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Speaker: The Honourable Andrew Scheer

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HOUSE OF COMMONS

Monday, May 14, 2012

The House met at 11 a.m.

Prayers

PRIVATE MEMBERS' BUSINESS

• (1105)

[English]

FEDERAL FRAMEWORK FOR SUICIDE PREVENTION ACT

The House proceeded to the consideration of Bill C-300, An Act respecting a Federal Framework for Suicide Prevention, as reported without amendment from the committee.

The Acting Speaker (Mr. Barry Devolin): It being 11:03 a.m., the House will now proceed to the consideration of private members' business as listed on today's order paper.

There being no motions at report stage, the House will now proceed without debate to the putting of the question on the motion to concur in the bill at report stage.

Mr. Harold Albrecht (Kitchener—Conestoga, CPC) moved that Bill C-300, An Act respecting a Federal Framework for Suicide Prevention, be concurred in at report stage.

(Motion agreed to)

The Acting Speaker (Mr. Barry Devolin): When shall the bill be read a third time? By leave, now?

Some hon. members: Agreed.

Mr. Harold Albrecht moved that the bill be read the third time and passed.

He said: Mr. Speaker, during my comments when the House discussed Bill C-300 at second reading, I thanked the many individuals and organizations who helped in its development. Today I would like to begin my comments by extending my gratitude to all of the witnesses who appeared before the Standing Committee on Health. Their expertise was invaluable.

I was not able to attend all of the hearings in person, but I have reviewed the evidence and I have learned a lot. I learned that national leadership of the type called for by Bill C-300 could reduce the number of deaths by suicide in Canada by more than 450. Professor Brian Mishara of the University of Quebec's Centre for Research and

Intervention on Suicide and Euthanasia made this and many other excellent points during his testimony.

From the University of Western Ontario's Dr. Marnin Heisel I learned that the cost of suicide and self-harm in Canada is more than \$2.4 billion each year and that this number will only grow as our society ages. While this is an emotional issue for me, a moral imperative based on my experiences, faith and the value I place on human life, I also learned that there is a strong economic case for the coordination of suicide prevention efforts across this great country. I learned that Canada is an exporter of knowledge and expertise in suicide prevention and that other countries are often earlier adopters of Canadian-built solutions than we are ourselves. I also learned new ways to describe the role that Bill C-300 will play in providing that coordination, a vacuum that must be filled in order to bring hope to our most vulnerable.

Dammy Damstrom-Albach, president of the Canadian Association for Suicide Prevention, noted the significance of the federal role, saying:

It must function as both catalyst and glue to stimulate and cement the needed connections. Suicide prevention requires all levels of government to unite in support of the community groups, survivors, those with lived experience and the thousands of volunteers who have long done the lion's share of this work. The national government must step forward to do its portion.

Catalyst, glue, stimulate, cement: this is a high-level view of what I believe Bill C-300 seeks to accomplish.

Tana Nash, of the Waterloo Region Suicide Prevention Council, provided a view from the front lines. She told the health committee that Bill C-300:

...is essential. We are all operating on shoestring and non-existent budgets, but we imagine a hub where all of us working across Canada can access tools, brochures, and ideas, and we can simply add our own local crisis information instead of reinventing the wheel.

Of course, it should be clear that it is not the intent of Bill C-300 to tell communities how to do suicide prevention. Each community will need to contextualize its own approach based on the wealth of ideas and resources that are available, but there should be no community group that needs to start from scratch ever again.

Private Members' Business

Through my work developing Bill C-300, I have enjoyed meeting many passionate individuals who are champions of mental health and suicide prevent. Scott Chisholm, of Thunder Bay, founded the collateral damage project. Scott spoke on Parliament Hill about the need to do more. He reminded parliamentarians that “Our first responders don't have the tools and skills needed to evaluate risk.... Our teachers and doctors don't have the training to recognize and react to the warning signs.... We can do better with just a bit of leadership.”

He went on to say, “I believe Parliament can save lives. Better information sharing, better statistics, better translation of research into practice, all promised by Bill C-300, will save lives.”

Mr. Chisholm has closely followed Bill C-300's progress through the House. Several times after I thanked hon. members for their willingness to speak frankly on this issue, I would find a comment from Scott on Facebook thanking me for encouraging this open dialogue. His thanks usually ended with “...because not talking about it isn't working”.

And not talking about it is not working. I have commented several times through this process that the conversation we are having is just as important as the legislation. This is reflected in the thrust of Canada's new mental health strategy, which was launched by the Mental Health Commission of Canada, another great initiative of this government, just last week.

• (1110)

The word “stigma” is used dozens of times throughout this strategy. It is pointed out that only one in three Canadians experiencing mental health difficulties will seek help. Stigma and the fear of being labelled prevent many people from seeking help. Bill C-300 will foster the conversations in which Canada must engage if we are to save more lives. Bill C-300 will foster hope.

I have mentioned this quotation several times, and some hon. members might actually be able to say it out loud with me, but Margaret Somerville of McGill University said it best, I believe:

Hope is dependent on having a sense of connection to the future, even if that future is very short-term.... Hope is the oxygen of the human spirit; without it our spirit dies.

Mr. Speaker, you and I both have hopes for the future, but some Canadians, whether due to distress, overwhelming circumstances or medical challenges, lose hope. Each day, on average, 1,000 Canadians lose hope so completely that they attempt that final irreversible step; each day, ten Canadians complete the attempt. Ten Canadians' lives are lost each day to suicide.

As hon. members shared during second reading, we all know someone. Some have struggled to help school-aged children cope with the suicide of a classmate. Most of us have dealt with death by suicide of friends or colleagues. Some, in fact—altogether too many—have faced the aftermath of suicide even more closely.

Any of us who have ever grieved the loss of a family member or a close friend will know the feelings of doubt and sorrow that can overwhelm even the strongest of us. Members of this House are aware of my life's journey over this past year. I lost my wife and best friend to an undiagnosed medical condition within hours of last year's election victory. Once again I thank hon. members from all

sides of the House for the compassion they demonstrated and continue to show to this very day.

I will admit that after losing Betty, I felt overwhelmed. There were points where I doubted I would be able to continue my role in service to the people of Kitchener—Conestoga. In fact, there were some times when I doubted if I wanted to.

However, while I missed her, while I continue to miss her every day, I have never felt alone. My family members were there with me, and I was there with them. We had each other. My caucus colleagues, and indeed all hon. members, provided me a strong support network. Even today at events across the Waterloo region, it is not uncommon for someone to take the time to offer their condolences.

I am grateful to God for these heartfelt responses that remind me that I am not alone in my pain, and I am grateful to God for the gift of life and allowing me to continue to enjoy his gift despite my loss.

I share my personal experience because it is related to hope and to community. First, I never felt alone. I gained new appreciation for the blessings of family, friends and faith. They have kept me focused on the future and on hope. I cannot imagine standing in this House today were any of these elements lacking in my life.

While I can never picture myself falling victim to suicidal behaviours, I do understand how easy it could be for someone to temporarily lose hope and in the process take actions with permanent, fatal consequences.

Second, death always provides challenges to the survivors. The challenges I faced after Betty's death were profound. All those who walked those agonizing days with us, though—family, friends and staff—understood that there was simply nothing anyone could have done to change the outcome. Her condition was undiagnosed and inoperable.

Those left behind by suicide face everything I faced, but with the added complications of false guilt and blame that exist because of the stigma of suicide. While our family has drawn strength from open conversations about Betty with friends and strangers alike, those left behind by suicide too often feel uncomfortable sharing their story. That is part of the problem.

We simply cannot face a problem, let alone solve it, if we are afraid to talk about it. That is why Bill C-300 calls for the recognition of suicide as more than a mental health issue. Suicide is also a public health issue. The Mental Health Commission of Canada notes that the elements of Bill C-300 fit well within their overall mental health strategy.

• (1115)

Bill C-300 calls for knowledge exchange and the use of evidence-based practices, moving Canada toward the information hub called for by Tana Nash and the Waterloo Region Suicide Prevention Council.

Private Members' Business

I do not stand today to claim Bill C-300 is a magic wand. More would still need to be done. However, I truly believe that Bill C-300 is the first step on that journey.

Were it in my power and ability, I would reach out, myself, to comfort each and every one of those coping with suicidal thoughts. If it were in my power, no volunteer currently making those heroic efforts would feel under-resourced or unappreciated by society. However, these actions are beyond me. They are in fact beyond any government that must balance the relative benefit of every request for funding and contemplate the opportunity costs of funding project A at the expense of project B.

I have the honour of serving the good people of Kitchener—Conestoga as their member of Parliament. My constituents and members of this House are familiar with my beliefs as they relate to the value and importance of human life. I will continue to promote a culture of life for those struggling, for those who can no longer speak for themselves, and for those who cannot yet speak for themselves. I believe that every life is precious.

Passing Bill C-300 would deliver a message of hope to those working in communities across Canada. In time, that hope would be delivered to the tens of thousands of Canadians who engage in suicidal behaviours each year. The implementation of Bill C-300 would enable Canadians to engage in the conversations that are required for understanding and healing. Those who have suffered from suicidal thoughts or suffered the death by suicide of a loved one would have a connection to the resources that could help restore hope.

Mr. Speaker, through you, I thank all hon. members for standing with vulnerable Canadians on this journey toward hope. Hope: the oxygen of the human spirit. Without it, our spirit dies.

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, I would like to congratulate the member for Kitchener—Conestoga for getting his bill to third reading.

I do not know if he is aware, but we did not have any witnesses from first nations at the health committee where we studied the bill. I know that his bill does not specifically include consultation with first nations, where this is a very major issue.

Could he tell us whether, in working on this bill, in talking to people in the community, he had specific consultation with the first nations community about his bill and about how it possibly needed to be amended?

Mr. Harold Albrecht: Mr. Speaker, I want to thank my colleague for the support that the NDP has shown throughout the entire process.

One of the things we tried to do in crafting Bill C-300 was to avoid naming specific groups in the fear that we would unintentionally leave out other groups. We were very generic in identifying the fact that there needs to be collaboration among these groups and consultations among territorial and provincial governments and different internal departments of the Government of Canada.

I have spoken with people who have done work on the national suicide prevention strategy, as it relates to the aboriginal national

suicide prevention strategy. They were very affirmative of the steps that we are taking here. It is my hope that, as Bill C-300 asks for this collaboration to continue, it would be clear to whichever government agency is charged with this responsibility, possibly the Mental Health Commission, that this is a major component of the initiative I am working on.

• (1120)

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, my question is related to the role of the provincial governments, and even other governments such as school divisions, throughout the country. I believe that they are looking for a strong leadership coming out of Ottawa on the issue of a national suicide prevention strategy. Could the member comment on what role he sees Ottawa playing, in terms of that leadership role for the many stakeholders from coast to coast on this issue?

Mr. Harold Albrecht: Mr. Speaker, the point that needs to be made here, and I think even the Mental Health Commission in its response made the point, is that improving mental health or indeed suicide prevention is not just the government's problem. Certainly, we need to take an all-of-government approach at the federal, provincial, territorial and municipal levels. That is important. However, it is also important to recognize that we need to support the initiatives of the community groups which are already doing good work on the ground. Therefore, my view is to see the federal government provide the overall vision and coordination, the sharing of best practices and the collection of up-to-date statistics. One of the major challenges we face is that we do not have up-to-date statistics on this issue.

I want to come back to a point that is crucial. We cannot take the view in this chamber that this government, or indeed any level of government, will solve this problem. We need to recognize the important value of community groups that are doing the work on the front lines.

About two weeks ago, I served on a bowling team for the Waterloo Region Suicide Prevention Council. We raised \$27,000 in this bowlathon. That is a great amount of cash to help it in its work. However, the more important part of that day for me, and it became so obvious during the afternoon, was the more than 150 bowlers who participated in that activity and who were increasing the level of conversation around suicide prevention. If we consider that probably each of those bowlers had spoken to 10 people in gathering pledges for the initiative, and we multiply that, we have possibly 1,500 people who are now aware of this issue who may not have been aware had government simply signed a cheque for \$27,000.

Therefore, we can never take the approach that it is the government's problem alone. We have to work together. My initiative here is to ask the federal government to provide coordination so that when a group like the Waterloo Region Suicide Prevention Council needs resources, it has a central repository where it can go.

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, I am please to rise in the House today to speak to Bill C-300. It came from committee and is now at third reading in the House. I would again like to congratulate the member for bringing the bill forward.

Private Members' Business

The NDP members on the health committee have been very supportive of the bill, as we have in the House at second reading. We will support the bill when it comes to a final vote. However, I want to reflect on the nature of the bill and what more we could possibly have done.

There is another bill in the House, Bill C-297, put forward by the member for Halifax. Although both bills deal with suicide prevention, they bring forward different strategies. Bill C-300, is much more of a limiting bill. It plays down the role of the federal government in establishing suicide prevention strategy and, unfortunately, there is nothing in the bill that pertains to first nations consultation.

I recognize it is difficult to put every single group in a bill and say we should do this and that. However, the statistics show this is a very important health issue and systemic issue around inequality, cultural history and colonialism that does affect first nations in Canada, aboriginal people.

The bill of the member for Halifax speaks to the need to directly engage the federal government with provincial ministers and first nations, and support smaller communities and provinces that might not otherwise have the infrastructure to enact the strategies. She lays out a clear federal role. Bill C-297 outlines the need for first nations, Inuit and Métis groups to be involved in the construction of the strategy. This is very important.

The bill we are debating today calls for defining best practices and promotes collaboration. These are very important and we certainly concur, but it is very disappointing that it does not go beyond that.

Bill C-297 is very comprehensive. It calls for the federal government to carry out 10 different projects, including a study of effective funding, surveillance to identify at-risk groups, establishing national standards and gaining cultural-based knowledge in preventing suicide.

At committee, my colleagues, particularly the member for Chicoutimi—Le Fjord, and I put forward a number of amendments. These were based on the Canadian Association for Suicide Prevention blueprint for a Canadian national suicide prevention strategy that came out in September 2009. This organization represents the service providers and the activists on the front line helping people who are in distress, who are at risk, in dealing with suicide and suicide prevention.

We put forward about 15 amendments. They really would have strengthened the bill. For example, one of them called for a distinct national coordinating body for suicide prevention to operate within the appropriate entities in the Government of Canada. Another amendment called for assessing and adopting where appropriate the recommendations and objectives outlined in the blueprint for a national suicide prevention strategy of the Canadian Association for Suicide Prevention.

I want to put on the record here in the House that we tried very hard at committee to bring some amendments to the bill to strengthen it so it could go beyond an issue of best practices, collaboration and information sharing and take on some more specific objectives that are desperately needed.

We did hear a number of times that we should not worry about this because the Mental Health Commission of Canada would be addressing this in its report. Of course, since dealing with the bill at committee, that report came out last week, entitled “Changing Directions, Changing Lives”.

• (1125)

On page 13 of the report it reads:

...establishing whole-of-government and pan-Canadian mechanisms to oversee mental health-related policies; strengthening data, research, knowledge exchange, standards and human resources related to mental health, mental illness and suicide prevention.

That is not the only reference but, that one speaks strongly to the need for all levels of government to be involved.

While we are happy that the Mental Health Commission of Canada has included this issue in its new strategy that came out last week, it seems to me that we have missed an opportunity with this bill to look at some concrete specifics around setting up a national coordinating body, looking at better training or, more specifically, working with first nations.

We received a communication from the Assembly of First Nations after we dealt with the bill at committee. It sent some very good information that is very important for us to understand. It is really shocking. It is information that we know but when we speak about this issue it brings to mind how serious it is in the aboriginal community. The AFN points out that suicide now represents the greatest single cause of injury deaths in its population, according to a study done in 2003. It also points out that a closer examination of intentional self-harm or suicide across age groupings shows that the deaths due to suicide, as a proportion of all deaths, was the largest among first nations youth. It also points out that youth suicide is not a tragedy that is visited in equal measure in all native communities. In certain communities, the suicide rate is as much as 800 times their provincial average. These statistics cannot even begin to tell us the stories, the tragedy and the reality of what is happening in many smaller, remote communities and in urban centres.

I was disappointed and concerned that the bill did not reference the particular issues that are taking place in aboriginal communities. Amendments were put forward to include some of this important information and the need to be more specific in the bill but, surprisingly, they were turned down.

It worries me that this is becoming a pattern now. Some of the bills are fine in as far as they go but they are very informational. They are designed to create awareness. We had one just the other day on breast density, a similar kind of bill. I do not want to knock the bills in and of themselves but it is really worrying that when there is a genuine effort to put forward amendments to improve and strengthen these bills, they seem to be automatically shot down. I have to wonder why.

Private Members' Business

Parliament should be constructive, particularly on private member's business. We should try to be constructive and work together on this bill on suicide prevention because we all agree that work needs to be done on this. There is no question that we all agree. Therefore, it is very concerning that the good faith attempts to strengthen and improve the bill were shut down one hundred per cent. I read out some of the information that came before us and it was basically ignored.

We will support the bill but we will also work very hard to support my colleague's bill, Bill C-297, the member for Halifax, because it is a much broader, comprehensive and very specific strategy that would clearly involve the federal government. That is what we need to do, particularly in light of the new report that just came out from the Mental Health Commission of Canada.

•(1130)

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, it is a pleasure to speak today and add a few thoughts to what is an important issue for all Canadians.

Suicide and attempted suicide affects all Canadians in one way or another. It is with that in mind that I do believe this debate is an important one. This issue crosses all political party lines and there is wide support for initiatives that take on this serious issue.

In the last number of months, we have had other debates on this subject. Members will recall that back in October the Liberal Party had an opposition day. I want to make reference to that because last fall other issues were facing Parliament and the Liberal Party had to come up with an important opposition day subject. Parties in the House are given a limited number of days in any given year for opposition days. In making a presentation to our caucus, the leader of the Liberal Party indicated that the issue of suicide had to be addressed. This is an area in which we need to see stronger unified leadership coming from the House of Commons and spreading out to different levels of government. We made the decision back then that we had to raise the profile of this important public issue.

I would like to read to the House the motion that was introduced by the leader of the Liberal Party on October 4. The motion reads:

That the House agree that suicide is more than a personal tragedy, but is also a serious public health issue and public policy priority; and, further, that the House urge the government to work co-operatively with the provinces, territories, representative organizations from First Nations, Inuit, and Métis people, and other stakeholders to establish and fund a National Suicide Prevention Strategy, which among other measures would promote a comprehensive and evidence-driven approach to deal with this terrible loss of life.

Many members of the House will recall that particular debate. A vote occurred at the end of that debate and the motion was passed unanimously, thereby acknowledging that suicide was a national issue that needed to be addressed.

Our motion called for the clear identification of funding so we could establish a national suicide prevention strategy. A major part of that involved looking at the stakeholders and ensuring that those stakeholders were incorporated into the development of a national strategy. The Liberal Party believes that there needs to be a national strategy to take on this issue.

There is one stakeholder more than any other stakeholder in our country that should be playing a leadership role and that is the

national government. We look to the government, not only to support opposition motions, such as the one we introduced back in October, or bills such as the bill before us today that the Liberal Party supports, but we also look to the federal government to take tangible action to deal with these issues. There is a multitude of different ways in which we could do that.

•(1135)

The member who introduced this motion mentioned volunteers and our communities. We underestimate what those volunteers and those community organizations can do to have a tangible impact on decreasing the suicide rate here in Canada. Through that coordinated effort, we need to be able to share our ideas with the different community groups.

I will give an example. In some provinces, there is more of an active approach to encouraging discussions in our schools on suicide. I understand the Province of Quebec has a more proactive approach to educating its student population in comparison to other provinces. We need to look at having that open dialogue where we have our young people being aware of suicide. There is nothing wrong with talking about some of those issues, such as peer pressure, bullying, gays and so much more that is impacting our young people and the amount of stress that is there. That is one reason we have so many young people considering suicide. Fortunately, most suicide attempts fail. However, at the end of the day, everyday there are 10 Canadians who have been successful in committing suicide.

When we talk to our young people, what can we as a community say to encourage them to feel comfortable in talking about, to understand that life has its ups and downs days and that even though they might be experiencing a great deal of pressure, those days will go away and positive days will come? We want our youth to know there are individuals out there who truly care. There are organizations out there, whether they are local counsellors within the school or a community health facility where there are professionals and volunteers, they can assist with some of the pressures that are put on young people.

We also need to deal in a more tangible way with the serious issue of suicide among seniors. We have organizations and stakeholders that focus virtually 100% of their time on senior related issues. To what degree are we providing the leadership that is necessary to share ideas on what works and what does not work? Maybe we need to go to seniors' homes or talk with 55-plus groups about the issue of being alone and that sense of loneliness. What kind of policy decisions can we make that will deal with those types of issues?

I talked with the Garden City Mall Walkers Group, a group of seniors in my constituency. and they asked me why they could not ride the bus for free during off-peak hours. They said that it would get them out of their home and into their community.

I want to make reference to our veterans and the whole idea of PTSD. We have attempted to raise that issue because it affects many individuals who fought in Afghanistan, those who represented Canada so well in ensuring that our forces were there making us all proud. We need to invest in a very real and tangible way so we are taking care of those issues that are causing far too many of our members within our forces to commit suicide.

Private Members' Business

•(1140)

The bottom line is the Liberal Party of Canada is prepared to put party politics aside in order to deal with this issue. We believe this is a crisis situation with which we need to deal.

We support the bill, as the government supported our motion to deal with a national strategy, because we believe in it. We look forward to its eventual passage. We thank the members for the opportunity to say these few words.

Mr. David Sweet (Ancaster—Dundas—Flamborough—Westdale, CPC): Mr. Speaker, it is an honour to join the discussion or, as my hon. friend from Kitchener—Conestoga has appropriately called it, this parliamentary show of unity on Bill C-300, the federal framework for suicide prevention act.

Having just celebrated Mother's Day, a day when we all recognize the unflinching love, support and guidance of mothers, and thinking about this discussion today, I cannot help but imagine the sheer anguish that a mother who lost her daughter or son to suicide this past year must feel on Mother's Day. It is utterly heart-wrenching to think about it.

Over 4,000 families, mothers, fathers, sisters, brothers, aunts, uncles and cousins, had their lives irreversibly impacted by suicide in this past year. We do not even have a good handle on a true number, something that the bill would fix.

I had the privilege of rising in the House 19 days ago, on April 25, to make a member's statement in support of the bill. In the 19 days since then, there have likely been 190 deaths by suicide, 19,000 suicide attempts and 4,180 visits to the emergency rooms of hospitals across the country due to suicide behaviours. I say likely, because we do not have accurate suicide statistics in our country. Once again, this is very important, and Bill C-300 would correct that.

However, the real tragedy is the story behind each one of these numbers. It is a tragedy because each one of those who attempted suicide had lost hope, or, as the member for Kitchener—Conestoga has already said, the fuel of the human spirit. In doing so, their tragedy was, and is compounded, on their families, friends and the communities of our nation.

We know suicide is a very complex confluence of a number of factors. We know some groups and circumstances are more vulnerable to the threat of suicide than the general population. Veterans and aboriginal Canadians have been noted already this morning. However, we struggle to develop a suitable evidence-based response. There is no doubt this a public health issue in Canada. We have a duty in defence of the sanctity of life to act.

According to the testimony that Dr. David Goldbloom, of the Mental Health Commission of Canada, presented to the health committee, over 90% of the Canadians who died from suicide were experiencing some sort of mental health issue. By the very nature of the complexity of the problem of suicide, approaching suicide prevention is complex in and of itself.

Teachers in a position to recognize suicidal behaviours are rarely trained to do so. It is even uncommon for medical doctors and nurses to receive specific training in this area. That is where the bill would

help. Many suicide prevention groups in Canada do outstanding work. They are on the front lines. They are there when people need them. They help refuel that hope, and even if it is for a short period of time, it gives them another chance.

That is why setting up a federal framework to better coordinate these efforts makes so much sense. Great work is being done by so many groups from coast to coast. I mentioned one such group 19 days ago in this chamber, called the "Jack Project". This initiative was spawned by the tragic death by suicide of young Jack Windeler. The project's school-based outreach program is now being piloted for a full rollout next year, and I know all of my colleagues would wish them all a great success.

Let us leverage and share information and resources, share successes and ensure we can share accurate statistics as well. That is national leadership and it is a message of hope to vulnerable Canadians.

Let me reflect on two of the statements made to the health committee on this bill, which will sum it well.

One was Dr. David Goldbloom, who I referenced a couple of minutes ago, who spoke on behalf of the Mental Health Commission of Canada. He said:

The federal framework that's under consideration today will definitely advance the strategy's recommendations to mobilize leadership, to strengthen collaboration, and to strengthen the infrastructure that's required to improve mental health outcomes in Canada with a particular focus on suicide prevention.

This view from a medical professional speaks volumes, and so does the other statement I want to highlight, a view from the very front lines of suicide prevention.

•(1145)

Tana Nash, from the Waterloo Region Suicide Prevention Council, which is located in a community just a few minutes up the highway from my constituency, remarked on how the federal framework could be the catalyst for a hub of resources and evidence-based information and programs which would be a godsend for organizations that were cash-strapped yet were doing so much in local communities.

She said:

I can tell you from a grassroots organization that this is essential. We are all operating on shoestring and non-existent budgets, but we imagine a hub where all of us working across Canada can access tools, brochures, and ideas, and where we can simply add our own local crisis information, instead of reinventing the wheel.

What is most encouraging was the example she gave of how a groundbreaking program, run by her organization, was unknown in my community of Hamilton, an excellent program that takes place at the grassroots level to help prevent suicides in the most practical and direct way possible, and how the federal framework proposed by this bill could help make that connection and save lives.

These are the words of Tana Nash of the Waterloo Region Suicide Prevention Council:

Private Members' Business

One example from the Waterloo region is the Skills for Safer Living group. This is a 20-week psychosocial, psycho-educational support group, but it's specifically for folks who have had suicide attempts and are still wrestling with wanting to die. This group was developed at St. Michael's Hospital with much evidence behind it that proves its success. It teaches things like emotional and coping skills, and how to gauge your own behaviour on a sliding scale, so that you know when you're escalating and how to reach out for help.

We are fortunate that this now runs in the Waterloo region, but when I talked to the Suicide Prevention Community Council of Hamilton last week, they hadn't heard about this great program. They are hungry to have such practical training in their region as well. It's another proven practice that can be rolled out across Canada.

There are a number of experts who contributed to this discussion of Bill C-300 and the federal framework for suicide prevention at the committee level. We thank them for their time and expertise. We especially thank them for all the work they do on a daily basis in communities across Canada to help prevent suicides, and the anguish and heartbreak that suicide creates.

I believe Bill C-300 serves as a useful instrument to promote dialogue, education and awareness among federal partners. I believe the development of a federal framework on suicide prevention will also carve the way for a greater federal integration of initiatives, programs and services and will assist in greater collaboration among partners, as my colleague for Kitchener—Conestoga mentioned earlier, not only federal partners but provincial, territorial and municipal partners and all of the great NGOs that do such great work.

It has been a privilege to speak to the bill. I thank the hon. member for Kitchener—Conestoga and all members from both sides who have advanced this discussion so fewer parents next year may suffer a Mother's Day under such excruciating circumstance of loss.

● (1150)

Mr. Glenn Thibeault (Sudbury, NDP): Mr. Speaker, it is my honour to rise today and voice my support for Bill C-300, an act respecting a federal framework for suicide prevention.

I also want to congratulate my hon. colleague from the other side of the House for bringing forward an issue that I think is truly important to every MP and Canadian right across the country. No matter what colour one's tie is, this is an important issue for all of us to address.

The bill would enact and establish a requirement for the Government of Canada to develop a federal framework for suicide prevention in consultation with the relevant non-governmental organizations, the relevant entity in each province and territory as well as the relevant federal departments.

The bill is a great first step, but we believe more could have been done. We presented some amendments at committee to make the bill stronger to ensure that Canadians had a bill that encompassed everyone and included first nations, Métis and Inuit as well. However, we will move forward in good faith with the bill because, as I mentioned, we believe it is a good first step.

Suicide has a major impact on Canadians today. It is the second leading cause of death among 10 to 24 year olds and the third leading cause among 25 to 49 years olds. Furthermore, the stigma that surrounds mental health and suicide has long delayed a national dialogue about the issue and how to address it. Therefore, I am very happy that we are talking about it on the national stage.

Suicide is a tragedy for many Canadians and their families. Given the current statistics that I mentioned earlier, it is likely that most Canadians have been impacted by a death by suicide. However, suicide is entirely preventable through a combination of knowledge, care and compassion.

We in the NDP support the bill put forward by my hon. colleague. We think a national suicide prevention strategy is something that families and stakeholders have been demanding for years now.

The NDP has consistently worked on this issue in the past. In 2011, my colleague for Halifax put forward Bill C-297, An Act respecting a National Strategy for Suicide Prevention. My friend's bill already calls for the provinces, territories and representatives from first nations, Inuit and Métis people to work together to create a national strategy for suicide prevention. The bill would ensure access to mental health and substance abuse services, reduce the stigma associated with using mental health and suicide-related services, establish national guidelines for best practices in suicide prevention, work with communities to use cultural-specific knowledge to design appropriate policies and programs, coordinate professionals and organizations throughout our great country in order to share information and research and support health care professionals and others who work with individuals at risk of suicide.

I believe my colleague's bill is the template of how we should approach a national suicide prevention strategy as it would allow for best practices to be set up, particularly for at-risk communities.

These are some key facts and figures about suicide in Canada that are very disturbing: 10 people die every day by suicide; over 3,500 people die by suicide annually; and, in the past 20 years, more than 100,000 Canadians have died by suicide. In Canada the number of people affected by suicide due to the loss of a loved one, friend or co-worker is estimated at three million. I am, unfortunately, one of those three million.

Back in 1986, 26 years ago, my brother-in-law decided to take his own life. I can talk about how a family goes through that type of trauma and what the family to this day still goes through. Many times at Christmas dinner, Thanksgiving or any family gathering, we talk about what it would be like to have that individual back with us as a family.

● (1155)

Of course, there are always those feelings of doubt. What could we have done to make things better? What could we have done to change what has happened? There is really nothing that we could have done, at the end of the day, because my brother-in-law needed some help. What we could have done is try to find ways to get him that help. I think this national strategy is doing what we can to ensure that no other person ever has to go through this and no other family ever has to go through this, and I hope we all can understand.

If we are looking at international comparisons, both the United Nations and the World Health Organization have recognized suicide as a serious and priority public health issue. We were once a world leader on suicide prevention, but now Canada lags behind other industrialized countries.

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In 1993, at the invitation of the UN Centre for Social Development and Humanitarian Affairs, Canada hosted an international experts' meeting to develop UN-supported suicide prevention guidelines.

Following the release of these guidelines, both the United Nations and the World Health Organization called upon every country to not only establish its own national strategy but also appoint and adequately fund a coordinating body responsible for suicide prevention.

Whereas Australia, New Zealand, Wales, England, Norway, Sweden, Scotland and the United States, to name a few, now all have national suicide prevention strategies that have proven to work, Canada still does not. I think with this bill we are getting one step closer. However, as I mentioned at the top, we will continue to work to try to make this bill stronger.

Let us look at our statistics in Canada. They show Canada has a higher suicide rate, for example, than the United States. It is in the top third of developed countries with the highest rate of suicide.

The Government of Canada has stated in the past that the Mental Health Commission of Canada framework already covers suicide prevention. However, its important 2009 report, "A Framework for a Mental Health Strategy for Canada", only briefly touches upon the issue of suicide. It does not even specifically include in it any of its seven recommendations and it does not constitute a suicide prevention strategy.

All experts and stakeholders agree that its mandate does not properly cover the issue of suicide prevention. As yet, there is no sign that the MHCC is doing the necessary work that is needed on this issue. The MHCC is focused on bringing about long-term fundamental changes with respect to various mental health issues, while a national suicide prevention strategy is desperately needed, especially today, given the crisis facing many communities.

The MHCC even notes that suicide is often but not always, 95% of the time, associated with the presence of a mental illness. A suicide prevention strategy is needed because it is distinct from the issue of mental health.

Let me quote from a media article today from a Vancouver Island first nation, where it has declared a state of emergency because over the last few weeks it has seen the number of suicides in its communities dramatically increase. I believe it was four.

Leaders of a Vancouver Island First Nation have declared a state of emergency over the recent spate of suicides and attempted suicides.

According to the chief:

Unless we receive support from the feds and province, we may lose more community members to what feels like a hopeless situation, and although we have provided some resources, it is very limited and employees are over-taxed with the burden of double duty.

That is why we truly need a national strategy on suicide prevention.

I know my time is running out. With that, I will just mention again that we support the bill as it is presented, but we would definitely like to see more amendments and things brought forward to make this a stronger bill.

● (1200)

The Acting Speaker (Mr. Barry Devolin): Resuming debate for the last two minutes of this first hour, the hon. member for Don Valley East.

Mr. Joe Daniel (Don Valley East, CPC): Mr. Speaker, I am pleased to rise today to discuss Bill C-300, an act respecting the federal framework for suicide prevention. This bill has received overwhelming support not only in the House but throughout Canada.

What drives people to commit suicide is based on a number of complex factors, and we are always left wondering why. Why did we lose a loved one? What prompted this individual end his or her life? Could it have been prevented? Oftentimes, stigma and discrimination have prevented people from seeking the help they need. We need to help them on the sidelines to emerge out of the shadows. As was said so pointedly by Senator Kirby, there is hope in this darkness.

We must move forward on this crucial issue in a collaborative way. That is the spirit of the bill before us today. This is a very important bill, and I am pleased that so many of you have expressed your support for it. Due to recent momentum on this topic, a national conversation on suicide has resulted. I must also thank the members of the Standing Committee on Health and the witnesses who shared their experiences and expertise and the Canadians who are talking more openly about suicide in order to help prevent it.

As a government, we are listening to Canadians. We have heard many personal and family tragedies. The stories are all too familiar: a bright young person from a caring family who appears to be very happy or an adult who appears to be successfully managing his or her career but who, despite what we see, is walking an unpredictable path.

Within the areas of federal responsibility, we are making a meaningful contribution. The federal government's role in mental health and suicide prevention is multi-faceted. It includes working with researchers to better understand the causes of suicide and with children and youth to better understand the importance of their relationships. It includes supporting programs that build resiliency and develop protective factors that help ward against the potential desire to see suicide as the way out.

In addition, the federal government is providing suicide awareness and prevention workshops, as well as training staff. This includes—

The Acting Speaker (Mr. Barry Devolin): Order, please. The time provided for the consideration of private member's business has now expired and the order is dropped to the bottom of the order of precedence on the order paper. The hon. member for Don Valley East will have eight minutes remaining when this matter returns to the House.

GOVERNMENT ORDERS

COPYRIGHT MODERNIZATION ACT

The House proceeded to the consideration of Bill C-11, An Act to amend the Copyright Act, as reported (with amendment) from the committee.

Government Orders

[English]

SPEAKER'S RULING

The Acting Speaker (Mr. Barry Devolin): There are 23 motions in amendment standing on the notice paper for the report stage of Bill C-11.

[Translation]

Motion No. 8 will not be selected by the Chair, as it was defeated in committee.

• (1205)

[English]

All remaining motions have been examined, and the Chair is satisfied that they meet the guidelines expressed in the note to Standing Order 76.1(5) regarding the selection of motions in amendment at the report stage.

[Translation]

The motions will be grouped for debate as follows:

Group 1 will include Motions Nos. 1, 2, 3, 6, 7, 22 and 23.

Group 2 will include Motions Nos. 4 and 5 and 9 to 21.

The voting patterns for the motions within each group are available at the table. The Chair will remind the House of each pattern at the time of voting.

[English]

I shall now propose Motions Nos. 1 to 3, 6, 7, 22 and 23 in Group No. 1.

[Translation]

MOTIONS IN AMENDMENT

Mr. André Bellavance (Richmond—Arthabaska, BQ) moved:

Motion No. 1

That Bill C-11 be amended by deleting Clause 1.

Motion No. 2

That Bill C-11 be amended by deleting Clause 2.

Ms. Elizabeth May (Saanich—Gulf Islands, GP), seconded by the member for Winnipeg North, moved:

Motion No. 3

That Bill C-11, in Clause 21, be amended by adding after line 13 on page 17 the following:

“(2) The Governor in Council may make regulations defining “education” for the purposes of subsection (1).”

Motion No. 6

That Bill C-11, in Clause 27, be amended by replacing lines 23 to 29 on page 23 with the following:

“paragraph (3)(a) to reproduce the lesson for non-infringing purposes.”

Motion No. 7

That Bill C-11, in Clause 27, be amended by deleting line 42 on page 23 to line 3 on page 24.

Mr. André Bellavance (Richmond—Arthabaska, BQ) moved:

Motion No. 22

That Bill C-11 be amended by deleting Clause 49.

Motion No. 23

That Bill C-11 be amended by deleting Clause 62.

Mr. Speaker, I am pleased to rise today to debate the amendments proposed by the Bloc Québécois to Bill C-11. This is not the first time the Bloc Québécois has spoken against this bill. The government is presenting the same content it presented in the previous Parliament as Bill C-32. There are, in fact, no changes, although we had asked for changes.

We must be clear that not everything about this bill is bad. Changes certainly were needed with respect to copyright, especially in the field of new technology. Such technology really is new and was previously quite rare. In fact, some technologies did not even exist the last time. Now we must consider copyright as it relates to iPods and even the Internet. Thus, there are changes that follow naturally from progress and current events. Still, the government has once again rushed headlong into legislation without really consulting consumers, authors, artists and creators, of course, or a lot of other people.

Some parts of the bill are good, others are not. Therefore we have to try to introduce amendments. This gives us the opportunity to talk about Bill C-11 and the amendments that should be made. As it stands, the bill clearly favours big business over artists.

As my colleague from Bas-Richelieu—Nicolet—Bécancour is present, I would like to mention that, a little over a year ago, his initiative resulted in many artists coming to Parliament Hill—including his brother Luc Plamondon, the well-known lyricist—to meet with all the political parties. I do not know if they managed to meet with everyone, but I do know that a room was reserved in order for all the political parties to meet with these artists who came to tell us about the problems that Bill C-11 would create in terms of copyright.

When discussing copyright, we should not forget that MPs get a monthly paycheque. Factory workers get paid every week or perhaps biweekly. Everyone is compensated for their work no matter what sector they work in. Authors are compensated through copyright. When we take a look at the percentage of authors who earn a living from copyright, they are just barely surviving. By cutting this source of income, we are clearly telling the artists to work, to create and to do it for free.

A large number of creators came to Parliament Hill by bus. I do not know if it was the show business bus. However, one thing is certain: many stars were present. Artists from my area—Robert Charlebois, Dumas, Marie-Mai—were there. All these people came, not just because they are stars but also because they are often the spokespersons for other artists. All these stars are doing quite well. But there is a whole other group of artists, whom we could call emerging artists, who also deserve to be compensated for their work.

I commend this initiative by my colleague and that of former MP Carole Lavallée, who also did a tremendous amount of work on this file to help artists raise awareness among hon. members. Apparently it was not enough, because in this Parliament, after the election, the Conservatives reintroduced exactly the same bill and only changed its number. It is now Bill C-11.

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It is a carbon copy of Bill C-32 and, like its predecessor, it seriously undermines creators and artists, who are the foundation of Quebec culture. Creators are not receiving their due under this bill. The Conservatives refuse to let them have royalties for the use of their works on new media: iPods, MP3s, the Internet and so on, as I was saying earlier. Internet service providers are not being held accountable under this bill, with some exceptions. As I was saying, that is why we are proposing amendments, in order to amend the bill to make servers and Internet service providers suitably accountable.

The Bloc Québécois supports copyright reform, but not what the Conservative government is proposing. If the government had wanted a serious bill, it would have consulted the stakeholders—I listed them earlier—including, chiefly, creators, consumers, the people who are specifically affected by these piecemeal measures that are likely motivated by this government's ideology and its bias for big business.

•(1210)

Nor is it surprising—because I was talking about Quebec culture in particular—that the Quebec National Assembly has unanimously denounced this legislation, which does not ensure that Quebec creators receive full recognition of their rights and an income that reflects the value of their creations.

It is clear that this bill will make our artists poorer and will benefit big corporations. The Conservatives did not listen to any of the legitimate criticisms and are proposing amendments that would significantly benefit the software, gaming, film and broadcasting industries, at the expense of our artists' rights. This explains why the representatives of 400 industries, 38 multinationals, 300 chambers of commerce and 150 CEOs applauded Bill C-32, while artists and even the Union des consommateurs, just to name a few, are condemning the bill, and rightly so.

Speaking of people who condemn the bill, I would like to quote Gaston Bellemare, president of the Association nationale des éditeurs de livres. In an article I read in *Le Devoir* some time ago, here is what he had to say about Bill C-11:

This is a direct attack on the values that have always defined Quebec...

Make no mistake, creators and cultural industries are not fighting for protections equivalent to those elsewhere in the world, despite the fact that globalization forces everyone to share the same playing field. That battle has already been lost. The United States, France, England, the giants that captured our markets quite some time ago...have increased the duration of protection to 70 years following the death of artists in order to provide an income to their descendants.

In this case, this is not even about income for creators. Of course, that is part of it, but we also need to think about the future, the people who will follow and who are family members of these artists, including both famous artists and lesser known artists. Canada obviously does not have these kinds of measures.

The battle to extend private copying levies to digital audio devices and e-readers has also been lost. The media campaign against the "iPod tax" [as the Conservative government called it] managed to convince consumers that the few extra cents collected on their mobile devices for creators would be an unacceptable hidden tax.

I just quoted Gaston Bellemare, president of the Association nationale des éditeurs de livre.

The Bloc Québécois has been accused of advocating an "iPod tax", but this is not an iPod tax. It is a transfer based on how people are using contemporary platforms, and iPods are contemporary

platforms. I apologize for using the brand name. People also talk about MP3s and other digital audio platforms.

I am old enough that I still own cassettes, which my girlfriend says is ridiculous. Not eight-tracks, but cassettes that I recorded music on. When we bought blank tapes, we paid a certain amount to cover copyright. We could not complain about that because we bought the tapes to record music, maybe music borrowed from a friend on a vinyl record. The sound quality was exceptional at the time, except for a little squeaking, but I think that was part of the listening experience, which some people find nostalgic and which can still be found today because it is still around. Obviously, we were not buying the records, so there had to be another way to compensate for copyright. I have many tapes like that, and I paid some form of copyright on all of them.

Now, I am also young enough that I have used blank CDs—that was the platform at the time—to record other CDs for personal use, not for sale in flea markets. People buying blank CDs paid a certain fee for copyright.

This is the same principle applied to digital devices. There is nothing wrong with adding a certain fee to the purchase price so that artists can be paid for their work. It is only fair.

In conclusion, there are many reasons, including this one, why we cannot agree to Bill C-11 as written.

•(1215)

Mr. Pierre Nantel (Longueuil—Pierre-Boucher, NDP): Mr. Speaker, first, I would like to congratulate the hon. member on his very enlightened speech on the importance of protecting our heritage, especially the cultural heritage of both Quebec and Canada.

We have to make a distinction. It is important to remember just how much Quebec's cultural heritage depends on the initiatives of artists, artisans and small businesses. The hon. member referred to the fact that the Conservative government appears to listen more to lobbyists and big business. We have to wonder whether that is intentional or simply based on ignorance. In Quebec, the music business is led by small entrepreneurs much more than it is in the rest of Canada.

With respect to the unbelievable losses this misbegotten bill will lead to, whether we are talking about ephemeral recordings or the technicalities of radio broadcasting, can we count on his support to fight this situation and ensure that royalties will continue to be paid automatically to those who are entitled to them?

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Mr. André Bellavance: Mr. Speaker, I thank the hon. member for his question.

I think I was very clear in my speech. I have asked myself the same question as he did: is the government ignorant or wilful in its attempt to rush into things so that almost everything they have proposed, whether it is good or ill, will be the law by 2015? I have described this government as a bulldozer, and I think the term still applies.

Why did the government not take the time to sit down with the artists, authors and consumers affected by this bill? It is favouring the big digital game industry over the interests of consumers, who are going to have enormous problems making copies for their own use—not for sale—without being treated as criminals.

It is a political choice. I think it is deliberate and that the government wants to favour big business. I repeat, and I agree with my hon. colleague, that authors, particularly in Quebec, certainly have the right to be paid, whether they are famous or unknown. If we want them to become famous one day, they will have to be paid for their work.

• (1220)

[*English*]

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

The New Democratic Party has tried to work with the government to fix a badly flawed bill, yet none of the amendments that were brought forward would it accept under any circumstances.

This is an important issue, because we are talking about provisions that would criminalize students, but also that would directly attack the royalty rights, the rights of the author, the rights of musicians and creators to be paid.

One of the big issues for us is the issue of the moral rights of the artist. We had pushed the government to clarify this under the mash-up provisions so that artists would not have their art unfairly taken, but citizens would not be unfairly impinged from doing whatever kids are doing now on the Internet.

I would like some clarification from my hon. colleague, because his amendment to clause 2 would change the moral rights in terms of deleting the right under performances. That is an issue we have fought hard for.

Would the hon. member explain why the Bloc has decided that instead of expanding moral rights it is actually limiting them?

[*Translation*]

Mr. André Bellavance: Mr. Speaker, that is not our intention. It was mainly about the opportunity to make amendments that will make people aware of the fact that this bill is completely unsatisfactory.

I know that my colleague is an artist and, because of Bill C-11 and its predecessor, Bill C-32, I am happy that he is an MP. Finally, he is doing better than if he were an artist. It is not that I do not think he is talented, on the contrary. But one thing is certain: this bill puts a serious damper on emerging artists' hope that they will one day earn a living from their work.

In my riding, many painters have the opportunity to showcase their work at a number of artists' symposiums. The career of a young woman from Victoriaville, for example, took off thanks to her hard work and talent. She left her day job. She believed in her art and wanted to be an artist. She was lucky that people believed in her. But today, knowing that it would be increasingly difficult to earn a living from art and culture, I am not sure that we would see her work in major galleries, as I did in Quebec City. For that reason, the bill must be amended.

[*English*]

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, I rise to speak for the second time to Bill C-11, an act to amend the Copyright Act. The first time I had the occasion to speak to the bill was at second reading, on November 22 last year. I had hoped at that time we would see significant improvements made to the bill through the committee process.

There have been several tries at amending copyright law. The first attempt to bring copyright law into the digital age was made back in 2005 by the previous Liberal government. Subsequent bills were brought forward, most recently, Bill C-32, which is what we see now, pretty much unchanged, as Bill C-11. In the process between the previous Liberal government's attempt in 2005 and the bill presented by the current Conservative majority government, we have seen a leaning toward the rights primarily of U.S.-based entertainment industries.

I am not a member of the parliamentary committees, and I certainly am not making that point to complain. I understand my position here as leader of the Green Party of Canada. The Green Party is a recognized party in the House, but my rights, obligations and opportunities are closely aligned with those I would have had if I had been an independent member, a member of no party at all. Strangely enough, that gives me superior abilities at report stage to bring forward amendments that are substantive, which I could not have brought forward today had I been a member of the committee.

With that small digression I will just mention that although I am not a member of the committee, I tracked very closely what occurred at committee. Thanks to the able assistance of the wonderful young people who work on my team, and I am very grateful for their help, I was able to carefully monitor the evidence and review the testimony of expert witnesses who came before the committee. It was very compelling testimony from very knowledgeable experts in the field of copyright law in the digital age, which admittedly is a complex field.

One of those experts who is often cited and has made valiant efforts to see this legislation improved is one of the country's leading experts, Michael Geist, a professor at the University of Ottawa. He has been saying for some time, and I invoked his words when I first spoke to this bill at second reading, that the bill was "flawed but fixable".

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We had a chance to fix it at committee and we did not. It is my hope that the hon. Minister of Canadian Heritage, who I think deserves a lot of credit for the bulk of what he has done on this legislation, will allow Conservative Party members to consider favourably amendments being put forward now so that the bill, when passed, will not just be new copyright legislation, but will be excellent copyright legislation. We have that possibility but we will need amendments to get there.

The 18 amendments that I am putting forward today fall into two general areas. The Speaker has grouped them as such, and I recognize that, but I propose to speak to both groups at once. The two areas are to improve the clarity around the term “fair dealing”, particularly in relation to the new insertion of educational provisions, and to address the overly onerous provisions to protect material against digital locks. Digital locks are referred to in the law as technological protection measures, TPMs.

I propose to try to explain these in layman's language in the next few minutes to make sure they have a fair chance of being accepted by other members of the House who, like me, were not on the committee, but perhaps, unlike me, were not following the evidence as closely.

“Fair dealing” is a very straightforward term, but it does not have the meaning one may think. “Dealing” sounds as though we are making a deal with someone. This is basically copyright law, so we are asking whether the way one uses someone else's creative work is fair. We have a lot of case law on fair dealing. We cannot define what it is or is not. It is not a question of being able to quote a paragraph or a page and acknowledge who the author was. In certain circumstances we could quote a page, and in other circumstances we cannot quote a paragraph. It depends on what the purpose and intent is and whether the intent infringes the creator's rights under copyright law.

In the concept of whether one is using someone else's creative work fairly, we have changes in the legislation which, for the most part, are quite good. We are now saying one can use someone else's work if the purpose is for parody or satire. Those words are not creating any problems for us today at report stage.

● (1225)

However, the government threw in “education, parody or satire”, and the use of the word “education” does create some concern, primarily because “education”, as a term or exception under copyright use under fair dealing, has not been previously defined in the courts. It could lead to significant litigation to expand or narrow the meaning in ways that would be prejudicial to the average person who wants to use the material. Given that those people who might want to change the law in ways that restrict consumer access and normal opportunities to use materials are those with the greatest and the deepest pockets to go to court to prove this, it seems that down the road we might want to improve the way the bill currently reads and to create an opportunity by regulation for the Governor in Council to provide a definition of “education”, which is currently not in the bill, in order to leave that flexibility in place down the road. That is what my Motion No. 3 stands for: that the Governor in Council may make regulations defining “education”.

This very specific amendment comes from testimony by Giuseppina D'Agostino, a professor in intellectual property at Ogoode Hall Law School. She also teaches at York University. Back in 2010, when this legislation was Bill C-32, the comment that Professor D'Agostino made to explain this amendment was this:

This would allow for a more evidence-based approach and allow government departments with expertise to helpfully collect evidence and be specific on what they need to cure by legislation, and to be nimble and flexible in making adjustments to copyright problems in the educational sector as they arise from time to time.

That is all I propose to say on fair dealing. It is a big topic, but I want to move on to the question of digital locks. Most of my amendments relate to this problem.

Digital locks make sense. The whole scheme of this legislation is about protecting the rights of a creator and balancing the rights of the creator with the rights of the consumer.

This legislation attempts to bring Canadian law up to speed with the international obligations that Canada has undertaken through what is generally called the WIPO, the World Intellectual Property Organization, copyright treaty.

The problem I have with Bill C-11 is that it extends well beyond WIPO requirements; in fact, the scheme it would create would be among the most restrictive schemes anywhere in the world. The plain common sense explanation of this is to imagine that an individual has the right to put on a lock on something to protect it if that individual has the right to do so. No one has a right to break the lock if that is the person's property, and getting through that lock is the same as stealing.

However, we have exceptions in the bill that say people's intellectual property can be used for creative purposes, for satire and for parody.

What if the individual does not have the right to lock it away? Under this legislation, breaking the lock would still be illegal.

It was explained well by John Lutz of the Canadian Historical Association when he was testifying about previous Bill C-32 before committee. He said that the new law brings copyright legislation last amended in 1997 into the digital age: “Consumers will, for example, be able to make private copies of digital works to carry on different devices like an iPod, a smart phone or a laptop without breaking copyright. There is, however, one important exception, and that is if the vendor does not want you to make a copy. All a vendor has to do is make otherwise legal uses illegal is put a digital lock on it. A digital lock...”, and he goes on to describe it.

This legislation not only indicates that a digital lock cannot be broken but also indicates that it would be illegal to produce the kind of equipment or technology that would help someone break a digital lock.

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I will not go through each of my amendments one at a time. They essentially speak to the following principle: if in all other circumstances under the bill the use of the material under a digital lock would be legal, an individual should be allowed to break the digital lock. A digital lock should not trump all other rights under the bill when it is fair dealing, when it is otherwise appropriate and someone wants to get access to that material.

It could be as simple as a mistake I once made in Amsterdam: I bought a movie that I really wanted to watch and when I arrived back in Canada I could not watch it. I still cannot see it.

I ask the Minister of Canadian Heritage to consider these circumstances in which no one has any intention of breaking copyright. They just want to be able to view or access something that they normally would have a legal right to do. Digital locks should not trump all other rights.

I commend the Minister of Canadian Heritage for his hard work. I ask him to please consider amendments at report stage to improve this legislation.

• (1230)

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, we have looked at some of the hon. member's amendments. We find some of them, in a way, overly focused.

We believe in the general principles of technological protection measures, but it has to be defined in a very clear manner. If we link the breaking of a technical protection measure to infringement, then that is breaking the law. However, we see that the hon. member is getting right down to how to negotiate a contract with Rogers or whomever on a PVR signal.

I am worried about the implications of going to that level of specificity in terms of unintended consequences. I find it is the same with her position on education and the idea that we would turn it over to the Governor in Council to define education. This has been one of the most difficult issues we have found.

The Supreme Court has dealt with the overall issue of how to define fair dealing, and we also have the Copyright Board to adjudicate these matters. The New Democratic Party is certainly very uncomfortable with the idea of giving that decision-making power to government. The member says it will be more nimble and flexible, but we are worried about accountability and actually doing it on the basis of evidence.

Ms. Elizabeth May: Mr. Speaker, I am sure there could have been better solutions, perhaps during committee and so on. However, I think we have to ask ourselves whether we really want the meaning of "education" and the context of fair dealing to be a matter for the courts when we still have an opportunity to get some control over those aspects during the legislative process.

I agree with the member that having it go to the Governor in Council, which is essentially the cabinet, may not be as satisfactory as having the legislature come up with the definition, but in looking at who has access to the courts, who is most likely to take this to the Supreme Court and how the intent of fair dealing might be distorted through this process, I would refer to the advice and the citation that my hon. friend used, which were not my words but the words of

Prof. D'Agostino from Osgoode Hall and York University. I think it is worth a chance.

In the meantime, of course I would be grateful for any support the official opposition gives to any of my amendments. I accept that the opposition finds some of them troublesome.

• (1235)

Hon. Geoff Regan (Halifax West, Lib.): Mr. Speaker, I thank my hon. friend from Saanich—Gulf Islands for her comments today and I congratulate her.

I would like to ask her a question, but first I want to bring something to her mind. She may have been here on a Wednesday a couple of months ago when we were finishing second reading of this bill. The Liberal leader was talking about the bill and saying that the government was not open to amendments. I can recall the Minister of Canadian Heritage and Official Languages calling from across the way, "I will bet you \$10,000 we are going to have amendments", certainly suggesting that there would be major amendments.

In fact the amendments were tiny and almost meaningless, with very little impact in changing the overall direction on issues such as education and digital locks. I wonder what the hon. member's thoughts are on that.

Ms. Elizabeth May: Mr. Speaker, I thank my hon. friend from Halifax for his question. I enjoy the bit of repartee across the aisles here with the Minister of Canadian Heritage and Official Languages.

I would like to suggest something to the minister of heritage if he wants to win his bet, and there is apparently \$10,000 riding on it. I recall the conversation now, as I was reminded. I was here in the House that day. I think that the minister of heritage would like to win his bet, and for that purpose I urge the Conservative Party members to support my amendments.

Otherwise the member for Halifax West is quite right: the changes to date are extremely small, highly technical and do not represent a willingness to change the overall thrust of this legislation.

