



CANADA

# House of Commons Debates

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OFFICIAL REPORT  
(HANSARD)

**Thursday, March 21, 2002**

—

**Speaker: The Honourable Peter Milliken**

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# HOUSE OF COMMONS

Thursday, March 21, 2002

The House met at 10:00 a.m.

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*Prayers*

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• (1005)

[Translation]

## HOUSE OF COMMONS

**The Speaker:** I have the honour to lay upon the table the report on plans and priorities for 2002-03 of the House of Commons administration.

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[English]

## CANADIAN HUMAN RIGHTS COMMISSION

**The Speaker:** I have the honour to lay upon the table for the year 2001 the annual report and the employment equity report of the Canadian Human Rights Commission.

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## ROUTINE PROCEEDINGS

[Translation]

### ESTIMATES, PART III

**Hon. Lucienne Robillard (President of the Treasury Board, Lib.):** Mr. Speaker, I would like to table, on behalf of my colleagues, part III of the estimates consisting of 86 departmental expenditure plans and priorities.

These documents will be distributed to the members of the standing committees to assist in their consideration of the spending authorities sought in part II of the estimates.

\* \* \*

[English]

## INDIAN CLAIMS COMMISSION

**Hon. Robert Nault (Minister of Indian Affairs and Northern Development, Lib.):** Mr. Speaker, pursuant to Standing Order 32(2) I have the honour to table, in both official languages, the 2000-01 annual report of the Indian Claims Commission.

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## GOVERNMENT RESPONSE TO PETITIONS

**Mr. Geoff Regan (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Mr. Speaker,

pursuant to Standing Order 36(8) I have the honour to table, in both official languages, the government's response to one petition.

\* \* \*

## PEST CONTROL PRODUCTS ACT

**Hon. Anne McLellan (Minister of Health, Lib.)** moved for leave to introduce Bill C-53, an act to protect human health and safety and the environment by regulating products used for the control of pests.

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

\* \* \*

[Translation]

## INTERPARLIAMENTARY DELEGATIONS

**Mr. Gérard Binet (Frontenac—Mégantic, Lib.):** Mr. Speaker, I am honoured to present, in both official languages, under Standing Order 34(1) the report of the Canada-Europe Parliamentary Association delegation concerning the meeting of the economic affairs and development commission held in London, England, January 17 and 18, 2002, and the first part of the regular 2002 session of the Parliamentary Assembly of the Council of Europe held in Strasbourg, France from January 21 to 25, 2002.

• (1010)

[English]

**Mrs. Carolyn Parrish (Mississauga Centre, Lib.):** Mr. Speaker, pursuant to Standing Order 34(1) I have the honour to present to the House, in both official languages, the 12th report of the Canadian NATO Parliamentary Association which represented Canada at the joint meeting for the defence and security, economics and security, and political committees of the NATO parliamentary assembly held in Brussels, Belgium and France from February 17 to 20, 2002.

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## COMMITTEES OF THE HOUSE

### CITIZENSHIP AND IMMIGRATION

**Mr. Joe Fontana (London North Centre, Lib.):** Mr. Speaker, I have the honour to present, in both official languages, the third report of the Standing Committee on Citizenship and Immigration, a report entitled "Building a Nation". This is a precedent setting review of the regulations of the Immigration Act.

I want to thank, on my behalf, all the members of the committee, the minister, the department and all those Canadians who have made it possible to bring their views forward to this parliament.

*S. O. 52*

Pursuant to Standing Order 109, your committee requests the government to table a comprehensive response to this report.

## HUMAN RESOURCES DEVELOPMENT AND THE STATUS OF PERSONS WITH DISABILITIES

**Mrs. Judi Longfield (Whitby—Ajax, Lib.):** Mr. Speaker, I have honour to present, in both official languages, the seventh report of the Standing Committee on Human Resources Development and the Status of Persons with Disabilities entitled “Getting It Right For Canadians: The Disability Tax Credit”.

Pursuant to Standing Order 109, your committee requests the government to table a comprehensive response to the report.

