130)

"The rights or reputations of others" means not saying another individual's religion is false to the extent it is inconsistent with one's own religion. That means the jailing, in some cases perhaps even execution, of people who are merely expressing their own religion as they believe they are compelled by God's law to do, and the authorization of that oppression by international law. That is what Canada must take a stand against.

I feel that way. I hope the entire House feels that way. I will point out that if so, we will not be alone. In 2009, another resolution of a similar nature was condemned by more than 200 civil society organization from 46 countries, including members of Muslim, Christian, Jewish, secular, humanist and atheist groups, and similar condemnations have continued since that time.

I will make a final point. If anyone believes that their belief system is the absolute truth, whether it is their religion or whether they are atheists who believe that all religions are false, then they must, by necessity, also believe that in a free marketplace of ideas, their views will prevail in the end. If a person believes that their views will prevail in the end because they are the views expressed by God himself or because the person believes they are a logical conclusion of reason, then the person must believe that there is no need to oppress others. Indeed, it is counterproductive.

On that basis, I encourage all members to vote for this motion.

●(1135)

[*Translation*]

**Mr. Robert Aubin (Trois-Rivières, NDP):** Mr. Speaker, this motion before us for discussion today is an odd one. Perhaps instead of calling it "odd", I should refer to it as "curious".

I would like to read the first few lines of the motion and, in all likelihood, my colleagues will wonder why we are debating this kind of motion this morning. I know I did. It states:

That, in the opinion of the House, the government should: (a) continue to recognize as part of Canadian foreign policy that...

You do not need to have a degree in linguistics to know that "continue to recognize" means that it is already happening. If necessary, perhaps we could reaffirm the fact that we will continue to do what we are already doing, but that seems to me to be a given. The motion goes on to state:

...continue to recognize...that (i) everyone has the right to freedom of religion and conscience, including the freedom to change religion or belief, and the freedom to manifest religion or belief in teaching, worship...

In my opinion, that is already guaranteed by the charter. A bit further on, the motion states:

...continue to recognize...that...(iii) Article 18 of the Universal Declaration of Human Rights and of the International Covenant on Civil and Political Rights be supported...

Again, it is a question of continuing to support something that we are already supporting.

The motion goes on to say:

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...(b) support (i) the opposition to laws that use "defamation of religion"...to persecute members of religious minorities, (ii) reporting by Canadian missions abroad in responding to incidents of religious violence...(iv) the maintaining of a regular dialogue with relevant governments to ensure that the issue of religious persecution is a priority, (v) the encouragement of Canadian embassies to seek contact with religious communities and human rights organizations on gathering information related to human rights abuses...

One of the problems with this motion is the use of the word "support", which seems much too weak for this kind of situation.

This motion contains a series of revelations confirming what we already knew in whole or in part and what we were already doing, I hope. Why, then, does the government need to politicize the concept of religious freedom or any other freedom, for that matter? Are these freedoms not all universal?

Great periods in the history of western society have gone a long way toward entrenching these fundamental principles in modern society. Typically, pondering such matters has been the pursuit of philosophers, not politicians. To rediscover the genesis of these freedoms, let us review the milestones that led to our concepts of modern freedom.

Greek thinker Plato, whom many consider to be the father of philosophy even though many had gone before him, wrote that the only way to ensure public happiness was to ensure equality. Therein lay the seed of our great liberties, at least in spirit.

Nicholas of Cusa, an early proponent of humanism, was famous for being the first to say that men are born free and equal. Then came the Enlightenment and Voltaire, who wrote about religious tolerance and gave us the great universal principle: "Do not do unto others what you would not have them do unto you." He argued that, according to that principle, one man could not say to another: "Believe what I believe and what you cannot believe, or you will perish."

Still, the pages of history are filled with unacceptable stories of people who suffer and die because others believe they themselves possess the truth. There is nothing more dangerous than those who believe they possess the truth, no matter which organization they belong to. Around the world, people destroy temples, forbid the construction of minarets, confiscate belongings, engage in ethnic cleansing and, worst of all, kidnap, rape and kill their fellow human beings, all in the name of religious truth.

No one who considers himself to be religious or a humanist can support such actions. All the major religions, when they are not being exploited, condemn these actions, which fly in the face of love and respect for others. I would even go so far as to say that, in my region at least, people are unanimous on this issue. For that reason, we are wondering why this motion was moved this morning.

• (1140)

I would like to come back to the motion before us today. Why do the Conservatives feel it is necessary to politicize an issue that is generally or unanimously supported?

In 2011, the Conservatives promised to create, within the Department of Foreign Affairs, an office of religious freedom with the mandate of fighting religious persecution in the world. That is quite the challenge. How will this be done? No one seems to know

the specifics. I was told that the office will have three key priorities, which are, first, to protect and advocate on behalf of religious minorities under threat; second, to oppose religious hatred and intolerance; and third, to promote Canadian values of pluralism and tolerance abroad.

I am eager to see how much money will be allocated to such important measures. The Conservatives cannot simply move motions that are all smoke and mirrors if they do not intend to then take action. Let us be clear: no one can oppose virtue.

However, we are concerned about the influence of the religious right within the Conservative Party and, by extension, within the government and even within this new office. I will not go so far as to make a direct link between the two, but it is rather interesting to note that the Conservative government recently made the decision to reduce the funding for hiring non-Christian chaplains in prisons. When I was young, I was always told that charity begins at home. Before preaching to others, we need to make sure that we are a credible role model.

What is more, it remains to be seen how separate the office and the Department of Foreign Affairs will be. If the government decides to focus its foreign policy on religious freedom, it cannot do so to the exclusion of other rights.

Here again, the age of enlightenment opened our eyes and showed us the way through the writings of John Locke, who provided an excellent explanation of the need to separate church and state. In keeping with his social contract theory, Locke said that a government does not have authority over matters of individual conscience since a rational person cannot transfer control over such matters to a government. According to Locke, individual conscience is a natural right that must be defended against all government authority.

In that respect, the NDP will ensure that the principles entrenched in the UN Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief are upheld. Freedom of belief also means that an individual has the right to not hold religious beliefs and to profess this on his own or with others.

The NDP supports this motion and will ensure that defending religious freedom does not conflict with other human rights such as women's or workers' rights.

If freedom of religion were to take precedence over other freedoms, I would already be worrying about the hierarchy of such rights. With all due respect, I have to admit that I find it very difficult to prioritize religious freedom, freedom of expression and freedom of association, among others. Much of the persecution of our fellow human beings is directly related to religious strife where the majority dominates a minority.

Do we really need religious freedom or do we need to prevent the abuses of these religious majorities?

No major religious organization has provided unqualified support for the Office of Religious Freedom. Like us, they are reserving judgment on the merits of the office and its work.



This is an ambitious challenge and the motion is certainly commendable. However, I fear that the Conservative government's concern for human rights is more about being re-elected than about the professed noble and altruistic motives.

However, today I will simply express my fears, and I will not launch into a diatribe that could diminish my arguments.

Mr. Speaker, time is flying and I will stop now. I would like to thank you for your attention and reiterate that I am very pleased to participate in the democratic life of a society such as ours, where the freedoms I spoke about at length are part of our everyday life.

• (1145)

[English]

**Mr. Bev Shipley (Lambton—Kent—Middlesex, CPC):** Mr. Speaker, first of all, it has been an honour to have presented this bill and to have heard the diversified speeches throughout this House. I also want to thank my colleague from Cypress Hills—Grasslands, who has not only supported the motion on the floor but has been a great support as we moved forward with it.

As we have all acknowledged throughout the debate, Canada is one of the greatest countries because we have the freedoms and prosperity that, for many of the countries we are going to talk about, this motion would support. The motion is based on those values that contribute to a society, values that in Canada we just take for granted. It is a society that is built upon the fact that one can have a belief in one's religion without persecution. It is a society where one can have one's religion, and we have spoken about the variety, or decide to change it without being persecuted. This motion is about human dignity, which is something that should be afforded to anyone in any country.

The motion does not politicize, but it helps us understand the responsibility we would have as Canadians to help citizens in other countries through persuasion. We do not have legislative authority in other countries, but we can join other free democracies, like the United States, Germany and European countries. We can help influence and show what is so good in Canada, and we would like to see that for those citizens who get persecuted in other countries.

I would also like to acknowledge the appointment of Dr. Andrew Bennett to the Office of Religious Freedom. He has been charged with an incredible responsibility, and it will not come without its challenges.

When we reach out across the globe, 70% of the population within countries actually have high restrictions on their religion or their ability to change it. There are governments that say what religion is to be followed, and if one opposes it, one becomes persecuted. It is not like Canada, where there may be some discrepancies or words that are said. We are talking about countries where people are beaten and tortured, women are raped and people are killed because of the religious belief they have or want to change.

In Canada, freedom of conscience and religion has been enshrined in many of our covenants, and those have been mentioned today. We want to promote these values of freedom, democracy, human rights and the rule of law in other countries to help protect and allow people in those countries who have a belief to have the same abilities and freedoms we have in our democracies.

### Government Orders

I will wrap up by thanking those who have taken the opportunity to speak. I want to thank those who have stood up and said that they would support Motion No. 382. I would like to thank Dr. Bennett for his charge of carrying this forward. I would also like to thank the Minister of Foreign Affairs and others who have taken on this initiative, as well as the Prime Minister, who announced that this was going to happen in the last election. I am thankful and I look forward to the support of all parties in this great place in Canada.

• (1150)

**The Deputy Speaker:** Is the House ready for the question?

**Some hon. members:** Question.

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

**Some hon. members:** Agreed.

**Some hon. members:** No.

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

**Some hon. members:** Yea.

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

**Some hon. members:** Nay.

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

*And five or more members having risen:*

**The Deputy Speaker:** Pursuant to Standing Order 93, the division stands deferred until Wednesday, April 24, 2013, immediately before the time provided for private members' business.

#### SUSPENSION OF SITTING

**The Deputy Speaker:** The House will now stand suspended until 12 noon.

(The sitting of the House was suspended at 11:53 a.m.)

#### SITTING RESUMED

(The House resumed at 12 noon)

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## GOVERNMENT ORDERS

• (1200)

[English]

### COMBATING TERRORISM ACT

The House resumed from March 28 consideration of the motion that Bill S-7, An Act to amend the Criminal Code, the Canada Evidence Act and the Security of Information Act, be read the third time and passed.

**Ms. Candice Bergen (Parliamentary Secretary to the Minister of Public Safety, CPC):** Mr. Speaker, I am pleased to rise today to speak in support of Bill S-7, the combatting terrorism act.

### *Government Orders*

As the world unfortunately witnessed last week, terrorism is still a very real evil threat that continues to threaten the world. The horrific bomb blast at the Boston Marathon and the terrifying aftermath that crippled the city have again demonstrated what terrorists strive for, which is the deliberate infliction of death or suffering upon innocent people to further some misguided cause. These horrendous acts of violence must stop, and the perpetrators who commit them must be punished to the furthest extent of the law.

It is precisely to prevent the scourge of terrorism from wreaking havoc in Canada that all members of the House need to stand together and support the enactment of Bill S-7.

The enactment of Bill S-7 would bring back the investigative hearing, which is a procedure whereby a peace officer may apply to a judge for an order for a person to attend before the judge and be questioned in order to gather information or to produce a thing before the judge. The order can only be made where the judge is satisfied that there are reasonable grounds to believe that a terrorism offence has been or will be committed. Thus, it applies to past as well as future terrorism offences.

This power contains numerous safeguards, such as the right to counsel and strong protections against self-incrimination. The bill adds safeguards that are not present in the original legislation. One of the key new safeguards is that in all cases, before granting the order to gather information, the judge must be satisfied that reasonable attempts have been made to obtain the information by other means. This is an important safeguard.

Bill S-7 also proposes to re-enact the recognizance with conditions. This is intended to disrupt terrorist activity from occurring. This provision would allow a peace officer, who believes on reasonable grounds that a terrorist activity will be committed and suspects on reasonable grounds that the imposition of a recognizance with conditions on a person is necessary to prevent the carrying out of a terrorist activity, to go before a judge to have the judge compel the person to attend before him or her. At a hearing the judge then determines whether to impose the recognizance on the person. This tool is a modified variant of other peace bond provisions found elsewhere in the Criminal Code.

The bill also proposes to create new terrorism offences that are designed to focus on the problem of Canadians going abroad to commit terrorism outside Canada. Unfortunately, we are all too aware in recent months of examples of such heinous behaviour.

Bill S-7 proposes to create four new terrorism offences to help address this issue. These are the following: leaving or attempting to leave Canada for the purpose of knowingly participating in or contributing to any activity of a terrorist group, for the purpose of enhancing the ability of any terrorist group to facilitate or carry out terrorist activity; knowingly facilitating a terrorist activity; committing an indictable offence for the benefit of, at the direction of or in association with a terrorist group; and committing an indictable offence that constitutes a terrorist activity.

These are very important new laws that need to come into place, as we have seen what has gone on over the last week in Boston as well as even here at home. These are really important amendments

that need to happen. Bill S-7 would bring these amendments forward.

These new measures are intended to prevent a person from leaving the country to participate in certain terrorism offences. It would make more robust the legal authority to arrest and prosecute a person who has left Canada or who is attempting to leave Canada for the purpose of, for example, attending a terrorist training camp.

Communities are asking us for this. Communities across the country are concerned when young people are being radicalized and leaving the country for this purpose. They want Canada to have strong laws in place to stop this. We really appreciate the fact that communities are working together with us.

The penalties for these offences would send a strong signal that leaving the country to engage in terrorist activity is unacceptable.

• (1205)

Bill S-7 also proposes amendments to fulfill parliamentary recommendations that were made following a parliamentary review of the Anti-Terrorism Act, and amendments to the Canada Evidence Act that are proposed in order to bring the act in line with court rulings. The provisions in Bill S-7 have been drafted with due regard for the Constitution of Canada. For example, the new terrorism offences found in the bill have stringent requirements, such as proof as purpose to do wrong.

The investigative hearing and the recognizance with conditions have several due process guarantees built into them and require annual reporting on their use by all governments, federal and provincial. As well, Bill S-7 requires Parliament to review the investigative hearings and the recognizance with conditions. We can see that there are strong and numerous safeguards built into this important piece of legislation.

In closing, I would like to express my deepest condolences to all of those who have suffered as a result of the despicable acts that occurred in Boston this last week. I hope, as I know all members of the House hope, that Canada will never have to suffer as Boston as suffered over the last week. We can only hope, though, that if such a terrible event were to happen in Canada, or if Canada were to become a target of terrorism, we would act as Bostonians have, with great courage and great resolution.

The way that the city has come together has been an inspiration for all of us. They have shown the world that fear would not define them. I would hope that Canadians, if such a thing would happen, would do the same thing. I would like to commend the Bostonians and honour them for what they have done, as a city and as our American neighbours.

At the same time, I would like to say that it is so important to ensure that Canada has the necessary laws and tools to prevent such a heinous attack. We want to make sure we are fully prepared and that we can combat terrorism and possible future terrorist acts, as well as making sure that anyone who has been involved in terrorist acts in Canada is dealt with. We have to ensure that the evildoers are met with the justice that they deserve. Otherwise, we as parliamentarians have failed our most basic duty, and that is to protect Canadians.

*Government Orders*

Therefore, I urge all members of the House to support the immediate and long overdue enactments of this important bill.

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, thinking about my dear friends in Boston, as people all over the world are thinking of Boston, I would like to refer my hon. colleague to the editorial in today's *Globe and Mail*. It says the two-day debate in Parliament on the government's proposed anti-terrorism legislation "smacks of political opportunism, and it is regrettable that it will take place. The debate politicizes the Boston Marathon bombings when few facts are known [...] The sole apparent purpose of the debate is to attempt to embarrass [the new political leader], and to cash in on any public fears caused by the bombings".

*The Globe and Mail* calls on Parliament to take the time to reflect on this bill and not to use it just to embarrass the fuzzy thinking of the Liberal leader.

I would like to ask my hon. colleague to work with us in ensuring that the bill is reviewed properly instead of it being used for political fodder.

**Ms. Candice Bergen:** Mr. Speaker, I am disappointed that would be the first question my colleague would ask me. I am not surprised, but I am disappointed.

The fact is, as we have seen over this last week in Boston, as well as in London, Ontario, and there are other examples, we know that terrorism and the threat of terrorism is not something that only affects countries far away. It has had a terrible effect and terrible consequences right here in North America. Our neighbours have suffered terribly.

Our job as parliamentarians, and we as Conservatives take our job very seriously, is to make sure that Canadians are protected and to make sure law enforcement have the tools they need, whether it is CSIS, RCMP or investigators locally. That is the job that Canadians have asked us to do.

This is an important amendment. It is an amendment that was part of the original legislation. Again, the Liberals recognized that it was important. At this time, when a lot of the threats are not known, when police and law enforcement are investigating, they need these tools. There are strong safeguards, but they need the tools to be able to question potential threats. They need to be able to stop these potential threats, which is the recognizance with conditions portion, again, only with the approval and the consent of a judge, and they need other safeguards in place.

It is too bad that the NDP does not seem to understand that terrorism is a threat. We have seen it over this last week. It is not just a notion. It is not just something for academics to talk about.

It is time right now for parliamentarians to act, to give law enforcement the tools they need, to bring back important provisions into the Anti-terrorism Act, including the new laws that would make it an offence to leave the country to engage in or be trained in terrorist activity. These are important and timely measures. It is extremely disappointing that the NDP does not see this.

I am hoping I will hear that the Liberals will continue to support this. I know they have indicated previously that they would support it.

It is disappointing, not surprising, that the NDP will not support it. The legislation was before committee and we did study it thoroughly. I know that some of my NDP colleagues, and other colleagues, the critic for public safety, were there and they asked questions. We heard over and over that this was an important piece for law enforcement.

If the NDP members have more technical questions about the bill, we understand that. We would be happy to answer those questions. We are prepared, because we believe it is a good piece of legislation. However, to out and out say they are not going to support it then I would say that if they want to talk about who is politicizing something they need to look in the mirror.

• (1210)

[*Translation*]

**Mr. Dany Morin (Chicoutimi—Le Fjord, NDP):** Mr. Speaker, I first want to echo the comments made by my colleague from Timmins—James Bay, for I too believe that the Conservative government's decision to bring this debate back to the forefront smacks of partisanship.

What we have before us is a government that is using the terrible tragedy that took place in Boston for partisan purposes. On the one hand—and this ties into the question I want to ask my Conservative colleague—I will demonstrate that this government is not very proactive on terrorism.

It cut \$143 million from the Canada Border Services Agency budget, and 325 jobs were lost at border crossings across the country. The intelligence branch lost 100 jobs and 19 sniffer dog units, which could have protected Canada by preventing terrorists from entering our country.

Why does my colleague think the government is, on the one hand, using the terrible tragedy in Boston to try to boost its image, while on the other hand quietly eliminating the jobs of inspectors who could prevent terrorists from entering Canada?

[*English*]

**Ms. Candice Bergen:** Mr. Speaker, that is pretty remarkable coming from a member on that side of the House, when every time we try to bring forward legislation that supports law enforcement, as is evident today, members vote against it and do not support it.

The fact is that we have increased front-line officers at the border by 26%. However, it is no surprise that when the NDP members do not have a valid argument for their shallow dismissiveness of a very serious threat, they spew inaccurate talking points. It is this government that has time and time again given more resources to law enforcement, whether it is at the border or it is the RCMP, with Bill C-42. There have been legislative changes, whether we are talking about legislative changes to support victims, or in this case, where we are bringing forward legislation that has been asked for by law enforcement across the country who know terrorism is a real threat. They have asked for this legislation, and the members opposite have voted against it.

If NDP members want to argue against the legislation, go ahead. I would be happy to debate any one of them head-to-head on this legislation. Instead, what are we hearing from them? We are hearing that we do not need to do it right now.

*Government Orders*

Last October, the NDP member for Brome—Missisquoi expressed his reservations for this legislation by saying, “since 2007, nothing has happened in Canada. The country has not been subject to terrorist attacks”. Frankly, that kind of irresponsible head-in-the-sand attitude is not only disappointing, but it is very troubling. I think Canadians will look at the NDP members and look at their reaction.

When they have a chance to support important legislation, they could do one of two things. They could support the legislation or they could stand up and give an informed and intelligent response. However, what we are hearing so far today is pretty shallow, and I would say intellectually bankrupt.

• (1215)

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, it is somewhat interesting that we have had this legislation sitting on the books for quite a while. The Liberal Party has indicated its support for the legislation.

However, the government chose last Friday, an hour before the House was going to adjourn, to raise this issue. We were supposed to be debating a motion today dealing with democracy and reform. However, the Conservatives used the excuse to say it is because of the Boston incident, which every Canadian from coast to coast to coast would acknowledge is horrific and for which they want to see consequences, to bring this issue forward. They did not say they would bring it forward on Friday or last Thursday; they wanted to bring it in on Monday. I will explain why I think that is the case when I get the opportunity to speak.

If the bill were to pass today, would the government then go back to an opposition day tomorrow? Would that be the inclination of the government?

**Ms. Candice Bergen:** Mr. Speaker, I want to begin by assuring both the NDP and the Liberals that this is not about them. They need to stop the navel-gazing and thinking the whole world revolves around them, because it does not.

Here is what we are doing with this legislation. We are giving law enforcement the tools they need and that they have asked for time and time again. The initial Anti-terrorism Act was under the Liberals, and that was sunsetted. I hope my hon. colleague from the Liberal side would indicate that even under his new leader they will still support this important piece of legislation and these amendments.

It is perhaps hard for the opposition to understand, but when we are in government, we have to make the right decisions and we have to make them at the right time. It may sometimes be easier for them to sit and pontificate about what might be causing all of this, but this government will act. We will act decisively. Law enforcement needs these tools. They need these provisions. We will move swiftly to make sure it happens. We will not be deterred by the opposition's constant wondering if it is all about them, because it is not: it is about the people of Canada.

[*Translation*]

**Mr. Dany Morin (Chicoutimi—Le Fjord, NDP):** Mr. Speaker, I will be sharing my time with the hon. member for York South—Weston.

I would like to begin by expressing my condolences on behalf of the NDP to the families and loved ones of all those who were injured or killed last week in Boston. What a terrible tragedy.

When I heard the news, the first thing I thought of was the final message left in a letter to Canadians from our former leader, Jack Layton. He said he hoped our world would have more love and less hate, more hope, less despair and more compassion. When I heard about what happened in Boston, my first thought was that we still do not live in that kind of society.

Parliament has already brought in anti-terrorism legislation and I am so happy that it has been successfully protecting Canadians and the Canadian government for the past 12 years. My initial stance is that Canada's existing anti-terrorism laws are satisfactory and adequate. That is one reason the NDP will be opposing this bill.

As my Liberal colleague mentioned earlier, this bill comes out of nowhere. We have not heard anything about it since December. Now, suddenly, the Conservative government is exploiting the Boston tragedy for partisan purposes. I am disgusted by this display of partisanship, which has no place in Canada.

We are still waiting for the House of Commons to raise the level of intellectual debate in Canada. While I believe the Conservative government cares about the safety of Canadians, its decision to bring Bill S-7 back into the spotlight stinks of partisanship. I strongly condemn that decision.

I hope the people at home realize that. I hope they will not think the Conservatives are white knights sworn to protect Canadians from terrorism. If the Conservatives were really in power to protect people from terrorism, they would not have waited until April to dust off this bill, which has been on the shelf since December.

A responsible Canadian government would not have kept hitting the snooze button until tragedy struck somewhere else in the world. It would not have made a last-minute decision on a Friday afternoon to discuss terrorism on the very next business day. That is poor planning. A responsible government would step up and introduce good bills.

Bill S-7 is not wholly without merit. Nonetheless, the Conservative government and the parliamentary secretary had no business saying that the NDP's approach was not serious.

To prove just how serious the NDP is, I will point out that when this bill went to committee, the NDP put forward 18 amendments to improve it. Neither the Liberals nor the Conservatives proposed a single amendment. In committee, the NDP fought tooth and nail to debate and improve this bill.

As I said, nobody is against doing the right thing. We want to protect Canadians from terrorist acts. However, we have to be careful, because passing this kind of bill can cause major problems in terms of freedoms. I am not talking about the freedoms of actual terrorists. It is clear that real terrorists must immediately be handed over to police or even military authorities, depending on the circumstances.

*Government Orders*

• (1220)

I have particular concerns about people in a position of power. We know that the Conservative government, which is in a position of power, abuses Parliament, which is supposed to be democratic. Last week, the Conservatives invoked closure for the 31st time. That is a Canadian record. Congratulations on killing democracy bit by bit.

I am concerned that Bill S-7 will give this type of freedom to the Conservative government and will create problems that will become clear only in a few months or years. By then it will be too late, because other problems will have been created.

Earlier, I mentioned that the NDP takes the issue of terrorism very seriously. We proposed 18 amendments in committee, but all of them were rejected by the Conservative government, which has a majority. Obviously, Canadians do not know about all of these useful amendments that the NDP proposed in order to improve this bill. If some of them had been passed in committee, we might not be debating this bill. It could have been passed quickly, with the NDP's support.

The Conservative government continues to believe that every bill it introduces is perfect, in every sense of the word, but the past has proven the government wrong. One example is the minister's bill that proposed spying on people on the Internet. That bill was quickly withdrawn because of a public outcry. This government believes itself to be perfect, but it is not. That is why we need to have debate in the House and pass amendments in committee, but that is not what happened with Bill S-7.

The first amendment the NDP proposed was rejected. We wanted SIRC to look at the possibility of an inter-agency co-operation protocol to ensure that it would be effective and that rights protected by law would be respected. We wanted that protocol to be put in place before the leaving the country offences could come into effect. It was deemed as being beyond the scope of the bill, and on that basis, the government decided to reject the amendment outright.

Clearly, the people watching at home understand how good it would be to do this type of review of our techniques and protocols. Unfortunately, the Conservatives refused our request. It is no big deal. The NDP is very reasonable and continued to propose other good amendments to improve the bill.

The second amendment we proposed was to ensure that testimony gathered from investigative hearings could not be used against an individual in extradition and deportation proceedings, not just in criminal proceedings. Once again, the Conservative government said that this did not fall within the scope of the bill and that this amendment would therefore not improve the bill.

The third amendment we proposed was to establish the right to state-funded legal aid if a person had to attend an investigative hearing. Common sense dictates that people who are charged must at least be able to defend themselves and have their point of view heard. In many trials in human history, allegations have been proven to be unfounded. Clearly, that is not what the NDP wants. We want the real criminals to be put behind bars. We have to give these people a chance to prove their case.

When we proposed this amendment, we were told that it would encroach on the Crown's financial initiatives. This is just another ridiculous excuse as to why we could not propose this amendment.

Since I am running out of time, I will not be able to list all the amendments. However, I would like to try to quickly share some of them. Incidentally, they were all rejected.

The fourth amendment was to ensure that the annual reports included detailed information on any changes to the legislation, policies and practices related to exit information or exit control. This amendment was rejected.

The fifth amendment was to ensure that the comprehensive review included the implementation of four new offences related to leaving the country and that the issue be dealt with by elected members, not just by the Senate. This amendment was also rejected.

The sixth amendment was to add a comprehensive review of the government's implementation of the Arar commission's recommendations with regard to accountability and oversight mechanisms, with particular attention to oversight and activities among agencies. Once again, the amendment was rejected.

We wanted to include the advice of the Canadian Human Rights Commission on the racial discrimination and profiling issues surrounding Bill S-7. This amendment was also rejected.

My time has expired, but I would like to reiterate that the NDP takes terrorism seriously. We will continue to fight to ensure that Canadians are protected and feel safe in Canada.

• (1225)

[*English*]

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, I appreciate the NDP will not be supporting the bill, but my question for the member is in reference to his earlier statement with regard to the Conservatives bringing forward this bill at this point in time. The Boston tragedy has been pointed out as something on which Canadians, Americans and anyone who lives in North America can really sympathize with the families and the city, and we want to see justice prevail in this issue. However, we find it unfortunate that the government wants to use that tragedy as a legislative tool.

Would the member agree with that assessment?

• (1230)

[*Translation*]

**Mr. Dany Morin:** Mr. Speaker, as my colleague mentioned, the Conservative government is putting this bill on the front burner in order to make tomorrow's headlines. It wants the editorials to say just how proactive the Conservative government is being on the issue of terrorism, and that it is protecting Canadians' way of life and security. Bill S-7 has come from nowhere. The Conservative government dragged its feet for many months before reintroducing it.

*Government Orders*

As my Liberal colleague mentioned, this legislation was passed 12 years ago when the Liberals were in power and it still stands up today. Since coming into force, it has done a good job of protecting Canadians. The Conservatives have yet to convince me that the old law needs to be changed. If that is the case, the amendments I mentioned earlier should be incorporated. We should improve the bill by making these amendments and we should not be creating an incredible loophole that could wreak havoc with the civil liberties of people who are not criminals.

[English]

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, I listened with great interest to my hon. colleague. Certainly the horrific killings in Boston remind us of the recent killings and senseless violence in Newtown and in Colorado.

However, I am thinking about why this bill is being brought forward today, and I think of Annie Maguire and her six family members in London who were sentenced to 15 years in jail for the crime of being Irish because the government at the time thought it would fight terrorism and it would get rid of all liberties. I am thinking of Maher Arar, whose only crime was that he was a Canadian citizen who came from the Middle East, and the Liberal government at the time did not mind his being taken off and tortured. Of course, years later we saw that it had been a fundamental abuse.

Today we are being called upon to push this through. We are being accused of being soft on terror and all the other crazy stuff that the Conservatives talk about.

I would like to ask a question of my hon. colleague about today's *Globe and Mail* editorial saying that the government's anti-terrorism legislation smacks of political opportunism, that the debate is politicizing the Boston Marathon bombings and that the debate should not happen until we have a chance to ensure that basic civil liberties would not be undermined in an attempt by the government to simply embarrass the Liberal Party. I do not know why they are worried about embarrassing the Liberal Party; the Liberal Party has been supporting the undermining of civil liberties for years on this issue.

[Translation]

**The Deputy Speaker:** The member for Chicoutimi—Le Fjord has 50 seconds.

**Mr. Dany Morin:** Mr. Speaker, this is not about partisanship in the House of Commons. Naturally, the House is a very partisan place. It is common for the government to accuse the opposition of a thousand and one things, and vice versa. However, when Canadian newspapers point out that what Parliament or the Conservative government is doing is partisan, that is appalling.

The Conservatives accuse the NDP of not taking terrorism seriously, even though that is not true. However, when a newspaper as illustrious as *The Globe and Mail* says the same thing as the NDP, it means that the government must change its tune and stop using the House of Commons as a soapbox for spreading such rubbish for partisan purposes. It is unbecoming.

[English]

**Mr. Mike Sullivan (York South—Weston, NDP):** Mr. Speaker, I am pleased to rise today to speak again to Bill S-7. I must agree with

my colleagues on this side of the House, the timing is somewhat suspect.

The bill was reported back to the House of Commons on December 12 of last year and it was not until today, more than four months later, that it suddenly appeared. The only notice was given last Friday, by the government House leader, that the bill would be replacing an opposition day motion that dealt with Conservative backbenchers' rights to speak here in the House. Therefore, the timing of the bill is very deliberately political. We could not come to any other conclusion than there is a political method and madness in the timing of Bill S-7.

However, putting the timing aside, we in the NDP believe in the freedoms and rights of individuals in our country. We do not want to see unnecessary and unhelpful changes to our laws that make people in our country subject to unreasonable search, seizure, and detention. That is one of the core problems with the bill that the Conservatives have refused to consider amending. Every step of the way we have suggested that we could support the bill if some of the freedoms that were being taken away by the government were put back or protected in another way. They have refused at this stage to consider any amendment whatsoever.

When the Conservatives bring a bill before Parliament they have all the right answers in their minds. They believe everything they have written is perfect and cannot be improved upon. We take considerable umbrage at that approach. In fact, there are some serious problems with the bill that we would like to correct.

We would like to work with the government in preventing terrorism. No one on this side of the House would like anything more than to prevent terrorism in our country. There has not been a lot of it in our country. Of course, we have the recent events in Boston to remind us just how close it could be. However, the police have been successful, without these changes in the law, in preventing serious terrorist acts in the country and without using its predecessor in preventing serious terrorist acts in the country.

Why then is it necessary to create this new regime? Why is it necessary to withdraw some more Canadian fundamental rights and freedoms? The right not to be imprisoned unreasonably and the right not to have to give evidence against oneself in a trial are two fundamental rights that we believe Canadians think they enjoy. However, the government would take those rights away with Bill S-7 and in so doing remove some of the very fundamental protections that Canadians have.

*Government Orders*

Bill S-7 is very complicated and technical, so let us bring it down to a more reasonable and understandable level. When we talk about the notion of preventative detention, what the heck does that mean to an ordinary Canadian? What it means is that a peace officer, and that means a police officer, an RCMP officer, a border officer, or anyone who is classified as a peace officer, can, without a warrant, put someone in jail. That is now what the Conservatives would like us to accept, if that peace officer believes that doing so might help prevent a terrorist act from taking place. It is true that after a short period of time—we do not know how long exactly, but they suggest 24 hours—that person would have to go before a judge and the peace officer would have to justify the detention of that individual or, in the words of the act, “the preventative detention”, which means that individual would have restrictions placed on his or her ability to get around, on whether or not he or she could have firearms, for example, and whether or not her or she could leave the country.

We have a situation then, without any trial and without any conviction.

• (1235)

That individual is not a person suspected of being a terrorist, by the way. That is a person who is maybe a relative, maybe a friend. That person, then, would be subject, under the bill, to serious, preventative detention measures.

As it turns out, this kind of preventative detention was there in the previous act and was never used. Police have managed without this kind of measure to stop terrorism. So, what would its effect be?