[*Translation*]

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, I am very pleased to be here to resume debate of Bill C-11, An Act to amend the Copyright Act, with the other MPs here in this House.

This is a very important issue for Canada and for the government. This bill is one of our government's top priorities.

[*English*]

At the outset I would like to say thanks to all those members. June will mark two years since our government tabled Bill C-32, which was the predecessor legislation to Bill C-11. It is coming up on two years now since our government tabled legislation on this matter. A great deal of work went into Bill C-32, which led to Bill C-11. Months of consultations took place prior to that.

We are actually approaching three years of consideration of this legislation. I think it would only be fair to note all the members of Parliament, some who were not re-elected and some who are in the House today. I see the member for Timmins—James Bay. I know the member for Davenport and others—

Government Orders

The Acting Speaker (Mr. Barry Devolin): Order. I would like to remind the minister that he ought not to refer to whether members are or are not in the chamber.

Hon. James Moore: Mr. Speaker, I was going to say that I see the member for Timmins—James Bay's contributions to the legislation. I did not violate the rules.

This has been a long slog. I know that other members of the House, including the member for Halifax West and others, have been along this long journey of almost three years now of consideration of modernizing Canada's copyright legislation. When the time comes when we speak of our political careers in the past tense, we will think of how we had been elected for a while and talked about copyright, and some other stuff went on. However, this is important legislation, and I am glad that we have had such a thorough conversation with regard to copyright.

On the substance of this legislation, we have put forward in our throne speeches the need to advance Canada's copyright regime and to modernize it. It has been 13 years since Canada's copyright legislation has been substantively improved, but it has been about 22 years since it has been really looked at with this kind of depth and effectiveness.

When we started our process, we had legislation in the previous parliament, the 2006-2008 parliament. That copyright legislation generated a great deal of conversation and, it is fair to say, a great deal of controversy. Using that as a basis for kick-starting the conversation that led to Bill C-32, our government engaged in unprecedented consultations with regard to copyright. We had online consultations, round tables and open town hall forums all across the country. We received tens of thousands of views submitted from Canadians all across the country, written, online and in person. This has been one of the most open and transparent processes that I have ever seen in my 12 years of public life. The way in which this legislation was arrived at was not done in hiding or behind closed doors. It was arrived at in a very public and open way.

What we have achieved with Bill C-11 is a real balancing of Canada's intellectual property rights needs going forward, most important of which, by the way—and I appreciate the sentiment of the leader of the Green Party in the House—is the need for further tweaks to this legislation.

The reality is that intellectual property law is an ongoing moving target. It is not a black and white issue. It is not a simple left or right divide. There is not a simple regulate-deregulate divide. There is not a simple technological divide either.

What is really needed for this country to move forward is actually what I find the most important section of this legislation. It is the provision mandating that every five years, regardless of who is in power or who is Minister of Canadian Heritage or Minister of Industry, and regardless of political circumstance or minority-majority parliaments, Parliament has to re-engage the debate on intellectual property and copyright law to make sure we are not lagging the world but leading it in the best kind of intellectual property law structure possible. That is what we put forward with Bill C-11.

I am proud to stand by the substance of Bill C-11. We have arrived at an effective balance that will serve Canada very well. What is most important about this legislation is that it will continue a debate going forward so that we will continue to be on the leading edge of what is in the best interests of Canada when it comes to intellectual property law.

When we did consultations after we tabled the legislation in this House, Canadians spoke out quite clearly, and we have a very broad base of support all across this country for this legislation.

For example, the Council of Ministers of Education, which is every minister of education in every province of the country except for the province of Quebec, came out and said that this legislation provides the clarity that they had been looking for and that it was excellent that the bill would allow students and educators to use the Internet to learn and teach without fear of copyright infringement.

The Entertainment Software Association, which represents Canada's video game industry and constitutes about 15,000 very high-paying jobs in this country and important jobs for the future, said that it congratulates the government on this copyright legislation.

This legislation will help protect Canadian creators. It is good public policy and it is essential for our economy.

The Canadian Media Production Association said that it applauds the government's copyright reform and legislation.

The Canadian Anti-Counterfeiting Networks applauds our copyright bill as well. It stated:

Arriving at the correct balance between the rights of creators, users, producers and distributors of copyright works is a challenging task and CACN applauds the Government of Canada's efforts to do so... [New legislation] is long overdue...[and] we strongly urge Members of Parliament from all parties to act quickly and decisively in passing legislation....

The *Edmonton Journal*, the media watcher of this House that has been paying attention to this debate for a long time, said this copyright bill is a welcome start and stated:

To be sure, something had to be done. It's been 13 years since the last changes were made—arguably 22 years since substantive reform—and...It's a different universe out there.

The Canadian Photographers Coalition stated that they welcome the government's copyright reform and said:

These amendments should allow Canadian small business photographers the opportunity to generate additional revenues for their commercial work.

● (1240)

The Canadian Chamber of Commerce said, “the bill lays the foundation for future economic growth and job creation. The bill is critical to ensuring competitiveness and a stable business environment in Canada's digital universe”.

The leader of the Green Party talked about the importance of education as part of this debate. The Canadian Alliance of Student Associations said, “The government has demonstrated a commitment to Canada's education community. Students across Canada are greatly encouraged. The government has a clear understanding of how this bill will impact Canada's students, educators and researchers”.

Government Orders

The Business Coalition for Balanced Copyright said, “The government has taken a common-sense, balanced approach to copyright legislation. It’s a positive step toward modernizing Canada’s copyright laws and it achieves balance between the interests of consumers and creators”.

It is not just those organizations but, as I said, cultural industries as well are speaking out strongly in favour of this. For example, the International Alliance of Theatrical Stage Employees said, “We applaud the government’s move forward with Bill C-11. This bill will help over 16,000 workers in Canada’s entertainment industry stay employed. Piracy is taking money out of our workers’ pockets. Canada needs copyright legislation that will protect and create jobs, stimulate the economy and attract new investment into the cultural sector”.

I could go on but I have given a healthy and balanced sample of individuals and organizations who have come out and said that this legislation is the appropriate balance and it strikes the right chord for Canada’s future. It would be unfair for me to suggest that all of these organizations are happy with all aspects of the copyright legislation because that would not be true either. Intellectual property law is incredibly complicated. It is a balancing act. It is balancing the needs of creators, consumers, individuals, organizations and industries with the rights of citizens to be able to use copyright material in effective and personal ways. It is about striking the right balance. It is also taking into account our responsibility on the international stage.

Many elements are at stake when drafting effective copyright legislation. Even after the consultations we did prior to tabling Bill C-32, after which it flipped into Bill C-11 in this current Parliament, we had well over 100 witnesses come before the two committees combined in both Parliaments. We still took written submissions from Canadians who had their views and wanted to have those views further heard on the legislation after we tabled it. Even with that, we amended our legislation further with 11 amendments that were important to strengthening the legislation to keep it moving forward. So we were more than open in the beginning and during the process and we have been open through all of this.

However, it is time now for certainty and for us to move forward. After almost two years of debating this legislation, it is time for us to get on with passing it, to get this done and to give Canada the best intellectual property structure and laws possible. Bill C-11 would strike that balance. Some people want some amendments that are not on the table, that we have not approved, but when we look at the core of this legislation and the balance we have struck, it is fair to say that our government has been more than open about listening to Canadians, arriving at legislation that works and putting in place a formula that would lead Canada in the right direction for years to come, for ongoing consideration of our intellectual property framework that would serve Canada’s interests, both as creators and consumers, for generations to come.

• (1245)

Mr. Andrew Cash (Davenport, NDP): Mr. Speaker, indeed, copyright is a very complex issue and requires a significant balancing act. However, there is one area where the government did not really get the act right. When the minister talks about the process and the thoroughness of the process, one wonders how the government arrived at the issue of creating a loophole that would

allow broadcasters to avoid paying what they have previously paid, and that is the broadcast mechanical, to artists, creators and producers. This would take \$21 million off the table for artists.

While the minister says that piracy picks the pockets of creators, Bill C-11 would pick the pocket of creators as well.

I would like the minister to answer specifically about the broadcast mechanical and how he can square that circle around taking off the table \$21 million for artists.

Hon. James Moore: Mr. Speaker, of course there are other and better ways of supporting and remunerating our artists. First and foremost, what this legislation would do for creators is stop the bleeding. We want to ensure that piracy is illegal in Canada, that theft, whether it is being done with a crowbar or a keyboard, is made illegal in this country and that the act of stealing from creators is made illegal. This legislation would do that.

In terms of broadcasters and those who are also delivering Internet services to homes, for the first time ever in this legislation we draw Internet service providers into the enforcement of legislation. We ensure they are part of the solution with a notice and notice regime that ensures that those who are providing Internet services are part of the solution to help creators. We think we have struck the right balance.

Specifically to this question on broadcast mechanical, I know there is a great deal of debate. I know there are those who are disappointed with this measure in the legislation but arriving at legislation as comprehensive as this requires some balancing. I know there are those who are frustrated and those who are disappointed but when they look at the sweep of the legislation and in everything it encompasses and all the ways in which it protects and supports creators, we have a balance here that will serve Canada very well.

Hon. Geoff Regan (Halifax West, Lib.): Mr. Speaker, earlier I spoke about the comments by the Minister of Canadian Heritage when the Liberal leader was talking about the bill. Basically, he said that the committee had hearings on the bill, that it heard from 142 witnesses and that it received 167 submissions during 2010-11, before the last election. The minister and the government did not listen and brought back the exact same bill. That was when the minister said, “I’ll bet \$10,000 that there’ll be substantive and real amendments”. In fact, we have not seen the amendments.

The point is that the government did not listen. The minister talked about all the witnesses that were heard as if that meant something. How can it mean something if what they said is ignored?

We had a situation in committee where the Conservative members were obviously ordered to reject anything from the opposition, even the most innocuous amendments. For example, one amendment would have allowed a company that was building anti-virus software to break a digital lock in order to get at the software and examine whether it could be breached and so forth to ensure their software would work properly.

Why would the minister muzzle his own members in that way? Why would he and the government insist that they would not be open to no amendments whatsoever, even the most mild and minor of amendments?

Government Orders

• (1250)

Hon. James Moore: Mr. Speaker, why would the Liberals waste their one question on this topic on such a misleading and nonsensical question?

If the member were to look at Bill C-61, the original copyright legislation, and compared it apples to apples with Bill C-31, now Bill C-11, he would see that our government did listen. To say that there is no difference is laughable. It is enough to make a cat laugh.

Bill C-61 was a dramatically different approach and we changed it dramatically with Bill C-32, not only in substance but in the approach in which we took it. We re-tabled it. I have explained this 10 times before so I do not why I am explaining it again. However, we tabled the exact same bill, Bill C-11, as Bill C-32 in order to continue the debate and show respect for those members of Parliament who took this subject seriously and the public who had engaged in this process. For all the work that all those organizations and individuals put in to contribute to Bill C-32, we wanted to respect and continue it into Bill C-11. We then came back with 11 other amendments.

We would have considered some amendments from the Liberals if they had put some time and effort into putting forward substantive amendments rather than the constant game of politics and then they might have had some traction. Other parties in this House took the subject matter more seriously in a less partisan way and I congratulate them, but, of course, the Liberal Party is left out in the cold yet again.

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, I am very proud today to rise on behalf of the New Democratic Party at this stage of Bill C-11 and as we are dealing with the amendments. There is probably not an issue I have spoken to more than the issue of copyright.

Since 2004, when Jack Layton was the new leader, we have been identifying the need to modernize Canada's Copyright Act. For the New Democratic Party, it is a fundamental pillar, creating a modern 21st century digital economy. We understand how having good copyright is essential for the creation of artists, for ensuring that we have a good and solid Canadian industry for arts and creation but also for innovation and that we can use this to leverage ourselves internationally.

I listened to the Minister of Canadian Heritage when he talked about the openness of the government. I think the reality will show it is a bit different. The government's first bill, Bill C-61, was literally a dog's breakfast. It died the day the government brought it forward because it was such a mishmash and it was so poorly thought out.

The government then brought out the following bill that ended becoming Bill C-11. There were elements about the bill that were much improved over the previous legislation and, for us, we came at this issue to improve the bill. We had heard from many groups that felt that the bill was still fundamentally flawed and could not be supported. However, our position was that we would rather have copyright than go back to square one, that we needed to find a mechanism to update the copyright regime to provide security for Canadian industry, for Canadian artists and for Canadian consumers.

We set out to work with the government but there were a number of serious flaws with the bill that needed to be amended. My hon. colleague for the Conservatives said that this was not an ideological issue. I agree with him. I think this is about making good public policy. The amendments that we brought forward were addressing the serious shortcomings in the bill.

When we talk about copyright, the term has been defined by English common law that "copyright" is the right to make a copy. Under French law it is "droit d'auteur", the right of the author. These are fundamental principles. The right of the author. The right of the author to remuneration. The right of whoever is making the copy to remuneration. That is the fundamental principle of copyright.

Now it is not an exclusive right. It is not a property right. It is not something that a person just owns, because it is also a public right. Parliaments going back hundreds of years decided that there was a balance between the right of the person who creates the work and the right of citizens to participate in that work. Sometimes the participation in that work is how they take those ideas and change them. This is how art and culture is created. It is a balancing act.

However, what we cannot do at any point is to take a right that existed and erase that right to favour someone else. We cannot say, "You were able to receive remuneration for this part of your right as an author but we don't think that's really a good idea any more". That is an undermining of the principle of copyright.

How does this all play out in terms of the digital realm that we are in?

There are elements of the bill that we supported. We supported bringing Canada into compliance with WIPO countries. We supported the moral rights of artists. For many years our artist communities have been asking for the moral right to have a say over their work.

Even with the government's mash-up provisions, which garnered some attention, we liked the idea of not criminalizing people for creating all these new elements in the Internet realm, things that we would not even have been able to imagine 15 years ago in copyright law. However, we said that there needed to be a moral right element as well to ensure that what was being created in the new format was not impacting the commercial value in the old.

There are about five clear areas where the government has absolutely failed to listen and failed to move forward.

Government Orders

One is, as my hon. colleague from Davenport talked about, the deliberate decision to create a loophole on the mechanical royalties so that a certain industry does not end up having to pay copyright. We cannot create a loophole so that people do not pay what they are obligated to pay. However, we heard again and again from the Conservative members on committee that they were creating this loophole because they did not think that artists should get paid. That is not what legislation should be used for. We either strike legislation that gives the artist the right to be paid but we do not create a loophole. We heard from the radio industry again and again saying that it was unfair to create this loophole because now it would need to exercise this loophole. It wanted it gone altogether.

• (1255)

That is \$20 million erased right off the table for artists. We remain deeply opposed to that.

In terms of the technological protection measures, our colleague from Saanich—Gulf Islands pointed to a whole series of very narrow technical exceptions that her party is bringing forth.

Our overall principle is simple. We support the ability of new industries to use technological protection measures to protect their right to create a market. However, and this is under the WIPO treaty, those technological protection measures do not usurp the legal rights that already exist under legislation. We cannot have two tiers of rights. We cannot have a set of rights in the paper, analog world and a lower set of rights in the digital world. However, the government says again and again, if people do not like it, they should not buy the product, as though it would allow a corporate interest to define the rights that are defined by Parliament.

Rights for exemptions under the breaking of a technological protection measure would be for study, for satire, for research, for innovation. These are very clear, straightforward things, for a purpose that a person has a legal right to access.

This brings me to the third issue, that of people with perceptual disabilities, students who are up against some of the most onerous difficulties in getting an education. Under this bill, they would only be allowed to impair the technology protection measure “if they do not unduly damage it”, as though the government thinks a technological protection measure is some kind of lock, which is okay for an individual to pick and go in, but the individual cannot leave that lock open. We are talking about a complicated piece of software, a code. For a student who is hard of hearing or blind, this provision should have been very simple. Students with perceptual disabilities are not breaking the law to make the print bigger on their Kindle so that they can participate in class.

That is an issue of fundamental fairness. We would not, by allowing that, destroy the market for books or film. Yet students with perceptual disabilities are unfairly implicated to defend this black and white world view the Conservatives have. They talk about copyright being a balancing act. It is a balancing act, but to have a balancing act, we have to understand that there are some nuances, some play.

The other area which deeply concerned us is the impact on education. We will not get into the issues of what is under fair dealing and how that should be remunerated, because that is

something that is continually fought in the courts and at the Copyright Board. In the transfer of information that people are using, we have an opportunity in a country as big as Canada to transmit library data, for example, but under the bill, we would be allowed to have the library information for five days and then it somehow would have to disappear in the air. Maybe we would have to burn it, or a technological protection measure would have to be placed on it.

I do not know who thought up that provision. Obviously they have nothing to do with education. For example, I want to get the memoirs of old Mrs. O'Grady who lived in Red Deer and wrote about what it was like to homestead in 1900. The memoirs are in a little library in Alberta and I am studying in Nova Scotia. Now, the library makes a photocopy and ships it to me and I have it for a month to study. That seems fair. However, if the library made a PDF and sent it to me, I would have it for five days and I would have to magically make it go away. That does not make sense. Who does any research within five days?

For legal research or medical research, the fact is that we have great universities and small high schools. Information is being transferred back and forth. Then we have this provision that would give us five days' use. It just does not make sense.

We have shown a willingness. All our amendments were reasonable. The government refused to deal with them. At the end of the day we will not support the bill because it is an unfair attack on the rights of artists and it unfairly impinges on the ability of education and the development of new business models.

We remain willing to work with the government, but it will have to show a little more of what it calls openness when we are talking about moving forward the digital strategy.

• (1300)

Mr. Claude Gravelle (Nickel Belt, NDP): Mr. Speaker, I congratulate my colleague on his interpretation of the bill. Being an artist himself, he really takes the bill to heart.

I would ask my hon. colleague, if he could make changes to the bill to make it a better bill for all Canadian artists, what would these changes be?

Mr. Charlie Angus: Mr. Speaker, I talked in my speech about the impacts of education and technological protection measures and how we could clarify that, so I will not get into that in response to my friend from Nickel Belt, who, by the way, does excellent work for the people in the Nickel Belt region. I wanted to throw that little plug in.

Government Orders

The question is about remuneration on the issue of the arts. Artists do not want to live on grants. They want to live on a business model. The business model is based on copyright. It is based on mechanical royalties. It is based on the copying of their work. This is something the Conservatives have directly attacked. They have always been against the levy that was put in place by Canada and has been used around the world. They rant on about the iPod tax and taxing consumers when it has been a fundamentally guaranteed principle that all manner of copies are made, but at some level the artists should be part of the value chain. This is what we see as very disturbing in this legislation.

Conservatives talk about protecting consumers, which they actually do not do. They put consumers under lock and key with the digital lock provisions. They never talk about the fact that every day around the world there are millions and millions of copies made. Everybody is making something off that except the artists. We need to get serious about the remuneration of artists. I have never met an artist who was asking for the moon on this. They just want to know that they are getting their share so that they can continue to record, to tour and make great art that is known around the world.

Hon. Geoff Regan (Halifax West, Lib.): Mr. Speaker, I want to ask my colleague about his impression of the committee meetings that he attended. Particularly in relation to the digital locks issue, he will know that the Minister of Canadian Heritage and Official Languages and the Minister of Industry received somewhere in the range of 80,000 emails. I know that because I was copied on them. I am guessing that at least one NDP member was copied on them as well. Most of those emails were submissions against the idea of digital locks.

What does he think about digital locks, what would he do about them and why does he feel the government members in the committee were so opposed to considering any amendments from the opposition?

• (1305)

Mr. Charlie Angus: Mr. Speaker, he did not ask me about the \$10,000 bet. I think he is owed some money. We were told that there would be an interest in amendments and, of course, when we got to the committee stage, the government shut down again and again any attempts to move forward with reasonable amendments. That is what we are talking about: reasonable amendments.

In terms of the technological protection measures, our position is that we want to be in line with the vast majority of WIPO countries. Under the WIPO treaty, we are allowed to make exemptions for existing law. We recognize the importance for new streaming media, the gaming industry and their use of technological protection measures, which is creating an industry. However, we cannot simply say that a corporate right overrides a legal right of a Canadian citizen. In terms of technological protection measures, we could move ourselves in line with most of our European allies by clarifying the language so that we would not be criminalizing people doing research. They should not be treated the same as members of The Pirate Bay. There is a fundamental difference.

Law can do that, but the government seems to have an either/or, black or white, “members are with us or with the child pornographers who are also ripping off CDs” mentality. We should link technological protection measures to infringement. We should

be very clear. If people are breaking the locks to break the law, the law is going to come down on them. However, if people are having to get through a digital lock to access something they have a legal right to, they should not be criminalized. It is a fairly straightforward position.

Hon. Geoff Regan (Halifax West, Lib.): Mr. Speaker, I am pleased to rise on report stage debate on Bill C-11, the copyright bill.

My hon. colleague, the member for Timmins—James Bay, was just talking about the fact that at committee everything was shut down by the Conservative members in terms of any amendments proposed by opposition members. Before that, they ensured we would have not too many witnesses. We would also have very few meetings and a very short time for clause-by-clause consideration of the bill. In effect, they put into place time allocation, or closure, so that it would all happen very quickly. This was done in spite of the fact that not all members in the committee were here in the previous Parliament to take part in the debate and of course not all members of Parliament in this chamber were here before the last election. Many are new, as we know. Many are looking at these issues for the first time.

The minister included me among those who have been on this for three years. I guess that is a compliment if it seems like I have been on this for three years. I have only been the critic for industry since last June, so I was not on the previous committee. My colleague from Bonaville—Gander—Grand Falls—Windsor was. However, having been here in Parliament during that period, I certainly had some awareness of the bill, as we all did.

Unfortunately, for many Canadians the process of this copyright bill has been one of futility and frustration that they were not being listened to. Despite hearing from hundreds of witnesses, and receiving 167 briefs in the last Parliament, and more this time, the Conservative government chose to use its majority to push the bill through without any major changes, and really only minor tinkering.

Opposition members on the C-11 committee reflected on the evidence that was presented by witnesses, both in person and in writing, and brought forward numerous amendments to try to improve the bill. The government did not appear to be interested in those, even the most minor, those that made innocuous changes to make a slight improvement and perhaps prevent a problem. The Conservative members obviously had orders to shut down anything coming from the opposition. That does not seem to me like a government that is interested in a good democratic process of good give and take. In fact, the Conservative majority on the committee missed a great opportunity to try to improve the bill in a number of ways.

Government Orders

The government pushed through a few amendments, but these technical amendments did not actually change the intent of any section of the bill. They primarily clarified the wording in a few places. This was in spite of the fact that the special legislative committee heard a wide range of views and some very deep concerns about some elements of it. The committee listened, but did it make any really substantive change? No, it simply clarified the wording. There are still technical problems and major flaws.

The government speaks about bringing forward a modern copyright law but unfortunately, what it says and what it does seldom match, as we have seen in so many other areas. Bill C-11 is a clear example.

What we see with provisions on digital locks, for example, is that the government is going backwards. It is a regressive position. The minister spoke about a balanced approach, but allowing digital locks to trump the interests of consumers is the complete opposite of a digital lock. It does not make sense at all. The Conservatives are essentially saying that people could reformat or copy a movie, or song they bought onto their iPod, as long as there were no digital lock. Of course, all the company that sells this has to do is put on a digital lock and consumers are out of luck. Is that really going forward? Is that modernization? Is that going in the right direction? If a young mother wanted to transfer a DVD on to her iPad, she could not do that because she would be faced with perhaps a \$5,000 fine. How is that possibly a balanced approach? Why would the government not be open to finding some way to deal with this kind of situation? It was not at all.

• (1310)

Bill C-11 also fails to include a clear and strict test for fair dealing for educational purposes. That is another major problem with the bill.

It also fails to provide any transitional funding to artists. The minister speaks about how this will protect artists. There are some creators that this will certainly protect, but many artists will lose out. We do not hear any response from the government to that.

When the minister speaks again, or when he asks a question or comments, maybe he can tell us how the vast majority of artists, small-time artists and artists who do not make much money, will benefit and find compensation under this bill. Where are the revenue streams that will replace the ones they have lost? Perhaps the minister has some theories. I would certainly be interested in hearing them.

Let us look at what this bill would do.

It has significant changes. It has the new fair dealing exceptions for education, parity and satire. If we could clarify the wording on education and fair dealing, that would be okay. It has changes allowing copying for personal use, such as recording TV shows, things like using a PVR to record a show and watch it later, although I think there are provisions that could have had some minor improvements to ensure people would be able to do that.

For example, if people will be hosting, not on their PVR but on a computer at their headquarters, they see that as a problem. The way the bill is currently worded, it will create problems for them. The government was not interested in amendments to correct that

problem. It is the kind of problem one would think the government would have wanted to solve for those kinds of businesses.

There are new rules making it illegal to circumvent digital locks, or as we have heard them called in the bill “technological protection measures”. I suppose that is a much nicer term. It sounds like a good thing, protecting something. It makes it sound more positive than if we call them digital locks.

It contains new responsibilities. Wherever the phrasing comes from, it does not change what the apparent intent of that kind of wording is. When words are chosen, they are chosen for a reason. We should think about what words have been chosen to describe what has happened. In fact, what it is doing is it is locking up something so there is no access to it.

There are new responsibilities in the bill for Internet service providers to notify copyright holders of possible copyright violations, and that is a good move in the right direction. There was talk about the idea of “notice to take down”, as it is called, whereby an if Internet service provider was informed by copyright owners of a problem of an infringement happening through their website, the provider would have to shut it down right away.

The bill provides, in fact, that the company has to give notice to the offending person, the person who has put something on the company's site or through its system, that is problematic. A notice is given that the owner of the copyright has objected to that. Then it is up to the copyright owner to sue.

That is not perfect because we know the costs of lawsuits these days. If the copyright owner is not a huge company but a small individual songwriter, for example, it is pretty tough to enforce that. On the other hand, at least there is not the situation where there is no recourse and where someone who has put something online is not quickly shut down without any examination of whether copyright has been infringed. That is a positive change.

The Conservatives talk about playing politics. The minister talked about that earlier. I find that a bit rich coming from that side of the House. We cannot imagine the Conservatives ever playing politics. They would never do that unless it was a day ending in Y, I suppose.

An hon. member: Politicians being political, heavens

Hon. Geoff Regan: Exactly—as my hon. colleague says, “Politicians being political, heavens”.

I would be hard-pressed to find a member in the House who has not, at some time, been a little political. I think we are all undoubtedly guilty of that at times, and yet that is the nature of the business. We are in an adversarial process and it is important we put forward our point of view.

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Our point of view on this bill is the minister has not listened. In fact, the government was not open to changes. That is unreasonable in its approach.

I would like to know this from minister. Why did members on the Conservative side appear to be directed, and maybe he can tell me that they were not, but I would find it hard to believe, to shut down anything coming from the opposition, no matter how reasonable?

• (1315)

Mr. Andrew Cash (Davenport, NDP): Mr. Speaker, I thank my hon. colleague for the work that he has done on the bill.

Would he care to comment on some of the procedures and the intent of the government, especially when the opposition brought forward reasonable amendments, including one that would allow those with perceptual disabilities to break a technical protection measure in order to use a work to enhance their studies?

As my hon. colleague from Timmins—James Bay said earlier, these people already face huge barriers to their education. Why would the government not listen to an amendment like that, that would make things just a bit easier for this group? Could the member comment on that?

Hon. Geoff Regan: Mr. Speaker, I thank the member for Davenport for his work on the committee and for his kind words. I am glad he raised that excellent question around the provisions for people with perceptual disabilities. The bill says that they can circumvent a lock provided they put the software, or DVD or whatever back in original condition after they are finished with it.

How exactly are they going to do that? It sounds good in theory, but there are very few people with exceptional disabilities who would likely have access to the wherewithal to break the digital lock to begin with, let alone have the ability to put it back where it was and basically recreate the software in the original form. That is an unreasonable provision.

An amendment that would have worked well would have been to say that we would make the exception clear for people with exceptional disabilities. If they actually infringe copyright by breaking the digital lock and then pass material on to someone who does not have that disability, that would be infringement of copyright, and it ought to be. I find it entirely unreasonable to say that people cannot use it themselves, they cannot break it for their own personal use, unless they put it back the way it was to begin with.

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, the subject of digital locks has rhetorically been dialed up to a point by the member and some others. I appreciate the measured approach of his comments on the substance of the legislation.

With regard to digital locks, the legislation would maintain fidelity within the spirit and intent of the WIPO treaties, which is that the government does not impose digital locks or TPMs on anything. We are respecting the rights of those who wish to protect their own creations with digital measures if they choose to.

This is about empowering citizens, creators, those who invest in software, video games, movies and television shows. This is about protecting their right to protect themselves from those who would

steal from them. This is not about the government imposing anything. This is about respecting international law, respecting WIPO and respecting those who wish to protect themselves from those who would steal from them. It is a pretty simple concept.

• (1320)

Hon. Geoff Regan: Mr. Speaker, I appreciate the hon. minister's comment about the tone that I took.

The minister is still missing something when he talks about digital locks. He is missing perhaps the fact about consumers who get around a digital lock when they have already paid for the material but do not pass it on and sell it to somebody else. The government says that it will enforce it against them, it will allow the enforcement. This is a government choice. It is not as if the government is saying this is not it at all but somebody else, which is what the minister is suggesting.

The government is making a choice about what will happen if someone messes with a digital lock even if that individual has already paid for that material, be it a movie, a song or whatever, even though that is not considered an infringing purpose. The intent is not to cause damage to the creator, to have the individual lose income. People simply want to enjoy the thing they paid for. That is what I see to be wrong with the government's approach.

Mr. Stephen Woodworth (Kitchener Centre, CPC): Mr. Speaker, I rise today to speak about an important aspect of Bill C-11, the copyright modernization act.

Copyright is not only about creators and users; it is also about the companies that act as mediators and intermediaries to connect users and creators across the globe. Never has this been as true as it is today, given the proliferation of new services on the Internet. They have quite simply changed all of our lives. Canadians are now accustomed to having a wealth of information at their fingertips.

The marvel of the 19th century was Alexander Graham Bell's electrical speech machine. The Internet will be looked on as the marvel of the 20th century. Information is becoming accessible everywhere, connecting everyone. Not only is the Internet changing the way people communicate, it is also enhancing the global economy.

The importance of the people who connect others through technology has long been recognized in Canada. Bill C-11 follows this theme, while reflecting the evolution of technology. It delivers safe harbour or shelter from liability under copyright law to those who merely provide the platform and tools that let people use and find things on the Internet. Bill C-11 recognizes the absolutely vital role played in realizing the potential of the Internet by mutual intermediaries such as Internet service providers and search engines.

Safe harbours are also formally recognized by Canada's trading partners that signed the 1996 World Intellectual Property Organization Copyright Treaty. All agreed that the mere provision of physical facilities did not in itself amount to a violation of copyright.

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In the digital environment, it is crucial that neutral intermediaries are not held liable for the activities of their customers. So long as they are simply providing a connection, caching, hosting or helping to locate information, they should be exempt from copyright liability. Bill C-11, by providing clear limitations on their liability, would ensure that these services would continue to provide users with open access to the dynamic online environment.

At the same time, ISPs are in a unique position to facilitate the enforcement of copyright on the Internet. Because ISPs are often the only parties able to identify and warn subscribers accused of infringing copyright, the bill would require all of them to participate in the fight against piracy. The bill would bring into law what is sometimes called the “notice and notice” regime. This system is currently used on a voluntary basis within Canada's Internet service industry.

Under this system, when an ISP receives notice from a copyright holder that a subscriber might be infringing copyright, the ISP forwards the notice to the subscriber. I am proud to say that notice and notice is a uniquely Canadian solution to this problem. It would ensure that we would not view a truly neutral Internet service provider in the same light that we would an actual copyright pirate.

An amendment made at committee stage has clarified the safe harbour provisions so that the strongest efforts are made to catch only the true Internet pirates. At the same time, the bill clearly would not allow us to tolerate negligence.

During the clause-by-clause review of the bill, the legislative committee adopted technical amendments that would ensure that the notice-and-notice regime would be appropriately implemented. These amendments clarify that an ISP must send the notice “as soon as feasible”, rather than the previous language, “without delay”.

The committee did its jobs in this case and improved on the proposal it had before it. All of this would ensure that delays in forwarding notices due to circumstances beyond the ISP's control would be taken into account by any court.

• (1325)

Only ISPs that fail to live up to the notice and notice requirement would be liable for civil damages. Again, this approach to addressing online infringement is unique to Canada. It provides copyright owners with the tools to enforce their rights while respecting due process and protecting users.

Another amendment made at committee clarifies the responsibilities of Internet service providers and search engines to not interfere with monitoring software on websites, such as those that generate data sometimes used to monetize web traffic.

The bill requires ISPs and search engines to comply with instructions on websites relating to caching and indexing, as long as those practices are in line with industry standards. To avoid imposing an overly onerous burden on Internet intermediaries, amendments were adopted to clarify that ISPs and search engines must comply with these instructions, but only when they are specified in a manner consistent with industry practice.

We strongly believe that the bill, as amended, would encourage even greater participation of Canadians in the digital economy and

would deliver incentives to Canadian businesses and creators to invest in digital technologies.

Copyright modernization is an important element of a strengthened economy and with other initiatives will position Canada for leadership in the global digital environment.

One of the other initiatives, for example, is the Minister of Industry's recent decision to open up the 700 megahertz spectrum to auction. That announcement also included a focus on tower sharing and stronger rural deployment, meaning greater coverage for people everywhere in Canada. It also included opening up our telecom sector to increased global investment, a measure that we see in the budget implementation bill, which also needs to be passed swiftly by Parliament.

Further, we have put a priority on ensuring wider broadband deployment. We intend to reach a target where 98% of Canadians will have access to broadband infrastructure. That is 98%. We are investing in programs to help students, communities and businesses adapt to the digital economy. We are moving forward with consumer protection measures, such as anti-spam and do-not-call measures.

Through these steps and, most critically, steps being taken by Canada's private sector digital economy leaders, we are becoming an increasingly digital nation. As I have mentioned, copyright reform and the broader protection of intellectual property is an important element of Canada's digital economic shift. In passing this bill, we would enhance Canada's capacity to innovate using digital technologies, help build a world-class digital infrastructure, provide the best conditions for the growth of our information and communications technology industry, and foster Canadian creativity.

With a riding like Kitchener Centre in Waterloo region which is home to the offices of Canadian digital giants like Desire2Learn, OpenText, Google, RIM, and others, I am keenly aware of the benefits of these new copyright provisions for all Canadians. I urge all hon. members to join me in supporting this bill so that the copyright modernization act can lead the way toward even newer digital marvels in the 21st century for all Canadians.

• (1330)

Mr. Kennedy Stewart (Burnaby—Douglas, NDP): Mr. Speaker, I am worried about this bill. For 10 years I was a recording musician. I have authored a number of books that are used in courses in universities. I have also taught distance education courses. I am very worried that the people who I know through these various careers are going to be harmed by these provisions.

I think that artists are going to lose money, students are going to be punished, and textbooks are going to be burned. This worries me. I am wondering if the member could allay my fears.

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Mr. Stephen Woodworth: Mr. Speaker, I know that the business of the opposition is to try to provoke as much worry as possible in Canadians all across the country. I would like to read for the member a few things that have been said about this bill which will allay not only his worries as he professes them, but the worries of Canadians all across the country.

I will begin with one of my favourite artists, Loreena McKennitt. She is an artist and creator of great renown around the world. As written in the Stratford *Beacon Herald*, she said that the changes proposed in the government's copyright bill are “fair and reasonable”.

The Canadian Photographers Coalition, creators of great intellectual works, welcomes the government's copyright reform legislation. It said:

These amendments should allow Canadian small business photographers the opportunity to generate additional revenues for their commercial work.

Perhaps my friend would be less worried if he knew that the Canadian Intellectual Property Council said:

We applaud and fully support the government's efforts to update Canada's copyright regime.

The International Alliance of Theatrical Stage Employees said, “We congratulate the government” for protecting “our creative industries and men and women working in film and television production across Canada.”

I could go on. I hope that will allay some of my hon. colleague's worries.

Hon. Geoff Regan (Halifax West, Lib.): Mr. Speaker, earlier the Minister of Canadian Heritage cited the Canadian Alliance of Student Associations, CASA, as one of the groups that was supporting his bill. I find that interesting because I have a quote from CASA and I would like to know what the hon. member has to say about it. CASA in fact said:

While we are happy to see that the pro-student aspects of C-11 were preserved by the committee, it is a shame that the committee did not approve amendments that would strengthen user rights, including allowing for non-infringing circumvention of digital locks.

CASA, like a number of other organizations, believes that C-11's absolute protection for digital locks will undermine many of the user rights created by C-11. Under the legislation, if a digital lock were placed on a work, it would be a violation of copyright to circumvent it, even if the activity would otherwise be permissible.

I would like my hon. colleague's comment on that and why he thinks the minister cited this group when it clearly is not 100% in favour of this bill.

Mr. Stephen Woodworth: Mr. Speaker, my friend's question gives me the opportunity to quote directly what was said by the Canadian Alliance of Student Associations:

—the government has demonstrated a commitment to...Canada's education community.

Students across Canada are greatly encouraged...[T]he...government has a clear understanding of how this bill will impact Canada's students, educators and researchers.

In answering my colleague's question, I would also take the opportunity to say that the reality is that by giving people the ability to have digital locks on the products they create, we are allowing them to give locks for different levels of usage. If there were no such locks, creators would need to charge the highest price for the highest

and most extensive use of their product. However, by allowing digital locks, they could give graduated access to their products, some of them at much lesser cost than if it were going to be used by dozens or hundreds of people. In the end, this will be a boon for consumer pricing.

• (1335)

[*Translation*]

Mr. Pierre Nantel (Longueuil—Pierre-Boucher, NDP): Mr. Speaker, we are talking a lot about digital locks, which is understandable because they are one of the easiest things to see. When there is a digital lock, people see it and they know that a right is being protected under a padlock. We talk about this a lot, but I wonder whether people, the legislator, have not focused on this much because the corporations, the multinationals, are focusing on it in order to protect their works.

There is no doubt that the major multinationals in this world have been installing locks for decades, rightly or wrongly. They have been installing locks whether they have the right to or not. That is the issue. When we look at this legislation, we get the impression that those with the loudest voices and the most money are the ones who were heard: in other words, the major lobbies and the major industries.

That is rather pathetic because people forget that creation and culture are essentially the story of individuals, of people who have ideas, people who are encouraged to think differently and to see the world in a different way. Without arts and culture, everything would be black and white and that would be dull.

Today, all of these creators help form our identity, what is known as Canadian cultural heritage and Quebec cultural heritage. Creation is what matters. This is crystal clear, considering the whole process related to Bill C-32. I was not a decision-maker in the process at the time, but I once worked in the cultural industry. Now that I am a decision-maker in the process linked to Bill C-11, I can say that the Conservatives did not listen to creators. Instead, they listened to lobbyists and large corporations that have assets and want to invest here and there—major networks, cable, antennas—big business. That is fine, because it is important to have business. We need a way to disseminate people's ideas and our heritage.

The saddest part of all this is knowing that the Conservative government is behaving as it always does: blindly and lazily. Listening only to those who shout the loudest is the lazy way. Copying whatever the Americans are doing is also the lazy way. Our colleagues across the floor seemed to take an attitude of crass laziness towards the witnesses who appeared before us, telling us their stories and telling us about how they live—the people from the industry who create the heritage that makes us unique. We are all proud of our heritage. Whether one is from Quebec, Ontario, British Columbia or the Maritimes, we all have an identity that we want to protect. It is what distinguishes us from our neighbours.

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Unfortunately, when these people come to the table, the questions they get asked are totally incoherent. These witnesses come to complain about the fact that they have lost—or will lose, if the bill passes—their broadcast mechanical, and the person across from me says that they are selling music to radio stations. The witnesses explain that they are not selling music to radio stations, that they are just suggesting music for the stations to play and that they are happy with that. Then they get asked why the radio stations should have to pay, since they are happy that the stations are playing music.

This system has been around forever, and it works well. According to radio stations and music producers, the system has always worked well. Then the government stomps in, saying that it is no good and that since the radio station people would rather not pay, then they do not have to pay anymore. The government tells artists that it is enough. Basically, that is what is happening. It happened with broadcasters, and with the transfer of use of cultural or literary material in schools. There were agreements, like Copibec—systems, shared royalty collection systems, a common management system for those rights.

These systems were working very well. Then the government came out and said that this was no longer how it was going to be done. Honestly, there was no problem. In general, the education sector was not complaining and did not feel that it was paying too much. When it is your job to teach young people and show them how to think independently, paying copyright fees to someone who is transferring knowledge via a page in a novel is not a problem. You pay the author. There has never been a problem with that. And then someone comes in like those guys over there, asking if people would rather stop paying, and all of a sudden people start thinking about how much they would save.

• (1340)

We are all aware that the education sector is searching for money wherever it can find it. And so, if the education system can save \$3,000 a month, there is a lot of interest. Wow. Off we go. Thanks very much, ladies and gentlemen. Things were working quite well, and then—badabing—here comes the government and it is all over. This heavy-handed approach relies on listening to the industry rather than the creators. Unfortunately, when the creators are not heard, the ones that are heard the least are those in Quebec.

I have heard the hon. members opposite say that they recognize the Quebec nation, but I look at Bill C-11 and see that it is a worthless gesture. They care nothing about how they do business or about how Quebec's creative people make a living. It is not important to them; they want to do this, so they do not listen.

When the Minister of Canadian Heritage appears on Quebec television and sweetly rhymes off the names of Eric Lapointe and other artists, it is all a sham. Everyone in the arts watches him but does not wish him well, in fact.

As my colleague from Davenport was saying, the artists are losing \$20 million. That is horrendous. And then what can we say about the other losses coming from adding sections 29.22 and 29.24 to the Copyright Act, a fine law that has served us well, by the way. These sections make it possible to make all the copies anyone might want, as long as they are not given to another person. What a big, fat joke.

The entire music industry in Quebec is outraged, because, once again, no one has been listening. There is no willingness to try to understand. No, they want to copy the big players, like Sony in the United States.

In reality, Quebec artists will now be like hawkers who sell their wares on street corners. They will no longer be able to earn a living by selling their music, as they did previously. They will have to put on shows.

We keep hearing that people such as stage technicians are pleased with this bill. Yes, I understand that they are pleased; that is obvious. However, I do not believe that sound engineers working in a studio or people who create music but do not put on live shows are happy with it. And when I hear that Canadian photographers are pleased, I can understand that, because there are no big corporations that take a cut in that sector. But there are in the world of music. Honestly, the only word that comes to mind to describe the bill is “lazy”. That is the reality.

The impact of this bill is clear: artists will lose about \$50 million. How is it that we are interfering once again in a process that worked for artists? That bears repeating. Without getting into the specifics, a few years ago, the Copyright Board of Canada told the radio people that the situation regarding recorded music made things difficult for musicians and artists and that solutions had to be found to improve things. Radio broadcasters were asked to contribute a little more by paying mechanical rights. Previously, radio broadcasters made a copy and played the LPs on a turntable. Now that music is downloaded from the Internet, they have to pay a royalty if they make a copy for their operating system.

The broadcasters agreed because if you want to make cheese, you have to feed your cows. Cows have to eat. If we want music, then artists have to be able to make a living. The government is swooping in, cutting left and right and it is over. Broadcasters will be able to make copies without paying. Copyright is indeed very complicated, which is why I cringe when I think about these slapdash amendments, when people have not had the chance to attend these debates in committee.

How can the government just swoop in today and say that the broadcasters will not have to pay these mechanical royalties anymore without any proposal, promise or agreement to tell the musicians that we will look into it?

If I were an artist with a guitar, as my colleague was saying, I would do better here in this House. Honestly, what are artists supposed to live on? The Conservatives have said nothing about an alternative to paying mechanical royalties. Nothing.

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●(1345)

[English]

Mr. Andrew Cash (Davenport, NDP): Mr. Speaker, I would like to thank my hon. colleague from Longueuil—Pierre-Boucher not just for his speech today but for the work he has done in his riding and in Quebec on behalf of artists. He is a champion of the arts and culture community. That community contributes to the economy of Canada in a handsome way. It is an important part of our economy, yet most artists live on less than \$13,000 a year.

My hon. friend spoke about the importance of creating a better situation for artists. There was an opportunity to begin to create a middle class, a sustainable solid middle class, for artists in our country, but the bill missed that opportunity. What is worse, it does not provide any options. Once it pulls money off the table, like the \$21 million in the broadcast mechanical, it does not offer any solutions to artists. We just heard the minister say earlier today that there are other ways. However, we do not see those measures for artists.

I would like my hon. colleague to comment more fully on that.

[Translation]

Mr. Pierre Nantel: Mr. Speaker, I want to thank my colleague and return the compliment because he really is a very skilled, dynamic and attentive man. When I get the chance to work with people like him, I feel like things will really be different when we are across the way.

There is essentially no proposal for recovering these royalties. There are solutions that could be explored to address this \$20 million shortfall, but there is nothing and I find that incredible. We can make suggestions, but it is clear that this government is an expert at rejecting suggestions for every one of its decisions and offending people along the way, whether in Davos with regard to old age security or at this committee in announcing that it is cutting \$20 million.

[English]

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, we concur with the thought that, during the process of committee stage, there was the sense of expectation that the government would in fact be open to amendments. The Liberal Party has consistently advocated, as have others, that there are some serious flaws in the legislation, so there is this sense of disappointment that the government did not respond to the need to amend the legislation.

Here is one of the biggest concerns I have, on a personal level. Going back to the days in which we had record players, we could take some of our favourite songs from four or five records that we might have purchased and put them on a blank cassette, so we could listen to them. Fast forward now to today when we are talking about the digital locks. There are a lot of people who are concerned as to why the government is not standing up for their right to be able to make copies of the items of music they have actually purchased, so they can continue to listen to, in this case, that favourite song they might have recorded.

●(1350)

[Translation]

Mr. Pierre Nantel: Mr. Speaker, I thank my colleague for the question.

The subject of digital locks is a very old one. Some people may recall certain measures that were taken by Sony Music on a Céline Dion CD. When people put it in their computers and tried to copy it, the CD completely froze their computers. Things have evolved a great deal since then, and I think that protecting one's work is very important.

It is very interesting to note that when one buys a song on iTunes right now, the song includes a number of copying licences for devices like iPods and other MP3 players, and another quantity of reproductions, albeit very limited. This takes that flexibility into account. This is the kind of modern approach that we should be drawing inspiration from, rather than creating legislation that refers to technological changes that are already five years old.

Mr. Robert Goguen (Parliamentary Secretary to the Minister of Justice, CPC): Mr. Speaker, we live in a global, digital world. And yet, Canada's copyright regime has not been updated since the late 1990s, before the dot-com era and before tablet computers and mobile devices gave us access to thousands of songs, movies and apps at the touch of a button or the swipe of a finger.

Modernizing Canada's copyright laws is an important part of the government's strategy for the digital economy. Each year that Canada goes without modern copyright laws, the need for such modernization becomes more evident.

The explosive popularity of social media and new digital technologies—such as tablet computers, mobile devices and digital book readers—has changed the way Canadians create and use copyrighted material.

This is the third time that we have tried to introduce copyright legislation, and thanks to this government, we will finally update our act so that it is in sync with international standards.

I want to emphasize the fact that, since 1997, the government has tried to modernize the Copyright Act three times, four counting the Liberals' attempt in 2005. Parliament began its study of the Copyright Modernization Act during the last session. Bill C-32, the Copyright Modernization Act, was the latest attempt. The bill died on the order paper at the end of the last Parliament in March 2011.

Bill C-32 was the result of eight weeks of open consultations held across Canada in 2009. Many Canadians and stakeholders had the opportunity to voice their views on copyright. Before the end of the session, the legislative committee heard over 70 witnesses and received over 150 submissions. Several thousand online submissions were received during the online consultations. The bill was drafted in response to one of the farthest-reaching consultations of its kind in Canadian history.

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The government acknowledges the extensive review and input already provided on the bill, as introduced in the last Parliament, and thanks all stakeholders and parliamentarians for their contributions. The process has sent one clear message: Canada urgently needs to modernize the Copyright Act.

By reintroducing this bill without changes, the government is reiterating its support for a balanced approach to copyright reform. The bill strikes a balance between the rights of creators and the rights of consumers. The new copyright system will encourage the emergence of new ideas and protect the rights of Canadians whose research and development work and artistic creativity contribute to our dynamic economy.

For creative industries, this bill provides a clear, predictable legal framework that allows them to combat online piracy and roll out new online business models. The film industry has suggested that billions of dollars are lost every year to online piracy, even of films that are not yet available in theatres. Last year, the film industry contributed nearly \$5 billion to Canada's economy and provided up to 35,000 full-time jobs.

For high-tech and software companies, this bill provides the certainty they need to develop new products and services that involve legitimate uses of copyrighted material. Canadian software companies have openly said that they prefer to launch new products for consoles because they know that as soon as a PC version is planned, up to 90% of video game sales are lost, sometimes even before the products are legally available on the market. Without the ability to protect their products against theft, thousands of Canadian jobs will be at risk, today and in the future.

For educators and students, this bill opens up greater access to copyright material by recognizing education as a legitimate purpose for fair dealing. New measures will allow more efficient ways to teach, conduct research, and deliver course material and lessons using the latest technologies.

It will also allow teachers to distribute publicly available material from the Internet. For entertainers and commentators, this bill includes parody and satire as purposes to which fair dealing applies.

• (1355)

I would like to clarify what fair dealing is, since there are so many poor interpretations out there. Fair dealing is a long-standing feature of Canadian copyright law that permits certain uses of copyright material in ways that benefit society and do not unduly threaten the interests of the copyright owners. Nevertheless, fair dealing is not a blank cheque.

Currently, fair dealing in Canada is limited to five purposes: research, private study, news reporting, criticism and review. To recognize the important societal benefits of education, parody and satire, the bill is adding these three elements as new purposes to which fair dealing applies, as we said before.

The bill will give Canadian creators and consumers the tools they need to increase Canada's international competitiveness and will implement the rights and protections of the World Intellectual Property Organization Internet treaties. The bill will allow the creation of user-generated content using copyright materials, such as

mash-up videos, for posting on a blog or video-sharing site. This bill legitimizes activities that Canadians do every day.

For instance, the bill recognizes that Canadians should not be liable for recording TV programs for later viewing, copying music from CDs to MP3 players, or backing up data if they are doing so for their private use and have not broken a digital lock. The bill also ensures that digital locks on wireless devices will not prevent Canadians from switching their wireless service providers so long as existing contracts are respected. This will not affect any obligations under an existing contract. Finally, it also provides greater opportunities for people with disabilities to obtain works in an accessible format.

In addition, as a result of the committee's examination, a series of amendments to the bill were proposed in order to address certain concerns.

For instance, it was decided to clarify the fact that the provision regarding those who enable copyright infringement applies to anyone who facilitates piracy, even if that was not the original intention.

We wanted to limit the number of lawsuits against non-profit organizations that export adaptations for people with visual impairments to another country by mistake. This amendment is meant to protect Canadian organizations that might be sued for accidental violations.

The clause concerning those who enable copyright infringement will be amended to address concerns about how sites used purely for the purpose of piracy are protected. This amendment will not affect search engines.

In addition, safe harbour for those who enable copyright infringement will be eliminated. We want to clarify the scope of permitted injunctions against search engines and clarify the time frame for notices of violation by replacing the words "without delay" with "as soon as feasible". We also have to clarify how service providers and information and education technology store and index information to permit indexing without liability. We also have to clarify that the clause on access to copies for format shifting and time shifting applies only to personal use, including personal use by households.

Lastly, we want to change the wording to ensure that copyright holders can apply under each of the international treaties that Canada is a party to.

Statements by Members

This bill also mandates a review of the act every five years to ensure that the legislation is up to date, applicable, and in step with technological change as Canada's economy moves forward. The proposed changes will enhance copyright holders' ability to benefit from their work. Internet service providers, educators, students and entrepreneurs will have the tools to use new technology in innovative ways. Measures like these will ensure that Canadians can prosper.

STATEMENTS BY MEMBERS

• (1400)

[Translation]

TIBET

Mrs. Maria Mourani (Ahuntsic, BQ): Mr. Speaker, on May 14, 1995, the Dalai Lama recognized the 11th Panchen Lama, the second-ranked spiritual leader of Tibet, who was then six years old. Three days later, the boy was kidnapped by the Chinese authorities, who still refuse to divulge any information about his health or whereabouts.

This situation reminds us that the Tibetan people's long march to self-determination is far from over. China continues to respond to Tibet's calls for freedom with violence, unwarranted arrests and exile. Many Tibetans have even set themselves on fire as a cry of despair for the whole world to hear.

While the relationship between Canada and China is important, it must not be sought at the expense of human rights.

Long live the Tibetan people.

* * *

[English]

JUDO

Mr. Gerald Keddy (South Shore—St. Margaret's, CPC): Mr. Speaker, today I would like to recognize one of Canada's great young sport stars.

Whitney Lohnes, from Bridgewater, Nova Scotia, in my riding of South Shore—St. Margaret's, recently won a gold and silver medal in judo at the Commonwealth Games in Cardiff, Wales. She also medalled at the Pan-Am Games and won a gold medal at the 2011 Canada Games.

Whitney is currently studying at Concordia University in Montreal and training with Olympic coaches and national team members in the hopes of representing Canada in the 2016 and 2020 Olympic Games.

Ms. Lohnes is a recipient of the 2011 Roland Michener Canada Games Award received by two Canada Games participants in recognition of their strong leadership skills and athletic and scholastic excellence.

In closing, I congratulate Whitney on her many accomplishments and wish her continued success in all of her future endeavours.

MATERNAL AND CHILD HEALTH

Ms. Jinny Jogindera Sims (Newton—North Delta, NDP): Mr. Speaker, yesterday was Mother's Day, a day to reflect not only on our own mothers and our own children but on mothers and children the world over.

Recent cuts to CIDA's budget threaten Canada's commitment to maternal and child health in the world's poorest nations. No mother should have to watch her child suffer or die from a preventable disease. Every woman should have access to adequate and free postnatal care so that she lives to see her children grow.

Canada's contributions to life-saving, cost-effective interventions, like vaccine delivery, improved nutrition and the prevention and treatment of AIDS, malaria and tuberculosis, must be protected.

At the upcoming international forum, A Promise to Keep, I call upon the government to protect and renew our commitment to maternal and child health. This is an opportunity to demonstrate that Canada still cares about the health and survival of our world's most vulnerable people.

* * *

BASKETBALL

Mr. Randy Kamp (Pitt Meadows—Maple Ridge—Mission, CPC): Mr. Speaker, I rise today to pay tribute to Mr. Rich Goulet, a man whose achievements have been recently recognized through his induction into the Basketball BC Hall of Fame.

Rich has been a successful high school basketball coach for 43 years, the last 33 of them at Pitt Meadows Secondary School in my riding. His many accomplishments include winning the 1989 and 2000 B.C. Triple-A Championships and the 1983 Double-A Championships. In fact, he is the only coach in the Basketball BC Hall of Fame to win both triple-A and double-A high school championships.

Rich has also coached numerous provincial teams that included some notable basketball players, such as Steve Nash and other talented university players.

Clearly, Coach Goulet is committed to the sport of basketball, but more impressive is his commitment to moulding teenage basketball players into confident and productive young men. Hundreds of young men and their parents owe him their thanks.

I invite my colleagues here in the House of Commons to join me in thanking Rich Goulet for his service to Canada.

* * *

• (1405)

ROYAL CANADIAN NAVY

Ms. Judy Foote (Random—Burin—St. George's, Lib.): Mr. Speaker, I rise today to recognize three individuals on the Burin Peninsula in the riding of Random—Burin—St. George's.