I want to take this opportunity to commend the member for St. Paul's, who chairs the Subcommittee on the Status of Persons with Disabilities, and those members of her committee who worked diligently on this report.

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## PETITIONS

## YUGOSLAVIA

**Ms. Colleen Beaumier (Brampton West—Mississauga, Lib.):** Mr. Speaker, direct flights from Canada to Yugoslavia began in the seventies. In 1992, sanctions were imposed on Yugoslavia and transatlantic flights were discontinued. Sanctions were lifted in August 2001.

I have over 300 signatures here petitioning and calling upon parliament to promote the resumption of direct transatlantic flights from Canada to Belgrade for the benefit of the Yugoslavian community of Canada.

\* \* \*

[Translation]

## QUESTIONS ON THE ORDER PAPER

**Mr. Geoff Regan (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, I ask that all questions be allowed to stand.

**The Speaker:** Is that agreed?

**Some hon. members:** Agreed.

\* \* \*

[English]

## REQUEST FOR EMERGENCY DEBATE

## FISHERIES

**The Speaker:** The Chair has notice of an application for an emergency debate from the hon. member for St. John's West.

**Mr. Loyola Hearn (St. John's West, PC/DR):** Mr. Speaker, recently in the House we have had emergency debates on softwood lumber and agricultural problems, both of which are extremely important. The issue I raise today is certainly of that magnitude, if not beyond, in relation to the effect foreign overfishing in our fishing grounds is having on Atlantic Canada. I raise it today because of a few incidents that have happened recently.

Mr. Speaker, if you had been with us during the past week as we visited Newfoundland and witnessed firsthand the effect of foreign overfishing on that province, as well as the rest of Atlantic Canada, I would not be making this argument for a debate.

The mayors of towns that have been devastated told us that they were praying for no snow because they could not afford to clear the roads and that they were looking to see which light they could remove to save \$20. These are towns that have been devastated by a lack of resources.

Recently our Canadian delegation attended the NAFO meetings. I want to quote from its report. It states:

The Canadian assessment confirms: directed fishing/excessive by-catch of moratoria species; exceeding allocations/misreporting catch; directed fishing after closure; increased frequency of mesh size violations; increase in issuance of citations of apparent infringements; non-submission or late submission of observer reports.

Canada presented three major resolutions in relation to mesh size increase, depth restrictions and, of course, overfishing. They were disregarded and completely turned aside by other countries. We have had more infringements this past year than we have had during the past seven or eight years.

Recently we heard that Fishery Products International was threatening to lay off half of its workforce, 600 or 700 people in the Burin Peninsula, because of lack of resources. That would equate to about 15,000 layoffs in Ontario.

The 30,000 people who have been affected by the fishery in Newfoundland would equate to something like 600,000 people in Ontario. If 600,000 people in the auto industry in Ontario were laid off today we would certainly be having an emergency debate.

Yesterday a boat was detained in Canada for polluting our waters. It was pumping its bilge waters into the ocean. When the boat was brought into port it was discovered that it had in its hold an estimated 60 to 80 tonnes of mature, breeding cod, codfish that are under a moratorium. A sister ship, which was on its way to Newfoundland when it heard the news, changed course and went to Iceland.

Atlantic Canada is being wiped out because other nations are raping our resources and paying no attention to either Canada or the NAFO organization to which we belong. It is an issue that has to be addressed immediately. It is not something we have months, years, days or even minutes to work on. It is something that should have been worked on long ago. The government must take action immediately and we need to direct the government as to what to do.

I know I have the support of the members of the fishing committee in this request. We ask for a positive answer to the request for an emergency debate on this issue that affects all of Atlantic Canada and the economy of the country generally.

● (1015)

**Mr. Brian Pallister:** Mr. Speaker, I would like to rise in support of the application for emergency debate.

## SPEAKER'S RULING

**The Speaker:** That is very generous but the rules do not permit it. The rules require that the Chair hear from the person who sent the letter and I have done that. I appreciate the hon. member for Portage—Lisgar's enthusiasm and I sense that also of the hon. member for Okanagan—Shuswap who I suspect was rising for the same reason now that I see them smiling.