I would like to refer to good, old Uncle Albert, in Moose Jaw, whose nephew, for whatever reason, is suspected of some kind of terrorist act. And so, because they cannot find the nephew, the police come to Uncle Albert's door, put him in jail for a day, then take him before a judge and argue that Uncle Albert might know where the nephew is, so we cannot let Uncle Albert have any more guns. We cannot let Uncle Albert leave the country because we have to be able to interrogate Uncle Albert, Uncle Albert in Moose Jaw, who has done nothing. The police do not suspect him of any terrorism. He just happens to be the uncle of the nephew they do suspect.

What happens? Uncle Albert says, because he is from Moose Jaw and because he is a farmer and has to keep the varmints off his property, “I can't give up my firearms. I'm not giving up my firearms. I refuse.” There would be no choice, then, but to put him in jail for up to 12 months.

That is the kind of thing that could happen to Uncle Albert in Moose Jaw, who has absolutely no terrorist inclination whatsoever. However, because he is related to somebody the police are only investigating because they suspect there might be some kind of terrorist activity, Uncle Albert would be put in jail for up to 12 months.

That is not the Canada that I want to be part of. That is not the Canada that Canadians have come to expect, to have as part of their rights and freedoms the right and freedom not to be imprisoned without conviction, with a trial, without a judge.

That is exactly what the Conservatives are suggesting should happen. That is one of the things to which the NDP said, “Whoa, that goes too far”, and the Conservatives said, “Too bad. This is the way

we like it. We want this preventative detention to apply to anybody, not just people we suspect of being terrorists, but people who are peripherally related.” That would take the bill way too far.

With respect to the timing of the bill, people can read for themselves what *The Globe and Mail* has to say about the timing of the bill. They can suggest for themselves what the Conservatives are doing to create the timing of the bill.

However, the bill would not do what the Conservatives suggest it would and put Canada in a place where we could prevent the kinds of things that we all want not to happen. The bill would go too far in a number of respects.

The NDP supports the notion that we should be giving our police forces, our border protection people, the powers and the tools they need, and the resources to prevent crimes from being committed in Canada. The border services is having its budget cut. At the same time the Conservatives are suggesting that we want to prevent terrorism and we want to prevent terrorism from occurring overseas. We want to prevent terrorists from being trained overseas. At the same time we want to prevent those kinds of things from happening, we are in the position of having to say our border services it has to make do with less.

The Border Services Agency is already having a terribly difficult time preventing the huge influx of smuggled guns into this country, which I would suggest is doing more to harm our citizenry and to put people in a state of fear than the bill would ever solve. At the same time that the bill is being presented as a necessary part of police officers' arsenal, we are taking away money from the Border Services Agency, which is trying to prevent illegal handguns from reaching this country. It is a two-faced system.

We in the NDP believe that there are things we should be doing and spending more time on than this one. This one is seriously flawed.

• (1240)

**Mr. Craig Scott (Toronto—Danforth, NDP):** Mr. Speaker, I would like to thank my colleague for having spent a fair bit of time on an area that had NDP members leaving the committee after clause by clause quite shocked. We had attempted to propose an amendment that would make clear that anybody who was not suspected of being involved in or potentially involved in terrorist activity could not be subject to the recognizance with conditions regime. We wanted to make that clear, because we thought that the provision had been drafted badly. It turns out that is what the government wanted.

The parliamentary secretary said the following, which I am wondering if my colleague could comment on. She stated:

The recognizance with conditions in its present form would provide the potential for a recognizance with conditions to be imposed...[on a] person who would be subject to the recognizance with conditions [who] is not necessarily the person carrying out a terrorist activity. The proposed amendment [from the NDP] would seek to restrict the application of this measure....

Because that is inconsistent with the policy intent underpinning the provision, we are opposed to it.

*Government Orders*

I wanted to put on record what my colleague has been saying because many in the House might have thought this was a fanciful example of Uncle Albert. Maybe it is a stretch to think that anybody in Canada would do to Uncle Albert what my colleague suggested, but the possibility of that or other scenarios is very much what the government affirmed in committee.

I would like to know what my colleague thinks about that.

• (1245)

**Mr. Mike Sullivan:** Mr. Speaker, I thank my colleague for his position in committee, having had the ability to actually hear from the government what it intends. What it intends very clearly is that the scope of preventative detention and recognizance provisions of this bill are intended to cover a very wide scope of individuals. It may be a stretch to suggest that somebody in Moose Jaw would be held in prison as a result of being related to somebody who was, in fact, the subject of a terrorism investigation, but that is precisely what the bill would permit and that is precisely why the NDP had suggested the bill goes to far.

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, I will have the opportunity to provide some comments in more detail, but I was wondering if the member could reiterate the timing and comment on the Boston tragedy and, in very few words, explain why he believes the bill is before us right now.

**Mr. Mike Sullivan:** Mr. Speaker, I stated earlier that the timing is somewhat suspect. No one in the House, least of all the NDP, suggests that what happened in Boston is not something we should pay very close attention to and be very concerned about. Our hearts, thoughts, and prayers go out to the individuals who were affected by what must have been a very difficult, trying, and frightening time.

The bill has been sitting in limbo for the past four months. For the government to suddenly decide to bring it forward today smacks of some political opportunism, if ever I saw it.

[*Translation*]

**Ms. Hélène LeBlanc (LaSalle—Émard, NDP):** Mr. Speaker, I congratulate my colleague on his speech.

I would like to hear what he has to say about this government's measures. On the one hand, the government is advocating law and order and says that it wants to combat terrorism. On the other hand, particularly in budget 2012 and successive budgets, it has made significant cuts to public safety.

Could he elaborate on this?

[*English*]

**Mr. Mike Sullivan:** Mr. Speaker, the importation of illegal handguns is a serious and pressing problem in my riding and in the city of Toronto. There was a bank robbery just yesterday, which was probably with illegally imported handguns, because just about all of them are. Two individuals were shot during the bank robbery in Toronto, in my riding. That kind of thing needs to be prevented. The importation of illegal guns needs to be prevented. Cutting the budget for border services officers is not the way to prevent illegal guns from coming to Toronto.

**Mr. Paul Dewar (Ottawa Centre, NDP):** Mr. Speaker, I rise today to speak to Bill S-7, which is before us.

Before I get into my comments, I want to mention that I will be sharing my time with the member for LaSalle—Émard.

What happened last week in Boston was a heinous crime. It was a horrible situation that affected real people. It terrorized a community. We were all moved by it when we saw the images on TV.

As someone who likes to run and who takes part in running, I can personally say that it is normally a place of celebration. If members have never seen a marathon run, I would recommend that they go. It is a magical place where people of ages, sizes and genders come to celebrate participation and civic action. It is one of the most wonderful expressions of civic participation, because it involves not only the people participating in the race but also those who are on the sidelines cheering people on. When people come to Ottawa during a race weekend, they see people by the canal cheering on people they do not even know. It is a magical thing to see. That is why it was so difficult to witness this heinous assault on a public space.

Boston is known for its friendly citizens. The Boston Marathon is world renowned, and we were all moved. None of the members in the House have the licence to say they were moved or more concerned than another member. Let us start with that premise, the premise that everyone in the House thought what happened last week was horrific and that we need to do things to make sure that we prevent those kinds of occurrences from happening again. Let us make that point, because sometimes the debate gets heated and people become passionate. I think we have to avoid being personal and partisan when it comes to this issue.

However, when it comes to the application of this bill and the agenda, it is very important that we underline what appears to be the motive of the government. As members know, this has been stated, and it needs to be restated: it was on last Friday at the last minute that the government decided to put this bill in front of the House. Let us remember that it has been around since 2007. In 2001, there were provisions brought in by the previous government, with a sunset clause in 2007. In 2007 a bill was brought forward, and since 2006 we have had a government that has had the opportunity since 2007 to pass it.

It works against the logic of the Conservatives when they say they have to do this right now, because they have had the ability to pass the bill for years, not only with a majority government but before that, because the Liberals were supporting them when we had a minority Parliament.

Let us be clear about where everyone stands on this. The Liberals support the bill, notwithstanding the fact that there are concerns around civil liberties. We have concerns mainly because since 2001 and 2007, the provisions that were put in place by the Liberal government were never used. If we look at some of the concerns we have had in this country with respect to terrorism, such as the infamous Toronto 18, that was not dealt with by using these provisions but rather through good old-fashioned investigative police work and coordination. That was how it was dealt with.



The Liberals want to support the Conservatives on this bill, and that is fine. However, the point is that the Conservatives could have passed this measure even when they had a minority Parliament. They have had a majority Parliament, yet last Friday they claimed they had to pass it immediately because it is urgent. The government has no credibility on that—zero.

Some members get angry when they think about what is being done here, but I will say it is unfortunate. It is with deep sadness and regret that we see a government using this issue and this bill in the way it is today.

● (1250)

We heard the parliamentary secretary say that this is very important and that they wanted to hear from everyone. I am not seeing that so far from the other side today while we are debating this bill. I am not seeing the opportunities to ask questions and the opportunities for senior ministers to get up and speak. I will leave it to citizens to figure out what it is all about.

What is so incredibly unnerving is to see what happened last week being used in this way. Canadians really have to understand what the agenda of the government is. If it was on this issue, it would have passed this law back in 2007. It could have. It had the support of the Liberals. The Conservatives have had a majority since 2011. Did they pass the bill? No. How many bills have the Conservatives rammed through this place? If it was so important, they could have had this done. They have had time allocation and they have had omnibus bills and they could have done it.

For the government to stand and say that this is urgent and we have to pass it in light of what happened in Boston lacks credibility, to put it mildly. If the government is seriously concerned about this issue and wants to see results, then it has to put its money where its mouth is.

To that end, what we do have is a government that has actually done the opposite. It has cut border services, the people who are responsible for being our eyes and ears when it comes to threats of terrorism. It has cut RCMP budgets as well.

We have to ask ourselves what is at play here. We have heard from experts, as members on the committee would have heard, who have deep concerns around how the bill could be misapplied. Giving up rights—which, let us be clear, is what we are talking about in this bill—has to have a premise and there has to be evidence for it.

The evidence to date has been that we have never used these provisions when they were available and that we have been able to prevent terrorism by using the tools we have available to us. I mentioned the Toronto 18 case, and there are others. If the government is going to take away rights, then it has to make the argument and it has to have the evidence. We do not believe an argument has been made that is cogent enough to actually undermine civil liberties.

As has been mentioned a couple of times, *The Globe and Mail* did say in its editorial today that there are a lot of questions around the timing, but there is also another a key question. I will quote from the editorial today:

More worrying is the fact that there are aspects of the proposed bill that raise questions about balancing civil liberties with the need to protect citizens. A wise

### *Government Orders*

course of action would be to postpone the bill's final reading so that any emotional fallout from the Boston bombings doesn't colour an important debate about public safety in Canada.

I could not agree more, regardless of whether members think this is the way to go or not. The time to push this through, ram this through, is not immediately after an incident like this, because it will have made no difference to the incident we are talking about, which is in the United States. To date we have not seen any evidence that it was connected to Canada. Certainly these provisions would not have helped.

Again, it really is up to the government to explain why it is doing this now and for my friends in the Liberal Party to explain why they support it.

We heard about the importance of the charter last week from Liberals. I have to say we are proud as a party to have stood against the War Measures Act. We stand against this bill, but most of all we stand for being clear and honest about the reasons and the rationale for actions one takes in this Parliament.

Today we stand with the victims of the horrific terrorism case in Boston and we stand with all victims of extremism, but we stand against cynicism and we stand against political gains when it comes to protecting citizens no matter where they are. That is the position of our party, and I say it proudly.

● (1255)

**Ms. Irene Mathysen (London—Fanshawe, NDP):** Mr. Speaker, I want to thank my colleague for his remarks. He is, as members know, our international affairs critic and as such has a very firm and knowledgeable grasp of situations that impact us here in Canada and that impact Canadians around the world.

I want to pick up on part of his remarks.

I think that this is an issue of leadership. We need leadership in how we respond to events both within and outside Canada, but we have none from the Conservative government.

If we had leadership, the Conservatives would not have cut the security budget by 29.8% in 2012-13 and 2013-14 and put our communities at risk in regard to our preparedness for emergencies and in terms of the personnel we need to respond to them, such as police officers. The recruitment fund has been gutted, with no renewal.

What should the government be doing instead of cutting and dismantling? If the Conservatives truly believe that we need to be secure, what should they be doing?

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•(1300)

**Mr. Paul Dewar:** Mr. Speaker, I thank my colleague for London—Fanshawe for her question and her work. I was recently in her riding and I know that she has done a remarkable job of connecting with the constituents within her riding and, in fact, had a meeting with members of the Arab and Muslim community after they went through a very difficult time. She has shown real leadership on the ground in her riding.

However, to answer her question, one should invest in the very people who are our eyes and ears in preventing terrorism or extremism. It is quite surprising to hear the audacity of the Conservatives when they say on the one hand that we have to move on this issue because it is so important while on the other hand they are cutting the budgets of the very people who would prevent extremism and terrorism. The answer is that we invest in people to ensure that we prevent acts of extremism and terrorism. One does not just talk about it; one actually does it.

In the budget put in front of us and in previous budgets, we have seen cuts, so it is inconsistent for the government to say that it is serious about this issue when it actually cuts the budgets of the very people who help prevent extremism and terrorism.

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, back in 2004, the Supreme Court of Canada made a ruling indicating that investigative hearings are in fact constitutional. We have seen numerous attempts by the government to try to bring in legislation, and on one it prorogued itself to kill the legislation. Now we have this bill before us today.

My question is related specifically to the need to provide for investigative hearings for the purposes of gathering information. We see that as one of the tools that our law enforcement officers could be using to combat terrorism. I wonder if the member would like to provide his take on the importance of that particular tool.

**Mr. Paul Dewar:** Mr. Speaker, when one takes a right away, one had better be sure it is for the right reason. The Liberal Party has decided it will support the government on this bill. However, we do not support the government on this bill.

As I said in my comments, to date we have been able to prevent acts of terrorism by investing in the police, CSIS and others. We have to be vigilant on the balance between rights and security. We do not think the bill is necessary, and we are not alone.

I would suggest that just because it has gone through the court system and the court system says it is okay, that does not mean we should do it. That is why we had a different position years ago when it came to the War Measures Act.

Rights are things that are built up. They are things that we had better ensure are not taken away unless it is absolutely required. We do not believe, as the Liberals do in this case, that we should take rights away. The argument that we need to do that has not been adequately made.

We need to invest in people to prevent terrorism. That is what we would do.

[Translation]

**Ms. Hélène LeBlanc (LaSalle—Émard, NDP):** Mr. Speaker, I am confused and concerned as I rise in this House today to speak on Bill S-7, the combatting terrorism act, as the Conservatives call it.

I am confused because the government expressed no intention of putting this piece of legislation back on the agenda. It had instead opted to have successive opposition days. As a result, I have some serious questions about the real reasons we are debating this bill right now. I am not the only one. This morning, *The Globe and Mail* stated:

•(1305)

[English]

The two-day debate in Parliament on the...government's proposed anti-terrorism legislation smacks of political opportunism, and it is regrettable that it will take place.

[Translation]

The editorial concluded:

[English]

More worrying is the fact that there are aspects of the proposed bill that raise questions about balancing civil liberties with the need to protect citizens.

[Translation]

I am also concerned as I rise in the House because, regardless of what arguments the opposition puts forward, their arguments will be twisted around and demolished by the Conservatives, who, instead of debating this issue, want to use this time to get their message out.

First of all, I would like to start by defining terrorism and talking about how it has evolved over time. My research opened my eyes, especially to the motives of perpetrators of acts of terrorism, motives that are not always fully known to us, contrary to what we may often think.

Terrorism goes back a number of centuries, and the term was particularly used after the fall of Robespierre in France to refer to the reign of terror in 1793 and 1794. The dictionary continues to define it as the systematic employment of violence to achieve a political goal.

[English]

The United States Department of Defence defines terrorism as the calculated use of unlawful violence, or the threat of unlawful violence, to inculcate fear intended to coerce or intimidate governments or society in the pursuit of goals that are generally political, religious or ideological.

[Translation]

The Department of State continues by saying that acts of terrorism are often perpetrated against civilian—or non-combatant—targets.

Terrorism dates back to antiquity, when groups used systematic assassinations to spread fear and promote their cause. As I already mentioned, it was after the French Revolution that the government at the time used a climate of terror to take down its opponents. Even now, this type of terrorism is used and institutionalized by governments. The rise of nationalism during the last century exacerbated instances of terrorism. Terrorism has gone global and we are seeing a change in the types of terrorism and in the groups or individuals who are conducting these activities.

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How can we combat terrorism in Canada, especially as this bill proposes to do?

We must know what kind of terrorism Canada has experienced in recent decades. In *Terrorisme et antiterrorisme au Canada*, the authors state:

The threat of terrorism—meaning the probability that a highly destructive incident will take place in Canada—is practically non-existent...

For several reasons, it is ridiculous to think that Canada can prevent terrorist attacks, although we can certainly prepare for emergencies and develop strategies to minimize destruction and provide assistance to victims. Some plots will be foiled. However, this is very rare and when we look at the plots that have recently been uncovered in Canada and the United States, we cannot help but notice that they are amateur in nature and have a slim possibility of being successful. First, the evolution of international terrorism must be taken into consideration. Instances of truly international attacks (instigated, financed or run remotely from outside the target country) have been considerably declining in the past ten years. The fact that they are so rare means that they are too unpredictable to be prevented: there is no pattern or detectable model. However, most acts of terrorism in western countries are carried out by individuals born in the country they are attacking or by naturalized citizens. These people are recently radicalized and ill-prepared. This means that their actions tend to be uncommon...and organized quickly—also difficult to detect in advance. Second, since there is a nearly infinite number of vulnerable targets in a country like ours, it is not a good idea to focus on protection. There is no way to prepare...

Bill S-7 is not the right way to go about combatting terrorism. The bill reintroduces measures that have proven to be unjustified and ineffective in the past. Over the weekend in *The Globe and Mail*, Doug Saunders described the silence following a tragedy like the one in Boston, and how politicians try to fill that silence:

• (1310)

[English]

...we point to the neglected menaces and failures within our own society, we raise our security and perhaps lower our tolerance for reduced civil liberties, and in the process we allow a new political moment to take shape.

[Translation]

Further on, he also says that major attacks against civilians are extremely rare, but every time they occur, they seem to have the same effects and elicit the same reactions: confusion, horror, fear and profound sympathy for the victims, who are all too numerous in tragedies like this.

However, I do not believe it was those reactions that pushed the Conservatives to bring back Bill S-7, which will not fight terrorism but is simply an example of political opportunism. Our laws already fight terrorism. Terrorism is a crime, and we already have laws in place to bring to justice those who plot or commit acts of terrorism. This bill is useless and will not combat terrorism in Canada.

I should add that this government has a very strange way of addressing safety. In the 2012 budget and budgets before that—and those that are to come, I imagine—it announced considerable reductions of \$687.9 million to public safety, whether it was at the Canada Border Services Agency, the Canadian Security Intelligence Service or the RCMP.

That is a strange way of addressing public safety. The Conservatives come up with a bill like this one, which is completely useless, while their actions run completely counter to protecting and increasing public safety in Canada.

[English]

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, I would like to go back to the Supreme Court ruling from 2004, which talked about investigative hearings. With terrorism being what it is now, it has really changed the dynamics in many different ways. We understand that our law enforcement officers are looking for the opportunity to use this as a tool.

I am interested in knowing if the member feels that there is a need, from her or her party's perspective, to give law enforcement officers this tool that allows an investigative hearing. Is that something she believes is necessary and needs to be amended to allow it to take place, or it is not necessary?

• (1315)

[Translation]

**Ms. Hélène LeBlanc:** Mr. Speaker, I would like to thank the member for his question.

Since 2001, the provisions in the bill that was passed in the wake of September 11, 2011, have never been used. That is a clear response to my colleague's question. These provisions have not been used. We have enough tools already. I believe that investigators have the tools they need to do their jobs.

[English]

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, on a day when we are still mourning the loss of so many people in Boston, we are debating a bill that could have enormous implications.

I am interested in my colleague's opinion. Bill S-7 is a law of general application, which means that it would affect not only adults but juveniles as well. Canada has certain obligations under the UN Convention on the Rights of the Child and other international instruments to protect children from unnecessary detention. The Canadian Coalition for the Rights of Children proposed amendments to the bill that would ensure that children under the age of 18 would be taken into special consideration and not be subject to these measures. The government ignored that recommendation. We are concerned about this.

The Liberal Party is supporting this legislation. Last week the Liberal leader said that New Democrats were somehow soft on the Charter of Rights and Freedoms, although the first charter of rights and freedoms in this country came in with Tommy Douglas in Saskatchewan. New Democrats, as opposed to the Liberal Party, fought to ensure that first nations were included in the charter.

The Liberal Party is supporting a bill that would not offer clear protection to those under the age of 18 from these kinds of detention measures. What does my hon. colleague think about that?

[Translation]

**Ms. Hélène LeBlanc:** Mr. Speaker, I thank my colleague for his very perceptive question and especially for pointing out one of the problems caused by Bill S-7.

When bills are introduced, we have to work on them and consider all their potential consequences. It is scandalous that experts appeared before the committee, amendments were proposed and that, once again, the government turned a deaf ear. That is a problem.

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We identified serious flaws in this bill. The government must absolutely go back to the drawing board.

**Mr. Jonathan Genest-Jourdain (Manicouagan, NDP):** Mr. Speaker, first of all, I would like to inform you that I will be sharing my time with the member for London—Fanshawe.

The iterative, in the sense of repetitive, nature of additions to the Criminal Code devised unilaterally by this government bring out my instincts as a litigator.

Introducing in the House arguments that call into question a tangent that resembles an edict and that would implement coercive measures can only contribute to maintaining an intrinsic balance in the rule of law in our country.

Bill S-7, An Act to amend the Criminal Code, the Canada Evidence Act and the Security of Information Act, currently before the House, is likely to feed a number of citizens' fears related to repeated attempts to circumscribe the spectre of civil liberties and human rights in our country, all under the cover of legislative initiatives associated with the repression of contingent and intangible threats to Canada.

I would like to emphasize the hypothetical nature of terrorism in Canada, and I think that my colleagues agree with me in this respect. The Criminal Code, the tool we are currently using, already contains many provisions related to terrorism. Based on my own analysis, which is fairly sound since I practised law for six years, I believe that we would be opening a Pandora's box by blindly delegating discretionary powers to peace officers. This would ultimately allow them to unilaterally determine which individuals pose a threat to national security and then simply proceed with interrogations and pre-charge detention.

Pre-charge detention already exists in France, where individuals can be detained for a certain period of time while an investigation is conducted. This is unprecedented in Canada, particularly for individuals who do not necessarily have a criminal record or links to organized crime or terrorist groups.

This type of addition to the Criminal Code will leave the door wide open to abuse. As a lawyer, my first instinct is often to look at how such decisions and legislative measures could be challenged in court. I know that the Canadian government has Crown lawyers. I have sometimes wondered whether the government is really listening to these lawyers, because this type of measure can clearly be challenged.

The bottom line is that the exercise of such discretionary power can only result in abuse. We know that such measures have never been implemented in Canada. Adding them to the Criminal Code will only result in a significant number of court challenges. I strongly urge the government to re-evaluate its position and listen more closely to its own lawyers. The Government of Canada must have good lawyers on staff.

The notions of terrorism in the Criminal Code are always being revised, which means that the use of power could become more arbitrary and less evidence could be needed to determine the reasonableness of an interrogation or preventive detention.

I would like to give an example of the type of reasoning that could result from the implementation of the proposed measures if the bill is passed. The proposed amendments will result in many instances of individuals being arrested without a warrant because a peace officer believes that the arrest is necessary to prevent a terrorist attack. Ultimately, the individuals in question will be subject to recognition with conditions. This all concerns individuals who were not suspected of terrorist activities.

Thus it will be possible to arrest someone who has no criminal record and no known links to terrorism or organized crime. That individual could be arrested based on suspicion, based on the perception of the officer responsible for the case who sees an act of violence. That individual could be questioned for 24 hours.

● (1320)

Then, also based on the peace officer's opinion, that individual could be brought before a judge and forced to appear outside the usual structure of criminal charges and penal and statutory rules. We are still talking about civil matters.

That individual, who should be presumed innocent until proven guilty, can be brought before a judge who will be called upon to determine if release conditions can be imposed on him.

If that individual does not want to meet those conditions or appears unwilling to do so, he could be imprisoned for up to 12 months. Accordingly, someone who is presumed innocent could be held in detention for 12 months, if he does not meet those conditions. Quite obviously, this leaves room for potential abuses of power. It is immediately obvious that this is unacceptable.

If the individual refuses, he can be imprisoned for up to 12 months. This imprisonment, not the result of a criminal conviction, is considered preventive detention.

I would like to say a few words about preventive detention. I would like to reiterate that I miss practising law. That said, over the years that I was a practising lawyer, some changes were made to preventive detention. When I began practising in 2006, if a client's case was treated according to normal criminal procedures, preventive detention counted for double time. In fact, judges applied this calculation de facto. In other words, time spent in remand custody was credited two-for-one for individuals who were not released following their bail hearing. That is no longer the case. The justice system has new instructions and that time simply no longer counts as double time.

This illustrates the trend towards applying harsher, more demanding measures when it comes to sentencing for criminal matters.

Seeking to include preventive detention of up to 12 months in the Criminal Code, coupled with eliminating the need to comply with the conditions of making an arrest without a warrant for the purpose of preventing a hypothetical terrorist act, clearly shows the highly questionable nature of the Conservatives' approach to national security.

As I said, I still have my lawyer's instinct. That is why I saw a case right away and the possibility of a court challenge against measures like these.

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Actually, when I give training and I go to various first nations reserves and aboriginal communities across the country, I always make sure to tell them that people have the option to consider class action suits against unilateral decisions that are highly prejudicial and problematic.

I often encourage people to consider that option, given the possibility of pooling money and having a host of plaintiffs in a case. That reduces the financial burden for each plaintiff. In cases involving thousands of plaintiffs, they can put together a substantial amount of money and gain access to experts and their expertise, which would be difficult for an individual.

I submit all this respectfully.

• (1325)

**Ms. Hélène LeBlanc (LaSalle—Émard, NDP):** Mr. Speaker, I thank the hon. member for his speech. I always pay close attention to his way of seeing things and presenting them.

Could he speak to the fact that we have before us a bill from the Senate? If this is one of the government's priorities, why does the bill not come from the House of Commons? Let us move on to something else.

In budget after budget, the amounts for public safety agencies have been significantly reduced.

Could he comment on the disconnect between what the government says and what it does?

**Mr. Jonathan Genest-Jourdain:** Mr. Speaker, I thank my colleague for her question.

There has been decentralization, but this constitutes thoughtless delegation of the criteria for assessing how dangerous individuals are and the threat level when it comes to terrorism.

According to the text of the bill before us, this is being delegated to peace officers. They have some training, but there is only so much they can do. They are, after all, human beings. This delegation of power to individuals could result in serious abuses of power, as I pointed out. It would be better to invest in better-equipped entities, state entities overseen by government, to assess how dangerous individuals are, rather than going about it this way and opening Pandora's box.

I submit this respectfully.

• (1330)

[*English*]

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, I want to go back to the issue of the investigative hearings.

The Supreme Court made a decision that investigative hearings are in fact constitutional. Given the very important issue of terrorism, there are law enforcement officers who genuinely believe this is a tool they could actually use to combat terrorism. We heard that in the presentations at the committee stage.

Given the member's background in law, from what I understand, does he not see any merit at all? It appears the NDP does not support the concept of investigative hearings. I wonder if he could just provide a little more clarity as to what the NDP really does believe in

regard to investigative hearings to assist law enforcement officers in combatting terrorism.

[*Translation*]

**Mr. Jonathan Genest-Jourdain:** Mr. Speaker, I thank my colleague for his question.

With respect to the NDP's position, I would rather talk about my own position as an individual. Yes, investigative hearings are a good idea. They have passed the constitutional test, as my colleague pointed out.

However, the criteria that will result in such measures being used on individuals can be confusing and leave a lot of room for interpretation. This is too much discretionary power. As I stated in my speech, we will be relying on the judgment of a single individual, a single peace officer making decisions based on tenuous facts that may or may not be well documented concerning individuals with no prior record and no direct connection to terrorist or criminal organizations. That can lead to abuses of power.

Investigative hearings can be a good thing, but I have my doubts about how they will be carried out and the circumstances and criteria that will lead to individuals being subjected to these measures.

[*English*]

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, I have been hearing the same arguments put forward for many years in the House: that these are necessary and they will only catch bad guys, so if we strip citizens of basic due process, it will all help. We saw Maher Arar, who was deported and tortured under the Liberals' watch; they did nothing for him.

On this issue of preventive detention, the idea that a Canadian citizen could be thrown in jail on someone's word, without clear cause, is very disturbing. Most Canadians need to know that is part of the bill. As well, there are no provisions to protect children under the age of 18. Why, I ask my hon. colleague, does he think the Liberals would support a bill that does not have clear breakout provisions to ensure that children age 12, 13, 14 or 15 are not going to be subject to unfair detention?

[*Translation*]

**Mr. Jonathan Genest-Jourdain:** Mr. Speaker, I thank my colleague for his question.

I see the connection to what my Liberal colleague said in his remarks. The member makes a very good point.

This kind of highly controversial measure could be subject to a court challenge. Detaining an individual for 12 months even though police have no information in their files, an individual who has no connection to criminal or terrorist organizations, is the hallmark of a police state. I was going to say that this has never been seen before, but we were given an example.

I submit this respectfully.

*Government Orders**[English]*

**Ms. Irene Mathysen (London—Fanshawe, NDP):** Mr. Speaker, this Parliament is supposed to be a place wherein democracy and communities are protected. Consequently, I have some very serious reservations about Bill S-7 being debated today, the context in which it is being debated and the various elements within the bill. I am concerned because it would not only impact the civil liberties of all Canadians, but it would also be part of a larger dismantling of the democratic core of this country.

Liberty and democracy are very much part of our history and what makes us who we are. For example, here is an excerpt from the translation of the original French poem by Adolphe-Basile Routhier, written in 1880. It is the basis upon which our own national anthem has been created. The poem reads, “The Canadian grows full of hope. He is born of a proud race; enemy of tyranny, but full of loyalty. He knows how to keep in harmony his proud liberty, and by the effort of his mind on our soil establish the truth”.

It worries me greatly that there has been a whittling away of our democracy in recent years and the undermining of truth by those seeking political expediency. In the last election alone, there was illegal overspending by certain MPs, some of whom have been forced to step down and others who are facing serious accusations. These are accusations that Elections Canada is currently investigating.

Of greater concern were the acts of voter suppression in ridings across Canada, and now charges have been laid in one of these cases. This illegal spending and voter suppression is a very real threat to the basic functioning of our democracy in this country. Citizens require the ability to vote, and those running the various campaigns need to be on an equal footing to ensure a fair race, and that is not just during elections.

In this House, the government continues to limit democracy by attempting to silence, by using dissenting opinion, including the opposition and its own members of the government caucus. We cannot speak out on this side of the House or on that side of the House. It is no kind of democracy.

The government has shut down debate a record 31 times and is actively limiting debate, not just in the House but also in committees. The government is using its majority to conduct committee meetings in camera. Therefore, Canadians do not know what is happening. They do not know what members have proposed. They do not know what is being undermined.

Sadly, the government is clearly not interested in hearing other ideas. The problem is that our job here is to work together and collectively look at legislation to ensure it is in the best interest of all Canadians.

The government has no interest in compromise, in the House, in committee, in public, or even behind closed doors. This dogmatic and anti-democratic approach to governing is, to say the least, problematic. It is concerning and it is a travesty of Canadian values.

Bill S-7 continues in that same vein. If passed, it would be a hit on democracy in Canada as it would inhibit the personal freedoms of individuals. This principle is sacrosanct in our democracy and should absolutely be a principle that is above any meddling by anyone.

We have the protections and the prosecutorial measures already in place within current legislation to address terrorism in this country. We do not require the changes that we see in Bill S-7. Bills such as this would tarnish the very core of what makes us Canadian. We are a great country that is known for our democratic principles. However, if we pass this legislation, we would in fact be stripping away the very thing that makes this country great.

• (1335)

It is often said that the goal of terrorism is to create fear. Reacting to that fear and taking away civil liberties has the circular effect of validating that fear and giving into it. In this sense, the terrorist is successful in creating a culture of fear. This is not a new idea. Benjamin Franklin stated, “They who can give up essential liberty to obtain a little temporary safety deserve neither liberty nor safety”. Without liberty and democracy, we are neither safe nor free.

I want to emphasize that this bill does not protect Canadians from terrorism and it shows a lack of balance between security and basic rights. There are better ways of combatting terrorism without taking away Canadians' civil liberties. Our job in this place is to protect Canadians and our communities. Protecting Canadians does not mean taking away their freedoms, nor does it mean opening up our laws to a cycle of fear. As I have already said, the Criminal Code contains the necessary provisions for investigating those who are involved in criminal activity and detaining anyone who may present an immediate threat.

Paul Copeland, a lawyer from the Law Union of Ontario, when testifying before a parliamentary committee, stated:

In my opinion, the provisions that you are examining here in committee will unnecessarily change our legal landscape in Canada. We must not adopt them, and in my opinion, they are not necessary. Other provisions of the code provide various mechanisms for dealing with such individuals.

In December of 2012, Mr. Paul Calarco, a member of the national criminal justice section of the Canadian Bar Association, stated:

There is no question that the prevention of terrorist action is vital to preserving our society. This requires effective legislation, but also legislation that respects the traditions of our democracy. Unfortunately, this bill [S-7] fails to achieve either goal.