The Royal Canadian Navy has a total of 32 commissioned ships with commanding officers in its fleet, three of whom are from rural communities on the Burin Peninsula.

Statements by Members

Lieutenant Commander Sid Green is commanding officer of HMCS *Shawinigan*, while Lieutenant Commander Michele Tessier is commanding officer of HMCS *Nanaimo*. Both were born and raised on the Burin Peninsula in the town of Grand Bank, renowned for its connection to the sea.

In addition to Lieutenant Commanders Green and Tessier, there is a third commanding officer from the Burin Peninsula. Commander Arthur Wamback from Marystown is commanding officer of HMCS *Fredericton*.

All three are shining examples of the fine men and women from Newfoundland and Labrador who serve in all branches of the Canadian military.

The residents of the Burin Peninsula are justifiably proud of these wonderful individuals. I ask all members to join me in showing appreciation for their service to our country.

* * *

RIGHTS AND FREEDOM

Mr. Jim Hillyer (Lethbridge, CPC): Mr. Speaker, I recently attended the citizenship ceremony in Lethbridge when 70 people became new Canadians. They came from many different countries, and every person had a story, but one thing was common among them: they had all chosen to become Canadians.

Among them was the Walsh family, who had fled Zimbabwe with nothing but their suitcases after their house, farm and business were seized simply because the Walshes were Caucasian.

New Canadians infuse fresh vitality to our national pride. Besides contributing skills to our economy and riches to our culture, they inspire us with a profound sense of gratitude. They know and remind us how lucky we are to be Canadian, where we can own property and enjoy the fruits of our labour, where we have freedom of speech and can worship according to the dictates of our conscience, where we can participate in politics and choose our government.

May we cherish these freedoms and use them well so that Canada will continue to be a beacon to all the world.

* * *

[*Translation*]

PAULINE BEAUDRY FOUNDATION

Mr. Jean Rousseau (Compton—Stanstead, NDP): Mr. Speaker, on May 2, the NDP celebrated its first year as the official opposition to an austere and regressive government.

Judging by polls taken in recent weeks, it is becoming increasingly evident that not just Quebeckers but Canadians across the country reject the moral and economic doctrine that the Conservative Party is trying to impose.

Whether we are talking about human rights or labour rights, disregard for the fundamental principles of respect, humanism and democracy is unfortunately evident in the day-to-day proceedings of Parliament.

Sadly, I must visit my riding in this unfortunate and disconsolate atmosphere. However, I have met courageous people who are

hopeful and optimistic that we will see better days; 2015 will be an important year.

For that reason, I would like to congratulate the Fondation Pauline Beaudry in Weedon for last Saturday night's fundraising dinner that my wife and I attended. Ms. Beaudry, the mother of nine children, helps dozens of people in Haut-Saint-François with psychological or financial difficulties and those who are isolated. She provides support, resources and comfort when today's society and governments have forgotten their responsibilities.

* * *

[*English*]

VERONICA HERMAN AWARD FOR BEST FILM

Mr. Dave MacKenzie (Oxford, CPC): Mr. Speaker, I rise in the House today to recognize a group of students from St. Patrick's Catholic School in my riding.

Haley Chisholm, Cole Weninger, Adam Balint and Liam Rice won the Veronica Herman Award for Best Film, grade 7 to 8 at this year's Toronto Kids International Film Festival for their short film titled "Virus". Their motion picture was crowned the winner by film industry professionals.

Just less than 10 minutes in length, their mystery story is based on a student named Adam who finds himself at a new school where students follow the rules and never deviate. On his first day, Adam tries to find out why everyone is acting so odd and robotic. It is soon discovered that the principal was spreading smoke throughout the school and brainwashing the students. Mystery solved.

This is truly an original and brilliant piece. I applaud the creativity of these four students who wrote, produced, edited and starred in their high definition production. Their dedication and hard work has paid off. I look forward to seeing many more winning films from these students in the near future.

I congratulate them all.

* * *

● (1410)

FREEDOM OF RELIGION

Mr. James Bezan (Selkirk—Interlake, CPC): Mr. Speaker, four years ago today, seven Baha'i leaders in Iran were abruptly taken out of their homes and arrested. In a flagrant violation of international law, the prisoners were held for 20 months without any charges being laid. Some were placed in solitary confinement for months. They were finally given an inhumane sentence of 20 years in prison for espionage.

However, we all know that these seven innocent Iranians were arrested for nothing else than for being members of the Baha'i faith.

Baha'is in Iran have suffered a systematic relentless campaign of persecution. Over 200 Baha'is have been killed, hundreds more imprisoned, and the Baha'is in Iran face social, economic and cultural restrictions. Iranian authorities continue to undermine the rights of freedom of religion through the persistent and pervasive persecution of religious minorities such as Baha'is, Christians, Jews, Sufis and Sunni Muslims.

Statements by Members

Members from all sides of the House will come together this evening to participate in an important and timely debate on the human rights situation in Iran. We continue to urge Iran to uphold its international obligations to allow for freedom of religion and to respect the fundamental rights for all of its people.

* * *

[*Translation*]

LASALLE ROYAL CANADIAN LEGION

Ms. Hélène LeBlanc (LaSalle—Émard, NDP): Mr. Speaker, on April 28, I attended an event organized by the ladies auxiliary of the LaSalle Royal Canadian Legion. They had invited veterans who live at the Sainte-Anne-de-Bellevue Hospital for the occasion. It was an opportunity for everyone there to socialize and share a good meal.

[*English*]

A Montreal pipe band added pomp and circumstance to this joyous celebration.

I salute Mrs. Vera Sherlock, volunteer par excellence, as well as all the ladies auxiliary who visit the veterans on a weekly basis.

[*Translation*]

I want to thank the members of the legion in particular for providing a meeting place where everyone is welcome and activities for the veterans who served in the army. I want to thank the LaSalle Canadian Legion for its community involvement with the veterans and their families.

* * *

TOURISM WEEK

Mr. Blake Richards (Wild Rose, CPC): Mr. Speaker, May 14 to 20 is Tourism Week in Canada, a national initiative that showcases the economic impact of travel and tourism from coast to coast to coast.

[*English*]

Tourism is one of the few industries that drives economic growth in every region across the country. Travel industry employment provides vital incomes for individuals and families and serves as the economic lifeblood of communities across this great nation. The tourism industry employs more than 600,000 Canadians and contributes more than \$78 billion to our economy annually.

This week I invite my hon. colleagues and all Canadians to celebrate tourism's contribution to the Canadian economy.

* * *

SUDBURY RACE FOR DIABETES

Mr. Glenn Thibeault (Sudbury, NDP): Mr. Speaker, yesterday, along with 2,300 other runners from across northern Ontario, I participated in the SudburyROCKS!!! Race, Run or Walk for Diabetes. The event is the largest competitive running event in northern Ontario, with events ranging from a one-kilometre event for kids to a full a marathon.

The race day is important in two ways. First, the event raises much-needed funds for the Canadian Diabetes Association; and

second, by encouraging a healthy and active lifestyle, the event is helping beat diabetes by raising funds.

I am very proud to share with all members that I finished just seconds outside of my own personal goal of completing the five-kilometre race in 35 minutes.

I would also like to acknowledge Elaina, the eight-year-old girl, and her mom who started in front of me and who finished the race in 33 minutes.

I would also like to thank the Sudbury Rocks!! Running Club, which organized the event, as well as all other event sponsors and volunteers who made this great event possible.

* * *

JOBS, GROWTH AND LONG-TERM PROSPERITY ACT

Mr. Scott Armstrong (Cumberland—Colchester—Musquodoboit Valley, CPC): Mr. Speaker, economic action plan 2012 promotes jobs, growth and economic prosperity for all Canadians. We do this by keeping taxes low, so that businesses will expand and hire more people.

However, it was no surprise on March 29, after only a few hours of review, that the tax-and-spend NDP declared its opposition to this pro-jobs and pro-growth plan.

Tonight we will implement a key part of economic action plan 2012 by supporting Bill C-38. This vote will implement a plan that will help create more new jobs on top of the more than 750,000 net new jobs that have been created since July of 2009.

Instead of playing silly procedural games, maybe the NDP should start acting responsibly, focus on the economy and support a real plan that will create jobs and growth for all Canadians.

* * *

● (1415)

HUMAN RIGHTS IN TIBET

Hon. Irwin Cotler (Mount Royal, Lib.): Mr. Speaker, I rise to congratulate His Holiness the Dalai Lama upon receiving the prestigious Templeton Prize in London today. This prize honours a living person who has made an exceptional contribution to “affirming life's spiritual dimension, whether through insight, discovery, or practical works”, recognizing the Dalai Lama's great involvement in the just causes of our time and the encouragement of scientific research and inter-religious harmony and co-operation across the globe.

I recently met with the Dalai Lama here in Ottawa at the Sixth World Parliamentarians' Convention on Tibet, where His Holiness reaffirmed his desire for dialogue with Chinese authorities and for their respect for Tibetan autonomy and identity in accordance with Chinese law, and this against a backdrop of increased Chinese repression of Tibetans, leading to the self-immolation of more than three dozen monks.

I trust that all parliamentarians will join me in congratulating His Holiness on this most deserved prize and call for an end to human rights abuses in Tibet, the protection of religious and ethnic rights therein and the release of political prisoners.

* * *

NEW DEMOCRATIC PARTY OF CANADA

Mr. Rob Clarke (Desnethé—Missinippi—Churchill River, CPC): Mr. Speaker, the NDP leader continues to say things to one part of the country he will not say in others. The three western premiers have called out the NDP leader for his criticism for responsible resource development.

Premier Wall called the NDP leader's policy divisive.

Premier Redford said, "I always think it's better for people to comment once they have the information than before they do".

Premier Clark just called the NDP leader's policy goofy.

The NDP leader is trying to pit Canadians against each other instead of supporting sectors of the economy that create good, high-paying jobs.

The no development party's anti-jobs, anti-growth agenda wants to block development of Canada's natural resources. While we are trying to work with the provinces and territories on job creation and opening markets, the NDP leader is calling for higher taxes and job-killing regulations, and he opposes opening up new markets for Canadian resources.

Simply put, Canadians cannot afford the NDP leader's dangerous economic experiments.

* * *

THE SENATE

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, the triple-E Senate is just the latest in a string of Conservative Party principles jettisoned over the side in the interest of political expediency. Who says so? Premiers Christy Clark, Brad Wall and Dalton McGuinty and Roger Gibbins of the Canada West Foundation say so.

Despite election promises, the Prime Minister has abandoned real reform and undermined accountability by stuffing the Senate chock full of Conservative hacks and flacks and bagmen.

The party president, the campaign manager, the chief fundraiser, even the Prime Minister's press secretary and the whole Conservative Party war room is now doing partisan work on the public payroll, and it is a disgrace.

Never mind triple-E. This is a triple-U Senate, unelected, unaccountable, undemocratic, and it is an expensive waste of \$90 million a year.

The Conservatives got rid of the penny but left in place an even more outdated and obsolete Canadian institution. It is not a help; it is a hindrance to democracy, beyond repair, beyond reform and should be abolished.

Oral Questions

[Translation]

ROYAL CANADIAN MOUNTED POLICE

Mr. Robert Goguen (Moncton—Riverview—Dieppe, CPC): Mr. Speaker, in an open letter, the hon. member for Vancouver Kingsway maintains that RCMP officers who were protecting the public during the G20 conducted illegal searches, committed acts of violence against civilians and committed one of the worst civil rights abuses the country has seen in decades.

Again, the NDP is making baseless accusations.

Today, the Commission for Public Complaints Against the RCMP confirmed that the hon. member was wrong and found that the RCMP acted reasonably and appropriately at the G20.

[English]

I would like to give the hon. member an opportunity to apologize to the hard-working men and women of the RCMP who protect the public for taking the word of anarchists and extremists as fact.

It is becoming a pattern. That same member associates with the hard-line anti-Canadian group No One Is Illegal—

The Speaker: Order. Oral Questions. *Questions orales.* The hon. Leader of the Opposition.

ORAL QUESTIONS

[Translation]

THE BUDGET

Mr. Thomas Mulcair (Leader of the Opposition, NDP): Mr. Speaker, the budget implementation bill is over 400 pages long and it puts more and more power in the hands of the executive and Conservative ministers.

More and more decisions will be made by the executive behind closed doors, without any parliamentary oversight. One man spoke out against such an abuse of power in the past:

We will protect the democratic prerogatives of this House...against the excesses of executive powers...The people express their wishes as much through the opposition as through the government.

Why are the Conservatives now renouncing a principle that was once expressed by the Prime Minister himself?

● (1420)

[English]

Hon. John Baird (Minister of Foreign Affairs, CPC): Mr. Speaker, this Prime Minister, this Minister of Finance and this government are focused like a laser on the economy. They are focused on economic growth and job creation, not on partisan games.

When we presented an economic action plan, a plan for long-term economic growth, what did the NDP do to show respect for Parliament? It engaged in an 11-hour filibuster, making a mockery of Parliament, making a mockery of parliamentary debate and virtually almost stopping the Liberal Party from being able to represent its constituents.

Oral Questions

We will continue to focus on jobs. That is why we are pleased with the more than 50,000 net new jobs created just last month.

* * *

[Translation]

THE ENVIRONMENT

Mr. Thomas Mulcair (Leader of the Opposition, NDP): Mr. Speaker, the Conservatives are abusing their executive power, particularly as they go about eviscerating environmental protection.

The Conservatives are eliminating the independent environmental assessment process, dismantling the agencies that do that work, and preventing individuals from participating in and being represented at public hearings. The worst part is that even if the Conservatives do not get support for what they decide in advance, they can ignore assessments and approve projects regardless of the risks.

How can the Conservatives justify such offensive action when there is no need for it? Why are they hiding it in a budget implementation bill?

[English]

Hon. John Baird (Minister of Foreign Affairs, CPC): Mr. Speaker, I will tell you what the budget does have something to do with. It has to do with creating jobs, creating a climate where there are more jobs, more hope and more opportunity. That is exactly what our economic action plan does. We will maintain strong environmental protections. At the same time, these environmental studies have to lead to conclusions. That is why we brought forward to Parliament some proposals for debate in the House of Commons, to discuss them. What did the NDP do when that happened? It spent 11 hours filibustering it, showing utter contempt for all members of this place.

We are going to continue to focus on the priorities of Canadians—jobs and economic growth—so people can provide for themselves and their families.

Mr. Thomas Mulcair (Leader of the Opposition, NDP): The problem, Mr. Speaker, is that a minister can change the conclusions of the experts on environment even if the dangers are very real. That is the problem.

Equally worrisome is the Prime Minister's proposal for employment insurance that hidden in the bill: open-ended powers to rewrite the rules for EI with no parliamentary oversight. Ministers would decide what qualifies as suitable employment for an out-of-work teacher or an unemployed nurse, and if they do not like it, tough luck. They will be kicked off EI if they do not take the first job that comes along.

Why include this Trojan Horse in this oversized budget bill? Why are Conservatives hiding from Canadians this unprecedented state power over what people should do for a living?

Hon. John Baird (Minister of Foreign Affairs, CPC): Mr. Speaker, what the government has done is provide the proposal to Parliament to actually help people get back to work. That is exactly what we are doing. We are presenting measures before Parliament so they can be debated and discussed. This will ensure we can move forward on long-term economic prosperity. That is why we have

seen the creation of 750,000 net new jobs over the past two and a half years. That is a record of real leadership.

The NDP's response to the budget was to engage with one member speaking for three full days. Shame on the New Democratic Party.

* * *

[Translation]

PENSIONS

Ms. Peggy Nash (Parkdale—High Park, NDP): Mr. Speaker, in addition to using their Trojan Horse to slip their employment insurance amendments through unnoticed, the Conservatives are going to make major cuts in old age security. Canadians will have to work two years longer and will lose \$12,000 in retirement income. We know that the Conservatives want to save money at the expense of seniors, but we did not know how far this went.

The question is simple: how much will they save by cutting old age security?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, what we are doing is ensuring that the old age security program has a future. There will be no changes for anyone before 2023. At that time, the age of eligibility will gradually rise from 65 to 67 years, in order to maintain the old age security program.

[English]

Ms. Peggy Nash (Parkdale—High Park, NDP): Mr. Speaker, answers like that are just disrespectful to Canadians.

The OAS cuts are perhaps the single most important measure in the budget, and the government cannot even say how much it is going to cost. If I rephrase the question, maybe it will help the minister.

Conservatives keep claiming this is about sustainability and that is why they are hell-bent on cutting OAS. How does the minister know that her cuts will make OAS sustainable when she cannot even do the math to tell us how much these cuts will cost?

● (1425)

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, what we are not going to do is what the NDP is doing, and that is to fearmonger.

Let us look at the facts. The facts are that no one who is receiving OAS or GIS will see any cuts. There will be no cuts for those who are receiving it. There will be no change for anyone prior to 2023, at which time we will gradually increase the age of eligibility from 65 to 67.

OAS is paid out of the current year's tax funds. That is what we have to go by. That is why we have to make sure it is there for future generations.

*Oral Questions***THE BUDGET**

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, under the proposed budget changes, the Inspector General of CSIS will be gone. Rights and Democracy will be gone. The National Round Table on the Environment and the Economy will be gone. The First Nations Statistical Institute will be gone. The National Centre for First Nations Governance will be gone. The National Aboriginal Health Organization will be gone. The National Council of Welfare will be gone. Environmental assessment will be gutted. Parks Canada will be gutted. Old age security will be gutted.

These are basic protections for Canadians. These are basic ways in which Canadians have rights and governments do not have all the rights. When will the Conservatives learn that they are taking the wrong path?

Hon. John Baird (Minister of Foreign Affairs, CPC): Mr. Speaker, the leader of the third party knows that there is another path. We could let spending get out of control. We could see Canada become the welfare capital of the world. We could see unemployment skyrocket. That is his record as Premier of Ontario.

The member opposite talks about the National Round Table on the Environment and the Economy. It has tabled more than 10 reports encouraging a carbon tax. Now we know why the Liberal Party holds that organization so dear: because the Liberals truly want to bring in a carbon tax on every family in this country. Well, those of us on this side of the House will not let them do it.

[Translation]

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, it is clear from the minister's response that the government is closing down and silencing institutions with which it does not agree. The Conservatives are telling all these national boards and organizations that they do not like independence, information and criticism and that is why they are closing them. This is why people think that this government looks more and more like a dictatorship. That is the problem.

[English]

Hon. John Baird (Minister of Foreign Affairs, CPC): Mr. Speaker, what we are doing is making government more accountable, living within our means and focusing on the priorities, which is what Canadians elected us to do.

We are keeping taxes low. We are increasing funds to hospitals, health care and education. These are the priorities that Canadians have identified.

Why should taxpayers have to pay for more than 10 reports promoting a carbon tax, something that the people of Canada have repeatedly rejected? That is a message the Liberal Party just will not accept. It should agree with Canadians. It should agree with the government to no discussion of a carbon tax that would kill and hurt Canadian families.

* * *

NATIONAL DEFENCE

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, the minister talks about the government's need and desire to control spending.

Let us look at the Department of National Defence: F-35, a \$10 billion difference of opinion; Libya mission, several hundred

millions off; joint support ship, restated for budget issue; the Chinook helicopter, delayed and a budget issue; the close combat vehicle, the whole thing had to be restarted because it was so badly handled; military truck, delayed; fixed-wing search and rescue aircraft, delayed; Arctic patrol ships, delayed and a budget issue.

How can the government defend the decade of doofus?

Hon. John Baird (Minister of Foreign Affairs, CPC): Mr. Speaker, what the government is doing is seeking to ensure that the men and women of the Canadian Forces, those whom this Parliament sends abroad to defend Canadian values, to defend Canadian interests, have the tools to get the job done.

The Liberal Party appointed General Rick Hillier to be the Chief of the Defence Staff, and the man that they appointed to lead the Canadian Forces called the Liberal tenure in office "a decade of darkness".

Canadians know who is on the side of our Canadian Forces. It is the Conservative government, the Prime Minister, and especially the Minister of National Defence, who has done more to support the Canadian Forces than certainly any Liberal has done in the last 150 years.

• (1430)

Mr. Jack Harris (St. John's East, NDP): Mr. Speaker, yesterday the Minister of National Defence lashed out at the media because they reported on his mismanagement and confusing figures on Libya. However, on October 13, 2011, the minister claimed that the "all-up costs" for the Libya mission would be \$50 million. On Friday, General Vance was clear. The minister was given the real all-up costs at that time and could not explain why the minister used the lower figure.

When will the minister stop blaming the media, stop blaming the opposition and take responsibility for his department and his own mistakes?

Hon. Peter MacKay (Minister of National Defence, CPC): Well, Mr. Speaker, he is still at it because on October 13, what I clearly communicated was the cost of the mission to date. I went on to say in the same interview there would be more costs. Then in May we reported the full costs in Parliament. All of that, of course, was conveniently absent from the member's question and conveniently absent from much of the reporting in the last few days.

Oral Questions

Mr. Jack Harris (St. John's East, NDP): Mr. Speaker, the fact of the matter is that the minister was sitting on an estimated cost of \$106 million. Neither the media nor the opposition forced him to give the misleading figure. The minister did that all on his own. General Vance was sent out to try to clean up his latest mess, but the general was forced to admit that the minister “knew the estimates for sure. In fact, he presents the estimates to cabinet, so yes, he would have known...”.

Why did the Minister of National Defence use the \$50 million figure when he knew it was not accurate? Will he finally stand in this House and admit he made an error?

Hon. Peter MacKay (Minister of National Defence, CPC): Mr. Speaker, as I just said a moment ago, the figure of under \$50 million that was given in October was the actual cost that we had received from the department. Of course, estimates are one thing and what Canadians want to hear is what the actual costs are. I provided that qualification at the time. I said there were more costs to be reported. Of course, bringing all of those ships back and bringing the personnel back does cost money.

What is important here is that this was a tremendous investment to help the people of Libya, who were being exploited and murdered by their own government. That is why Canadians were there. That is why we are in Afghanistan. That is why we will continue to make these investments.

[Translation]

Ms. Christine Moore (Abitibi—Témiscamingue, NDP): Mr. Speaker, in October the Minister of National Defence said that the cost of the mission in Libya would be \$50 million. The minister stated that this was the all-up amount. On Friday, General Vance stated that the minister knew what the total estimated cost of the mission was. True to form, the minister keeps changing his story.

I would like to know why the minister did not provide estimates for the full duration of the mission last October when he knew full well what the eventual cost would be.

Hon. Peter MacKay (Minister of National Defence, CPC): Mr. Speaker, the answer is still the same. The amount that I gave at the time was the cost of the mission at that particular moment.

[English]

Let me read from the transcript. I went on to say, “I’m giving you that number with the proviso that there could be more costs that come in after the fact. The fact that we are now ramping down the mission, bringing back significant equipment and personnel, some 650 were there, we have a ship in the area, we have aircraft, fighter aircraft, patrol aircraft, refuellers.”

All of this is on the record. All of this is missing from the accusations coming from the members opposite and conveniently from one of the networks that reported this.

[Translation]

Ms. Christine Moore (Abitibi—Témiscamingue, NDP): Mr. Speaker, the minister has not told the truth about the cost of the mission in Libya, period.

The Department of National Defence’s latest report indicates that the government intends to purchase 65 F-35A conventional takeoff and landing aircraft.

Yet the Conservatives keep saying that no decision has been made regarding the F-35s. It looks like they are again going to have to retroactively change their report.

Does the minister not know what his department is doing?

[English]

Hon. Julian Fantino (Associate Minister of National Defence, CPC): Mr. Speaker, the Government of Canada has taken action to ensure that due diligence, oversight and transparency are firmly embedded in the process to replace Canada’s aging fighter aircraft. We are following a seven-step action plan to fulfill and/or exceed the Auditor General’s recommendation. This includes freezing the funding and establishing a separate secretariat outside National Defence to lead this project moving forward.

• (1435)

Mr. Matthew Kellway (Beaches—East York, NDP): Mr. Speaker, last week, the Minister of National Defence repeatedly claimed that no decision had been made about the F-35, but even while he was saying this, he tabled spending plans indicating that National Defence will deliver 65 F-35A aircraft.

We know that the government has taken this file away from the minister and given it to the damage control secretariat.

Will the minister tell us whether this is confusion, another typographical error, incompetence, or yet another attempt to mislead Canadians on the F-35 file?

Hon. Julian Fantino (Associate Minister of National Defence, CPC): Mr. Speaker, that premise is absolutely absurd. We accept the conclusions of the Auditor General, as we have stated. There is an action plan being implemented. We will await the recommendations and make decisions based upon those recommendations by the secretariat.

It is really regrettable that so many things are taken out of context and put forward as fact when, in fact, they are not.

Mr. Matthew Kellway (Beaches—East York, NDP): Mr. Speaker, the associate minister should connect with the Minister of National Defence, because the problem with that response is that the spending plans the defence ministry tabled last week were very specific: the plane, the F-35; the contractor, Lockheed Martin; and even a specific delivery date, 2017; this, after the Prime Minister himself claimed that no contract had been signed, no money had been spent, and no decision had yet been made.

Has the beleaguered defence minister informed his government that he still thinks he is buying these planes?

Hon. Julian Fantino (Associate Minister of National Defence, CPC): Mr. Speaker, the government has clearly communicated that the budget has been set to replace Canada’s aging CF-18s and we will stay within that budget. Canada has not signed a contract and has not spent any money on acquiring replacement aircraft.

We will not proceed with a purchase until the seven-step action plan has been outlined and completed and developmental work is sufficiently advanced.

Oral Questions

[Translation]

POLITICAL PARTY FINANCING

Mr. Robert Aubin (Trois-Rivières, NDP): Mr. Speaker, it seems there is no stopping the Conservatives when it comes to filling the party's coffers, but never would I have thought they could stoop to using sick children.

Let me explain: a resident of Trois-Rivières received a phone call and agreed to make a donation to the Shriners, a very noble cause if ever there was one. When he was sending his cheque, he checked the return envelope that was provided and lo and behold it was addressed to the Conservative Party in Toronto.

Do the Conservatives find these telemarketing practices acceptable?

Mr. Pierre Poilievre (Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities and for the Federal Economic Development Agency for Southern Ontario, CPC): Mr. Speaker, no, we are not aware of the alleged facts in this specific case.

That being said, the Conservative Party abides by political party financing legislation. Clearly, there was some sort of administrative error in this case.

Mr. Robert Aubin (Trois-Rivières, NDP): Mr. Speaker, while we are waiting for a more complete answer or some corrections, it might be best for us to look at the matter further.

The calls did not come from any old telemarketing firm. They came from Xentel, a former U.S. company that has already been involved in and found guilty of abusive practices. In 2010, it merged with the Conservatives' telemarketing company of choice, RMG. That is a lot of coincidences.

Would they have us believe that the envelopes simply got mixed up? How many other people were victims of this scheme?

Are the Conservatives going to hold these unscrupulous companies to account?

Mr. Pierre Poilievre (Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities and for the Federal Economic Development Agency for Southern Ontario, CPC): Mr. Speaker, clearly, the New Democrats are starting to make unfounded allegations.

[English]

It is not surprising that they would do this. They are trying to change the subject. Just last week their leader made an embarrassing gaffe in which he tried to divide the country by calling our natural resources sector a disease. He said that his plan to create jobs in Ontario is to kill them in western Canada.

Canadians will not accept that approach. Canadians believe the prosperity of one is the prosperity for all. We believe in one united Canada. That is how we govern this country. That is what the Canadian people expect.

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, what Canadians believe in is honest and credible fundraising, and they have not heard that from the government side.

We cannot seem to catch up with all of the Conservatives' dubious tactics, but hitting up the Shriners, what is with that?

Diverting money that was intended for charity is a very serious allegation. I hope the Conservatives would understand that, because it is a question of trust. It is a question of ethics. At the very least, it is a question of competency.

Would the government agree to a full review of Conservative Party fundraising to ensure that Canadians could have some level of trust in what the Conservative Party is up to?

● (1440)

Mr. Pierre Poilievre (Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities and for the Federal Economic Development Agency for Southern Ontario, CPC): Mr. Speaker, there appears to have been an error. We are not aware of the facts surrounding this incident. That being said, we follow all of the laws and conduct all of our fundraising in an honest and ethical fashion.

It is not surprising that the NDP members would want to change the subject. Last week, their leader referred to an industry that employs hundreds of thousands of Canadians as an illness. He honestly believes that the only way for someone to get hired in Ontario is for someone else to get fired in western Canada.

That kind of divide and conquer strategy will never be accepted by this government or by our country.

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NATIONAL DEFENCE

Hon. John McKay (Scarborough—Guildwood, Lib.): Mr. Speaker, the Minister of National Defence clearly has some challenges with truth in numbers. First, he lowballs the F-35 by some \$10 billion and calls it differences in accounting. Then he disguises \$105 million in vehicle purchases and calls them transmission parts.

On national radio he lowballed the cost of the Libyan mission by \$50 million. The Liberal Party has supported the mission in each vote and at every stage. Why can the minister not respect our military and its supporters with truthfulness in costs?

Hon. Peter MacKay (Minister of National Defence, CPC): Mr. Speaker, that is exactly what we have done at the Department of National Defence under this government. We have seen the budget rise by over \$1 billion annually.

With respect to the costs that he is referring to, he is doing what he has been doing for some time now, deliberately giving misinformation, deliberately attributing things to this government that he has in fact said.

I have been nothing but upfront and honest on this file. The figures that were given in October were the figures to date. The figures provided last week were the final cost figures.

I will give the hon. member numbers: third party, third row.

Oral Questions

[Translation]

Mr. Marc Garneau (Westmount—Ville-Marie, Lib.): Mr. Speaker, the Minister of National Defence has a serious credibility problem when he talks about costs. We know how he estimated the F-35s. He underestimated them by \$10 billion, possibly even \$25 billion.

Recently, he disguised the acquisition of military vehicles worth \$105 million by calling them “transmission parts”.

Now, of course, we know he is underestimating the cost of the war in Libya.

Where is this government’s accountability? How is this minister still sitting in the front row? It is time to send him off to the back benches.

Hon. Peter MacKay (Minister of National Defence, CPC): Mr. Speaker, that is still false, as it has always been.

We provided the cost of the Libya mission in October. It was correct. We provided the cost of certain equipment for the Canadian Forces. It was correct.

Clearly, the hon. member does not want to accept reality.

[English]

While I am at it, it is very unfortunate that we have not seen the type of support and enthusiasm for the Canadian Forces while in opposition, because we certainly did not see it when the Liberals were in government.

* * *

PENSIONS

Hon. Judy Sgro (York West, Lib.): Mr. Speaker, the U.S. forecasts that the F-35s will cost Canada over \$40 billion. That is \$25 billion more than the Conservatives claimed it would cost.

This same \$25 billion could have funded the total old age pension of 160,000 low-income seniors for 25 years.

Why has the Conservative government chosen to sacrifice support for the lowest income seniors, while maintaining a “money is no object attitude” when it comes to the overruns on the F-35?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, as a government, our number one priority is to protect the safety and security of Canadians. We are protecting their security by ensuring that the old age security system is sustainable not just for today’s seniors, who will see no cuts to their pensions, but also for future generations.

We also have an obligation to protect those people, to protect our men and women in uniform who stand out there to defend Canadian values right around the world. We will ensure that they too have the resources they need and the proper equipment to do their job safely and securely, unlike what happened to them under the Liberals, who spent no money on them in the decade of darkness.

● (1445)

AGRICULTURE AND AGRI-FOOD

Mr. Malcolm Allen (Welland, NDP): Mr. Speaker, Ontario apple and tender fruit farmers have been heavily hit by a spring frost that is expected to devastate the industry this year. Apple farmers alone are expected to lose a staggering 80% of this year’s crop.

Ontario farmers are major producers of Canada’s apple crop. This impact will be felt widely.

What will the government do to assure farmers that they will receive timely support from the government to help them through what is a major crisis in tender fruit in Ontario?

Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC): Mr. Speaker, the first thing we did was to get in contact with the provincial government. Minister Ted McMeekin has been touring the area, as have some of my officials, looking over the crop, ensuring that the farmers will be covered by the programs that are there.

We have a number of different programs for them. First and foremost is crop insurance, in which I understand some two-thirds of the farmers have invested. That is good. We also have agri-recovery, which will pick up the slack after that. There are a number of different venues open to farmers who have made use of those management tools.

Mr. Malcolm Allen (Welland, NDP): Mr. Speaker, farmers will be paying attention to whether that money arrives on time or not.

Ontario farmers are poised to lose tens of millions of dollars. Jobs will be lost and local businesses will suffer. Programs exist to deal with minor losses. Single farmers in a bad season, for instance, will get coverage. However, when an entire sector is hit, like it is now in Ontario, special measures should be taken to ensure its future is not put at risk.

What additional support will the government commit to the apple and tender fruit sector to help it through this major crisis?

Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC): Mr. Speaker, let us do a bit of a reality check here. This government is the government that stood with farmers regardless of what hit them, whether it was weather or market related. We have had programming to be there to backstop them. The opposition, on the other hand, has voted against every one of those issues.

When it comes to serving farmers, we will be with them.

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, in spite of all the pre-election photo ops, the much-ballyhooed \$50 million pasta plant in Regina has now been shelved. The company says that it was “because of uncertainty in the North American grain market”. Guess who caused uncertainty in the grain industry by deliberately destroying the most successful grain marketing company in the world, the Canadian Wheat Board?

Oral Questions

How much did the government give to Alliance Grain Traders Inc. to conveniently announce this latest pasta plant scheme? What did that photo op cost us? How much of that money are we getting back?

Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC): Mr. Speaker, western Canadian farmers have worked with Alliance Grain over the last number of years.

Murad Al-Katib and his great team at Alliance Grain have been major processors and exporters of pulses. They now look with envy at moving into the durum market, the same market that they are feeding with their pulses. The same farmers who they are buying from can also work in durum. Unfortunately, with the environment in Europe, their major market is stagnant at this point. They have decided to delay the movement on the pulse/durum processing facility, but they look forward to the day when they can put shovels in the ground and put that facility right near Regina.

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, there is no case for abolishing the Canadian Wheat Board. There never was one, and the minister knows it. Now the chaos and uncertainty the government has created with its ideological crusade is actually driving business away.

The Wheat Board used to market 20 million tonnes of grain to 60 different countries, with every penny of profit going back into the pockets of Canadian farmers.

The Prime Minister claimed that killing the Wheat Board would create some kind of a free market nirvana. Will he now concede that all it has caused is insecurity for farmers, uncertainty for industry and instability for the rural prairie economy?

Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC): Mr. Speaker, there are so many things wrong with that diatribe that I do not know where to begin.

I can assure the House that western Canadian farmers have embraced the opportunity. They are putting their crops in the ground right now. Canola has surpassed wheat as king in the Prairies. There are a number of farmers looking to the barley, wheat and durum market with envy. They are already forward-contracting those commodities through the Canadian Wheat Board, which is still in existence. The gentleman opposite has that wrong too. It is still there at the same address with the same Rolodex and selling to the same countries around the world.

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NATIONAL DEFENCE

Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC): Mr. Speaker, our government announced that it would replace our aging fleet of Hercules aircraft. Many Canadians have seen them in every domestic emergency and every foreign mission. They are the workhorses of the Royal Canadian Air Force. The Hercules are used in a variety of roles, including transporting equipment, troops and supplies to the most remote regions of this vast nation.

Could the Associate Minister of National Defence please update us on this important equipment replacement project?

• (1450)

Hon. Julian Fantino (Associate Minister of National Defence, CPC): Mr. Speaker, I want to thank the hon. member for her hard work on behalf of the men and women in our military.

This modernized Hercules aircraft is bigger, can fly faster and further and hold more passengers and cargo than our previous model. It was key to have the aging fleet replaced without any operational gaps.

I am proud to say that we accomplished this task successfully. The new aircraft has completed critical missions around the world and has been heavily involved in many search and rescue operations.

On Friday, at Canadian Forces Base Trenton, the air force took delivery of the last of the 17 new Hercules aircraft.

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CITIZENSHIP AND IMMIGRATION

Ms. Jinny Jogindera Sims (Newton—North Delta, NDP): Mr. Speaker, in the minister's reckless rush to change Canada's immigration system, mistakes are being made. The latest, according to an internal government document, has to do with privileging applicants with job offers from Canadian businesses. It turns out that this is leading to more fraudulent job offers and may even create a market trafficking in fake jobs.

The minister must do his homework before ramming sweeping changes through like this. What will the minister do to address this situation?

Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC): Mr. Speaker, I assure the hon. member that we are hardly new to the idea of efforts to defraud Canada's immigration system. There are always people seeking to circumvent our fair rules, which is why we have put in place rigorous quality control initiatives. We have experts in our missions abroad who do checks on the integrity of the veracity of arranged employment offers.

However, what we do know from our major study on the skilled worker program is that those immigrants who arrive with a pre-arranged job make nearly \$80,000 in income after their third year in Canada, twice as much as those who arrive without jobs, which is why the data tells us that as much as possible we should arrange jobs for immigrants before they get to Canada so that—

The Speaker: The hon. member for Laurier—Sainte-Marie.

[*Translation*]

Ms. Hélène Laverdière (Laurier-Sainte-Marie, NDP): Mr. Speaker, the minister has already had to backtrack on certain parts of his bill—a bill that looks like it was written on a cocktail napkin. Now it appears as though history is going to repeat itself.

Oral Questions

As things now stand, potential immigrants have a better chance of settling in Canada if they have a job offer, and the Conservatives would like put even more emphasis on this approach. However, doing things this way could lead to cases of abuse. An internal evaluation of Citizenship and Immigration Canada found that there may be trafficking in job offers. When things are done in haste, mistakes are made.

Are the Conservatives going to redo their homework rather than encourage fraud?

Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC): Mr. Speaker, the hon. member must be aware that we have put enormous emphasis on fighting immigration fraud. We have a system that will enable us to eliminate fraudulent job offers.

That said, we know that immigrants who have a job offer have an average income of nearly \$80,000 after they have been in Canada for three years, which is twice as high as the income of immigrants who arrive with no job offer. This is one of the reasons we will be giving preference to immigrants who have a good job offer before they arrive in the country: because we want to see them succeed in Canada.

* * *

FINANCIAL INSTITUTIONS

Ms. Annick Papillon (Québec, NDP): Mr. Speaker, many Canadian companies are transitioning to the new banking system, but the Conservatives are having a hard time keeping pace.

Banks and telecommunications companies have agreed to new rules for telephone payment. The government's voluntary code of conduct does not address payment by phone or through electronic banking systems. If the Conservatives do not take action, consumers will not be protected.

When will the Conservatives introduce mandatory rules for new technologies in order to protect consumers?

[English]

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, in fact, the private sector telecommunications companies and the banks are innovating, which is a good thing. It is something that we in the Conservative Party actually encourage in our country, unlike the NDP, which would like the government to run everything. That is not what we are doing.

Now we are responsible for regulation of the banking system, and I am proud to say we have the best-regulated banking system in the world.

• (1455)

Mr. Glenn Thibeault (Sudbury, NDP): That fact is, Mr. Speaker, mobile payments will have a huge impact on consumers, small businesses and the digital economy, something the Conservatives do not seem to get. The Minister of Finance's own task force on mobile payments released recommendations months ago, but he has simply allowed it to gather dust.

A voluntary code that lets \$5 billion in hidden merchant fees slide will not protect small businesses and consumers from being gouged

even more in the new mobile market. Will the Conservatives now admit that a binding code of conduct is necessary?

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, there are two points about a code of conduct. One is not whether it is voluntary or not; it is that it is obeyed. The code of conduct that we have devised, and this is the second point, with the support of consumers, with the support of the financial sector, on consent at the end of the day, has the support of all the parties and is obeyed, is complied with, precisely because of the process that we used.

With respect to payments, we have the report of the task force. I am glad the private sector is innovating, but at the end of the day the government makes the rules.

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HEALTH

Hon. Carolyn Bennett (St. Paul's, Lib.): Mr. Speaker, the Cowichan first nations have declared an emergency in response to recent suicides and attempted suicides. First nations suicide rates among youth are seven times higher than the national average. In the Inuit population, the rate is almost the highest in the world and 11 times our national average.

Despite supporting the Liberal opposition day on a national suicide prevention strategy, the government is actually cutting the aboriginal youth suicide prevention strategy. How on earth will that help the people of Cowichan?

Hon. Leona Aglukkaq (Minister of Health and Minister of the Canadian Northern Economic Development Agency, CPC): Mr. Speaker, my heart goes out to those individual families who have lost loved ones from suicide.

We are committed to working collaboratively with the first nations community and our federal partners, as well as provincial and other partners, on initiatives that would improve the well-being of first nations communities and individuals, including the Cowichan tribes.

We recently signed an historic tripartite agreement with the first nations in British Columbia and the provincial health departments. This will give the first nations a major role in the planning, designing and management of health care services for their communities.

*Oral Questions***THE BUDGET**

Mr. Sean Casey (Charlottetown, Lib.): Mr. Speaker, the minister of national defensiveness is now in his third week of reading a 31-page Federal Court ruling on veterans' pensions. The Conservative House leader, by contrast, has allocated a mere seven sitting days for a 425-page budget bill, a bill which amends over 70 other bills. An appalling seven days for the House to consider clawing back OAS and gutting the environment, with all kinds of time for the minister to read a 31-page ruling on veterans' pension clawbacks. Why is the House leader acting like a parliamentary bully?

Hon. Peter MacKay (Minister of National Defence, CPC): Mr. Speaker, to the member from sarcastic inaccuracies, we will continue to look at this recommendation from the Department of Justice and we will make a decision. That is the way things are done.

* * *

[Translation]

SCIENCE AND TECHNOLOGY

Ms. Hélène LeBlanc (LaSalle—Émard, NDP): Mr. Speaker, services that Canadians depend on are not the only ones affected by the Conservatives' unilateral cuts.

Forty-seven scientists have written to the Minister of Industry to condemn his irresponsible cuts to science, cuts that jeopardize long-term research projects. This will accelerate the brain drain.

Why is the Minister of Industry restricting our ability to innovate through scientific research? Does he realize that he is chasing our scientists away?

[English]

Hon. Gary Goodyear (Minister of State (Science and Technology) (Federal Economic Development Agency for Southern Ontario), CPC): Mr. Speaker, nothing could be further from the truth. I can tell the member opposite that our record on this side of the House is very clear. At every single opportunity we have had, we have voted to increase the investment in science, technology and research.

The record on the opposite side is just as clear. The members opposite vote no every time to our scientists, our researchers, our students, and our universities and colleges. The only question left is, when will they get on board and start supporting our scientists for once?

Mr. Dan Harris (Scarborough Southwest, NDP): Mr. Speaker, we all know that the Conservatives do not like facts, especially when they come from scientists. The fact is, their cuts are undermining major research projects and driving talented innovation out of Canada. The letter from 47 leading scientists warns the Conservatives are cutting "programs so foundational to research in Canada that one would think that eliminating them was inconceivable". Apparently not so.

Why are they cutting innovation and gutting our ability to compete in a modern, knowledge-based economy?

• (1500)

Hon. Gary Goodyear (Minister of State (Science and Technology) (Federal Economic Development Agency for South-

ern Ontario), CPC): Mr. Speaker, as I mentioned earlier, every single budget the government has put forward, including the recent one, has invested more in science, technology and innovation and their development. We do that because it not only creates jobs today but creates the high-quality jobs of the future.

However, every single moment we put something forward, the NDP votes against it. It votes against money for genomics. It votes against funding for aerospace industry. It votes against basic research, like the Perimeter Institute for Theoretical Physics in Waterloo. It votes against the next generation medical isotope.

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NORTHERN ECONOMIC DEVELOPMENT

Mr. Ryan Leef (Yukon, CPC): Mr. Speaker, once again, our government is demonstrating its commitment to the north by increasing the borrowing limits for the territories. This important action will help governments invest in needed infrastructure projects, bringing increased jobs and long-term prosperity to northern communities.

Surprisingly, the NDP member from the Northwest Territories has been quoted as opposing improved measures that will support northern economies, despite the strong support from the territorial governments.

Could the Minister of Aboriginal Affairs and Northern Development explain to the House, and the out-of-touch NDP critic, why these measures and this legislation are so important?

Hon. John Duncan (Minister of Aboriginal Affairs and Northern Development, CPC): Mr. Speaker, increased borrowing limits for the territories is a vital step toward increased prosperity for northern communities. It will be used to support critical infrastructure projects such as the road between Inuvik and Tuktoyaktuk, a project the NWT government and aboriginal leadership support.

I urge the NDP member from NWT to reverse his stance and support Bill C-38. Northerners benefit from this government's successful agreement with the territories.

*Oral Questions***INTERNATIONAL COOPERATION**

Hon. Mark Eyking (Sydney—Victoria, Lib.): Mr. Speaker, besides the \$380 million cut for poor countries, the Conservative government has denied funding for most NGOs doing hard work in these areas. One of the most dedicated and effective among these groups is the Canadian Nurses Association. Through its global health partnership program, Canadian nurses have worked with groups in over 40 countries over 35 years. This year, the Conservatives have given them the axe.

If the nurses are not good enough, who is?

Hon. Bev Oda (Minister of International Cooperation, CPC): Mr. Speaker, Canada is fortunate to have many organizations helping those living in developing countries. As a government agency, we want to ensure that our public funds support effective, sustainable, long-term development results. We are helping governments and medical institutions learn their own way and have their own means to develop nurse training in-country so that it can last for years and years to the benefit of those countries.

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AGRICULTURE AND AGRI-FOOD

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, the sweeping changes in the Conservatives' budget would negatively impact the lives of Canadians. One of the many disturbing changes would allow the Minister of Health to ignore current regulations and authorize the sale of products that contain harmful substances.

After gutting the Canadian Food Inspection Agency and reducing the number of food inspectors, why is the government blatantly refusing to follow regulations that are essential to keeping Canadians and our food safe?

Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC): Mr. Speaker, I can assure the member opposite and all Canadians that their food is safe. The Canadian Food Inspection Agency continues to play a major role inspecting imported foods as well as what we produce here domestically. There are still a growing number of inspectors out there on the front lines. We had put \$100 million into last year's budget. We have put \$51 million into this year's budget, which, of course, the NDP voted against.

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NATURAL RESOURCES

Mr. Joe Daniel (Don Valley East, CPC): Mr. Speaker, the leader of the no-development party is continuing his attack on the resource sector. We know that Canadians are not listening. Instead, they are taking advantage of the jobs that the resource development sector creates with the largest two-month job growth in decades.

The opposition leader is alienating Canadian workers and pitting one region of the country against the other. Could the parliamentary secretary please tell this House what the western premiers are saying about the NDP policies?

• (1505)

Mr. David Anderson (Parliamentary Secretary to the Minister of Natural Resources and for the Canadian Wheat Board, CPC):

Mr. Speaker, I would like to thank the member for his hard work on the natural resources file.

Instead of supporting good Canadian jobs in western Canada, the leader of the no-development party calls these jobs a "disease". Western premiers are fighting back.

Premier Wall of Saskatchewan said that the NDP leader's comments are divisive and bad economics.

Premier Redford of Alberta said that the NDP leader might want to inform himself before he opens his mouth.

Premier Clark of B.C. said that the NDP leader's backward thinking has been discredited for a long time.

New leader, same old policies. New leader, same missed opportunities. New leader, same disastrous results.

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[Translation]

TRANSPORT CANADA

Mrs. Sana Hassainia (Verchères—Les Patriotes, NDP): Mr. Speaker, almost two years ago, the City of Verchères asked Transport Canada to install a safety barrier at the railroad crossing at Montée Calixa-Lavallée.

The City was told that the funds were not available, and now the project is gathering dust on the Minister of Transport's desk. Several accidents have happened at that crossing over the past few years.

When will the government show some concern for people's safety? Why is the minister waiting for tragedy to strike before taking action?

[English]

Hon. Steven Fletcher (Minister of State (Transport), CPC): Mr. Speaker, of course, railway safety is a priority. We take great measures and make investments to improve the rail throughout the country and we will continue to do so. We want all Canadians to be safe. However, I will point out that walking along the rail is very dangerous. It is amazing how many people are unnecessarily killed or maimed by walking on a railway. We also need to work on railway education.

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[Translation]

JUSTICE

Mrs. Maria Mourani (Ahuntsic, BQ): Mr. Speaker, because of Bill C-10, the justice bill, an average of 1,000 more prisoners will be sent to Quebec's 18 prisons every day. These prisons are already at capacity.

In addition to the ongoing \$80 million expense, Quebec will have to spend \$750 million to build new cells, even though it has the lowest crime rate in North America.

Who does the government want to take money away from in order to build prisons: families, the ill, young children? Who?

[*English*]

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, as members know, Bill C-10 zeroes in on drug traffickers and those who molest children. An estimate that this is going to add 1,000 new prisoners to provincial facilities in the province of Quebec would be 365,000 a year, just the provincial ones and not the federal one. I reject the idea that half a million people in the province of Quebec would be convicted every year of drug trafficking or child molestation. I reject that and I think most people would agree with me.

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PRESENCE IN GALLERY

The Speaker: I draw the attention of hon. members to the presence in the gallery of the Honourable Alistair Burt, Parliamentary Under Secretary of State, Foreign and Commonwealth Office of the United Kingdom of Great Britain and Northern Ireland.

Some hon. members: Hear, hear!

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POINTS OF ORDER

ORAL QUESTIONS

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, I hope this is properly put as a point of order. I noted earlier in question period, in debate, that the Conservative members of Parliament made note of the long speech of the hon. member for Burnaby—New Westminster and claimed that it had prevented people from speaking to the elements of Bill C-38.

I merely wish to point out that long after the member for Burnaby—New Westminster ceased speaking, Bill C-38 was introduced two weeks later.

The Speaker: That would not be a point of order.

[*Translation*]

The hon. member for Rivière-du-Nord on a point of order.

Mr. Pierre Dionne Labelle (Rivière-du-Nord, NDP): Mr. Speaker, the Minister of Foreign Affairs seems to be enjoying a privilege denied other members of this House.

I watched him while the Minister of Citizenship, Immigration and Multiculturalism was answering the question. He went and stood next to his whip and stayed there for about a minute, watching the chamber. Is that a parliamentary attitude?

Can we allow people to wander about the House like that? I would like you to call him to order, because if 200 or 300 of us were to adopt his attitude, it would look like Grand Central station, and that is not right. In the House, we should have decorum.

When a minister is answering a question, I think the minister should remain in his place and not stand beside the whip and remain

Routine Proceedings

there for 60 seconds, observing the chamber as if he were the master of the House.

● (1510)

[*English*]

Hon. John Baird (Minister of Foreign Affairs, CPC): Mr. Speaker, I make no apologies for discussing important issues with my fellow colleagues on both sides of the House of Commons at any time.

I would encourage you, Mr. Speaker, to say that was not a point of order but a silly excuse for an intervention.

The Speaker: I do not think the Speaker wants to get into a position where he has to monitor every member's comings and goings. I will point out that if a member's movements are causing disruption, if at the time a member wants to bring it to my attention, I can certainly have a word with the member who is causing the disruption.

We will maybe see how it progresses after the member has raised the point.

ROUTINE PROCEEDINGS

[*English*]

GOVERNMENT RESPONSE TO PETITIONS

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

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CANADIAN CHINESE COMMUNITY

Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC): Mr. Speaker, I rise today to commemorate an important anniversary in the history of our Parliament and of the pioneers of Canada's Chinese community.

Sixty-five years ago today, Parliament repealed the Chinese Immigration Act, also known as the Chinese Exclusion Act. In doing so, it brought an end to generations of unjust discrimination against people of Chinese origin.

In 1923, the Chinese Exclusion Act was introduced by the government of William Lyon Mackenzie King after \$23 million in head tax revenues from Chinese immigrants to Canada had been collected in the preceding 50 years. This unjust law prevented anyone from China from emigrating to Canada.

Chinese men, who had already faced two decades of stigma, remained separated from their families and were denied the rights of subjects of the crown. This was unworthy of our country, considering particularly that many of these men had helped to unite the Dominion in building one of the most dangerous sections of the Canadian Pacific Railroad through the Rocky Mountains.

Routine Proceedings

Despite these injustices, the Chinese remained steadfastly loyal to Canada. During the Second World War, a patriotic generation of Chinese Canadians volunteered for the Canadian military. Serving bravely, they were generally not put into action until late in the war when the British recruited them into the special operations executive. They served with honour overseas in defending the freedom and defeating fascism and Japanese imperialism.

[Translation]

Douglas Jung was one of the most distinguished volunteers. The dedicated service of men like Jung forced the government to put an end to its unfair policies on May 24, 1947, when Parliament repealed the Chinese Immigration Act.

Today marks the 65th anniversary of that historic moment. On June 22, 2006, our government helped draw to a close this sombre chapter in our history when the Prime Minister issued a formal apology for the head tax and expressed his deepest regrets.

[English]

Since then, the government has issued *ex gratia* symbolic payments to living head tax payers and widows of head tax payers.

Through the community historical recognition program, our government has also approved some \$4.5 million of projects that are intended to recognize the injustice that Chinese Canadians faced through the head tax and the Chinese Exclusion Act.

In June 1957, Douglas Jung became the first Canadian member of Parliament of Asian and Chinese origin. He subsequently represented Canada at the United Nations. We pay tribute today to his spirit and to the spirits of all those who rose up with dignity and overcame decades of unjust discrimination against people of Chinese and Asian origin. A federal building in Vancouver was named the Douglas Jung Building in 2007 to commemorate their struggle for equality before the law.

In his maiden speech in this place, Douglas Jung said:

While those of us in the Conservative party will take particular pleasure in my election, which election will refute any argument that this party has been discriminatory to certain groups in the past, I am sure that hon. members on both sides will rejoice that we in this country have a system of government that does not extol its virtues by fanfare, but by expressing our belief in our principles by deeds and not words.

On this day, the 65th anniversary, let us all call to mind those who overcame adversity to help build a Canada that is an example to the world of freedom, democracy and equality for all.

● (1515)

Ms. Jinny Jogindera Sims (Newton—North Delta, NDP): Mr. Speaker, today I join my hon. colleague in marking the 65th anniversary of the repeal of Canada's discriminatory Chinese Exclusion Act when Chinese immigrants were finally granted the right to become Canadian citizens.

As the official opposition, we recognize the important struggles the Chinese community has had to confront in becoming Canadian citizens and we must say thanks to the early Chinese Canadian pioneers who helped build this nation despite the hardships they were forced to face, such as the Chinese head tax and the Chinese Exclusion Act.

The Chinese Exclusion Act prohibited Chinese immigration for more than a generation. Only a handful of Chinese were allowed to enter Canada during this period, which spanned the Great Depression and the Second World War. The sons and daughters of the head tax payers were also directly affected by this legislation and experienced poverty, racism, family separation and lost educational opportunities.

On June 22, 2006, after years of advocacy from the Chinese Canadian community, the Government of Canada finally offered a formal apology for the head tax and expressed deep regret for the injustice and discrimination it represented.

I want to take this opportunity to thank a couple of people whose tireless advocacy helped make this historic apology a reality. The first is my hon. colleague from Trinity—Spadina. In the early 1980s, as an assistant to NDP MP Dan Heap, she helped to launch the campaign to seek an apology and compensation from the federal government on the shameful anti-immigrant Chinese head tax and Chinese Exclusion Act and she continues to be a powerful advocate in the House for Chinese Canadians.

I also want to acknowledge the role our late leader, the hon. Jack Layton, played in advocating for an apology and redress for this tremendous injustice. A statement from the Chinese Canadian National Council stated:

As a City Councillor and Member of Parliament, Mr. Layton tirelessly supported numerous social justice issues. In particular, he...supported...the Chinese Canadian community in our decades long campaign for redress of the Chinese head tax and Chinese Exclusion Act at its most challenging moments.