I have heard the submissions of the hon. member. I agree with him and I am prepared to grant the emergency debate requested. That will take place this evening at 6.30.

**Ms. Judy Wasylycia-Leis:** Mr. Speaker, I rise on a point of order. I am wondering if I could have unanimous consent of the House to revert back to tabling of petitions for a moment.

**The Speaker:** Is there unanimous consent to revert?

**Some hon. members:** Agreed.

\* \* \*

## PETITIONS

## GENETICALLY MODIFIED ORGANISMS

**Ms. Judy Wasylycia-Leis (Winnipeg North Centre, NDP):** Mr. Speaker, I appreciate the opportunity to table a petition before all members in the House on an issue of significance to many Canadians.

The petitioners call upon parliament to implement legislation for clear labelling on all genetically engineered seed and foods derived from, processed with, containing or consisting of genetically engineered organisms before they are released into any and all commercial markets.

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**GOVERNMENT ORDERS**

[English]

**SPECIES AT RISK ACT**

The House resumed from February 26 consideration of Bill C-5, an act respecting the protection of wildlife species at risk in Canada, as reported (with amendment) from the committee, and of the motions in Group No. 3.

**Mr. Brian Pallister (Portage—Lisgar, Canadian Alliance):** Mr. Speaker, I will do my best to get as much as I can into my six minutes, Sir, because this is an important issue that concerns all of us.

I had the privilege of serving in the Manitoba legislature for a time. I met a lot of great people and made some good friends there. One of those friends is Harry Enns, who has the Commonwealth's record for the longest period of service in a legislature. I believe he is now into his 31st year. I could be mistaken on the exact time, but he has been there a long time and has done a tremendous job. When I was talking to him one day he said that he feared most for people when the legislature was sitting, not when it was adjourned. He said the reason for his fear was that those in the legislature felt that they must legislate and that the laws they made did less than was hoped for and in fact sometimes did the opposite of what was hoped for.

*Government Orders*

Such is the case with this species at risk legislation. It continues a sad record on the part of the government of legislating with good intention, I believe, but despite that good intention legislating for an adverse consequence. I could cite Bill C-68 as an example whereby legislation was brought forward with the intention of reducing the incidence of violent crime and protecting society and making it safer, but the opposite will occur. In fact, the perverse outcomes of such legislation, as misguided as it is, are already becoming apparent.

The animal cruelty act before the House now is another good example of that type of thing. Legislation that essentially has been designed with good intentions to protect the puppies and kittens of urban communities may have a very damaging impact on the people who engage in livestock businesses and enterprises and who actually, because of their mutual relationship and dependency upon that livestock, treat their livestock with incredibly effective kindness. The reality is that this kind of legislation will have a negative consequence for those whom it is making victims, and yet it will not have the positive outcomes that we might hope for, those of protecting animals, reducing crime or, in this case, protecting species at risk.

Harry Enns was quite right in his observations. A wise man should be honoured and respected for his views, and I respect Harry Enns' views.

I quickly want to review each of these pieces of legislation. The species at risk legislation before us is one example, but Bill C-68, the animal cruelty act and this piece of legislation have several things in common. First, they focus on penalties. They do not emphasize reward.

For example, there is no reward in Bill C-68 for gun owners who volunteer to run hunter safety programs to teach children how to manage and handle firearms properly. As well, under this legislation there are no rewards or incentives in place for people, for farmers and landowners and so on, that would appreciate the respect they deserve for the handling or management of the terrain where species that are at risk may make their homes.

Some of the best stewards of the environment I have met in my life are farmers, landowners, hunters and fishermen. They live with an understanding of the benefits they accrue from the nature around them. They appreciate that and want to sustain it for the long term for their children, their grandchildren and generations beyond.