The fact that the sunsetted provisions of the Anti-terrorism Act were never used between 2001 and 2007 is evidence of this. Even though it may be politically risky to oppose measures that have been engineered to seem effective, our position on this side of the House is rooted in the belief that the measures are ineffective and unnecessary, and in the belief that our position reflects the values cherished by Canadians and our absolute faith in the strength of existing laws.

Bill S-7 violates civil liberties and human rights, especially the right to remain silent and the right not to be imprisoned without first having a fair trial. Imagine that. We are talking about putting people in prison for as much as a year without any evidence or a trial. That smacks of the worst kind of totalitarianism. The state should never be used against an individual to force a person to either testify against himself or herself or to inflict punishment of a year in prison without recourse.

*Government Orders*

This bill shows a lack of balance between security and basic human rights, notwithstanding that there are a few more safeguards than in the 2001 version, notably the role of the Attorney General in an annual reporting process.

The timing of this bill cannot be ignored. A Liberal opposition day intended to propose a more democratic process for members' statements for some parties in the House was abruptly—

• (1340)

**The Deputy Speaker:** Order, please. There is way too much talking and socializing going on in the House. I can hardly hear the debate, so please keep it down. If members want to socialize, they should move into the lobby.

**Ms. Irene Mathysen:** Mr. Speaker, my point about a refusal to listen was illustrated quite effectively just now.

At any rate, as I was saying, a Liberal opposition day was abruptly cancelled in order to bring this legislation forward. Last week, Bill S-7 was not deemed a priority, but suddenly it needed to be debated today. The explanation given by the members opposite was that this bill needed to be passed in light of recent bombings at the Boston Marathon. I would like to point out that the House unanimously condemned those attacks and members rose in silence and respect for those who suffered.

It is unfortunate that members opposite are using the Boston terror attacks to reintroduce controversial measures. These measures go far too far. They endanger Canadians just as much as any other terrorist. New Democrats believe we need to work in strength and use our intelligence and law enforcement networks to deal with the threat of terrorism. However, the Conservatives are choosing to ignore that, to cut border intelligence units in half and end funding for police programs. It is very clear that this is an act of political expediency and not one of genuine concern.

• (1345)

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, I could not agree more with the member in regard to why we have Bill S-7 before us today, and I hope to address that in my own comments.

My question is along the same lines as the questions I have asked of her colleagues, and that is in regard to the need to have an investigation.

Could the member expand on the point that with terrorism today law enforcement officers are saying they need this additional tool to help them combat terrorism? Does the member not realize that if it did not pass we would have law enforcement agencies, and other experts, saying we have a gap that needs to be filled?

The power to hold individuals for investigation seems to be most important tool. Would she provide further comment on that aspect?

**Ms. Irene Mathysen:** Mr. Speaker, we do have in place a number of provisions that are already in law for dealing with unusual threats.

However, the recent Conservatives cuts in budget 2012-13 and 2013-14 to agencies and police forces that could maintain the security and safety of Canadians speaks more to the point. The Conservatives have cut those agencies by 29.8%. That means there is a huge gap in the ability of communities to deal with emergencies, of

all kinds. While terrorism is certainly top of mind, there are a lot of things happening in our communities, and there is security to which we need to pay attention.

There are natural disasters in the Huntsville area right now. People are dealing with very serious floods. Yet, the emergency measures that are needed to help those communities have been cut.

While we are concerned about terrorism, we have to look at security in a much broader way and not just focus on what is expedient and politically of interest.

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, I listened with interest to my hon. colleague.

Everyone has heard about *The Globe and Mail* editorial that said it is very unfortunate that the debate taking place is an attempt on the part of the government to politicize the Boston Marathon bombings, that we need to think this legislation through and we need to look at it in terms of other historical moments. In England, during the horrific bombings in the 1970s, preventive detention, which the Liberal Party has been promoting all day, was used. We then saw Annie Maguire and her six family members jailed for 15 years on the charge of being Irish in the wrong place. Later on, we realized that was a complete abuse of process.

We saw under the Liberal government, after 2001, that they thought the notion of the right to trial, of the basic freedoms we cherish in the rule of law, was outmoded, and we saw Maher Arar sent off for torture. Given the fact that there are no provisions for children under the bill, they would be treated as adults.

What does the member think of the Liberal Party's continual pushing for the supposed need to have preventive detention without trial, without charges, where people can be put in jail?

**Ms. Irene Mathysen:** Mr. Speaker, in a democracy, one of our chief aims is to protect. What could be more important than protecting children from whatever is out there, and apparently in this case, protecting them from their own government?

It seems to me that we go far too far. We need to remember that three people died on the streets of Boston a week ago. We have to respect that. We have to honour that. To see the government using it for its own nefarious purposes makes all of us feel dreadful. It is sickening in terms of what kind of response we should have.

• (1350)

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, it is a pleasure to stand and address this bill.

*Government Orders*

I would like to start off by just commenting briefly on the Boston tragedy. I believe it is safe to say that no matter where people live in Canada or where they live in North America, we will find that people were shocked, surprised and horrified at what they witnessed in one form or another, whether it was reading or watching the news, seeing what had taken place in the landmark, iconic, annual event of the Boston Marathon.

It touched the lives of everyone. We extend our condolences and our best wishes to those individuals, families, friends and others who had to experience this first-hand. Let there be no doubt that it had an impact on all people living in North America and beyond. At the end of the day, we had seen all sorts of comments and remarks made by the average citizen on the streets of Boston, Winnipeg and Toronto. All over North America, people were touched and concerned and wanted to be able to express themselves.

We also had the opportunity to see leaders of nations provide comment on what took place in Boston. Unfortunately Canada's Prime Minister stands alone, in the sense that he is prepared to exploit what took place in Boston. I say "Shame" to the Prime Minister for doing that. He has done that in a couple of ways.

It was just last week that the Prime Minister was overseas in England, attending the funeral of the late Margaret Thatcher, as he should, and we heard comments coming from around the world. There was talk about what took place in Boston. What did the Prime Minister do? He decided to attack the leader of the Liberal Party, amongst others.

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

**Mr. Kevin Lamoureux:** Members from the bench are saying "Hear, hear".

We have to put it in context. What did other leaders have to say about the Boston tragedy, or terrorism in general?

It was interesting. President Barack Obama said:

Obviously, tonight there are still many unanswered questions. Among them, why did young men who grew up and studied here, as part of our communities and our country, resort to such violence?

That came from a real leader, President Barack Obama.

Then we have another real leader, David Cameron, the British Prime Minister, who said:

I believe the root lies in the existence of extremist ideology. I would argue an important reason so many young Muslims are drawn to it comes down to the question of identity.

That is another reaction, not necessarily to the Boston tragedy but a reaction to terrorism in general.

These are the types of comments we hear from leaders. On the other hand, our Prime Minister is so nervous, so concerned and scared of the leader of the Liberal Party that he focuses his attention on attacking the leader of the Liberal Party. Where is the statesman that the Prime Minister should be on this particular issue?

He wants to be able to get a little attention. At the end of the day, I think it is unfortunate the Prime Minister would use that to take cheap shots at the leader of the Liberal Party or anyone else for that matter.

Then we have what took place last Friday. We are debating Bill S-7 today. What happened last Friday is that the Liberal Party put a motion on the notice for opposition day, today, about democratic reform. A number of Conservative backbenchers feel the current Prime Minister, a former Reform Party member—the whole glass bubble—would say: "You have to do and say what it is I say, or you are not a part of the Conservative Party mentality". That is the person we are talking about.

The Prime Minister decided on Friday to have Bill S-7 debated today, of all days. It has been on the order paper for months, yet the government chose today to have it debated.

● (1355)

What is the reason? It is because of the Boston tragedy. I have news for the Conservatives: the Boston tragedy occurred last Monday. Why did they not have it on Wednesday, Thursday or Friday last week? The simple reason is that on Friday, an hour before we were going to adjourn, the Conservatives found out that the Liberal Party, on an opposition day motion, wanted to talk about democracy and allowing individual backbenchers from the Conservative Party to look at a way in which they would actually be able to speak. That is what was happening.

What did the government do? A light clicked on, and Conservatives thought they could avoid that by having a debate on Bill S-7 and use the Boston tragedy as an excuse to justify it. That is the second time they have used that horrific incident for their own political self-serving agenda. That is not very prime ministerial. However, Bill S-7 does have merit, but we are concerned about the manner in which it came about. There is no way the government will convince me that Bill S-7 was its intention for today. It did not even raise it last week. It was a non-issue until the Liberal Party presented its motion for today to talk about democracy.

Shame on the Prime Minister for taking advantage politically of such a horrific terrorist attack in the United States. We will have to wait and see what happens. We have been very clear about this bill for a long time. The Liberal Party of Canada supports Bill S-7, the combating terrorism act. It is something in which we believe, and we have indicated support in the past, whether it was at second reading or at committee stage.

Could the legislation be better? Yes, it could be better, but we know that the Prime Minister, especially since he has had a majority, does not take kindly to amendments. I understand that the NDP members are a little sensitive because they proposed a number of amendments, which were always rejected. That is the new form of democracy coming from the Prime Minister, where amendments are not tolerated. We have seen plenty of examples of that.



However, the legislation, as it is being proposed, would assist because law enforcement officers, other stakeholders and experts have been very clear that the ability to have investigative hearings is important to help Canada in terms of combating terrorism. Yes, checks need to be put into place, and within the legislation there are a number of areas where checks are put into place to ensure there is some integrity. It would be nice to see more done to protect individual rights. The Liberal Party has to take second seat to no one in terms of protecting individual rights. One only need reflect on the Charter of Rights and Freedoms, which was introduced by the Liberal Party in the seventies.

We recognize that the Supreme Court of Canada was right in 2004 when it said it was constitutional. We believe this is an important tool for our law enforcement officers, but we question the integrity of the Prime Minister for the manner in which he has brought this forward and his anti-democratic approach in dealing with the House of Commons.

**The Deputy Speaker:** The hon. member will have 10 minutes and 30 seconds when we resume debate on Bill S-7.

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## STATEMENTS BY MEMBERS

[English]

### INTERNATIONAL TRADE

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, I would like to wish all members of this House a happy Earth Day. Today is the 43rd anniversary of that celebration, but please excuse me if I do not feel like celebrating. The only motion before us today that has any environmental content is the NDP motion from its last opposition day to block ratification of the Canada–China investment treaty.

We should all be voting to block ratification, but I can predict as of now that the motion will be defeated, and that is going to be a terrible shame because it will mean that this House has not had a single proper day of hearings, not one day of expert witnesses coming here to tell us what we need to know about this extraordinary treaty that will give the People's Republic of China and its Communist Party government the right to sue us and lock us in for 31 years.

NAFTA locks us in for six months. The new treaty that was tabled after the Chinese treaty locks us in for 16 years. However, there was not one day of hearings on this. I urge members, before it is too late, to let us find a way to have hearings.

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●(1400)

### LEASIDE, ONTARIO

**Mr. John Carmichael (Don Valley West, CPC):** Mr. Speaker, tomorrow marks the 100th anniversary of the incorporation of the town of Leaside. Named for William Lea, Leaside was originally a railway town just northeast of Toronto. An industrial boom began during World War I, and the community has grown ever since.

### Statements by Members

Leaside is not laid out on a grid but has streets that curve and intersect with parks, schools and churches, all centrally located. Leaside truly feels like a small town in the heart of Toronto.

Tomorrow, I will attend a ceremony for the unveiling of a quilted wall hanging, two historical plaques and an archival exhibit entitled “Layers of Leaside”. The Leaside 100 gala is this Saturday, and celebrations will continue through the year to the fall opening of the expanded arena, Leaside Gardens. All these events are led by volunteers who help make Leaside a great place to live, work, play, shop and raise a family.

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### PALLIATIVE CARE

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, I rise today with profound sadness over the sudden closing of Perram House, a palliative care centre in Toronto. Perram House set a very high standard for care of families dealing with dying loved ones, and the loss of this institution reminds us that palliative care services remain elusive for many people across this country. Less than a quarter of Canadians have access to palliative care. In the rural areas, the north and on first nations, the lack of services is highly problematic.

I commend the all-party committee that did excellent work on the issues of palliative care, but at the federal level we do need to work with the provinces and first nations communities to ensure that all Canadians have access to quality end-of-life care.

I spent a week at Perram House as my dear brother-in-law lay dying, and I realized that palliative care is about restoring the family to the heart of these moments of hard transition. Everyone has to face these moments. Let us ensure that these moments of hard transition are met with dignity and with hope.

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### SEARCH AND RESCUE

**Hon. Ron Cannan (Kelowna—Lake Country, CPC):** Mr. Speaker, this weekend in my wonderful riding of Kelowna—Lake Country I was flying high, and low too.

Let me explain. I had the amazing opportunity to participate in a training exercise with my local central Okanagan Civil Aviation Search and Rescue Association team. The association is a member of CASARA, a Canada-wide volunteer aviation organization dedicated to the promotion of aviation safety and the provision of air search support services to Canada's national search and rescue program. Represented by a dedicated group of men and women from a variety of professional backgrounds, it is part of a larger network of emergency volunteers across the country who rush in to help while the masses are running for safety.

I ask all hon. members, during this National Volunteer Week, to join me and salute all our first responders, including our police, firefighters, paramedics, search and rescue and the thousands of volunteers from coast to coast to coast who help to protect us and keep Canada safe.

*Statements by Members***THE ENVIRONMENT**

**Ms. Kirsty Duncan (Etobicoke North, Lib.):** Mr. Speaker, today marks the 43rd annual Earth Day, a day to celebrate Canada's tremendous natural beauty and to educate, empower and motivate Canadians to achieve solutions to improve the state of the environment for our children and grandchildren.

Successive Conservative governments have pitted the economy against the environment. To fast-track development, the government has weakened and repealed laws, putting the environment and the health and safety of Canadians at risk. The government has abdicated any national leadership role in combating climate change, the most pressing environmental issue facing the planet. The government must stop its delay tactics, and immediately introduce emission regulations for the oil and gas sector, not just a monitoring plan.

It is time we once again made human health, and particularly the welfare of the most vulnerable, our children, a consideration in the environmental debate. Our future depends on it.

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• (1405)

**GLENROSE REHABILITATION HOSPITAL**

**Hon. Laurie Hawn (Edmonton Centre, CPC):** Mr. Speaker, this past weekend, my wife and I attended the Courage Gala to raise money and awareness for the wonderful work of the Glenrose Rehabilitation Hospital in Edmonton. We heard powerful stories from David and Scott, two men whose lives have been given back to them in large measure by the expertise and compassion of the people who work and volunteer at the Glenrose.

Over the years, the Glenrose has developed world-leading expertise in neurological, orthopedic, cardiac, geriatric and pediatric rehabilitation as well as pediatric and geriatric psychiatry. Serving over 20,000 families each year, the Glenrose has become the model and the gold standard for rehabilitation in, at least, the Americas, and probably beyond.

Whether serving civilian, military or veteran communities, the heart and soul the Glenrose puts into everything it does is evident as soon as one walks in the door. Canadians of all ages and stations are treated and nurtured at the Glenrose in an environment and manner that go well beyond simply adhering to the Hippocratic oath. Those of us who are lucky enough to not need the Glenrose can take comfort in the fact that it is there, if we ever do.

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[*Translation*]**NATIONAL VOLUNTEER WEEK**

**Mr. Pierre Nantel (Longueuil—Pierre-Boucher, NDP):** Mr. Speaker, April 22 is a day of civic importance.

It is Earth Day, and thousands of people, including many of my colleagues, gathered yesterday in the streets of Montreal to commemorate this day. This date also marks the start of National Volunteer Week. This week we celebrate the many ways people get involved in the community throughout the year.

Today I would like to mention that once again this year, the Centre d'information sur l'environnement de Longueuil will organize a

shore cleanup along the St. Lawrence. I also want to mention the work done by community media outlets, such as Point Sud and MédiaSud, which are represented here in the gallery today. These two media outlets in Longueuil—Pierre-Boucher rely on volunteers and the community. There is no question that they could not exist without volunteers.

Yesterday, thousands of people were marching in the streets, and day after day, volunteers make contributions—big and small—to their communities, all because they dream of a better world. What an inspiration they are to us all. Congratulations and thank you.

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[*English*]**CANADIAN COWGIRLS**

**Mrs. Patricia Davidson (Sarnia—Lambton, CPC):** Mr. Speaker, today, I commend a group of Canadian women who not only stand tall for their country but stand tall in the saddle, as well. I am speaking about the Canadian Cowgirls Rodeo Drill Team, a group of talented women from southwestern Ontario who are famous across North America for their impressive costumes, precision-riding abilities and daring and unique routines.

On a variety of horses, like the Appaloosa, quarter horse and Paint, the Canadian Cowgirls have performed in front of royalty, such as His Royal Highness, Charles, Prince of Wales and Camilla, Duchess of Cornwall, and even in front of Canadians like Don Cherry, not to mention thousands of other cheering fans. The group has performed live shows for the Canadian Forces and also in Canada Day shows. The women recently became the only Canadian riders who have ever been invited to the Tournament of Roses parade in Pasadena, California.

I wish to commend Beth Lucan and the rest of her team for their ongoing excellence and wish them continued success.

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**TAXATION**

**Mrs. Nina Grewal (Fleetwood—Port Kells, CPC):** Mr. Speaker, our government is committed to keeping taxes low for hardworking Canadian families, seniors and businesses. Since 2006, we have reduced taxes over 150 times, and the average family of four pays \$3,200 less in federal taxes each year. We have reduced personal income taxes, cut the GST from 7% to 5% and put in place the children's fitness tax credit, the transit tax credit and much more.

Thanks to our tax reductions, the average senior can earn almost \$20,000 a year, and the average senior couple can earn almost \$40,000 a year, without paying a single nickel of federal income tax. Because of our cuts, over one million Canadians have been removed entirely from the tax rolls.

*Statements by Members*

Our government is proud of its low-tax plan and will continue to keep taxes low for Canadian families.

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[Translation]

### EARTH DAY

**Ms. Anne Minh-Thu Quach (Beauharnois—Salaberry, NDP):** Mr. Speaker, we are at a crossroads. Earth Day is an opportunity for each and every one of us to acknowledge the urgent need to take action to save our planet. We know that global greenhouse gas emissions are on the rise, and if we do nothing, we could surpass the 2°C threshold, which would have irreversible consequences. Denying the truth will not help us find solutions.

Canada's latest performance report shows that our emissions have increased by one million tonnes. All of the experts agree that the government's sector-by-sector approach is ineffective. What is more, the Conservatives' inaction could cost us more than \$5 billion a year. Investing in sustainable development could kick-start the economy and create jobs, all while protecting our planet.

I urge this government to listen to the hundreds of thousands of people who have taken to the streets to call for political leadership and immediate measures to combat climate change.

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● (1410)

[English]

### VOLUNTEERISM

**Ms. Kellie Leitch (Simcoe—Grey, CPC):** Mr. Speaker, I am pleased to rise today to honour the many Canadian volunteers from across the country. This week is National Volunteer Week in Canada, and I wish to extend a heartfelt thanks on behalf of the Canadian government to everyone who volunteers.

I am pleased to honour from my riding of Simcoe—Grey, David Sadlier, Sandie Macdonald, Dr. Don Paul and Major Jim Ellwood for their outstanding commitment to volunteering and for providing leadership in my riding. Their efforts certainly do not go unnoticed.

I am also pleased to speak in support of the Prime Minister's Volunteer Awards, which are awarded to individuals, businesses and not-for-profit organizations from across the country that give back to their communities in many ways. This group is only a tiny sample of Canada's volunteers. There are close to 12.5 million Canadians, almost half our population, who donate their time to help others. The dollar value of this work has been estimated to be over \$14 billion.

I am deeply thankful for the efforts of the volunteers who make our communities better every day. Please join me in thanking them for all of the efforts they focus on and dedicate every day to help communities across our country.

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### THE ENVIRONMENT

**Ms. Jean Crowder (Nanaimo—Cowichan, NDP):** Mr. Speaker, on Earth Day, it is important to talk about clean, safe and sustainable water. The UN declared 2013 the UN International Year of Water Cooperation to raise awareness about sustainability and the

challenges of water management because of the increase in demand for access, allocation and services.

This campaign is juxtaposed with the Conservatives Bill C-45 and the elimination of most of Canada's lakes and rivers from the Navigable Waters Protection Act. To fight the harmful impact of this legislation, I will introduce a private member's bill today that will put the Cowichan River back under the Navigable Waters Protection Act.

I would also like to give thanks to my constituents, who are fighting to prevent the dumping of contaminated soil in a local quarry in the Shawnigan Lake watershed. Local aquifers and watersheds significantly impact the local wildlife, health and economy, and a potential contamination could be disastrous.

We understand the importance of protecting our local water sources and the ecological balance for future generations. Happy Earth Day.

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### CANADIAN CENTRE FOR CHILD PROTECTION

**Mrs. Susan Truppe (London North Centre, CPC):** Mr. Speaker, I rise today to congratulate Lianna McDonald and the Canadian Centre for Child Protection for the successful launch of its new website, needhelpnow.ca.

Over the last few years, there has been a significant increase in the number of reported cases of young people involved in peer exploitation. This type of exploitation, often called sexting, is generally defined as youth creating and sharing sexual images with their peers over the Internet and/or wireless devices.

It is clear that youth need a place to access information on dealing with such incidents, and in the most extreme cases, a place to report their concerns. Needhelpnow.ca will provide youth with the information they need to recognize when things have gone too far and what they can do to report and prevent such incidents from occurring.

Our government is pleased to support the work of organizations like the Canadian Centre for Child Protection to help educate and protect Canadian youth. I urge all hon. members to put needhelpnow.ca on their Twitter and Facebook accounts to help get the word out to our Canadian youth. That is needhelpnow.ca.

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### VOLUNTEERISM

**Ms. Joyce Murray (Vancouver Quadra, Lib.):** Mr. Speaker, today in Ottawa I joined hundreds of volunteers who walked for Boston in solidarity with the victims' families, the participants and the volunteers of the Boston Marathon.

Across Canada volunteers share their time, skills and talents to make things better in their own communities and in communities all around the world.

*Oral Questions*

This week is National Volunteer Week, a time to pay tribute to the more than 13 million Canadians who spend over two billion hours volunteering every year. Volunteers have a passion for getting involved. They take action to support the causes that matter to them and they make our communities stronger.

On behalf of the Liberal Party of Canada and our parliamentary caucus, I want to thank all of Canada's volunteers for their tremendous contributions and for their dedication to improving the lives of others.

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**FIREARMS REGISTRY**

**Mr. Robert Goguen (Moncton—Riverview—Dieppe, CPC):** Mr. Speaker, Yvonne Jones, the Liberal candidate in Labrador, has said that she says “no” to the gun registry. It seems that a Liberal has accepted the common sense policy that targeting hunters, farmers and sport shooters does not prevent crime. However, I am concerned that this is typical Liberal double-talk.

When the new leader of the Liberal Party was looking for votes in rural Ontario, he said that the gun registry was a failure. However, mere hours later, in Quebec, he said, “I voted to keep the firearms registry...and if we had a vote tomorrow I would vote...to keep the long-gun registry”.

Unlike the Liberals who say one thing in rural Canada and another in Ottawa and Quebec, our Conservative Party will continue to stand up for law-abiding sport shooters, farmers and hunters.

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●(1415)

*[Translation]***MINISTER OF NATIONAL DEFENCE**

**Mr. Robert Aubin (Trois-Rivières, NDP):** Mr. Speaker, the disastrous record of the Minister of National Defence keeps going from bad to worse: the minister who constantly says that criticizing the shoddy management of his department is the same as criticizing our troops really took a beating this morning—and for the second time concerning soldiers' pay while deployed.

Canadian soldiers currently serving in northern Afghanistan were asked, by departmental directive, to pay back thousands of dollars in danger pay, a decision that was once again reversed in a panic following a media scoop.

The minister tried to save a few pennies on the sly, at the expense of our soldiers. It seems to me that the Minister of National Defence—who is willing to slap down tens of thousands of dollars to get his photo taken with an F-35 or to be taxied out of his fishing camp in an army helicopter—should not be playing bailiff with our soldiers.

Our brave soldiers are courageously serving in one of the most dangerous countries on the planet and deserve a government that treats them with respect and dignity.

In 2015, that is exactly what the NDP will give them.

*[English]***LEADER OF THE NEW DEMOCRATIC PARTY OF CANADA**

**Mr. Jay Aspin (Nipissing—Timiskaming, CPC):** Mr. Speaker, as Canadians look forward to the summer months, they can rest assured that our Conservative government will continue to fight the NDP leader's \$20 billion job-killing carbon tax.

In the summer months, Canadians will hit the road with their families to go camping, spend time at a cottage or visit family and friends. Respected economist Jack Mintz estimates that the NDP leader's carbon tax would raise gas prices by as much as 10¢ a litre. That is a real direct hit on the pockets of Canadian families. If the NDP ever got its way, summer vacations would be in jeopardy.

On this side of the House, we will continue to fight the NDP leader's carbon tax and will continue to stand up for Canadians.

**ORAL QUESTIONS***[Translation]***THE ENVIRONMENT**

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Mr. Speaker, the Conservatives are piling an insurmountable environmental debt on the backs of future generations.

Under the successive Liberal and Conservative governments, Canada has failed miserably in terms of reducing its greenhouse gas emissions. The Conservatives made Canada the one and only country to withdraw from the Kyoto accord. Also for the first time, unlike any other country in the world, the Conservatives withdrew from the United Nations Convention to Combat Desertification. They have gutted our environmental laws.

Is this because the Prime Minister still believes that international measures to combat climate change are a socialist plot and a hoax?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, no federal government has done more for the environment than this one. We have expanded our marine protected areas by extraordinary amounts.

For the very first time, we have reduced greenhouse gas emissions in Canada, and we intend to continue in that direction.

*[English]*

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Mr. Speaker, actually here are the facts. They were put before the United Nations last week by the Conservative government.

The only reason that the Conservatives can talk about a slight dip after 2000 is that they have completely destroyed the manufacturing sector in Canada. That is what they wrote word for word to the United Nations.

In fact, we have increased by one million tonnes from last year to this year the amount of greenhouse gases that we are producing in Canada.

I again quote the Prime Minister, who wrote, “Kyoto is essentially a socialist scheme to suck money out of wealth-producing nations.”

*Oral Questions*

Is the problem not that is what he still fundamentally believes, as his backbenchers applaud it?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, we have been very clear that, unlike Kyoto, what we need is an effective international protocol that will cause all nations and all major emitters to reduce their greenhouse gas emissions. That is what we are working for internationally and that is what we are doing in Canada.

While we have in fact had economic growth in this country, we have also seen a drop in greenhouse gas emissions as well as other important actions by the government to protect land and marine protected areas. We have every intention of continuing to work in favour of our environment.

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Mr. Speaker, Canadians cannot wait any longer for the Conservative government to wake up to these issues. They have stripped protection from 99% of rivers and 99% of lakes in Canada. They have even left Canada's heritage rivers without protection, ignoring their economic, ecological, and historic significance.

Will the Prime Minister commit to reinstating protection for all Canadian waterways that used to exist under a 100-year-old piece of legislation admired around the world called the Navigable Waters Protection Act?

• (1420)

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, what the leader of the NDP should understand is the reason the Federation of Canadian Municipalities so strongly supported these changes is under previous legislation. In fact, there was no effective protection, and 98% of all projects were approved, but only after long delays and unnecessary bureaucracy.

This government is making sure we focus our actions on real environmental needs while not blocking projects that are needed by Canadian municipalities.

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**NATIONAL DEFENCE**

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Mr. Speaker, on another topic, today we learned that the Department of National Defence was planning to claw back the danger pay of soldiers currently on duty in northern Afghanistan. The department notified the soldiers that they were taking back the money "as soon as practicable".

After demanding soldiers pay up, the Department of National Defence explained to them as follows in pure bureaucratese, "It was therefore not a reduction in level, but rather that the established rate was never properly implemented and personnel had been overpaid." This is the second incident in two weeks where the Conservatives have tried to shortchange soldiers who were placed in harm's way.

Why are the Conservatives once again going after our soldiers' danger pay?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, on the contrary, as you may know, this is a particular case where certain soldiers were paid more than they should have been because of an administrative error. That should not have been the

case and is certainly not the fault of the soldiers themselves. For that reason, the minister has made it very clear they will not have to repay those amounts.

We very strongly support our soldiers. We not only support them, we have supported, through the entirety of the past decade, their mission in Afghanistan, and we will continue to support them in that dangerous—

**The Speaker:** The hon. Leader of the Opposition.

[*Translation*]

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Mr. Speaker, let us recap the situation. The Conservatives decided to cut the danger pay of soldiers posted in Kabul. However, once this came out in the media, they were forced to reverse their decision.

Next, they required soldiers posted in northern Afghanistan to pay back their danger pay. Once again, it was only when the story went public and appeared in the media that the Conservatives decided to reverse their decision, as the Prime Minister just demonstrated.

The Conservatives can blame others as much as they like, but these decisions are the Minister of National Defence's responsibility. Is he finally going to take responsibility for his blunders or is he going to admit that he has lost control of his department?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, these soldiers were overpaid because of an administrative error.

The minister clearly stated that he intervened to ensure that soldiers would not have to repay the amounts in question. Contrary to the NDP, this government wholeheartedly supports the actions, activities and missions of our troops in Afghanistan. We are very proud of them.

\* \* \*

**EMPLOYMENT**

**Mr. Justin Trudeau (Papineau, Lib.):** Mr. Speaker, last week, the government refused to cancel tariffs that are a new tax on the middle class. However, this tax is not the only way the Conservatives are going after Canadians.

Last year, the summer employment rate for young Canadians was the worst it has been in decades.

Can the government tell us what measures it has taken this year to ensure that it will not abandon our students once again?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, we have been clear.

We have reduced customs tariffs by more than half a billion dollars a year for consumers. We believe that it makes no sense to give China, India and other countries special tax breaks.

I am a little surprised by the question because that member wrote to the government in 2010 asking for tax increases on such consumer goods as iPods.

*Oral Questions**[English]*

**Mr. Justin Trudeau (Papineau, Lib.):** Mr. Speaker, raising tariffs by \$330 million a year on everyday items is going to hurt Canadians. Worse, compared to pre-recession 2006, the Canada summer jobs program now offers 24% fewer jobs to students. With youth unemployment soaring, instead of offering extra support, the government is abandoning young Canadians.

I ask again, what is the government doing to ensure that it does not let young Canadians down once again this summer?

• (1425)

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, as I just said, the government has in fact, on a net basis, reduced tariffs by over half a billion dollars annually for Canadian consumers. Obviously we do not think it makes sense to give special tariff reductions to countries like China.

I always know when a question is coming from the Liberal leader because inevitably he has written to the government asking us to do exactly the opposite. He has written asking us to increase taxes on a range of consumer electronic products, including iPods. Our government will not be doing this.

**Mr. Justin Trudeau (Papineau, Lib.):** Mr. Speaker, middle-class Canadian youth depend on the summer jobs program to get work experience and to help pay for school. In these tough economic times students need more help, not less.

I ask again, how is the government going to create at least as many job opportunities this summer as the program offered seven years ago, before the recession hit?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, our government has made investments in a range of youth employment activities. That is one of the reasons why we see over 900,000 net new jobs created in the country since the recession ended. It is one of the best records in the developed world.

What will not help the youth, or anybody else in the country, are the proposals of the Liberal leader and the Liberal Party to increase taxes on students and other Canadians.

\* \* \*

*[Translation]***THE ENVIRONMENT**

**Ms. Megan Leslie (Halifax, NDP):** Mr. Speaker, Earth Day is a good day to review the Conservatives' environmental record.

They withdrew from the Kyoto protocol, they eliminated environmental assessments, they called into question the science of climate change and they withdrew protection for our lakes and rivers. Honestly, Canadians have nothing to celebrate today.

The Minister of the Environment recently said that he is not against carbon pricing.

When will the government introduce a carbon pricing policy?

*[English]*

**Hon. Peter Kent (Minister of the Environment, CPC):** Mr. Speaker, Earth Day is a wonderfully appropriate time for the opposition to reflect on the significant investments in budget 2013 in

Canada's environmental priorities. We have invested a quarter of a billion dollars in building up the Canadian weather service. We are investing in conservation of ecologically sensitive lands and fish habitat. There is renewed funding for Sustainable Development Technology Canada and new investments and tax support for clean energy generation.

I would suggest that the NDP reflect on all of this good news and more and then vote for our budget.

**Ms. Megan Leslie (Halifax, NDP):** Mr. Speaker, he does not want to answer the question because he does not actually know the answer.

I know that the concept of sustainability is a little hard for the minister, so let us try again. Being a world leader in pulling out of climate agreements is not sustainability, dismantling environmental reviews is not sustainability, and leaving future generations to pay for today's environmental degradation is not sustainability.

When will the minister stop stalling and finally introduce effective regulations for our oil and gas sector?

**Hon. Peter Kent (Minister of the Environment, CPC):** Mr. Speaker, our government, as the opposition should know, is committed to developing Canada's abundant natural resources while at the same time strengthening environmental protections. Earlier today, I had the pleasure, along with Alberta's minister of the environment, to announce federal and provincial environmental monitoring data of air, water, and biodiversity on an Internet portal. This joint plan represents a scientific undertaking that is unprecedented in Canada.

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*[Translation]***CANADA-U.S. RELATIONS**

**Ms. Anne Minh-Thu Quach (Beauharnois—Salaberry, NDP):** Mr. Speaker, experts agree that the Conservatives' ineffective plan to reduce greenhouse gases is not working.

On another note, the United States is considering asking Canadians to pay a fee to cross the border. This tax would increase wait times and would be detrimental to cross-border trade. Thousands of snowbirds and people who travel often or occasionally are strongly opposed to this new proposal.