Mr. Layton told the House on that occasion, "This is important not just for the head tax survivors, but for all Canadians, who will now see that justice has been done".

As most members know, New Democrats had pushed for an apology and redress for over 20 years since the current member for Vancouver East and former MPs, Margaret Mitchell of Vancouver and Dan Heap, demanded justice and reconciliation on behalf of head tax payers in their ridings and across this country. Since that time, tragically, before an apology could be issued, most of the head tax payers died.

The redress offered to head tax payers was not as comprehensive as we would have liked since the children have not been directly compensated. Children were greatly harmed. In many cases, children were separated from their fathers for decades. The effects emotionally, socially, culturally, economically and personally are incalculable. New Democrats continue to call for a more comprehensive refund for victims of the head tax.

Routine Proceedings

It is important that by remembering our past we commit not to repeat our mistakes. Sixty-five years ago we ended a sad chapter of discrimination. We finally acknowledged that it was wrong to exploit foreign labour and deny citizenship in this cruel way. Today, we bring in thousands of temporary foreign workers who will be allowed to make 15% less than Canadian workers. They will be denied family reunification and the right to stay in Canada.

As the official opposition, New Democrats believe that, much like the Chinese who came to build our railroads and unite our country, if one is good enough to work here one is good enough to stay.

I am thankful for the opportunity to join with members across the House to mark the end of this sad chapter in our history and to commit to fight the injustices of today.

• (1520)

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, on behalf of the Liberal Party of Canada, I would like to put this into a context.

During the early 1880s, about 15,000 labourers were brought from China. They were used to build the Canadian Pacific Railway. In 1878, the B.C. government passed a law that attempted to prevent Chinese people from immigrating. It was ruled illegal. However, a few years later, our first Prime Minister, John A. Macdonald, passed the Chinese Immigration Act of 1885. That was the law that created the Chinese head tax, which almost accomplished what the B.C. government and many labour leaders at the time were wanting to see happen, which was to prevent Chinese people from immigrating to Canada. This all led to the Government of Canada, back in 1923, passing in Parliament what is best known as the Chinese Exclusion Act. The new law replaced the head tax and stayed in place until the Mackenzie King government repealed the law on May 14, 1947.

The head tax of 1885 was wrong. The Chinese Exclusion Act was wrong. We all need to reflect on how those decisions made back then hurt us as a people and as a nation today.

Here, in celebration of the 65th anniversary, we need to recognize that Canada's Chinese community has contributed in every way to our social and economic development. From coast to coast to coast and from urban settings to rural, we see that the Chinese community is second to no other community in terms of the way of life and the lifestyle that we have and celebrate today. It is with those comments we stand in recognition of the 65th anniversary.

Ms. Elizabeth May: Mr. Speaker, I request unanimous consent to be able to speak to this issue on behalf of the party I represent.

The Speaker: Is there unanimous consent?

Some hon. members: Yes.

Some hon. members: No.

The Speaker: There is no consent.

The hon. member for Richmond—Arthabaska has the floor.

[*Translation*]

Mr. André Bellavance: Mr. Speaker, I strongly disagree with the decision that was just made. I heard Conservative members refuse to allow the Leader of the Green Party to speak, even though she is

from British Columbia, where there is a large Asian and Chinese community.

Any member of a political party in this House should be allowed to speak, especially since the minister said that in the past his party had been unfairly accused of not being open to immigration.

I do not understand why everyone cannot pay tribute to this 65th anniversary. In Quebec, especially Montreal, there is a large Chinese community that makes a big—

The Speaker: Order. Does the hon. member for Richmond—Arthabaska have the unanimous consent of the House to respond?

Some hon. members: No.

The Speaker: There is no consent.

* * *

[*English*]

COMMITTEES OF THE HOUSE

JUSTICE AND HUMAN RIGHTS

Mr. Dave MacKenzie (Oxford, CPC): Mr. Speaker, I have the honour to present, in both official languages, the 11th report of the Standing Committee on Justice and Human Rights in relation to Bill C-309, An Act to amend the Criminal Code (concealment of identity). The committee has studied the bill and has decided to report the bill back to the House with an amendment.

PROCEDURE AND HOUSE AFFAIRS

Mr. Joe Preston (Elgin—Middlesex—London, CPC): Mr. Speaker, pursuant to Standing Orders 104 and 114, I have the honour to present, in both official languages, the 23rd and the 24th reports of the Standing Committee on Procedure and House Affairs, both regarding memberships to the committee of the House. If the House gives its consent, I intend to move concurrence in both the 23rd and 24th reports later today.

• (1525)

CITIZENSHIP AND IMMIGRATION

Mr. David Tilson (Dufferin—Caledon, CPC): Mr. Speaker, I have the honour to present, in both official languages, the third report of the Standing Committee on Citizenship and Immigration entitled Bill C-31, An Act to amend the Immigration and Refugee Protection Act, the Balanced Refugee Reform Act, the Marine Transportation Security Act and the Department of Citizenship and Immigration Act.

INDUSTRY, SCIENCE AND TECHNOLOGY

Mr. David Sweet (Ancaster—Dundas—Flamborough—Westdale, CPC): Mr. Speaker, I have the honour to present, in both official languages, the second report of the Standing Committee on Industry, Science and Technology in relation to its study of the main estimates 2012-13.

Routine Proceedings

PUBLIC SAFETY AND NATIONAL SECURITY

Mr. Kevin Sorenson (Crowfoot, CPC): Mr. Speaker, I have the honour to present, in both official languages, the fourth report of the Standing Committee on Public Safety and National Security in relation to its study of Bill C-350, An Act to amend the Corrections and Conditional Release Act (accountability of offenders), with an amendment.

[*Translation*]

ACCESS TO INFORMATION, PRIVACY AND ETHICS

Mr. Pierre-Luc Dusseault (Sherbrooke, NDP): Mr. Speaker, I have the honour to present, in both official languages, the third report of the Standing Committee on Access to Information, Privacy and Ethics concerning the statutory review of the Lobbying Act.

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

[*English*]

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, I am very honoured to rise on behalf of the New Democratic Party with its response to the ethics and privacy committee's review of the Lobbying Act.

We felt that in this committee all parties managed to do some very good work on the issue of lobbying. However, there are serious shortcomings that have to be pointed out and addressed, because Canadians expect accountability on the issue of lobbying.

While we support the overall recommendations, we have to note that the government restricted the witness list. It restricted it in such a way that Guy Giorno, former chief of staff to the Prime Minister, a man I would never normally quote except in an accusatory fashion, said that the committee had "larded the witness list" with consultant lobbyists who have a biased point of view.

The other really disturbing issue was the fact that the government members continually refused to allow the RCMP to be heard.

As a result, we have a number of recommendations.

We recommend that the lobbying commissioner be empowered to carry on investigations that have been handed over to the RCMP, because the RCMP has never followed through; that consultant lobbyists must report the ultimate client of their lobbying work in their monthly communications report, not just the firm for which they work; that we enshrine immunity provisions to protect the Commissioner of Lobbying and her delegates; that the Commissioner of Lobbying must retain a formal mandate to educate lobbyists and the members opposite; and that a list of all designated public office holders must be maintained—

The Speaker: Order. I will stop the member there.

The dissenting reports are supposed to be succinct and be somewhat similar in time to the amount of time that the member presenting the report took to do that.

PROCEDURE AND HOUSE AFFAIRS

Mr. Joe Preston (Elgin—Middlesex—London, CPC): Mr. Speaker, if the House gives its consent, I move that the 23rd and

24th reports of the Standing Committee on Procedure and House Affairs, presented to the House earlier today, be concurred in.

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

Some hon. members: Agreed.

(Motion agreed to)

* * *

PETITIONS

STALKING AND CRIMINAL HARASSMENT

Mr. Ray Boughen (Palliser, CPC): Mr. Speaker, I rise to present a petition with strong support on behalf of residents of Saskatchewan, many of them living in my riding of Palliser.

The petitioners, all 4,642 signatures, would like to draw the attention of the House of Commons to section 810 of the Criminal Code, which states that the current protection for victims of stalking and criminal harassment is limited to a term of one year, and that victims of stalking and criminal harassment are re-victimized by the necessity to renew this protection on a yearly basis .

Therefore, the petitioners call upon the House of Commons to increase the length of protection provided to victims of stalking and criminal harassment.

POVERTY ELIMINATION ACT

Mr. Glenn Thibeault (Sudbury, NDP): Mr. Speaker, I rise to introduce two petitions. I will be brief on both.

With respect to the first petition, the petitioners would like the House to support the Act to Eliminate Poverty in Canada. The petitioners draw the attention of the House to the fact that poverty affects over 10% of Canadians and disproportionately affects aboriginal people, recent immigrants, people with disabilities and youth and children. Therefore, they call upon the government and Parliament to ensure swift passage of any bill that acts to eliminate poverty in Canada.

● (1530)

JUSTICE

Mr. Glenn Thibeault (Sudbury, NDP): Mr. Speaker, I once again bring forward petitions signed by hundreds of individuals in my community who are seeking justice for an aboriginal man who they believe was wrongly convicted. John Moore was accused and convicted of second degree murder in a case in which the crown agreed he was nowhere near the scene of the crime and in which a trial determined that he played no part in planning the crime.

The petitioners call upon the Minister of Justice and the Attorney General of Canada to review the conviction in the case of R. v. Moore, recognize that a wrongful conviction occurred, overturn the conviction and enter an acquittal.

PENSIONS

Ms. Judy Foote (Random—Burin—St. George's, Lib.): Mr. Speaker, I rise today to present a petition on behalf of people from Newfoundland and Labrador, particularly people from my riding of Random—Burin—St. George's in the Coast of Bays area of the riding, who take great exception to the government's decision to raise the age of eligibility for OAS from 65 to 67. In particular, they are upset with the impact this will have on people who work in physically demanding environments, such as in construction and fish plants, as well as those who work in mentally challenging environments.

The petitioners call upon the government to reconsider this decision in light of the impact it will have on those particular individuals.

ABORTION

Mr. Merv Tweed (Brandon—Souris, CPC): Mr. Speaker, I am pleased to present, on behalf of constituents of Brandon—Souris and many others in western Manitoba, a petition respectfully requesting the House of Commons not to introduce any legislation that would restrict either the right or access to abortion services in Canada.

[Translation]

KATIMAVIK

Ms. Charmaine Borg (Terrebonne—Blainville, NDP): Mr. Speaker, it is my honour to present another petition against the government's decision to stop funding the Katimavik program.

[English]

This petition in particular was brought to me by Rebecca Redden, from Hamilton. She herself is so upset at the decision of the government to end the funding of Katimavik that she went out herself, started this petition and collected hundreds of signatures from people across Canada.

I hope the government will give due consideration to this petition and to the others that I will be presenting in the next days.

CANADA POST

Mr. Andrew Cash (Davenport, NDP): Mr. Speaker, it is an honour for me to rise today on behalf of the constituents in my riding of Davenport.

They care about public services. Often we hear the government say that some of these public services are not in its jurisdiction, but Canada Post is a public service that the people in my riding take very seriously. In particular, in the area around this one specific location, many people do not drive. They rely on it and they have relied on it for decades. Canada Post has sent out mixed signals as to whether it is keeping it open or closing it.

The petition speaks to this issue and to the importance many people in my riding attach to keeping the postal station open.

THE ENVIRONMENT

Mr. David Tilson (Dufferin—Caledon, CPC): Mr. Speaker, I have a petition from people from all over Ontario who are concerned about the proposed mega-quarry in Melancthon Township in Dufferin County in Ontario. It which would be the largest open-pit quarry in Canada at over 900 hectares, or 2,300 acres.

Routine Proceedings

They are concerned with a number of things, one of which is that the proposed mega-quarry would initially have 150 truckloads per hour of aggregates leaving the quarry heading south and 150 empty truckloads returning to the quarry. Other trucks would be transporting 52 tonnes of explosives to the quarry per day. All of this traffic would take place on local roadways not designed to carry such traffic.

Petitioners are asking that the Government of Canada conduct an environmental assessment under the authority of the Canadian Environmental Assessment Act on the Highland Companies' proposed mega-quarry development.

Mr. Kennedy Stewart (Burnaby—Douglas, NDP): Mr. Speaker, I am here to present a petition signed by 57,000 British Columbians and Canadians calling on the government to keep tankers out of the wild and pristine coastal waters of B.C. forever.

On top of these signatories, I have also had hundreds and even thousands of calls and contacts to my office concerned about the Enbridge northern gateway pipeline and the expansion of the Kinder Morgan Trans Mountain pipeline. This is an issue that is a concern to all British Columbians, and I call on the government to take heed of this petition.

• (1535)

CANADIAN BROADCASTING CORPORATION

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, I rise today to present two petitions. The first is from residents of areas including Didsbury, Innisfail and Toronto. They are calling on members of the House to protect the national public broadcaster and to ensure that the CBC and Radio Canada receive adequate, sustainable and predictable funding.

THE ENVIRONMENT

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, the second petition is similar to the one just raised by the hon. member in relation to the northern gateway project.

The petitioners in this case are from the general Toronto area, including Etobicoke and Whitby. They call on the House to urge the Conservative Privy Council to allow a full, fair and transparent hearing of the impacts of this project, to not rush to judgment and to cease and desist from insisting the project must go ahead come hell or high water, as the current minister and Prime Minister appear to be doing.

PENSIONS

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, it is with pleasure that I present this petition from constituents of Winnipeg North. They are stating that they believe that people should be able to continue to have the option to retire at the age of 65 and that the government should not in any way diminish the importance and value of Canada's three major seniors' programs, the OAS, GIS and CPP.

It is with pleasure that I provide the petition to the government.

*Routine Proceedings***QUESTIONS ON THE ORDER PAPER**

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC): Mr. Speaker, the following questions will be answered today: Nos. 555 and 556.

[Text]

Question No. 555—**Mr. Sean Casey:**

With regard to Canadian Forces aircraft procurement, will any pilot training for the proposed F-35 Joint Strike Fighters take place in Canada, and, if so, at which Canadian Forces base or other location will it occur?

Hon. Julian Fantino (Associate Minister of National Defence, CPC): Mr. Speaker, the Government of Canada has not yet purchased a replacement fleet of aircraft for the current CF-18 fighter jets. As a result, no arrangements for pilot training for the replacement fleet have been finalized.

Question No. 556—**Mr. Sean Casey:**

With regard to Canadians discovered to have secret bank accounts in Liechtenstein: (a) since the government received the names of 106 Canadians with accounts in Liechtenstein, how many of the 106 have made an application under the Voluntary Disclosure Program (VDP) and how many of these VDP disclosures have been accepted; (b) who authorized these disclosures after the Canada Revenue Agency (CRA) had already declared these Canadians ineligible for the VDP; (c) does the CRA accept disclosures that do not meet its guidelines for disclosures under the VDP; (d) how many times has the CRA allowed ineligible individuals to make disclosures under the VDP in the past (i) 6 months, (ii) year, (iii) 5 years; (e) what policy or procedures exist that govern whether or not an ordinarily ineligible disclosure will be accepted; (f) does the CRA make exceptions to the VDP for individuals who are suspected of domestic tax evasion; and (g) what percentage of individuals who disclose information to the CRA through the VDP are (i) fined, (ii) penalized, (iii) prosecuted, (iv) convicted of tax evasion, (v) placed under house arrest, (vi) sent to prison?

Hon. Gail Shea (Minister of National Revenue, CPC): Mr. Speaker, the response of the Canada Revenue Agency, CRA, with regard to (a) is that since the government received the names and starting compliance actions on the 106 Canadians whose names appear on the list of having accounts in Liechtenstein, none of them have applied under the voluntary disclosures program, VDP, with respect to accounts in Liechtenstein.

With regard to (b), the response to (a) applies.

With regard to (c), no, there are no policies to allow ineligible disclosure to be accepted under the VDP.

With regard to (d), there have been no such instances.

With regard to (e), there are no policies or procedures to allow ineligible disclosures to be accepted under the VDP. To be considered valid, and therefore accepted, the VDP policy requires that a disclosure meet all four of the following conditions: it must be voluntary, it must be subject to a penalty, it must be at least one year past due and it must be complete.

With regard to (f), no, the CRA does not make exceptions to the VDP policy.

With regard to (g), taxpayers who make a valid disclosure under the VDP may not be subjected to penalties or pursued for prosecution as long as they are covered by the legislative parameters of the program.

[English]

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 Questions Nos. 558, 559, 560, 561 and 571 could be made orders for returns, these returns would be tabled immediately.

The Acting Speaker (Mr. Barry Devolin): Is that agreed?

Some hon. members: Agreed

[Text]

Question No. 558—**Ms. Judy Foote:**

With regard to the closure of the Maritime Rescue Sub-Centre in St. John's: (a) what are the dates of all communication on this subject between any official of the federal government and any official of the provincial government of Newfoundland and Labrador; (b) what was the medium of such communication; (c) who initiated the communication; (d) who was the recipient or intended recipient; and (e) what are the associated file or reference numbers associated with any such communication?

(Return tabled)

Question No. 559—**Ms. Marjolaine Boutin-Sweet:**

With regard to Human Resources and Skills Development Canada (HRSDC): (a) what are the names of the Department's skills programs; and (b) for each skills program in (a), what is (i) the target population, (ii) the funding recipient (i.e., provinces and territories or organizations), (iii) the budget for each fiscal year from 2005-2006 to 2012-2013, broken down by operating expenses and transfer payments, (iv) the projected budget for fiscal years 2013-2014, 2014-2015, and 2015-2016, broken down by operating expenses and transfer payments, (v) the number of applications received annually for funding, broken down by the number of applications accepted and the number of applications rejected, (vi) how many HRSDC staff work on administering or evaluating the program, (vii) what evaluations have been done for the programs' effectiveness by date and by title of report, (viii) what are the granting criteria?

(Return tabled)

Question No. 560—**Ms. Marjolaine Boutin-Sweet:**

With regard to government funding allocated within the constituency of Hochelaga for every fiscal year from 2004-2005 to 2012-2013: (a) what is the total amount of funding by (i) department, (ii) agency, (iii) other government entity, (iv) program; and (b) how many jobs are a direct result of this funding, including both (i) full-time jobs, (ii) part-time jobs?

(Return tabled)

*Government Orders***Question No. 561—Mr. Claude Patry:**

With regard to the Employment Insurance (EI) program and its administration: (a) how many overpayments have been made annually for the past five fiscal years by number and by amount, broken down by (i) region/province, (ii) year, (iii) misrepresented versus non-misrepresented cases; (b) how many overpayments have been collected annually for the past five fiscal years by number and by amount, broken down by (i) region/province, (ii) year, (iii) misrepresented versus non-misrepresented cases; (c) how many overpayments have been written off annually for the last five fiscal years by number and by amount, broken down by (i) region/province, (ii) year, (iii) misrepresented versus non-misrepresented cases; (d) how many EI cases have been adjudicated annually for the past five years, broken down by (i) region/province, (ii) year, (iii) misrepresented versus non-misrepresented cases; (e) what is the average caseload for EI inspectors annually for the past five fiscal years, broken down by (i) region/province, (ii) year, (iii) misrepresented versus non-misrepresented cases; (f) what is the average caseload for EI adjudicators annually for the past five fiscal years, broken down by (i) region/province, (ii) year, (iii) misrepresented versus non-misrepresented cases; (g) what is the EI Workload Status annually for the past five fiscal years, broken down by (i) region/province, (ii) year, (iii) total case intake, (iv) number of cases pending, (v) number of cases pending more than 29 days; and (h) excluding those on parental leave, what is the number of Service Canada employees on long-term disability leave in total and broken down by (i) EI call centres, (ii) EI processing centres?

(Return tabled)

Question No. 571—Mr. Massimo Pacetti:

With regard to the Apprenticeship Incentive Grant: (a) how many apprentices applied for grants in each of the years between 2007 and 2011, broken down by apprentice program; (b) how many apprentices received grants in each of the years between 2007 and 2011, broken down by apprentice program; and (c) how much has actually been spent by the government on these grants for each of the years between 2007 and 2011, broken down by apprentice program?

(Return tabled)

[English]

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

The Acting Speaker (Mr. Barry Devolin): Is that agreed?

Some hon. members: Agreed.

GOVERNMENT ORDERS

[English]

COPYRIGHT MODERNIZATION ACT

The House resumed consideration of Bill C-11, An Act to amend the Copyright Act, as reported (with amendments) from the committee, and of the motions in Group No. 1.

The Acting Speaker (Mr. Barry Devolin): I wish to inform the House that because of the statement made earlier today, government orders will be extended by 12 minutes.

The hon. Parliamentary Secretary to the Minister of Justice has five minutes remaining in questions and comments.

Questions and comments, the hon. member for Davenport.

Mr. Andrew Cash (Davenport, NDP): Mr. Speaker, I listened to the comments made by my hon. colleague earlier today.

On our side we have been fighting every step of the way for a balanced approach to copyright, an approach that balances the needs of consumers with the needs of artists to be paid, and also in a framework that looks forward, that looks to new business models

that would create a climate for innovation, a climate whereby we could build a middle class of artists. We saw this as a great opportunity. What my friend opposite has been talking about does not really address this.

I am wondering how his government can justify, for example, the wiping out of \$21 million due to a loophole that is created in the bill that would allow broadcasters to avoid paying the broadcast mechanical. This right was not just plucked out of the ether. It was adjudicated by the Copyright Board and the government has managed to eliminate it through the back door.

We have not heard from the government why this happened. How can the government justify it?

Mr. Robert Goguen: Mr. Speaker, the \$21 million has been eliminated. However, it is our feeling that the equilibrium which will be struck between the rights of the consumer and the rights of producers and, of course, musicians, will more than compensate for that \$21 million in benefits to the consumer and also as protection for the artists.

Many of the artists are very happy with this, whether they be musicians, painters or photographers. There have been initial rights extended to photographers, who did not have those rights before.

It is all a matter of balancing and some things fall the other way.

● (1540)

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, I was really glad that the member was so precise that the Conservatives took \$21 million off the table, because that is not what they said they were going to do. They said they were creating a 30-day exemption, but that 30-day exemption is a loophole which then allows them not to have to pay that. It is an extraordinary thing to set up legislation that creates a loophole for one group to sneak through and not have to pay, yet when the Conservatives have been asked about it, they have said that they have no intention of artists having a right to be paid.

I would like to ask my hon. colleague why the government actually intervened directly into a system that had been adjudicated by the Copyright Board. These were rights in the same way that anyone has a right to receive compensation, but the government decided it would create a loophole and ensure that the large radio players do not have to pay it.

Why would he think that creating loopholes to rip off artists is good public policy?

Mr. Robert Goguen: Mr. Speaker, the NDP call it a loophole. On this side of the House, we call it creating prosperity, balancing the interests of the consumer and the interests of the artists.

Government Orders

[Translation]

The Canadian Council of Music Industry Associations said that, from coast to coast to coast, Canadian artists have been hit hard by unchecked Internet piracy. That is why the council strongly supports Bill C-32 and our efforts to reform copyright legislation. And it is artists, particularly those who are just beginning their careers, who need these reforms to ensure that they can earn a living from playing their music.

[English]

Maybe some day, although Mick Jagger is not a Canadian citizen, he will be able to stop going on tour.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I am wondering if the member can comment on why it is the government has not listened to consumers and consumer advocates with regard to their concerns on digital locks. Once people have purchased a digital song, for example, why is it that they will not be able to make copies for their own personal use? It is a concern that the Conservatives seem to have forgotten about.

Mr. Robert Goguen: Mr. Speaker, very simply, it is a matter of balance. If we do not have locks, it will wipe out the industry. If people have free access to all music with no holdbacks so that artists can get some money, artists will never be able to retire, perhaps like Mick Jagger.

Mr. Andrew Cash (Davenport, NDP): Mr. Speaker, it is an honour to be in this place and to represent the great people of Davenport.

The folks in my riding care about this issue because there is a very high proportion of people who work in the arts and culture sector in my riding and Toronto in general.

We need to be very clear about a few things. There is really nothing in this bill that is going to help most artists in this country get a pension. In fact, the government has done nothing since I was elected last year to help those who do not have a pension get one. There is nothing in this bill that will help create a middle class for artists in this country. The government has taken an issue, which is piracy, and used it as an excuse to take away money that was there for artists, up to \$50 million, if we include some of the other issues.

The government needs a quick primer on how artists in this country make a living. The Conservatives like to talk about small businesses. The Conservatives like to think and say that they are the champions of small business. We are talking about artists who contribute greatly to the economy of this country. The arts and culture sector makes up a significant part of Canada's GDP, and yet individual artists, on average, make under \$13,000 a year. The Conservatives did not even do it in an honest way, but they created a loophole. They said that they were not changing the rights, that they were not saying that broadcasters should not pay, and then they brought witnesses into committee from the broadcasting sector who said exactly that. In fact, they complained that the loophole on the broadcast mechanical was not big enough for them.

The government has said time and time again that it stands up for artists, but the Conservatives are not walking the walk in this regard. When the government takes \$21 million out of the pockets of artists, this is what happens. Artists who are writing songs and are trying to

produce records and small labels that are trying to get their businesses off the ground need every dollar they can get. We are not even talking about grants. We are talking about remuneration for a right that the Copyright Board has already adjudicated on. That is what we are talking about. We are not even talking about public money being transferred to arts groups. We are talking about the private sector paying for the right.

There was so much misinformation in committee it went to the throat of the issue, which is that on significant issues around music, the government chose not to listen to just about every major stakeholder. Copyright is complex and we accept that. We know there is a great balancing act. However, there was one issue on which all stakeholders in the music industry agreed. One would think if there was unanimity on one issue, the government would listen. That issue was the broadcast mechanical. There was no reason for that, other than, of course, the big broadcasters.

We have a government which is not listening to the voices of small business. If it were, it would be listening to the voices of artists, because artists are small business people. Instead, it listened to the singular voice of big broadcasting in this country. Those companies do not want to pay a very small royalty. They will spend billions buying each other, but they do not want to pay for the arts. In fact, the committee heard testimony from broadcasters who said, "I know we play music on our radio station, but that is just part of what we do". In other words, they do not place too much value on the music that is played on the radio.

● (1545)

To me that is fundamentally untrue. It misrepresents the entire business model of the music industry, including broadcasting, unless we are talking about radio that is not as committed to Canadian artists as it should be.

We have made it very clear, as well, in our position that we need to link the prohibition on circumventing digital locks to acts of copyright infringement, in other words, allowing the circumvention of digital locks for lawful purposes, lawful purposes that are already set out in the act. In fact, what is happening in this bill is that the clause that disallows any breaking of a TPM, a technical protection measure, would take precedence over the rights that are already granted.

We presented amendments that sought to redress this imbalance in the act. One of them was the issue that if we are breaking a TPM to allow persons with perceptual disabilities to use something that we would not be required to put that lock back on. It does misrepresent the whole notion of what a technical protection measure is and that somehow if a code were broken in order for someone to, for example, put closed captioning on a film for someone who is hard of hearing or deaf, that somehow would then need to put that technical protection measure back on and, in a sense, put Humpty Dumpty back together again. It underlines a certain willingness to present the issues of technical protection measures in a light that is not clear. On our side, we were willing to work with the government on these issues.

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I want to double back to the issue of those in the arts and culture sector. Many people who work in this sector require micro-payments just to get by. So, a \$200 cheque here, a \$100 cheque there, a \$50.00 gig there is the difference between whether an artist will be able to pay for that next recording, which could potentially end up in a song that may get on the radio or get in a film and, if that happens, his or her career gets a major boost. It is these small payments that help to nurture the Canadian arts and culture sector and it is these small payments that have been wiped off the table.

The government says that it will compensate that by all the other fantastic measures that are in the bill. However, what it has done here, and it has not been honest about it, is that it has essentially wiped out a revenue stream for artists. In fact, it has wiped one out and, with the private copying levy, it is willing to stand by while that one starves.

The government has decided to attack the income for everyday working artists in this country. It has listened to the voices of big broadcasters, big business, big media and big Hollywood and it has left the voices of regular, average Canadians, those artists who are trying to contribute to their communities and to this culture, twisting in the wind.

These are some of the many reasons that we are not supporting this bill and why we will be voting against it in the next round.

• (1550)

Mr. Tyrone Benskin (Jeanne-Le Ber, NDP): Mr. Speaker, my colleague touched on a couple of things that I would like him to expand on.

I heard a member across the way mention Mick Jagger and say that Mick Jagger would not be hurt by this. That is absolutely true because the Copyright Act itself is about protecting the small members, the guys who do it on a daily basis, who collect those \$100 cheques here and those \$4 cheques there. I am one of those people. For the movies that I do, I get a \$4.50 cheque for something I did 10 years ago. It is that cumulative thing that would be affected.

Taking \$21 million out of the pockets of those people with that \$200 cheque, which would be what he or she needs to pay the rent, is what would be harmful here.

I wonder if my colleague would care to expand on that a bit?

Mr. Andrew Cash: Mr. Speaker, the Alliance of Canadian Cinema, Television and Radio Artists, ACTRA, estimates that Canada's arts and culture sector contributes about \$85 billion a year to our country's economy, 7.4% of Canada's gross national income. One would think that artists did not contribute to the Canadian economy in such a hefty way by the treatment that they are getting in this legislation.

My colleague makes an excellent point. This is not about Mick Jagger, Bryan Adams or Celine Dion. Those examples should not be used because that completely obscures the issue. It is like saying that one is for small business and then saying how great things are going for CIBC. It completely obscures the issue.

We need to be talking about how artists make a living in this country, how small entrepreneurs in the arts and culture sector make

a living in this country. Wiping \$21 million out of the pockets of artists, producers and creators is not the way to go.

• (1555)

Mr. Chris Alexander (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, I rise to put a question for the member opposite because it pains me to see such a well-informed representative of this country's cultural industry cutting off his nose to spite his face.

Would the member opposite not agree that whatever the number that may be lost to some artists, \$21 million, larger or smaller, the bigger fight that is being undertaken in this legislation is against piracy? It is in favour of the rule of law in cultural industries, in the arts. This legislation is in favour of the little guy, the struggling folk singer, the visual artist, the broadcaster, who does not have the ability through our current copyright legislation to control the fruits of his or her labour and to receive remuneration for them. This legislation is in favour of putting piracy on the ropes and having the rule of law enforced in this sector. The stakes are much higher for the little guy and the benefits could run into possibly billions of dollars.

Would the member opposite not grant us that? Will he stop cutting off his nose to spite his face?

Mr. Andrew Cash: Mr. Speaker, I hate to see the real time cutting off a nose to spite one's face but that is what I just witnessed.

It is like being told that I need to go to the dentist because my teeth need fixing but that, by the way, the dentist will break my legs at the knees at the same time. The two things do not relate.

We are not arguing the piracy issue. We understand that there are issues in the bill that have been toughly fought out and that it is a tricky file. However, the government is trying an end run around the truth. The truth is that whatever measures it has around piracy have nothing to do with taking \$21 million. Are the Conservatives trying to say that in order to deal with piracy they needed to wipe \$21 million out of the pockets of artists? That argument does not fly.

Mr. Phil McColeman (Brant, CPC): Mr. Speaker, I am pleased to rise in my place today to speak to Bill C-11, the copyright modernization act, and the important provisions that this bill would give to help Canadian users take full advantage of the opportunities offered by the digital economy.

Since our government first began to address copyright modernization early in our mandate, we have been committed to ensuring that our approach be one based on balance. The Copyright Act as it stands today is woefully out of date. It was last updated in 1997 at a time when VCRs and Discmans were found in every household.

Like all MPs, for example, I make significant use of my BlackBerry. When I meet with constituents, most of them are connected as well. Moreover, we are all using new technologies to stay in touch with the people on the ground in the riding, whether it be through mobile devices, Facebook, Twitter or other online tools.

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We are all seeing new and innovative ways in which our constituents are using digital tools to create, innovate, better their communities and strengthen their local economies. This kind of activity has surpassed the copyright legislation that we currently have on the books. That legislation does not reflect the world in which we live today.

As a result, it does not adequately protect copyright works in the digital economy nor does it respect the everyday uses of modern copyrighted works by users across the country. This has to change and that is why we have a bill as we do today.

It is no secret that copyright is a contentious issue. We had to be diligent in ensuring the myriad stakeholders had an opportunity to contribute and provide the perspectives on the way forward. That is why we engaged in an unprecedented online consultation in 2009. It is why our government has been working hard to tackle this issue since coming to office.

I know it has been said before but I think it bears repeating that it is why the legislative committees sat for over 20 days and heard from over 100 witnesses. The goal was to deliver a final bill that effectively takes into account the important and diverse views and balances the many competing interests.

Through this process, members on both sides of the aisle have learned a lot. In Bill C-11, we have achieved this balance. I think it is fair to say that the legislative committee has returned to this House a bill that is ready to be moved to the Senate.

As we have been discussing throughout these debates, the legislative committee, both in this Parliament and the previous one, has done tremendous work in maintaining this balance. With respect to what the bill does for consumers, our government believes that we have struck the right balance. We have brought into the copyright law many legitimate everyday activities, like recording a television show to view later and changing the format of a CD or music file, that have been long overdue.

Let us think of an iPod, not to tax it like the NDP would, but to imagine that downloading something onto these types of devices is illegal under the old law. I cannot think of a more crystal clear example of why change is necessary.

From those educators teaching their classes from a distance to creative people at home putting together mash-up videos and sharing them online, we have ensured that legitimate uses of copyrighted material are permitted under the law.

Finally, through this bill, we have updated provisions in the law that allow for the adaptation of copyrighted material for use by people with perceptual disabilities. The legislative committee tasked with reviewing this bill has made a number of targeted amendments to better deliver the government's intent without affecting the balance of the bill. The provisions relating to the perceptually disabled are an example.

The bill as it was introduced would allow a non-governmental organization to adapt and export a copyrighted work by a Canadian author or an author of another country to which the export will go. This is an important provision that would enable perceptually

disabled people to access works that are not already available in the marketplace.

• (1600)

The committee heard testimony that it was not always easy to determine nationality. As a result, an amendment was made to ensure that mistakes made in good faith should not result in financial liability for the organization. That is a fair compromise and one I think members can support.

As with all the provisions in this bill aimed at consumers, this technical amendment helps to ensure fair balance on copyright. Through this and other technical amendments my colleagues have adopted, the bill represents the best way forward to modernize Canadian copyright for the modern 21 century digital economy.

A modern and balanced copy right regime is long overdue in our country. I urge hon. members to join me in supporting this bill and helping move it to the Senate. We cannot delay any longer. The day-to-day activities of Canadians and the digital market itself are changing and growing fast for our outdated copyright regime. We must act and we must act now to pass the legislation.

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, I guess the big issue is that members of the Conservative government do not want to address the obvious flaws that could have been fixed in the bill. They have taken a very belligerent attitude toward fixing those flaws.

For example, if people have a perceptual disability, perhaps they are blind and they need to access something for work, they should not be criminalized and treated like pirates. Yet, under the bill, they can only access the work if they do not “unduly impair the technological protection measure”.

I do not know if my hon. colleague deals with technical protection measures, but they are not like a lock that gets picked and then everyone gets to run in. It is a complex code of software. The fact is the government refused to deal with very clear, simple amendments that would protect students with perceptual disabilities to access works that they had a right to access. The government refused to work with them and would treat them the same as they would a pirate.

Why would the government not show a little decency and a willingness to work with the opposition to fix the obvious flaws of the bill?

Mr. Phil McColeman: Mr. Speaker, the premise of the question is that we did not work with the opposition in terms of bringing this together. We had hearings for 20 days that heard over 200 witnesses. Prior to this, in past Parliaments with previous iterations of this bill, there were hundreds of witnesses. The insinuation is that we are not working to strike the right balance, which is absolutely false.

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As I have said in my speech, we have put in provisions for those who are visually disabled. We have put provisions in that would allow copyrighted materials to be properly protected.

• (1605)

Mr. Scott Simms (Bonavista—Gander—Grand Falls—Windsor, Lib.): Mr. Speaker, one of the things I find troubling with this, which I think my colleague for Timmins—James Bay alluded to, is the consultation process where, at first glance, the numbers present what the Conservatives consider to be a fair way to go about this. However, let us look at some of the facts which could be easily rectified, but are not in the bill.

First and foremost, let us look at the education exemption. I have a direct question and a scenario that maybe the member could address.

If a financial institution like a bank decides to educate its employees, would that fall under the exemption as well, or is it just for other institutions?

Mr. Phil McColeman: Mr. Speaker, as I understand it, the education exemption applies to formal education situations and formal teaching environments. It would be for primary, secondary and post-secondary education purposes.

One of the things that is difficult to determine in striking a balance is with those who would choose to violate copyright and call it something it is not, which is a real possibility. In fact, many legal professions are based on those premises.

We are trying to ensure that there is ample protection. We can be flexible in situations down the road when we review this legislation to ensure that those legitimate situations are properly protected and those that are not would be caught, as discussed earlier, with the piracy provisions. We have to ensure that people who have copyright interests are protected.

Mr. Tyrone Benskin (Jeanne-Le Ber, NDP): Mr. Speaker, my head spins sometimes when I hear the commentary from the other side. It is disturbing to me that the bill is coming out from a collection of individuals who have shown very little understanding of the process of creation and have decided to look at the end result and make the law based on the end result without looking at the effect of how we got there.

The current bill in its form now does a great disservice to the very people copyright legislation is supposed to protect. Either the government realizes this and does not care, or it is unaware of it. However, being the eternal optimist that I am, I believe there are some members over there who do care about these people, the creators. Therefore, I speak on record in hopes that in the future those same people will realize the changes needed to make the bill work.

Copyright starts with the creator and ends with the creator. Therefore, my focus is on the independent creator. I define “independent creator” as a freelance individual who is neither commissioned nor employed by an organization to create or develop a work in that organization's name. These individuals who depend on copyright law are the vast number of individuals that this law would affect. They depend on copyright law to ensure their rights to their work remain in their hands. It gives them the right to choose how the

work is used and, through the Copyright Board, determine the value of that work and the determination of how it is used.

Believe it or not, because the delivery system has changed it does not mean copyright owners, or creators, should be penalized on the remunerated access to their work. They should still be paid for the work they do. It has taken a lot of decades to get to a point where artists can monetize the work they used. This is what I believe is being missed, especially on the mechanical rights. It is not a trade-off between piracy and remuneration; they both should be worked on and protected. Therefore, if we have individuals who wish to own a copy of a work created, whether they purchase it at their local music store or they purchase it online, it is still purchased.

Something I will share is that the changing of platform has existed since radio has existed. Back in the day, it was not as easy with digital records, where we just plop our MP3 player into our computer and transfer it onto the unit. Back in the day, it was a little less classy, a little less stealthy. We stood there with our portable tape recorder, held the mike up to the speaker and put it on a cassette so we could walk around with it. That was platform shifting back in the day.

The industry caught onto that and came up with eight-track players so people could listen to it in their cars. Unfortunately, the eight-track player did not go very far. Then cars started coming in with cassettes and the recording companies started making music available on cassettes so people could play it in their cars. Individuals would purchase the LP and/or the single and they would buy the eight-track and/or the cassette. They would pay four times so they could have their music where they wanted it.

Therefore, platform shifting existed from the beginning. I would like people to keep that in mind.

In the case of access for commercial use, one has access currently to a file or we purchase the file once. Now we have broadcasters asking why they should have to pay for things twice. They are not. They are paying for it once. After that, the commercial entity pays for each use, so we have an access fee and we have a use fee. Why use fees? Why should artists not just be thankful that their work is being played? Times have changed.

• (1610)

When radio first came into play, it was a medium of communication. We had live radio dramas and so forth. Then recorded music hit the ground. Rock and roll came about. Radio stations realized there was money in it, that if they played it, people would listen to the radio station and they could flog products that people would buy and the radio stations would get money from the advertising companies.

Once upon a time it was like this. Radio broadcasters seemed to feel that songs and artists would not exist if not for them. There may have been at one point a modicum of truth to that. Once upon a time, record companies could go to radio stations and give them little goodies so they would play their songs. That resulted in the payola scandal back in the day.

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In recent years, we have seen self-releases through personal websites that have proven quite effective in raising the profile of an artist to the point where an artist is already famous. Take Metric, for example, which won a number of Junos about two years ago, having not signed a major recording contract and doing all its publicity and sales through the website. It got to the point where radio stations were looking for it because people wanted to hear the band's music. Therefore, one has to question who benefits whom, in terms of whether radio needs the artist or the artist needs radio. For me, I think it is a very symbiotic relationship.

That being said, a few broadcasters appeared in front of the last legislative committee. They said that they would rather pay whole departments year round to erase a piece of music every 30 days and then re-record it, or re-download it, rather than pay the access fee, the mechanical right, once. It does not make a lot of business sense to me that someone would pay employees to sit there and erase every 30 days so they do not have to pay it and then re-record it, or re-download it so they have access to it, just to avoid the one time only payment for access, the purchase of the piece. They then went on to say that they had to pay for it twice. No, they pay for access, they pay for use fee.

Content is king. We have creators and it seems the government members have the idea that a hit song, any song, just appears out of the blue, that artists sit on a bus, get an idea for a great song and write it on the back of a ticket, or on a napkin. Napkins seem to get lambasted in the House quite a bit. Great ideas have been created on napkins. Then the song ends up on the radio.

Let us look at it from a different perspective, one that the government seems to understand, the perspective of a small business. An entrepreneur has an idea, a song. The entrepreneur develops the idea. The entrepreneur needs capital investment for both prototype and to move from concept to reality, which is the demo phase. This costs an artist a lot of money, either in renting recording space or in buying the equipment. This includes hiring individuals, a project manager, staff, equipment, facilities, delivery systems, marketing, packaging and there is distribution and the product of these sales.

Artists need to be remunerated. Artists depend on the back end to get remunerated. The back end is things like the mechanical rights, \$21 million, private copying \$30 million. It is not a question of choosing piracy over remuneration. It is a question of developing a bill that respects the rights of creators and ensures they are remunerated for the work that they do.

•(1615)

Hon. Lynne Yelich (Minister of State (Western Economic Diversification), CPC): Mr. Speaker, the member talked about the creators. The minister worked to ensure there was a balance between the creator and the users. Modernizing the act was key to updating our laws and meeting international standards.

Would the member elaborate on how important it is to have us in step with international standards?

Mr. Tyrone Benskin: Mr. Speaker, it is hugely important to have a Copyright Act that is in step with other countries. Many of our artists have their works played in other countries and, due to treaties that exist between Canada and the music-collecting agencies here

and abroad, the money that is made by our artists in other countries is collected and sent back. It is important, but one cannot look at elements of this bill that do work and ignore the parts that do not, and there are elements that do work. We are looking to find the balance in what works for everybody, not at the cost of creators.

Mr. Paul Dewar (Ottawa Centre, NDP): Mr. Speaker, my colleague, unlike some of the members across the way, actually understands what it is to be an artist, and that is what is missing here. Artists do their work not because of the pay they get, often, though a few do; they do it because they have a passion for it. It defines who we are as a country.

My question to the member is this. Why does he think the government forewent the opportunity to support artists, particularly the \$21 million he is referring to, which would go directly to support artists? This bill would take that way. Why does he think the government did that?

Mr. Tyrone Benskin: Mr. Speaker, I cannot read minds, unfortunately. It would be a great skill, and I sure as heck would do a whole lot better in this place. All we can do is assume.

I think that the business aspirations of the government took over from the need and the focus on what copyright is. Arts and culture is big business. We have heard many times how it contributes \$85 billion to the economy. Why it chose to side with big business as opposed to artists, with the same result, is beyond me. It thinks that if there is no piracy, artists will get more money. In the computer world, the minute any kind of lock is established, somebody is working to get around it. Will we ever end piracy? It would be a wonderful thing. I do not know if we will. To take away money on that hope does not make a whole lot of sense to me.

•(1620)

Mr. Kennedy Stewart (Burnaby—Douglas, NDP): Mr. Speaker, my colleague is a very famous Canadian artist himself, so he knows what he is talking about.

I am thinking of independent artists in my area, Guilty About Girls and FERA, and venues like the Libra Room. I am thinking about how they are going to be affected by this bill and what changes the member thinks should be made to this act to make them benefit more fully.

Mr. Tyrone Benskin: Mr. Speaker, independent artists like the two he mentioned depend on the Copyright Act to protect their work, so they can sell it in a way that works for them. All the different little revenue streams that artists access, such as private copying, mechanical rights and user fees by broadcasters, go to making sure an artist can, one, live and, two, continue to create.

This bill strikes a lot of that with the vague premise that because piracy is going to end, artists will get more money. The revenue streams that exist now were developed over a number of years and had nothing to do with piracy. They were ways of making these small businesses, these entrepreneurs, more self-sufficient and able to gain more money from the work they do.

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Mr. Paul Calandra (Parliamentary Secretary to the Minister of Canadian Heritage, CPC): Mr. Speaker, I want to take just a moment to congratulate a constituent of mine by the name of Sandra Benedetto, who did the Sporting Life walk this weekend to raise money for cancer research. She raised a lot of money, and I just wanted to take the opportunity to congratulate her and some of her neighbours for taking on that initiative.

We are back here yet again talking about copyright reform. This is something we have been doing a lot. We did it in the last Parliament and we resumed it in this Parliament. It was one of the mandates, one of the things we earmarked in our throne speech as being extraordinarily important to the economy.

As members know, the government has been focused on jobs and the economy since it was first elected in 2006. We knew, as we went through the global economic downturn, that we had to start modernizing a number of the things that were holding back the economy. Of course, the Copyright Act was one of those pieces of legislation that was holding back our economy. We knew Canada had some international responsibilities that we were not able to live up to because Parliament was unable to modernize the Copyright Act.

I am very excited that we are at a point where we are actually seeing progress on this and that very soon a modernized Copyright Act will make it through this place and hopefully through the Senate, and Canadian creators, producers and those who create wealth and jobs in this country can continue to do that and continue to have the confidence that their government will support them and that legislation will be in place to help make sure they can continue to prosper.

I had a great opportunity this weekend to visit the Toronto International Film Festival, which had what was called the Next Wave film festival for Ontario's young filmmakers. It was a collection of the finalists from across the country. It was young filmmakers who were given the task of creating short five- or six-minute films in all kinds of different categories.

I cannot tell members how impressed I was by the quality of the productions I saw there. I am even more impressed that two constituents of mine made it to the finals, Joseph Procopio, a grade 12 student, and his two sisters in another category, Susan and Katherine. They won in their category. I want to congratulate them, as well.

I bring up the Toronto International Film Festival and our young creators because it is one of the things that helps define the city of Toronto and helps to define Vancouver. The importance cannot be understated of the entertainment industry to both Toronto and Vancouver, and to smaller towns across this country, for the hundreds of thousands of jobs that this sector creates.

This sector has been asking us for increased protections, not only so that we could live up to the international treaties we have signed but so that the works and the investments they put in could actually be protected in this country. That is what this bill would do. This bill would enable or increase some of the protections that the industry has been requesting for the longest time.

When we talk about large films, often we talk about the stars. A couple of years ago in my riding, in my hometown of Stouffville, one of the final episodes of the *West Wing* came to town. They were pretending my hometown was New Hampshire. Everybody was excited to see Jimmy Smits there as the Democrat nominee, but what struck us most was the hundreds of other people who were in support of the production, the hairstylists, carpenters, electricians and security personnel who were there. These are the people who are part of these productions, and these are jobs across this country, hundreds of thousands of jobs that are at stake if we do not actually get our act together.

Now 400 film, television and interactive media companies across Canada represent 130,000 jobs, and that is \$5.2 billion. They support this legislation. They support it because they know it is the right thing to protect them. It is the right thing to protect our producers, creators and the people who actually create wealth and jobs in this country.

• (1625)

Who else supports this legislation? There are the 38 multinational software companies, including Corel, Dell, Hewlett Packard, Apple, IBM and Intel, and 300 of Canada's business associations and boards of trade support this legislation. The students of 25 universities across Canada support this legislation. The entertainment software industry, representing 14,000 jobs, supports the legislation and is wondering why it has taken so long to get the legislation passed.

When we talk about the process, until recently, until we brought the budget forward, I do not know of any other piece of legislation that has received more input than this particular piece of legislation, over two Parliaments. We have heard from hundreds of witnesses. We have heard dozens of speeches in this place. It became almost ridiculous, on the opposition side, that they were actually recycling the same members and some of the same speeches two and three times on this particular piece of legislation. That is how ridiculous it became, the effort to try to stop us focusing on the economy.

We are not just seeing it on this particular piece of legislation, unfortunately. We are seeing it on a whole host of legislation, which is targeted toward improving the economy, creating jobs and helping bring even greater investment to this country. What we see from the opposition, time and time again, whether it be on this legislation or on the government's economic action plan, is that its main focus is not to help Canadian business, not to help Canadian consumers and not to help those who invest in this country and create wealth in this country. Its main job, it seems, is to do whatever it possibly can to try to get to this side of the House.

That is all it cares about. Its members will say anything, they will do anything, they will misrepresent the truth any way they possibly can, in the hopes that Canadians will not pay attention. That is one of the massive disrespects that side has done with respect to this particular piece of legislation.

We have heard from the opposition that students would be visited by the copyright police and their notes would be somehow gathered up and burned because of this piece of legislation.

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Of course, that is not true. It has never been true. It will never be true. The legislation would do no such thing. In fact, through this updated legislation we would actually provide even more help to our students. However, we would protect the content producers as well. By ensuring that digital locks are respected we would be protecting our creators. That is what this legislation would do.

We are also going to go after those people, the enablers, who take the hard work of our creators and of our artists and then put it over the Internet. Those are people who absolutely provide no benefit, who basically steal from the creators. The legislation would update that and would ensure we go after those people.

Our notice and notice, which is another important piece of the legislation, would also help ensure that those creators' copyright is not being infringed.

Ultimately, what would the legislation do? The legislation would bring more investment to this country. It would bring more opportunity. It would protect the people who have worked so hard to create all the things we use, be it an album or a piece of music, be it an artist like these two young students I talked about. It would facilitate even greater investment in our economy.

It is about time this Parliament passed this piece of legislation, because our creators have been waiting a very long time. One of the things we heard from them is that the Canadian culture is strong. It can compete with anybody. All they need is the protection in place from the government to protect their hard work. That is what this copyright legislation would do. I hope the opposition will join with this side of the House and continue to focus on jobs and the economy and get this legislation passed as soon as possible.

• (1630)

[*Translation*]

Ms. Hélène LeBlanc (LaSalle—Émard, NDP): Mr. Speaker, I have a question for the Parliamentary Secretary to the Minister of Canadian Heritage.

Since he is convinced that this bill will protect Canadian jobs in this sector, in both music and publishing, can he provide us with any arguments that illustrate how this bill will in fact protect Canada's music and publishing industry?

[*English*]

Mr. Paul Calandra: Mr. Speaker, am I confident that this legislation will help create jobs and help maintain jobs? I am confident that this piece of legislation, along with the economic action plan that we brought in, will help create even more jobs.

Obviously, the record is there: 750,000 net new jobs have been created in this country through the economic action plan. Constantly, we see that the opposition members want to vote against that. They are so desperate to divide this country that they actually go to foreign countries to talk down Canadian jobs.

In December of this year, four of the top five artists were Canadians. The largest film festival in the world is the Toronto International Film Festival. On this side of the House, we understand the importance of arts and culture. It is responsible for billions of dollars in investment. It is responsible for hundreds of thousands of jobs.

We have confidence in our artists, musicians, and the people who create motion pictures and TV shows. We know that they can compete with anybody. All they are asking for is that their creations and the works that they worked hard to create are protected, and that we open up even more markets for them around the world. That is what this legislation does.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, we have all spoken admiringly about cultural groups and the entertainment industry. We recognize the importance they play in the jobs that are created. We want to do what we can to preserve those jobs.

The member made reference to the fact that this legislation does nothing in terms of university students. I would like him to provide clarification on that. A good number of university students are following the debate on this legislation. There is a genuine concern that the information that they garner from their classrooms and their studies will be attacked in part by this legislation, if it passes. There are time limits for how long they will be able to retain certain information from the classroom.

Can the member, on behalf of the government, provide assurances to university students across Canada that in no way do they have to worry about disposing of information that they collect from the classroom?

• (1635)

Mr. Paul Calandra: Mr. Speaker, we provided that assurance. The bill provides that assurance. The only people who are questioning that are of course the opposition members in a desperate attempt to divide Canadians.

According to the bill, if a student is doing distance education at home and the professor shows a movie as part of the course in the classroom, should that student at home be able to take that movie and use it forevermore when the student in the class is not allowed to do that? Should the two students be treated equally? Absolutely.

However, will the notes that students take while in class be seized, as the opposition has stated? No. Will they be able to use those 30 years from now if they so desire? Yes. Will any not copyrighted information still be left in the possession of our students? Yes, of course it will.

The bill ensures that any copyrighted material is not used adversely against the people who work hard to create it. It evens out the balance between those who study at home and those who are studying in classrooms. That is why 25 student associations across the country support the bill.

Mr. Scott Simms (Bonavista—Gander—Grand Falls—Windsor, Lib.): Mr. Speaker, this legislation is now at report stage after years of debate. One of the things that we keep saying about this copyright bill and its predecessors, in the form of Bill C-32 and before that in 2004-05, is that times change. Technology changes swiftly. The first time I spoke about this legislation in the House was in 2005 when Twitter and Facebook did not exist. They were not part of the popular culture by any stretch.

As a result of technology changing all the time, we find ourselves in a position where sometimes the argument varies. We have been debating this issue for 10 or 15 years. The last time amendments were made was in 1997. Because of the shifting sands and the scope of the argument that we are making, we should be debating this quite often. The debate today will take a different form than what it would have been five or six years ago.

Modernizing the Copyright Act should stand the test of time. It is essential that it be neutral and balanced. It should also be flexible enough in that it can apply to the many technologies that are with us today and will be in the future. These include social media, technologies in the education field, including books, digital or not, and the dissemination of any type of information for profit. In the artistic world, this includes works of art such as songs or movies. My hon. colleague brought up the video gaming industry. That is a prime example of how we need good laws on the books in order for it to protect its property.

All the stakeholders that have been mentioned generally support the bill but they also say that it needs to be changed, that amendments need to be made. No major changes were proposed within the committee structure. That is unfortunate because there seems to be some legitimate claims to this. I will give the House the illustration that I spoke about in my question earlier.

Take the education exemption. Material used for the purpose of education is exempted from copyright. That in and of itself any Canadian would understand. Any person in the world would understand that copyright material can be used to build upon education.

Artists and others base their work on someone else's work. There is nothing wrong with that. That is the whole point of being involved in the world of music and movies. There is nothing new under the sun so therefore we must protect some of this at its core.

When it gets to the point where someone's art or someone's creation is exploited, allowing people to generate money from hard work by someone else, without adding anything to it, without fundamentally changing it and building upon his or her own artistic merits, then we have problems. That is where this legislation comes in.

Let us take a look again at that education exemption. As a result of it being such a blanket exemption, a lot of issues will have to be determined by the courts to see whether the law is being broken. Sometimes there could be a situation in education where someone is breaking the law. Material is being taken and is not only being used for classroom purposes, but it is being dispersed to a wider field. That work is therefore being exploited for profit, or the ability of that piece of work to make a profit is being diminished, and it is quite obvious.

• (1640)

Witnesses told us that we could put in a multi-step test. Even though there is a blanket exemption on education, as responsible people, as legislators, as lawmakers, we could take the material before a court. A judge could look at it and put it to a test. If people feel that a university has used their material to affect their ability to make a profit, it should be put to the test: does it fulfill the

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requirements of one to six options? Many jurisdictions around the world have done this. There is just no test in the middle between blanket exemption and copyright infringement. There is nothing wrong with putting a filter there to see if it could work. Otherwise the courts will have to decide.