These misguided pieces of legislation share that lack of reward or incentive. As well, not one of these pieces of legislation has been subjected to the proper forward planning. Cost benefit analysis has not been done. We do not know what the costs of this piece of legislation may be. We do not know what the full costs of the animal cruelty act will be because the evaluation of those particular aspects has not been done. How then can we weigh the so-called benefits that may accrue with the cost that the taxpayers of Canada are being asked to incur in putting the legislation into place?

*Government Orders*

• (1020)

We cannot do a proper evaluation because that work has not been done. I will not quote him but I know the minister has said he does not know what the actual costs will be in the future. In terms of things like compensation for damaged or lost habitat or farmlands taken out of production because a species likes that piece of land, he has not spelled out specifically in the bill what kinds of compensation will be made available for landowners who are asked to sacrifice their ability to provide for their own families. They are asked to accept that he will put it in the regulations, later on maybe, possibly, but maybe not. We do not know.

It is the same uncertainty we saw with Bill C-68. The estimated costs of putting that program into place have been exceeded time and time again. The exemptions and the lack of participation in the program will inevitably mean that law-abiding people are treated as criminals come January 1 of next year under Bill C-68.

Such is the assumption with this bill. We assume guilt with the species at risk act. We assume farmers are guilty, that they are of a guilty mind. Even before we have evaluated what the circumstances may be, we begin with the assumption of guilt.

This is the kind of thing that I have seen far too often with the government. The willingness to pit rural people against well intentioned urban beliefs is something that I find to be fraudulent thinking. Urban people care about pets, but so do rural people. We care deeply about them. We want to treat them well and fairly. When rural people are concerned about a species at risk, that is a legitimate concern. Rural people want to see legislation that works, though, and the fact of the matter is that this legislation will not work. This pitting of rural people against urban people has gone on for too long, it is counterproductive and it is particularly evident with this piece of legislation.

Most of all, the goals that are the origin of these pieces of legislation I cite today are laudable goals. We share those goals: a safer country, species at risk that are less at risk, and animals treated well and fairly. We want to see these things happen, but they will not happen with this kind of legislation. The way the legislation is structured, it is designed to penalize and make victims out of the people who are very likely the greatest source of the solution to the problem and who should not be depicted as being the problem.

In closing, let me say that the government said in its throne speech last year that farmers should get beyond crisis management. So should the government. In the last three or four weeks we have seen the defence minister, Mr. Gagliano and others create crises for the government. How does the government respond when it is attacked? It sets up committees to create the impression of openness, then shuts them down. It uses deception. It uses anger because it has anger. It shows frustration because it has frustration. Why would farmers and landowners not react the same way? They will, and because of that they will take the same necessary steps the government is taking. They will cover up, they will shovel over and the legislation will not work.

• (1025)

**Mr. Maurice Vellacott (Saskatoon—Wanuskewin, Canadian Alliance):** Mr. Speaker, I will clarify where the Canadian Alliance stands in respect to Bill C-5, the species at risk bill. The Canadian

Alliance is committed to protecting and preserving Canada's natural environment and endangered species, let there be no mistake on that.

Alliance members do not believe Bill C-5 would work without guaranteeing fair and reasonable compensation for property owners and resource users who suffer losses. We have farmers and ranchers in our constituencies. These individuals want to protect endangered species, but they should not be forced to do so at the expense of their own livelihood.

We have insisted along the way that criminal liability must require intent. The act in this case would make criminals out of good people who may inadvertently and unknowingly harm endangered species or their habitat. This is unnecessarily confrontational and makes endangered species a threat to property owners. We need of a co-operative approach, not the confrontation that seems to be a part of Bill C-5. We need co-operation with the provinces.

The 1996 national accord for the protection of species at risk was a step in the right direction. It needs to be developed co-operatively. Instead, Bill C-5 would give the federal government the power to impose its laws on provincial lands. Since it is left completely at the minister's discretion landowners do not know if and when the shoe would drop. Instead of working with the provinces and property owners the federal government seems to be producing uncertainty and a climate of resentment and distrust as well.