Will Canadians have to pay a new travel tax on top of the new taxes in budget 2013?

*Oral Questions**[English]*

**Mr. Deepak Obhrai (Parliamentary Secretary to the Minister of Foreign Affairs, CPC):** Mr. Speaker, we believe that any fee on travellers crossing the Canada-U.S. border would be bad for jobs and bad for the economy. There is \$1.6 billion in cross-border trade supporting jobs and growth in both countries. Canadian officials will strongly lobby against this proposal. This kind of fee had been proposed before and not enacted.

●(1430)

**Mr. Brian Masse (Windsor West, NDP):** The problem, Mr. Speaker, is Conservatives are preoccupied and obsessed with shipping 40,000 jobs to the U.S. down the Keystone pipeline at the expense of everything else in Washington. The Canadian Chamber of Commerce president said that making the borders thicker is exactly the wrong way to go and the Conservative government already set the example by cutting the CBSA, setting the stage for cuts from the U.S.

Why are the Conservatives once again failing to protect our interests in the U.S.? What are they doing to put a stop to this new tax on trade on Canadians?

**Mr. Deepak Obhrai (Parliamentary Secretary to the Minister of Foreign Affairs, CPC):** Mr. Speaker, we value our trade relations with the U.S.A. Canadian travellers contribute approximately \$20 billion annually, roughly \$2 billion crosses the U.S.-Canada border each year, and over eight million U.S. jobs depend on trade with Canada. As I said, our officials will very strongly lobby against this tax proposal that has been put forward. This kind of fee has been proposed before and not enacted.

\* \* \*

*[Translation]***NATIONAL DEFENCE**

**Ms. Françoise Boivin (Gatineau, NDP):** Mr. Speaker, speaking of relations with the U.S., yesterday, the office of the Minister of National Defence said that he would possibly be open to the idea of Canada participating in ballistic missile defence. This is déjà vu. I remember a decision on this topic was made in 2005 and no one bothered to see that it was a white elephant.

In 2006, the current Prime Minister spoke about participating in such an initiative in the future, but said that he would first put it to Parliament.

Do the Conservatives plan on submitting a ballistic missile defence plan to Parliament?

*[English]*

**Hon. Peter MacKay (Minister of National Defence, CPC):** Mr. Speaker, as you and the member would know, Canada has declined in the past to participate in U.S.-led ballistic missile defence. The member would also be aware that we have consistently faced the challenges in a changing and volatile world with a review of the security situation. That is normally what would be expected and, of course, we are committed to ensuring the safety of Canadians at all times at home and abroad.

**Mr. Paul Dewar (Ottawa Centre, NDP):** Mr. Speaker, for years Canadians have been clear on this issue. They do not want to be part of a missile defence scheme. Yet the public safety minister is musing

about doing just that, as we heard yesterday. The new proposal is an expansion of a system that the National Academy of Sciences calls, and get this, “ineffective”.

Why are Conservatives now opening the door to a potential military boondoggle yet again that would actually make the F-35s really look pale in comparison? Why not, instead, do the hard diplomatic work necessary, including with China, to reduce ballistic missile threats?

**Hon. Peter MacKay (Minister of National Defence, CPC):** Mr. Speaker, I repeat to the hon. member that as a country, we have in the past, as he pointed out, refused and declined to take part in the U.S.-led ballistic missile defence.

The only person and the only party that appear to be musing about this are the member opposite and some journalists. In the past we have, as I said, consistently reviewed our security policies with a mind to ensuring that Canadians were protected at home and abroad.

What we see here is the thinly veiled anti-militarism so common from the NDP.

*[Translation]*

**Ms. Éline Michaud (Portneuf—Jacques-Cartier, NDP):** Mr. Speaker, let us continue to talk about some questionable Conservative decisions on defence issues.

Soldiers in Valcartier, in my riding, deserve better than the Conservatives' ineptitude. They have made cuts to medical services, and soldiers currently in Afghanistan are having to pay back danger pay. Every time a ridiculous decision is made, it takes an outcry in the media before the minister changes his mind. He does not even seem to realize what is going on in his own department.

Will the minister apologize for this mistake? Will he finally take responsibility?

**Hon. Peter MacKay (Minister of National Defence, CPC):** Mr. Speaker, I am proud of the investments that the Department of National Defence has made.

*[English]*

In fact, I would inform the member that since 2006 the health budget for the Canadian Forces has grown by more than \$130 million to its current \$450 million. We have also increased the funds allocated specifically for mental health. Just last fall we added an additional \$11 million.

However, what we have seen consistently from this member and from her party is opposition to any and all investments and improvements for the Canadian Armed Forces of Canada today.

●(1435)

**Mr. Jack Harris (St. John's East, NDP):** Mr. Speaker, the 100 soldiers and their families who have had their danger pay clawed back in Afghanistan want to know why the Minister of National Defence let this happen.

*Oral Questions*

Why did he let his department go after our soldiers serving in Mazar-e-Sharif, while spending hundreds of millions of dollars on a new campus for DND headquarters instead of saving money there?

How is it that the minister let this happen right under his nose?

**Hon. Peter MacKay (Minister of National Defence, CPC):** Mr. Speaker, I am used to the feigned indignation from the member opposite, but maybe he missed something.

It did not happen. In fact, what we have just heard from the Prime Minister is that as a result of an administrative error, there was the intention. It came recently to my attention, and as a result we are not going to do this. This of course happened with no fault to the soldiers themselves.

We have the utmost respect for the members of the Canadian Armed Forces and their families, particularly those who are deployed. As a result, I have directed that this clawback not occur.

**Mr. Jack Harris (St. John's East, NDP):** Mr. Speaker, this \$1,600 amounts to about the cost of two nights for Bev Oda at the Savoy hotel, or about—

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

**The Speaker:** Order, order. The hon. member for St. John's East has the floor.

**Mr. Jack Harris:** It amounts to about the cost of two nights for Bev Oda at the Savoy hotel, or one-134th of what the Conservatives spend every day on advertising.

The minister said they have changed their minds, but will he admit that they still have not changed their minds about reducing soldiers' danger pay? Why is he letting his department go after soldiers serving in Mazar-e-Sharif? Is the only hope for our soldiers to keep leaking his department's badly-thought-out decisions?

**Hon. Peter MacKay (Minister of National Defence, CPC):** Mr. Speaker, there has not been a government in the last 50 years that has done more and dedicated more effort to improving the lives of and the support for the Canadian Armed Forces.

In fact, as I have mentioned already, as a result of this administrative error that recently came to my attention with respect to an overpayment that occurred as a result of an administrative error, we have put a stop to it.

With respect to this member, we have consistently seen his opposition. His voting record tells the story. It tells the tale of the opposition of the NDP to all of these improvements for equipment, for support and for all the good work that the Canadian Forces are doing.

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**EMPLOYMENT**

**Mr. Rodger Cuzner (Cape Breton—Canso, Lib.):** Mr. Speaker, middle-class Canadian families have always known that summer job opportunities provided financial support and work experience to young Canadians.

We know that five years ago the Conservative government wanted to cut that program out totally. We know that last year, according to StatsCan, they have hit the worst summer student numbers since

StatsCan started recording, yet this year they are going to cut still more jobs and they have closed the student employment centres.

The new definition by the Conservatives for summer jobs is “Summer is here; most are gone.”

**Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC):** Mr. Speaker, we revised how we deliver the Canada summer jobs program in response to the demands of students. Students who go online and students who use social media asked that we make their process go online as well, because that would be more convenient for them.

We are not just helping them access those jobs; we are providing over 36,000 jobs. As well, we have invested an additional significant amount of money in the career focus program that helps young people get over the hurdles to getting a job.

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, middle-class families are struggling to afford education for their children, yet as part of the government's reckless cutting spree, it defunded the Rotary Career Symposium in Winnipeg. Canada's largest and most comprehensive career symposium has, for many years, linked students with the Manitoba Teachers' Society and many other organizations to help thousands realize their career goals.

Why are the Conservatives killing job opportunities for Canada's students and punishing middle-class families?

**Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC):** Mr. Speaker, in fact, we are doing just the opposite. We have expanded the career focus program. We are enhancing skills link program. We are continuing with the Canada summer jobs program. Beyond that, it was our government that introduced the Canada student grant program, which helps students fund their way through university without incurring more debt.

Sadly, the opposition has voted against all those initiatives to help our young people get the skills and experience they need for jobs.

**Hon. Scott Brison (Kings—Hants, Lib.):** Mr. Speaker, middle-class Canadian families are worried. Students cannot find summer work. Canada's youth employment numbers are actually five points worse than they were five years ago, and young Canadians are being forced into unpaid internships. Meanwhile, the Conservatives have actually cut the number of jobs in the summer jobs program and have closed student employment offices.

However, the Conservatives were able to find more money for big increases in partisan government advertising in the latest budget. How can the Conservatives choose advertising over student jobs, and why are they so out of touch with the priorities and needs of middle-class Canadian families?

● (1440)

**Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC):** Mr. Speaker, let us take a look at just some of the things that our government has done to help young people get jobs and summer jobs and the experience they need for full-time jobs, as well as the education for those jobs. All of these are things against which the Liberals voted.



*Oral Questions*

There is the apprenticeship incentive grant. There is the apprenticeship completion grant. There is the apprenticeship tax credit for employers that take on apprentices. There is the Canada student grant program to help reduce debt and increase accessibility for students.

Mr. Speaker, I could go on, but you are about to cut me off.

\* \* \*

**TAXATION**

**Mr. Glenn Thibeault (Sudbury, NDP):** Mr. Speaker, in budget 2013 Conservatives raised taxes on everything from fishing rods to bicycles. To try to hide their broken promise, they even announced a tax break on hockey equipment, but they failed to their homework and did not include hockey helmets.

On Friday, after pressure from the NDP, Conservatives agreed to drop their tax hike on helmets. That is great news.

Now would the minister admit it is also a mistake to make life more expensive for already squeezed families by making hundreds of everyday items more expensive?

**Hon. Ted Menzies (Minister of State (Finance), CPC):** Mr. Speaker, that is completely false. Our intention is to provide tariff relief for hockey helmets, and we will be doing that. That is over and above the \$76 million of broad-based tariff relief that is in budget 2013.

Economic action plan 2013 includes \$76 million of broad-based tariff relief, and my understanding is that the NDP is going to vote against that.

[Translation]

**Ms. Annick Papillon (Québec, NDP):** Mr. Speaker, if they were able to admit their mistake regarding customs tariffs on hockey helmets, further to the great work accomplished by the hon. member for Sudbury, why are they not able to admit their mistake regarding all other consumer products?

The tariff hikes in their budget will increase the prices of many consumer products, including shampoo, deodorant, perfume and laundry detergent.

Will they apply the same exemptions to those products as they did to hockey helmets and cancel the tax hikes?

[English]

**Hon. Ted Menzies (Minister of State (Finance), CPC):** Mr. Speaker, all of those products that hon. member talks about actually have had their costs reduced. That is because we reduced the GST from 7% to 6% to 5%, with no help from the NDP. The NDP voted against that.

The NDP continues to try to raise taxes on Canadians. We have no idea how much its \$21 billion carbon tax would raise the cost of everything that Canadian consumers buy.

We encourage those hon. members to support economic action plan 2013, which would provide more tariff relief to Canadians.

[Translation]

**Mr. Pierre Dionne Labelle (Rivière-du-Nord, NDP):** Mr. Speaker, the Conservatives may try to seem holier-than-thou,

but people are not fools. They know that an increase in customs tariffs is an increase in taxes, period.

For instance, recreational fishers will have to spend more money this summer. Fishing lines, reels and rods will be more expensive. The Conservatives's tax hike will also affect outdoor enthusiasts and campers. They will raise taxes on camp stoves, coolers, and hatchets. Really, what do they have against camping?

Why do the Conservatives want to tax outdoor enthusiasts?

[English]

**Hon. Ted Menzies (Minister of State (Finance), CPC):** Mr. Speaker, as I said, taxes are lower because of the implementation of the reduced GST. Every product that Canadians buy has been reduced. The NDP does not seem to understand that.

Our tax rate on Canadians is the lowest it has been in 50 years, but the NDP wishes to give special breaks to companies manufacturing in China and Brazil.

We will stand up for Canadian companies.

**Mr. John Rafferty (Thunder Bay—Rainy River, NDP):** Mr. Speaker, the Minister of State for Finance likes outdoor taxes. He is a fly fisherman. He knows that if there are fewer people on the rivers, he might actually catch a fish or two. He also knows that exploring Canada's outdoor beauty from a tent is a national tradition to be proud of, yet once again, in budget 2013, these Conservatives are secretly raising taxes on air mattresses, backpacks and even matches. What is next? Will it be a tax on outhouses, another crappy Conservative tax?

Why are Conservatives making it harder for Canadians to enjoy the outdoors?

● (1445)

**Hon. Ted Menzies (Minister of State (Finance), CPC):** Mr. Speaker, in fact the average family of four in Canada will have \$3,200 more of their own hard-earned money in their pockets if they want to go fly-fishing in Ontario. I would encourage them to do that.

However, Canadians expect this Conservative government to deliver on our promise, and that is a continued reduction of taxes. It is not what the NDP wants to do, which is raise taxes.

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**JUSTICE**

**Hon. Ron Cannan (Kelowna—Lake Country, CPC):** Mr. Speaker, our Conservative government is committed to keeping our streets and communities safe. We are also committed to helping the victims of crime and providing them with the support and services they need.

*Oral Questions*

This week our government launched the eighth annual National Victims of Crime Awareness Week. Can the highly respected Minister of Justice please inform this House about the government's further action to support the victims of crime?

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, what a great question.

This government has worked hard to introduce reforms that give victims a more effective voice in the criminal justice system. As part of those efforts, this week we announced our support of 177 projects across the country for victims' organizations. We will continue to take action to support victims of crime by moving forward with a victims' bill of rights.

Those of us on this side of the House believe that the rights of victims must come first. I hope the opposition will finally support our efforts to stand up for victims in this country.

\* \* \*

[Translation]

**EMPLOYMENT INSURANCE**

**Mrs. Anne-Marie Day (Charlesbourg—Haute-Saint-Charles, NDP):** Mr. Speaker, documents released by *Le Devoir* show just how much contempt the Conservatives have for workers in seasonal industries. According to a Service Canada document, these individuals systematically present a high risk of employment insurance fraud and should be priority targets for investigators. Their only crime is being fishers, tour guides and servers in restaurants. In the eyes of the Conservatives, however, those are all just synonyms for “fraudster”.

Will the Conservatives revise this contempt-filled policy that targets this category of workers?

**Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC):** Mr. Speaker, Service Canada is responsible for protecting the integrity of the employment insurance system so that Canadians who pay their employment insurance premiums can receive benefits when they need them.

The department was able to stop half a billion dollars in ineligible payments last year.

[English]

**Ms. Chris Charlton (Hamilton Mountain, NDP):** Mr. Speaker, once again the minister is denying facts. Government documents show that the Conservative home inspection program intentionally profiled seasonal workers. In fact, they make the outrageous claim that workers in these industries have “elevated risk of fraud”. Only Conservatives would target unemployed seasonal workers as fraudsters because fishing season ended.

Why are they treating honest, law-abiding Canadians like criminals? When will the minister end the witch hunt and stop attacking seasonal industries and workers?

**Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC):** Mr. Speaker, the purpose of EI is to support those who have lost their job through no fault of their own.

Service Canada also has a responsibility to find and stop inappropriate claims so that Canadians who have paid into the system will know that the benefits are there when they need them.

Last year, nearly half a billion dollars in ineligible payments were detected and stopped by Service Canada.

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**PUBLIC SAFETY**

**Mr. Randall Garrison (Esquimalt—Juan de Fuca, NDP):** Mr. Speaker, today Canada's firefighters are on Parliament Hill once again for the 20th consecutive year, asking for the same thing. They are asking for a compensation fund to help out the families of fallen firefighters.

This House has already voted twice in favour of this fund, the first time more than seven years ago in 2005, but the government has failed to act. This is not acceptable.

Will the government stop ignoring the pleas of our firefighters, who risk their lives every day for our safety? Will the government act now to implement this compensation fund for their families?

• (1450)

**Ms. Candice Bergen (Parliamentary Secretary to the Minister of Public Safety, CPC):** Mr. Speaker, our Conservative government has consistently stood up for front-line public safety officers, especially firefighters. That is why our government introduced the volunteer firefighters tax credit.

The fact is that, in this current climate of fiscal restraint, establishing a fund that the member alluded to would cost in excess of \$60 million. It is just not reasonable.

We are giving firefighters the support they need and we will continue to do so.

**Mr. Peter Julian (Burnaby—New Westminster, NDP):** Mr. Speaker, it is reasonable, actually, that this Parliament stand with the nation's firefighters and with their families.

[Translation]

Firefighters and their families deserve better. The NDP proposed a compensation fund for families of firefighters who die on the job, and it was passed by Parliament. Parliament also passed the idea of giving them priority access to vaccines and was in favour of the proposed amendments to the National Building Code.

The minister has yet to do anything. Why such disrespect for Canada's firefighters, who risk their lives for us every single day?

[English]

**Ms. Candice Bergen (Parliamentary Secretary to the Minister of Public Safety, CPC):** Mr. Speaker, one thing firefighters can know when they are on the Hill is that NDP members will say one thing, but when it comes time to vote, they do the exact opposite.

We only need to look at the firefighter volunteer tax credit. We listened to firefighters. We introduced it and we passed it. NDP members voted against it, so we will take no lessons from them on supporting front-line officers, including firefighters.

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#### THE ENVIRONMENT

**Ms. Kirsty Duncan (Etobicoke North, Lib.):** Mr. Speaker, on this 43rd Earth Day, Canada's gutted environment is feeling the wrath of Conservative cuts.

Environmental regulations have been eviscerated, scientists fired, the Experimental Lakes Area vandalized, \$162 million cut from the clean energy fund, and community pastures and Canada's tree farms shut down. We still have no regulations for emissions for the oil and gas sector.

Will the Minister of the Environment stop his war on the environment?

**Hon. Peter Kent (Minister of the Environment, CPC):** Mr. Speaker, that is pretty rich, given that the Liberals, for 13 long years, paid mere lip service to the environment. Greenhouse gas emissions went up by more than 30%, and they mothballed high Arctic research.

This is the first Canadian government to actually reduce greenhouse gas emissions, and we have separated the reduction in greenhouse gas emissions from economic growth over the past six years.

Our sector-by-sector approach is working, despite the deniers on the other side.

[Translation]

**Hon. Stéphane Dion (Saint-Laurent—Cartierville, Lib.):** Mr. Speaker, the minister is not doing a very good job of hiding his government's negligence when it comes to environmental issues. It has gutted parks, biologist and chemist positions as well as research centres such as the Maurice Lamontagne Institute. It has cut environmental monitoring programs at Transport and National Defence by more than half. It has also gutted the northern land, resources and environmental management program. I could go on.

Why do the Conservatives go to such lengths to attack the environment? Do they think that Canadians will not notice?

[English]

**Hon. Peter Kent (Minister of the Environment, CPC):** Mr. Speaker, I would remind my colleague that the former leader of his party said he simply did not get it done.

This government in budget 2013 reinforces—

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

**The Speaker:** The hon. Minister of the Environment still has the floor. Order, please.

The hon. Minister of the Environment.

**Hon. Peter Kent (Minister of the Environment, CPC):** Mr. Speaker, I will say it again. The Liberals did not get it done. I would ask my colleague on the other side of the House to take a close look at budget 2013, at the significant investments we are making to the

#### Oral Questions

environment and Canada's environmental priorities. Then, I would challenge them to support the budget.

\* \* \*

[Translation]

#### ABORIGINAL AFFAIRS

**Mrs. Carol Hughes (Algoma—Manitoulin—Kapusksing, NDP):** Mr. Speaker, last week, the Neskantaga First Nation declared a state of emergency following a surge of suicides.

In the past year, there have been 20 suicide attempts, four deaths by suicide and seven tragic deaths in a community of just 421 residents. The government's Band-Aid solution is completely inadequate.

When will the government announce a serious, long-term strategy to fight substance abuse, suicide, crime and violence in aboriginal communities?

[English]

**Hon. Leona Aglukkaq (Minister of Health, Minister of the Canadian Northern Economic Development Agency and Minister for the Arctic Council, CPC):** Mr. Speaker, our hearts go out to those individuals who have lost loved ones to suicide. As I stated last week, Health Canada will work closely with the communities and send both additional nursing and counselling to the communities that were affected. We have renewed funding and work very closely with the national aboriginal organizations to develop the framework for the national aboriginal youth suicide prevention strategy and will continue to work in partnership with many other organizations.

The member can support aboriginal first nations women by supporting the matrimonial rights legislation in place in the House. That will give aboriginal women the same rights she takes for granted.

● (1455)

**Mrs. Carol Hughes (Algoma—Manitoulin—Kapusksing, NDP):** Mr. Speaker, it is obvious that the minister is disconnected. I have spoken to the chief, and Band-Aid solutions are not the answer. Instead of playing political games, the Conservatives should act to end this crisis and start working on real solutions. The sad truth is that in a non-aboriginal community a similar situation would not be tolerated, and substantial resources would already have been deployed to deal with the situation.

Why will the government not deliver long-term solutions that the community needs and, in a country such as ours, deserves?

*Oral Questions*

**Hon. Leona Aglukkaq (Minister of Health, Minister of the Canadian Northern Economic Development Agency and Minister for the Arctic Council, CPC):** Mr. Speaker, we have been increasing health care funding for our first nation communities during our time as government. We have also made historic arrangements at improving health care delivery, particularly in British Columbia, with a historic tripartite health agreement that we signed off, which will be implemented this year. The member and her party and the other opposition party can support the matrimonial rights legislation that will give—

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

**Hon. Leona Aglukkaq:** This is not funny—

**The Speaker:** Order, please. The hon. Minister of Health still has the floor.

The hon. Minister of Health.

**Hon. Leona Aglukkaq (Minister of Health, Minister of the Canadian Northern Economic Development Agency and Minister for the Arctic Council, CPC):** Mr. Speaker, it is not a laughing matter to deny first nations the same matrimonial rights that you take for granted every day. If you want to help aboriginal women, you can support this legislation—

**The Speaker:** I would remind the hon. Minister of Health to address her response through the Chair and not directly at other colleagues.

The hon. member for Dauphin—Swan River—Marquette.

\* \* \*

**THE ENVIRONMENT**

**Mr. Robert Sopuck (Dauphin—Swan River—Marquette, CPC):** Mr. Speaker, today on Earth Day, let us take a look at the opposition's dismal record on the environment. The former Liberal government actually developed its policy on the back of a napkin. It was a complete failure and led to a 30% increase in greenhouse gases. Members can look it up.

The NDP members, who were cheerleaders for the Liberals' failed policy, are now pushing the famous \$20 billion carbon tax that would not reduce emissions by a single tonne.

Could the Minister of the Environment—the best in Canada, I might add—update us on what our government is doing to improve Canada's environment?

**Hon. Peter Kent (Minister of the Environment, CPC):** Mr. Speaker, I thank the hon. member for Dauphin—Swan River—Marquette because his question reminds us that the Liberals' failed environmental policies would have set this country back decades had our government not been elected. The NDP's policy, a tax on everything, would only serve to jeopardize Canadian jobs and the economy.

We are proud to be the first Canadian government, as I have said many times today, to actually reduce greenhouse gas emissions. With clean air, clean water, clean energy on this Earth Day, and announcing the new oil sands monitoring portal, I can report we are getting the job done.

**NATIONAL DEFENCE**

**Hon. John McKay (Scarborough—Guildwood, Lib.):** Mr. Speaker, soldiers yesterday in Afghanistan found there is going to be a second pay cut, the second one in two weeks. Both were reversed when leaked to the media, so it is a new day, a new screw-up, and blame the bureaucrats.

Instead of another day, another pay cut, another screw-up and another day of blaming the bureaucrats, will the minister stand in the House today and pledge to the soldiers that their danger pay will not be cut while they are in Afghanistan?

**Hon. Peter MacKay (Minister of National Defence, CPC):** Mr. Speaker, in his rambling preamble, the member has already addressed the fact that this is not happening. I find it interesting coming from this member in particular, who comes from the party that was the architect of the decade of darkness thrust upon our Canadian Forces, their families and our veterans, which gutted our military and slashed and burned our forces, in which they were sent to Afghanistan in forest green uniforms and inadequate equipment.

For this member to stand and criticize is the height of hypocrisy.

\* \* \*

● (1500)

**PARLIAMENTARY BUDGET OFFICER**

**Ms. Linda Duncan (Edmonton—Strathcona, NDP):** Mr. Speaker, today Justice Harrington of the Federal Court affirmed the Parliamentary Budget Officer's powers under the Federal Accountability Act. The court held that the government did not have to enact legislation to create the position of Parliamentary Budget Officer, but having prescribed the mandate in law, it can only be unmade by Parliament. This contradicts what the unelected Senate has argued and what Conservatives have argued in and out of court.

Can the chair of the public accounts committee tell us what this means for fiscal accountability?

**Mr. David Christopherson (Hamilton Centre, NDP):** Mr. Speaker, I appreciate the question. What it means is that even this government is not above the law. The justice wrote:

...Parliament not only intended that the Parliamentary Budget Officer be answerable to it and to its committees, but also to every backbencher irrespective of political stripe.

And:

...shield any given member of either House of Parliament from the will of the majority.

What that means is that we have a right to be asking these fiscal questions of the PBO. The PBO has a lawful responsibility to respond, and the only way he or she can do that is to get the information from the government, and it has now been told by the courts to provide—

**The Speaker:** Order, please. The hon. member for Renfrew—Nipissing—Pembroke.

*Privilege***NATIONAL DEFENCE**

**Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC):** Mr. Speaker, we are eternally grateful for the dedication and sacrifice made by Canadian Armed Forces members. Our government committed to supporting the women and men in uniform to do the tasks we ask them to do, some of which are very dangerous, so today I was particularly disturbed by media stories that our soldiers have to pay back money due to an administrative error.

Can the Minister of National Defence please clarify this matter and update the House on what action our government is taking to rectify it?

**Hon. Peter MacKay (Minister of National Defence, CPC):** Mr. Speaker, I share my colleague from Renfrew—Nipissing—Pembroke's sentiment with respect to our government and our country's proud and grateful attitude toward our members of the Armed Forces for their service and sacrifice, and that of their families.

As a result of an administrative error resulting in roughly 100 members of the Canadian Armed Forces having to face an overpayment that was going to be reclaimed, as Minister of National Defence, I firmly believe that it is unfair to penalize soldiers and their families as a result of an accounting error, so we will not be asking our soldiers to pay back the difference.

Earlier today, I instructed my department to take whatever steps were necessary to reverse this collection.

\* \* \*

[*Translation*]

**CHAMPLAIN BRIDGE**

**Mr. Hoang Mai (Brossard—La Prairie, NDP):** Mr. Speaker, the Government of Quebec has finally selected a light rail transportation system for the new Champlain Bridge. However, the Conservative government has not yet committed any funds to this public transit project. Elected officials and the public unanimously support the LRT. With their toll system, the Conservatives are already making families on the South Shore pay for the new bridge.

Can the Minister of Transport at least commit to providing adequate funds for the LRT on the new bridge?

**Hon. Denis Lebel (Minister of Transport, Infrastructure and Communities, Minister of the Economic Development Agency of Canada for the Regions of Quebec, Minister of Intergovernmental Affairs and President of the Queen's Privy Council for Canada, CPC):** Mr. Speaker, the day we announced the new bridge project—October 5, 2001—we said that it would include public transit. As we have been saying from the beginning, public transit is a provincial jurisdiction and we will respect that. In the 2007-2014 plan for Canada, the provinces decided to use up to 68% of the budget envelope for public transit. We will soon have a new infrastructure plan, and it will be up to the provinces to use those funds as they wish. We are pleased that Quebec has made a decision. This will allow us to move forward with our plans concerning the new bridge over the St. Lawrence.

**INTERGOVERNMENTAL RELATIONS**

**Mr. Jean-François Fortin (Haute-Gaspésie—La Mitis—Matane—Matapédia, BQ):** Mr. Speaker, on Earth Day, we see that Quebecers are unique in North America. They believe that fighting climate change is more important than increasing oil sands development in order to achieve energy independence. However, the Minister of Natural Resources, with the support of the NDP, is determined to force the pipeline between Alberta and Quebec down Quebecers' throats and refuses to accept that Quebec may say no to the project or impose conditions.

Will the minister realize that Quebecers are far from being convinced of the need for his project, and that he will have to respect Quebec's decision?

[*English*]

**Mr. David Anderson (Parliamentary Secretary to the Minister of Natural Resources and for the Canadian Wheat Board, CPC):** Mr. Speaker, our government supports the idea of a pipeline to the east that would bring Canadian crude to consumers and refineries in Quebec and Atlantic Canada. However, I also need to mention the fact that we are proud of the over \$10 billion that our government has invested in clean energy and a cleaner environment. That is almost three times as much as the previous government.

We are investing 20% more per capita in clean energy than the U. S. government is. We are proud of those significant investments in renewables and in non-renewables and we look forward to working with Canadians on those issues.

\* \* \*

● (1505)

**DEMOCRATIC REFORM**

**Mr. Bruce Hyer (Thunder Bay—Superior North, Ind.):** Mr. Speaker, the member for Papineau has pushed the alternative vote, a preferential ballot that is not proportional to the popular vote, would not see more women or minorities elected, and does not ensure every vote counts.

I congratulate the member on his election. Instead of foisting his voting system on Canadians, will he instead commit to an open, transparent, and citizen-driven process to determine what system Canadians want?

**Hon. Tim Uppal (Minister of State (Democratic Reform), CPC):** Mr. Speaker, alternative voting methods have been rejected by a number of provinces. This government is focused on what matters to Canadians: jobs, growth, and long-term prosperity.

\* \* \*

**PRIVILEGE**

S. O. 31

**Hon. Dominic LeBlanc (Beauséjour, Lib.):** Mr. Speaker, I am intervening with respect to the question of privilege that was brought before the House by the member for Langley.

*Routine Proceedings*

Without any doubt, freedom of speech for members of Parliament is paramount in any democracy. In fact, you will be very familiar with this text, Mr. Speaker. Erskine May's 19th edition states, "Freedom of speech is a privilege essential to every free council or legislature."

Mr. Speaker, the sheer number of interventions you have had on this question clearly displays the considerable concern surrounding the current management of members' statements. That concern is reflected clearly on all sides of the House.

The Liberal Party has until now not intervened in this question of privilege. I want to make it clear, on behalf of my colleagues, I am rising to intervene in support of the concerns raised by the member for Langley and I do so with the proviso that perhaps a solution is at hand, a solution that may negate your needing to find a *prima facie* breach of privilege.

As you will know, Mr. Speaker, the leader of my party, the member for Papineau, gave notice late last week of a motion that in our view would resolve the issue and perhaps lead the member for Langley to conclude that his question of privilege need not be debated in the House and subsequently at the procedures and House affairs committee.

We had hoped to be able to debate the motion today. The motion from my colleague, the member for Papineau, would take control of members' statements away from the party whips, every party whip including our own, and give it back to members themselves because we believe that it is very important for members to be able to rise in the House in a consistent and reliable way to represent their constituents and speak for the women and men who have elected them and sent them here to this chamber.

We had been told in last Thursday's statement by the government House leader that we would have a Liberal opposition day today and therefore the House would have been seized of this very issue today. Unfortunately, the government decided to change the order of the proceedings today. We would have preferred to be discussing this today, but we are hopeful that in the coming days, perhaps even this week, the House will again be seized with the motion from my colleague from Papineau.

The motion, from our perspective, and I hope from other colleagues' as well, would provide not only direction to the Chair by, we hope, changing the actual standing orders, but would reduce the need for the question of privilege to continually be debated in the House and for the procedure and House affairs committee, which is currently dealing with the rather lengthy and complicated electoral boundaries reports from each province, to take up its time with this particular matter.

The question of privilege has been before the House for several weeks. There have been regular interventions from members on all sides. Mr. Speaker, I would urge you, and believe it would be prudent for you, to wait only a few more days in the hope that the House is able to pronounce itself through a vote on the motion presented by the Liberal Party on an opposition day, which we believe may, in a very common sense and democratic way, resolve the issue. A ruling by you, Mr. Speaker, before the House has had a chance to speak and to vote on this Liberal motion could in fact lead

to the procedure and House affairs committee's important work on electoral boundaries being delayed. I think there is no better way than to get the consensus of the House in a stand-up vote on a thoughtful, democratic motion brought forward on an opposition day.

Therefore, I would urge you, Mr. Speaker, to resist ruling on this question of privilege, to give the House, I hope, in the coming days a chance to pronounce itself on a motion that we think is very important to restore the democracy of this House of Commons and Canadians' faith in their elected representatives to speak on their behalf at every available opportunity in this chamber.

● (1510)

**The Speaker:** I understand the hon. member for Thunder Bay—Superior North is rising. I would be happy to hear him now, but I wonder if perhaps he would like to get through routine proceedings first, if he is amenable to that? I will come back and give him the floor then.

The hon. Minister of State for Finance.

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## ROUTINE PROCEEDINGS

[*English*]

### WAYS AND MEANS

#### NOTICE OF MOTION

**Hon. Ted Menzies (Minister of State (Finance), CPC):** Pursuant to Standing Order 83(1), I wish to table a notice of ways and means motion to implement certain provisions of the budget tabled in Parliament on March 21, and other measures.

I ask that an order of the day be designated for consideration of the motion.

Mr. Speaker, pursuant to Standing Order 83(1), I also wish to table a notice of ways and means motion to amend the Canada-Newfoundland Atlantic Accord Implementation Act, the Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation Act, and the Excise Tax Act.