Let us look at another example of Bill C-11. If we look at the logic of it, we have to try to understand why it was written this way, without certain limitations and without certain ways of looking at the unforeseen.

Many jurisdictions around the world went through the same process before we did. They put digital locks or technical protection measures in place and said, "that is that, we will be fine, there are no exemptions to it". If we digitally lock something, that is it.

However, jurisdictions like the United States of America, New Zealand and Australia realize that we end up roping some of the laws we have placed into our own legislation. Here is an example. Within Bill C-11, if people download a song, they have the right to share this piece of music among other ways of listening. They could listen to it on an iPod or they could download it from iTunes and put it on to a CD. How do they listen to a piece of music that they purchased? They have bought a piece of music that they should be allowed to share. However, if a company, such as Apple, decides to digitally lock it, the music cannot be shared among one's other devices.

If I downloaded a book that was digitally locked, I could not transport it to the new iPad I bought, because I went from a reader that was built years ago. I could not transfer it because of digital locks. According to the law, I should be able to do so. I could get an app that converts it, but the problem is, the right to convert now belongs, not to the people of Canada, not to the government, not to this legislature, but to Apple. I do not mean to specifically pick on Apple. It could be Microsoft or it could be any other corporation.

We need to look at measures by which we could circumvent this when it comes to education. For example, a teacher might get a movie to show the English as a second language class. What if it is digitally locked for the particular player the teacher has?

We have not specifically looked at what I would consider to be sound amendments in this legislation, like the multi-step process. The multi-step process has to specify that even though there is an exemption involved and it is being used in a classroom setting, by putting it out widely among the public, we are basically cutting into the profit of someone who has copyright of the material. That is a question we need to be asking. That is the fair balance that we feel should be looked at. The committee heard from many witnesses, but very few changes, if any, were made. Nothing was changed in the legislation.

I think that international pressure probably came to bear and the Conservatives had to put something out, in light of the situation in the United States or even the European Union.

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• (1645)

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I appreciate the comments made by my colleague. I wonder if he could provide some additional thoughts in regard to the consumer advocate groups or students that might have concerns in regard to the passage of the bill. There was a heightened sense of expectation that there would be some amendments to the legislation brought forward, but it did not appear as though that had taken place to any real extent.

Mr. Scott Simms: Mr. Speaker, my colleague's question is a pertinent one. When we look at the stakeholder reaction to this, it was wide and extensive. It came from an assortment of groups, including consumers.

When we talk about consumers, we are essentially talking about the fair dealing process. What I mean by fair dealing is people being able to use material for the sake of parity, for example, news clips, in that particular way.

The overriding measures of digital locks and TPMs are really getting to the core of consumer rights in this situation. By way of illustration, as I brought up earlier, we now have the right to take a piece of music or a movie and share it among our devices, but if it is locked, we cannot do that.

On the one hand the consumer is given the right, but on the other hand the government is allowing the business model of a large corporation to take it away.

Mrs. Carol Hughes (Algoma—Manitoulin—Kapusksing, NDP): Mr. Speaker, I appreciate my colleague's comments on this. I think the Liberals are as concerned about the bill as we are.

I have received some correspondence from teachers who are concerned about how this bill would impact the way they provide information to students. They are concerned that students could at some point be charged if they do not destroy the information right away. I wonder if my colleague could elaborate on some concerns that he may have on that.

• (1650)

Mr. Scott Simms: Mr. Speaker, this has come up quite a bit.

The Conservatives say we are being too alarmist, but I do not think we can be too alarmist in this case. Even if the Conservatives are right in saying that notes would not be taken away to be burned and one would not be thrown in jail, even if we do not go to that extent, it is still a serious concern.

Education is a lifelong endeavour and one tends to keep materials for quite some time, especially those in long-distance education, in rural areas, first nations, and such places. We would always want to give them the right to have the material to use forever because it is a lifelong process.

In this case I think it is particularly onerous. However, again, we go back to where a few technical amendments certainly would have made it easier to digest if some of this material could stay with the particular student without allowing harm to happen to the particular artist or creator.

In creating something, balance is an ongoing measure. It is not black and white, which seems to be what is coming out of this

legislation. It is something that has to be looked at. If there is a grey area, a court has to have some guidance from legislators to find out what it is it should look for in balancing between the creator and a person being able to keep material for the sake of his or her own learning.

Mr. Jay Aspin (Nipissing—Timiskaming, CPC): Mr. Speaker, I appreciate the opportunity to take part in today's debate on Bill C-11, the copyright modernization act.

I will say at the outset that I support this bill. It is the exact bill that was tabled in the last Parliament as Bill C-32, which reached the committee stage prior to the election last year. It is the exact bill that groups were calling to be passed more than a year ago.

It is the culmination of one of the most extensive consultations that any bill has undergone. More than 9,000 Canadian citizens and organizations have provided their thoughts regarding what a balanced copyright bill should look like. It is from that exercise that we arrived at the balance which we have today. It is a balance with which not everyone is 100% content, but everyone can agree that they have some specific measure that they called for. Canadians can also agree that what we have in this bill, especially with the amendments arrived at during committee stage, is in the right ballpark of what balanced copyright law should look like. It is a hard-won balance, the result of principled compromise, and one which the government is proud of.

Across the way, the opposition parties have talked about this balance in two separate, almost disjointed ways. On one hand, they pit artists against consumers and then they turn around and favour consumers over artists, all the while ignoring the need to ensure compromise.

Over here, we realize that this compromise is necessary because consumers and artists are two sides of the same coin. If artists do not trust the rules that protect their rights and govern Canada's digital economy, they will be reluctant to produce their content here. The government and members of Parliament have heard that time and time again. We have also heard that if consumers are unable to enjoy and use that content in legal ways that make sense to them, there will not be a market for the artists' work. That is why we have created a bill that strikes the right balance between the needs of consumers and users, while at the same time making strong exemptions for educational purposes, or fair dealing.

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Given this, the bill is an important stepping stone to the establishment of a strong framework in which Canada's digital economy can thrive. We know that the economy is changing significantly. What we do with smart phones, tablets and computers has taken our economy in a new direction. Artists and rights holders are using the digital economy not only to create new markets, but also to create hundreds of thousands of jobs for Canadians. Those benefits are reflected in the raft of groups that are supportive of this legislation, namely, the Canadian Chamber of Commerce, the Entertainment Software Association of Canada, the Business Coalition for Balanced Copyright, the Canadian Anti-Counterfeiting Network, the Canadian Intellectual Property Council, and the Canadian National Institute for the Blind. I could go on, but I think the point is clear. This bill has wide-ranging support from those who see it as a key platform in the growth of the digital economy and the creation of knowledge economy employment.

I must say that in listening to the opposition members, it is as though they have forgotten the process by which we have arrived here. I have listened with interest to today's debate and it is eerily reminiscent of the budget debate.

In the budget, for example, we on the government side are putting forth a plan on how to sustain Canada's economic health in a time of global economic uncertainty and the opposition is dreaming up new ways to stop our economic growth right in its tracks. We are providing for new, reasonable and economically viable ways to help grow our economy, whether it is through investment in our knowledge economy, sensible changes to the Investment Canada Act, or opening up our telecom sector to increased foreign investment. Like copyright reform, these measures are important for the advancement of Canada's digital economy. The Minister of Industry's telecom announcement will mean great things for the advancement of a rural digital economy in ridings such as my own, as we saw that rural deployment is a strong focus of his. However, the opposition says no to these investments and no to changes that will create jobs and investment right here at home.

•(1655)

In the budget implementation bill, we have proposed practical changes to create a reasonable timeline for environmental reviews while creating stronger environmental laws. We know that in the next 10 years more than 500 projects representing —

Mr. Scott Simms: Mr. Speaker, on a point of order, I was willing to listen to about four minutes on the budget implementation bill, but the member has exceeded that and he keeps going on about the budget implementation bill. If the Conservatives want time allocation, they might as well stick to it.

The Acting Speaker (Mr. Bruce Stanton): I take it the hon. member is referring to the rule of relevance as it relates to debate.

The hon. member will know that members are afforded a great deal of liberty in terms of exploring different ideas around how their remarks are relevant to the question that is before the House. I am sure the hon. member for Nipissing—Timiskaming is going to be coming around to the point.

The hon. member for Nipissing—Timiskaming.

Mr. Jay Aspin: Absolutely, Mr. Speaker.

Five hundred new projects representing \$500 billion in new investments will be proposed for Canada. The potential for job growth is enormous.

Since 2006, our government has worked to streamline the review process for major resource development projects. Our efforts have made a positive difference without any negative environmental impact. We know more needs to be done and more can be done.

However, the opposition says no to jobs and economic strength and federal and provincial revenues that will flow from that measure. I understand that part of this is the role of the opposition parties, but even their parliamentary games are beyond unreasonable. For example, the member for Burnaby—New Westminster took up over 13 hours of debate and 70 speaking spots. He even read some Twitter posts. I guess none of his colleagues had anything to add.

When I look at these kinds of tactics, I am not surprised about the opposition's stance on this bill. The same kind of games were played during the second reading—

Mr. Scott Simms: Mr. Speaker, I am going to stick to that same point of order. I am assuming the member is going to get around to the copyright bill again, right?

The Acting Speaker (Mr. Bruce Stanton): I note the hon. member's remarks and the Chair is also listening carefully. The hon. member may understand that there are two minutes remaining in the time allocated for his remarks. I am sure he will be getting around to the question before the House.

The hon. member for Nipissing—Timiskaming.

•(1700)

Mr. Jay Aspin: Mr. Speaker, every day the NDP delayed, another day went by without a modern, flexible copyright regime to help spur on our digital economy. When it comes down to it, that is what this bill is all about, how rights holders and consumers interact with the digital economy.

We know after listening to witnesses at committee stage on both Bill C-11 and Bill C-32 that this bill will create jobs and support the growth of Canadian businesses in a digital online environment. It will promote creativity and innovation, give Canadian creators the tools they need to combat piracy and better enable consumers and users to participate in a digital age. It is about ensuring that artists can profit from their work in the way that they choose. At the same time it ensures that consumers have access to the latest in creative content on the latest technologies in a way that makes sense.

We believe the bill is sensible. We believe that it is a balance. We believe it is time to pass this legislation once and for all, for the sake of consumers, artists, the entertainment industry and the Canadian economy as a whole.

[*Translation*]

Ms. Charmaine Borg (Terrebonne—Blainville, NDP): Mr. Speaker, since my colleague did not really respect the theme of the debate, I will do the same and ask a question that extends a little beyond the theme of this debate, but that concerns something he mentioned in his speech. He mentioned the government's commitment to ensuring that remote regions have Internet access.

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In my opinion, that is not necessarily the case. I see the government determining the rules for the auction of the 700 MHz bandwidth, which will not necessarily improve Internet access in remote areas.

I would like to hear his comments on that.

[English]

Mr. Jay Aspin: Mr. Speaker, this legislation, through Bill C-32 and now Bill C-11, has had 150 submissions from stakeholders. We have heard from over 70 organizations. We have studied this thing to death and it is time to move on. It is time for the opposition to stop the delaying tactics and get this bill into legislation.

Mr. Paul Calandra (Parliamentary Secretary to the Minister of Canadian Heritage, CPC): Mr. Speaker, I congratulate the member for Nipissing—Timiskaming for a spectacular discussion because he has shown the direct parallel between what the opposition likes to do. It likes to delay bills. When it comes to the economy, it likes to talk down the Canadian economy. It likes to go to foreign jurisdictions and talk down Canadian creators, those who create jobs, wealth and investment.

Therefore, I thank the hon. member for making that direct link between the 11 or 13 hours, or three days, of filibustering on the economic action plan and the over two Parliaments' worth of filibustering by the opposition on this bill. The hon. member is quite correct. When the opposition delays and obfuscates, it hurts Canadians jobs and the economy.

I wonder if the hon. member would agree with me that it is time we passed this bill because it is imperative that we bring in copyright reform to improve jobs and the economy.

Mr. Jay Aspin: Mr. Speaker, my colleague is quite right. That was the intent of most of my speech. There has been delay after delay. The opposition has thrown minutia at us. We have it at 95% to 98%. There is an old saying, "You can't let perfection be the enemy of the good".

The opposition is simply throwing delay tactic after delay tactic. Canadians have waited for this legislation for over two Parliaments. It is time to get on the job. We want to get things done.

Mr. Scott Simms (Bonavista—Gander—Grand Falls—Windsor, Lib.): Mr. Speaker, that begs the question as to why the Conservatives prorogued the House a couple of years if that were the case.

I have a question for the member that requires only a yes or no answer.

I will use the example of a classroom that has a particular piece, like a movie, to play for the sake of education and the movie is digitally locked and it is unable to play it. Let us say that it goes around that lock and plays the movie anyway. Even though it is in the classroom, would that be an infringement, yes or no?

• (1705)

Mr. Jay Aspin: Mr. Speaker, I am not a digital technocrat but, as I have indicated to the House, the legislative committee received 140 written submissions and heard from over 70 individual organizations. It has come up with a balanced compromise that would not

only fit those needs but that would fit the needs for the digital world for Canadians into the future.

As I say, it is time to move ahead and move on with the legislation.

[Translation]

Ms. Charmaine Borg (Terrebonne—Blainville, NDP): Mr. Speaker, I am pleased to speak today about my concerns with Bill C-11, An Act to amend the Copyright Act.

As the official opposition critic for digital issues, I can see that the proposed measures will have serious repercussions on the digital economy and on the Canadian public. I believe we must study these repercussions very carefully.

First, I would like to speak about the importance of changes in technology. Our society is going through great upheavals, and the constant advances—ever faster and more significant, thanks to new technology—become central to all our spheres of activity. In our professional and personal lives or in our academic careers, we are affected by this observation.

Copyright—authors' rights—is one such facet. I believe we must look closely at the rules that regulate copyright today and harmonize them with current international standards. I believe, therefore, that it is our duty to study the measures we need to adopt in order to satisfy the interests of everyone involved in this issue. Many groups of people are involved, and their demands are not necessarily the same. Sometimes, they are even quite antagonistic.

Creative, university, technological and business communities, along with consumer rights advocates, have legitimate concerns, but they do not necessarily go hand in hand.

This very complex issue deserves careful, in-depth consideration. I would like to reiterate that the NDP supports careful consideration of updated copyright rules. That is also why I would like to make the House aware of the many problems with this bill.

My first concern is about digital locks and consumers. Digital locks force consumers to pay for access to works for a limited time.

Michael Geist, a leading technology pundit, told the committee that:

The foundational principle of the new bill remains that anytime a digital lock is used—whether on books, movies, music, or electronic devices—the lock trumps virtually all other rights.

This means that fair use rights and the new rights set out in Bill C-11 will cease to apply if the copyright holder decides to place a digital lock on content or on a device.

Digital locks do not take into consideration existing rights including the fair dealing rights of students and journalists. I think that the bill's inflexibility when it comes to students is very worrying.

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Indeed, I find it draconian that distance education students will be forced to destroy their course notes one month after their course has ended. When a person takes a course, he should be able to keep his notes so that he can use or consult them at a later stage. That is what learning is about: the person keeps what he has learned. It is completely unfair and inequitable, especially since the cost of education continues to rise.

Moreover, vested Charter rights—for example a change of format in the case of a visual disability—may be denied, which would jeopardize the balance between respecting the rights of artists and the right to fair access to content for all Canadians. In my opinion, this constitutes a voluntary exclusion of certain people who should have a universal right to use and discover these works.

It is therefore believe it is essential that we consider these repercussions, which divide the public by restricting access to information for some and not for others.

I am also concerned about the fact that consumers do not have access to content they have already paid for if they exceed the time limit for which they have access to these creations. This will give copyright owners unprecedented powers.

My second concern has to do with legislative measures proposed under the bill. In fact, the bill creates new anti-circumvention rights, which prevent access to copyrighted works. Individuals or organizations that are found guilty of having accessed content without paying for it will be subject to large fines.

My third concern has to do with financial matters. Digital locks enable content owners to charge a fee; however, a distinction needs to be made. These owners are not necessarily the creators or developers of the content, which means that the money collected does not necessarily end up in the hands of the artists or authors.

• (1710)

In its present form, then, this bill deprives artists and content creators of millions of dollars in income, and redistributes it to the copyright owners, which are often big corporations such as record companies and movie studios.

As a result, this bill serves to secure higher incomes, not necessarily for artists and content creators, but for copyright owners. In my riding, a number of artists' associations are concerned about this vision.

When it comes to creators' rights, the artists—the ones who are really responsible for these works—will be faced with another problem. This bill contains provisions that would change mechanical rights for musicians, which will result in a loss of \$21 million for music creators, who already have very low incomes.

We should help them to continue enriching our lives. This bill would also weaken the moral rights that provide them with some control over their creations and content.

As a result of its consultations with the industry, consumers, creators in Quebec and anglophone creators, the NDP brought forward 17 amendments in committee in order to strike a balance between the rights of creators and the rights of consumers. Unfortunately, this government is too stubborn to listen to anyone

other than its Conservative friends, and it rejected all our amendments.

A number of eminent researchers and groups support our position and share our concerns. Over 80 arts and culture organizations across Quebec and nationwide argue that this bill would be “toxic to Canada’s digital economy”.

“These organizations caution that, if the government does not amend the copyright modernization act to provide for adequate compensation for the owners of Canadian content, it will lead to a decline in the production of Canadian content and the distribution of that content in Canada and abroad.”

The NDP is trying to strike a balance between all the interests of the stakeholders involved in and affected by this issue. In its present form, I do not think that this bill meets that need. It is important for creators to have the means to create and that they be compensated for their work. It is also important for consumers to have fair access that does not create inequalities.

This bill risks creating more problems than it solves, both from a legal and a financial perspective. I will be happy to continue to work with the committee members and the many witnesses.

We will work in committee to try to change this bill when we form the government in 2015.

[*English*]

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, I listened with great interest to my hon. colleague and I congratulate her on having been chosen as the digital affairs spokesperson for the New Democratic Party. We are the only party that actually understands the importance of having a digital spokesperson and I think she is very equipped for the job.

The issue of forward-looking copyright as opposed to backward-looking copyright or defensive copyright is crucial to the issue of developing a 21st century economic plan.

Under this provision, any long distance learning materials, the transfer of materials from library to library, which has such an incredible potential for development and for learning research, the government will make it law that after five days any of the research materials must somehow disappear. They need to have a technological protection measure to interfere with the right of people to do research.

Why does my hon. colleague think the government wants to treat researchers, academics, students and people doing medical and legal research as though they were pirates, that they are such a threat that we need to put locks on their ability to learn?

• (1715)

[*Translation*]

Ms. Charmaine Borg: Mr. Speaker, I thank my hon. colleague for the excellent question. As we know, this government has a tendency to treat Internet users and researchers as criminals. That seems to be the Conservative way.

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To answer the question, I find it quite disturbing that the government did not consider the fact that students taking distance education courses will be forced to destroy their own notes. Or perhaps it did consider this and simply chose not to worry about it.

I think this is a huge problem, because people want to keep their notes when they are learning. Yet, people are being told they have to destroy their notes. I think this really shows how unbalanced this bill is. It shows that many amendments are needed and that this government really did not think this through when it rejected our amendments.

[English]

Mr. Kennedy Stewart (Burnaby—Douglas, NDP): Mr. Speaker, my hon. colleague is well versed in the large-scale implications of this unfortunate piece of legislation. I am just thinking of local bands in my community. Could she tell us how this measure would negatively impact local artists in her community?

[Translation]

Ms. Charmaine Borg: Mr. Speaker, I thank my hon. colleague.

As we have seen, a great deal of money—millions of dollars—will be lost within the artistic community. These people protect and promote our culture and our heritage, both within our borders and beyond, and this bill takes away their profits. This makes absolutely no sense.

[English]

Mr. Paul Calandra (Parliamentary Secretary to the Minister of Canadian Heritage, CPC): Mr. Speaker, I wonder if the hon. member thinks it is time for us to update the copyright laws. Could she also comment specifically on the sections of the bill that deal with enabling and piracy and the notice and notice regime?

[Translation]

Ms. Charmaine Borg: Mr. Speaker, as I mentioned in my speech, we agree that the law should be updated, but not in this way. We could strike a better balance between the rights of consumers and the rights of creators, something that this bill does not do. I will again ask the government: why not accept our 17 amendments? We could have helped you find that balance, but you unfortunately refused to listen.

The Acting Speaker (Mr. Bruce Stanton): I would like to remind hon. members to address their questions and comments to the Speaker, not directly to other members.

There is enough time left for a brief question. The hon. member for Laurentides—Labelle.

Mr. Marc-André Morin (Laurentides—Labelle, NDP): Mr. Speaker, I will address the question to you, but I trust that my colleague will reply because she is part of the generation that understands the digital civilization.

I am interested in another aspect. If I have understood correctly, students who do not destroy their course notes after five days will be presumed guilty of copyright infringement.

It is a bit like suspecting someone of murder because they bought a bread knife. The logic is about the same. I am wondering if such regulations would bear the scrutiny of the courts.

● (1720)

Ms. Charmaine Borg: Mr. Speaker, it is disturbing to think that students who forget to destroy their notes will be penalized to that extent. When I was a student, life was very stressful.

Days go by quickly, and it is easy to forget that 29 or 30 days have passed, and that the notes have to be destroyed. The penalties are too severe and we must re-examine this matter.

[English]

Mr. Chris Alexander (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, it really is a pleasure to rise in the House today as part of this debate on Bill C-11, the copyright modernization act. Like so much of the legislation we are discussing in this session, this legislation is long overdue and badly needed by a sector of the Canadian economy that is absolutely fundamental to our future growth and to job creation in this country in the years and decades to come.

It matters for the artists of this country who have yet to emerge, cut their first album, produce their first painting or write their first play. It also matters for the superstars we all enjoy today who want to take their creations even further. Feist, Cirque du Soleil and dozens of artists that all of us in the House admire enormously are among those who stand to benefit from versions of this act, which is above all focused on modernization in a sector where being up to date has always counted as much as anything else, because the methods by which artists transmit their works to the world have always been changing.

In my remarks, I want to review the path that we have taken in coming to the point of bringing this bill before the House and remind hon. members that copyright is at the heart of our democratic system. It is at the heart of our society and our values, in that it allows us to bring art creations before a larger audience and ensure that creators and artists benefit and are able to be part of a value chain, part of businesses that ultimately form an enormous and growing industry in this country.

It goes all the way back to the time of Queen Anne. One of the first copyright statutes was as far back as 1708. Hon. members on my side of the House will take some pride in the fact that it was a Tory government at that time in England, which is not surprising.

The first legislation in this country came at a very formative stage. In the 1830s, long before the British North America Act was passed, this country was legislating in this field. The original Copyright Act goes back to 1921 and was not updated in any thorough way for a long time, because media had not changed as dramatically, through much of the 20th century, as they have in recent decades. This measure is now urgent.

The legislation in previous Parliaments, as hon. members know, did not come through the legislative process and receive royal assent. I would like to take some time to reflect on how this bill has reached the point at which we see it today.

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It is most important to emphasize that this bill built on input from literally thousands of Canadians, and many of the consultations took place in 2009. The response to them was remarkable, demonstrating not only how important copyright is to the digital economy and our global competitiveness but also that Canadians understand how important this is to their lives. If we are not up to date and modern in our legislation in this field, Canadians literally deprive themselves of self-understanding through the best art, stories and representations of the way we live in this country that are available. We are each serving our own quality of life in supporting this legislation.

Through the consultations, the government heard many views from copyright owners, artists, individual copyright users, innovative companies, teachers and students.

The teachers and students told us they need greater flexibility to make use of copyright materials to maximize the opportunities provided by new classroom technologies. That is a fair point.

Copyright owners told us Canada's copyright law needs to reflect international standards in rights and protections to allow them to sustain business models in a digital environment and a globalized context.

Consumers told us that they want to make reasonable use of content they have already bought and paid for.

• (1725)

Furthermore, from all the feedback we received it became abundantly clear how important it was going to be to design a copyright bill that balanced the interests and needs of the full range of interested parties. None of these constituencies was going to get everything it wanted out of this bill; each would have to strike a balance with all the other major interested parties.

Following the consultations in spring of 2010, during the 40th Parliament the government introduced Bill C-32, also a copyright modernization act, and after second reading the bill was referred to a legislative committee. That committee heard Canadians' views over the course of 17 days of witness hearings. In that time, 70 individuals and organizations appeared and 150 written submissions were received, and two key messages emerged: first, the bill struck the right balance between various stakeholders, in the view of the vast majority of those taking part; second, Canada urgently needed to pass an updated copyright legislation to bring ourselves up to date.

Unfortunately, the 40th Parliament was dissolved. Members opposite will know more about the reasons for that than we do on our side. It was an unnecessary election, and it had a cost in terms of the timeliness of legislation and a further delay in the passing of this bill. Therefore, to facilitate swift passage in this Parliament, the government introduced a bill without changes in order to reiterate its support for balanced legislation and to facilitate the modernization of the act.

Then a second legislative committee went to work studying the bill, and it has reported back. That committee held seven more days of witness hearings and heard from 40 additional witnesses.

During clause-by-clause review, the committee adopted several technical amendments. I call these amendments "technical" because they address specific legal and drafting issues in the bill, while

preserving the overall balance. They have improved the clarity of several important provisions of the bill. Obviously this world is changing; as a result, the technical background to many of this bill's provisions is changing, and we had to ensure that the bill now before this House matched the intent of the bill and the reality in this sector.

Some of the technical amendments tighten up the language of new measures to fight online piracy. For example, the provisions that create a new civil liability for so-called enablers—services that enable online piracy—have been strengthened. It has also been clarified that an enabler would not be able to benefit from any of the safe harbours in the bill that are intended to apply to legitimate Internet intermediaries when they are playing a neutral role.

We have also cleaned up and corrected ambiguous wording in some aspects of the bill, fully in line with the government's stated intent. For example, it is now specified that new exceptions for copying for private purposes apply only for the private purposes of the person who makes the copy, not for some other person's private purpose. Other technical amendments would reassure Canada's information and communication technology sector that exceptions designed to foster innovation through activities such as security testing, interoperability and encryption research would not provide inadvertent loopholes for malicious activities. The last thing we wanted to do is allow those engaged in piracy to enter, as it were, back into this game through the back door.

Finally, the safe harbours provided to Internet intermediaries have been amended to ensure that the conditions that must be met to receive shelter are aligned with industry best practices. These are just some of the examples of improvements made.

This June will mark the two-year point since the predecessor of this bill was first introduced. That is a long time. It is clear we owe it to all those who participated in the consultations in committee hearings to move forward with this important legislation. Time does not stand still on these issues, and this Parliament will no doubt return to this issue with subsequent amendments and with subsequent legislative measures in this field. However, it is vital to Canada's competitiveness and to the well-being and prosperity of our artists and our cultural industries that this bill now move ahead. Without this legislation, everyday Canadians will not be certain that they are on the right side of the law when they do something as simple as recording a television program for later viewing. Without this legislation, copyright owners will not have legal protection for the digital locks they use to protect their investments in a digital marketplace.

With these modernizations, an already vast industry in Canada will stand every chance of growing, of achieving record levels of growth and taking the richness and all of the diversity of Canada's cultural industries to a much larger audience inside this country and well beyond our borders.

Government Orders

• (1730)

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

The issue facing us at committee was that very clear and realistic amendments needed to be made in order to ensure balance, but the government continued to attack that idea. I finally understood where the Conservatives were coming from when the member said that they did not want any back doors for these pirates to get in, because we could not understand why they did not want to work with us to clarify the provisions for people with perceptual disabilities.

Blind students trying to access a work on their Kindle should not be criminalized, yet the Conservatives put provisions in there that said they could only access a work as long as they did not unduly impair the technological protection measure, as though they actually thought it was a digital lock that people were picking. I was wondering why they were so adamant. Does the member really believe that blind students, deaf students and people with perceptual disabilities are somehow opening a back door to piracy? Why would the Conservatives not accept those reasonable amendments to protect the rights of people with perceptual disabilities to get the kind of education they have a right to? Why does he think that they are in league with pirates?

Mr. Chris Alexander: Mr. Speaker, the hon. member knows full well that is not what I said or implied. However, that is his *modus operandi*, so we will let it pass.

The bottom line is the NDP is not as convinced, and certainly not as principled, on the issue of cracking down on piracy. It does not accept that artists would be the ones to benefit first and foremost from an industry that is regulated by the rule of law, from an industry where artists are able to reliably protect their creations under a modernized law. The artists agree with this. Loreena McKennitt said that the changes proposed in the government's copyright bill were "fair and reasonable".

Michael Geist, someone with whom I am sure the member opposite sympathizes, said:

The bill will require careful study, but the initial analysis is that there were some serious efforts to find compromise positions on many thorny copyright issues.

We stand with the balance we have struck.

**Mr. Scott Simms (Bonavista—Gander—Grand Falls—Wind-
sor, Lib.):** Mr. Speaker, Canadian research chair, Michael Geist has suggested that an easy way to fix this would be to amend the bill to make it okay to circumvent a digital lock if the purposes for which a lock is circumvented are lawful. Let us quote Mr. Geist fully. Let us talk about the fact that he found a fundamental flaw that the Conservatives were not willing to address.

In this situation, my question is this. If other countries saw fit to make changes about circumventing these locks under circumstances such as education, why did we not do the same? Why is that such a bad thing in certain circumstances?

Mr. Chris Alexander: Mr. Speaker, the needs of educational institutions and the needs of a new generation that want to engage with electronic media more intensely than any previous are heavily taken into account in striking the balance that the bill strikes.

The member opposite will have to agree with us on this side that the modernization the bill represents, the struggle to balance the needs of those school children, of the independent consumers with those of the corporate sector and artists themselves who want to get paid for their work has been well struck in the bill.

It is unacceptable for us to allow further delay. The last update in modernization in this area took place before the first Google search had taken place, before Facebook and Twitter were created. We need to legislate in this field, and this bill would do the job.

Hon. Lynne Yelich (Minister of State (Western Economic Diversification), CPC): Mr. Speaker, would the member elaborate on how this will help with the ability to compete in the global digital economy that is so critical for stakeholders in the industry?

Mr. Chris Alexander: Mr. Speaker, this really is the most exciting part of the bill. We all believe on this side of the House that modernization, combined with the unprecedented agenda of trade and investment liberalization that the government is pursuing in all parts of the world, stand to make our cultural industry stronger and more visible both to us in Canada and worldwide. We cannot always find the artists we want in a timely way online or on television because the structures are not there and the financing is not there to bring them to us. It will also take these artists to audiences, billions of people, around the world who have yet to hear everything they want to hear from Canada. Therefore, this is a trade and economic measure as much as it is a cultural measure.

• (1735)

[*Translation*]

Ms. Hélène LeBlanc (LaSalle—Émard, NDP): Mr. Speaker, today I have the pleasure of addressing the House on the subject of Bill C-11, An Act to amend the Copyright Act. This has already been pointed out, but I would like to remind the House that, while the English title speaks of copyright, in French, we refer to "le droit d'auteur", the author's right.

That difference is quite interesting, because we are seeking to find a balance between the author's rights and the user's right to make copies. In a well-constructed law, it should be possible to find a balance between these things that appear contradictory at first.

As the official opposition critic on industry, I would like to highlight some facts regarding the contribution of arts and culture to the Canadian economy.

It is said that arts and culture contribute \$85 billion a year to our economy and support 1.1 million jobs. If we look deeper, we find that the average salary for an artist in Canada is only \$12,900 a year. So, when we talk about this bill to amend the Copyright Act, we want to be certain that the new legislation includes remuneration for the creators and artists who work in this industry. After all, they are the ones who create the content that consumers, users and educators make use of later.

Government Orders

People who work, who are in an industry and produce a device or any kind of commodity, expect to be compensated for their work, for the product they produce. That is the problem with Bill C-11. Creators will lose income that their content should generate. As well, those who produce things expect the product to be protected somehow, not used in a way in which they did not intend it to be used.

It seems that those who produce artistic creations, such as music or photos, would no longer be compensated. Consider the book industry. I recently spoke to people from the Union des écrivaines et des écrivains québécois. The Quebec book industry is worth \$800 million per year, yet writers earn an average annual income of just \$10,000. Despite relatively low earnings, the existing legal framework enables many people interested in writing—and making music—to earn royalties for their work.

I believe that, in our society, people should be compensated fairly for their work.

• (1740)

That is what is interesting about arts and culture, because it is a very important sector in Canada. Indeed, Canadian artists do not have access to a huge market, as do our neighbours to the south, for instance.

We therefore need to ensure that our artists are properly supported so that they can continue to tell our stories and share Canada's culture with the rest of the world, since that culture is rather unique and very interesting.

These artists are always passionate and often have very unique ways of expressing what it means to live here in Canada, of singing about Canada and of talking about Canada's different regions. Incidentally, I am from Quebec and of Acadian heritage. It is thanks to artists from Quebec, whom I know well, and Acadian artists, for instance, but also artists from other areas of Canada, that we are able to express what it means to be Canadian, to be a Quebecker, Albertan or Ontarian, to name a few.

These artists are, or at least should be, a great source of pride. As such, we must recognize that in the bill to amend the Copyright Act. We must ensure that we have legislation that reflects the needs of Canadians and does not give in to foreign demands that do not necessarily correspond to Canadian values. We have to make it easier for culture to grow here and ensure that it can be protected.

Like the government, we recognize that the Copyright Act has to be modernized; there is no denying it. Earlier, my colleague, the digital issues critic, said as much, as we all have. Technology is changing faster than the law can. It is changing very quickly. There are more and more means of communication and copying. We have to deal with this rapidly changing technology. We know that.

We would expect a bill that modernizes legislation to support fair compensation for the creators of content and accessibility to this content for users, and also to strike a balance between these interests. Bill C-11 does not seem to strike that balance. It even adds locks, barriers, things that do not necessarily help achieve that balance. According to a number of witnesses, these things could potentially create barriers to innovation.

I would like to remind the government that we must try to strike a balance. The NDP believes that the Copyright Act can strike a balance between creators' right to fair compensation for their work and consumers' right to reasonable access to content.

I hope that we will strike that balance one day. However, at this time, Bill C-11 does not seem to do that. Therefore, I am sorry to say that I will be voting against it.

• (1745)

Mr. Jean Rousseau (Compton—Stanstead, NDP): Mr. Speaker, I would like to congratulate my colleague on her excellent speech.

I would like her to talk about what this type of bill, which is supposed to apply to all new technologies, could do to the next generation of creators. It has taken some time to bring in reforms. We proposed several amendments and they were all rejected outright.

What can this type of bill, which does not really stimulate creativity or job creation in this area—as was hinted at earlier—do to the next generation of artists, creators, authors and composers?

Ms. Hélène LeBlanc: Mr. Speaker, I want to thank my colleague, who was a musician in a former life. I believe he still is because once a musician, always a musician.

In fact, my colleague raises a very good point. Paying royalties to artists is in fact an investment in our culture. When we make an investment it will pay dividends and promote job creation. If we take away this investment, or these royalties, we nip all hope of job creation and cultural expansion in the bud.

Mrs. Carol Hughes (Algoma—Manitoulin—Kapuskasing, NDP): Mr. Speaker, although the Conservative government continues to say that the proposed changes to the Copyright Act will protect the best interests of Canadian consumers, the reality is that the Conservatives have based their policy on the concerns of large copyright holders, especially those in the United States.

My colleague is quite right: the real winners with Bill C-11 are the major movie studios and record labels, not Canadian consumers nor the artists.

I wonder if she agrees with my hypothesis: maybe the government attacks women, seniors and now artists as a way of creating more criminals to suit its prison agenda.

Ms. Hélène LeBlanc: Mr. Speaker, that is a very broad question.

I pointed out—and I would like to reiterate—that we must ensure that our laws, including copyright laws for instance, really reflect the reality in Canada and Canadian culture. Unfortunately, this government has a tendency to want to copy the United States. But this is not the United States.

Government Orders

In Canada, we have a very unique culture that needs to be nurtured and enriched. Indeed, by having copyright, by granting royalties to our artists and creators, we can ensure that Canadian culture is promoted beyond our borders and supported here at home.

[English]

Mr. Paul Calandra (Parliamentary Secretary to the Minister of Canadian Heritage, CPC): Mr. Speaker, just in that last question we heard everything that is wrong with respect to the opposition. Its members are so concerned with trying to get over onto this side of the House that they will say anything and do anything. It does not matter how wrong they are or how far from the truth it is, they will say it. They will stoop to any level in order to get over here. That is the problem with the change of leadership that party has had. It has gone from a principled party to one that cares about nothing and will stand for nothing.

One of the members said that we were creating new prisons, which is not true. We are rebalancing the criminal justice system, which I know they are against.

Why is the hon. member so concerned about Canadian artists that she does not believe that they can compete with anybody around the world, when four of the top five artists on Billboard in December were Canadian artists, when some of the highest grossing movie producers are Canadians and when some of the best films in the world are Canadian?

What is it about our artists that the opposition members are so concerned about that they do not think that they can compete with anybody around the world and—

• (1750)

The Acting Speaker (Mr. Bruce Stanton): Order. Time is getting on.

The hon. member for LaSalle—Émard for a short response, please.

[Translation]

Ms. Hélène LeBlanc: Mr. Speaker, how can I give a brief answer to such a long question? I will do my best.

I would like to emphasize to my colleague opposite that it is true that Canadian culture is full of success stories. However, the question is whether these people still live here now, if they were able to develop their talents here, or if they went somewhere else while people continue to enjoy the products they are developing elsewhere, creating jobs elsewhere. I have to wonder about that.

This does not change how proud I am of our artists, but I want to know if this is creating jobs here, for people here at home.

[English]

BILL C-11—NOTICE OF TIME ALLOCATION MOTION

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): Mr. Speaker, we are debating Bill C-11, the copyright modernization act, a bill that puts forward a balanced approach that would create jobs, promote innovation, and attract new investment to Canada.

Today is the 11th day that the bill has been in debate since September when it was introduced. It has also been the subject of

extensive committee hearings in this and the previous Parliament. Special legislative committees have heard from almost 200 witnesses.

Despite that extensive debate and study, I must advise, Mr. Speaker, that an agreement has not been reached under the provisions of Standing Orders 78(1) or 78(2) concerning the proceedings at report stage and third reading of Bill C-11, an act to amend the Copyright Act.

Under the provisions of Standing Order 78(3), I give notice that a minister of the Crown will propose at the next sitting a motion to allot a specific number of days or hours for the consideration and disposal of proceedings at those stages.

REPORT STAGE

Mr. Gerald Keddy (Parliamentary Secretary to the Minister of International Trade, for the Atlantic Canada Opportunities Agency and for the Atlantic Gateway, CPC): Mr. Speaker, it is a pleasure for me to speak to this extremely important legislation.

I would be remiss if I did not preface my comments by mentioning the previous member who spoke talking about where our artists are working, whether they are successful and whether they are able to work in Canada. The reality is that for world-class artists, it is not Canada and it is not the United States. It is the entire globe.

We live in a global economy and our artists do well when they can work on a global scale. We do not have to be so parochial that we cannot see beyond our neighbour, beyond our provincial boundaries or beyond our country's boundaries. If we want to be successful today, we need to work on a world scale. Our artists are able to do that because they have been supported and nurtured by both provincial and federal governments in this country and are first class artists in their own right. The idea that we would deny them competition, deny them the ability and that we would keep them poor and enslaved is totally unfathomable to me.

In our government's last Speech from the Throne we announced our intention to reintroduce and seek swift passage of legislation to modernize Canada's copyright law. I am proud to say that we are well on our way to fulfilling this commitment.

On September 29, 2011, our government introduced a modern, forward-looking copyright bill, a bill that would promote innovation and job creation, a bill that would help attract new investment to Canada. In short, this bill is a good news story for Canada.

Bill C-11 represents a balanced approach to copyright reform that would give creators and copyright owners a full range of rights and protections needed to compete on the world stage. At the same time, the bill also recognizes the many ways in which Canadians can make use of copyrighted material.

Today I will draw attention to the many ways in which Canada's creative community would benefit from Bill C-11.

Government Orders

The bill provides a clear framework that would allow creators to take full advantage of the vast number of opportunities presented by today's digital world. This is important. As the Canadian Publishers Council has stated loud and clear, we all benefit from strong and precise copyright legislation that provides incentives that protect rights holders while in this highly competitive economy. This bill would do just that, which is why it has received so much support across this great country.

The copyright modernization bill would bring Canada in line with international standards by implementing the rights and protections of the World Intellectual Property Organization Internet Treaty. The bill would also ensure that creators are able to control the first sale of every copy of their work. In doing so, Bill C-11 would protect the incentive to create and would give copyright owners effective tools to fight against piracy.

As I mentioned earlier, these provisions have been greeted with widespread support, including from the Entertainment Software Association of Canada, which described our government's copyright legislation as good public policy and critical to the success of Canada's digital economy.

Considering the clear benefits of Bill C-11, it is no wonder that its swift passage is being urged on and encouraged by so many Canadians. The bill is long overdue, as the copyright modernization bill has already undergone a very extensive review.

In the last Parliament, more than 70 witnesses appeared before a legislative committee and over 150 written briefs were submitted.

Earlier this year, the committee tasked with studying Bill C-11 heard from an additional 50 new witnesses and it also received approximately 100 new written submissions.

The committee recently completed a clause-by-clause examination of the bill. It adopted some amendments that clarified certain provisions and some of them reflect recommendations put forward by members of the creative community.

• (1755)

Let me tell the House about some of those amendments.

As mentioned, Bill C-11 would give creators and copyright owners the tools to go after those who enable infringement, while maintaining a balance with the rights of consumers. The government's efforts to target those who enable and profit from copyright infringement has been applauded by members of the creative community.

However, the committee recognized the concern expressed by these groups that the enablers provision should be strengthened. Specifically, they were worried that the language used in the bill may have inadvertently allowed large-scale enablers to escape liability. The committee has responded to this concern. It adopted amendments that close any loophole that may have existed that could have inadvertently afforded protection to enablers. In doing so, we are sending an even clearer message that facilitating copyright infringement is not welcome in Canada.

Because Bill C-11 is about balance, the new rights and protection it includes for creators are accompanied by a number of exceptions

for use, including exceptions that would allow Canadians to benefit from digital technology. For instance, the bill would allow Canadians to time-shift and format-shift. This would enable them to enjoy legally obtained copyrighted material at the time and in the way they choose, as long as it is done for private purposes.

These exceptions have elicited widespread support, especially from those devoted to the teaching and education of our children. The Council of Ministers of Education has stated:

This legislation provides the clarity we have been looking for... It is excellent that the bill allows students and educators to use Internet materials in their learning and teaching without fear of copyright infringement.

It is worth just taking a look at that phrase one more time. One of the great challenges in this piece of legislation was to find a balance between reliable, honest Internet use and copyright infringement. We needed to find a balance that would allow our educators and our students to access the Internet; however, we also needed to protect the rights of the people who own that copyrighted material. Every single minister of education in Canada has agreed that this piece of legislation finds that balance.

I realize that we have a number of people in the House who appear to think they know more than every single minister of education in this country, but the reality is that this has been embraced by the education community. It has been looked at, as I said earlier in my remarks, as a balanced piece of legislation. It has received extremely widespread support.

However, the committee also recognized concerns raised by some copyright owners that these exceptions could be misinterpreted. Copyright owners indicated that people might think it is legal, for example, to copy a movie from someone else's personal collection to their own tablets as long as the recording is being used for private purposes. This of course was never the intent of the bill's format-shifting and time-shifting exceptions.

In response to this concern, the committee adopted an amendment that makes it crystal clear that these exceptions would only apply when it comes to the private purpose of the individual who has legally obtained the copyrighted material other than by borrowing it or renting it. It would ensure that the measures proposed in Bill C-11 would work the way they are supposed to.

All the amendments I have described support the overall balance of the bill. These changes ensure that the rules of copyright are clear and predictable. The needs and the interests of both consumers and creators have been carefully considered.

Copyright clearly plays a critical role for Canada's creative community. It needs a modern copyright regime that reflects the reality of the digital age. The bill we have before us today would do just that. Bill C-11 is a common sense approach to copyright. It would bring the Copyright Act in line with our G8 trading partners.

Government Orders

Bill C-11 in its current form would provide our nation's creative economy with the edge needed to thrive in the competitive global market. It would, in the words of the Canadian Chamber of Commerce, lay "the foundation for future economic growth and job creation".

It is time we brought Canada's copyright law into the 21st century. I urge my colleagues on every side of the House to join me in supporting the bill. This is timely, good and balanced legislation.

• (1800)

Mr. Paul Dewar (Ottawa Centre, NDP): Mr. Speaker, before I pose a question to my colleague across the way, I just have to make a comment on the fact that the government, yet again, is going to shut down debate in this House on something that is vitally important to Canadians. Shame on it. This is a party that said in opposition that it would have open debates, that it would encourage that debate, and here we have Parliament about to be shut down again.

My question is for my colleague. Digital locks was one of the things that the minister and others said they had to put in place because of our international responsibilities. However, time and time again evidence has been brought forward that it is not required.

The question is: Why is the government selling out consumers and bringing forward the false premise that we had to do this when we do not? Not only is there less money for artists, with the \$20 million gone, but also a false premise that we had to put the digital locks on consumers.

Mr. Gerald Keddy: Mr. Speaker, first of all, the hon. member's comments are not only incorrect; they are misleading.

Let us just go back for a moment to bringing this to a vote in a timely and responsible manner. In the last Parliament more than 70 witnesses appeared through the committee and 150 written briefs were submitted, and in this Parliament we have had 50 new witnesses and we have received 100 written briefs.

We can have debate, and I think that is what we are all here for. There is nothing wrong with debate. However when debate becomes delay for the purpose and only the purpose of delay, then it is not progressive, it does not do anything to enhance this legislation and it is not legitimate in this place.

• (1805)

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I take exception to what the member has just put on the record. It is important to note, and for Canadians to realize, that the government has put into place time allocation, in the last year, more than any other government. It has set precedent. It constantly brings in time allocation and tries to justify it as if the opposition is obstructing legislation from being able to proceed in a timely fashion.

My question is for the member. If the government had a House leader who had the ability to negotiate, would he not think that would be a far better way of dealing with legislation like that we have today, dealing with critical issues such as digital locks for the protection of copyright and so forth, but that by limiting debate, the government is preventing members of Parliament from really being able to contribute?

Many of those members of Parliament have just been elected, just over a year ago, and never had the opportunity to participate in any debate on this particular bill.

Mr. Gerald Keddy: Mr. Speaker, I think every parliamentarian in this place who wanted to speak on this bill has had an opportunity to speak, and I would go a little bit further than that, respectfully, to say most members have spoken three or four times on this particular piece of legislation.

If they could not explain it the first time they were in opposition to it, they took another crack at it, then another crack at it, and then another crack at it. You have spoken three or four times on this. You have not been able to convince your constituents and cannot even convince yourselves that it is bad legislation.

This is just delay, and that is all it is. There is nothing wrong with having debate in this place. Debate is important. That is what Parliament is built upon, but delay is a totally different thing.

The Acting Speaker (Mr. Bruce Stanton): I would remind the hon. member to direct comments through the Chair as opposed to other members.

Questions and comments. The hon. member for Saanich—Gulf Islands.

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, I would like to ask the hon. parliamentary secretary a question. In contrast to his claim that opposition members are merely seeking to delay, I have put forward substantive amendments at report stage. They have been drawn from the testimony that has been placed.

As we heard earlier from the hon. House leader, there have been a lot of experts who have testified. The vast majority of experts who have looked at the digital lock provisions do not find them consistent, as the hon. parliamentary secretary suggested, with our trading partners, but in fact far more restrictive than is necessary to meet the rules of the WIPO convention.

I ask the hon. parliamentary secretary if he would not consider amendments to improve this legislation.

Mr. Gerald Keddy: Mr. Speaker, my understanding of the way the digital lock technology works is that it is there to protect the copyrighted material, to make sure it cannot be copied and it cannot be used by somebody for the wrong purposes.

It is not that we do not want to have a free and open society, but we do want to have rules-based trading, and we do want to catch up to the rest of our G8 country member trading partners.

Quite frankly, this argument reminds me a lot of an interesting statistic I am going to throw out, because I do believe that our artists and our creators and people who are investing in technology in this country can compete with anyone in the world. We heard this debate in the original free trade agreement with the United States, about Canadian wines. Canadian wines were a fledgling industry at that time. Today that industry is worth—

The Acting Speaker (Mr. Bruce Stanton): Order, please. I am sure there is more to that story. Unfortunately we have run out of time. We have to move on and resume debate.

The hon. member for Rivière-du-Nord.

Government Orders

[*Translation*]

Mr. Pierre Dionne Labelle (Rivière-du-Nord, NDP): Mr. Speaker, I would like to begin by thanking the witnesses who appeared before the Legislative Committee on Bill C-11.

We heard from approximately 50 witnesses during our study of Bill C-11. Prior to that, 75 witnesses appeared before the committee studying Bill C-32. Well over 100 witnesses shared their views and their concerns about modernizing copyright.

Official opposition MPs worked closely with DAMIC, which I would like to thank, and with the Canadian Conference of the Arts, to draft 70 amendments on thorny issues.

Copyright holder associations, associations of writers, composers, creators, artists, photographers and directors shared their concerns and suggested amendments. This is a compilation of the amendments they suggested.

During our work in committee, we were unable to present all 70 amendments, so we selected the amendments that were most likely to create a win-win situation for everyone, to pass the legislative committee's test and to be agreed to by both the governing party and the opposition.

Unfortunately, the Conservative government rejected all of the amendments we presented, which were not even all the amendments or concerns suggested by the industry and the creators. It as if this hundred or so people representing a variety of organizations came to a legislative committee to describe the problems and propose solutions, but none of these solutions were acceptable to the government.

I must say that this was the first time I had participated in this process, and I found it rather sad, because copyright—the rights of authors—is the very foundation of the ability to innovate and create in the arts, culture and literature. Such a denial of the realities described to the committee may leave us speechless.

With this bill, the government is introducing some 40 exceptions to the Copyright Act. These exceptions are contrary to the spirit of the international conventions in this field, and in particular the Berne Convention for the Protection of Literary and Artistic Works.

The Berne Convention established a three-step test to determine whether or not a work is used fairly and whether it corresponds to the proper use of a work with regard to copyright.

First, the use of the work must not conflict with the normal exploitation of the work; second, it must not unreasonably prejudice the legitimate interests of the author; third, there may be an exception only if the reproduction of the work is limited to special cases.

So here we are faced with about 40 exceptions that could have been special cases, but that seem to be generalized cases of uses that are not, or are no longer, covered by the Copyright Act.

I will use an example that has raised a lot of questions: fair dealing in the education sector. Clearly, when the Copyright Act was created, television, the Web, Twitter, Facebook and the Internet did not exist. The act has had to be adapted, as things have evolved, to take into account technological innovation. Today, the Web has truly

transformed the notion of the use of a work, as that notion has historically been understood.

• (1810)

This is particularly striking in the area of education, with the arrival of electronic boards and websites that teachers use to give their classes. Here is an example that I already gave at a committee meeting, but that serves its purpose: imagine that I am an author and that I am writing a book on the Conservatives' tendency to want to limit democracy. That is the title of my book. A teacher gives a class on the evolution of politics in Canada and puts my text, which he found in my collected works, on his website. He asks his students to go and consult the text. As things stand, if the teacher photocopies my text on the Conservatives' abuse of power, as the author I receive a small sum of money, and agreements are honoured, particularly in Quebec with respect to Copibec.

In future, if the teacher posts my text on his website and students consult it, I will not receive a cent. If, on his website, the teacher decides for educational purposes to add an excerpt from a film, which is protected by copyright, he will not have to pay for copyright. If he adds music or a song by Richard Desjardins to his website for the purposes of fair dealing in education, he will not have to pay Richard Desjardins.

So here we are in a new situation where the law allows for widespread use of the products that creators and the industry produce, with no financial compensation. That tears down a model of copyright we are familiar with. This is not a continuation, it is a departure. The Conservatives want to modernize the Copyright Act, but they are breaking from it. They had the opportunity, by modernizing the Copyright Act, to extend the private copying regime to devices that are used to make copies of creative content—texts, music and the rest—but they have refused to expand the private copying system.

For the people watching us, the private copying system is relatively simple and was established when people started to make copies of music and films on videocassette. It made sure that part of the money from the sale of a CD or a videocassette went into a fund to support artists, creators and rights holders. The government could have expanded that system to cover all devices used in the digital era, but it was completely focused on connecting royalties with a tax. It intentionally tried to confuse people and fudge the issue.

Government Orders

I have only a minute left. That is unbelievable—how can I finish in that time? This is a bill in which the government could have simplified things and made things clearer. Instead, it is a bill that will create extreme complications. Everything is going to get settled in the courts. There is the matter of contracts. Contracts are under provincial jurisdiction. Will the government be able to keep these provisions in the legislation? Education is also under provincial jurisdiction. Does the bill infringe on provincial powers? That is a good question. There are also obligations under the Berne Convention. All of the clauses of this bill may be litigated in the courts and be justified by lawyers. It is going to cost authors, composers and creators enormous amounts of money when they have to prove the damage they have suffered. I think the Conservatives could have made it easy and they have intentionally complicated things to please their friends. I am eager to take questions.

•(1815)

[English]

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, I sat with my hon. colleague on the committee. We heard witness after witness. The Conservatives keep talking about all the witnesses we heard, but they ignored every one of them. Sure we had lots of testimony. They ignored it. They said that they were willing to work with everyone, but ignored everyone.

Then the member for South Shore—St. Margaret's said that it was not legitimate in the House for us to debate because they were tired of debating. The issue is that he has accused us. When we have tried to get simple answers about the attack on artists' royalties, the attack on students, on the need to modernize copyright, our willingness to work, the Conservative member has said that there is no legitimacy to debate.

I would like to ask my hon. colleague about a bigger principle than the issue of copyright, and that is the importance of democratic debate and a government that continues to attack the witnesses, to misrepresent the facts, to attack the opposition and to cut down legitimate debate. Our job is to debate, especially when a bill is as wrong as this copyright bill.

•(1820)

[Translation]

Mr. Pierre Dionne Labelle: Mr. Speaker, if the government thought it could limit debate by limiting the time available for debate, it was wrong, because the debate may not go on in this House but it will continue in court for many years. I think a golden opportunity has been missed.

I was speaking earlier about royalties. In this bill, there could have been something about resale royalties for visual artists who create works that they may sell for \$1,000 or \$2,000. If the work is sold for \$500,000 on the market 15 years later, part of that sale price could have gone to the creator of that work. This provision was not even discussed by the Conservatives.

[English]

Mr. Paul Calandra (Parliamentary Secretary to the Minister of Canadian Heritage, CPC): Mr. Speaker, I will ask another question of member of the opposition. At some point in time those members do not feel it is necessary to talk about the truth when it

comes to this bill or other bills before the House. They talk about limiting debate, but the reality is the NDP have recycled the same speeches among the same members of their caucus over and over on this legislation. The same members have spoken, sometimes two, three or four times on this.

I have two questions. Why do the NDP members talk down our artists, just like they talk down our natural resources, our Canadian armed forces and our economy? Why will they not for once put the interests of the Canadian economy ahead of their interest to try to make it on this side of the House? Canadians will never let them be on this side of the House. That I can guarantee.

[Translation]

Mr. Pierre Dionne Labelle: Mr. Speaker, I do not claim I can answer all of my hon. friend's questions.

Speaking practically, as soon as this bill is passed, artists and creators across Canada will lose \$21 million in mechanical royalties in the first year. That is a small amount if we consider Canada's total artistic, cultural and industrial output, but for the artists who received this money in 5¢ and 10¢ increments, these were amounts that helped them pay their bills and motivated them to keep writing and singing.