The government wants to amend along certain lines only. In effect it is reversing many of the positions taken by Liberal MPs on the environment committee. Unfortunately that is another example of some top down control of bureaucrats who wanted a particular way. It shows a contempt or a disregard for government members and members across the way in the opposition benches as well.

The government has no idea what the socioeconomic implications of the legislation are and what the costs would be over time. In the minister's information supplement of October 2001 the Minister of the Environment said:

Environment Canada is aware that compensation for restrictions on the use of land is a complex issue that requires careful consideration and innovative thinking. We will need several years of practical experience in implementing the stewardship and recovery provisions of the Species at Risk Act (SARA) before we can be precise in prescribing eligibility and thresholds for compensation.

In speaking to the standing committee on October 3, 2001, the minister explained why he could not guarantee compensation in Bill C-5. He said:

We then got deeper and deeper into this and it became more and more of the proverbial swamp, and more and more difficult to do partly because, of course, governments should not pass legislation which is open-ended in terms of funding. We have fiscal responsibilities which, as you can well imagine, are fairly strict on us. Forty-five million a year is what we've given to run the process and that's what we can expect and that's it.

*Government Orders*

Any fair minded person in hearing this today would understand that would be a red flag. Is it not essential that the costs on industry and property users, the cost on government in terms of enforcement resources, be known before the government introduces legislation with such far reaching implications?

In particular, we want to know and have a little more close approximation of what the bill would cost farmers, fishermen, loggers, ranchers and so on. We want to know what the government's compensation costs would be as well. Without that information individuals cannot plan and government does not know what costs are being passed on.

The Canadian Alliance proposes in Motion No. 15 that:

The purposes of this Act, outlined in subsection (1), shall be pursued and accomplished in a manner consistent with the goals of sustainable development.

That is very important. That is closely related to socioeconomic interest because it requires that a balance be struck between the environmental goals and the needs of the taxpayer. Without considering this important aspect of sustainable development environmental laws could quickly become the goose that lays the golden egg so to speak.

● (1030)

Worrying about endangered species is only something that prosperous economies can afford to do because someone must pay for it. Economic desperation will be no friend to species at risk so we must put that forward.

The species at risk working group was made up of representatives from a broad range of environmental and industry groups among them the Canadian Wildlife Federation, the Sierra Club, the Canadian Pulp and Paper Association and the Mining Association of Canada. When they appeared before the House standing committee in September 2000 they said the purpose of the act should be pursued to the extent possible while taking into account the social and economic interests of Canadians. That is a reasonable amendment that should be accepted by the House.

We put forward Motion No. 3 which would require socio-economic interests to be considered in the legal listing of species. The bill would already provide that it be considered in developing recovery measures.

Another great concern is the minister's discretionary power, and that can be a scary thing. The minister can decide whether compensation would be given or not. He would have the power to decide how much compensation would be paid. The minister would decide whether provincial laws are effective or not and whether the federal government would step in to impose the law. That is the kind of wide powers the minister would have and that kind of discretion is the opposite of transparency.

The government has refused to provide any proper draft legislation about the process for compensation, who would qualify and how much one would receive. Those are pretty critical and essential points.

Where is the technical amendment which would provide a predictable process for property owners to seek compensation? The all party committee of the House said that the minister must draft

regulations but the government wants to stay away from that obligation. Where is the technical amendment which would set out the criteria the minister would use to determine whether a province's laws would be effective or not? The committee put some criteria into the bill, but the government wants to take that out as well.

The process for action plans and recovery plans needs to be transparent and so must the process in other areas as well.

I find most distressing the fact that farmers and ranchers and those kind of people can be some of our best allies. Providing incentives for habitat protection by promoting good management practices is a good thing. The Canadian Alliance supports stewardship and incentives for protecting habitat. We strongly believe that farmers and ranchers are some of the best conservationists. Their stewardship initiatives must be acknowledged and encouraged.

I speak for farmers in my constituency of Saskatoon—Wanuskewin when I say that farmers understand the importance of maintaining a healthy environment. Farmers, ranchers and agricultural people are primary stakeholders and as such their rights need to be respected in the bill before us today.