I ask that an order of the day be designated for consideration of the motion.

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### COMMITTEES OF THE HOUSE

#### HEALTH

**Mrs. Joy Smith (Kildonan—St. Paul, CPC):** Mr. Speaker, I have the honour to present, in both official languages, the 13th report of the Standing Committee on Health on Main Estimates 2013-14, Votes 1, 5, 10, 15, 20, 35, 40, 45, 50, and 55 under Health.

[*Translation*]

#### OFFICIAL LANGUAGES

**Hon. Michael Chong (Wellington—Halton Hills, CPC):** Mr. Speaker, I have the honour to present, in both official languages, the fifth report of the Standing Committee on Official Languages.

*Routine Proceedings*

[English]

In accordance with its order of reference of Wednesday, February 27, the committee has considered Bill C-419, an act respecting language skills, and agreed on Thursday, April 18, to report the bill with amendments.

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**NAVIGABLE WATERS PROTECTION ACT**

**Ms. Megan Leslie (Halifax, NDP)** moved for leave to introduce Bill C-490, An Act to amend the Navigable Waters Protection Act (Boundary Waters—Voyageur Waterway and other rivers).

She said: Happy Earth Day, Mr. Speaker.

Last year, the Conservatives systematically gutted our environmental protections here in Canada, from fish habitat to environmental assessments.

[Translation]

With the changes made to the Navigable Waters Protection Act, only 62 rivers and 97 lakes in Canada are now protected.

[English]

The NDP is trying to rectify this reckless decision today on Earth Day so I rise to table my private member's bill and I will be joined by my colleagues from across the country to list our heritage rivers as protected waterways in this country. I have the pleasure of tabling this legislation to extend protection to the Mattawa River and the Missinaibi River and the Boundary Waterway in Ontario, as well as the Hillsborough River and Three Rivers in Prince Edward Island.

I look forward to working with our communities, our anglers and hunters, our boaters, first nations communities, ecotourism operators, cottagers, and concerned citizens from around the country to turn this idea into a reality.

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

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● (1515)

**NAVIGABLE WATERS PROTECTION ACT**

**Ms. Niki Ashton (Churchill, NDP)** moved for leave to introduce Bill C-491, an act to amend the Navigable Waters Protection Act (Bloodvein River and other rivers).

She said: Mr. Speaker, it is my honour today on Earth Day to present a bill to re-add heritage rivers in Manitoba to the Navigable Waters Protection Act. The Bloodvein River, the Seal River, the Hayes River, and the Churchill River must come under this act. The people who have travelled on them, from first nations to the Metis people to people from across Canada and the world, have built our region. Today these waterways are the source of livelihood for fishers, trappers, lodge owners, ecotourists, cottagers, and Manitobans from across our province.

The future lies in protecting these heritage rivers. We call on the government to act.

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

**NAVIGABLE WATERS PROTECTION ACT**

**Mr. Robert Chisholm (Dartmouth—Cole Harbour, NDP)** moved for leave to introduce Bill C-492, An Act to amend the Navigable Waters Protection Act (Shelburne River and other rivers).

He said: Mr. Speaker, it is a terrific initiative my colleague, the member for Halifax, is leading on behalf of the official opposition, marking Earth Day by staking our claim to the fact that Canadians dearly love their lakes and rivers and want them protected. We are setting out today on a campaign to reclaim those rivers.

The private member's bill I am sponsoring would deal with the Shelburne and the Margaree Rivers. One was designated in 1997 and the other in 1998. They are rivers that have deep cultural, economic and recreational value to their communities and to the province as a whole. They were designated in a process that involved a committee of federal representatives. The pitch was put before them that they had outstanding value and should be designated.

I am suggesting, and I believe Nova Scotians will agree, that it is time we had proper protection for those two heritage rivers in Nova Scotia. I will take the opportunity to discuss this issue with Nova Scotians throughout the summer.

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

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[Translation]

**NAVIGABLE WATERS PROTECTION ACT**

**Mr. François Choquette (Drummond, NDP)** moved for leave to introduce Bill C-493, An Act to amend the Navigable Waters Protection Act (Ashuapmushuan River, Mistassini River and Peribonka River).

He said: Mr. Speaker, I wish everyone a happy Earth Day.

Today, I am introducing a bill to amend the Navigable Waters Protection Act to include the Ashuapmushuan River, the Mistassini River and the Peribonka River. In fact the member for Roberval—Lac-Saint-Jean has not done his job today. I would like to talk to the House about the importance of these rivers and why we must protect them.

The Ashuapmushuan River is of great environmental significance. The river has been designated an aquatic reserve until 2017. It is also very important to preserve the Peribonka River because it is a kayaker's paradise and integral to the Pointe-Taillon National Park. The Mistassini River supports a number of species of fish, including the Atlantic salmon and the American eel, which are presently being studied to determine if they should be added to the Species at Risk Act.

That is why these rivers should be protected.

*Routine Proceedings*

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

\* \* \*

[*English*]

**NAVIGABLE WATERS PROTECTION ACT**

**Mr. Ryan Cleary (St. John's South—Mount Pearl, NDP)** moved for leave to introduce Bill C-494, An Act to amend the Navigable Waters Protection Act (Main River and Bay du Nord River).

He said: Mr. Speaker, my private member's bill would amend the Navigable Waters Protection Act to restore protection of the Main and the Bay du Nord Rivers on the island of Newfoundland. The Main River, on the great Northern Peninsula, became the first river in Newfoundland and Labrador to be designated in the Canadian heritage rivers system. The Bay du Nord River, in the Bay du Nord Wilderness Reserve, was the second river designated.

This bill is designed to reverse negligent Conservative changes to the Navigable Waters Protection Act. Thanks to the Conservatives, our heritage rivers and the right of the public to have guaranteed access to them is no longer enshrined in legislation. That is not good enough.

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

\* \* \*

• (1520)

**NAVIGABLE WATERS PROTECTION ACT**

**Ms. Jean Crowder (Nanaimo—Cowichan, NDP)** moved for leave to introduce Bill C-495, An Act to amend the Navigable Waters Protection Act (Cowichan River).

She said: Mr. Speaker, I am rising to submit this bill asking that the Cowichan River be reinserted into the Navigable Waters Protection Act.

Over the last several years, we have had a crisis on the Cowichan River as the waters dropped dangerously low and the very health of the salmon stocks was in question. In fact, sometimes volunteers were actually moving salmon up the river in buckets to help them to the spawning grounds.

The Cowichan Valley Regional District says it far better than I. It states:

At all stages of this journey, we benefit from the services that a watershed provides. We protect watersheds so we can continue to access clean water for drinking and recreational use, as well as maintain the natural balance of water to avoid floods and droughts.

I am looking forward to a fulsome debate on this bill in this House.

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

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**NAVIGABLE WATERS PROTECTION ACT**

**Ms. Linda Duncan (Edmonton—Strathcona, NDP)** moved for leave to introduce Bill C-496, an act to amend the Navigable Waters Protection Act (Kicking Horse River and Clearwater River)

She said: Mr. Speaker, it is also my pleasure, along with my colleagues, to stand on this Earth Day and table a bill calling for the reinstatement of protections for two key rivers in Saskatchewan, Alberta and British Columbia. Those two rivers are the Kicking Horse River, which flows into British Columbia, and the Clearwater River, which is a highly unusual river. It is the only river in the Prairies that actually flows from east to west. It flows from east to west into the oil sands, the largest industrial complex in Canada. Yet that river has managed to maintain a pristine state. Why is that? The Government of Saskatchewan stepped up to the plate and protected the area.

Unfortunately, similar measures have not yet been taken by Alberta. Therefore, it is absolutely critical that both of these rivers, which have high recreational value, are very important fisheries, are critical to first nations peoples, and have great historic value because of our fur trade, be protected again by the Navigable Waters Protection Act. It is absolutely critical that this action be taken to protect our heritage for future Canadians.

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

\* \* \*

[*Translation*]

**NAVIGABLE WATERS PROTECTION ACT**

**Mr. Yvon Godin (Acadie—Bathurst, NDP)** moved for leave to introduce Bill C-497, Act to amend the Navigable Waters Protection Act (St. Croix River, Restigouche River and Saint John River).

He said: Mr. Speaker, first of all, I would like to wish everyone a happy Earth Day. For Earth Day, we would certainly like to make sure we pass clean rivers on to our children and grandchildren.

This is why I am pleased to add the St. Croix River and the Restigouche River to the navigable waters listed in the schedule to the act. I would also like to replace the upstream point of the Saint John River listed in the schedule to the act.

It was on the shore of the St. Croix River in 1604 that Samuel de Champlain established the first European colony in North America north of Florida. Over the years, the waters of the St. Croix River have carried aboriginal people, Acadian settlers, British loyalists, logs floating to sawmills and shipyards, canoeists and so on.

Originally, the Restigouche River was used as a waterway. It provided food for the Micmacs and the Maliseet. Today, Atlantic salmon still travel up the river through the clear waters of about 60 different salmon pools.

There is also the beautiful Saint John River. These rivers must be protected.

We cannot allow these rivers to be lost. The Conservatives are going the wrong way. These bills are important.

Thank you for giving me an opportunity to introduce this bill.



*Routine Proceedings*

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

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● (1525)

[*English*]

#### NAVIGABLE WATERS PROTECTION ACT

**Ms. Irene Mathyssen (London—Fanshawe, NDP):** moved for leave to introduce Bill C-498, An Act to amend the Navigable Waters Protection Act (North Thames River, Middle Thames River and Thames River).

She said: Mr. Speaker, it is my privilege to join my colleagues and present this bill to protect the Thames River, which was designated a heritage river in 2000.

The Thames flows 273 kilometres through southern Ontario to Lake Saint Clair, meandering through communities large and small, the cities of London and Chatham included.

Along much of its length, it is flanked by rich Carolinian forest, tulip trees, pawpaw, Kentucky coffee trees and sassafras. Wildlife and fish species include many that are rarely found elsewhere in Canada, such as the eastern spiny softshell turtle, the queen snake, the southern flying squirrel and the Virginia opossum.

There is also a rich cultural heritage around the Thames. Its fertile valley has been home to people for over 11,000 years. The Battle of Longwoods, led by Chief Tecumseh, was fought near the Thames. Also, commercial farming in Canada has its roots right here in the Thames River valley, much of it still the same as it was 200 years ago.

From a recreational viewpoint, the Thames is a most diverse watershed. In 1877, renowned artist Paul Peel explored the river by canoe and produced exquisite works of art depicting the local people, scenery and flora and fauna of the Thames.

It is truly a remarkable river, one that must be protected.

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

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#### PETITIONS

##### GENETICALLY MODIFIED ALFALFA

**Mr. Mike Sullivan (York South—Weston, NDP):** Mr. Speaker, I have a petition signed by many of my constituents concerning genetically engineered alfalfa. They note that this genetically engineered alfalfa requires variety registration before it can be legally sold as seed in Canada, but it has already been approved for human consumption and environmental release. It has been planted in test plots.

Unwanted contamination from genetically engineered alfalfa is inevitable, especially because alfalfa is pollinated by bees. Such contamination will threaten organic farming systems and the ability of both organic and conventional farmers to sell alfalfa and related products in domestic and international markets, resulting in lost or uncertain markets and low prices, new costs for testing and cleanup, and the possible loss of farm-saved seed.

Organic farming prohibits the use of genetic engineering, and the organic sector in Canada depends on alfalfa as a high-protein feed for dairy cattle and other livestock and as an important soil builder. They call upon Parliament—

**The Speaker:** I am going to stop the hon. member there. I saw several members rising, and I want to be able to accommodate them. I am not sure, but it sounded as if he was reading the actual text of the petition, which members are not supposed to do. Hopefully they will keep that in mind in the future.

The hon. member for Renfrew—Nipissing—Pembroke.

##### CHIEF FIREARMS OFFICERS

**Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC):** Mr. Speaker, these petitioners, mostly from Saskatchewan, are calling on the government to replace the territorial and provincial chief firearms officers with a single civilian agency that is service oriented.

##### CANADA-EUROPEAN UNION FREE TRADE AGREEMENT

**Mr. Frank Valeriote (Guelph, Lib.):** Mr. Speaker, appropriately, thousands of Canadians are joining many Canadian municipalities in expressing their concern that the Canada-European Union Comprehensive Economic and Trade Agreement may undermine some national government procurement. There is concern that communities like Guelph will lose the right to buy local materials and services, which is one of their most important tools for stimulating local innovation, fostering local community economic development, creating local employment and achieving other public policy goals.

I therefore table these petitions signed by hundreds of petitioners, who ask that there be nationwide consultations on this agreement, and in particular, on this issue.

● (1530)

##### THE ENVIRONMENT

**Ms. Irene Mathyssen (London—Fanshawe, NDP):** Mr. Speaker, I have a petition from several members of my community who are very concerned about what is happening to the Great Lakes. As we know, we have just spoken in the House about heritage rivers. The Great Lakes basin is part and parcel of that important watershed. Many people from London spent much of their youth, some of it ill-spent perhaps, on the shores of the various beautiful lakes. Since 1999, the water level has dropped between four and five feet, and there is no sign of it rebounding.

Therefore, the petitioners are asking the federal government to provide support and help through the Minister of Natural Resources so that the environmental, fisheries and transportation value of these lakes are enhanced and protected.

*Routine Proceedings*

## GENETICALLY MODIFIED ALFALFA

**Mr. David Tilson (Dufferin—Caledon, CPC):** Mr. Speaker, I have a petition signed by a number of Canadian citizens who are asking for a moratorium on genetically modified alfalfa. They are concerned about a number of things, one of which is that organic farming prohibits the use of genetic modification. The organic sector in Canada depends on alfalfa as a high-protein feed for dairy cattle and other livestock and as an important soil builder.

They are asking that Parliament impose a moratorium on the release of genetically modified alfalfa to allow proper review of the impact on farmers in Canada.

[*Translation*]

## EMPLOYMENT INSURANCE

**Mrs. Anne-Marie Day (Charlesbourg—Haute-Saint-Charles, NDP):** Mr. Speaker, I have two petitions today from constituents who are opposed to the EI provisions in budget 2012. They do not agree with the definitions of “suitable employment” and “reasonable job search”, or with the creation of the Social Security Tribunal.

## CONSUMER GOODS

**Ms. Ruth Ellen Brosseau (Berthier—Maskinongé, NDP):** Mr. Speaker, I have a petition signed by roughly 1,000 people and initiated by Bruce Gélinas, a constituent of mine who has been working on this issue for a year.

This petition calls on the government to establish a minimum shelf life for every category of consumer goods. I commend him for that.

Let me wish all hon. members a happy Earth Day.

[*English*]

## HEAD INJURIES

**Ms. Kirsty Duncan (Etobicoke North, Lib.):** Mr. Speaker, I am pleased to present six petitions on the need for comprehensive action on concussion in Canada, to improve the lives of all those living with this brain injury. For many people living with the effects of concussion, the physiological, psychological and social impacts are devastating.

The petitioners call on the government to enact a pan-Canadian concussion awareness week to promote understanding of the injury, develop a pan-Canadian strategy to address prevention, diagnosis and management, and develop a centre of excellence in concussion research.

## GENETICALLY MODIFIED ALFALFA

**Mr. Alex Atamanenko (British Columbia Southern Interior, NDP):** Mr. Speaker, I have a couple of petitions.

The first is also on GM alfalfa, which some members have presented, calling for a moratorium. There was a national action day a couple of weeks ago organized by the National Farmers Union and others right across the country.

Farmers do not need this. It will devastate the organic industry and also a lot of the conventional farmers. We need to have this moratorium.

## HEALTH OF ANIMALS AND MEAT INSPECTION

**Mr. Alex Atamanenko (British Columbia Southern Interior, NDP):** Mr. Speaker, my second petition is signed by thousands across the country in support of my Bill C-322, to prohibit the importation or exportation of horsemeat for human consumption.

Drugs are commonly used in these animals, and that makes the meat unfit for human consumption, among other things.

## ANIMAL WELFARE

**Mr. Alex Atamanenko (British Columbia Southern Interior, NDP):** Mr. Speaker, the third petition calls for stronger animal cruelty legislation.

The petitioners are calling on the House to work with the provinces to ensure federal and provincial laws are constructed and enforced that will ensure those responsible for abusing, neglecting, torturing or otherwise harming animals are appropriately accountable.

[*Translation*]

## PENSIONS

**Ms. Lysane Blanchette-Lamothe (Pierrefonds—Dollard, NDP):** Mr. Speaker, I have a petition today signed by the residents of Abitibi-Témiscamingue. These people are concerned that the Conservatives' proposed changes to old age security will affect the seniors most in need.

First, they are asking that the age to qualify for old age security be maintained at 65. Second, they are asking that the guaranteed income supplement be increased to ensure that no more seniors will live in poverty in our great country.

[*English*]

## FALUN GONG

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

The first petition calls on the Government of Canada to make it very clear to the People's Republic of China that the abuse of the rights of the people who are practitioners of Falun Gong or Falun Dafa must end.

The people of Canada find it unconscionable.

• (1535)

## FOREIGN INVESTMENT

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, my second petition comes from residents of Vancouver and Edmonton.

The petitioners are calling on the House to inform the executive of the Government of Canada not to ratify the Canada-China investment treaty as it will create undue and unbalanced rights for the People's Republic of China to the detriment of Canada.

EXPERIMENTAL LAKES AREA

**Mr. Bruce Hyer (Thunder Bay—Superior North, Ind.):** Mr. Speaker, I have three sets of petitions on the same subject. They are all relating to the Experimental Lakes Area. They come from across Canada, from Regina, Edmonton, Calgary and Dryden. They all ask for the same thing.

The petitioners say that despite the fact the government thinks it has ended the ELA, they hope this decision will be reconsidered and it will save this important institution.

\* \* \*

QUESTIONS PASSED AS ORDERS FOR RETURNS

**Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC):** Mr. Speaker, if Question No. 1217 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. 1217—**Mr. Charlie Angus:**

With respect to data, information or privacy breaches at government departments, institutions and agencies, for each year from 2002 to 2012: (a) how many breaches have occurred in total, broken down by (i) department, institution or agency, (ii) the number of individuals affected by the breach; (b) of those breaches identified in (a), how many have been reported to the Office of the Privacy Commissioner, broken down by (i) department, institution or agency, (ii) the number of individuals affected by the breach; and (c) how many breaches are known to have led to criminal activity such as fraud or identity theft, broken down by department, institution or agency?

(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.

\* \* \*

REQUEST FOR EMERGENCY DEBATE

ELECTION IN VENEZUELA

**The Speaker:** The Chair has notice of a request for an emergency debate from the hon. member for Scarborough—Agincourt.

**Hon. Jim Karygiannis (Scarborough—Agincourt, Lib.):** Mr. Speaker, on April 14, I had the privilege, as an accredited international juror, of witnessing the presidential elections of Venezuela.

I witnessed problems at the polls, military presence with guns and some electronic machines not working properly. Others witnessed violence, the burning of ballots and individuals with several identity cards voting early and often.

Privilege

I also saw the people of Venezuela streaming to the polls to exercise their democratic rights. They were full of hope, believing that this election signalled a new era for Venezuela.

Even after the polls had closed and the preliminary results were announced, there was still the belief that democracy would prevail. The opposition called for a recount, and the president elect said in his victory speech that he would not object. When asked, one of the election commission's members indicated the commission would not undertake a recount.

Unfortunately, by Monday, the day after the election, the president elect had changed his mind. The elections commission declared him the winner, and his inauguration took place last Friday.

Opposition party members across Venezuela rallied to protest the cancelling of the recount, and the police moved in, leaving 7 dead, 60 injured and 170 arrested.

I am pleased to learn that the national elections commission has agreed to an audit of 46% of the ballot boxes that were not subject to the recount on election day. There has been retaliation against people who voted for Mr. Capriles. I have received reports of mass layoffs of civil servants who supported Capriles. People have been indiscriminately arrested for having supported Capriles.

Mr. Speaker, I am asking you to grant an emergency debate so we in this House can discuss and debate what measures should be taken to help the people of Venezuela ensure that their democratic rights are protected.

**The Speaker:** I thank the hon. member for Scarborough—Agincourt for rising and making this request. However, I do not feel it meets the test to grant an emergency debate.

We will go back to the hon. member for Thunder Bay—Superior North who would like to contribute to the question of privilege raised by the member for Langley.

\* \* \*

PRIVILEGE

S. O. 31

**Mr. Bruce Hyer (Thunder Bay—Superior North, Ind.):** Mr. Speaker, I rise today to speak to the question of privilege raised by the hon. member for Langley, which I know you are considering. I wish to support the point of privilege by that member and I would like to explain why.

The question that has been raised is about House procedures and most specifically the allocation of statements under S. O. 31. However, the real principle is that all of our House procedures should empower members to represent the people who voted for us and indeed all of our constituents back home, no matter who they voted for.

It has been pointed out repeatedly in the House that S. O. 31 statements should be allocated directly to members rather than through their parties and party whips. I agree. No one knows better than I do of the undue control that increasingly, for decades, has been exerted by parties, leaders and whips.

### *Privilege*

Before the third reading vote on the long gun registry bill, for example, I was informed by the whip of my former party that if I did not vote as the party wished, then I would be “punished”. After that vote I was instantly punished: no questions, no statements, no foreign travel, no committee representation, no debating time other than asking brief questions of party debaters.

However, I was not really the one who was punished by the party and by our system here. It was the constituents of Thunder Bay—Superior North who were punished. Their voice in the House of Commons was muzzled. The person they had elected was no longer able to speak for them, to ask their questions and to raise their concerns and aspirations.

Tomorrow will be exactly one year to the day since I became an independent. I was scheduled that day to have my first S. O. 31 statement since my punishment had begun. Somehow the party found out that I would use my statement to announce my becoming independent. In the few minutes before my scheduled speaking time, they asked the Speaker to pull my statement, and the Speaker complied. However, now, as an independent, I and my constituents do get a reasonable and adequate number of questions and statements.

The similarities between my experience and that of the member for Langley are striking. We must all recognize that we have developed a problem in Parliament of excessive party control, and we must move to fix the problem before it erodes our democracy any further.

That system was originally set up to have House leaders and party whips facilitate statements and question period questions for the sake of efficiency, but that has been perverted. It is now used by the three main parties to tightly control members and what members say. This was not the original intention, and it is damaging the free representation of the people who gave us their trust in electing us to this chamber in the first place.

I agreed with the member for Wellington—Halton Hills when he said:

Speaking in the House of Commons is a fundamental right of members in this place.

Today in the chamber, members of Parliament cannot ask questions of the government to hold it to account. They no longer have that fundamental right, whether they sit on that side of the aisle or on this side of the aisle.

I agreed with the member for South Surrey—White Rock—Cloverdale when he said:

...without the right of all members to speak freely, this institution simply cannot function properly; ...that the period of statements was originally intended to give members equal opportunities;

...[and that] it is the codified practice [of many Westminster legislatures] that the Speaker alone decides on the rotation of the speakers and not the various parties.

I agree with the member for Vegreville—Wainwright who said he believes the way we are doing things “is infringing on my right as an MP to freedom of speech” and the representation that my constituents really need.

I agree with the member for Langley, who rightly quoted O'Brien and Bosc's *House of Commons Procedure and Practice*, which notes:

...the privilege of freedom of speech is secured to Members not for their personal benefit, but to enable them to discharge their functions of representing their constituents....

● (1540)

I agree with the member for Saanich—Gulf Islands that “democracy is not a sport. We are not here as teams...[but] as representatives of our...constituents.

One solution for the backbenchers of big parties to be able to freely speak for their constituents is for them to join me on the independent benches. However, they should not have to take that drastic step. It should be possible in this place, as in the vast majority of the world's democracies, to balance the wishes of both constituents and parties.

It is possible that we could consider a system by which members statements and questions are rotated to all members of the House, with no influence or role for parties to play. Much like the “list for the consideration of private members' business” of all MPs is drawn up in random order at the beginning of each Parliament, similar lists could be made for question period questions and statements. This would give all MPs equal opportunity, with both questions and S. O. 31 statements still able to be traded, with the agreement of members of course.

Recently Gloria Galloway of *The Globe and Mail* did a good job of documenting and discussing how party discipline in Canada is one of the most draconian of any democracy on earth. I would agree, and I would like to address the root causes of this problem in Canada.

The abuses of the granting of statements and questions in the House are the symptoms of more fundamental problems. First, our first past the post electoral system frequently allows one party to get a false majority, where the difference between 100% of the power and none of the power can come down to a single seat or two.

The vast majority of the world's democracies have some version of proportional representation, which means that if a party gets 39% of the national vote, it gets 39% of the seats. Since majorities are rare, parties have learned to be civil, collaborative and even co-operative. This, as we know, will not be easy to fix.

However, the second problem could be fixed quickly. We simply need to go back to a system where members clearly work as individuals for their constituents.

For over a century, from 1867 until 1970, federal candidates ran under their own names and reputations. If they were members of a party, which they often were, the voters had to know who they were and what party they represented. However, more importantly, no national leader signed their nomination papers.

Since 1970, when party names were added to the ballot, the Canada Elections Act was amended to require that candidates could only run under a party banner if the national leader, not the riding association, signed their nomination papers. Starting then, a succession of leaders have turned the thumbscrews mercilessly on backbenchers. They then become what Pierre Elliott Trudeau referred to as mere trained seals.

*Government Orders*

To sum up, I definitely support the question raised by the hon. member for Langley. I support the right for every member of Parliament to effectively represent their constituents and their conscience by ensuring that every member, not just independents, receive their full quota of questions and statements.

We need to go further. We need to address the root causes of a system that is not allowing us to represent our constituents in as democratic a fashion as might be possible.

Thank you, Mr. Speaker, for allowing me this intervention.

• (1545)

**The Speaker:** I thank the hon. member for his further contribution to this question before the Chair.

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## GOVERNMENT ORDERS

[English]

### COMBATING TERRORISM ACT

The House resumed consideration of the motion that Bill S-7 be read the third time and passed.

**The Speaker:** Before statements, the hon. member for Winnipeg North had ten and a half minutes left for his speech.

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, I found the contribution made by the member for Thunder Bay—Superior North interesting with regard to what has become a very important issue in the House of Commons. We have heard members on both sides of the House talk about the importance of their right to speak, and they are very sympathetic to and supportive of what the member was talking about and how S. O. 31s are being used as a punishing tool from political parties.

It is one of the reasons we designated today as an opposition day. A motion was going to be brought forward by the leader of the Liberal Party with regard to democratic reform in the hope that it would pass, and that would have dealt, at least in part, with the member's concerns and with the concerns of the member for Langley.

That said, if I have enough time at the end of my speech, I would like to comment further on that issue, but for now I want to talk very briefly about Bill S-7, the combating terrorism act.

I received an email just prior to question period, which states:

Canadian police and intelligence agencies will announce later today they have thwarted a plot to carry out a major terrorist attack, arresting suspects in Ontario and Quebec, CBC news has learned.

Highly placed sources tell CBC News the alleged plotters have been under surveillance for more than a year in Quebec and southern Ontario.

The investigation was part of a cross-border operation involving Canadian law enforcement agencies, the FBI and the U.S. Department of Homeland Security.

The email goes on, and we will probably get more information coming from news media outlets as the day unfolds.

I have tried to put this matter in the form of questions to the New Democratic Party in particular. There is a heightened sense of awareness, and that awareness became very evident during the 9/11 crisis. There were a lot of issues at the time, but in essence I believe

we can go back to that in terms of the public's need to have more information. There is a desire to feel that the government is doing what it can to combat terrorism.

The primary thing Bill S-7 is attempting to do is in regard to investigative hearings. This is something Liberals believe is important. The Supreme Court of Canada recognized this need back in 2004 and acknowledged that that conducting investigative hearings without warrant would be constitutional and that the government would have the ability to do so. That was done back in 2004; since then the government has attempted this measure and failed, but not because of opposition from our party, because the Liberal Party has been the only party that has been consistent on wanting this type of legislation to advance.

This is now the fourth rendition of this type of legislation. There have been some modifications over the years, but once again it is being brought to the attention of the House. The Liberal Party, at second reading and at the committee stage, indicated its support in principle for the legislation, and Liberals did that believing and understanding that some checks are being put in place to ensure that individual rights would be respected. Individual rights have always been very much a concern for the Liberal Party. It is one of the reasons we stand behind the Charter of Rights and Freedoms, something Canadians have adopted as their own and as one of those things for which we have a sense of pride.

• (1550)

At the end of the day, we are comfortable in knowing that those rights are in fact going to be protected with some of the checks.

Is it perfect legislation? No, it is not perfect legislation. It would be nice to see some modification, but we are very much aware, as I pointed out earlier, that the government is not sympathetic to amendments. It does not like amendments to its legislation to be brought forward, nor has it ever shown an interest, since it has been a majority government, in tolerating any form of amendments, which is unfortunate.

However, at the end of the day we look at it in terms of what our law enforcement officers from across Canada are saying. Some of the agencies making an announcement later today about something that has been uncovered in relation to terrorism have made presentations to the committees and have in fact lobbied not only our caucus but, I suspect, all caucuses inside the House. We ultimately recognize that, yes, it is something that is important, something that we are prepared to see pass. Our critic and others have had the opportunity to comment on the legislation, and we would like to ultimately see it pass.

That said, in the last few minutes I want to pick up on an issue that I believe the government has done a great disservice to.

We recognize, as I very clearly said in my earlier comments, the profound impact that events in Boston have had on all people living in North America. We have expressed our condolences and our best wishes and our prayers to the families of the victims. However, at the end of the day, we in the Liberal Party are very much disappointed by the manner in which the government has chosen to use that act of terror in order to advance a political agenda.

*Government Orders*

This legislation could have been brought forward long ago, months ago. However, the government has been sitting on it. Then, on Friday, we heard the government House leader stand in his typical fashion and say that because of the concern with respect to the Boston Marathon and the terrorist attack, we were now going to have Bill S-7 introduced on Monday, thereby bumping the Liberal opposition motion that was being proposed in relation to democratic reform.

We find that it is no coincidence. It is something that was done intentionally by the Prime Minister's Office. The PMO had the opportunity to bring it in on Wednesday, Thursday, or Friday of last week. In fact, it has been sitting on it for months. The real reason it was brought in is that the government did not want the Liberal Party to have its opposition day motion debated in the House.

What I find somewhat cowardly is that the government, the Prime Minister, is actually using the Boston Marathon as a tool to prevent a specific debate from occurring in the House, thus preventing a debate on democratic reform and forcing or imposing upon MPs a favourable response to Bill S-7.

The Liberal Party has always supported it in principle. We find it unfortunate that the government is using the terrorist attack that recently happened in Boston as an excuse to bring the bill forward today, because over the last couple of weeks we have seen the reaction from the Conservative backbenchers toward the Prime Minister's Office in terms of limiting their ability to speak.

The other way in which he is using the Boston tragedy is with regard to his negative attacks on the leader of the Liberal Party, which I would suggest is no coincidence. This horrific event takes place in Boston, and all that is on the mind of the Prime Minister is how he can attack the leader of the Liberal Party. He is supposed to be abroad, attending the funeral for former prime minister Margaret Thatcher.

• (1555)

We find it is somewhat suspicious, but the bottom line is that Bill S-7 is here today, whether we like it or not, and the Liberal Party has indicated its support of the bill in principle and for it to ultimately pass.

**Mr. Craig Scott (Toronto—Danforth, NDP):** Mr. Speaker, I would like to point out that the hon. member has stood several times today in debate to point out that the investigative hearings provisions under the old law were ruled by the Supreme Court of Canada not to violate the charter, but it is important to say that what this ignores is that Parliament has an independent duty to make its own judgment on whether human rights need more protection than the courts require. Courts always show some deference to Parliament, and their rulings, frankly, are floors and not ceilings for Parliament. That is why the NDP is still very concerned with these provisions.

The question that the hon. member keeps putting ignores that the recognizance with conditions provisions have never been validated by the courts. These provisions allow people to be jailed without trial for 12 months if they fail to conform to conditions, no legal aid is available if they are hauled in for a recognizance with conditions hearing, and, as I pointed out earlier and as my colleague from York South—Weston commented, perfectly innocent people can be

subject to recognizance with conditions, people who have nothing to do with and are not even suspected of terrorist activity.

What I would like to know is whether the Liberal Party of Canada understands this feature of the bill and whether it supports this feature of the bill.

• (1600)

**Mr. Kevin Lamoureux:** Mr. Speaker, it is prudent for us to be very clear on the issue. Expert witnesses came before the Standing Committee on Public Safety and National Security and confirmed that the passage of Bill S-7 and the provisions within it would be very useful in their efforts to combat terrorism.

Is it a perfect bill? No, but let there be no doubt that the passage of the bill will put into place a system and a tool for law enforcement agencies to be more effective at combatting terrorism. The principle of what the bill would do is really what we should be talking about, which is ultimately being argued as a positive.

Yes, there could have been more accountability in certain aspects, but it is critically important. That is one of the reasons I cited the example of what is breaking in the news right now. I do not know the details, because it is just coming out. All we know is that there was some sort of plot, and in the next few hours we will get more details. We need to provide tools where we can, and this is going to be just one of those tools. Hopefully we will see even stronger legislation coming forward.

**Ms. Irene Mathyssen (London—Fanshawe, NDP):** Mr. Speaker, I find it interesting that the member has cited the news report outlining that authorities have managed to find and control a planned terrorist plot. With that very clearly stated by the member, and given our position that the Criminal Code contains sufficient means to find and detain terrorists already, does it not seem that the extra measures are not needed? Clearly it worked in just the last few hours. I do not understand this need or this obsession with increasing the powers of the government.

**Mr. Kevin Lamoureux:** Mr. Speaker, it is a case in which the NDP needs to get its collective head out of the sand and recognize the reality, which is the reason I brought it up the example, saying "look, we have something that is there and it is very real". I used the example of today, what is actually happening.