The CHUM broadcast group told us that, because of this bill, broadcasters would no longer be paying the mechanical royalties, because they would be able to make a copy that would be valid for 30 days and, when the 30 days were over, make another copy of the copy. Thus, the mechanical royalties that now go to the artists or other rights holders would no longer be paid.

We have continued to talk about the provisions in the bill because they hinder and jeopardize the work of hundreds and thousands of artists in Canada. We will keep on speaking out against the bill.

[English]

Mr. Jim Hillyer (Lethbridge, CPC): Mr. Speaker, I have carefully studied this bill. I have consulted with constituent, stakeholders and my fellow legislators and I have consulted carefully with members of the committee who studied the bill. After this research and consulting with stakeholders and people in my riding, I am happy to speak in support of Bill C-11.

•(1825)

[Translation]

I am proud that our government kept its promise to introduce this bill.

Government Orders

[English]

This is important legislation that would update Canada's copyright law so it would be responsible in the digital age. Copyright matters to Canadians from all walks of life. Whether they are creators or users of that copyrighted material, Canadians understand that copyright impacts their daily lives whether at work, at play or at school. They also recognize the importance of copyright in the digital economy and Canada's global competitiveness. The bill therefore reflects a common sense approach that addresses all these issues. It does so by taking a balanced approach to copyright modernization.

Given all these different interests in copyright modernization, there has been a lot of debate about the bill. This important legislation has been reviewed and studied in committee under two different Parliaments. These committees heard from dozens and dozens of individuals and organizations and they listened to these stakeholders. These included representatives of creator groups, high-tech businesses, consumer groups, publishers, broadcasters, educators, artists, telecommunications companies. As well, they received many written submissions from the general public. All these perspectives helped guide the current committee as it completed its review of the copyright modernization act.

In Bill C-11, the government has proposed a balanced approach to copyright modernization. This approach balances the needs of creators and users. Furthermore, this approach brings Canada's copyright laws into the 21st century and positions our country for success in the years to come. At the same time, the committee recognized that some tweaks, amendments and fixes were in order and it adopted a number of amendments. These amendments added clarity to certain provisions of the bill, improved our ability to implement the bill and improved fairness for users and producers.

I will speak now about some of these important amendments.

As members know, the proposals in Bill C-11 will help ensure that Canadians are able to enjoy their legally obtained copyrighted material when and how they want it. It does this through several measures that facilitate the use of copyrighted material for private use.

During the committee process, members heard that there was a lack of clarity about these private purposes that were being referred to in the bill. Accordingly, the committee adopted amendments that clarified the exceptions that would apply for private purposes, to ensure it referred to the individuals and not to all their friends to whom they wanted to give their privately obtained material. These amendments address the concerns about lack of clarity and we believe Canadians will see this is fair and that they will be better served by more precision and predictability.

Bill C-11 responds to the challenges presented by online copyright infringement. Many, but not all, of the concerns that I hear about the bill express a lament that people will be unable to legally steal copyrighted material anymore online and this is a bit disturbing for some people. The committee recognized the importance of putting in place measures to address online piracy. However, it recognized that the wording of the initial bill created confusion about its scope.

Therefore, the committee supported changes to the bill to address this as well.

With these changes, our government is now sending an even clearer message that enabling online copyright infringement is not acceptable. Our government recognizes the significant harm illegal file sharing inflicts upon online businesses and software developers in Canada.

Bill C-11 would promote innovation in many ways, including through exceptions for activities related to computer programmer interoperability, encryption research and security testing of computers, networks and systems. However, there was concern that hackers could hide behind these exceptions to protect themselves from litigation. Therefore, the committee responded to this concern by adopting an amendment to ensure that Bill C-11 would not inadvertently protect unethical hackers who would seek to exploit vulnerabilities in computer systems and mobile devices.

With this amendment, Bill C-11 would ensure that innovators are still afforded the freedom needed to keep thinking about the future. At the same time, it would ensure that those who intend to take advantage of Canadian ingenuity are legally pursued. In short, the amendment would allow the bill to achieve its goals.

I mentioned that many of the concerns I have been hearing about the bill are based on a desire to continue to obtain copyrighted material and the notion that because it is in digital form, it is not stealing.

A lot of the concerns are based on misinformation, or misunderstanding which is based on misinformation which is often blatantly provided. A lot of the concerns raised, for example, are about students having to burn their notes at the end of the semester. Of course this is not true.

Basically the bill would bring us into the digital age.

Right now, if students are sitting in a real classroom and the professor shows a movie clip, they are not able to take the movie home and keep it. That is the only kind of thing that students are not able to keep if they are online students, things which in the real physical world they are not allowed to keep. That is all it refers to.

It is the same for digital locks. A lot of the concerns about digital locks would not be a concern if they were locking actual material or actual merchandise. It is similar to saying, "Well, he didn't actually rob me, but he did break into my store". That is what digital locks refers to. We think that it makes sense. Most Canadians understand the necessity to protect private property, including intellectual property.

In today's world, technology is evolving at breakneck speed. Bill C-11 does not just take aim at current issues or issues that are 15 years old. It is forward looking and responsive. It would help ensure that Canadians' copyright laws are flexible enough to evolve as technology evolves.

Government Orders

Everyone knows that our copyright law has not been updated for 15 years. It is woefully out of date. Moving forward, we are committed to ensuring that the Copyright Act remains responsive to the reality of today and the days to come. That is why the bill includes an automatic review process every five years to ensure the Copyright Act remains responsive to the changing digital environment.

There is a desire to get the copyright law right, but we know that as the years go by, the demands will change, as will the necessities, and therefore, a review of the process is built in.

After all that we have heard, after all the discussions we have had, it is time to move forward with copyright modernization.

Bill C-11 would balance the interests of all Canadians who are touched by Canada's copyright law. With that balance in mind, Bill C-11 would offer a range of benefits to all Canadians, including new rights for Canadian creators and greater protections for the incentive to create. It would include changes that would legitimize the everyday activities for ordinary Canadians. A lot of the concerns about the limits on digital copying, et cetera, would actually allow for more than the current law allows for.

Furthermore, the benefits would include clear copyright rules to encourage innovation and the sharing of ideas online.

Last but not least, there are more options for educators, not fewer.

Clearly, this is good news for all Canadians, artists, business-people, teachers, students and families. Canadians deserve a copyright regime that would allow them to fully participate with confidence in the digital world. With Bill C-11 our government would deliver these benefits.

I invite hon. members of the House to join our government to support the bill, which would effectively modernize Canada's copyright law and protect the interests of all Canadians.

•(1830)

Mr. Jamie Nicholls (Vaudreuil—Soulanges, NDP): Mr. Speaker, I appreciate the fact that the MP spoke to the bill itself. Today we have heard Conservative members speak to other bills and speak generally about Bill C-38, such as the member for Nipissing—Timiskaming or the member for Oak Ridges—Markham, and lecture us about not telling the truth.

My question is simple and is directed to the member for Oak Ridges—Markham. Conservatives talked about the government creating jobs directly through this legislation. How many jobs are going to be created through Bill C-11?

Mr. Jim Hillyer: Mr. Speaker, the member addressed the question to an MP other than myself, but I will answer it anyway.

Obviously, when a government sets up provisions that allow for a free market, and protects the ability for people to produce and enjoy the fruits of their intellectual property, we do not know the exact number that will result from a free market decision. However, we do know that when we do not protect those intellectual property rights, for example, if we do not protect the rights of software producers to protect their material, they will take their business elsewhere where they have protection.

•(1835)

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, if one of the member's constituents were to purchase a CD and then take that CD home and it happened to have been digitally locked, should his constituent have the ability to put his favourite song from the CD onto an MP3 player? From a consumer point of view, should he have the right to do that, given that he has already purchased that song?

Mr. Jim Hillyer: Mr. Speaker, the answer is no.

Mr. Dean Del Mastro (Parliamentary Secretary to the Prime Minister and to the Minister of Intergovernmental Affairs, CPC): Mr. Speaker, I want to thank the member for speaking on behalf of a fantastic bill that modernizes the Copyright Act.

There was a question a minute ago about the economic impact of the bill. I just wanted to mention to the member that the film industry said that the cost of Canada's current copyright law is that more than \$1 billion a year is being lost. The recording industry said that \$900 million a year is being lost. Canada has the second largest entertainment software industry in the world. The entertainment software industry said it is costing hundreds of millions of dollars a year. The chamber of commerce spoke emphatically in support of this bill.

Has the member heard from the chambers of commerce in his riding? Has he heard from employers across the country? Are they ready to start hiring and investing when Canada updates its copyright laws? That is certainly what I have heard. I would like to hear what the gentleman has heard.

Mr. Jim Hillyer: Mr. Speaker, as I said in my speech, I have heard a lot of feedback about this bill, most of which has been positive.

A lot of the concerns that I have heard are based on the misunderstandings based on the deliberate feeding of misinformation. Once those misunderstandings were cleared up and people understood what the bill actually does, I received overwhelming support and an overwhelming understanding that it is good for business.

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, I ask my hon. friend from Lethbridge if he would like to reconsider his answer. Anything that is ordinarily legal and a person has a right to have it, that right to have that information under the copyright legislation is in fact a right of the consumer. If someone wrongfully imposes a digital lock, that does not take away that right, but that seemed to be his answer.

Mr. Jim Hillyer: Mr. Speaker, it is very simple. I use an online service that provides audio books in a format other than MP3, but I use it because I think it is convenient, even though I cannot put it on my BlackBerry. I do not use another service that puts music in a format that is not MP3 simply because I do not like how restrictive it is. I use another service to get the very same music that I am looking for. No one is required to buy a digitally locked program.

Yes, it is against the law if the terms of the contract state that when purchasers buy it they cannot break the lock.

Government Orders

The Acting Speaker (Mr. Bruce Stanton): We are resuming debate. I will let the hon. member for Winnipeg North know that I will need to interrupt him about three to four minutes into his speech. Of course, he will have the remaining time when the House next resumes debate on the matter.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, Canadians should be aware of what the member for Lethbridge is actually saying.

It was a fairly straightforward question. If a consumer buys a CD at Walmart or a music store and takes that CD home—

The Acting Speaker (Mr. Bruce Stanton): Order. There is too much noise in the chamber. I would ask hon. members to keep their conversations low so that we can hear the member. I am sure there are other hon. members who would like to hear what the member for Winnipeg North has to say.

The hon. member for Winnipeg North.

• (1840)

Mr. Kevin Lamoureux: Mr. Speaker, the person takes the CD home to where there is an MP3 player. The person finds out there is a digital lock on the CD. I asked the Conservative member for Lethbridge if that individual, a potential constituent of his, should be able to put a song from the purchased CD onto an MP3 player which might be used while jogging or doing something of that nature. The member gave a very clear answer. He said no, that constituent would not have the right to transfer the song from the CD that was purchased at a store. A great number of Canadians would be concerned about that.

We cannot blame Canadians for being somewhat confused when the government introduces legislation and on the one hand gives the impression that consumers have nothing to be concerned about, yet on the other hand, government members are telling consumers that they do not have the right to put songs from a legally acquired CD onto an MP3 player to be used when jogging. Canadians would be concerned about that.

We in the Liberal Party recognize the valuable contributions our artists and others make in terms of creating economic activity and ensuring that we have a rich heritage through a multitude of music types and shows. There is amazing talent in every region of our country. We want to protect artists' rights and make sure they are paid for their contributions to Canada.

We are also concerned about consumer rights. We are not going to trade one for the other. We believe that we have to protect the interests of both sides, whether it is a student in university with concerns about this legislation, or a consumer concerned about the comments made by the member for Lethbridge in regard to being able to use the music the consumer purchased.

I see I am running out of time. I will continue my remarks on the next day.

The Acting Speaker (Mr. Bruce Stanton): The hon. member for Winnipeg North will have seven minutes remaining for his speech, and the usual five minutes for questions and comments, when the House resumes debate on the question.

[*Translation*]

JOBS, GROWTH AND LONG-TERM PROSPERITY ACT

The House resumed from May 11 consideration of the motion that Bill C-38, An Act to implement certain provisions of the budget tabled in Parliament on March 29, 2012 and other measures, be read the second time and referred to a committee, and of the amendment.

The Acting Speaker (Mr. Bruce Stanton): It being 6:42 p.m., the House will now proceed to the taking of the deferred recorded division on the amendment to the motion for second reading of Bill C-38.

Call in the members.

• (1910)

[*English*]

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

(*Division No. 194*)

YEAS

Members

| | |
|--------------------------------|-------------------------------------|
| Allen (Welland) | Andrews |
| Angus | Ashton |
| Atamanenko | Aubin |
| Ayala | Bélanger |
| Bellavance | Bennett |
| Benskin | Bevington |
| Blanchette | Blanchette-Lamothe |
| Boivin | Borg |
| Boulerice | Boutin-Sweet |
| Brahmi | Brison |
| Brosseau | Caron |
| Casey | Cash |
| Charlton | Chicoine |
| Chisholm | Chow |
| Christopherson | Cleary |
| Comartin | Côté |
| Cotler | Crowder |
| Cullen | Cuzner |
| Davies (Vancouver Kingsway) | Davies (Vancouver East) |
| Day | Dewar |
| Dion | Dionne Labelle |
| Donnelly | Doré Lefebvre |
| Dubé | Duncan (Etobicoke North) |
| Dusseau | Easter |
| Eyking | Foote |
| Fortin | Freeman |
| Gameau | Garrison |
| Genest | Genest-Jourdain |
| Giguère | Godin |
| Gravelle | Groguhé |
| Harris (Scarborough Southwest) | Harris (St. John's East) |
| Hassainia | Hsu |
| Hughes | Hyer |
| Jacob | Julian |
| Karygiannis | Kellway |
| Lamoureux | Lapointe |
| Larose | Laverdière |
| LeBlanc (Beauséjour) | LeBlanc (LaSalle—Émard) |
| Leslie | Liu |
| MacAulay | Mai |
| Marston | Martin |
| Masse | Mathysen |
| May | McCallum |
| McGuinty | McKay (Scarborough—Guildwood) |
| Michaud | Moore (Abitibi—Témiscamingue) |
| Morin (Chicoutimi—Le Fjord) | Morin (Notre-Dame-de-Grâce—Lachine) |
| Morin (Laurentides—Labelle) | Morin (Saint-Hyacinthe—Bagot) |
| Mulcair | Murray |
| Nantel | Nash |
| Nicholls | Nunez-Melo |
| Papillon | Patry |
| Pécelet | Perreault |

Government Orders

Plamondon
Rae
Ravignat
Regan
Saganash
Savoie
Scott
Sgro
Sor)
Sims (Newton—North Delta)
St-Denis
Stoffer
Thibeault
Tremblay
Turmel

Quach
Rafferty
Raynault
Rousseau
Sandhu
Scarpaleggia
Sellah
Simms (Bonavista—Gander—Grand Falls—Wind-
sor)
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Stewart
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Trudeau
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Truppe
Uppal
Van Loan
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Weston (Saint John)
Williamson
Woodworth
Young (Vancouver South)

Trost
Tweed
Valcourt
Vellacott
Warkentin
Weston (West Vancouver—Sunshine Coast—Sea to
Wilks
Wong
Yelich
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PAIRED

Nil

The Speaker: I declare the amendment defeated.[*Translation*]

The next question is on the main motion.

Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.**Some hon. members:** No.**The Speaker:** All those in favour of the motion will please say yea.**Some hon. members:** Yea.**The Speaker:** All those opposed will please say nay.**Some hon. members:** Nay.**The Speaker:** In my opinion the yeas have it.*And five or more members having risen:*

● (1920)

[*English*]

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

(Division No. 195)

YEAS

Members

Ablonczy
Adler
Albas
Alexander
Ambler
Anderson
Ashfield
Baird
Benoit
Bezan
Boughen
Breitkreuz
Bruinooge
Calandra
Cannan
Carrie
Chong
Clement
Davidson
Devolin
Duncan (Vancouver Island North)
Fantino
Findlay (Delta—Richmond East)
Flaherty
Galipeau
Gill
Goguen
Goodyear
Gourde
Hawn
Hiebert
Hoback
Holder
Jean
Keddy (South Shore—St. Margaret's)
Kent
Komarnicki
Lake
Lebel
Leitch
Leung
Lobb
MacKay (Central Nova)
Mayes
McLeod
Menzies
Miller
Moore (Fundy Royal)
Norlock
O'Neill Gordon
Oda
Opitz
Payne
Poilievre
Raitt
Rathgeber
Rempel
Richardson
Saxton
Shea
Shory
Sopuck
Stanton
Strahl

Adams
Aglukkaq
Albrecht
Allen (Tobique—Mactaquac)
Anders
Armstrong
Aspin
Bateman
Bernier
Block
Braid
Brown (Barrie)
Butt
Calkins
Carmichael
Chisu
Clarke
Daniel
Del Mastro
Dreeshen
Dykstra
Fast
Finley (Haldimand—Norfolk)
Fletcher
Gallant
Glover
Goldring
Gosal
Harris (Cariboo—Prince George)
Hayes
Hillyer
Hoepfner
James
Kamp (Pitt Meadows—Maple Ridge—Mission)
Kenney (Calgary Southeast)
Kerr
Kramp (Prince Edward—Hastings)
Lauzon
Leef
Lemieux
Lizon
Lukiwski
MacKenzie
McColeman
Menegakis
Merrifield
Moore (Port Moody—Westwood—Port Coquitlam)
Nicholson
O'Connor
Obhrai
Oliver
Paradis
Penashue
Preston
Rajotte
Reid
Richards
Ritz
Schellenberger
Shipley
Smith
Sorenson
Storseth
Sweet

Ablonczy
Adler
Albas
Alexander
Ambler
Anderson
Ashfield
Baird
Benoit
Bezan
Boughen
Breitkreuz
Bruinooge
Calandra
Cannan
Carrie
Chong
Clement
Davidson
Devolin
Duncan (Vancouver Island North)
Fantino
Findlay (Delta—Richmond East)
Flaherty
Galipeau
Gill
Goguen
Goodyear

Adams
Aglukkaq
Albrecht
Allen (Tobique—Mactaquac)
Anders
Armstrong
Aspin
Bateman
Bernier
Block
Braid
Brown (Barrie)
Butt
Calkins
Carmichael
Chisu
Clarke
Daniel
Del Mastro
Dreeshen
Dykstra
Fast
Finley (Haldimand—Norfolk)
Fletcher
Gallant
Glover
Goldring
Gosal

Government Orders

| | | | |
|---|------------------------------------|--------------------------------|---|
| Gourde | Harper | Harris (Scarborough Southwest) | Harris (St. John's East) |
| Harris (Cariboo—Prince George) | Hawn | Hassainia | Hsu |
| Hayes | Hiebert | Hughes | Hyer |
| Hillyer | Hoback | Jacob | Julian |
| Hoepfner | Holder | Karygiannis | Kellway |
| James | Jean | Lamoureux | Lapointe |
| Kamp (Pitt Meadows—Maple Ridge—Mission) | Keddy (South Shore—St. Margaret's) | Larose | Laverdière |
| Kenney (Calgary Southeast) | Kent | LeBlanc (Beauséjour) | LeBlanc (LaSalle—Émard) |
| Kerr | Komarnicki | Leslie | Liu |
| Kramp (Prince Edward—Hastings) | Lake | MacAulay | Mai |
| Lauzon | Lebel | Marston | Martin |
| Leef | Leitch | Masse | Mathysen |
| Lemieux | Leung | May | McCallum |
| Lizon | Lobb | McGuinty | McKay (Scarborough—Guildwood) |
| Lukiwski | MacKay (Central Nova) | Michaud | Moore (Abitibi—Témiscamingue) |
| MacKenzie | Mayes | Morin (Chicoutimi—Le Fjord) | Morin (Notre-Dame-de-Grâce—Lachine) |
| McColeman | McLeod | Morin (Laurentides—Labelle) | Morin (Saint-Hyacinthe—Bagot) |
| Menegakis | Menzies | Mulcair | Murray |
| Merrifield | Miller | Nantel | Nash |
| Moore (Port Moody—Westwood—Port Coquitlam) | | Nicholls | Nunez-Melo |
| Moore (Fundy Royal) | Norlock | Papillon | Patry |
| Nicholson | O'Neill Gordon | Péclet | Perreault |
| O'Connor | Oda | Plamondon | Quach |
| Obhrai | Opitz | Rae | Rafferty |
| Oliver | Payne | Ravignat | Raynault |
| Paradis | Poilievre | Regan | Rousseau |
| Penashue | Raitt | Saganash | Sandhu |
| Preston | Rathgeber | Savoie | Scarpaleggia |
| Rajotte | Rempel | Scott | Sellah |
| Reid | Richardson | Sgro | Simms (Bonavista—Gander—Grand Falls—Wind- |
| Richards | Saxton | sor) | |
| Ritz | Shea | Sims (Newton—North Delta) | Sitsabaiesan |
| Schellenberger | Shory | St-Denis | Stewart |
| ShIPLEY | Sopuck | Stoffer | Sullivan |
| Smith | Stanton | Thibeault | Toone |
| Sorenson | Strahl | Tremblay | Tredeau |
| Storseth | Tilson | Turmel | Valeriote— 132 |
| Sweet | Truppe | | |
| Trost | Uppal | | |
| Tweed | Van Loan | | |
| Valcourt | Wallace | | |
| Vellacott | Watson | | |
| Warkentin | Williamson | | |
| Weston (West Vancouver—Sunshine Coast—Sea to Sky Country) | Woodworth | | |
| Weston (Saint John) | Young (Vancouver South) | | |
| Wilks | | | |
| Wong | | | |
| Yelich | | | |
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NAYS

Members

| | |
|-----------------------------|--------------------------|
| Allen (Welland) | Andrews |
| Angus | Ashton |
| Atamanenko | Aubin |
| Ayala | Bélangier |
| Bellavance | Bennett |
| Benskin | Bevington |
| Blanchette | Blanchette-Lamothe |
| Boivin | Borg |
| Boulerice | Boutin-Sweet |
| Brahmi | Brisson |
| Brosseau | Caron |
| Casey | Cash |
| Charlton | Chicoine |
| Chisholm | Chow |
| Christopherson | Cleary |
| Comartin | Côté |
| Cotler | Crowder |
| Cullen | Cuzner |
| Davies (Vancouver Kingsway) | Davies (Vancouver East) |
| Day | Dewar |
| Dion | Dionne Labelle |
| Donnelly | Doré Lefebvre |
| Dubé | Duncan (Etobicoke North) |
| Dusseauult | Easter |
| Eyking | Foote |
| Fortin | Freeman |
| Garneau | Garrison |
| Genest | Genest-Jourdain |
| Giguère | Godin |
| Gravelle | Groguhé |

Nil

PAIRED

The Speaker: I declare the motion adopted. Accordingly, the bill stands referred to the Standing Committee on Finance.

(Bill read the second time and referred to a committee)

The Speaker: Pursuant to order made on Friday, May 11, 2012, the House will now resolve itself into committee of the whole on Motion No. 11 under government business.

[*Translation*]

I do now leave the chair for the House to go into committee of the whole.

GOVERNMENT ORDERS

[*English*]

IRAN

(House in committee of the whole on Government Business No. 11, Mr. Scheer in the chair)

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC) moved:

That this committee take note of the state of human rights in Iran.

The Speaker: Before we begin this evening's debate, I would like to remind hon. members of how the proceedings will unfold. Each member speaking will be allotted 10 minutes for debate, followed by 10 minutes for questions and comments. The debate will end after four hours or when no member rises to speak.

Government Orders

[Translation]

Pursuant to the order made on Friday, May 11, 2012, the Chair will receive no quorum calls, dilatory motions or requests for unanimous consent.

[English]

We will now begin tonight's take note debate.

Mr. Deepak Obhrai (Parliamentary Secretary to the Minister of Foreign Affairs, CPC): Mr. Speaker, I am pleased to rise this evening to kick off the debate on this motion regarding the horrific human rights situation in Iran.

Our government continues to have deep concerns about the situation of human rights in Iran, concerns that I know are shared by every member of the House. Iran's refusal to respect human rights obligations is a violation not just of universally recognized norms and standards but of those enshrined within its own constitution.

Let me highlight some of the human rights violations in Iran.

First, the suppression of women's rights in Iran is particularly troubling. Women face many restrictions on their freedoms. For example, they are unable to run for president or to serve as judges. They cannot have full guardianship over their children after divorce. As inheritors, they receive half as much as men, and their court testimony is worth half that of a man. A woman who refuses to cover her hair may face a jail term and up to 80 lashes. Women who belong to ethnic or religious minorities face discrimination on multiple levels.

With respect to religious minorities, Iran remains a dangerous place for members of numerous communities, including the Baha'i. For years, this peaceful community has been targeted by the Iranian authorities and subjected to discrimination and detention. Baha'i leaders have been arrested and imprisoned for practising their faith. Iranian officials have also made statements to try to link the Baha'i to the political unrest in that country. These are trumped-up accusations and a cause of concern for the safety and well-being of those unjustly detained in Iran. In fact, today, on the fourth anniversary of the arbitrary arrests and detention of several Iranian Baha'i community leaders, we are particularly reminded of the ongoing, persistent and pervasive prosecution of religious minorities.

Equally troubling is that almost three years after the 2009 elections, the efforts by the Iranian government to suppress the voices of those who seek to exercise their basic political rights continue. Leaders of the pro-democracy movement remain either in jail or under house arrest.

The Iranian government continues to take steps to curb Internet freedom and prevent an exchange of ideas on governance and human rights. Those seeking to speak out in favour of reform are facing even greater obstacles to free expression.

Canada, along with its allies, leads the international community in putting pressure on the government of Iran to be accountable for its actions. As part of our ongoing efforts to promote respect for human rights in Iran, Canada once again led the resolution on the situation of human rights in the Islamic Republic of Iran in the 2011 fall session at the United Nations General Assembly. This was the ninth consecutive year that Canada led this initiative. In December 2011,

the General Assembly adopted this resolution, with 89 member states supporting the vote and only 30 member states voting against it. This represented the largest margin of support since 2003.

The promotion and protection of human rights has been and continues to be an integral part of our government's foreign policy. Canada stands up for human rights and takes principled positions on important issues to promote freedom, democracy, human rights and the rule of law.

Canada calls on Iran to address the substantive concerns highlighted in the report of United Nations Secretary-General Ban Ki-moon and the specific calls for action found in previous resolutions. The resolution calls on Iran to abolish the use of stoning and hanging as methods of execution and further calls on Iran to respect its human rights obligations in law and in practice. Canada believes that the adoption of this resolution provides comfort to human rights defenders in Iran as it reminds them that they are not alone in their struggle to attain their basic human rights.

In addition to our efforts at the United Nations, the Prime Minister and the Minister of Foreign Affairs continue to issue frequent statements urging Iran to respect its domestic and international human rights obligations, and our head of mission in Tehran conveys these messages to the Iranian authorities.

● (1925)

Canada remains highly concerned with the routine news of Iran's failure to comply with its international obligations, including nuclear energy support for terrorist country entities.

Canada continues to work to ensure that the human rights situation remains on the agenda and is not overshadowed by other important issues. Human rights is only one of four areas where we engage Iranian officials under the controlled engagement policy that Canada put into place in 1996 and tightened following the death while in Iranian custody of Canadian Iranian journalist, Zahra Kazemi, in 2003. The other areas of engagement include consular cases, nuclear issues and international security.

It is important for all those participating and listening this evening to know that we will never waver in our commitment to support the people of Iran in their aspirations for universal human rights. They are entitled to the same rights and freedoms as Canadians and, above all, they are entitled to live their lives with dignity.

Tonight in this debate my colleagues will highlight many other abuses that are going on in Iran. We call upon the Iranian government to respect its human rights obligations.

● (1930)

Ms. Jinny Jogindera Sims (Newton—North Delta, NDP): Mr. Speaker, this is a critical issue for us. Would the parliamentary secretary comment on the human rights violations concerning the LGBTQ community in Iran?

Government Orders

Mr. Deepak Obhrai: Mr. Speaker, I stated in my remarks that we are highly concerned with the situation of human rights, specifically that of the Iranian government targeting its own citizens when political views do not match. The member just highlighted one of the groups in which the government of Iran has been abusing human rights because it does not like what the group does.

As I stated in my presentation, the political freedom in Iran under that regime is very limited and we have raised concerns. One of the reasons Canada takes such a strong stand at the United Nations is to condemn all of the human rights violations that are occurring in Iran, including the one the hon. member mentioned.

Hon. Jim Karygiannis (Scarborough—Agincourt, Lib.): Mr. Speaker, it is with great interest that I listen to the debate here tonight. In 2003, I had the opportunity to visit Tehran and go outside the notorious Evin jail where I spoke with some of the individuals. That was right after Mrs. Kazemi was killed by the regime.

I have a couple of questions for the parliamentary secretary.

We talk about issuing press releases and about Canada pushing the issue at the United Nations. However, Canada lost its place at the United Nations decision-making table and it went to Portugal. How can Canada push anything at the United Nations, let alone what is happening in Iran?

Further, the Canadian government closed the visa section in Iran for cost saving purposes. It had two officers but the Conservative government did away with them. When people from Iran need to apply for a visitor visa to come to Canada, they must go through Ankara. If they need to have an interview, they must fly to Ankara. How is the hon. parliamentary secretary able to stand up and defend his government when it did away with the visa section?

Mr. Deepak Obhrai: Mr. Speaker, we are talking about human rights issues and, more important, when the member talks about the UN Security Council, Canada has not lost its voice there. I just said that at the UN General Assembly Canada sponsored the resolution on Iran and 89 member states supported our vote with only 30 member states against. This represents the largest margin of support since 2003. Therefore, Canada has not lost its voice on this stage.

As to the visa office, tonight we are debating the issue of human rights violations in Iran. I would ask the hon. member to stick to that topic.

Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP): Mr. Speaker, the judiciary in Iran has been handing out death sentences at a rate that is unspeakable. It is hanging women and youth. In fact, at the subcommittee on human rights we heard that it was hanging a person every eight hours.

Will the Government of Canada call upon Iran to stop these executions and speak out against the death penalty wherever it is used around the world?

Mr. Deepak Obhrai: Mr. Speaker, I just informed the House about the resolution that we put forward at the General Assembly of the United Nations. This resolution highlights serious ongoing and repetitive violations of human rights by the Iranian authorities, including the ones the hon. member mentioned. In fact, it calls on Iran to address the substantial concerns highlighted in the report by

the United Nations Secretary-General Ban Ki-moon and the specific call that found action in previous resolutions.

The resolution calls on Iran to abolish the use of stoning and hanging as a matter of execution and further calls on Iran to respect human rights obligations.

We share the member's concern in reference to the method of execution, death by hanging. We join with the United Nations and everybody else to call on Iran to stop it.

● (1935)

[*Translation*]

Ms. Paulina Ayala (Honoré-Mercier, NDP): Mr. Speaker, if we do not have an embassy, I imagine that it will be even more difficult for those persecuted politically to apply for political asylum.

I know that Canada has adopted a critical position toward the Iranian government. However, what is Canada doing to further assist these people who are suffering and being tortured?

Is Canada going to provide additional assistance or agree to a compromise in order to help all these organizations that are assisting people whose lives are in danger, so that they can come to Canada as political refugees?

[*English*]

Mr. Deepak Obhrai: Mr. Speaker, Canada is home to large number of diaspora from Iran who have found their way into Iran and the Government of Canada has accepted these bi-racial refugees and we will continue to do so.

There are a lot of other areas around the Middle East where Iranian refugees can go and can file a claim as a refugee. Canada will, of course, meet its obligations. Canada is one of the leading supporters of UNHRC, the refugee determination system of the United Nations, and Canada has always opened its doors to those refugees who fall under that category. We normally take 25,000 refugees as identified by the UNHRC and many of them are Iranians.

Mr. Paul Dewar (Ottawa Centre, NDP): Mr. Speaker, tonight we are debating the situation in Iran. Many people have been seized with the situation on the ground and human rights. Many of us in the House have spoken out against the deplorable situation of human rights in Iran.

I will begin by just going back a couple of years. In June 2009, we watched scores of Iranian Canadians come to this city to cast their ballots in the presidential election. I remember it very well, as I am sure many do. There was so much excitement in the air. There was the idea of the possibility of change. Many of my good friends who voted in that election actually thought there would be a change in Iran. There were feisty debates between candidates, some of which I watched online while one of my staff translated it for me. Young Iranians were getting engaged in politics. It was quite exciting. It was long before the Arab Spring that we just saw last year. There was so much hope for change and we all thought that maybe change would come.

The results, of course, shocked Iranians and shocked the world. Abedinejad was declared the winner with a wide margin and all indications were that the results were not true, they were bogus, and the vote of the Iranian people was stolen from them.

Government Orders

What did people do? When they see this kind of theft of an election and people care about it, they take to the streets, which is what happened. People took to the streets. We watched from here and the world watched during those months. There was a certain unity of cause and concern that embraced many people in this country and people around the world. We thought maybe the voice of the people would be heard and that people would actually come together to ensure that democracy would not only seem to be done but would be done.

Then we saw what was a popular uprising in the first flashes of what we have seen with the pro-democracy movements and the Arab Spring that took North Africa this past year, and later into other parts of the Middle East, take place and take root. In fact, Canadians joined those popular protest gatherings. In solidarity with those who had taken to the streets in Tehran and right across Iran, people joined. I remember right out here at the eternal flame they joined in a quiet, solemn display of solidarity with the people of Iran. We said that the people of Iran's voice should be respected.

What followed was, sadly for some, predictable but for so many Iranians was the tumult of disaster of a repressive regime cracking down on their voices. Those in power decided that they would use the monopoly of violence against their people. That is what happened after the uprising of the people following the results of the election being sullied and Abedinejad taking power. There was a repression that happened and it has continued on since June 2009.

Tonight we are here to debate the situation of human rights on the ground in Iran. However, I want it to be underlined that the people of Iran did speak, that they joined together and voted for change. They coalesced in change and fought for change and Canadians and people all around the world supported that voice. We must continue to do that.

Tonight we will speak to the human rights violations in Iran. My colleagues will speak to the political persecution, the repression of women's rights, the attacks on civil society, the attacks on journalists, artists, independent trade unionists, the discrimination due to sexual orientation that we have already heard about and the repression of people based on ethnicity and religious beliefs. We will think of people, particularly for me, who are from the Baha'i faith. Of course, the origins of the Baha'i faith come right from Iran. We will think of the importance of being in solidarity with those who are not able to speak out.

● (1940)

We will want to ensure those who are in Iran now and those who are with the people of Iran that they are not alone, that we will speak with them.

However, let us look at the history of the democratic movement in Iran, because that is the other thing we have to underline. There is a democratic thread through the history of Iran. Canadian human rights expert, Payam Akhavan said:

Despite the violent repression of the protests, millions of Iranians have now awakened to their own power in a historic struggle for democracy. In contrast to mere "regime change," this profound grassroots shift in consciousness is the most far-reaching expression of revolutionary change. Despite the challenges that lie ahead, there will be no returning to the totalitarian past.

That flame keeps burning in the Iranian people.

We know the current situation in Iran, but the long history should be noted. In 1906, there was a constitutionalist revolution that established a Parliament to end the absolute monarchy in Iran. The success was limited due to an Anglo-Russian meddling and a largely illiterate electorate, at the time, which undermined its going further.

In 1951, though, we know that the democratic election of Prime Minister Mohammad Mossadegh and his nationalization of the Anglo-Iranian oil company, later known as BP, brought a lot of attention to the world. Of course, it was the attention of the CIA.

The CIA-sponsored coup in 1953 undermined that democracy and what we saw after was something that carried on for too long. It was the regime that we all know too well, the shah's regime that fell in 1979 due to a popular revolution. Now the promises that were made for democratic change by those who came in sadly were not realized. Instead, Islamic militants began to establish a totalitarian state under the leadership of Ayatollah Khomeini through a reign of terror and violence.

From 1980 to 1988, the devastating war with Iraq went on, in which the west supported Saddam Hussein. Let us remember that. That war traumatized the Iranian people and helped the Islamic regime's consolidation of power.

In 1997, the election of the reformist president, Mohammad Khatami, signalled a desire for an open society. Hard-liners undermined every attempt at modest reforms, and again democracy and reform were undermined. That was sad.

As I just mentioned, in June 2009 reformists believed they could beat Mr. Ahmadinejad but the sham elections that took place showed how determined the regime was to hold onto power. Ahmadinejad's victory gave rise to the massive peaceful protests that I mentioned and, let us be frank, that few observers had actually predicted.

What we know is that there is a vibrant civil society still fighting for truth, justice and civil rights. Women and students continue to organize and speak out, as do workers and members of different religious backgrounds. Secular Iranians have also come together and demonstrated that their country's political coming of age must not stop.

I must say that the human rights in Iran that we talk about tonight must be protected, but we should also be consistent in how we do that. The solutions are to invest in rights and democracy and build a system of international relations based on respect for human rights. The hope and intention on all sides of this House is to see the kind of change in Iran that would have helped a more democratic and progressive society.

What should Canada do? Invest in rights and democracy. Sadly, the government killed the institution, Rights and Democracy, that could help with that. Be smart in our diplomacy. Ensure we do not beat the drums of war at a time when we need to invest in diplomacy and look for bridges to reconciliation and to support human rights in all their forms in Iran.

Finally, let us remember the words of Mr. Akhavan. He said:

The paradox in today's Iran is that just underneath the authoritarian surface of the Islamic Republic lies the most promising democracy in the Middle East.

Government Orders

Let us support it. Let us support human rights in Iran and let us not get caught into rhetorical games that lead to war.

● (1945)

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Mr. Speaker, there two points my friend concluded with that I would like him to address a little bit further, to understand what the government's approach has been towards Iran.

The first point is on the support of democratic institutions, that these things are not built within an election cycle or a year. Certainly they are built up over time. I am a bit confused by a government that out of one side of its mouth talks about the need to support democracy and rights, collectively, abroad, and out of the other side of its mouth talks about and performs an act that destroys the one Canadian institution that is doing this, called Rights and Democracy.

My second point is a sensitive question, but I would like the member's thoughts on it. To what effect is the so-called sabre rattling done by the government and others around the world almost seeking not to provoke war but certainly to continue to rattle those sabres and, to the regime in Iran, put a series of ultimatums? What effect does that have on the peace-building process, on the democratic process within Iran, which needs our support, not the effect that the government is potentially having when it does rattle those sabres?

Mr. Paul Dewar: Mr. Speaker, I thank my colleague for two very important questions.

On the first question, it is with great sadness that we see that an institution that was started with the previous Conservative government, in fact, is going to be killed through this budget bill we were debating.

Why it is important is that the Minister of Foreign Affairs said we would be able to do the works of Rights and Democracy through our ambassadors and through our foreign affairs capacity. That cannot be done in Iran.

What we were able to do through Rights and Democracy is to be in countries like Iran to support civil society, to support human rights fighters and protect their capability to actually fight for human rights. Sadly, that has ironically been killed by the government that professes to want to support human rights in Iran.

I would say to the government that if it is really committed to human rights in Iran, it needs to look in the mirror and ask itself why it is killing Rights and Democracy, and why is it taking away the ability for human rights defence in Iran. That is exactly what happened.

On the second point, we have to be very cogent in what we say when it comes to Iran. To support people in Iran, we should not beat the drums of war, or get loose with our rhetoric, or suggest we will go to war with Iran, because that supports the regime. It gives it a pretext to crack down on the population. We know this from talking to people here in Canada who talk to people in Iran. They do not want that. It undermines the credibility.

Recently Israeli President Shimon Peres said, "in order to prevent Iran from becoming a nuclear [armed] country you have to introduce a system of verification and inspection" when it comes to nuclear arms. He worried that a system such as we would need to verify any

proliferation of nuclear arms could be jeopardized by a pre-emptive attack.

It is unfortunate that Canada is not taking a lead role in nuclear negotiations and verification. There is an opportunity to do that. I wish we would, and I wish we would actually listen to President Peres when he says we should not beat the drums of war but ensure we are going to be responsible actors.

● (1950)

Mr. Deepak Obhrai (Parliamentary Secretary to the Minister of Foreign Affairs, CPC): Mr. Speaker, first of all, let me answer some of the questions the opposition has been asking, saying that the government is speaking out of both sides of its mouth.

Let me be very clear. We are speaking right, exactly, and saying that this government has taken, for the ninth consecutive year at the United Nations, the initiative with the international community to condemn human rights violations in Iran.

Let me just say this also to my friend right across the aisle. Canada is not, and I repeat for his information, Canada is not beating the drums of war he was talking about, in typical NDP fearmongering. What we are talking about, as a matter of fact, is that we asked for restraint and diplomacy to work first before any other issue. This is what we have told our ally, Israel, about this. Let diplomacy do the work. We are working with the international community.

This government is very proud of its record as far as Iran is concerned, with its sanctions and everything else put on Iran to tell Iranians and also the international community at the United Nations, getting the international voice behind us, in condemning the human rights abuses in Iran.

Mr. Paul Dewar: Mr. Speaker, I was simply noting that we should not beat the drums of war and get involved in hot rhetoric. I was not accusing the member across the aisle, but I am concerned about the path some are going down. We need, as I said, to take the advice of President Peres and others who say we need to ensure we are going to invest in human rights protection. I did not notice him saying anything about why the government killed Rights and Democracy, and he knows full well that it is able to do work on the ground in places like Iran and Zimbabwe. Sadly, that is no longer going to be the case because of the government's poor choices.

Further, we need to ensure Canada is going to be a responsible player when it comes to nuclear non-proliferation. We have an opportunity to take a leadership role and, sadly, on that issue the government has not led.

Hon. Jim Karygiannis (Scarborough—Agincourt, Lib.): Mr. Speaker, I listened with great interest to both the Conservatives and the NDP, and we must realize that Iran is engaged in widespread systematic assaults on human rights and religious freedom. It is the country that jails reporters and bloggers the most. It continues to target and imprison lawyers and victimize their human rights and persecute ethnic communities and religious minorities.

Government Orders

My question to my hon. colleague is the following. Instead of Canada being supportive of the people in Iran and being there with them, we did the worst thing we could have done and closed down the visa section. The visa section would have given the people of Iran the opportunity to come to Canada, to talk to us and engage us with regard to civil democracy and civil movements. After the two positions in the embassy have been eliminated, I am wondering if my colleague could add his voice or tell me what his party thinks when people cannot get a visitor visa to come to Canada and have to travel to Turkey to do that. It is a travesty by any means, and the Conservative government should be held to account.

Mr. Paul Dewar: Mr. Speaker, of course New Democrats concur with those who say we should not be shutting our immigration offices abroad, particularly in areas as sensitive as Iran, where we know that any engagement is a positive thing. That said, we also need to understand that sanctions can be effective. We can do both. We are able to engage with Iran in ways that would help the people of Iran. What the member points out is something unfortunate that the government has done.

I did not get to speak to this because of time, but we also have to be aware of what we are doing when it comes to technology transfer. This is an area where I would like to see a little more vigilance from our government. There are actual technologies being transferred to Iran that help the regime to monitor its citizens. We saw this during the crackdown in 2009, and it is something we need to take a look at to ensure that nothing we are exporting or selling gets into the hands of the regime, particularly the Republican Guard, that allows it to use technology transfer to monitor its citizens, after which people end up in some very dire circumstances.

• (1955)

Mr. Claude Gravelle (Nickel Belt, NDP): Mr. Speaker, at least my colleague from Ottawa Centre has a very good grasp of what is happening in the Middle East. He spoke about human rights violations, civil society, journalists and artists, but I would like him to update the House on what is really happening with the women in Iran and the kinds of abuse and violation they have to put up with.

Mr. Paul Dewar: Mr. Speaker, it is one of those questions one does not want to answer. In fact, women are being forced into marriages when they should not be and young girls in rural areas in particular are often used for temporary marriages, which we would call forms of prostitution. Women who speak out at all about rights for women are jailed, tortured and then hanged. That is why it is so important that we speak tonight about our commitment to fight for the human rights of all Iranians but particularly women, whose plight is not only grave but something we need to speak out more on because in the end they are unable to speak for themselves.

Hon. Irwin Cotler (Mount Royal, Lib.): Mr. Speaker, I am pleased to participate in this take note debate on human rights violations in Iran, which is as urgent as it is necessary. Indeed, the violations of human rights in Iran, the persistent and pervasive assault on the human rights of the Iranian people, has only intensified since our last take note debate here some 15 months ago. As I said then, and as remains no less true today, “Ahmadinejad, Khamenei's Iran”. I use these terms to distinguish from the people and public of Iran who are otherwise the targets of massive domestic oppression. The Iranian regime has emerged as a clear and present danger to international peace and security, to regional and Middle

East stability, to diplomatic protection and increasingly and alarmingly so to its own people, which has inspired this evening's take note debate.

[*Translation*]

As I said in this House a year ago, and on several occasions, Ahmadinejad's Iran is characterized by the toxic convergence of four distinct threats that are closely related: the nuclear threat, the threat of incitement to genocide, the threat of state-sponsored terrorism, and the systematic and widespread violation of Iranians' rights.

[*English*]

Let there be no mistake about it. Iran is in standing violation of international legal prohibitions respecting the development and proliferation of nuclear weapons. Indeed, there have been six chapter VII UN Security Council resolutions prohibiting the enrichment of uranium for a nuclear weaponization program. Iran has already committed the crime of incitement to genocide prohibited under the genocide convention. Iran is a leading state sponsor of international terrorism. The year 2012 alone has witnessed Iranian terror's footprints in such terrorist assaults from Azerbaijan to India from Thailand to Washington from Malaysia to Argentina. Iran is engaged in massive domestic repression of the rights of its people, which will be the subject of the balance of my remarks, though the other considerations have their human rights connection and fall-out, as I mentioned.

We meet on the fourth anniversary of the imprisonment of the entire Baha'i leadership, each sentenced to 20 years or re-sentenced to 20 years after an appeal brought it down and then re-sentenced to 20 years for such trumped-up charges as, “insulting religious sanctities, propaganda against the state”, charges utterly without foundation, reminiscent of the old Soviet tactic “give us the people and we will find the crime”. Indeed, their reinstated 20-year sentences now constitute an effective death sentence given the advanced age of the entire Baha'i leadership. Despite repeated requests from both the defendants and their attorneys, neither official copies of the original verdict nor the ruling on appeal have been disclosed to date.

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The plight of the Baha'i in Iran offers a looking glass into the plight of human rights in Iran in general, and the criminalization of innocence, as finds expression in the criminalization and targeting of Iran's largest religious minority in particular. Simply put, the persecution and prosecution of these Baha'i is a case study of the systematic if not systemic character of Iranian injustice as a whole, including arbitrary arrest and incommunicado detention, false and trumped-up charges such as "spreading corruption on earth" and "espionage for foreign elements", coerced confessions, torture and detention, denial of the right to effective counsel, denial of the right to introduce any evidence in one's defence and the ominous threat always of execution along with the intimidation if not arrest and imprisonment of one's own family and lawyers. I will address this more fully in the second part of my remarks this evening when I will concentrate on what has happened just in these last few days to the Baha'i, the gays and lesbians, to students, political prisoners and the like.

● (2000)

Moreover, while we have been understandably preoccupied with the slaughter of innocents in Syria where Iran itself has been implicated and where we have been involved in the necessary addressing of the nuclear threat question of Iran, Iran's massive domestic repression has been passing only too quietly under the international radar screen. Indeed, in the aftermath of the recent Iranian parliamentary elections, marred by the imprisonment and silencing of all opposition, the state-sanctioned assault on the human rights of the Iranian people not only continues unabated but is widened and intensified.

Only two days after the March 2 parliamentary elections, Tehran's revolutionary court sent prominent lawyer and co-founder of the recently shuttered Centre for Human Rights Defenders, Abdolfattah Soltani, to an 18-year prison sentence and a 20-year ban on his legal practice. The trumped-up charges again included the usual ones, and one particular one: the crime of establishing a human rights group and also of receiving "an illegal prize". What was this illegal prize for which he was condemned? It was the receipt of Germany's Nuremberg International Human Rights Award.

The Nuremberg Award is a powerful symbol of that city's denunciation of its dark past and embrace of peace, reconciliation and respect for human rights. That Iran would criminalize such an award is a striking testament to the culture of repression that reigns today in Ahmadinejad's Iran.

Mr. Soltani's imprisonment was followed by the imprisonment of another human rights lawyer, Mohammad Ali Dadkhah, who was a founder of Iran's Centre for Human Rights Defenders.

The latest example of an ever-widening campaign to crush all forms of dissent in Iran are the recent reports by international human rights bodies that describe the regime's systematic use of arrests, beatings, torture, detentions, kidnappings, disappearances and executions.

Just two months ago, the UN special rapporteur on the situation of human rights in the Islamic Republic of Iran released a scathing report documenting in his words, a "striking pattern of violations of fundamental human rights". In a mocking and almost obscene retort, the Iranian leadership in response characterized itself, and I am using

its words, as "a pioneer in human rights". It might well have characterized itself as a pioneer in human rights assaults.

For example, Iran, which already has the highest per capita rate of executions in the world, is engaged, as we meet, in an ongoing execution binge, even by its own wanton standards with more than 60 people having been executed in January 2012 alone, a pace of execution that is continued. There has been a dramatic rise in the number of executions from less than 100 cases in 2003 to at least 670 in 2011. That too will be surpassed in 2012 if the rate of execution continues as it has.

Moreover, Iran's religious and ethnic minorities, already victims of massive de facto and de jure discrimination, are disproportionately represented among the ranks of the imprisoned and condemned. As of this writing and as we meet, 15 members of the Kurdish community have been sentenced to death on such trumped-up charges as corruption on earth and espionage. While the announcement that Iran has upheld a death sentence against Pastor Youcef Nadarkhani, convicted of apostasy for abandoning Islam, has not only stunned Christian groups in Islam, it has also been attended by the recently targeted assault on the Christian communities in Iran.

As I have said, but it bears repetition, yet again we are witness to the imprisonment of the entire Baha'i leadership, not only its political leadership but its educational leadership, some of whom are even graduates of Canadian universities; the exclusion of and discrimination against religious and ethnic minorities generally; the imprisonment and silencing of more journalists, bloggers and filmmakers than any other country; the persistent and pervasive assault on the women's rights movement and the imprisonment of the women's rights leaders; the criminalization of fundamental freedoms of speech, association and assembly; and the assaults upon and imprisonment of student leaders.

● (2005)

As we meet, there has been a crackdown and arrest in the last month alone of student leaders and trade union leaders. There have been assaults on filmmakers, artists and culture generally, in effect, the shutting down also of all independent civic organizations, NGOs and the like. In particular—

The Speaker: I am afraid the hon. member's 10 minutes is over, but luckily we have 10 minutes of questions and comments so I am sure there will be some of those.

The hon. member for Algoma—Manitoulin—Kapusksing.

Mrs. Carol Hughes (Algoma—Manitoulin—Kapusksing, NDP): Mr. Speaker, the Iranian law allows the death penalty for persons who have reached the age of puberty, which is defined as 15 for boys and 9 for girls. My colleague spoke a lot about the justice system there. We know these sentences typically follow unfair trials and the executions often violate Iranian law, such as the failure to notify families and lawyers 48 hours in advance of the execution.

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The fact is the Iranian judiciary is increasingly handing out death sentences, including against many women and even juvenile offenders, as I just mentioned. We are very proud that Canada has abolished capital punishment, but we have a leadership role to play internationally as well with respect to that. Does the member believe Canada should campaign against the death penalty, not just in Iran but internationally?

Hon. Irwin Cotler: Mr. Speaker, when I was minister of justice and attorney general of Canada in 2005, I ratified, on behalf of Canada, the Second Optional Protocol to the International Covenant on Civil and Political Rights, wherein we oblige ourselves not only in terms of our commitment against the death penalty but to play a leadership role in seeking the abolition of the death penalty internationally. In effect we are bound by treaty of that which we are bound by domestic law in terms of our own Constitution and Supreme Court decisions, where the death penalty is unconstitutional in Canada and the death penalty internationally is something that we have condemned, that we have ratified an international treaty to deplore it and that we seek to do away with it internationally.

Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC): Mr. Speaker, I was glad my hon. colleague raised a human rights issue that typically gets characterized as being a security issue, and I wish there had been time for him to go into it in more detail, and therefore is frequently excised from discussions of human rights.

I am speaking of the human rights issue of incitement to genocide. Genocide is a monstrous thing. It can be presented in some cases, and Iran is doing this as a foreign policy issue. It opposes the existence of the state of Israel and thinks it is necessary to wipe it out. The means of doing this would be effectively to obliterate its population by means of nuclear weapons delivered by a missile. Both of these are technologies the Iranian regime is working on.

This is a matter of grave concern to me. I think in a very powerful sense it outweighs any other human rights issue one can imagine, not merely in Iran but worldwide. I would be grateful if the member could comment a bit on that.

• (2010)

Hon. Irwin Cotler: Mr. Speaker, the hon. member will recall that our foreign affairs committee and the subcommittee on international human rights, which he chairs, has heard witness testimony to the effect that Iran is engaged in the advocacy of the most horrific of crimes, namely genocide, embedded in the most virulent of hatreds, namely anti-Semitism. It is underpinned by the legal pursuit of atomic weapons dramatized by the parading in the streets of Tehran of a Shahab 3 missile draped in the emblem with the words “wipe Israel off the map”, to which are added four other words, sometimes ignored “as the Imam says”, namely that this is a religiously sanctioned incitement to hate and genocide. This is in standing violation of international law and genocide prevention.

Therefore, it behooves us to undertake the legal measures authorized by international law to hold the Iranian leaders to account and, in particular, to initiate among other things an interstate complaint against Iran, which is also a state party to the genocide convention, before the international court of justice for its standing violations of this most horrific of crimes in international law.

Hon. Judy Sgro (York West, Lib.): Mr. Speaker, I want to begin my comments, quickly as I know time runs out, by recognizing the

great work that my hon. colleague has done on behalf of our country and countries around the world when it comes to fighting Iran and fighting for human rights.

Specifically on these issues of Iran, he has done an unbelievable amount of work. He outlines all of the areas. The question now becomes this. What can we do and what must we do, both as parliamentarians and as Canadians, on that whole attempt to mobilize the world to ensure we do not allow this to continue any further without there being much stronger sanctions?

What does my hon. colleague plan to do and what would he like all of us as parliamentarians to do?

Hon. Irwin Cotler: Mr. Speaker, there is an excellent all-party unanimous report first drafted by the foreign affairs subcommittee that I mentioned, then approved by the foreign affairs committee and tabled in this Parliament, which regrettably got overtaken by the election but still deserves adoption. It set forth an inventory of recommendations of actions. We would do well to undertake those actions, which include among other things: listing the Iranian revolutionary guard corps as a terrorist entity under Canadian law; expanding the range of targeted sanctions for human rights violations, as well as our targeted sanctions with respect to a nuclear threat; and, addressing Iran in terms of the fourfold threat and the interrelationship of that fourfold threat, as that unanimous report does, and developing sanctions that are organized around that fourfold threat.

We would not want to have a situation whereby as a result of negotiations next week Iran agrees finally to suspend its enrichment of uranium, which I would like to see, and then we forget about the human rights violations, the terrorist assaults and the like. That is why we have to look at the composite fourfold threat and have a critical mass of remedy.

[*Translation*]

Ms. Paulina Ayala (Honoré-Mercier, NDP): Mr. Speaker, there is one thing that worries me enormously. I know that when a country is faced with a difficult situation, it is often the citizens of that country who have to come up with a solution. However, when the situation is so huge, difficult and catastrophic, and it has lasted for years and years, it becomes unbearable and the citizens alone cannot find a solution. I know that international aid—assistance for NGOs that work for democratization and respect for human rights—is fundamental.