We have many different potential public targets out there. We could talk about marathons, malls, fast transit or, in my own province, Manitoba Hydro. There are all sorts of potential threats out there. By using these examples, what we are trying to do is give a wake-up call, in this case to the New Democratic Party, to recognize that there is a real threat. To pretend that there is no threat would be a tragic mistake.

What we need to do is provide the tools that are necessary to be able to minimize the potential threat that is there. By providing Bill S-7, even in its imperfect format, all we are doing is providing yet another tool for those law enforcement agencies to be in a better position to protect all of our constituents, the people we represent, who appreciate the fact that there is a terrorist threat out there.

*Government Orders*

This is not to scare people; it is just the reality of the day. It behooves us to be responsible and provide a proactive approach as much as possible in trying to combat terrorism wherever we can.

[*Translation*]

**Mr. François Lapointe (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, NDP):** Mr. Speaker, I would like to try to clarify what I think are some serious contradictions in the remarks made by the member for Winnipeg North.

Much of my colleague's argument was based on how upsetting it was for the government to bring this forward in the wake of such a recent event as the unfortunate, tragic incident at the marathon.

This happened so recently that we still have no idea what he means when he talks about a potential plot in Canada.

Does it make sense to criticize the government for acting on that pretext and then turn around and do something even worse?

Then there is the matter of preventive detention. Is the Liberal Party okay with the idea that an individual can be detained preventively even if there is no proof against him other than a notion that he might someday be associated with terrorism? We did ask for that to be changed because it creates plenty of opportunity for terrible mistakes.

How can they support that? How can they refute the government's argument, then turn around and suggest something even worse? I am trying to understand exactly what the Liberals are saying. I do not understand.

• (1605)

[*English*]

**Mr. Kevin Lamoureux:** Mr. Speaker, let me try to help the member out. Canadians are more aware than the Conservatives and the NDP in terms of the potential and real threat that is out there regarding terrorism.

Why do I put it in that fashion? It is because the Conservatives have been sitting on the legislation for literally months. They had the opportunity to bring it forward a long time ago. They only chose to bring it forward today, using the Boston terrorist attack as a political excuse. If they were sincere about the Boston terrorist attack as the justification for bringing it forward, they would have brought it forward on Wednesday, Thursday or Friday of last week. They are using the Boston terrorist attack as a way to bump the Liberal opposition day today, which would have had a different debate.

By using the examples I used today, not only the media report but things such as the potential terrorist attacks on malls and other venues, I have shown that Canadians already know that the threat is very real and that the threat is there. The New Democrats do not seem to recognize that. They say, "Well, we have not had a successful terrorist attack; that means the law works, so we do not need to change the law". It is a flawed argument. Here is a law that could change and that would assist. They do not have to take my word for it. We have law agency officers from across the country who are saying that Bill S-7 actually does have some merit and that it would help them in terms of combatting potential terrorist threats. They do not have to believe me. They can take the word of these law enforcement agencies and officers from across the country.

Hopefully that helps the member better understand why I said what I said.

[*Translation*]

**Mr. Jean Rousseau (Compton—Stanstead, NDP):** Mr. Speaker, first, I will be sharing my time with the member for British Columbia Southern Interior.

Today is Earth Day, and a debate on terrorism is wholly appropriate. The ordinary, unthinking actions of humans as a species are affecting the environment and, in turn, all life on the planet, but so are other, more deliberate actions. Terrorism targets innocent victims, men, women and children around the world. This saddens our mother nature, known to many as Gaia.

I truly believe that the earth senses all of these attacks against her. I wanted to make the connection here because I hope that all of my colleagues, no matter what their party, will realize the importance of our decisions and the collateral damage they cause.

Bill S-7, An Act to amend the Criminal Code, the Canada Evidence Act and the Security of Information Act, has four main objectives. The first is to amend the Criminal Code to allow investigative hearings and recognizance with conditions. Its second objective is to amend the Canada Evidence Act to allow judges to order that potentially sensitive information concerning a trial or an accused be made public once the appeal period has ended. The third objective is to amend the Criminal Code to create new offences for persons who leave or attempt to leave Canada to commit a terrorism offence. The fourth objective is to amend the Security of Information Act to increase the maximum penalties for harbouring a person who has committed or is likely to commit a terrorist act.

Once again, the government is going to get carried away with definitions, and we will have to turn to the superior courts to define some of the vocabulary. Who is "likely to commit"? How will these acts or suspected acts be judged?

We New Democrats believe that these measures violate the most fundamental human rights and civil liberties. Those rights, which are guaranteed by the Canadian Charter of Rights and Freedoms and by the Universal Declaration of Human Rights that was adopted by the United Nations in 1948, are the principles recognized as the foundation for building a nation and a world where everyone will be treated justly and fairly, particularly in legal matters.

We are therefore opposed to this bill because it is an ineffective way to fight terrorism and because it is a pointless and inappropriate infringement of our civil liberties. We believe this bill therefore violates civil liberties and human rights, in particular the right to remain silent and the right not to be imprisoned without a fair trial.

*Government Orders*

The spirit of those laws requires that the state never use its power against individuals to compel them to testify against themselves. The Supreme Court has nonetheless found investigative hearings to be constitutional, but it still needs to be said that the NDP would hope that whenever the House considers bills like this one, we pay a little more attention to human rights than the constitutional requirements necessarily demand, even if the Supreme Court does recognize certain situations. We have the power, and it is up to us to demonstrate leadership.

In addition, we believe that the Criminal Code contains the necessary provisions to investigate people who engage in criminal activities and to detain anyone who might present an immediate threat to Canadians. This very day, even without this bill being in effect, we witnessed the arrest of two individuals in Quebec and Ontario.

When it comes to terrorism, we have to remember that the Canadian Security Intelligence Service, the RCMP and the provincial police forces work together closely and are in constant communication, since combating the scourge of terrorism is a priority in North America, Canada and the United States.

• (1610)

We do not need Bill S-7 to build cases and make arrests.

The fact that the provisions in the earlier bill, which was passed in 2001, were never used between 2001 and 2007 proves it. Although it might be politically risky to oppose measures that clearly set out to strengthen national security, our opposition is rooted in the belief that the measures are pointless and ineffective. We believe that our position reflects values that Canadians hold dear. We know very well that all governments in the Americas, including in North America, are implementing many different measures to combat terrorism. In our opinion, this bill fails to strike a balance between security and fundamental rights. There was greater protection in the 2001 version, particularly with regard to the role of the Attorney General and the reporting process.

The original aim of the Combating Terrorism Bill was to update Canadian laws to bring them up to international standards, including the United Nations' requirements, and to put forward a legislative response to the events of September 11, 2001. All the provisions in the Combating Terrorism Bill, except for those to do with investigative hearings and recognizance with conditions, are already in effect. And as we have seen, arrests were made today, just the same.

However, a sunset clause was added to the original bill because of major concerns that came up during the legislative process in 2001. For the most part, they were unprecedented in Canadian law and could easily have been abused.

The NDP also feels that this bill runs contrary to basic civil liberties and human rights, including the right to remain silent and the right not to be imprisoned without first having a fair trial.

In the spirit of these rights, the power of the state should never be used against an individual. I am repeating this because it is fundamental to what we are doing here. We must not forget that the bill would make it possible to imprison a person for up to 12 months or would impose strict parole conditions on individuals who have

not been charged with any crime. Just the suspicion of a crime. We believe this is contrary to the fundamental values of our legal system and our free and democratic society.

In addition, the mere fact that these provisions were used only once, and unsuccessfully at that, shows that police forces in Canada have the tools they need to combat terrorism using existing procedures without the risk to our civil liberties posed by the bill.

The provisions of this bill could also be cited to target individuals taking part in activities such as demonstrations or acts of dissent that have nothing to do with a reasonable definition of terrorism. I referred to definitions a moment ago, and this is extremely important.

The right to demonstrate is guaranteed by the charter, like the right of association and the right of free speech. The right to demonstrate is a necessary counterweight that sometimes helps to focus politicians' minds. That has to continue. If we start saying that demonstrations are acts of terrorism, it will not end there. That is why I said earlier that it is essential for these terms to be defined.

In conclusion, how can the government talk about national security and public safety and at the same time impose all these budget cuts on our protective agencies and institutions?

Over \$700 million will be cut from the budgets of the RCMP, the Canada Border Services Agency and the Canadian Security Intelligence Service. The response being offered is a law that will have no effect on activities on the ground, yet that is where we have to tackle terrorism. Cutting \$700 million from the budgets of those institutions and police forces is not how we are going to produce results for our constituents when it comes to safety.

• (1615)

[*English*]

**Mr. Mike Sullivan (York South—Weston, NDP):** Mr. Speaker, I thank my colleague for his excellent speech. I want to ask him about the notion of the loss of our own human rights as a result of this bill in that innocent individuals can be imprisoned even if they are not being investigated by the police and have absolutely no connection whatsoever to terrorism or a terrorist act other than that they are related to or are a friend of someone who is.

Mr. Diefenbaker would be rolling over in his grave if he knew that pretenders to his party were in fact trying to put something forward that would remove such a basic human right.

Could the member comment further on that?

[*Translation*]

**Mr. Jean Rousseau:** Mr. Speaker, I thank my colleague for his excellent question.



*Government Orders*

The more we infringe on people's liberties, the more we also limit their freedom of expression and the fundamental rights that go along with it. Will we end up with a dictatorship? Say I live in a neighbourhood where there are people who are under suspicion, for whatever reason. Will I be classified as a terrorist because I live in a neighbourhood where there may be a terrorist with whom I am acquainted and who greets me in the morning when I am mowing the lawn? Am I a terrorist because I listen to heavy metal music? When someone is classified or labelled, we have to look at the reasons why it is being done. When someone is described as a terrorist, a rocker or what have you, does that mean they are a criminal?

Freedom of expression is extremely important. When any freedom is taken away, we see dictatorship emerge, and the public is left with no way of making itself heard, but members of the public do have the right to speak out against a government or a situation they consider to be unjust.

• (1620)

[*English*]

**Mr. Mike Sullivan:** Mr. Speaker, the notion that this bill is somehow defending us against terrorism is counteracted by the events that were referred to today by the member for Winnipeg North, who pointed out that the police had successfully stopped a terrorist attack without Bill S-7 in place, and that has been the case all along.

The very essence of terrorism is to make people feel afraid. Part of what is happening here is the government is trying to make people feel afraid and feel that they should have their liberties removed to allow the government to take more control over their lives to defend them against something that apparently the police have already been doing without this new law.

Could the member comment further on that?

[*Translation*]

**Mr. Jean Rousseau:** Mr. Speaker, we have not needed the provisions in Bill S-7 that are meant to strengthen the legislation. We have not needed them at all. As I said earlier, both the RCMP and the Canadian Security Intelligence Service work together and co-operate very well when it comes to exchanging information, even with the Americans. I would know; I live in an area close to the border. If someone is being monitored, information is shared rather quickly. During the day, officers do a very good job. We will not see better results by making cuts to budgets or by bringing in a bill that has absolutely no effect.

Bill S-7 was not needed to make the arrests today. Does this mean that the next time there is a protest here, people will be photographed and deemed to be terrorists because they protested in front of a Parliament that is supposed to be democratic and represent the people? We must protect our freedoms, and this bill is not the way to do so.

**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 Saint-Lambert, Citizenship and Immigration; the hon. member for Québec, Search and Rescue.

[*English*]

**Mr. Alex Atamanenko (British Columbia Southern Interior, NDP):** Mr. Speaker, this is an interesting debate. I have been listening to a lot of the arguments that have been flowing around this place.

As a preamble to what I am going to say, it seems to me that we have another bill before us that we probably do not really need. The impression I am getting, via the events of today and the events that have happened in the past few years, is that we have sufficient means and sufficient legislation to work for the safety of our country.

The intent of the original Anti-terrorism Act was to update Canadian law to meet international standards, such as meeting the requirements of the United Nations, and as legislative reaction to 9/11. All the provisions of this act, except for the investigative hearings and the recognizance with conditions, remain law today.

The sunset clause was attached to the original bill because serious concern was expressed during the 2001 law-making process that these measures were largely unprecedented in Canadian law and could easily be used inappropriately.

What I find interesting is that, upon review of this legislation that was passed as a reaction to a specific event and in a state of panic, we have learned that there was in fact no need for that legislation.

As of the day of their sunset, a number of investigative hearings have been held. There were no instances when recognizance with conditions was required.

It is unfortunate that the mandated parliamentary reviews of legislation made a number of recommendations that were not incorporated into Bill S-7. It is my understanding that the NDP proposed 18 amendments. It is not unlike what happened to us on the food safety bill. We came and said we would work with the government to improve the bill that was before us—necessary at that time—and it then rejected all of our amendments.

• (1625)

[*Translation*]

As our colleagues are probably already aware, we have proposed amendments that would improve transparency and strengthen reporting requirements, to minimize the negative impact of the bill on Canadians' civil liberties. This is an important point. These amendments are based on evidence we heard, so we did not just make them up. As I understand it, we drafted amendments on the basis of evidence heard in committee that reflect the values that we believe are dear to Canadians.

Among the issues dealt with in these amendments, there is first the addition of a SIRC review of a possible co-operation protocol between the agencies, to ensure its effectiveness and its respect for rights protected by legislation before the offences relating to leaving the country come into effect.

Second, we want to ensure that the evidence gathered during investigative hearings cannot be used against an individual during extradition or deportation proceedings, and not just during criminal proceedings.

*Government Orders*

Third, we want to ascertain the right to legal aid provided by the federal government if the individual is to appear at investigative hearings.

Fourth, we want to ensure that annual reports include detailed information about all changes to the legislation, to policies or to practices in terms of exit information or exit inspections.

Fifth, we want the comprehensive reviews to cover the implementation of the four new offences relating to leaving the country and for the issue to be dealt with by elected members of Parliament, not just by the Senate.

Other amendments have also been proposed, but they were all rejected by the Conservatives. This is the key point.

As this House has already heard, this bill has been in the works for months. It came from the Senate and all of a sudden the Conservatives decided to bring it forward today.

We have received the answer to our question; we know why we are discussing this bill today. I do not need to belabour this point.

[*English*]

I would like to point out that the hon. member for Windsor—Tecumseh spoke against Bill C-17 in the House in 2010. He said:

When facing a crisis, we as political leaders feel that we have to do something even when all the evidence shows that the structures we have, the strength of our society, the strength of our laws, are enough to deal with it. We passed legislation in early 2002 to deal with terrorism when we panicked. We have learned in the last eight years that there was no need for that legislation.

My colleague, the hon. member for Windsor—Tecumseh, is a lawyer. He spent many years in the field. He was our justice critic. He is always the person to whom many of us look, to this day, for his judgment when it comes to the various laws here, and he has basically said that we do have sufficient legislation to combat what we need to combat in regard to terrorism.

I mentioned the actions of today, and I would like to congratulate and thank all those law enforcement officers and those men and women who have put together the roundup today, that they were able to penetrate a terrorist cell. I am not sure of the details, but as a citizen I would like to thank them for that effort. We have professional people on the ground who collaborate, not only with other law enforcement agencies in our country but with other countries, and that goes on. What we need to do is give them more resources, not fewer resources as is happening now. We need more resources to beef up our borders, to ensure we do not have illicit guns coming across the border, and to have people on the ground to penetrate terrorist cells and to work with their counterparts in other countries, so that we in this country can continue to feel safe.

Something that disturbed me, and this is a result of one of the committee hearings, is that Reid Morden, former director of the Canadian Security Intelligence Service, stated in 2010:

Speaking strictly on those two particular provisions, I confess I never thought that they should have been introduced in the first place and that they slipped in, in the kind of scrambling around that the government did after 9/11....

It seemed to me that it turned our judicial system somewhat on its head. I guess I'm sorry to hear that the government has decided to reintroduce them.

Police and security services have “perfectly sufficient powers to do their jobs” and “they don't need any more powers”. This is the

former director of CSIS, saying this in 2010. As I flipped through my notes and tried to prepare my speech, that disturbed me.

I will sum up by saying that I believe, as do members of my party, that we have the legislation in place. If we are going to improve, we need to improve the resources on the ground so we can equip those men and women to combat the potential terrorism threats to our country, which I feel confident they are capable of doing.

[*Translation*]

● (1630)

**Mr. Jean Rousseau (Compton—Stanstead, NDP):** Mr. Speaker, I congratulate my colleague on his excellent speech.

I would like him to talk to us about the fact that police forces announced today that they were able to track down some people who could have committed terrorist acts and were in fact about to do so. We may not have very much information about this yet, but clearly Bill S-7 was not needed in order to take action to fight terrorism in Canada.

The RCMP and other police forces are working hard across the country at all times to help Canadians and to ensure our safety. I wonder if my colleague could expand on that.

**Mr. Alex Atamanenko:** Mr. Speaker, I thank my hon. colleague for the question.

That is what I was trying to point out in my speech. As hon. members know, I also quoted Reid Morden, a former director of the Canadian Security Intelligence Service. I also mentioned my hon. colleague from Windsor—Tecumseh, who is very familiar with justice issues. He has said, and he still maintains, that there is no need for another bill. We need to strengthen what we already have. Indeed, the legislation exists, and we have proof of that today.

My colleague who asked the question said that there are not enough resources and that budgets are being cut. Thus, instead of making cuts, the government needs to increase resources in order to ensure that Canada remains safe.

[*English*]

**Mr. Erin O'Toole (Durham, CPC):** Mr. Speaker, I have to stand up and ask a question. The hon. member for York South—Weston quoted former Prime Minister Diefenbaker. The debate going on here, particularly between the NDP and Liberals, reminds me of an old Diefenbaker quote, which was that the Liberal Party—now we can use the NDP members as the opposition—is much like a UFO in that no one really understands it, and it is rarely seen in the same place twice.

*Government Orders*

Our debate today acknowledges that. The NDP caucus was up talking about our federal Canadian Forces, firefighters and service people. In fact, the member for British Columbia Southern Interior, in his remarks, wanted to thank law enforcement for foiling the VIA Rail plot today. Yet his central concern with Bill S-7 is that it would be used “inappropriately”. Are opposition members saying that they fear that our federal law enforcement officials and the folks investigating these same plots they are thanking them for foiling today would not use it appropriately?

I would like him to answer that please.

• (1635)

**Mr. Alex Atamanenko:** Mr. Speaker, that is quite a long question, and I will do my very best.

Before I answer, I would like to thank the hon. member for his service to our country. He served our country well, and I am glad to see him in the House. It is a pleasure to have him here.

There is no incongruity. The fact is, we have a bill on paper that the government is planning to put into legislation, but we have existing laws that are working on the ground, and we have seen today that they are able to protect us.

The main point I am trying to make and that others are making is that we should beef up the resources for those people who are working on our behalf under existing legislation. It is there, and it is working.

[*Translation*]

**Ms. Lysane Blanchette-Lamothe (Pierrefonds—Dollard, NDP):** Mr. Speaker, I will begin by saying that I will be sharing my speaking time.

Today, we are debating Bill S-7. Before beginning, I would like to wish everyone a very happy Earth Day. To mark the occasion, I was in Montreal yesterday, with 15,000 or 20,000 Montrealers who were marching together for the environment. It was a wonderful event, and I am happy to have been part of it.

The second announcement I want to make relates to the speech I am about to make. Today there have been arrests, crimes have been prevented, and I would like to take a few moments to congratulate the RCMP and the police on their important work.

Let us come back to Bill S-7, which is certainly connected with today's events and with the tragic events that occurred in Boston last week, as the Conservatives take so much delight in saying.

We have before us a bill at third reading, and we have good reason to believe it may threaten the fundamental rights and freedoms of Canadians. The NDP believes it is important that we pay serious attention to it.

There is disagreement about Bill S-7, and the Conservatives have presented no analysis or evidence or studies to prove that the measures set out in this bill are necessary, useful or appropriate. There are many measures in effect already that allow us to take action against terrorism or any other crime, and they have been used on many occasions.

Are the provisions set out in Bill S-7 necessary and appropriate? Is it really going to provide the additional tools needed for combating terrorism? We have serious doubts in that regard.

If that were all the debate was about, it might take a very different direction. What concerns us is not only that we are not sure the bill will have an impact and be useful, but also that we have serious reasons for thinking it will jeopardize Canadians' fundamental rights and freedoms, and therein lies the rub. Are we really going to agree to jeopardize fundamental rights and freedoms for a bill that may be neither useful nor effective?

The NDP wants the concerns that were raised to be addressed before moving on, no matter which bill is being considered. No matter the reasons for a bill or the good intentions behind it, as soon as a bill threatens fundamental rights and liberties, we must call a halt to the proceedings and make sure that the bill does not jeopardize the rights of Canadians.

This is where we come in, and this is why unfortunately the NDP cannot support Bill S-7 as it reads today, with all its flaws and all the doubts that still remain about the terms that I mentioned earlier. Even though the NDP had doubts and reservations about this bill, we still kept going. The NDP did not only say we had doubts.

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

**Ms. Lysane Blanchette-Lamothe:** Mr. Speaker, perhaps my speech is not very interesting to all the members of this House, but I would like to be allowed to finish, just the same. I thank the minister for leaving the House so I can continue with my speech.

As I was saying, the NDP did not simply stop at the fact that we had doubts about the bill before deciding to block it. The NDP members on the Standing Committee on Public Safety and National Security did a great deal of serious work, proposing nearly 18 amendments for debate, in order to try to improve the bill and ensure that it was not a threat to Canadians' rights and liberties.

The members of the House can probably guess what happened: the 18 amendments were defeated for a number of different reasons without any counter-proposals being made to try to improve the amendments or respond to the concerns of the opposition parties. Just to support what I said a little earlier, I would like to give you two amendments as examples.

First, one of the amendments dealt with the addition of a comprehensive review of the implementation of the Arar Commission recommendations by the government in terms of accountability and oversight mechanisms, with particular attention to inter-agency activities and oversight.

• (1640)

Bill S-7 proposes granting discretionary powers. Someone could be imprisoned for a few days or a few months without being charged. It is cause for concern.

The NDP wanted to use amendments such as the one I mentioned to ensure that peoples' fundamental rights and freedoms would be respected. That amendment was not accepted.

*Government Orders*

Another amendment would have included the Canadian Human Rights Commission's opinion on questions about racial profiling and discrimination with respect to Bill S-7.

On that topic, I would like to talk about a church in my riding called the Church of God. Recently, I met some of its members: spirited seniors, parents and youth who spoke to me about several challenges. They spoke to me about profiling and their concerns, as well as about experiences their friends or loved ones have had with profiling. It affects the black community on Montreal's West Island, for one.

I want to echo their comments and let them know that I hear them. If the NDP feels that the discretionary powers set out in a bill could be used for racial profiling and discrimination, we will take a stand and make absolutely sure that every bill introduced in the House takes into consideration the concerns of those in the black community, such as the members of the Church of God.

I will continue by paraphrasing what one of my Conservative colleagues said today in the House about Bill S-7. She said that she was disappointed by the NDP's position and that someday the NDP would have to come to realize that a lot of work went into Bill S-7 in committee. She also said that the NDP needed to acknowledge all of the witnesses who were heard and who support Bill S-7. That is what she was trying to say.

I hate to have to contradict her, but a number of witnesses had concerns and did not agree with Bill S-7 as we are seeing it here in the House today.

I would like to quote two witnesses who appeared before the committee. First, I will quote Ms. Cheung, counsel for the British Columbia Civil Liberties Association:

...we urge the committee to refrain from further expanding the powers of our national security agencies until appropriate and effective accountability and review mechanisms have been established.

This is not someone who simply does not agree. This is someone who has made suggestions and is urging us to put in place mechanisms to guarantee the rights and freedoms of Canadians, if that is the direction the government is taking.

According to Paul Calarco, member of the National Criminal Justice Section, Canadian Bar Association:

There is no question that the prevention of terrorist action is vital to preserving our society. This requires effective legislation, but also legislation that respects the traditions of our democracy. Unfortunately, this bill fails to achieve either goal.

In other words, the NDP is not alone in saying that we should wait and that we should perhaps be concerned.

The experts agree with us. They also believe that this bill, in its current form, poses risks and is not an effective measure.

I will close by repeating that the NDP and I are convinced that the fight against terrorism warrants special and serious consideration. We all agree on that in the House. However, at issue is the way in which we fight terrorism.

We believe that Bill S-7 is not appropriate because it poses threats to the fundamental rights and freedoms that Canadians cherish. We are proud of our rights and freedoms, and we must ensure that they are not threatened.

Are we supporting terrorism by voting against this bill? Of course not. It is completely ridiculous to say so.

We have to consider that, in the house, we all want to provide useful and significant tools to fight terrorism. Unfortunately, Bill S-7 is not one of them.

• (1645)

[*English*]

**Ms. Joan Crockatt (Calgary Centre, CPC):** Mr. Speaker, I want to explore a little more the comments from the NDP that we do not need Bill S-7, that somehow all of the measures are already covered here.

We do have clauses in the bill that would cover new offences of leaving Canada or attempting to leave Canada for the purpose of committing a terrorism offence or an offence that would be created under proposed amendments. These new offences would be aimed at deterring persons who could be planning to receive terrorist training or engage in other terrorist activities abroad.

In light of the fact that two men from London, Ontario, have recently been identified as being involved in the gas plant attack in Algeria, which is of significant concern to residents of my riding, a lot of whom travel to various countries to work in the oil and gas industry, how can the NDP say that there is nothing new in the bill when, clearly, it would target people and would have a very high threshold, which is, the intent to commit an offence in this regard?

[*Translation*]

**Ms. Lysane Blanchette-Lamothe:** Mr. Speaker, I thank my colleague for her question.

I want to correct one thing. I did not say that there was nothing new in this bill or that it was all bad. I simply said that this bill represents a threat to the rights and freedoms of Canadians.

Is my colleague prepared to jeopardize the rights and freedoms of Canadians to combat terrorism?

This bill may have some worthy points, but the NDP will absolutely oppose a bill that threatens the rights and freedoms of Canadians.

If the Conservatives are serious about combatting terrorism, why did they cut funding to border services or the RCMP? These agencies, which need these resources to fight crime, acts of violence or acts of terrorism, unfortunately were not spared from the Conservatives' budget cuts.

[*English*]

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, the member, in concluding her remarks, made reference to the fact that the NDP would like to support effective tools.

At the hearing stage of Bill S-7, it was made very clear by a number of a law enforcement officers and experts that the bill itself, in principle, would provide yet another tool. This came from experts and law enforcement officers talking about something they believe would assist them in the future in combatting terrorism.

*Government Orders*

Canada has been very fortunate in that we have not been subject to acts of terrorism to the same degree as other nations. That does not necessarily mean that we should not be progressively looking at how we can enhance our law enforcement abilities in the future, in terms of combatting it.

Given that we have expert and law enforcement officers saying that this is a tool that they would like to have, why would the NDP want to deny them that, given that there are checks in place to protect individuals rights and freedoms?

• (1650)

[*Translation*]

**Ms. Lysane Blanchette-Lamothe:** Mr. Speaker, I heard my Liberal colleague tell the House that he will support Bill S-7. I would have liked to hear him talk about the threat this bill represents to the fundamental rights and freedoms of Canadians. The Liberal Party brags about supporting and upholding these types of principles, but this is not evident in their actions and in their support for Bill S-7.

Will we move forward with any bill that could be useful, even if it threatens the rights and freedoms of Canadians? Why rush through the study of this bill?

Experts and the NDP agree that there are still some serious doubts about this bill. We must examine these concerns seriously before we move forward with such a bill.

**Mr. Yvon Godin (Acadie—Bathurst, NDP):** Mr. Speaker, I am pleased to speak to Bill S-7 today. My colleagues have stated quite clearly where the NDP stands on this bill.

I also want to say how saddened we are by what happened in Boston. We all saw it on television. There were even New Brunswickers there. We saw people running for a good cause, families and completely innocent people placed in a terrible situation. It is certainly no laughing matter.

But let us come back to Bill S-7. What I find deplorable is the little bit of hypocrisy that is mixed up in it. Today, all the Liberals are worried about losing their opposition day. If they are so serious about Bill S-7 and if they really believe in it, I feel that, if I were in their shoes, I would be thanking the Prime Minister for cancelling that day. That is the question that the Liberals have been asking almost all day today, as if the Conservatives had used this against them, because of the Liberal motion to protect democracy for the Conservatives. It is incredibly hypocritical on their part.

At any rate—

**The Acting Speaker (Mr. Barry Devolin):** The hon. member for Bourassa wants to raise a point of order.

**Hon. Denis Coderre:** Mr. Speaker, I have a great deal of respect for the hon. member for Acadie—Bathurst, but I would like to remind him that we are talking about Bill S-7 today. He does not need to talk about anything else. This matter is complex and serious enough.

[*English*]

**The Acting Speaker (Mr. Barry Devolin):** I encourage all hon. members to speak to the matter before the House and trust the hon. member for Acadie—Bathurst is doing so today.

[*Translation*]

**Mr. Yvon Godin:** Mr. Speaker, all day, I have been listening to the Liberals whine about how their opposition day was cancelled. The NDP never stopped them to raise a point of order. The poor Liberals lost their entire opposition day, which they meant to use to protect democracy for the Conservatives. In my opinion, I had the right to talk about it, otherwise we should have called them to order a long time ago.

We are dealing with this bill today. Meanwhile, we saw what happened a month ago in London, Ontario. An incident occurred in our country a month ago, and we had to wait until today to examine Bill S-7. I listened to the speech the parliamentary secretary gave this morning. She said that, if there were problems with Bill S-7, we could talk about them and propose amendments. In my opinion, the parliamentary secretary is living on another planet, because 17 amendments were already proposed in committee and the majority government completely rejected all of them.

Today, some Conservative members are rising in the House and saying that they disagree. They are giving examples of Canadians who go to other countries and commit acts of terrorism. They are saying that something needs to be added to the legislation so that action can be taken in such cases. However, there is not just one problem with the bill. It is therefore important to examine the bill in committee so that amendments can be proposed, but it seems that this is not at all negotiable and that only the Conservatives are right.

The Liberals are saying that the professionals who testified before the committee said that they liked some aspects of the bill even though it is not perfect. In such a case, the bill should be rejected and just the good measures kept. Are we going to say that our only choice is to vote in favour of a bad bill because it contains some good measures? Is that how we create bills?

The Liberals are afraid. They are not in the middle for nothing. They are trying to please everyone, both on the right and on the left. They vote for everything for crying out loud.

I would like to talk about issues related to cuts. If the government is so serious about fighting terrorists and criminals, why is it making so many cuts?

For example, the Canada Border Services Agency has been on the receiving end of \$143 million in cuts, which will affect 325 jobs. What good is it to pass laws if there is no one to enforce them and if the employees hired to protect people are losing their jobs?

On one hand, the government wants to pass a law that is supposed to fix all of these problems. On the other hand, it is cutting jobs across the country, including 325 at the Canada Border Services Agency.

Police in municipalities and communities are saying that they need help. Even RCMP officers are saying it. Their budgets are being cut in cities and towns. However, the people who are likely to commit these crimes will be caught on the ground. We need boots on the ground.

*Government Orders*

They love the idea of having tidy legislation in place. It looks great politically. They can say that they arrested someone and put him in prison, that they will build jails and throw people in there every once in a while, and that the story will make the national news. It will look good because they will have done their job.

Yet, in the meantime, jobs for border service agents and police officers will be cut all across the country. There is even a rumour that the government has cut funding for security at level three airports. Where there is smoke, there is fire.

• (1655)

That is what we are talking about. For instance, at a level 3 airport, like the Bathurst airport, there would no longer be any security. You would arrive at the airport, board the plane and away you go. It would be no problem. At the same time, police forces are trying to stop criminals and terrorists. The more the Conservatives think they are going in that direction, the more they make cuts to policing and security. They make cuts left, right and centre. Then they introduce a bill.

The Conservatives love spreading terror and fearmongering by introducing bills. They think the best thing to do is come up with laws and build prisons and other big buildings. For them, one prisoner per cell is not enough; they want three or four per cell. What a beautiful Canada.

Cuts to the Canadian Security Intelligence Service will total \$24.5 million by 2015, while general inspector positions at the CBSA were eliminated in 2012. Yet that is crucial for accountability. Some \$24.5 million is being cut. Furthermore, the RCMP is having its budget cut by \$195 million. Now, the Conservatives would have everyone believe that this is all going to change on Monday, given what happened in Boston. Canadians are not stupid and they do not believe the Conservatives.

I spent the weekend in my riding and people told me that the Conservatives are not all that smart. The Conservatives wave this bill around while the Liberals are fighting to get a day to talk about democracy. Yet, at committee, they refused 17 amendments concerning Bill S-7. Even though they refused all of them, they want to vote in favour of the bill because it contains one good point. Come on.

I thank hon. members for giving me the opportunity to speak. For all of these reasons—taking away people's freedoms, putting young people in prison for 12 months without anyone of age to protect them and possibly putting innocent people in prison—the NDP will not be supporting this bill, which fundamentally violates personal freedoms. We are not talking only about terrorists. There is one place where terrorists belong. In my opinion, we already have the legislation we need to protect Canadians.

• (1700)

[English]

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, if the member read the debates today, he would have found that a number of his New Democratic colleagues stood today and made comments on why the government brought forward Bill S-7. It is not only the Liberal Party but even some of his own colleagues who expressed concerns about Bill S-7. Maybe they can enlighten him.

The member referred to amendments and said that it is not a perfect bill and therefore should not pass. I would like to remind the member that literally a thousand-plus amendments have been brought forward on government legislation by opposition parties. I am wondering if the member would indicate how many of those amendments have actually passed. Does he believe that the only way a bill should be voted for inside third reading is if opposition amendments are adopted? If they are not adopted, then it is not perfect, and that means that the NDP will in future be voting against that legislation.