How is Canada assisting the missions of countries that are working to achieve peace if it is doing away with organizations such as Rights and Democracy and closing down visa offices?

As a parliamentarian, I feel powerless. What do you think about this issue? It is all well and good to sign a lot of documents and to condemn a whole host of things, but there needs to be more action. Personally, having lived under a dictatorship, I believe that assistance for NGOs, which directly help citizens within their own country, is fundamental.

What does my colleague think about this?

• (2015)

Hon. Irwin Cotler: Mr. Speaker, as I said in previous debates, we need to stand in solidarity with the people of Iran. One of the problems with our relationship with the Iranian people came to the surface when the green movement started a few years ago, in June 2009: it was some time before we expressed our solidarity with the Iranian people regarding their aspirations. It is very important to help them when it is possible to do so, because it is difficult to help them now.

However, there are things that can be done to further their right to express themselves, including condemning the imprisonment of those people who try to express their rights and aspirations and making it clear that we are behind the Iranian people and the minorities in Iran when it comes to their aspirations and their needs.

Mr. Raymond Côté (Beauport—Limoilou, NDP): Mr. Speaker, I would like to take this opportunity to ask my esteemed colleague some questions.

One very disturbing aspect is the fact that the death penalty is being imposed on minors, on adolescents. I just want to remind the House that puberty is considered to take place at age 15 for boys and age 9 for girls. There have been instances of children that young being executed.

I would like to hear my colleague's thoughts on that particular subject.

Hon. Irwin Cotler: Mr. Speaker, as I said in my remarks and in response to another question on the same subject, it is important that we—as a government and as a country—take the initiative and condemn the death penalty, not only here in Canada, but also around the world. We are a signatory to an international treaty in that regard. It is very important that we condemn the execution of young people, particularly in Iran.

[*English*]

Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC): Mr. Speaker, I am rising today to address this issue and to discuss some of the light that was shed on the issue of human rights in Iran for myself and other members of the human rights subcommittee when we held an series of hearings over the course of about a year and a half starting in early 2009.

We published an extensive report with over 30 recommendations dealing with how Canada could try to have some influence on Iran. We did not suffer from the illusion that Canada is the biggest player in that particular game. Iran is on the far side of the planet and Canada is, relatively speaking, a power with limited economic and military pull but with considerable moral powers at its disposal. Canada has a large Iranian Persian ethnic population and with a considerable amount of goodwill toward the Iranian and ethnic

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Persian community worldwide, if not perhaps with the regime that currently governs that country.

It is important to point out that the two are very distinct: the Iranian civilization and the Iranian regime are not the same thing, notwithstanding the desire of that regime to conflate itself with the country and with the nationality that it exploits. The favourite tactic of all dictatorial regimes is to conflate themselves with the country that they are exploiting.

We looked at a series of human rights abuses that exist within Iran. I remember telling my staff when I came back from these hearings that we listened to yet another form of human rights abuse going on within Iran.

The Iranian regime is the gift that keeps on giving when it comes to human rights abuses. It engages in abuses on the basis of persecution of religious minorities. It persecutes its national minorities. Women are persecuted and the advocates of women's rights are persecuted. Sexual minorities, that is homosexuals, gay men and lesbians are severely persecuted, especially gay men. Democracy advocates face persecution, that includes many people who are of the Persian majority.

The regime engages in the sponsorship of terrorism abroad, so it exports human rights abuses.

Finally, and perhaps most significant of all, there is the incitement to genocide and the overt stated goal of the Iranian regime, the Ahmadinejad regime, of wiping Israel off the face of the earth by killing as many Israeli citizens, as many Jews, as possible.

Let me go through some of these things now systematically.

I will start with religious persecution. With good reason we have heard about the terrible persecution of the Baha'i in Iran. The Baha'i religion began in Iran and has had its home there for a long time, although Baha'is exist worldwide. The Baha'i religion is a post-Koranic religion. On the basis of it being post-Koranic the minimal legal and constitutional protections that are offered to other religions, the so-called faiths of the book, Christianity and Judaism and also on a traditional basis Zoroastrianism, are not given to the Baha'i religion. Baha'is face what really amounts to a systematic effort to exterminate the religion by rounding up, imprisoning and where the regime dictates it to be necessary, executing their leadership and causing others to go underground for fear of a like treatment. What has gone on with Baha'is is one of the great tragedies of modern times.

Christians are also persecuted in Iran, especially those who are accused of proselytizing or of being guilty of converting from Islam, a crime under Iranian law that is punishable by death.

There is a small Jewish population. They have some nominal protections but that should be taken as being more in the letter of the law than in practice. Zoroastrians have some protection, but it is limited protection.

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● (2020)

This is a Shia Muslim country. Sunni Muslims face discrimination. It is not as severe as the discrimination faced by the other religions of the book and certainly nothing as severe as what is faced by the Baha'is, but, for example, it is difficult to get permission to build or repair a Sunni mosque.

Finally, dissenting Shia clerics, those who disagree with where the regime wants to go, also face persecution and, in some cases, penalties up to and including things like house arrest.

In religion, really any point of view other than the very narrow point of view that is approved by the regime is persecuted at a variety of levels of severity, depending upon how determined the regime is to suppress that particular group.

National minorities also face very considerable persecution in Iran. This is a matter of no small significance. Iran is not an ethnically homogenous country. On the contrary, it is like the old Soviet Union, or like Austria and Hungary 100 years ago. It is a country that consists very much of minorities and depending upon how one measures the minorities, they may actually represent a majority of the total population. These include the Azeris, the Kurds and the Balochs, to name the three largest groups, also Arabs, and many other smaller groups, some of which exist only within the boundaries of Iran, others which overlap its boundaries. These groups face very significant persecution and there are, in some cases, armed responses from some members of those communities in response to the way in which they have been treated.

I mentioned that women and the advocates of women's rights are treated very badly. This includes a variety of forms of persecution and repression. In particular, being an advocate of women's rights is a very dangerous and, in some cases, a life-threatening occupation.

In Iran, homosexuals face some of the most grotesque abuses imaginable. Gay men face a choice between execution or forceable sex change operations. Naturally, many gay men have fled Iran. There is now a community of men who are effectively refugees, although they do not have formal refugee status, living in Turkey. One of the great and much forgotten human rights tragedies of our times is the treatment of the Iranian gay population.

There are also democracy protestors and those who are involved in the Green movement. Starting in the midst of our hearings three years ago, we watched, initially with enthusiasm and then with alarm, the way in which they were essentially destroyed through the excessive use of force by the regime, very effectively, to stop a movement that really was, in a sense, a precursor of the Arab Spring that we have seen elsewhere in the Muslim world.

I mentioned sponsorship of terrorism. Hamas is sponsored by the Iranian regime. Hezbollah, in particular, is very much sponsored by the Iranian regime. Indeed, the regime in Iran is the primary sponsor of Hezbollah's terrorist activities. It has, through arming the Hezbollah movement or the Hezbollah terrorist organization, turned it into a very effective military force, with disastrous consequences for Lebanon, where Hezbollah is headquartered, and with very negative consequences, obviously, for Israel, which faces Hezbollah across its borders.

Finally, incitement to genocide. It is difficult to state just how serious the efforts of the Iranian regime to advocate genocide and then to, potentially, at least, actualize it really are. The regime seeks to create nuclear weapons. It has been to some degree frustrated in those efforts, thank goodness. But, nonetheless, it seeks to create these weapons. It seeks to develop a delivery mechanism through missiles in order to destroy Israel.

To give a sense of just how absurd, but also how dangerous, this really is, let me just read a bit about what has been said by the Iranian regime. Israel is referred to as a "cancerous tumour". We have heard that an Iranian attack on Israel would seek to kill as many as five million Jews. The estimate was that if Israel responded by dropping its own nuclear weapons, Iran might lose as many as 15 million people but that would be, as representatives of the regime put it, a small price to pay, a small sacrifice, because there are a billion Muslims in the world.

● (2025)

This kind of grotesque rhetoric obviously has no place in civilized nations. It is an indication of how profoundly the Iranian regime has abandoned its place among the family of nations.

It is a great tragedy for a culture that is one of the great homes of civilization in the world. The Iranians are the inheritors of the remarkable heritage of ancient Iran and Persia, which goes back thousands of years. We do hope it will be possible in the future for them to return to that marvellous heritage and to abandon this terrible and inhuman regime.

Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP): Mr. Speaker, I want to thank the member for his work on the human rights subcommittee.

On this side of the House, we were dismayed when we found out that Rights & Democracy was fading out of the picture, that it was being de-funded. When we are dealing with a totalitarian regime such as Iran, obviously state entities cannot influence there the way a non-state entity could, or the supports that could have been there. We are losing them.

In place of that, what would the member suggest Canada do in the area of supporting the growth of democracy in that country?

● (2030)

Mr. Scott Reid: Mr. Speaker, I am not sure I am in the right position to comment on the specific things that Rights & Democracy was trying to accomplish. It is an organization with specific goals, and specific individuals seeking to achieve those goals.

In terms of what Canada could do and should do, I could turn to no better document than the report of the Subcommittee on International Human Rights which made a number of recommendations. Of course, the member himself participated in the developing of those recommendations.

I think what the member is asking is what sort of aids can be provided to civil society in Iran to allow it to express itself and to—I hesitate to use the word "overthrow"—replace the regime, to cause the regime to be put aside, but at any rate to remain organized and focused and to have a presence outside the control of the regime.

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A number of recommendations were made. There were suggestions that we ought to do things such as endow a chair at a university to study the situation in Iran, and that we ought to try to provide assistance to some civil society organizations directly to try to create Farsi language broadcasts. These are a small number of the many recommendations made in the excellent report of the subcommittee. The report is available on the subcommittee's website, which will be found on the website of the Standing Committee of Foreign Affairs and International Development, which in turn is part of the House of Commons website.

Hon. Jim Karygiannis (Scarborough—Agincourt, Lib.): Mr. Speaker, I listened very carefully to my colleague who talked about doing something with the Farsi language and Farsi radio.

I am wondering if he is saying that maybe CBC International might engage that. On one hand I think it is a good idea, but on the other hand we are cutting the funds to CBC.

My colleague across the way also stated that we should give money to a university in order to study what is happening in Iran.

They are great ideas, but would the money not be better used to restore the two officers we had in Tehran who were working in the visa section? People who wanted to come out of Tehran could visit other countries, engage people in dialogue and democracy building. Not only could they engage in an exchange of ideas, but they could see how democracies function. Then they could go back to Iran and engage with their own people.

On one hand we are saying we can do all these things, and on the other hand we are cutting the money that is available. Could the member clarify for me how we can give \$1 million to a university to open a centre while we decimate and cut back the visitor visa section in Iran? That was the only link Iranians had to Canada. If they want to apply to come to Canada right now, they have to send their application to Turkey. They will have to get a visitor visa or find their way to Turkey, if they require an interview.

I am really baffled and confused. On one hand we have money to give, and on the other hand we have cutbacks.

Will my colleague please explain the priorities as far as Iran is concerned? Is the priority to help the people on the ground, or is the priority to give money to a university to do studies and more studies?

I think the people of Iran are sick and tired of studies. I think what they really want to see is action, and—

The Speaker: I will stop the member there to allow the member for Lanark—Frontenac—Lennox and Addington to respond.

Mr. Scott Reid: Mr. Speaker, I think the hon. member is hoping I will respond as the government spokesman.

My intention was to try to talk about what the committee had put forward. I will try to do that as best I can.

As he was giving his remarks, I was going through the recommendations in the report. Recommendation number five was:

The Subcommittee recommends that the Government of Canada encourage Radio Canada International to consider programming in Farsi over its worldwide shortwave service, over conventional AM/FM broadcasting in the Gulf region, and over the Internet.

I also mentioned research. That was in recommendation number four:

The Subcommittee recommends that the Government of Canada consider funding a research chair at a Canadian university dedicated to the study of Canadian-Iranian relations, including the human rights situation in Iran.

I will talk about that one for a second. I understand the concern that we engage in endless study and nothing gets done. However, I think when there is an ongoing situation of human rights abuses, having an accurate catalogue of the kinds of abuses that are taking place, as well as realizing where there are opportunities to help out is something that requires study and review. Obviously, having a chair like this would assist in providing that in an informal way, that is, a non-governmental way.

With regard to the question of overall CBC funding, some people manage to turn every single Canadian issue into an issue about CBC funding. All I can say is it would be necessary for the CBC, if it were to follow the recommendation made in recommendation five, to draw some of that money out of some other part of its budget. How that would be done would be an internal CBC matter.

• (2035)

Mrs. Carol Hughes (Algoma—Manitoulin—Kapusksing, NDP): Mr. Speaker, two decades ago the Canadian government created an organization called Rights & Democracy, which was able to function at arm's length from the government and work with civil society in emerging democracies. We have heard from other speakers tonight about the importance of Rights & Democracy.

For us to provide support to Iranian civil society, we need organizations that are non-governmental. The important piece is that they have to be non-governmental, otherwise the partners in Iran would face further isolation and punishment. However, the government, as we indicated before, is killing Rights & Democracy.

How do the member and his government suggest we reach out to Iranian civil society when we are undermining our capacity to do so?

Mr. Scott Reid: Mr. Speaker, I certainly agree it is very important to make sure we do not do anything that would cause the ever-paranoid Iranian regime to destroy the lives of individual citizens who are seen as somehow being the agents of a western government. That would be a genuine and preventable disaster.

I mentioned a couple of things that we proposed doing. I want to mention something else that I think is very important and relevant. I have talked a lot about things that are carrots, but there are also some sticks in this proposal.

There are some proposals that relate to restricting the travel privileges of people associated with the Iranian regime, with freezing assets associated with groups like the revolutionary guard and members of the regime.

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It is not an insignificant consideration when we remember that Canada is very much a safe haven for many Iranians who are opposed to the regime. Therefore, because it is a spot where there are many Iranians, it is also a place where Iranians associated with the regime would like to shelter some of their funds and think they potentially have people on the ground who could assist them in this matter, simply because they are members of the same nationality. They are Iranians themselves.

Using that kind of negative influence from the point of view of the Iranian regime also would have an impact. It is an area where we could have some real force.

I notice that is an area where the government has taken some action over the past two years. There are four separate levels of increasing our restrictions on the ability of the Iranian regime and its members to use Canada.

Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP): Mr. Speaker, the remarks I am about to give are like an addendum to what the member for Ottawa Centre said earlier. He spoke to the overview of what is happening in Iran. He spoke about the decades of political instability and the human rights crisis in Iran, which has only deepened. My remarks are going to be a little more pointed to a particular area.

However, I want to be very clear about the NDP's position relative to Iran. We stand in solidarity with the democratic aspirations of the Iranian people. We very clearly condemn the human rights violations that are being committed against the people of Iran by the Iranian regime, but we support the Iranian people. Sometimes the messages get mixed.

We also want to express our concerns about the ongoing targeting of particular groups, such as women, gays and lesbians, ethnic and religious minorities, and this takes me to a bit of a transition to speak about the Baha'is. The regime in Iran for a long period of time has singled out the Baha'is for especially bad treatment. It actually pains me to stand in this place once again to discuss that issue.

A number of colleagues and I have spoken extensively on the issue. We heard from the previous speaker about the subcommittee's study of Iran. We heard witness after witness. Shirin Ebadi was one of the witnesses and Dr. Akhavan was another. Sadly, we have to continue this discussion. The systematic terror that has been held over the Baha'is for years is sad.

The last time it was before this place was with respect to the fourth report of the Standing Committee on Foreign Affairs and International Development in March 2009. Other members have spoken to this, but from their beginning, the Baha'is have been persecuted. Iran is the birthplace of that particular religion. In Iran, they are not free to practise their religion. They are denied access to education, public sector employment, and pensions. They are systematically excluded from the country's economy. Everywhere they turn, there is a wall put up in front of them. In fact, the founder of the Baha'i religion, known to the followers as Bahá'u'lláh, spent the last 40 years of his life either in prison or in exile.

Baha'is are routinely executed. Others are arrested arbitrarily with no clear reason for it. Worst of all, this is done with the full support of the country's judicial, administrative and law enforcement

systems. The mullahs of Iran have long regarded the Baha'i faith almost as an enemy of Islam. According to a report from Amnesty International, at the end of January 2012, over 80 Baha'is were held because of their beliefs.

I want to go back for a moment to the 1950s. At that time, there were organized anti-Baha'i campaigns that resulted in mob violence and the destruction of religious sites. Nearly 30 years later, after the revolution, the anti-Baha'i propaganda became increasingly systematic, creating stereotypes that still exist. Whenever the regime wants a distraction, the Baha'is are like the magician waving his hand while the regime resorts to other issues that it does not want its citizens to consider. The mullahs categorize the Baha'i faith as a political threat to their regime. This group of people has been so marginalized, how in the world could the Baha'is possibly pose a legitimate threat to that regime?

According to a recent report from the UN office on the Baha'i International Community, Baha'is are obsessively portrayed in official propaganda as the source of every conceivable evil. The report speaks about how the regime views the Baha'is. They are branded as social pariahs to be shunned by the regime.

● (2040)

The propaganda is shocking in its volume and vehemence. Its scope and sophistication is calculated to stir up and antagonize the whole population, to stir them in a way that has only happened one other time in history, which was very similar to this. It happened against the Jews in Germany.

After 30 years of hate propaganda, the Baha'is have become a kind of all-purpose scapegoat, a smear of convenience, which the Iranian government uses against any individual or group it disapproves of as though the mere mention of the word Baha'i conjures up the most lurid forms of immorality that one can imagine.

Of course, with the election of Mahmoud Ahmadinejad in 2005, the situation has only worsened.

A little over a month ago, Iranian authorities reimposed an already harsh sentence on seven Baha'i leaders who had been arrested in 2008 on charges of espionage against Israel for insulting religious sanctities and propaganda against the system. The seven previously had their sentences cut from 20 years to 10 years by an Iranian appeal court only to have the regime, quite vindictively I must say, overturn it and restore that original sentence. This is the latest example of the entrenched discrimination faced by the Baha'i minorities in Iran. That was said by Malcolm Stuart of Amnesty International.

I was just about to note that Nobel laureate Shirin Ebadi twice appeared before our subcommittee on human rights and spoke to us about the situation in Iran. Each time we wondered if we would see this woman again. She knew and we knew her life was at risk due to what she was doing. When she went back to her country to represent some of the people who had been detained, it became so bad that it is my understanding that she had to close her office and leave the country.

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One of the things that happens is the terror that can be brought about by the unexpected. Our door gets kicked in in the middle of the night and the intruders say that they have to search our place. We wonder what they are searching for. We wonder what we have done or whether we have done anything. We wonder if we need to do anything. No, these people are Baha'i and that is all they need to be for that kind of thing to happen to them in their country. At least 50 Baha'i-owned stores have recently been searched in order to find some excuse to threaten or, worse, to arrest the owners.

I have a summary of some of the persecutions. The harassment of the Baha'is is pervasive and includes incidents of arrest and detention with imprisonment lasting for days, months and, in many cases, years. In cases where Baha'is were released, substantial bail was required for them to even get out. It sounds like a bribe. Sounds like just one more way to marginalize the people as well. There is always direct intimidation. When people are being questioned by the Iranian authorities, they are intimidated. Just the fact that they come to people's door and kick it in is intimidating. Sometimes the questioning includes high intensity lights and physical mistreatment.

What also happens during these searches is that innocent materials are confiscated, materials that are unrelated to their faith. Those who have had their homes burglarized will tell us that the sense of invasion that happens to them when somebody breaks in leaves them in a state of terror sometimes for weeks, months and maybe years. One can just imagine when it is the authorities, those people who are supposed to protect us and work with us.

Children are not left aside in this. They are expelled from school, harassed and even prohibited from attending university.

• (2045)

In court proceedings where Baha'is are accused of promoting propaganda against the government for the benefit of the Baha'i sect is another area where all kinds of aggressive techniques are used against them and this is used as one of excuses. Their bank accounts, movements, activities and whatever they are doing daily are monitored. The other thing that happens is that they go to their neighbours and ask their neighbours to "watch these people". If we can imagine 30 more years of that kind of propaganda and the neighbours are already suspicious.

• (2050)

The Speaker: I am going to stop the hon. member there as he has gone over his time. At this time we will open up the floor for questions and comments.

The hon. member for West Vancouver—Sunshine Coast—Sea to Sky Country.

[*Translation*]

Mr. John Weston (West Vancouver—Sunshine Coast—Sea to Sky Country, CPC): Mr. Speaker, I thank my colleague opposite for his speech.

[*English*]

I had the honour of arranging for Dr. Ebadi to cross Canada in a national tour. As one of her engagements, she spoke before the committee where the member heard her and it was very moving. She was a judge in her courtroom in Iran and because of her gender she was asked to step down and act as a secretary in the same courtroom.

Now she stoutly defends the rights of Iranian citizens whose human rights are violated from outside the country because, as the member indicated, her very life is threatened.

I would ask the member how far he feels the reach of this Ahmadinejad regime moves beyond its own borders. Could he name people like Dr. Ebadi who are outside the borders of Iran and who also feel the long cold hand of human rights violations from that regime?

Mr. Wayne Marston: Mr. Speaker, it is hard to put a definite frame on that kind of an accusation, and it is an accusation that the reach of the regime can go into a country like Canada, the United States or anywhere. The reality is that of the people who travel here, some have cover documentation and could very well come here to do harm to people in this country if they so chose. It is something that Canada has to be vigilant on.

In the case of Shirin Ebadi, she was quite clear that she was not expecting to live a full life. When one talks to a person and looks them in eye while the person says that, it really speaks to the terror that is created by this regime but it is also terror it follows up on.

As I indicated earlier today, that regime was hanging a person every eight hours. They are hanging women and youth under 16. If a country has the capacity to do that within its own border, and if there is opposition outside of that country, I would not be surprised if it had the reach to do Shirin Ebadi harm or others. That is a sad commentary but that is probably a reality of this world.

[*Translation*]

Ms. Ève Pécelet (La Pointe-de-l'Île, NDP): Mr. Chair, I would like my colleague to say a few words about the situation of ethnic minorities in Iran.

We know that the use of minority languages continues to be banned in schools and government offices. People who campaigned for increased involvement of minorities and for their economic and social rights to be recognized, were threatened or even thrown in prison.

Many Iranian activists think that federalism would be a solution to the ethnic divisions in Iran. I would like to know what the Canadian government is doing. Is my colleague aware of any resources that the government is giving to Iranian activists so that they can consider federalism?

[*English*]

Mr. Wayne Marston: Mr. Speaker, I have some difficulty speaking on behalf of the government as to what our government is doing. Although I know that in our committee government members have worked with us and when we had our witnesses we developed together the report on Iran that had 30 recommendations. Hopefully a good number of them will be followed through by the government.

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Going back to minorities, if we look at the Baha'i faith, it was indicated by the member for Ottawa Centre that this happened after the time of Mohammed. So anything that came after was more at risk than those minorities in the country before. However, we also have a split in that part of the world between Sunni and Shi'a and the people in control of the regime are a minority in themselves but they have the power on their side. People know well that the revolution in 1979 was a student-led revolution that was basically hijacked by the Mullahs and distorted into what it became. However, when Ahmadinejad was elected there was a major change. He became the strong arm man. He became the person who travelled the world speaking about what horrors they would point toward Israel if they ever got atomic weapons. So there is a problem here because it is two stage. How much of it is rhetoric, how much is reality and how much can another government from this part of the world do about it?

In his testimony, Dr. Akhavan told us that the revolution had to happen by the people of Iran, that outside nations had to stand back and support it but not directly cause it. That is an important lesson we should learn from this Iranian who is in Canada.

• (2055)

Mr. Mike Sullivan (York South—Weston, NDP): Mr. Speaker, in his questioning earlier of the member for Lanark—Frontenac—Lennox and Addington, the member mentioned that the demise of rights and democracy has left us with very little in the way of bringing democracy to the people of that country because we no longer have an independent agency on the ground to do that. One of his responses was that we could undertake Farsi language broadcasts. However, as part of the Conservative budget the broadcasting of Farsi languages or any other language for that matter from CBC, through Radio Canada International, is now gone. It has been cut. We cannot do it anymore. If anybody thinks we will be able to get information via the Internet into an oppressed country like that, they have another think coming.

Would the member like to comment further on that?

Mr. Wayne Marston: Mr. Speaker, the member is quite right when he says that Internet choking happens in that country. It is controlled, watched, monitored and it is another way of tracking people down. Yes, we were dismayed to learn that the cuts to CBC would lead to the ending of this kind of support. We broadcast for many years into many parts of the world where people aspired to democracy, where they learned about democracy and the freedoms of a place like Canada from our radio system or network. So it was very troubling.

In fairness to the member, he suggested that CBC could search within its budget for something else. The reality is, from my perspective, that it is the responsibility of our government to ensure that the CBC is funded to a level that it does not need to search anywhere, that it has the assigned dollars to deal with this type of issue, even if it is envelope funding where it is directed to apply it, but ensure the CBC has the revenue to continue that type of work, that essential work, that arm's-length work where the people of the country are able to proceed with their own revolution or their own change to democracy at their own pace.

Ms. Jinny Jogindera Sims (Newton—North Delta, NDP): Mr. Speaker, I want to thank my colleague for his very deliberative and thoughtful presentation.

One of the key elements he said today that has really kind of rung in my head over and over again is that, when we talk about democracy, it is a very fragile thing. We know the dangers to democracy all around the world. Sometimes I wonder if some of those dangers are in here, too, as we are seeing more and more debate being muzzled.

At the same time, what the member said is that, if we want to support Iran in the eradication of some of the human rights violations, which are there and documented, we have to support the Iranian people to come up with the kind of democratic institutions and structures they want.

Yet we have seen, by my colleagues across the way, that the changes they have brought about do exactly that. This is a question to my colleague. My fear is that sometimes this threat of war, of invasion, sort of perceives it into almost an escalation, as if it were inevitable. This direct invasion of Iran kind of lies on the periphery of a lot of the international dialogue at some times.

What kind of fears would the member have if there were military intervention into Iran at this time?

• (2100)

Mr. Wayne Marston: Mr. Speaker, one of the things that can be said of the Arab people is that, when an invader comes from the outside, they band together. I think that would be one of the most detrimental things we could possibly do to democracy in Iran.

Mr. David Sweet (Ancaster—Dundas—Flamborough—Westdale, CPC): Mr. Speaker, it is my honour and privilege to stand here and talk about human rights in Iran. Although I welcome any time and any opportunity to warn the world about Iran's president, the ruling mullahs, the revolutionary guard, the viscous Basij and other operatives of this regime, I choose to focus the majority of my time on the people they are presently persecuting and imprisoning, namely, the seven Baha'i leaders who have been imprisoned since 2008.

One of the witnesses before our subcommittee, Professor Payam Akhavan, said he thought it important that we not reduce the issue to abstractions and statistics in order to understand the horrible brutality with which the Iranian government has confronted what is essentially a peaceful non-violent movement to call for basic human rights and democracy. He was speaking about the green movement, but I do not think his comments were any less poignant in regard to the Baha'i community.

Therefore, I want to introduce the seven leaders who have been incarcerated in Iran since 2008. The first is Mrs. Fariba Kamalabadi, arrested May 14, 2008, in her home in Tehran. This developmental psychologist and mother of three was denied the chance to study at a public university as a youth because of her Baha'i beliefs. Because of her volunteer work for the Baha'i community, she was arrested twice in recent years and held for periods of one and two months before her arrest and imprisonment in May 2008.

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Mrs. Kamalabadi was born in Tehran on September 12, 1962. An excellent student, she graduated from high school with honours, but was nevertheless barred from attending university. Instead, in her mid-thirties she embarked on an eight-year period of informal study and ultimately received an advanced degree in developmental psychology from the Baha'i Institute of Higher Education, an alternative institution established by the Baha'i community of Iran to provide higher education for its young people.

Mrs. Kamalabadi is married, with three children. Varqa, now about 28, received a doctorate in political science and international relations in the United Kingdom and is currently continuing his research in China. Alhan, now 27, is studying psychology and Taraneh, 14 at the time of her mother's arrest, was a junior high school student in Tehran.

Mrs. Kamalabadi's experience with persecution extends beyond her immediate situation. Her father was fired from his job as a physician in the government health service in the 1980s because he was a Baha'i, and he was later imprisoned and tortured.

The next is Mr. Jamaloddin Khanjani, arrested May 14, 2008, at his home in Tehran. He was once a successful factory owner but lost his business after the 1979 Islamic revolution because of his belief in the Baha'i faith and then spent most of the 1980s on the run under the threat of death from the Iranian authorities.

Born July 27, 1933, in the city of Sangsar, Mr. Khanjani grew up on a dairy farm. In his professional career he has worked as an employee of the Pepsi-Cola company in Iran, where he was a purchasing supervisor. He later started a charcoal production business. Later he established a brick-making factory, which was the first automated such factory in Iran, ultimately employing several hundred people. In the early 1980s he was forced to shut that factory and abandon it, putting most of his employees out of work, because of the persecution he faced as a Baha'i. The factory was later confiscated by the government.

In his career of voluntary service to his religious community, Mr. Khanjani was, in the early 1980s, a member of the so-called "third" National Spiritual Assembly of the Baha'is of Iran, a group that in 1984 saw four of its members executed by the government.

Mrs. Khanjani became ill sometime after her husband's latest imprisonment and passed away. Iranian authorities denied him the right to visit his wife's bedside or her graveside. Mr. and Mrs. Khanjani have four children and six grandchildren.

The next is Mr. Afif Naeimi, arrested May 14, 2008, at his home in Tehran. He is an industrialist who was unable to pursue his dream of becoming a doctor because, as a Baha'i, he was denied access to a university education. Instead, he diverted his attention to business, one of the few avenues of work open to Baha'is, taking over his father-in-law's blanket and textile factory.

Mr. Naeimi's father died when he was three and he was raised in part by his uncles. While still in elementary school, he was sent to live with his relatives in Jordan, and although he started with no knowledge of Arabic, he soon rose to the top of his class.

He has long been active in the volunteer Baha'i service. He has taught Baha'i children's classes, conducted classes for adults, taught

at the Baha'i Institute for Higher Education and been a member of the auxiliary board, an appointed position that serves principally to inspire, encourage and promote learning among Baha'is.

• (2105)

He is married and has two sons, Fareed, now 31, who is married and a graduate of ABSI, and Sina, now 26, who has studied music.

The next is Mr. Saeid Rezaie, arrested May 14, 2008, at his home in Tehran. He is an agricultural engineer who ran a successful farming equipment business. Born in Abadan on September 27, 1957, Mr. Rezaie spent his childhood in Shiraz, where he completed high school with distinction. He then obtained a degree in agricultural engineering from Pahlavi University in Shiraz, attending with the help of a scholarship funded from outside the country. He is married with two daughters and a son. Martha, now 28, has studied library science. Ma'man, now 25, studied architecture. Payvand, 12 at the time of his father's arrest, was in his second year of middle school. Mr. Rezaie has actively served the Baha'i community since he was a young man. He taught Baha'i children's classes for many years and served at the Baha'i Education and Baha'i Life Institutes. He is a scholar and an author, and he has served as an academic adviser to Baha'i students. In 1985 he opened an agricultural equipment company with a Baha'i friend in Fars province. That company prospered and won wide respect among farmers in the region. He has experienced various forms of persecution for his Baha'i beliefs, including an arrest and detention in 2006 that led to 40 days in solitary confinement. His two daughters were among 54 Baha'i youth who were arrested in Shiraz in May 2006 while engaged in a humanitarian project aimed at helping underprivileged young people.

Mrs. Mahvash Sabet was arrested in Mashad on March 5, 2008. She is a teacher and school principal who was dismissed from public education for being a Baha'i. For 15 years up until her arrest she was director of the Baha'i Institute for Higher Education. Born on February 4, 1953, in Ardestan, Mrs. Sabet moved to Tehran when she was in the fifth grade. In university she studied psychology, obtaining a bachelor's degree. In her professional role, she also collaborated with the National Literacy Committee of Iran. After the Islamic revolution, however, like thousands of other Iranian Baha'i educators, she was fired from her job and blocked from working in public education. It was after this that she became director of the Baha'i Institute of Higher Education, where she also has taught psychology and management. She is married and has a son, Foroud, now 37, and a daughter, Negar, now 28.

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Mr. Behrouz Tavakkoli, arrested May 14, 2008, at his home in Tehran, is a former social worker who lost his government job in the early 1980s because of his Baha'i beliefs. Prior to his current imprisonment, he has also experienced intermittent detainment and harassment. Mr. Tavakkoli studied psychology in university and then completed two years of service in the army, where he was a lieutenant. He later took additional training and then specialized in the care of the physically and mentally handicapped, working in a government position until his firing in 1981. Mr. Tavakkoli is married with two sons, Naeim and Nabil. Naeim, now 35, is living in Canada with his wife, who is taking graduate studies. Nabil, now 28, is currently studying architecture at the Baha'i Institute for Higher Education. Mr. Tavakkoli was elected to the local Baha'i governing council in Mashhad while a student at the university there, and he later served on another local Baha'i council in Sari before such institutions were banned in the early 1980s. To support himself and his family after he was fired from his government position, Mr. Tavakkoli established a small millwork carpentry shop in the city of Gonbad. There he also established a series of classes in Baha'i studies for adults and young people.

Mr. Vahid Tizfahm was arrested May 14, 2008, at his home in Tehran. He is an optometrist and was owner of an optical shop in Tabriz, where he lived until early 2008 when he moved to Tehran. He was born May 16, 1973, in the city of Urumiyyih. He spent his childhood and youth there and, after receiving his high school diploma in mathematics, he went to Tabriz at the age of 18 to study to become an optician. He later also studied sociology at the Advanced Baha'i Studies Institute. He is married and has a son, Samim, who was nine years old at the time of his father's arrest and in the fourth grade.

• (2110)

Since his youth, Mr. Tizfahm has served the Baha'i community in a variety of capacities. At one time he was a member of the Baha'i National Youth Committee and later he was appointed to the auxiliary board and advisory group that serves to uplift and inspire Baha'i communities at the regional level. He has also taught local Baha'i children's classes. These seven Baha'i leaders continue to be imprisoned in Iran.

Mr. Harold Albrecht (Kitchener—Conestoga, CPC): Mr. Chair, as my colleague and many members will know, one of the key priorities of our government that was announced in the throne speech back in June was our commitment to establish the office of religious freedom. That commitment was reiterated by the Minister of Foreign Affairs in late September of this year, whom I will quote. He stated:

History has shown us that religious freedom and democratic freedom are inseparable.

He went on to quote Franklin Roosevelt, who stated:

Where freedom of religion has been attacked, the attack has come from sources opposed to democracy. Where democracy has been overthrown, the spirit of free worship has disappeared. And where religion and democracy have vanished, good faith and reason in international affairs have given way to strident ambition and brute force.

The foreign affairs minister went on to say:

Societies that protect religious freedom are more likely to protect all other fundamental freedoms. They are typically more stable and more prosperous societies.

My question to my colleague is this: how crucial does he think it is that this office of religious freedom be established, and does he agree that protecting religious freedom includes the protection of those who may choose to convert or change their religion?

Mr. David Sweet: Mr. Chair, I appreciate the question from the member for Kitchener—Conestoga regarding the office of religious freedom. It was one of my esteemed colleagues in the House, the Hon. Stockwell Day, who once, in a conversation in a government lobby, made the point that at the pinnacle of all rights is religious freedom, because if we have the freedom of religion, we have freedom of conscience, freedom of speech and freedom of congregation. When a country has religious freedom, then all of the other freedoms that we value, the democratic freedoms that we often talk about in the House, will be present. The office of religious freedom would be an additional institution to make sure we get the message out to the international community that we believe religious freedom is important. It is an essential element of our government's foreign policy.

Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC): Mr. Chair, the report prepared by the Subcommittee on International Human Rights on which the hon. member sits and which I chair includes a discussion about, essentially, the proposals of the Iranian government to demonize and then to try to wipe out the state of Israel. It is a discussion of what I have referred to as the eight stages of genocide. What struck me in the course of this discussion and the previous member's discussion about the treatment of the Baha'is is that some of the eight stages of genocide seem to be elements of the treatment of the Baha'is in Iran.

I was interested in my colleague's comments on the stages. I will not go through all of the stages. Only the early ones are relevant at this point, and hopefully they will be the only ones that are ever relevant.

The first stage of genocide is classification; the second stage is symbolization, talking about this group being an us versus them group; the third stage is dehumanization; the fourth stage is organization for oppression. As we can imagine, things go downhill from there.

The hon. member can appreciate why I am expressing this concern. I would be interested in his thoughts as to how things are going in relation to this general rubric.

• (2115)

Mr. David Sweet: Mr. Chair, let me take this opportunity to say I appreciate our chair's work at the subcommittee for human rights and that of my colleague for Hamilton East—Stoney Creek, who is here.

We have done a lot of good work together, as has my colleague from Mount Royal, who really, to give credit where credit is due, was the engine and the provocation behind the fourfold threat of Iran and the study that came about because of that at our subcommittee, a study that then went up to the foreign affairs committee and was published. My colleague has spoken much about that and about how to obtain it from the website.

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There were comments regarding the eight stages of genocide. We have heard a lot about the treatment of the Baha'i people. I read the biographies of people who were taken right from their homes, one who was actually seduced into thinking that she was going to help the Iranian regime clarify an issue in a cemetery. That is how she was lured away from her home. Then the authorities picked her up and took her to the Evin prison.

These people, since 2008, are now going into their fifth year of incarceration. Many of them were already incarcerated before that for periods of time, even in solitary confinement.

The treatment of the Baha'i people and all minorities in Iran is just absolutely appalling and shows much of the evidence of what my colleague mentioned about the stages toward genocide. It is very troublesome as we think about that notion.

Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP): Mr. Chair, I want the member to elaborate a bit more. He talked about the woman who wound up in a cemetery and then in the Evin prison.

Could the member talk about that prison—what the detention there is like, what people live through on a day-to-day basis and, more importantly, what techniques are used against them when it comes to interrogation?

Mr. David Sweet: Mr. Chair, I was actually just trying to get more details, because I only had 10 minutes. I am glad the member asked me for more details on Mahvash Sabet.

Unlike the others who were arrested in their homes. Mrs. Sabet was arrested in Mashhad in March 2008 after she was called by the authorities in Tehran. She had been summoned there by the ministry of intelligence, ostensibly on the grounds that she was required to answer questions related to the burial of an individual at that particular cemetery.

She was going there for humanitarian reasons to sort out what had happened regarding some burial. They used this as a ruse to arrest her, of course with absolutely no charges, with no basis at all. She, along with others, remains imprisoned. As I said earlier, this is going on to their fifth year.

Mr. John Weston (West Vancouver—Sunshine Coast—Sea to Sky Country, CPC): Mr. Chair, my question relates to how our government is taking the message on human rights violations in Iran.

The Conservative government is renowned for promoting a prosperous economy in Canada and free trade around the world, but with that message I would like the member to give us some thoughts on how the government is also making sure the human rights message is loud and clear wherever it speaks.

Mr. David Sweet: Mr. Chair, there are a couple of important initiatives that the government has done to send a clear message that we are not going to tolerate human rights violations. They begin with sanctions against Iran from July 22, 2010, which were strengthened on October 17, 2011, strengthened again on November 17, 2011, and strengthened again on January 31, 2012.

My colleague from Kitchener—Conestoga has already asked the question regarding the office of religious freedom, which is another tool in our arsenal to get out the message that we will not tolerate

religious persecution in other countries and will speak out boldly about it and do whatever we can to bring about change.

Also, in the United Nations, we have led the charge. The parliamentary secretary mentioned several hours ago that the Canadian government diplomats are championing a United Nations resolution to isolate Iran and to call for change as far as human rights violations are concerned.

• (2120)

[*Translation*]

Ms. Ève Pécelet (La Pointe-de-l'Île, NDP): Mr. Chair, thank you for recognizing me this evening.

Often a lot is said, but little is done. However, talking about inhumane situations is often the only way to make them known. This evening, we are giving a voice to those who have been silenced for standing up for their rights—rights that we take for granted here.

Freedom of religion is certainly a very important right, but there are so many others that we must not overlook. Let us talk about discrimination against women, gays, lesbians, bisexuals and transgendered citizens. Let us talk about freedom of the press, the right to work and the right of association. We must remain vigilant and denounce these situations that have no place in a free and democratic society like ours.

This evening, we are talking about the human rights situation in Iran. According to the 2010 UN universal periodic review of human rights, 93 recommendations were made to Iran, from abolishing the death penalty for minors to eliminating obstacles to freedom of expression by simply allowing UN rapporteurs to enter the country.

There are so many issues that I would like to address, but there is not enough time to raise them all. Therefore, I have decided to focus on a few specific issues.

I am concerned about women's rights in Iran. According to Human Rights Watch, Iranian women are victims of discrimination based on personal status as it relates to marriage, divorce, inheritance and custody of children. They are victims of constant and direct discrimination under the law. A woman needs her guardian's approval in order to marry, no matter what her age. An Iranian woman cannot pass on her nationality to her foreign spouse or her children. A woman cannot obtain a passport or travel abroad without the written consent of her husband. Women are reduced to silence.

According to reports by the UN Secretary General and the UN Human Rights Council, Iran's attitude towards women, especially professional women, is paradoxical. Although they have unimpeded access to secondary and university education, their career choices are limited. Thus, they cannot hold senior political positions. Direct discrimination against women also manifests itself in areas such as access to housing and the status of divorced women. The list is long.

I am painting a rather negative picture and I will not take the time to name all of the female activists who are still fighting today to assert their rights and denounce the atrocious discrimination they still face every day.

As we speak, several female activists are being detained or imprisoned because they tried to use peaceful activities to denounce this situation and defend women's rights.

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Amnesty International, whose very serious work I would like to commend here today, gave some very compelling examples in its 2012 reports of women who are standing up to defend their rights. The vast majority of these women were part of the “change for equality campaign”, which aims to gather one million signatures to demand the end of discrimination against women in Iranian laws. Some of these activists are being detained or mistreated, some are being denied medical care, while others are being barred from travelling.

The UN Special Rapporteur on Violence Against Women has condemned discrimination against women from ethnic minorities on several occasions. She has expressed her concerns to the Human Rights Council about the increase in human trafficking, especially the trafficking of women from eastern Iran. Their rights are also violated when it comes to access to housing, which is limited for single women and divorcees. The UN Special Rapporteur on Violence Against Women also spoke about restrictions on ownership and discrimination in the labour force, where women cannot be magistrates or hold important political positions.

If the situation is problematic for women, it is equally problematic for gay, lesbian, bisexual and transgendered people.

● (2125)

In other words, any type of sexual activity, outside what is accepted by the state, is prohibited. The state denies the whole thing, which makes the problem even worse. When the Iranian president said in 2007 that there were no homosexuals in Iran, we have to wonder. I believe the situation is very worrisome.

The punishment system is even more repressive. It is practically the middle ages with lashes or worse, hangings.

It is not prohibited to be gay in Iran, but Amnesty International's 2012 report cites article 111 of the penal code, which states that sodomy is punishable by death so long as both the active and passive partners are adults, of sound mind, and consenting, the presumption being that, in the absence of these requirements, the individual would not be tried for sodomy.

LGBT rights activists believe that, in some cases, this has led one of the parties in the consenting sexual relationship to claim to have been raped in order to avoid execution. At least three men were executed in 2011, on conviction of sodomy. At least three other men suspected of having participated in homosexual acts between men were sentenced to death.

We have talked this evening about freedom and democracy, but I would like to raise another issue. Human rights also include workers' rights. People are mistreated far too often. When I was a member of the Standing Committee on International Trade, we even discussed human trafficking. I heard horror stories about people being literally exploited. The repression in Iran does not affect only the rights of women, nor gay, lesbian, bisexual or transgendered people, but also affects workers' rights.

Union activity is dangerous in Iran. As an example, Reza Shahabi has been in prison since June 2010. Amnesty International has pointed out that his health is very poor and that in February, he began suffering from complications. And yet, it was not until April 30 that the prison authorities took him to the hospital. Even today, we cannot

be sure he is receiving adequate treatment. He was condemned—on false charges—to six years imprisonment for a crime against national security.

In other words, demonstrating against poor working conditions attracts violent repression and arbitrary arrest. It is a fundamental right to be able to demonstrate, but Iran still prohibits independent unions.

My colleagues and I condemn the Iranian regime's human rights violations. We are very worried because the situation is getting worse. We support the Iranian people's desire for democracy and respect for basic rights and freedoms.

Respect for human rights is important not only in Iran. Too many countries require the international community's attention when it comes to human rights. This situation exists in so many countries; we could have a take-note debate on all of them.

The government's role is to make respect for human rights a priority in its negotiations, whether in foreign affairs or international trade policy. For example, some free trade agreements were negotiated even though witnesses made it clear that there are major human rights issues in their countries. Trade relationships should ensure and promote respect for human rights.

Official development assistance was reduced to 0.25% of our GDP. The government's policy should focus on promoting human rights, not helping mining companies. I do not understand why public funds are being used to cover social costs that mining companies should be paying for.

● (2130)

[*English*]

Mr. Deepak Obhrai (Parliamentary Secretary to the Minister of Foreign Affairs, CPC): Mr. Chair, first, let me take this opportunity to thank the hon. member for highlighting the abuses in Iran. The whole purpose of tonight's debate is to bring forward what is happening in Iran and she very eloquently stated that. I want to thank her very much for taking part in tonight's debate.

It is very important that all members of Parliament speak about the abuse of basic human rights. These are rights that we are guaranteed in Canada. The member has strongly highlighted the issues of women's rights, sexual rights, freedom of religion, and the executions that take place. The Iranian regime is not being held accountable. It has been flouting all international norms.

My good friend from Montreal is a very strong human rights advocate, especially on Iran, as is the member and everybody here. On behalf of the Government of Canada, I want to thank all members for taking part in the debate and for bringing these issues forward. It is a very difficult situation. What members are bringing forward tonight on this topic highlights the issues.

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The government works with the international community and we need to put pressure on Iran. Iran is an independent country. As parliamentary secretary for foreign affairs, I have been around the world, but I refuse to shake hands with the foreign minister of Iran as I do not want to be seen as supporting the regime.

Let me say to the hon. member and everyone taking part in this debate, job well done. Unless we highlight what is happening in Iran, the regime will keep doing these things until it is stopped. This is what Canada is trying to do at the UN.

[*Translation*]

Ms. Ève Pécelet: Mr. Chair, I am not sure that that was a question, but to respond to the comments made by the hon. parliamentary secretary, I would simply like to say that it is logical; and all members of the House probably understand that change must come from the inside, from civil society. It is therefore very important that the Government of Canada keep in mind that civil society is the foundation of all societies and that international aid must not be given to either private or mining companies, but rather to civil society, to organizations that work on the ground, to ensure that the fundamental rights and freedoms of the Iranian people are respected and that, one day, they are entitled to a democratic system like ours.

[*English*]

Ms. Jinny Jogindera Sims (Newton—North Delta, NDP): Mr. Chair, my colleague made a very thoughtful presentation on this issue. She was very calm, but at the same time, very passionate as she spoke about the human rights violations.

One of the areas the member commented on is that the kind of human rights violations we have heard about today are not unique to Iran. The best way we can support the aspirations of the Iranians for a democratic society is to support the civil society movement right in Iran.

How could the government support Iranians? What kind of institutions could it support here in Canada to aid in the struggle of the Iranian people?

• (2135)

[*Translation*]

Ms. Ève Pécelet: Mr. Chair, first I believe that the Iranians themselves have solutions, and I asked my colleague a question along those lines.

For example, as I told him, several activists think that federalism, whether it be Canadian or otherwise, would be one way of stopping the violations against ethnic minorities, such as the Baha'i community.

What could the Canadian government do to give Iranian activists an opportunity to study the Canadian federal system? Several countries in Africa have already studied our system. Representatives came to Canada and met with Canadian dignitaries to study the Canadian federal system.

I think that it is very important for the Government of Canada to go and meet Iranian community groups, either through international development assistance or the CBC, so that those groups understand the tools available to them and are aware of what rights and freedoms exist elsewhere.

We often hear about countries that are closed. For example, China, North Korea, and Eritrea where the people have no freedom and no access to information. It is, therefore, important that the Government of Canada give people this information.

Mr. John Weston (West Vancouver—Sunshine Coast—Sea to Sky Country, CPC): Mr. Chair, I observed the passion, energy and strength of my colleague across the way. All of my colleagues here this evening noticed it.

If there are people of Iranian origin here, in Canada, who are watching this debate now, what can you say to encourage them, not necessarily as a representative of your party, but as one Canadian to another? What can you say to encourage Canadian Iranians who are here, on Canadian soil?

[*English*]

The Deputy Chair: I would like to remind all hon. members to address their comments through the Chair.

The hon. member for La Pointe-de-l'Île.

[*Translation*]

Ms. Ève Pécelet: Mr. Chair, we are talking about a country here. We are talking about freedom. Iranians or people of Iranian ancestry who have Canadian citizenship are in the best possible position to make comparisons between the Iranian and Canadian societies. It is very important that Canada and Iran engage in a dialogue on the issue of human rights.

We often hear about the issue of nuclear weapons. All too often people forget that the Iranian regime is a dictatorship and that people are reduced to silence as far away as Canada. A Canadian blogger was arrested in Iran for some of the things he had written. The Iranian government is putting pressure on the entire international community. It is very important for Canadian citizens of Iranian origin to establish this dialogue between Canada and Iran, so that we can work together towards creating a democracy in Iran.

[*English*]

Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP): Mr. Chair, torture has been used in many countries, including Iran. To civilized people, torture is wrong. There is a case of a Kurdish youth who was beaten, probably in Evin prison, and died of internal bleeding, yet western countries talk about enhanced interrogation techniques, and that somehow that is justifiable in any form.

Relative particularly to the Iranian situation, does the member believe that Canada has spoken out loudly enough about ending torture?

[*Translation*]

Ms. Ève Pécelet: Mr. Chair, torture is illegal in Canada. The death penalty was abolished in Canada. So I do not see why Canada—an ardent defender of freedom and democracy and a committed abolitionist when it comes to the death penalty—would not act just as firmly when it comes to pressuring other countries regarding their policies.

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No one is asking Canada to go and intervene in Iran. Canada is simply being asked to use its power, because it does so when it wants to. We have a Minister of Public Safety who claims that torture can be used more or less legally on occasion. It is time for the Canadian government to realize that torture has been illegal in Canada for quite some time, that the death penalty was abolished years ago and that, since it claims to be such an ardent abolitionist regarding the death penalty, it must speak out at every opportunity, in Iran and any other country.

• (2140)

[*English*]

Mr. John Weston (West Vancouver—Sunshine Coast—Sea to Sky Country, CPC): Mr. Chair, it is truly an honour to stand in this hallowed chamber to speak of human rights this evening. I know that many Canadians, and all my colleagues who are here this evening, share my concern about the ongoing and systemic measures taken by the Iranian regime to suppress political freedoms.

I would like to dedicate my remarks this evening to those of Iranian background in Canada, as well as those in Iran who suffer under the oppression of that regime and who feel, when the Iranian regime is condemned by human rights advocates around the world, a slight tinge in their own conscience.

I am so proud of our Prime Minister and our Minister of Foreign Affairs who, in every breath of condemnation of Ahmadinejad and that regime, always add that they stand for those of Iranian background who believe in our freedoms and our democracy in Canada.

We all remember the chaotic scenes from the streets of Tehran following the last presidential elections in July 2009. We bore witness to history as Iranian citizens took to the streets in large numbers to dispute the results of those elections. Many were convinced that they would be able to exercise their political rights and elect a candidate of their choice.

What started as a movement that could have defined post-revolutionary Iran quickly faded. The dreams and aspirations of thousands were crushed as the state's military and security apparatus violently suppressed the demonstrations. Along with the deployment of state forces came arbitrary arrests, allegations of rape, torture and deaths. There was no accountability.

What had been a chance to define a post-revolutionary Iran for all the right reasons now defines Iran for all the wrong reasons. It is painful to watch news programs broadcast around the world in the blatant and arrogant manner in which the regime crushed dissent.

We all remember too vividly the death of Neda Agha-Soltan, who was shot and killed in broad daylight when attending a protest. The death of Neda symbolizes what thousands of people who lost their lives in the post-1979 revolution by the Republic of Iran for just wanting the basic rights that people in Canada enjoyed. She and others like her became symbols of the dreams and aspirations of millions of Iranian citizens, especially the youth who long for the same rights and freedoms that our youth in Canada enjoy.

There are many organizations in Canada that stand for promoting human rights and for promoting Persian culture in Canada, like the Iranian-Canadian Congress, led by Davoud Ghavami, and the

Canadian Iranian Foundation, led by Nassreen Filsoof, both of whom are very active in the North Shore of Vancouver.

One organization in Canada that promotes human rights and justice for all and that uses art to express its message is the Neda for Freedom Society, of which my constituent and friend Mehrdad Rahbar is a proud member.

It is with regret that almost three years after those events the state of political freedoms in Iran remains dire. The leaders of the Green Movement remain confined in their homes, under home arrest. They are prohibited from organizing political parties and from participating in any meaningful expression of their political rights.

It has become apparent that Iran's ruling elite have made a conscious and deliberate decision slowly to destroy institutions of democratic civil society and, with them, the foundations of democracy in that country. This decision and its implementation means that Iran's citizens will be denied the ability to choose their government, not just for now but if things continue in this way, for years to come.

If the recent parliamentary elections and by-elections are any indication of what we can expect, then indeed the outlook is grim. As demonstrated by the recent elections to the Iranian parliament, the choices for Iranians at the ballot box were limited. There were no reformists on the ballot. They all boycotted the recent elections, a courageous and bold decision. Iranian reformists chose to boycott elections rather than lend legitimacy to what they rightly knew was a sham exercise that only pretended to give Iranians political freedom and choice.

Should this trend continue, the presidential elections in Iran in 2013 will usher in another government that will not have a democratic mandate, and that is if there even is an election in 2013, which is not entirely certain at the moment.

Let us take a look at how the Iranian regime has quelled dissent and destroyed the democratic process.

• (2145)

In addition to jailing leaders of pro-democracy movements or putting them under house arrest, Iran has used a long-proven tool of dictatorial states, which is censorship. While the rest of the world finds ways to connect with one another to share ideas, spearhead innovation and forge people-to-people ties, Iran's government has taken steps to curb the ability of its people to use the Internet, watch or listen to international news and maintain censorship of the domestic press corps.

It also limits the ability of foreign journalists to operate freely. In its press freedom index for the year 2011-12, Reporters Without Borders noted that Iran ranked 175th in the world. That means that only four other countries had worse records when it came to media freedom.

Government Orders

The organization has also documented numerous cases where journalists have been arrested and sentenced to lashings for their writings or political cartoons. It also noted that the Iranian regime pressures the families of these journalists. That is deplorable. It means that Iran is systematically eliminating any line of thought that it does not agree with. Never mind curbing dissent, it views the role of the media and reporters as only to reinforce its own point of view and narrow political ideology.

Its record is no better when it comes to Internet freedom. It continues to take steps, just as it did following the 2009 presidential elections, to curb Internet freedom, which is a key component in exercising political freedom in the 21st century. Users find it next to impossible to access social networking sites, which in other places prove to be crucial in spreading pro-democracy views, exchanging ideas on governance and discussions on human rights. Not only are Iranians denied the opportunity to connect with one another, they are being increasingly denied the opportunity to connect with the outside world. Not a month passes by when there is not a media report suggesting that Iran's government is seeking ways to filter Internet content and to manage the flow of information in and out of Iran. While other countries are enriched by the people-to-people connections, Iranians are denied this opportunity.