**Mr. Yvon Godin:** Mr. Speaker, if the amendments are not adopted, the legislation could take the liberty of innocent people and put them in prison for 12 months without protection. Yes, we would vote against it.

We had 17 amendments. As my Liberal colleague said, even though it is not perfect, the Liberals did not put one amendment forward.

Do the Liberals not believe that committees should work? Do they not believe that we should still push the government, put pressure on the government, and leave Canadians to decide whether that is the government that should run this country?

The Liberals just sit there, not putting forward any amendments at all. They swallow everything. Even if it is not perfect, they vote for it, even if it takes people's liberty away, and I have a problem with that.

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, I listened with great interest to my hon. colleague with respect to the Liberals putting zero amendments forward and then accusing the government of not listening to them. No wonder the government is not listening to them; it is because they are not speaking.

It was the Liberal government, under Jean Chrétien, that brought in the provisions that suspended habeas corpus under the so-called terrorist provisions. They were such onerous provisions that the government agreed to put in a sunset clause so that they would be removed after a time, because they were a fundamental threat to the legal landscape of the country.

In 2007, Parliament voted to ensure that those provisions for taking people without warrants and forcing them before investigative juries or judges would not be brought back. The Liberals, in 2013, are standing up and supporting the same provisions they promised to sunset in 2001.

I would like to ask my hon. colleague why he thinks it is that the Liberal members have offered zero amendments and have been rubber-stamping this from the get-go.

• (1705)

**Mr. Yvon Godin:** Mr. Speaker, I think the only answer is that right from the beginning they believed in that type of law we have in our country and in taking advantage of people. We see it now when they are not putting forward any amendments.

The sad part is that they get up in the House of Commons, and they say that the bill is not perfect. That is why we have committees where we are able to put forward amendments.

*Government Orders*

Today they cannot show us even one amendment. Saying that the bill is not perfect and not having one amendment means that they have not done their job on Bill S-7. They have done nothing. Then they come here and say that is it not perfect and that they are voting for it, but that the New Democrats are voting against it when they should be voting for it, even if it is not perfect and is doing something wrong.

It is the same party that is having an opposition day to save the Conservative backbenchers that have been told not to speak by their Prime Minister.

[*Translation*]

**Ms. Francine Raynault (Joliette, NDP):** Mr. Speaker, I will be sharing my time with the hon. member for Montmagny—L'Islet—Kamouraska—Rivière-du-Loup.

I am pleased to have the opportunity to speak about the issues raised by Bill S-7. However, I would first like to offer my condolences to the families of the Boston Marathon victims and express my support for this extraordinarily resilient community.

Terrorism is a horrible thing, and we need a responsible approach to combat it without losing what defines us as a society. When Osama bin Laden launched the attack on the World Trade Center in 2001, he said that he wanted the North American way of life to disappear forever.

Since those attacks, Western countries have lost a little bit of their candour, and we have had to face our own limitations. At the centre of the lifestyle we share with our American neighbours is the rule of law and the civil liberties enshrined in the Charter of Rights and Freedoms. These social markers are at the heart of Canadian identity, and we must protect them as our most precious treasure, because if we willingly abandon our fundamental rights, then what is the point of combatting terrorism?

This is the main question behind my opposition to Bill S-7. In my opinion, this bill is ineffective and pointless in the fight against terrorism and it directly threatens my constituents' freedom.

We all know that Bill C-36 was rushed through in 2001 following the attacks on New York, which made a deep impression on our minds. Who does not remember those events, even 12 years later? Yet very few people remember Bill C-42, which allowed the government to declare temporary military zones in which fundamental freedoms were suspended. This millennium opened with a new interpretation of our most fundamental freedoms.

Why this aside when talking about Bill S-7? It is simply to show the House the risks of passing a bill such as this one in a time of emotional distress.

What happened in Boston has had an effect on all of us, but if Bill S-7 was so urgent, why did the Conservatives wait until now to introduce it? If I did not trust in the good faith of the members opposite, I would be tempted to say that they are trying to use this tragedy to conclude the debate on Bill S-7 so that they never have to hear about freedom of expression within their own caucus again.

Among other things, Bill S-7 would reinstate sunset provisions contained in Bill C-36, which expired in 2011. That is the case for recognizance powers, which the government is trying to put back on

the table for no apparent reason. Other provisions, such as investigative hearings, are cause for concern.

The fact that these provisions were not applied between 2001 and 2007 does not seem to be of great concern to this government. Moreover, with respect to recognizance powers, the Conservatives insisted at report stage that this provision apply to individuals who are not suspected of conducting terrorist activities.

In summary, with Bill C-36, we introduced the idea of preventive detention and provisional judgments grounded in mere suspicion. Is there anyone here who wants to be the object of such suspicion? Bill S-7 goes even further. It reintroduces a sunset clause for an obvious purpose and, moreover, it tries to apply the provision to people who are not even suspected of being terrorists. It is not a mistake: the broad scope of the provision is intentional.

What are we doing? Are we going to put people in jail on the grounds of a suspected suspicion? I am sorry, but that is not the democracy in which I want my grandchildren to grow up. Suspending an individual's freedom because of a suspicion is very arbitrary. No longer requiring this suspicion would be utter madness. Furthermore, this provision could result in 12 months of preventive detention, 12 months of imprisonment without a conviction. What has happened to Canada?

● (1710)

The reading of Bill S-7 raises questions for me that I must ask. If the government wants to extend an anti-terrorist provision not only to terrorists, but also to those suspected of terrorism and, basically, everyone in general, where is this all leading to?

Anti-terrorism legislation like this is not worthy of a state governed by the rule of law. It is not actually used anyway, and our Criminal Code has up to now proved to be adequate for tracking down terrorists. With this type of legislation, we are opening the door to broader applications, which we are already seeing in Bill S-7.

Earlier, I was talking about Bill C-36 and Bill C-42. They have not been useful in protecting Canada from terrorism. The behaviour of our forces of law and order deteriorated as a result.

If memory serves, Bill C-42 was used when the government declared the community of Kananaskis to be under military jurisdiction for a G8 economic meeting in 2002. Who were the terrorists? Al Qaeda, or the global justice movement? Bill C-36 may not have been able to defend the country, but it sure got the authorities all worked up in 2010 during the notorious "Torontonamo", when the city centre was locked down and \$1 billion was spent on security for a simple G8 meeting on the economy. The result was 1,000 Canadians imprisoned and convicted with no evidence, and civil liberties taken away, first inside the security perimeter, then around it, and finally all over the city.

If the authorities feel that they can act like that at a simple demonstration about the economy, what will they do in other situations? I firmly believe that anti-terrorist laws give quite the wrong message to our forces of law and order. "Torontonamo" was strongly criticized in official government reports, but the harm was done. How many other accidents like that are we going to have to deal with before we realize that anti-terrorist legislation can become "anti-Canadian" legislation?

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If the Conservative government really wanted to improve security in Canada, why did it cut the budget of our border intelligence unit by half? Why did it end a program designed to recruit more police officers in our communities, and why did it abolish the position of Inspector General of the Canadian Security and Intelligence Service?

Furthermore, the NDP proposed a number of amendments that would have made Bill S-7, if not satisfactory, at least tolerable, but the Conservatives rejected all of our amendments. So we have to learn to live with investigative hearings, a technique worthy of medieval witch hunts, that could well pervert our justice system. Rather than confronting the potential threats hanging over our country, the Conservatives seem to be more interested in using them to significantly change the nature of justice in this country.

In my opinion, Bill S-7 is poorly designed and does not add anything substantial to the Criminal Code, other than the potential for misuse and abuse that we will all regret one day. Bill S-7 should be examined much more carefully before it is passed, since the issues this bill raises are much too important to be left to the whim of the government in power.

• (1715)

[English]

**Hon. Steven Fletcher (Minister of State (Transport), CPC):** Mr. Speaker, I listened to the member's comments, and I am very disappointed.

First, let me say that the member had a very negative portrayal of our men and women in uniform, our police officers and our front-line public safety officials. I want to say that those people deserve respect, and we should honour them. They protect us every single day. That member should be ashamed for trying to run them down.

Second, the member said that this was somehow political, that the legislation is only here because of events of last week. That is ridiculous. The legislation has been before the various houses of Parliament for a very long time.

Today, we have to see how important it is that the government do its number one job, which is to protect the people who live within its boundaries. Why is the NDP always soft on crime and soft on terrorists?

[Translation]

**Ms. Francine Raynault:** Mr. Speaker, I did not negatively portray men and women in uniform. On the contrary, I think that they need help. They need more money and we must not be making cuts to jobs.

Furthermore, this bill has been around and has been studied for a long time, so why did the government only bring it up today? Why not months ago?

This bill may have been acceptable if at least one of our 18 amendments had been accepted.

[English]

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, first if I may, I would like to convey heartfelt congratulations to the men and women of our forces who did a fantastic job earlier today. We found out there was a plan being put into place to cause harm to citizens here in Canada in the 905 belt. We do not know exactly

where. We applaud all of their energies and efforts in saving us from what could have been a fairly horrendous situation.

Having said that, it is important for us to recognize the fine work they do, and I tried to do this earlier today. We heard presentations at the committee stage in which they were very clear. They see Bill S-7 as a bill that would allow for an additional tool to combat terrorism. That is in essence the principle of why we assign value to the passage of the bill. The Liberal Party, in principle, has been supportive of the bill.

My question for the member is: Given that we have professionals, law enforcement agencies and experts saying there is merit to passing the legislation, why then would the NDP go against what they are saying, given that there are checks in place to protect private individuals' rights?

[Translation]

**Ms. Francine Raynault:** Mr. Speaker, I thank my colleague for his question.

The purpose of this bill is to muzzle people and to send them to jail based on a mere suspicion. That is unacceptable. We live in a democracy, or at least I think we do. Putting that in a bill is unacceptable. We cannot vote for a bill that will muzzle people and send them to prison based on a mere suspicion. That makes no sense.

• (1720)

**Mr. François Lapointe (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, NDP):** Mr. Speaker, I am honoured to rise today to speak to Bill S-7, on combatting terrorism.

The Conservative government's intellectual dishonesty knows no bounds, and today is no exception. They are trying to exploit a tragedy so recent—the Boston Marathon attacks—that the victims' wounds are still bleeding.

Our thoughts are with the victims and the many people who risked their lives to protect the Boston area over the past few days. Because of the way the Conservatives do things, our agenda in the House of Commons has once again been flipped upside down without prior notice. Why? Mostly because the government in place lacks vision. It exploits hot-topic issues and uses them to impose its own agenda.

Countries in the G8 are not supposed to rush to pass legislation based on what is going on in the news, especially if the goal is simply to shove the government's own agenda down the public's throat. We must work for the common good, listen to what experts tell us and base decisions on the objectives of our international partners.

This makes it clear that the government cares more about its own agenda than anything else.

The morning after the shooting in Newtown, Connecticut, did the government start a debate on crazed killers to help the American president, who has been fighting for tougher laws since then? No. That issue is not in line with this government's objectives.



*Government Orders*

Given that Bill S-7 has been back in the House since December, why is the government suddenly in such a hurry? Why did we not have this debate in February, for example? With a record number of 30 gag orders, we had plenty of time to debate what has now suddenly become a priority. The government is being purely opportunistic and exploiting current events.

So that we do not play into the government's hands, I would like to recap some facts about Bill S-7.

The committees heard testimony from a number of stakeholders in the legal community and civil liberties groups. They said that Canada's current laws are sufficient.

Immediately providing law enforcement and border services with better resources for field investigations would improve our chances of preventing a tragedy. We should not make a habit of using exceptional measures that threaten fundamental rights. For example, in the case of the Toronto 18, the worst-case scenario was avoided because of a successful investigation, and no exceptional measures were used.

Cuts in the hundreds of millions of dollars to border services and the RCMP make no sense, and they demonstrate this government's contempt for these people. The government loves them so much that it keeps making cuts. I would not wish this government's love and affection on any Canadian. Talk about bad news.

Bill S-7 is useless and disconcerting because it throws wide the doors to infringements of civil liberties and human rights.

Take, for example, the part of the legislation that is perhaps the most disturbing, which is recognizance with conditions or what are known as preventive arrests.

The government included a paragraph in its legislation specifically so that it could use preventive arrests even when individuals were not suspected of terrorist activities. NDP members tried to amend that provision to ensure that only those individuals identified as having potentially been involved in a terrorist activity could be placed under preventive arrest. Committee members were shocked to hear from a parliamentary secretary that the amendment would not be accepted because the government had intended for the provision to be far-reaching so that it would include individuals who authorities do not suspect will commit terrorist activities in the future.

The stage is set for abuse, and the government is promoting it. The fact that the anti-terrorist provisions were never used between 2001 and 2007 clearly illustrates that the government's haste is purely a tactic.

The NDP has gathered a great deal of support for this interpretation of the events. Paul Copeland, a lawyer and member of the Law Union of Ontario, said:

I wanted to comment first on the circumstances of the Air India case, because that is the only case in which this legislation that came in under the anti-terrorism bill was used, and it's a rather bizarre circumstance. It was described as a fiasco, and I think that's an appropriate description.

He concluded his speech with the following:

...the provisions you are looking at here change the Canadian legal landscape. They change it in a way that isn't useful. They should not be passed, and in my

view they are not needed. There are other provisions of the code that allow for various ways of dealing with these people.

According to Reid Morden, a former director of the Canadian Security Intelligence Service, police officers and security forces have all the powers they need to carry out their duties and they do not need any additional powers.

● (1725)

We are talking about very competent people who have taken positions that are very similar to ours.

Further conclusions, also very similar to the NDP's, were expressed in today's *Globe and Mail*. I wanted to quote this, because I noted that the French-language press was not reporting this as much. These conclusions are quite justified:

[English]

“The debate politicizes the Boston Marathon bombings when few facts are known regarding the bombers' motives or inspiration.”

[Translation]

The Conservatives are forcing us to make decisions before the injured have even healed.

[English]

“More worrying is the fact that there are aspects of the proposed bill that raise questions about balancing civil liberties with the need to protect citizens.”

[Translation]

*The Globe and Mail*—and no one can say that it is a leftist leaflet—reached the same conclusion as we did: this raises some serious concerns about fundamental rights.

Here is another quote that made me smile, but bothered me at the same time:

[English]

“The government's sudden need to debate Bill S-7 seems more likely to have been prompted by Mr. Trudeau's unfortunate comments about 'root causes'—”

**The Acting Speaker (Mr. Barry Devolin):** Order. I would remind members not to refer to their colleagues by their given name.

**Mr. François Lapointe:** I am sorry, Mr. Speaker.

Let us say they would have been written by the new chief of the Liberal Party, “—the day after the bombing than by a concern for public safety.”

[Translation]

This analysis is justifiable but troubling. Are we going to hold debates in the House based on the blunders of the new Leader of the Liberal Party? If that is the case, then we should cancel all the debates for the coming months. The young Liberal leader will provide the government with at least one blunder a week, that is for certain.

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We will have to have debates on millionaires who, when they hit their forties, suddenly discover the needs of the middle class. We will have to hold debates to determine whether a striptease is a good idea for a fundraising campaign. We will therefore have at least one blunder a week in the coming months.

The purpose of this House is not to focus on the short term or on current events. On the contrary, the purpose of the House is to think about making the best possible decisions to protect our constituents in the long term.

Earlier, the hon. member for Bourassa had a very strong reaction with regard to the Canadian Charter of Rights and Freedoms. He said that the Liberals are thinking about supporting this bill even though there is very good reason to be concerned.

One of my colleagues spoke about an uncle who could be arrested without even knowing that his nephew was part of a group that could be involved in terrorism. These are fundamental rights that might not be upheld. The hon. member for Bourassa shouted: “The Charter of Rights! The Charter of Rights!” Clearly, we have a problem.

The member was adamant about the Charter of Rights and Freedoms because the government introduced a bill that flouts the charter and does not take into consideration the people on the ground, the customs officers, law enforcement and police officers who are put in untenable positions.

Who will have to deal with these untenable and completely contradictory decisions about certain key aspect of Canada's laws and regulations? It is law enforcement.

Making hasty decisions and showing up with something written on the back of a napkin—as the Conservatives like to say—shows a lack of respect for law enforcement and the work that these people do.

I will vote against Bill S-7 because this bill threatens rights and freedoms, contains useless provisions that are never used, and exploits current events and the all too recent suffering of some people to further the government's agenda.

I will continue to oppose any cuts to the resources granted to customs officers and investigators. In fact, the real problem and the real threat Canadians are facing in 2013 are the cuts that the Conservatives are making to funding for the dedicated and courageous individuals who take risks every day in the field.

This bill does not respond to this threat. The threat will continue as long as these people are in office.

• (1730)

[English]

**Hon. Steven Fletcher (Minister of State (Transport), CPC):** Mr. Speaker, as always when the New Democrats speak, there is an undercurrent that suggests some pretty negative attributes to our men and women in uniform. I just want to say that this government supports our men and women in uniform, be it the military, the police, the RCMP, or CSIS.

The New Democrats do not seem to understand that the number one responsibility of any government is to protect the country's sovereignty and ensure public safety. The Minister of Public Safety

has said today that the examples of terrorism that we saw in Boston and, unfortunately, here in Canada today, and in the Toronto 18, and so on just demonstrate that this type of legislation, unfortunately, is necessary. The New Democrats seem to be so soft on terrorism, along with the hug-a-thug mentality. I just wish they would support us and do the right thing.

[Translation]

**Mr. François Lapointe:** Mr. Speaker, cutting hundreds of millions of dollars in resources for people whose mission it is to identify and combat terrorism is an excellent way of being soft on crime, or soft on terrorists. Who would dare to do such a thing? The last we heard, it was the people who are currently in government. Opposing these cuts is an excellent way to show that we respect and appreciate the work these people do. Who has been supporting the people who combat terrorism over the past two years? The people on this side of the House. Can I be any clearer?

I sometimes feel like I am arguing with a stubborn 12-year-old. If we want to support these people, we have to give them the resources they need. We might disagree about regulations but, in the end, the people who respect them want to maintain and increase their resources, and the people who make cuts do not respect them. We cannot make it any clearer.

[English]

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, one thing we never hear from the Conservatives is that a primary responsibility of Parliament is to respect the rule of law, and the rule of law is based on the rights of citizens. That is something that the Conservatives continually want to do away with.

We brought forward numerous amendments to fix this legislation. The Liberals brought zero. One of our proposed amendments was to clarify what would be defined under “terrorism” because individuals could be detained and held without warrant by authorities who think those individuals might do something. We tried to clarify that and the Conservatives refused to have clarification, because they said they wanted a broad sweep. We see the Liberals and Conservatives support a broad sweep against citizens.

My question for my hon. colleague is this. In light of the recent G20 where there were numerous abuses of civil rights, such that the police were left embarrassed and it has been brought to court, why do both the Liberals and Conservatives support this broad sweep against ordinary Canadian citizens?

[Translation]

**Mr. François Lapointe:** Mr. Speaker, I would like to thank my colleague. His question is a valid one.

Once again, let us return to the basic principle, which the government is not doing a good job of defending. Does the government respect the front-line workers, the investigators and customs officers? It is not helping them by introducing legislation that can have a very broad interpretation. They will find themselves in untenable situations where the decision to be made could violate the Canadian Charter of Rights and Freedoms. What is to be done in such cases?

The government is making an amendment to include a potential exception that could at times apply in the context of terrorism—without really defining what terrorism is—and that would be contrary to the charter. Then the government is asking them to find a way to do a good job. That is what it is telling them. That does not help them.

• (1735)

[English]

**Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.):** Mr. Speaker, the Liberal Party is the party of the Canadian Charter of Rights and Freedoms. It is also the party of multiculturalism, pluralism, and respect for diversity. The charter is one of Canada's proudest achievements. All Canadians, whatever their origins, cultural or religious backgrounds, or affiliations, know where they stand under the charter. They stand as equals. In deciding how to vote on any piece of legislation, we in the Liberal caucus always employ a key criterion: Does the legislation respect the charter? At the same time, Liberals are unshakably committed to ensuring the physical safety of all Canadians.

As Justice Lamer once said, and I paraphrase, safety from imminent harm is at the core of the values of dignity, integrity, and autonomy of the individual. These are also the values at the core of the Charter of Rights and Freedoms. Therefore, the charter is consistent both with individual liberties and with the notion of protecting community and individual safety.

Like all members in this House, we in the Liberal caucus live in communities. We have families and neighbours. We want them and all fellow Canadians to be safe from violence. It is precisely because of our dual adherence to the charter and to the need for public safety that Liberals will be supporting Bill S-7 at third reading, as we have done throughout the legislative process surrounding this bill.

Bill S-7 contains a number of important provisions. First, it reintroduces two public security measures, investigative hearings and recognizance with conditions, that a Liberal government introduced in 2001 with sunset clauses that took effect five years later in 2006 and nullified these measures as originally planned.

Prior to sunset, section 83.28 of the Criminal Code, which referred to investigative hearings, permitted a peace officer to apply to a judge for an order requiring a witness believed to have information concerning a terrorism offence, past or imminent, to appear before the judge to answer questions. This measure was accompanied by important safeguards. Among other things, the witness in an investigative hearing was protected against self-incrimination in reference to a future criminal proceeding and had the right to retain and instruct legal counsel. Also, the presiding judge could impose conditions on hearings in the interest of protecting the witness. For example, the judge could order that the witness' identity not be made public. The Supreme Court has ruled investigative hearings to be constitutional. In other words, they are charter-compliant.

Recognizance with conditions, in other words, preventative arrests under section 83.3 of the Criminal Code with a view to preventing a potential act of terrorism, also contains safeguards. Invoking this measure required the prior consent of the Attorney General and a provincial court judge unless the peace officer suspected immediate

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detention was necessary, in which case the detained individual had to be brought before a judge within 24 hours or as soon as feasible.

This section was slightly amended in its reintroduction through Bill S-7 to ensure conformity of the original provision with the Supreme Court decision in *Regina v. Hall*, a case related to detention without bail. The amended version in Bill S-7 is meant to narrow the scope of reasons for which the individual could be detained.

I should mention for the benefit of those who doubt whether the government's attitude to combatting terrorism is constitutional that this past December the Supreme Court unanimously rejected claims that the 10-year-old terrorism sections of the Criminal Code had defined terrorist activity so broadly that these sections threatened free expression. The court said that the anti-terrorism law is "... respectful of diversity, as it allows for the non-violent expression of political, religious or ideological views."

The court also found that the definition of terrorist activity is not so broad as to capture innocent individuals in its legal net. The court specified that:

For example, the conduct of a restaurant owner who cooks a single meal for a known terrorist is not of a nature to materially enhance the abilities of a terrorist group to facilitate or carry out a terrorist activity.

Therefore, it would not constitute a terrorism offence.

A second feature of Bill S-7 is that it introduces a new offence that security experts have told the public safety committee they need to be effective in fighting terrorism in the present-day context, which is, the offence of leaving or attempting to leave Canada for the purpose of engaging in terrorist activity, whether to attend a terrorist training camp, or to take part in any kind of terrorist-related action. As we know, Canadians have been implicated in terrorist incidents overseas, namely in Algeria and Bulgaria.

Richard Fadden, the director of the Canadian Security Intelligence Service, recently testified that while this new offence was perhaps not needed a few years ago, he is now more concerned about the radicalization of individuals in Canada who become inspired, often through the Internet, by the extremist narrative.

• (1740)

Furthermore, as mentioned in the CBC report on the subject:

Ray Boisvert, former assistant director of intelligence with CSIS..., said radicalization is a "growing pattern" in Canada. CSIS has identified up to 50 people who have left Canada to fight abroad.

For those who might fall prey to generalizations about the source of extremism in Canada, the path to violent extremism does not originate in particular communities. This is according to CSIS.

Since 2001, there are communities that have been the object of suspicion. This saddens me because distrust of newcomers is not a new phenomenon. Different cultural and religious groups have been held in suspicion throughout history, and across societies. Such treatment has created hurt and frustration in these communities. Sometimes persons and property in these communities have suffered harm.

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Even when this has not been the case, community members, especially the young, otherwise excited about opportunities for growth and success, often understandably passionate about contributing to the greater societal good, believe their opportunities to be limited because of their identification with their cultural group of origin.

This is why I was so interested and pleased to learn of the conclusions of a CSIS intelligence assessment branch study on radicalization in Canada. The study affirms that the path to violent zealotry is ultimately “an idiosyncratic individual process”.

Allow me to refer to some of the study's conclusions, as reported in a *Globe and Mail* column by Doug Saunders, entitled “Canada's looking for terrorists in all the wrong places”.

I will quote and paraphrase:

[Canadian extremists] are almost always native-born Canadians, rarely immigrants, and never refugees.

Not only are they not immigrants, but they don't tend to be found within “parallel society” immigrant enclaves. And they aren't radicalized by attending a mosque.

Britain's MI5 analyzed several hundred violent extremists and found similar non-immigrant...backgrounds—and that, as in Canada, these extremists don't come from religious backgrounds. “Most are religious novices,” the security service concluded, and, in fact, “there is evidence that a well-established religious identity actually protects against violent radicalization”.

U.S. experts have come to the same conclusions. Mark Fallon, formerly with U.S. counterterrorism, has confirmed that migration experiences, religious traditions, and theology almost never cause radicalism.

To quote Doug Saunders in conclusion:

The path from strict religious faith to violence simply doesn't exist—in fact, the most religious are among the least likely to become extremists.

[Terrorism] is a criminal tendency, neither imported nor theological, not rooted in communities or faiths.

This new offence of leaving or attempting to leave Canada for the purposes of engaging in a terrorist-related activity, similar to many of the current terrorism offences in the Criminal Code, is designed to allow for arrests and charges at the early planning stage of terrorist attacks outside Canada, before a person even leaves Canada to commit terrorist acts.

As usual, the offence comes with safeguards. To quote Donald Piragoff, senior assistant deputy minister, policy sector, Justice Canada:

[The leaving or attempting to leave Canada offences] require the consent of the Attorney General before charges are laid. It's not simply a police officer who makes the determination; you have to get the consent of the Attorney General to say that the prosecution or an arrest would be appropriate.

Moreover, this new offence is not so broad that it would prevent someone from, say, going to a survival camp in Colorado or in the Middle East.

As Mr. Piragoff also noted before committee:

It's not an offence to go to a survival camp...to learn how to shoot an AK-47. However, if the person is going to learn how to shoot an AK-47 for the express purpose of helping improve the capacity of a terrorist group, that makes it an offence.

Finally, Bill S-7 would introduce legislative guarantees of greater government transparency and accountability in dealing with matters of national security that come before the courts or an administrative

proceeding. It would introduce amendments to the Canada Evidence Act that would make it more difficult for the government to use national security concerns as a routine justification for suppressing information that is in the public interest of a democracy, information that is often essential to permitting a fair trial for an accused.

Some of the changes to the Canada Evidence Act in Bill S-7 implement the decisions of the Federal Court in *Toronto Star Newspaper Limited v. Canada*, and *Ottawa Citizen Group v. Canada*. In essence, it would no longer be in the power of the Attorney General to determine, even against the opinion of the court, whether information relating to a case or a proceeding must remain confidential. That discretion would now belong to the presiding judge, who must presumptively abide by the open court principle and allow only very limited exceptions.

● (1745)

**Hon. Steven Fletcher (Minister of State (Transport), CPC):** Mr. Speaker, I listened to the member's comments and I thought they were well thought out. He certainly addressed many of the nonsensical arguments brought forward by the NDP, for example, issues around the charter, that the legislation is sound.

Would the member comment on why the NDP would not support legislation that would help bring more tools to protect Canadians? This is the House of Commons. The laws of the land are determined here to protect, improve, and ensure that the quality of life of Canadians gets better. Why is the NDP against that?

**Mr. Francis Scarpaleggia:** Mr. Speaker, I appreciate my hon. colleague's kind words regarding my own words, but I really cannot speak for the NDP. I can only speak for Liberals as our public safety critic. I really do not know for what reason the NDP is not supporting the bill, but I am sure other hon. colleagues, namely in the NDP, will provide the answer.

**Ms. Lysane Blanchette-Lamothe (Pierrefonds—Dollard, NDP):** Mr. Speaker, I rise to stress the concerns of the NDP about Bill S-7 and its threats to fundamental rights. I have a press release sent by CAIR-CAN that said it shares the same concern:

CAIR-CAN joined several other prominent Canadian civil liberties organizations, including the Canadian Civil Liberties Association and the International Civil Liberties Monitoring Group, in opposing the controversial bill.

I would like to know how the Liberals will answer CAIR-CAN and many other organizations that are scared about the threat that Bill S-7 might be to fundamental rights.

**Mr. Francis Scarpaleggia:** Mr. Speaker, as we know, whatever the issue, whatever the bill we are debating, there are opposing points of view that are expressed by expert witnesses at committee stage and that are expressed in the House. That is very healthy. It is always important, as I said in my speech, that we question every piece of legislation that comes before us against the standards that are contained in the Charter of Rights and Freedoms. This is a part of our Constitution. It contains the fundamental principles at the core of our democracy.

*Government Orders*

However, I sat at committee and I listened to the arguments of the B.C. Civil Liberties Association. They were good arguments. But at the end of the day, other arguments prevailed over myself, speaking as a member of the Liberal Party. I go back to the very beginning of my speech where I mentioned that to be free of intimidation, to be safe is also at the core of the values of individual dignity and one of the core values in the Charter of Rights and Freedoms. I do not think we can ignore that.

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, perhaps I can offer the reasons I am opposed to this legislation, and perhaps they are shared by the official opposition.

The Eminent Jurists Panel on Terrorism, Counter-terrorism and Human Rights made the point that "...human rights are not, and can never be, a luxury to be cast aside at times of difficulty."

I believe there are adequate mechanisms within the current Criminal Code, and this legislation goes too far. I ask my friend from Lac-Saint-Louis if he would not prefer if the bill had been amended to change the term "likely to carry out a terrorist activity". Twice in the legislation, people face sanctions of up to 10 years' imprisonment if they have in any way harboured or assisted someone who is "likely to engage". How is that defined, and should we not have taken the advice of the Canadian Bar Association and changed that language to "intend to undertake terrorist activity"?

● (1750)

**Mr. Francis Scarpaleggia:** Mr. Speaker, I believe the hon. member is discussing the part of the bill that refers to purpose, for example, in the case where someone would be serving a meal to or harbouring someone who has committed a terrorist act or is likely to commit a terrorist act.

From what I recall in the legislative summary of the bill, it was deemed that the idea of having to discuss "purpose" was not necessary according to other legal experts. I will look into this a bit more, but I do remember it coming up.

**Mr. Craig Scott (Toronto—Danforth, NDP):** Mr. Speaker, I would also like to add to the compliments that have been expressed. The hon. member almost always gives an extremely well thought out and carefully constructed speech, and I have to appreciate that.

However, I do have one concern. At a minimum, from the perspective of the Liberal Party being ostensibly concerned with charter rights, there is a bit of a contradiction. The recognizance with conditions provision was admitted by the government in committee to be something that can be applied to people who are in no way suspected of terrorist activity or potential terrorist activity. We tried to amend that, and the government said it wanted it to be that broad.

This has never been tested in the courts, so we cannot say that it might pass scrutiny, as is the case with investigative hearings. Therefore, I would like to know why the Liberal Party and my hon. colleague feel so certain that rights are not at issue with respect to the operation of that clause.

**Mr. Francis Scarpaleggia:** Mr. Speaker, the hon. member brings a great deal of legal knowledge and deep thinking to all of the debates in the House that he takes part in.

In terms of preventative arrests, there are other cases where that can take place, for example under section 810 of the Criminal Code, if someone is threatening domestic violence or sexual aggression.

There was a court case recently, which I mentioned in my speech, *Regina v. Hall*, where the issue of preventative arrest was brought up in the context of a bail hearing. My understanding is that Bill S-7 responds somewhat to some of the points made in that judgment. However, that judgment upheld the notion of preventative arrest in certain cases.

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, I appreciate the member's comments, especially the introduction regarding the Charter of Rights and Freedoms.

In 2004, the Supreme Court of Canada made a ruling based on investigative hearings, stating in essence that they are indeed constitutional.

Having said that, I ask the member whether he sees this as one tool that law enforcement agencies and professionals would have in their hands if required at some point in the future. Could the member provide a brief comment on that?

● (1755)

**Mr. Francis Scarpaleggia:** Mr. Speaker, what is encouraging is that our public security and safety agencies are working very well at investigating threats. We saw that in the events that unfolded earlier today. They are working well together and working well with agencies in the United States. As the House will recall, it was not always the case that agencies worked well together. In 2001, one of the problems was that the FBI was not talking to the CIA and the Department of Transportation in the United States.

Great progress has been made, and hopefully we will not need to use the measures in this bill because our security agencies are doing such a good job. However, it is a good insurance policy to have in case the existing tool box does not serve every situation well.

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, it is an honour, as always, to rise in the House and represent the great people of Timmins—James Bay, who put their trust in me to address issues in the House.

Today on the Hill outside Parliament, I was reminded why I love this country so much. I think of Parliament Hill, that great public space where people go to demonstrate, play drums, play Frisbee and, yes, smoke pot to draw attention on 4/20. This is a public space and in that great public space today, hundreds, perhaps thousands, of people gathered in support of the people of Boston. It shows that, fundamentally, we are a world community and care for each other in those moments. I watched the crowd go off to the sounds of *Sweet Caroline*, one of the great songs I used to sing at weddings, but that is another story.