Our government has taken every opportunity to call out the Iranian regime and to urge it to respect its obligations to allow political freedoms. As many members know, Canada has championed the cause of human rights in Iran for many years. This has been evident through our leadership in working with allies to sponsor an annual resolution on the issue of human rights in Iran at the UN General Assembly.

Last fall, we led on this initiative for the ninth consecutive year and the resolution was adopted with the most support ever. This resolution focuses world attention on the human rights situation in Iran and urges the Iranian regime to respect its domestic and international human rights obligations. The resolution sends a clear message to the people of Iran, to those who are fighting to exercise their political rights, that Canada, and indeed the world, stands with them.

Canada has also acted in concert with our international allies in imposing some of the toughest sanctions in the world on the Iranian regime. We will continue to work with the international community to advocate the rights of Iran's people as they struggle to achieve the same rights and freedoms that we as Canadians enjoy.

[Member spoke in Farsi]

[English]

In English that means “Let's support freedom and human rights in Iran”.

Mr. James Bezan (Selkirk—Interlake, CPC): Mr. Chair, I want to thank the member for West Vancouver—Sunshine Coast—Sea to Sky Country for his very well thought out presentation and intervention tonight on this, the fourth anniversary of the wrongful imprisonment of several Baha'i leaders in Iran.

This week we are seeing not only this take note debate on the human rights failures of Iran, but also the Subcommittee on

International Human Rights is having its hearings this week, talking about the violations of what is happening in Iran.

I am proud to be part of an organization called the Canadian Parliamentarians for Human Rights and Democracy, which is meeting on Wednesday night to again look at what is happening, why the regime, led by President Ahmadinejad and the Mullahs, and how the ayatollah and President Ahmadinejad are working to continue to erode stability in the Middle East, to take away the individual rights and freedoms of people of Iran and to ensure they are a continued irritant to what happens on the world stage from the standpoint of peace, democracy and human rights.

We always hear about the nuclear ambitions. Today there is again more reports on the ambitions of Iranians to expand their nuclear arsenal, that it is beyond just ballistic missiles now, that they have enrichment of nuclear energy that can be used in smaller bombs and can be transported by all sorts of different methods around the world.

The member for West Vancouver—Sunshine Coast—Sea to Sky Country talked about the sanctions and how important it was that Canada had been on the leading front of bringing about sanctions. Could he talk about those sanctions, especially on the issue of oil and energy which is 85% of the Iranian government's revenue, and how important it is to shut down that capability which feeds its nuclear ambitions.

• (2150)

Mr. John Weston: Mr. Chair, I thank my colleague for Selkirk—Interlake for his work and his initiative in standing up for human rights in Iran.

He mentioned a couple of things that I would like to respond to. First, he mentioned that it is the fourth anniversary of the imprisonment of Baha'i people. From my familiarity with Baha'i people in my riding, these people promote peace wherever they are. It is just absolutely incomprehensible that any regime would target them as enemies. It underlines the implacable hatred of that regime for people who would promote peace and freedom in Iran and other places.

My colleague also asked about the sanctions. It is possible to imagine why people in Iran would believe that sanctions are bad. The problem is that every option to sanctions we can imagine is worse. The sanctions are targeted specifically at the Iranian Revolutionary Guards, those who are right in the line and implementing the policies of the Ahmadinejad regime.

They are as narrowly targeted as Canada and its allies can manage. Canada is walking shoulder to shoulder with other allies that are doing everything possible to promote peace in the Middle East and to bring a peaceful solution on the outskirts of Iran, while the people of Iran bring about a free and democratic future for themselves.

Mr. David Anderson (Parliamentary Secretary to the Minister of Natural Resources and for the Canadian Wheat Board, CPC): Mr. Chair, I appreciate the opportunity to get up tonight. I want to read the words the Prime Minister John Diefenbaker said on the day he introduced the Canadian Bill of Rights in Parliament. He said:

I am Canadian...free to speak without fear, free to worship God in my own way, free to stand for what I think is right, free to oppose what I believe is wrong, free to choose those who shall govern my country. This heritage of freedom I pledge to uphold for myself and all mankind.

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I think each of us here takes that to heart and believes that to be critically important.

In our country we are fortunate that we have many different religions and many different things that people believe. We all share some common principles, basically of tolerance, of acceptance, of peace and security. Even though we do not all see things the same way, we are willing to accept other people's differences.

I had a conversation with a staff member today and she said, "All these things you are doing, is it just words or are we actually making a difference?"

Could the member maybe talk a bit more about how we can work to convince the government of Iran that these principles we hold so dear are something that would be good for its people as well? What can we do besides just talk about these issues?

● (2155)

Mr. John Weston: Mr. Chair, I thank the member for Cypress Hills—Grasslands who is at the forefront of promoting human rights in this chamber and elsewhere. It is an excellent question because there is always the temptation for people in public life to engage in words and not in actions.

It is critically important for us to encourage our friends in Canada who have an Iranian background, to ensure they know that in the same breath as we condemn the Ahmadinejad regime, we remember that Cyrus the Great, their famous ruler, brought freedom to the Jews and other people in that part of the world; that we remember that they had a prime minister freely elected in 1953; that there is a history of democracy in Iran and that Canadians know this; that we care about the Persian culture that has given so much in terms of literature and art and other legacies to the world; that we know, for instance, of the famous quote

The Moving Finger writes; and, having writ,
Moves on

Omar Khayyám, Sa'di, Hafiz and other Persian poets have enriched the world. When Persian people know that we can be proud of what they have to give to Canada and the rest of the world, then they can be proud about their democratic future. I am confident that they have a democratic future and I cannot wait to see it.

[*Translation*]

Ms. Ève Pécelet (La Pointe-de-l'Île, NDP): Mr. Chair, Canadians were saddened and shocked to learn of the death of the photojournalist Zahra Kazemi following injuries she sustained during interrogations during her detention in Iran. The story made the headlines for several months. It was a highly publicized case. Justice has still not been done in this affair. We are therefore extremely concerned for the safety of Canadian citizens, such as Hamid Ghassemi-Shall, who are currently on death row in Iran.

What is Canada doing to defend its citizens?

Mr. John Weston: Mr. Chair, I thank my colleague for her question.

The murder of Ms. Kazemi was a human rights disaster for several reasons. First, she was a journalist who represented freedom of expression in the world.

Second, she was a Canadian in Iran. Unfortunately, the Iranian government does not recognize Canadian citizenship. It is therefore a problem for Canadians when they are on Iranian soil.

Third, our Canadian government, at the initiative of the Prime Minister and the Minister of Foreign Affairs, has asked several times for these crimes to be solved, but to no avail, because the Iranian government does not recognize the process of natural justice and human rights in its judicial system.

Mr. Romeo Saganash (Abitibi—Baie-James—Nunavik—Eeyou, NDP): Mr. Chair, I would like to thank my colleagues from all parties who have risen to share their points of view.

A lot has been said in this evening's debate, but I think that the remarks can be summed up in one very simple principle: human rights are fundamentally important in a modern society and are an essential precondition to true democratic development.

I think that everybody here agrees with this principle, and our discussions have, to date, confirmed that.

My speaking time will be dedicated to three specific points: the fate of Iranian Canadians imprisoned in Iran, freedom of the press and the use of the death penalty in Iran.

In recent years we have witnessed cases of Iranian Canadians who have been detained, charged and, in some cases, threatened with the death penalty. Certain cases have received a lot of media attention, including the case of Hamid Ghassemi-Shall. There have also been cases such as that of journalist Zahra Kazemi, who was arrested and died in detention, as well as Maziar Bahari, who was repeatedly beaten and threatened with execution during his 118-day imprisonment in Iran.

Mr. Ghassemi-Shall was arrested in Iran when he went to visit his bereaved mother in 2008. He was then accused of spying and sentenced to death. Last year, he was told that his sentence would be commuted to life in prison. However, he was returned to death row last month. He was called to an interview at Evin prison and, according to his sister, he was told that he would soon be hanged.

Photojournalist Zahra Kazemi died in an Iranian prison on July 11, 2003, almost three weeks after being arrested for taking photos outdoors during a student protest in Tehran. Two days later, the official Iranian news service stated that Ms. Kazemi died in hospital after suffering a stroke during her interrogation. On July 16, 2003, the authorities changed their tune. Iran's vice-president admitted that Ms. Kazemi had been beaten and had died of her injuries. After her death, her son Stephan Hashemi demanded that Iran return his mother's body to Canada for burial. Iran refused.

● (2200)

[*English*]

Mr. Bahari is a journalist who was arrested by Iranian intelligence officers in Tehran in June 2009 in the aftermath of the election demonstrations that swept across the city. He was held in Iran's notorious Evin Prison. Iranian interrogators accused him of being a spy for the CIA, Mossad and M16. He was never told why he was arrested. He was interrogated and tortured repeatedly during his incarceration. After 118 days, he was finally released.

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While each of these cases is unique and has its own sets of human rights violations, they are all part of a greater pattern of disrespect for the very concept of human rights. In each of these cases and in its own way, the Government of Iran completely disregarded the very basic human rights of these Canadian citizens. These cases also show that many of the structures that we depend on to ensure our human rights are respected in Canada are simply not in place in Iran or, if they do exist, do not have the power to ensure those rights are protected.

The most recent United Nations human rights committee report on Iran, dated November 29, 2011, speaks directly to some of these weaknesses. For example, in this report the committee expresses its concern about “reports of the use of general and blanket arrest warrants which do not contain the names of the accused and are not based on a judge’s review of evidence.” It also expressed concern that the “independence of the judiciary is not fully guaranteed and is compromised by undue pressure from the executive power.” In the cases I mentioned earlier, we saw the judicial system used as a tool to suppress the views of others, to punish those who disagree with the government and as a way to bypass the basic human rights of these individuals.

In any truly democratic society that respects human rights, a free press is an extremely important pillar. In the cases of Mrs. Kazemi and Mr. Bahari, we saw those basic human rights ignored.

We have seen throughout history that when human rights are being abused and ignored, freedom of the press is restricted and in some cases the press itself is co-opted and controlled by the state to suppress the human rights of minorities.

[Translation]

In Iran, the state control over the media and the absence of freedom of the press are certainly of great concern when it comes to human rights violations.

In the recent report of the United Nations Human Rights Committee on civil and political rights in Iran, these concerns are expressed very well:

The Committee further notes that the Human Rights Committee expressed its concern that: Many newspapers, magazines, as well as the Journalists Association, have been closed by the authorities since 2008, and that many journalists, newspaper editors, film-makers and media workers have been arrested and detained since the 2009 presidential elections. The Committee is also concerned about the monitoring of Internet use and contents, blocking of websites that carry political news and analysis, slowing down of Internet speeds and jamming of foreign satellite broadcasts, in particular since the 2009 presidential elections.

● (2205)

[English]

These are very concerning actions taken by the Government of Iran. These methods of controlling the media and access to information help the government keep its activities that suppress human rights in the dark.

In this age of high technology, the Internet and social media, these approaches are not as effective as they once were. We saw great examples of that during the Arab Spring last year when people organized and put their stories out through Facebook, Twitter and YouTube. Citizens go around these digital roadblocks put up by their governments to share their stories.

[Translation]

The last point I would like to raise this evening is Iran’s death penalty. Many countries have stopped imposing the death penalty for serious crimes. Canada had the wisdom to do so in 1976, I believe.

However, not all countries have chosen to eliminate it. Some have even gone in the opposite direction. Iran is one of those countries. The United Nations Human Rights Committee report on Iran, which I just quoted, highlighted the following points with respect to the death penalty in Iran:

The Committee continues to be deeply concerned about the extremely high and increasing number of death sentences pronounced and carried out in the State party, the wide range and often vague definition of offences for which the death penalty is applied, and the large number of capital crimes and execution methods. The Committee is also concerned about the continued use of public executions, as well as stoning, as a method of execution. It also notes with concern the high rate of State executions in ethnic minority areas...

The Committee is gravely concerned about the continued execution of minors and the imposition of the death penalty for persons who were found to have committed a crime while under 18 years of age...

Finally, this is the context for use of the death penalty in Iran, according to the Canadian section of Amnesty International.

During this evening’s debate, we have all raised examples of how human rights are being violated in Iran. Sadly, there are many such examples, and many other cases of people being punished and mistreated in that country. Still, by talking about them and calling the world’s attention to them, we may be able to put pressure on that government to change its ways.

I want to say, in conclusion, that I was lucky to spend over 20 years at the United Nations during the negotiations leading up to the UN’s Declaration on the Rights of Indigenous Peoples. I was able to see how activism by the international community can result in great progress.

Let us add our voices to all those calling for human rights all over the planet, and let us all be part of the solution.

[English]

Ms. Jinny Jogindera Sims (Newton—North Delta, NDP): Mr. Chair, I want to thank my colleague and take this opportunity to congratulate him on his critic role for international co-operation and the CIDA file. He is doing an amazing job in advocating for the world’s most vulnerable.

It is a comment on this Parliament today that all parties have agreed to have a debate on human rights violations in Iran. I could not stand here and not mention that even though we are talking about human rights violations in Iran, we know that there are human rights violations that mirror these in many countries around the globe. By shining the light on Iran, we are also shining the light on human rights violations that happen in other parts of the world as well.

Our government has closed offices that could actually help to support the democratic process in Iran. It has cut funding to CBC, therefore impacting Radio International and impacting the programming that could assist the Iranian people. We know that the best way for Iran to achieve democratic reform is for it to come from the Iranian people, and it is our job to support them.

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In my colleague's opinion, what could our government be doing to support the Iranian people to make real their aspirations for a democratic society?

• (2210)

Mr. Romeo Saganash: Mr. Chair, I thank my colleague for her question and especially for her comments as well.

To a very large extent my colleague is absolutely right in saying that human rights violations do not occur only in Iran. There are human rights violations in many countries in the world. It seems striking to me that while we are denouncing human rights violations in Iran, we are not doing the same thing for human rights violations in China, for instance, or Ukraine, or Ethiopia and so on.

One of the ways through which we promoted human rights and democracy for the past two decades was exactly that institution, Rights and Democracy, which the government has decided to slash.

I have worked with Rights and Democracy for a very long time. It has one of the greatest reputations as an institution, not only in Canada but around the world. I worked with Rights and Democracy at the UN for more than a decade. I have seen the job it has done, not only for Canadian aboriginal peoples but also for aboriginal peoples throughout the world. As we know, there are more than 370 million aboriginal people on this planet, and Rights and Democracy has done great work for South America, for Africa and throughout the world. It was a decision that was unfortunate for many Canadians and for many other people around this planet.

Mr. Stephen Woodworth (Kitchener Centre, CPC): Mr. Chair, I would like to first thank my colleague for his comments tonight. I particularly appreciated his emphasis on the real corruption in the Iranian judicial system and the executions, mutilations and torture that go on. I will be speaking about that myself in a few moments.

I would like to ask my colleague across the way about a new initiative of the Canadian government, the office of religious freedom. What we find around the world is that much persecution is driven by religious prejudice. In Iran, of course, the Baha'i are suffering persecution. In China, it is the Falun Dafa, and in other places, Christians. In the Middle East, Jews are often subject to persecution. I wonder if the member opposite would be able to endorse, join in and support the new initiative by the government, the office for religious freedom? I understand it will have high-ranking ambassadorial status to investigate and speak out against religious persecution around the world.

Mr. Romeo Saganash: Mr. Chair, I cannot wait to see the initiative that is going to be proposed. I do not think the office has been created yet, but we will wait and see what the contents and the mandate of the office will be.

Having said that, I would like to take this opportunity to continue on some points that I wanted to mention earlier. When I was talking about Rights and Democracy a while ago, one of the important parts of the mandate of Rights and Democracy for many years has been to promote many fundamental human rights for people around the world. One of them, of course, was religious freedom.

How do we do outreach with civil society in countries where there are many human rights violations? How do we do that outreach?

One of the best means we have had for two decades was Rights and Democracy. The government decided to cut that for ideological reasons. That should be denounced as well.

We can continue on and on all night denouncing human rights violations in Iran, but there are a lot of other countries where we should do the same. We should not act just on economic or commercial expediency, turning a blind eye to human rights violations in many countries around the world.

• (2215)

Mr. Deepak Obhrai (Parliamentary Secretary to the Minister of Foreign Affairs, CPC): Mr. Chair, I want to speak to the issue that the member just brought up about Rights and Democracy.

I am on the foreign affairs committee. The Rights and Democracy issue came in front of the foreign affairs committee. We looked at and saw how dysfunctional it had become.

What the member should understand is that he is talking about an issue where he is on the other side. The foreign affairs committee prior to this one did a study on the promotion of democracy around the world. In that report, which was unanimously adopted by everyone at foreign affairs, we stated that all the expertise of this thing needs to be combined into one situation where we can pool all the resources and promote the same objectives.

I do not understand why the member could not understand that the same objective he is talking about, the promotion of democracy and human rights, can be done collectively where the expertise is sitting: in the department of foreign affairs.

That is the decision that was made by the foreign affairs committee, that was the decision when Rights and Democracy came in front of this thing and that is why this committee took this action. That is why we felt there was a need at this time for a change with Rights and Democracy. That is what the member needs to understand.

The issue remains the same. No matter what, we will be fighting for human rights around the world.

Mr. Romeo Saganash: Mr. Chair, I do not think that was a question; it was a comment.

I think one of the things that we seem to forget a lot of times when we are debating human rights around the world is the fact that—yes, I agree—we need to work collectively, and I did mention that in my text. I gave the example of the work that we did for more than 23 years at the UN in drafting and negotiating the text of the UN Declaration on the Rights of Indigenous Peoples. That was a collective effort by many people.

The government across the way came to power in 2006, and it decided to obstruct the process at the UN. It was unfortunate that the government did that when it arrived for the first time in 2006.

A lot of collective effort is required in fighting against human rights violations around the world. That is what this party is going to do come 2015.

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Mr. Stephen Woodworth (Kitchener Centre, CPC): Mr. Chair, this truly is a sad kind of debate to have, and it gets particularly sad the more partisan we become. I think every member in this House needs to remember that there are Canadians of Iranian descent and otherwise whose loved ones and friends remain in Iran and are suffering. Their grief for those loved ones and friends cannot be underestimated, nor should it be turned for any particular partisan purpose. Members of Parliament should stand together as one to represent our constituents and Canadians who suffer as a result of these conditions.

Hon. members have heard often about the egregious state of human rights in Iran and efforts on the part of Iranian authorities to oppress the Iranian people at every turn. I would like to draw the attention of the House tonight to the monumental failure of Iran's judicial system: the intimidation and imprisonment of lawyers, the rampant abuse of due process rights and the frequent imposition of the death penalty, even on minors and sometimes for crimes as vaguely described as "enmity against God".

It is worth highlighting that Iran's constitution provides for the judiciary to be an independent power. In practice, however, the court system is subject to ideological influence, corruption and continued subordination to political leaders and security agencies.

The Islamic Republic of Iran continues to administer harsh treatment to the Iranian people itself without proper due process. This long-established trend has become even more entrenched since the 2009 presidential elections, which were accompanied by a surge in popular dissent.

More than ever, Iran is transforming all institutions, including the judiciary, into tools for political persecution and abuse of human rights. The most basic expression of a citizen's rights, the right to a lawyer, the Iranian regime sees as potentially threatening to the Islamic Republic, despite the fact that its laws guarantee representation by legal counsel. The recent sentencing of Iranian lawyer Mohammad Ali Dadkhah to nine years in prison is a good example of a case in which both lawyers and defendants are punished. Mr. Dadkhah is believed to have been targeted because of his efforts to defend political and human rights activists in Iran, including pastor Youcef Nadarkhani, who was sentenced to death in 2010 for apostasy.

Due process rights enshrined in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, to which Iran is a party, are routinely and grossly violated, reducing the likelihood of fair trials. Despite their codification in the Iranian constitution, a defendant's right to a public trial, to a presumption of innocence and to an appeal have not been respected.

Judges can choose to exclude defence lawyers from court proceedings or even to imprison them, as I previously mentioned. Defendants can be found guilty on the basis of "the knowledge of the judge", a provision in Iranian law that allows judges to make their own subjective and arbitrary determination as to whether or not an accused person is guilty, even in the absence of any conclusive evidence. It is unbelievable from a Canadian perspective.

Arbitrary arrest of human rights defenders, opposition members and ordinary Iranians is commonplace. Reformers, opposition

activists who are mere demonstrators, have been targeted since 2009 and even more so in the wake of the Arab Spring. Ridiculous crimes such as enmity against god, anti-revolutionary behaviour, moral corruption and even siding with global arrogance are met with absolutely draconian punishment.

Following protests in response to the fraudulent 2009 Iranian presidential election, prominent pro-reform activists, lawyers, journalists and politicians were not only imprisoned but also subjected to televised show trials in which they were coerced into making confessions.

● (2220)

Torture by security forces and prison personnel is terribly pervasive. Beatings, threats of execution, sleep deprivation, even rape of prisoners and detainees are widespread. Judicially sanctioned corporal punishment is often cruel and unusual, and even includes amputations and lashings and stonings as a method of execution. Iranian practices with regard to capital and corporal punishment have attracted widespread condemnation from international human rights bodies and organizations.

While Iran acknowledged 421 executions in 2011, observers in Iran counted more than 650 executions based on publicly available information. Official statistics vastly understate the number of executions actually carried out, and they reportedly omit mass executions of prisoners who are in Iranian institutions.

Public executions continue using the cruel and inhumane method of suspension strangulation whereby individuals are suspended by the neck for 20 minutes to 30 minutes until they slowly die of asphyxiation. That is simply intolerable.

A revised Iranian penal code, due to take effect later this year, does remove the stoning penalty, and the UN special rapporteur on human rights in Iran has encouraged the government to explicitly restrict the use of this punishment and to commute existing sentences of execution by stoning. That revised penal code also abolishes the execution of juvenile offenders and offers alternative penalties to incarceration at the judge's discretion. These changes of course are very welcome, but it remains to be seen whether and how the new law will be applied in practice and whether existing sentences will be commuted in the spirit of this new law. Forgive us if we are less than convinced that real action and real reforms will actually take place.

The Government of Canada has been unequivocal in its position that Iran's human rights abuses in their various forms are completely unacceptable. Authorities must take immediate and effective measures to ensure judicial independence and due process are afforded to each and every Iranian citizen. As part of its ongoing efforts to promote respect for human rights in Iran, for the ninth year Canada led the resolution on the situation of human rights in the Islamic Republic of Iran at the fall 2011 session of the United Nations General Assembly. We have imposed some of the toughest sanctions in the world. We continue to work bilaterally and multilaterally with allies in like-minded countries to ensure that Iran's human rights record does not go ignored.

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Rather than seeing improvements, the Iranian authorities seem to be further refining their system of oppression and control, including a submissive judiciary machine quick to crush any sign of citizen dissent and free expression. Canada will continue to stand with the Iranian people and urge Iranian authorities to guarantee the independence of the judiciary and the legitimate rights of the Iranian people.

• (2225)

[Translation]

Mr. Philip Toone (Gaspésie—Îles-de-la-Madeleine, NDP): Mr. Chair, I wish to thank my colleague for speaking tonight. His speech was very thoughtful.

I would like to ask him a question about the right to abortion in Iran. In Iran, according to the law, anyone who causes an abortion must pay a fine.

Does he think that this is an appropriate way to deal with people who participate in abortions?

[English]

Mr. Stephen Woodworth: Mr. Chair, although I will with courtesy thank my colleague from across the way, I am astounded that the question of a mere fine in the context of the Iranian situation should be raised with any degree of seriousness in this House. I have constituents in my riding who are concerned because their friends and loved ones are subject to threat of execution.

I have related to this House some of the absolutely heinous measures that the Iranian regime takes, up to and including the practice of suspension strangulation. Can members imagine being hung by the neck for 20 to 30 minutes, gradually dying of asphyxiation?

Therefore I must say I find it somewhat inappropriate that in the context of the Iranian abuse of human rights we have a member in the House today asking about mere fines. This House should confine itself to the serious matter at hand in a professional and non-partisan way that really reflects the actual concerns of Iranian Canadians, Baha'i Canadians and others about the terrible human rights abuses that are occurring in Iran.

• (2230)

Ms. Ève Pécelet (La Pointe-de-l'Île, NDP): Mr. Chair, they got two first, we have two now, so we are all equal.

[Translation]

In my speech, I focused on the rights of women, and of gay, lesbian, bisexual and transgendered people. I have here a copy of the UN Human Rights Committee report, which says that it is very concerned by the fact that homosexuals, bisexuals and transgendered people are being subject to harassment, persecution and cruel punishment, and may even be sentenced to death for a number of reasons. I talked about three cases in which people were hanged. They also face discrimination on the basis of their sexual orientation, especially with regard to access to employment, housing and health care. These people are often completely excluded from society and often cannot work.

The committee recommended that the state repeal any law or legislative measure resulting in discrimination against women—who

also do not have the right to hold political positions—and against gay, lesbian, bisexual and transgendered people.

What does the hon. member have to say about the recommendations of the UN Human Rights Committee?

[English]

Mr. Stephen Woodworth: Mr. Chair, I thank the colleague opposite for her question because she does touch on an extremely important point. It is one that arises particularly from article 6 of the United Nations Universal Declaration of Human Rights. I am sure my colleague opposite is well aware of article 6 of the UN Universal Declaration of Human Rights, but for those others in the House who may not be, I would like to repeat it here. I do not have a copy of it in front of me, but I know it almost by heart because it is a provision I hold close to my heart, so perhaps I will paraphrase it.

Article 6 of the UN Universal Declaration of Human Rights says that everyone has the right to be considered a person under law everywhere. There are no exceptions admitted to that in the UN Universal Declaration of Human Rights, which as my friend opposite knows, applies to every member of the human family.

I make it a personal point to draw this to the attention of the House and the members present that every human being deserves the protection of basic human rights. In this respect, there can be no discrimination of gender or age or location or interface with the law whatsoever. Every human being deserves to be considered a human person under the law, and there are very few laws in the world today that do not comply with that. Those that do fail to comply with that requirement are generally 400-year-old throwbacks to a different era.

Mr. Chris Alexander (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Chair, I would like to begin by congratulating my colleague, the hon. member for Kitchener Centre, for his eloquent and sobering speech on tonight's subject. His speech has brought this debate down to earth with regard to the absolutely devastating challenges facing the Iranian people.

Given that the phenomena of execution, of torture, of suspension leading to strangulation, of political imprisonment of Baha'i leadership and many other categories of citizens facing this terrible form of persecution is so widespread in Iran, would he not agree with all of us in the House that the Iranian regime is ruling by fear in a situation where a regime clings to power by fear, by trampling systematically on human rights?

In the absence of other forms of influence that we as Canadians and members of the House can have on their internal political process, it really behooves all of us to think carefully about the sanctions regime that is in place and about the impact it is having on the authors of this suffering in Iran, the government, those in authority, those in a position to make the situation better or worse, if there are any of those in a position to alleviate suffering.

While we move to strengthen sanctions to make them more effective with our allies, we can only expect these sanctions to be effective if we are united in our will to bring pressure to bear, to alleviate Iranians' suffering and to speak with one voice both in the House as members of this place and as Canadians in a country that is determined to stand on principle, has done so for nine years or more and will continue to do so as long as debates like this continue.

Government Orders

Does my colleague agree that the unity of our determination as expressed in today's debate is really the essence of the matter we are discussing tonight?

• (2235)

Mr. Stephen Woodworth: Mr. Chair, I thank my colleague for putting the point so well. As we stand here in the House, we must not forget that we represent Canadians. Canadians are justifiably proud of our justice system and our stand against human rights abuse, which with few exceptions, is well known around the world as a beacon on the hill.

I want to close these remarks by giving my hon. colleagues some inspiration from Mahatma Gandhi, who did observe something very germane to this debate. He was a wise man and much to be admired. Mahatma Gandhi, and again I am going to paraphrase a bit, observed that murderers and tyrants will often arise but they shall pass away. Truth and love will endure forever. We must stand together to represent that value to the world in relation to Iran.

Hon. Irwin Cotler (Mount Royal, Lib.): Mr. Chair, in the first part of my remarks this evening, I mentioned that this take note debate was as urgent as it is necessary and that we meet at an important moment in a massive domestic repression in Iran. I believe the submissions by my colleagues on all sides of the House are testimony to the importance if not urgency of this debate.

We meet, as I said earlier, on the fifth anniversary of the imprisonment of the Baha'i leadership, a case study of Iranian injustice in the criminalization of innocence and the targeting of Iran's largest religious minority in its pattern of persistent and pervasive human rights violations: its trumped-up charges, fabricated evidence, coercive interrogation, torture in detention, denial of counsel, indeed denial of any due process rights, as the member for Kitchener Centre himself eloquently spoke of, the intimidation and arrest of the lawyers themselves, if they were even allowed such counsel, the harassment and intimidation of their children, the demonization of the community as a whole and the ongoing incitement to hatred and contempt for this targeted minority. The whole, I might add, and there is more than one could say, is constituted of crimes against humanity of the Baha'i-targeted minority.

We meet also on the occasion of the imprisonment of an iconic 80-year-old and now ailing Iranian political leader. I am referring to Ebrahim Yazdi, a leader of the freedom movement party, one of its early founders and a former deputy prime minister and foreign minister, a person who once was a colleague of the Ayatollah Khomeini until he himself broke with him and established this freedom movement. He became, as I say, an iconic opposition political leader until he, too, has now been sentenced to nine years of imprisonment at a time that he is suffering from cancer, heart ailments and the like. This not only being a denial of any expression or political rights of association but a brutal assault in the form of imprisonment and confinement at this point.

Yazdi's conviction was for "establishing and leading the freedom movement party" for the catch-all crime of propaganda against the regime and for exercising political rights, a freedom of association and expression protected both under international covenants to which Iran is a state party, let alone as well under Iranian law. The

entire leadership of this party has now been imprisoned or is out on bail awaiting sentencing.

Who was Ebrahim Yazdi's lawyer? It was none other than the lawyer, as mentioned by my colleague from Kitchener Centre, Mohammad Ali Dadkhah, who has been charged with "membership in an organization". What is that organization? It is Iran's Centre for Human Rights Defenders, who has now himself been sentenced to nine years in prison for the "crime of defending the rights of others", be they Ebrahim Yazdi and, yes, Pastor Yousef Nadarkhani himself who is now as well facing a death sentence for alleged apostasy from Islam.

Just today we learned that four gay men in Iran are due to be executed for sodomy under Iran's Sharia laws.

In the last several months, both in the run up to the recent parliamentary elections and in the immediate aftermath of those elections, we have seen the quarantine of opposition leaders, human rights defenders, journalists and bloggers of civil society leadership, as well as the lawyers who would defend them. The imprisonment of Abdolfattah Soltani came after he publicly called for a recount of Iran's presidential election, just as the lawyer Mohammad Ali Dadkhah has been imprisoned similarly for exercising rights of, as I said, association and expression.

Moreover, since the 2009 green revolution movement, the massive repression has included the systematic targeting of cyber dissidents, some of them with a Canadian connection in that regard.

• (2240)

For example, the Canadian resident and Iranian citizen, Saeed Malekpour, a 36-year-old web designer, was arrested on trumped-up charges relating to the posting of pornographic material on the Internet, was tortured in detention, was forced to make a false televised confession, was sentenced to death and is now under imminent threat of execution. According to Malekpour's family, the death sentence was at the urging of the Iranian revolutionary guard corps, which the Iranian Human Rights Documentation Center at Yale University has noted is responsible for the murder of Iranian dissidents both inside and outside Iran.

Similarly, Vahid Asghari, a blogger who hosted websites critical of the government, was sentenced to death on January 6, 2012 after conviction of, here we have it again that catch-all crime, "corruption on the earth" for allegedly organizing a pornographic network against Islam and the state. In October 2009, he said in a letter to a judge that he had been subjected to torture, was also forced to make a televised confession and forced to make spying allegations against another high profile blogger, Canadian citizen Hamid Ghassemi-Shall, who had been serving a sentence of 19 and a half years for his role in helping Iranian dissidents create blogs but is now himself under imminent threat of execution.

I want to commend the government for the stands and positions it has taken in respect of both Mr. Malekpour and Mr. Hamid Ghassemi-Shall.

Nor has the conventional media been spared from Iran's state sanctioned assault on human rights. Indeed, Iran has already imprisoned more journalists than any other country in the world.

Government Orders

This past several months have also witnessed a massive assault on filmmakers, artists and the leadership of major independent Iranian organizations. This has included the shutting down of the Iranian House of Cinema, the country's leading independent film association with over 5,000 members. The body is also behind this year's Oscar-winning foreign film *A Separation*. The arrests have also included celebrated filmmaker Jafar Panahi and BBC filmmakers and the house arrest of, as we know, opposition leaders Mehdi Karrubi and Mir Hossein Mousavi.

Many civil society organizations have been shut down. It would take me the rest of my time to list them, but suffice it to say that they are leading human rights organizations, trade union organizations, women's organizations and the like.

Numerous leaders in the women's movement and women journalists have been deliberately targeted, arrested, persecuted and even executed while others continue to disappear or to be threatened with execution. This includes, for example, the prominent Iranian filmmaker and women's rights activist Mahnaz Mohammadi, who directed the acclaimed documentary *Women Without Shadows*, who has been arrested by the intelligence services of the IRGC for "unknown reasons".

Other members have been mentioned this evening but I will mention only one and that is Nasrin Sotoudeh, a celebrated defence attorney for activists and political detainees, who was herself charged with, yet again that catch-all phrase, "acting against national security" and "propaganda against the regime", was sentenced to 11 years in prison but was later reduced to six years after an international protest and multiple hunger strikes. However, she is a case study of the assaults on lawyers who would represent political prisoners and who would assert the rights of their clients in this regard.

Moreover, Iran has sought to limit Internet access and restrict the content that can be posted online. A new Iranian cyberarmy has been formed and, as the latest Amnesty International report explains, this force has blocked websites while initiating attacks on servers, including those of Twitter and the Voice of America, again to quiet all forms of expression.

And so, the question is: What can and must we do?

Simply put, we must expose, unmask and hold Iran accountable for its massive domestic repression. This has prompted the establishment of an Interparliamentary Group for Human Rights in Iran, an international consortium of parliamentarians from all over the world, that I co-chair with U.S. senator Mark Kirk. Our group has initiated now an Iranian political prisoner advocacy project that will invite members of Parliament to take up the cases of these political prisoners.

Again we must call for the unconditional and immediate release of all political prisoners, those detained for doing nothing other than exercising their rights under Iranian law and international law. We need to support the work of the international UN special rapporteur on human rights and continue to hold Iran accountable for its violation of international resolutions, as well as the one sponsored by Canada.

● (2245)

Moreover, and I will close on this, all states can and should redouble their efforts to support dissidents in Iran and stand in solidarity with them. This is not a time to abandon the people of Iran, who are themselves the targets and victims of the Iranian regime's massive assault on human rights. We must champion their case and cause, let them know that the world is watching, that they are not alone and that we will not only stand in solidarity with them but work and advocate on their behalf.

Mr. Deepak Obhrai (Parliamentary Secretary to the Minister of Foreign Affairs, CPC): Mr. Chair, first let me commend this hon. member. I have had numerous conversations with him in debate, including in this House, about his excellent work in bringing forward human rights abuses in Iran. Today in his speech he has very eloquently pointed out very serious issues of human rights abuses in Iran, and he continued to do so throughout his career when he was the Minister of Justice.

As he rightly pointed out, Canada, for the ninth year, has put in a resolution at the United Nations, which for the first time has received a tremendous amount of international support, the highest it has ever received, which shows that the international community is very much concerned—as he is, as we are—by the erosion of human rights in Iran.

Of course, I would like to acknowledge the fact that he was the government's minister of justice at the time when the resolutions were being brought forth, and we continued doing that.

There is no question that we put great value on his judgment. Not only that, the Minister of Foreign Affairs himself places great importance on the work that the member has done; not only that, he also takes his strong advice.

My question to him is this: does he feel that in his interface with the Minister of Foreign Affairs he is happy and confident that this government and the Minister of Foreign Affairs have been moving very strongly on this file that he has very strongly highlighted, because during the period of time that he has done that, the government has acted on it?

I want to ask the hon. member's opinion of the Minister of Foreign Affairs, who has been working with him to bring these issues to the forefront.

● (2250)

Hon. Irwin Cotler: Mr. Chair, I want to echo the sentiments expressed earlier: that this is the kind of issue on which we must work together in common cause. As a result, I have had the pleasure of working with the Minister of Foreign Affairs. He has been seized of this issue almost from the point of his inception as minister. He has helped to initiate and bring into being important sanctions, both with respect to the nuclear threat and with respect to the human rights threat.

If I had any recommendations to make—I have made them to the minister and I have made them publicly, and we continue to discuss them—they would be threefold. As I say, it is not to detract from the important and sustaining work that the Minister of Foreign Affairs and the department have continued to do, and the parliamentary secretary as well.

Government Orders

They would be threefold. One, I continue to believe that we need to sanction the Iranian Revolutionary Guard Corps by listing them as a terrorist entity. They are at the epicentre of the fourfold Iranian threat: nuclear, incitement, terrorists, massive domestic repression.

Two, I think we need to expand our human rights sanctions. As I say, I commend the government for making a beginning with respect to these sanctions, but we need in particular to begin to sanction those in the Iranian legal system—the prosecutors, the judges, et cetera—who are responsible for this massive assault on human rights. We have been sanctioning particularly with regard to those involved in the nuclear threat; I think we need to sanction more with regard to those involved in the massive human rights violations, particularly within the legal system and particularly those at the apex of that legal system.

Finally in that regard, another recommendation I made to the minister—and I close on this—is that given the state-sanctioned incitement to hate and genocide, a standing violation of the genocide convention, I think it would behoove Canada to take the lead morally, politically and legally and initiate an inter-state complaint against Iran, which is a state party to the genocide convention, before the International Court of Justice and hold its leadership to account.

Mr. Philip Toone (Gaspésie—Îles-de-la-Madeleine, NDP): Mr. Chair, no one can question the member for Mount Royal's credibility on the human rights file.

I also would like to congratulate him on all the work he has done in his riding. I do not think anyone can question his determination and devotion to his parliamentary responsibilities and his privileges. It is important that the member be able to express his parliamentary privileges on every occasion possible. What he has done with the Interparliamentary Union that he has set up is commendable. It is an excellent example of non-partisanship that we could all learn from.

Iran has a terrible record when it comes to executions. It is second to none after China. Our country and the Conservative government have not done quite enough in my opinion to condemn executions. Could the member address that? Are we doing enough? Are we sending a mixed message where we actually say in some cases executions are permissible and in other cases they are not? What would the member say about our policy regarding executions in foreign countries?

• (2255)

Hon. Irwin Cotler: Mr. Chair, as I have said before, and I will reiterate again this evening, our policy with regard to the death penalty needs to be a principled and consistent policy. In Canada, we have held both as a matter of principle, policy and law, and the Supreme Court has so held, that the death penalty is a violation of section 7 of the charter and also amounts to cruel and unusual punishment.

As I said earlier in the debate, when I was minister of justice, I signed, on behalf of Canada, the Second Optional Protocol to the International Covenant on Civil and Political Rights, committing us to opposing the death penalty abroad and doing so without fear or favour. Initially, the Conservative government took a position, which I opposed at the time, that it would deal with these issues on a case by case basis with respect to, for example, Canadian citizens

imprisoned abroad, as we now have with regard to Montana. I do not think this is something that is susceptible to a case by case basis.

If we take a principled and consistent position, we have to oppose the death penalty wherever it occurs, even if it is in a democracy like the United States because here too our Supreme Court has said that we cannot extradite to the United States to a state where there may be a death penalty. The law is the law. Principles are principles.

I commend the government for its condemnation of the death penalty and executions in Iran and elsewhere, but we have to be consistent in our application of this principle so we can be as effective as we can be with respect to this application.

Mr. James Bezan (Selkirk—Interlake, CPC): Mr. Chair, the member for Mount Royal's work on human rights is world renown and his knowledge on Iran is second to none.

I agree with the three point plan that he laid out on taking more aggressive actions against the leadership in Iran to ensure that it starts listening to the issues of human rights and that it actually starts changing its attitude in dealing with its people.

I know the member for Mount Royal is also extremely familiar with the way not only human rights abuses have extended to religious freedoms, but also to the political freedoms of parties and organizations. I think of the Mujahideen and how many of their leadership are living in exile across Europe, particularly in France, or the Mujahideen-e-khalq who live in exile in Iraq and now possibly could be facing even greater human rights abuses within Iraq, never mind being extradited ex-patriot back to Tehran, which they fear.

They are in Camp Ashraf and are in the process of being transferred to Camp Liberty, which is really a prison camp. Could he comment on the situation there and how that all plays out with the way President Abedinejad and the ayatollah is running Iran?

Hon. Irwin Cotler: Mr. Chair, I want to first commend the member for Selkirk—Interlake. He is organizing a meeting this Wednesday with regard to matters in Iran. I want to commend him for his ongoing leadership with regard to Canadian parliamentarians and democracy in Iran.

On that particular point, we will have hearings tomorrow at the foreign affairs Subcommittee on International Human Rights, continuing our look into the targeting of those in Camp Ashraf and now also movement to Liberty. We need to ensure these residents are protected, that they are not under assault, that they are not subject to threats that may end, up as they have before, in attacks and killing and wounding of such residents.

We will have to keep a watching brief and ensure their protection. That is why we have had continuous hearings on the issue in our foreign affairs subcommittee. There too, we have had a unified voice in that regard and the compelling need to protect those residents of Camp Ashraf, now Liberty. This is yet another case study of Iranian state sanctioned repression.

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Mr. Russ Hiebert (South Surrey—White Rock—Cloverdale, CPC): Mr. Chair, at the beginning of my remarks, it is an honour to serve with the member for Mount Royal on the Subcommittee on International Human Rights. I thank him for the leadership he has shown in originating a study that we did a few years back, which I will reference in just a moment.

Tonight many of my colleagues have spoken on the appalling human rights situation in Iran. As a member of that Subcommittee on International Human Rights, I have heard a great deal of testimony on the abuses of the Iranian regime over the past couple of years.

In December 2010, we presented our report to the House. It was titled, “Ahmadinejad’s Iran: A Threat to Peace, Human Rights and International Law”. We addressed many different rights abuses the Iranian regime engaged against its own people. One of these is Iran’s suppression of gender rights.

Equality between men and women simply does not exist in Iran. Since the 1979 Islamic revolution, Iran’s clerical leaders have sought to impose limits on the rights of women and institutionalize gender discrimination in the name of Islamic law. Laws have been passed which sharply restrict women’s educational and professional opportunities, reinforce male control over women in the family and impose gender segregation and discriminatory provisions in their criminal code.

Women are not allowed to run for president or serve as judges. They cannot have full guardianship over their children after a divorce. They receive half as much inheritance as men and their court testimony is worth half of that of a man.

Men have the right to take a second wife without the permission of their first. They can divorce their wives whenever they wish. They may prohibit their wives from even working outside of their home.

Women who refuse to cover their hair can face jail and up to 80 lashes. In some cases, Iranian women have successfully fought to reverse these discriminatory practices and laws and have pressured the government to make some concessions, but the record is very mixed.

In fact, the government increasingly targets women’s rights activists to try to dismantle the women’s movement in Iran. It often arrests, interrogates, mistreats, threatens and imprisons activists. Some have been fired from their jobs.

Women’s rights activist, Jila Baniyaghoob, and winner of the courage in journalism award from the International Women’s Media Foundation was banned for 30 years from journalistic activities in the brutal suppression of the Green Movement following the 2009 elections. Around the same time, Shiva Nazar Ahari, a well-known women’s rights activist received four years in prison and 74 lashes. Both women received terrible punishments for exercising their rights to freedom of expression and assembly.

These are just two of many similar cases. Unfortunately, members of Iran’s women’s movement are increasingly faced with a stark choice: cease their activism or continue under the threat of criminal charges, arbitrary arrest, detention, interrogation, torture or even death.

Although in February 2010, Iran agreed to guarantee equality for women in the law during their UN Human Rights Council review of Iran’s record under the framework of the universal periodic review, Iranian authorities continue to entrench gender discrimination. For example, since 2009, female students have been required to study at universities in their own homes or towns, greatly restricting their access to higher education, while male students face no such restriction.

Iran has also been the only country to use stoning to execute those who commit adultery, even though it breaches Iran’s commitment under article 6(2) of the International Covenant on Civil and Political Rights that death sentences will be imposed only for the most serious crimes. In fact, there was a sharp rise in sentencing, both men and women, to death by stoning since President Ahmadinejad came to office, but most of those were women.

A revised Iranian penal code, due to take effect this year, finally removes the stoning penalty from the code. However it still remains to be seen whether or how the new code will be applied in practice and whether existing death by stoning sentences will be commuted.

In no instance is the intersect between the Iranian government’s abuse of due process of law, rights and systematic discrimination against women more egregious than in the case of Sakineh Mohammadi Ashtiani.

● (2300)

The case of Ms. Ashtiani is well known. A mother of two, Ms. Ashtiani has been in prison since 2006, when she was arrested for adultery and the murder of her husband. In 2010, she was initially sentenced to 99 lashes and death by stoning; however, following an international outcry, the sentence was changed to death by hanging.

Throughout her trial, Ms. Ashtiani’s right to due process was egregiously violated. Her lawyer was arrested briefly and forced to seek asylum in Norway. Her son was also imprisoned for speaking with international journalists about his mother’s case. Canada continues to urge the Iranian authorities to revoke or commute Ms. Ashtiani’s sentence.

Our government is also deeply concerned about the lack of religious freedom in Iran. Other speakers have addressed this concern tonight, particularly in the persecution of the Baha’i minority in Iran. There is also severe persecution of other religious minorities, including Christians.

The case of Youcef Nadarkhani was mentioned by my colleague. He is 34, a Christian pastor, married and the father of two boys. He was arrested on charges of apostasy—for leaving the Muslim faith—and has now been sentenced to death by an Iranian court for refusing to renounce his Christianity. He has defied a request by the Gilan provincial court in Rasht, Iran, to repent and now faces death by hanging. That sentence has been upheld by the Iranian Supreme Court.

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Unfortunately, this is not an isolated case. As we have heard in testimony before our subcommittee, despite the fact that the Iranian constitution recognizes and protects the nation's pre-Islamic religious minorities, including Christians, Jews and Zoroastrians, in practice these groups face discrimination and persecution.

Christians are subject to harassment and close surveillance by police. The government has a policy of prohibiting proselytizing and monitors the activities of many churches, acts to close churches and arrests Christian converts. Members of some congregations are required to carry membership cards that must be provided to police on request, and church officials have been ordered to inform the Ministry of Information and Islamic Guidance before admitting new members.

The Iranian government has restricted meetings to Sundays and has harassed and intimidated congregations that have attempted to worship on other days. The Iranian government continues to arrest and detain Christian believers, pastors and priests for lengthy periods without charge. Some have even complained of being tortured while in custody. Often they are arrested when they gather, and their Bibles and other literature materials are seized.

The reality of life for religious minorities in Iran is almost incomprehensible to many Canadians, who have grown up in a land of freedom where we are all able to worship and discuss our faith openly. That is all the more reason for freedom-loving Canadians to call attention to the rights of individuals in other nations. That is why I am proud of the actions of our government in addressing the critical issue of religious freedom, both in Iran and around the world.

As part of our commitment to defending this fundamental freedom, we are setting up the office of religious freedom within the Department of Foreign Affairs. This office will promote and protect freedom of religion and belief around the world, consistent with core Canadian values such as freedom, democracy, human rights and the rule of law.

As the Minister of Foreign Affairs reminded us recently, and I quote:

Canadians enjoy the rights and privileges that come with living in a free and democratic society in which human rights are respected. We are also keenly aware of the struggles that religious minorities face around the world.

That is why, whatever the circumstances, Canada will continue to speak out, and take principled positions.... We will not just go along to get along. We will stand for what is principled and just, regardless of whether it is popular, convenient or expedient.

With the support of Parliament, Canada will continue its proud record of standing up for human rights and for taking principled positions on important issues to promote freedom, including gender rights, religious freedom, democracy and the rule of law in Iran and elsewhere around the world.

● (2305)

[*Translation*]

Mr. Pierre-Luc Dusseault (Sherbrooke, NDP): Mr. Chair, I am truly pleased to rise here today to speak to this issue, which I care deeply about and seems to be very important to most of the members here in the House at this late hour.

I have a rather specific question to ask the government member concerning the use of torture. In his speech, he talked about how

much the Iranian government uses torture. Yet, this government's position on the use of torture in other countries has been somewhat ambiguous recently. For instance, information obtained using torture can later be used by this government, since it considers that a reliable source. This raises several questions: does the government support the use of torture to obtain information when investigating a crime, for instance?

I would like my colleague to clarify the government's position on the use of torture in such cases. I would also like to know whether he will state unequivocally here today that the government opposes the use of torture, even though sometimes it would really like to obtain certain information. Personally, I do not believe that information should be used if it was obtained through torture.

● (2310)

[*English*]

Mr. Russ Hiebert: Mr. Chair, one of the aspects I really appreciate about serving on the Subcommittee on International Human Rights of the foreign affairs committee is the non-partisan nature in which we are able to operate. Members of the Liberal Party and the NDP and our Conservative members work united with the common cause to achieve some measure of difference around the world by highlighting some of the atrocities we hear about.

In my experience on that committee in the last three or four years, there are no atrocities greater than those in the situation in Iran, so much so that we did not only one but two studies on the subject of Iran, thanks to the initiative of the member for Mount Royal. We were so taken aback with the rioting and unrest that occurred after the July 2009 presidential elections in that country that we had to revisit our study and update it. In the process of putting together that report, we came up with a number of recommendations. I have a copy of the report, which is around 100 pages, if the Chair would like me to table it. We had experts from literally around the world come and testify about the atrocities that are occurring in Iran. There is no doubt that the use of torture is prevalent in that country, whether it is for extracting information or simply a form of retribution. That is regrettable.

While I was in the process of listening to the member's question, I was actually looking for the section that dealt with that situation, and it drew my attention to all the different atrocities that occurred, including incitement to genocide.

We have not even talked about the nuclear threat.

I would invite the member opposite to get a copy of our report, because it is very comprehensive and deals with the situation of torture and its use specifically as it relates to Iran. By reading it, he might further appreciate how apolitical this question really is. I would invite him to look at that. It is available on the Foreign Affairs website.

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Mr. Chris Alexander (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Chair, once again thanks to our colleague, the member for South Surrey—White Rock—Cloverdale, for an excellent contribution to tonight's debate, which will help us close tonight's debate.

My question for the member is about the solutions. He has gestured at many of them, one being to continue that work with a united front on all of these issues, certainly to give voice to the repression of religious minorities, about whom all of us have expressed concern tonight, and the systematic abuses of rights we have all identified in tonight's debate. He mentioned the nuclear threat at the end of his speech, which is certainly there.

In my own experience, as well as recent advice from wise voices on all sides with regard to Iran, the human rights issue in many respects will weigh more heavily with the regime and with the population than our direct intervention politically on the nuclear issue. The two are linked, and in many ways the human rights approach is the more powerful approach.

Would our colleague take that reasoning one step further and agree with me that one of the most powerful weapons we have in addressing human rights issues in Iran is the fact that Iranian culture, history and tradition are themselves sources for the values and principles many of us identify as universal today? Whether it is the pre-Islamic history or the Islamic history, whether it is Iranian literature or Iranian law under the law-based regimes they have had in their ancient past or more recent past, we can use Iranian tradition itself to shame this regime into better forms of behaviour, and we have a duty to use this among all other forms of legal leverage available to us. Would my colleague agree with that?

• (2315)

Mr. Russ Hiebert: Mr. Chair, it is hard not to agree. Of course, that is why our government has taken the position that it has. We are imposing sanctions. We have done that four times since July 2010, including dealing with the prohibitions against exporting arms and financial transactions and investments. Many believe this is making a tremendous difference. I personally agree with the member when he suggests that, as has been said by our government, Iran's nuclear threat is the greatest threat to global peace and security in the world today.

The very least we can do is impose sanctions as we seek a peaceful resolution to this potential crisis which is not only a regional issue, it is also a global issue. By using every diplomatic means possible, we will continue to put pressure on Iran so it will hopefully choose a different path. Until that happens, we have to take every opportunity, whether financial or investment, or even by naming individuals on a prohibited list as we have done, and use every diplomatic tool to ensure the world and Iran in particular know that it cannot with good conscience and with any international support continue along this path that it is on.

In my speech, I did not highlight a few of the other 24 recommendations that we made in our report, but I will wait for another opportunity.

[*Translation*]

Mr. Philip Toone (Gaspésie—Îles-de-la-Madeleine, NDP): Mr. Chair, I have a question for the member opposite.

The government recently announced that Rights & Democracy would be closing. Rights & Democracy was a very important and valuable tool for networking with overseas agencies. It worked with non-governmental organizations and individuals in Iran. Rights & Democracy was a very important tool for creating these relationships.

Now that Rights & Democracy is closing, what tool is the hon. member proposing we use to continue to connect with non-governmental organizations, which, I might add, are important allies in advancing human rights around the world?

[*English*]

Mr. Russ Hiebert: Mr. Chair, I understand that the issue of Rights and Democracy has come up throughout the course of the last four hours. I do not see much point in revisiting that topic after it has received a fair amount of air time tonight. However, I do want to recognize that there are many civil society organizations, both Canadian and Iranian, that are doing excellent work in documenting the human rights abuses there. We can consider supporting these institutions that are already in place so they can document and report on the human rights abuses. We can play a role in providing moral and diplomatic support to the democratic movement in Iran as we recognize the role that existing Iranian organizations are playing.

Let us not forget that our foreign service, including ambassadors, service officers and other staff at DFAIT and CIDA, do this every day, and for that we are grateful.

• (2320)

Ms. Jinny Jogindera Sims (Newton—North Delta, NDP): Mr. Chair, it is my pleasure today to rise and speak on this important issue of human rights. After the graphic pictures painted by members on all sides of the House, there is absolutely no doubt in anybody's mind that Iran has serious human rights violations.

Recently I have been dealing with a different aspect of legislation, Bill C-31. When I was home over the weekend, I had the opportunity to meet with some of my constituents who told me the reason they chose Canada is because of our charter, our respect for human rights and our Constitution. They shared with me their worries about some of the proposed changes in Bill C-31, which I would call the punishing refugees act.

We know how terrible it is in Iran. Just imagine a group leaving Iran. Upon arrival on our shores they would be put in prison because they would be considered irregular arrivals. If they had children under 16 years of age, we would give them the choice of keeping their children with them or giving them over to provincial social services. That is not a choice I would want to make as a mother.

These people would have to wait 14 days, and that is only after the opposition and witnesses pushed, before their detention, which is in a prison, would be reviewed. Let us call it what it is. Then they would have another six months and then for five years—

Government Orders

Mr. James Bezan: Mr. Chair, I rise on a point of order. I want to remind the member that we are here talking about human rights in Iran. What she is talking about has no relevance whatsoever to the topic at hand. It is a disservice to the Persian community members who are watching on TV tonight, wanting to hear what we have to say about the brutalities people in Iran are facing. She wants to play petty politics rather than deal with the issue that is in front of us.

The Deputy Chair: The hon. member has about 30 seconds remaining before the time expires.

Ms. Jinny Jogindera Sims: Mr. Chair, what I am saying is absolutely related. There are such dire human rights violations in

Iran. If the new legislation passes, our laws could be in contravention of the charter and of our obligations under the United Nations.

The Deputy Chair: It being 11:22 p.m., pursuant to Standing Order 53(1), the committee will rise and I will leave the chair.

(Government Business No. 11 reported)

[*Translation*]

The Acting Speaker (Mr. Barry Devolin): Accordingly, this House stands adjourned until tomorrow at 10 a.m., pursuant to Standing Order 24(1).

(The House adjourned at 11:22 p.m.)

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