*Government Orders*

I thought of Fenway Park in Boston, where Neil Diamond showed up and sang *Sweet Caroline*, showing that Boston has great spirit and that senseless violence will not deter us from being a civil society. Whether it is the horrific killings in Boston or the crazy gun nuts in Newtown or Colorado, a fundamental principle of our society is that we are not going to let them win by growing in fear and undermining the basic principles on which our society has been based. That principle is based on the right of citizens to be protected from terrorists, but also from arbitrary arrest and detention. That is the principle for which the House of Commons stands.

It is unfortunate that, as we saw the great outpouring of goodwill on the Hill, we see this debate being brought forward again in the House. I refer to *The Globe and Mail* editorial that stated:

The two-day debate in Parliament on the Harper government's proposed anti-terrorism legislation smacks of political opportunism, and it is regrettable that it will take place. The debate politicizes the Boston Marathon bombings....

It goes on to say:

More worrying is the fact that there are aspects of the proposed bill that raise questions about balancing civil liberties with the need to protect citizens. A wise course of action would be to postpone the bill's final reading so that any emotional fallout from the Boston bombings doesn't colour an important debate about public safety in Canada.

It is incumbent upon us when we see this political opportunism in the face of such tragedy that we do not just bend with the wind when the Conservatives say to bend. Our colleagues in the Liberal Party bent long ago on this issue. We need to raise the fundamental issues that are facing Canadians. We are talking about legislation that takes away basic fundamental rights: that people can be detained without trials and be made to go before special investigative judges without the right to remain silent. Those are fundamental principles.

If Parliament is going to undermine those basic rights on which democratic freedoms are based, there have to be some damn good reasons for it to take place. These original measures were brought forward by the Liberal government in the post-9/11 era. In the horror after 9/11, many people said that our traditional freedoms were outdated, that in the 21st century, torture, rendition and detention without trial were what we needed to do to protect society.

We saw many abuses of citizens' rights in the public realm under this sense of fear and panic, and the Liberal government at the time went along with that George Bush analysis and brought in the provisions that are being brought back. However, even at that time they were so unpalatable to the Canadian public that it had to guarantee there would be a sunset clause, that they would only be in effect for a period of time. Within that period of time, those provisions were never found to be necessary; not once. Yet the Liberals still want to break the promise they made to Canadians when they said they would sunset these clauses because they were such a threat to basic democratic and legal rights.

Now the Liberals are saying, "Let us do it; let us forget that sunset clause; let us forget the debate that happened in 2007 when the House of Commons said that those kinds of provisions would take away from people the fundamental rights of legal protection". The House of Commons rejected that in 2007 and the Liberals voted with New Democrats. Now they are going back to where they wanted to be.

● (1800)

This is the party that always wraps itself in it. It was them; they represented the charter. However, these are fundamental charter issues.

They used the word "terrorism". It is certainly a very loaded word and a very dangerous issue we are facing. However, the issue with this bill is that, as parliamentarians, we have to make sure due diligence is done so that innocent people will not be drawn up into this net.

It was really telling that we brought forward a number of amendments to try to fix the bill and to work with the government to fix the bill, yet the Liberal members brought zero amendments. They just went along to rubber-stamp it. One of the motions we tried to bring forward was the issue of recognizance with conditions, where a person could be held by preventive arrest based on the word of a peace officer. That person could be held without a warrant and without charges. A person who knew somebody who may be a threat could also be held.

We tried to clarify the language so that we were really clear about what was intended, so that it was terror suspects and not just average citizens who were out there protesting in the streets or would get caught up in a sweep. The government refused that amendment, because it said it wanted a broad sweep. That is something that my hon. colleagues in the Liberal Party are supporting. They are saying that would pass a charter challenge. I certainly do not think so.

What preventive arrest and recognizance with conditions really mean is that we have to look at where it has been done. In the post-9/11 era, Maher Arar was arrested without any real evidence, went through rendition and was tortured. That was done under the nose of the then Liberal government, which thought that was the price we had to pay for freedom. We found out later that Maher Arar was completely innocent.

The Liberals are saying this does not mean that, if individuals serve a meal in a restaurant to a supposed terrorist, they will be arrested without a warrant. That is a ridiculous example. A more telling example would be to look at England during the 1970s and the horrific bombing campaigns that hit London and Birmingham. The Parliament at that time felt it had to get rid of the basic principles of habeas corpus and detention and trial. They arrested numerous innocent people, including Annie Maguire, whose story I have already mentioned today. She was just a housewife.

Not only Annie Maguire but seven members of her family were put in jail for 15 years based on no evidence, because they were thought to somehow be associated with people who were terrorists. The people they were associated with, their cousins, were innocent. We saw that a great miscarriage of justice was done with the Guildford bombings. People's lives were ruined, but it was considered okay at the time because they were all a threat. The crime then, of course, was that they were Irish in England.

*Government Orders*

However, civil society is based on the rule of law. It is based on ensuring that those situations do not happen.

I want to just talk about the term "terrorist". I was called a terrorist. I was denounced by the government of Mike Harris as an eco-terrorist because I was standing up against a massive garbage dump that many of the frontbenchers supported. As a citizen, when I was speaking up and protesting, I was being called an eco-terrorist. We see that the government uses that word all the time. If a person does not like a pipeline, he or she is an eco-terrorist.

What about all the young aboriginal activists who are on the streets? What about the people at the G20, who came from all over and got off the buses to participate in their demonstrations at the G20, which is their fundamental right? Under this law, a peace officer could believe that these people are possibly thinking of terrorist activity, and they could be held in detention for 24 hours without charges. Then, the peace officers could decide whether to let them go.

We saw what happened at G20 and that is exactly what they were doing. They were detaining people. They were kettling people. Of course, they missed all the bad guys who were running up and down Queen Street with black masks on. I do not know how they missed them, but they managed to run from Queen and Spadina all the way up Yonge Street, and a lot of innocent people were detained.

We have to be careful and we have to define exactly what we mean.

● (1805)

If police officers or people in authority are allowed to decide that they do not like a person and they think he or she poses a threat, then that person could be detained without a trial. In this bill, a person could be held for 12 months without a conviction.

The government says it needs this. However, in the years that these provisions were in effect, they were never used once. Under article 495 in the code, already, an order can be brought to have people appear before a judge, and a judge already has the ability to detain them, without releasing them on bail if he or she feels they are a threat. Those powers already exist.

We are talking about new powers that are much more arbitrary, that are much more subjective, that allow for people to be picked up and held without charges. That is a fundamental threat.

I would like to quote Paul Copeland, a lawyer with the Law Union of Ontario, who said in his opinion the provisions we were examining in committee would unnecessarily change our legal landscape in Canada. He said we must not adopt them. In his opinion they are not necessary. Other provisions of the code provide various mechanisms for dealing with such individuals.

It is unfortunate that within the opposition, the Liberals did not think to even challenge, not even clarify. There are some other amendments that are very much needed but that the government refused. For example, Bill S-7 is a law of general application. It cuts right across. The Young Offenders Act does not supercede Bill S-7. That is very concerning.

What happens to people who are under 18? Can they be detained? Can they be held? That happened in the case of Annie Maguire in Ireland. To say it would not happen is absurd. It has happened. Canada has legal obligations under the international Convention on the Rights of the Child to protect children.

The Canadian Coalition for the Rights of Children proposed amendments to the bill to ensure that the implementation for children under 18 would consider the convention on the rights of children, including detention as a last resort. The government did not accept those amendments, and neither did the Liberal Party. That is serious.

What we are told here, and I have been here for a number of years, is that we are soft on this. What I find the government is soft on is the basic principle of the rule of law. If someone says "Hey, let us get rid of the rule of law; it will be more effective". Certainly it would be more effective. Totalitarian states are always very effective in a certain thing because they do not have the rule of law.

We are different because we have the rule of law. I will point to Bill C-30 in this last Parliament, where the government came in with massive provisions to allow it undefined legal authorities to demand personal information on Internet users and cell phone users without warrants. The government thought that was perfectly okay. It needed this, and if we did not support it, then it said we were soft on child pornography.

What an ugly statement, considering the fact that the one who came forward, who was very soft on child pornography, was the architect of the whole Conservative revolution, Tom Flanagan. Tom Flanagan was soft on child pornography.

However, average Canadians who wanted to protect their privacy rights were attacked by the government. The other provisions within Bill C-30 at that time were forcing telecoms to put in spyware so that they could track people whenever they wanted.

My colleagues in the Liberal Party said nothing about it, because those were actually provisions that were brought forward under the Liberals.

At that time we saw a huge backlash, publicly. It was very impressive. Canadians care about their privacy rights. Canadians are not soft on child pornography. Canadians are not soft on terrorism. However, they were not going to sit back and allow the government to undermine basic rights, including the issue that if individuals are going to wiretap, they need warrants.

Recently we have seen the government come back with Bill C-55, which is on wiretap provisions. The government recognized the need to have warrants.

*Government Orders*

None of this precludes the issue that already within the court system of this country, if officers believe a life is in danger, they can act. They can act without a warrant. That is a reasonable provision. If something is an emergency, if a child's life is at stake, they can act and they can then explain to the judge.

• (1810)

However, we are talking about something different. We are talking about someone who feels that a bunch of young activists from Montreal who come to Toronto for the G20 and get off the bus could be up to no good, and it is perfectly okay to grab them and put them in detention for 24 hours and then decide to maybe let them go. Maybe the demonstration will be over by then.

CSIS has been keeping tabs on young, aboriginal activists. Will they be drawn up in this because CSIS wants a broad sweep? Those were their terms: they wanted a broad sweep.

I tell people back home to really reflect on what the House is being asked to push through. The provisions of law have served us for hundreds of years. They are not arbitrary. We did not just come up with them. They exist because we have seen the abuse of civil rights. We have seen the abuse of individual rights, and we need the clear rule of law.

Even in the case of terrorism, we in the New Democratic Party say that we need the tools. If the government wants tools to go after cyber-terrorists, it should bring in a bill that goes after cyber-terrorists, but it should not bring in a bill that allows it to grab any information on anybody it wants at any time just because. Just because is not good enough.

I find it unfortunate that in the wake of the Boston bombing, that incoherent, horrific act, the government has been widely seen to be trying to force this through. It is wrapping itself in the grief of Boston to push through a bill, with its friends in the Liberal Party, that is undermining the basic rights of Canadians without having ever proven just cause.

In the years these provisions existed under the Liberals, before the Liberals agreed to a sunset clause, they were never used. We see that within the Criminal Code we have numerous provisions to give police the powers they need to go after the bad guys.

We as parliamentarians do not need to be frightened, told by the Conservatives that we all have to jump when they say jump, otherwise we are soft. We are not soft, and we are not soft-headed, unlike our colleagues over in the third party. We stand for the rule of law in this country, and if the government tries to fundamentally alter the political landscape of this country, it needs to prove it.

Second, it needs to stop politicizing it so that when amendments are brought before the committee to ensure, for example, that children are not drawn up in this wide sweep, the Conservatives will say that it is reasonable and that they will protect children.

We asked for amendments to clarify what are terrorists so that a guy in a uniform is not just picking some kid out of a crowd because he looks like he is about to do something. That is not the rule of law. That is what exists in totalitarian countries, and it is the difference between us and them.

Paul Calarco, of the national criminal justice section of the Canadian Bar Association, put it very clearly at committee. He said:

There is no question that the prevention of terrorist action is vital to preserving our society. This requires effective legislation, but also legislation that respects the traditions of our democracy.

Unfortunately, the bill fails to meet either goal.

The issue is the investigative hearings. Someone could be brought before a special judge, and the right to remain silent, which is a fundamental principle, would be taken away without any justification, without a necessary explanation as to why the individual was being stripped of these rights. It would just be on the subjective word of a legal authority.

As well, there is recognition with conditions and preventative arrest, not just of the people who are suspected but of people who may know them, people who may be their relatives. A peace agent could arrest an individual without a warrant if he or she believed it was necessary and could hold the person for 24 hours. People could then be held for up to a year.

It is incumbent upon us, in the aftermath of this horrific and senseless act in Boston, to say that in civil society, we will not give in to knee-jerk reactions. We will not give in to fear. We will stand with the victims, but we will ensure that they are not used to undermine the very basis of what makes us a civil and progressive and democratic society.

• (1815)

**Mr. Erin O'Toole (Durham, CPC):** Mr. Speaker, we would hate for accuracy or the truth to interrupt the full flight of rhetoric we hear from the member for Kenora—Rainy River.

He used the picture of a group of students getting off a bus, or protestors going to protest, which is our right as a Canadian to do. Considering that parts of the act were previously law in Canada, could the member point to an example of when that occurred? Other members of his caucus, and people in the House today, have mentioned that most of the powers in the act were not called upon when they were in force. What is he basing his analogy on?

**Mr. Charlie Angus:** Mr. Speaker, I thank my hon. colleague. I would like to let him know that northern Ontario is bigger than Kenora—Rainy River. I am actually from Timmins—James Bay, but no matter.

What I said was very clear at the G20. Perhaps he does not remember the G20 and the massive abuses of civil rights at the G20, all in the name of going after the black masked anarchists. They missed all of them, but they arbitrarily held people, then let them go. They said they were sorry and that it was a mistake. That happened.

If these provisions are so badly needed, why was it that during the four years after 9/11, when the supposed terrorist threat was at its highest, they were never even used? The police did not need them. Now they are being brought back. They were such onerous provisions that the government agreed to put in a sunset clause to get rid of them, because they represent a fundamental threat.



*Government Orders*

I would like to remind my hon. colleague, who was not here then, that Maher Arar, a Canadian citizen, was dragged out, sent off to Syria and tortured. Everyone in the House on the Liberal and Conservative sides at the time thought that it was what was needed to defend democracy. Meanwhile, this was a completely innocent man whose only crime was the colour of his skin.

Yes, it has happened, and if this bill is brought forward, it will happen again.

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, if we were to read what the member said, one would think it was the Liberal Party that was in government. That might come in a couple of years. He said the Liberal Party this and Liberal Party that.

We want to put some facts on the record. The Liberal Party will take full credit for the Charter of Rights. The Liberal Party, traditionally, has demonstrated very strong support, in legislative and constitutional form, for standing up for individual rights. However, the Liberal Party also recognizes that terrorism is something real.

If we provide a tool in a toolbox for law enforcement agencies, and they never use the tool, it does not mean that the tool is useless. There could be opportunities, or there may be situations that arise in the future, when the tool could be effective.

Could the member indicate to the House why he and the NDP believe that there is no need for S-7 because it walks on an individual's rights, when we have law enforcement officers and other experts coming forward saying that there are advantages and there is a need for it? We even had the Supreme Court of Canada indicate that investigative hearings are constitutional.

• (1820)

**Mr. Charlie Angus:** Mr. Speaker, there are all kinds of tools one can put in a toolbox. One could get a screwdriver or a big jack hammer. The question is how they are used.

Obviously, I never expect to see the Liberals in government again, because they flip-flop and they misrepresent themselves to Canadians. They promised Canadians in 2001, when they brought in these provisions, that they would sunset them, because they recognized that they were a fundamental threat. Now what we have seen is that as soon as we have a Conservative majority, the Liberals hide behind the Conservatives, run up the road with them and say “We want to suspend these fundamental civil liberties”. They can howl all they want, but that is the historical record.

They come out every few months and wrap themselves in the so-called charter, but they were the ones who brought in the provisions that had Maher Arar tortured. They did nothing to help him when he was over in Syria being tortured. They left him there, because they thought these provisions were okay.

We have continued to stand up for the basic defence of civil liberties, and we will continue to stand up. If they want to vote with the Conservatives, it makes no difference to us. There is a reason they are the third party. There is a reason the third party will stay a third party.

**Mr. Mike Sullivan (York South—Weston, NDP):** Mr. Speaker, I thank my friend from Timmins—James Bay for putting so plainly and bluntly in front of Canadians today the fact that there is a party here that would like to defend the Charter of Rights and Freedoms

and article 9 that says that “everyone has the right not to be arbitrarily detained or imprisoned”. This legislation would change that right for innocent people. They would no longer have the right to say that the charter will protect them. This party defends the charter. The party to my right might have put the charter in, but that was a different Trudeau and a different party.

Would my friend like to comment?

**Mr. Charlie Angus:** Mr. Speaker, Canadians want clear choices when looking at these issues.

I might disagree with the Conservative Party on almost everything—although there are a few Bruins fans over there—but I do recognize that the party offers Canadians a clear choice.

We on the other hand stand for the rule of law. We stand for the protection of basic rights because we believe in that. The difference is the party over in the corner that is howling and screaming at the moon has brought zero amendments and it has the nerve to stand up and say the Conservatives do not listen when it brings in amendments. How could they listen to those members if they do not speak? What an absolute waste. They get paid to read legislation that would have profound effects for undermining the basic rights of the rule of law and they go along with it, yet they stand up today and say the Conservatives have been mean to them because they really wanted to talk about a motion that would allow Conservative backbenchers to change their motions and statements.

Really, with all the issues that are facing people in Canada and the world today, one would think that the new leader from Papineau would discuss issues of democracy, or accountability, or pensions in his first opposition motion, but he is not going to do that. He thought about playing political mischief with the Conservatives. It does not matter to me how Conservative members do their statements. That is their business. Do we really think that anybody in the real world gives a monkey's rear end about how they debate statements in the House? That is to be his first opposition day motion. That is his idea of defending the Charter of Rights and Freedoms.

**Hon. Steven Fletcher (Minister of State (Transport), CPC):** Mr. Speaker, as we see the NDP continue with its hug-a-thug, kiss-a-terrorist approach, this is a serious bill. The member said the only thing that separates Canada from a totalitarian state is this legislation. I am afraid that member does not understand Canada or our freedoms. He has done a disservice by putting down our nation as well as minimizing the suffering of those who do live in those types of nations.

The member talked about civil rights. Why did he vote against equal matrimonial rights last week?

NDP members talk a lot, but they do not do as they say.

*Business of Supply*

● (1825)

**Mr. Charlie Angus:** Mr. Speaker, I will not stay very long on this hug-a-thug, talking down the nation business. It is really unfortunate that the member cannot even involve himself in a serious discussion without reverting to some university Conservative Party talking points. We are talking about the rule of law here. He might think he looks smart using some quick notes from the 20-year-old grunts in the PMO, but we are talking about a bill that *The Globe and Mail* said today is legislation that “smacks of political opportunism” and unfortunately “politicizes the Boston Marathon bombings”. That member needs to stop wrapping himself in the flag because it is affecting his thinking. We need to talk about this issue, which is the right of citizens to be free from arbitrary arrest in this country.

**Mr. Malcolm Allen (Welland, NDP):** Mr. Speaker, I am pleased to join with my colleagues in this debate. I want to say to my colleagues across the way that I have never hugged a thug or kissed a terrorist in my entire life, and I do not intend to start today, nor will I be doing it tomorrow. That is not in our vernacular, nor is it our propensity to suggest we start doing that.

The law is there for a reason and one reason alone, and that is to protect the innocent and ensure it captures those who perpetrate crimes against us. In fact, we can see the RCMP out there talking about their investigation and the folks they have arrested today in connection with what may well have been a terrorist attempt, or at least the planning thereof.

I say “well done” to those police agencies who took it upon themselves and did the hard work that they did. Yet, they did not have the provisions that the Conservatives seem to want to bring back in. It seems they did their job adequately because they actually thwarted what could have been a catastrophe. There may have been carnage or death, with injuries and maiming of innocent civilians across this country. We congratulate the police forces for the work they have done.

We understand terrorism is within our midst. We have seen it before. We have arrested people in this country. We have seen the unnecessary acts of violence against civilians throughout the world. However, when talking about this country, we talk about how we safeguard those citizens. At the same time, how do we also allow citizens to be free? It is a balancing act. There is no question that it is about how we ensure safety and thwart terrorists from acting, but also how we allow Canadians to enjoy the civil liberties they expect and have come to understand.

The other day I remember my colleagues complaining about the failure to celebrate the Charter, yet here they are today suggesting they should break the charter that they wanted to celebrate last week. That is perhaps why the members on the other side decided there would be no celebration, since their Liberal colleagues who were going to join them, and will join them when they vote on this, were actually going to abrogate the charter under section 9. Why celebrate something they are going to rip up and throw away anyway? It shows their duplicity when it comes to what they intend to do with that.

Clearly, this is about the fact that we do have the rule of law. There are numerous lawyers in this place who understand it much better than I, since I am not a lawyer. However, as a citizen, I do expect

even-handed treatment under the law. Regardless of what the charges would be, if I were to ever be charged, I expect that understanding and I expect that type of treatment.

Canadians expect us to find the balance in protecting them, as well as ensuring that their civil liberties are protected, not abrogated, under the charter. If we cannot find a way to do that, then what are we doing? We are saying to Canadians that we do not know how to balance that for them. That is a failure on the part of this House, not on Canadians who are looking to us to find a way to do this.

I would say to my colleagues across the way that one ought to rethink how one does this, so we can find that balance for Canadians.

● (1830)

**The Deputy Speaker:** The hon. member for Welland will have 15 minutes and 50 seconds remaining when this debate resumes.

\* \* \*

[*Translation*]

**BUSINESS OF SUPPLY**

OPPOSITION MOTION—CANADA-CHINA FOREIGN INVESTMENT  
PROMOTION AND PROTECTION AGREEMENT

The House resumed from April 18 consideration of the motion.

**The Deputy Speaker:** It being 6:30 p.m., the House will now proceed to the taking of the deferred recorded division on the opposition motion regarding the business of supply.

Call in the members.

● (1855)

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

(*Division No. 663*)

**YEAS**

## Members

Allen (Welland)	Angus
Ashton	Atamanenko
Aubin	Ayala
Benskin	Blanchette
Blanchette-Lamothe	Boivin
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Nil

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

**PAIRED****ADJOURNMENT PROCEEDINGS**

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

[*Translation*]

## CITIZENSHIP AND IMMIGRATION

**Mrs. Sadia Groguhé (Saint-Lambert, NDP):** Mr. Speaker, on June 30, 2012, the Conservative government announced massive cuts to the interim federal health program amounting to \$100 million over five years.

For over 55 years, that program has provided temporary health care coverage to asylum seekers, refugees and other migrants. Those measures have made it possible to provide health care services to vulnerable individuals who often left their country of origin under tragic circumstances.

Unfortunately, the Minister of Citizenship, Immigration and Multiculturalism decided to go after the least fortunate members of society instead of meeting the international responsibilities that have guided Canada's actions over the past decades.

In that context, the government stopped funding health care services for those from designated countries, for fear that it may hurt public safety. Asylum seekers from non-designated countries will have access to emergency and essential care, but will no longer have access to medication for chronic illnesses.

This decision will have a significant impact on the health of those who benefited from the program. People with cancer will go untreated, people will not be able to afford childbirth or treatment for asthma, diabetes, serious injuries, and the list goes on.

This will obviously make certain cases more complicated and could result in the death of people who are unable to pay for the necessary medical care and treatment.

*Adjournment Proceedings*

In reality, these cuts put more responsibility on the provinces, which will have to take on these treatment costs in the short term, at the risk of ending up with a much higher bill in the end. For a province like Quebec, this could mean an additional \$6 million a year.

All stakeholders have unanimously denounced this government's decision. Doctors, refugee organizations and legal experts all agree that this policy is ineffective and that it is harmful to public health and our country's international reputation. They have also criticized the cost of this measure. Everyone agrees that the government has made a mistake and that these cuts could lead to some human tragedies.

This restrictive policy is not in keeping with the Canada that thousands of immigrants identify with. Will the minister reconsider his decision before lives are lost?

● (1900)

[English]

**Mr. Rick Dykstra (Parliamentary Secretary to the Minister of Citizenship and Immigration, CPC):** Mr. Speaker, I am sure you are, as I am, familiar with staying a little extra time in the House to hear the opposition question the government on the issue of interim federal health. I am going to give a very similar answer to the one I gave late last week because it explains perfectly why the decision was made by this government to move in the direction that it did.

The interim federal health fund was put in place in the late 1950s, and its purpose was to assist in transitional health care for new immigrants and those who came to this country to begin a new life. In the late 1960s and early 1970s when the United Nations began the process of listening to those who were fleeing their countries and seeking refuge, asylum was sought in a number of countries where democracy existed. Canada, at that time, made a determination, for all the right reasons, to take action and participate in the asylum process and allow refugees to come to Canada to begin new lives free from the fear of persecution.

In so doing, we extended interim federal health to those who came here and, through the transition, approval and process of seeking refugee status in Canada, needed something to assist them in the interim to get health care in this country. Once they had met all of the requirements, the provinces and territories extended health cards to them and interim federal health could be removed.

Since that time, over the years it was a system that was equal to and no better than the one for any other Canadian who immigrated here or was born in the country. In fact, I have said before that my mother falls under that category. She does not receive any extended health or dental benefits. She receives what she has earned in this country and certainly accepts that is what is given. However, what she has told me is that it is unfair that people come to this country who are not even true asylum seekers but are here to take advantage of our system, and those individuals for up to 1,000 days on average were receiving extended interim federal health care benefits that included dental care, health care and prescription drugs. It was unfair. It was wrong and we stopped it.

Now true refugees are obviously going to get the benefits extended to other Canadians, but there are people who are not true

refugees, as we have seen. A huge percentage, including those from the European Union, took advantage of our system and did not understand why they could not stay here. In fact, 95% of the 5,000 claims from one country in the European Union were withdrawn, abandoned or rejected, but for up to 1,000 days they received health care benefits that exceeded any that Canadian citizens of this country have earned.

We did not allow that to happen then. Canadians are behind us now. In my rebuttal, I am going to prove that Canadians are behind this government in terms of the decision it has made.

● (1905)

[Translation]

**Mrs. Sadia Groguhé:** Mr. Speaker, the government is always shirking its responsibility to protect refugees.

What is fundamentally unfair is that already vulnerable people could lose their lives. How can the Conservatives continue to deny the truth? How can they tell a refugee who has breast cancer but has no means of accessing treatment that she is taking advantage of the system?

How can they claim that this measure will be effective, when the provinces will foot the bill for the cuts to the interim federal health program? How can they try to score political points at the expense of the least fortunate?

As a result of this measure and this government's irresponsibility, the health of many refugees will worsen. The health network is saying this and organizations are saying it.

When will the Conservatives listen to common sense and reinstate funding for the interim federal health program?

[English]

**Mr. Rick Dykstra:** Mr. Speaker, it is one thing for an opposition member to come into the House to present a case that suggests that the government should change a policy. It is quite another when members of the opposition stand in the House and fearmonger, because that is exactly what is happening here.

The last two times I responded to this question regarding interim federal health, the examples given have been untrue. Those individuals are covered under interim federal health. They are not left at the hospital door. I would ask the member to come to the region of Niagara, because there is no one who has been turned down for health care for the reasons she suggests.

What we do have is this. In December 2012, Nanos completed a poll that suggested that over 70% of Canadians supported the decision the government made that no one in this country should receive more than anyone else, including those who come here as refugees, yet are not true refugees, and try to take advantage of our system. We have stopped that, and we are not going to start it again.

*Adjournment Proceedings*

[Translation]

## SEARCH AND RESCUE

**Ms. Annick Papillon (Québec, NDP):** Mr. Speaker, I am pleased to rise today to speak to an issue that is very important to me. I have been speaking out about this issue from the beginning. I have lost count of the number of press conferences I have attended, both in Quebec City and here in Ottawa, on the Quebec City marine rescue sub-centre, the one and only officially bilingual rescue centre in Canada.

As everyone knows, I have asked over 50 questions in the House and I have grilled the Minister of Fisheries and Oceans about the importance of keeping the Quebec City marine rescue sub-centre open, the importance of not closing it and going back in time by 36 years, which is what this Conservative government would be doing if it closes the centre.

The Quebec City centre was created to meet two needs, the first of course being knowledge and fluency in the French language during distress calls. The second need has to do with geographic knowledge about the coastline of the St. Lawrence River and its islands, which are not all indicated on maps—basically knowing every nook and cranny. Unfortunately, every time I ask, the government ignores me. We have not heard anything about the need for this centre.

A report by the Commissioner of Official Languages was tabled. It set out very important criteria, such as an adequate bilingual presence when transferring the Quebec City centre to Trenton and Halifax. To date, all the problems persist, and it seems that there is not an adequate bilingual presence. We are waiting for the Commissioner of Official Languages' opinion, but no changes have been made since the first report was tabled last August.

The government did not want to hear this at the Standing Committee on Official Languages or at the Standing Committee on Fisheries and Oceans. Every time they kept sending the ball back and forth, and they absolutely did not want to hear what people had to say about it. The NDP therefore decided to create a parallel committee in Quebec City to discuss this problem. The message was loud and clear. People are worried about what we stand to lose with the closing of the Quebec City rescue centre, namely the French language, and the ability to work in French and to make a distress call that is coordinated in French. A family of boaters, on the river, close to the location of an incident, must be able to intervene. In coordinating the rescue, we need bilingual people who understand the people in distress in French as well as in English. We need more than just one per centre, in Halifax and in Trenton. That is important.

That is what this majority Conservative government, which is deaf to everything, needs to understand. It has to respond this time. There have been three postponements to date. The deadline has been extended. They could not close it in April or in the fall. They have not been able to do so once again.

Money is at stake. To the Conservatives, that is more important than the safety of francophones. Perhaps my proposal might interest them. Before it costs three times as much, does the government intend to give up on this and keep the Quebec City centre open?

● (1910)

[English]

**Mr. Randy Kamp (Parliamentary Secretary to the Minister of Fisheries and Oceans and for the Asia-Pacific Gateway, CPC):** Mr. Speaker, I appreciate the opportunity to respond yet again to concerns raised by my colleague, the member for Québec about the consolidation of the marine rescue sub-centre currently located in Quebec City.

We have had this discussion before. I find it interesting that this issue continues to be raised, even after we have witnessed the successful transition of the consolidation of the rescue sub-centre in St. John's into the joint rescue coordination centre in Halifax. Search and rescue coordination and response continues to be provided at the same level of service today as it was when the marine rescue sub-centre was in place in St. John's.

Nevertheless, we need to continue to ensure that the facts are reported accurately, to assure Canadians that their safety will continue to be a priority. In particular, I want to refer the member to a statement made by the Canadian Coast Guard on March 28. Let me quote a couple of paragraphs:

Coast Guard recognizes that the government must be absolutely confident that strong French-language services are in place before any changes proceed. Therefore Coast Guard officials will engage with the Official Languages Commissioner to ensure French-language services out of JRCC Halifax meet or exceed current levels.

It went on to say:

Coast Guard will delay consolidation until such time that the Official Languages Commissioner shares the Coast Guard's level of confidence in the bilingual capacity at the JRCC Halifax.

In fact, if the member has not already, I would encourage her to review the statement in its entirety.

Let me emphasize again that we are fully aware that the provision of bilingual services is critical, particularly when it comes to a safety service such as maritime search and rescue. Recognizing this, the Canadian Coast Guard has taken steps to address this important issue. In fact, we have increased the required level of language proficiency for the maritime search and rescue coordinators at the rescue coordination centres. Language training and maintenance plans have also been developed so that we can ensure that we are meeting our official language obligations in the most effective way.

This change to how we organize search and rescue coordination services would not be made if there was any evidence that it would impact the safety of Canadians, wherever they may reside and whatever their official language of choice. We will of course be receptive to the current review of the Official Languages Commissioner.

As we have stated many times before, this change does not affect the availability of search and rescue resources. Coast guard ships and the Canadian Coast Guard Auxiliary will continue to respond to emergencies as they have previously with the joint rescue coordination centres maintaining the current levels of service provided by the Canadian Coast Guard. The plain fact is services will always be available 24 hours a day, seven days a week in both official languages.

*Adjournment Proceedings*

Canada is an international leader in marine safety and the Canadian Coast Guard's search and rescue program is among the best in the world, and will remain so. We will continue to ensure that timely and appropriate maritime search and rescue coordination and response services are available to all mariners.

Let me conclude with the assurance that any changes to the Quebec marine rescue sub-centre will occur only when we have full confidence that the same level of services can be provided and public safety assured. The safety of Canadians remains this government's top priority. The excellent standard of maritime search and rescue that Canadians have come to expect, and indeed depend upon, will continue to be met.

• (1915)

[*Translation*]

**Ms. Annick Papillon:** Mr. Speaker, I am pleased to see that the members opposite seem to understand that this is not working perfectly. That is why I come back each time and ask a question. Each time it is not working.

Yesterday, another distress call was made by the people at the Quebec City centre, who are very concerned. A few weeks ago, pilots on the St. Lawrence were saying that they were unable to communicate in French and that they got the impression that they were not being heard in French. Of course, after receiving these calls, I am raising this issue again, and I am asking for accountability.

However, it is important to talk about the botched simulation that took place on February 27 or 28. It was a terrible simulation. In fact, there was more staff on hand than usual during a simulation. It was a regular simulation. More bilingual staff members were on hand than

usual. The thought was that it would likely work, which would strengthen the government's position, but the whole thing was a failure.

It is pathetic. The government should use what happened during this botched simulation and all the failures related to this issue, take the high road and reverse this decision because it does not make sense.

[*English*]

**Mr. Randy Kamp:** Mr. Speaker, I am not sure if she has read the report on the exercise that took place. Yes, they made some suggestions about improvements. That is why we are proceeding slowly and carefully with this change. It is to make sure that we have in place all the right resources and language capabilities. It was not the dire failure she indicates.

We have listened to the concerns of our hon. colleagues on this issue. I would continue to stress to my colleague and fellow Canadians that public safety remains a priority for Fisheries and Oceans Canada. The changes to the marine rescue sub-centres will have no impact on service delivery or public safety. However, in this case, because of the language concerns, and we are waiting for the review by the Commissioner of Official Languages, we are proceeding carefully and slowly.

[*Translation*]

**The Deputy Speaker:** The motion to adjourn the House is now deemed to have been adopted. Accordingly the House stands adjourned until tomorrow at 10 a.m. pursuant to Standing Order 24(1).

The House adjourned at 7:18 p.m.)







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