There is no myth, confusion or misinformation about Canadian Alliance policy. We are committed to protecting and preserving Canada's national environment and endangered species as well as the sustainable development of our abundant natural resources for the use of current and future generations.

The Canadian Alliance maintains that for any endangered species legislation to be effective it must respect the fundamental rights of private property owners. We believe that co-operating with land owners and resource users, the environmental frontline soldiers, is critical to the success of protecting endangered species. Full co-operation means full compensation and that is only fair and just support. Full compensation provisions must be clearly spelled out in the bill and the regulations. Land owners and resource workers across this country are hurting and cannot take any more economic hardship from the federal government.

Politicians should have some say on the legal listing of species but the public needs to be able to review and comment on it. We have concerns about criminal liability and moving so quickly on people. We need to have that better defined. For these and a number of other reasons we unfortunately will not be able to support the bill.

● (1035)

Bill C-5 does not measure up, as we would say, and therefore the Canadian Alliance is vigorously opposed to Bill C-5 in its current form. We unfortunately cannot support it because we believe that some day we will rue the day because of the implications and the fallout from this particular bill.

**Mr. Chuck Cadman (Surrey North, Canadian Alliance):** Mr. Speaker, once again I am here in the House to talk about Bill C-5, the species at risk act. It is troubling to me that as usual the government is content to forge blindly ahead with legislation without any real idea of what the financial impact of the law would be on the country and the taxpayers.

*Government Orders*

I would like to spend some time discussing the socioeconomic implications of this proposed legislation. The protection of the environment is a very important priority to most if not all Canadians.

I come from British Columbia, arguably some of the most beautiful territory in the country. Last summer I spent two weeks driving around British Columbia. I put on about 4,300 kilometres just driving to different parts of the province to get a feel, as I often do, for what that province is really all about.

I recall driving up through Cariboo-Chilcotin, in semi-arid desert, Prince George, Prince Rupert, over to Terrace then to the Skeena River, a huge salmon river. I took a ferry across to the Queen Charlotte Islands and spent four or five days there. I recommend that anyone who wants to see what Haida Gwaii is all about should take a trip to the Queen Charlottes and spend some time there. I spent some time at Rennell Sound, at Bonanza Beach, where there are huge expanses of beach two miles long with no one around for miles, with eagles, bear and deer. This is what British Columbia is all about.

British Columbians, maybe more so than anywhere else in the country, understand what the environment is about and how important it is to protect these species. I went into the Kootenays, to the western slopes of the Rockies, to Blue River, and down into the Okanagan, beautiful territory and environmentally sensitive. We understand what that is all about.

However I believe that it is equally important to Canadians that our environment be protected in a way that is economically sustainable. To this end the Canadian Alliance has put forward Motion No. 3 which has been grouped in the third bundle of amendments to Bill C-5. It would require that the socioeconomic interests be considered in the legal listing of species.

The bill would already provide that economic considerations be considered when developing recovery measures. COSEWIC, the committee on the status of endangered wildlife in Canada, is charged with developing the list of endangered species and habitats from a purely scientific perspective. It is the cabinet which has the final say. This unfortunately opens the door for political considerations to dominate the process. We are saying the economic considerations should be part of the considerations as the list would have a definite impact on the Canadian taxpayer.

The Canadian Alliance has also proposed Motion No. 15. It says that:

The purposes of this Act, outlined in subsection (1), shall be pursued and accomplished in a manner consistent with the goals of sustainable development.

This is closely related to socioeconomic interests because it requires that a balance be struck between the environmental goals and the impact on taxpayers. Without considering sustainable development environmental laws could quickly kill the goose that lays the golden egg.

Consideration for endangered species is something that only prosperous economies can afford because someone must pay for it. As the previous speaker suggested, economic desperation will be no friend to species at risk. Someone must pay for this stuff and if we do not have an economy to support it, it will not be very friendly to the species at risk which it is trying to help in the first place.

Is it not essential that the cost to industry and property owners, not to mention the cost to governments in terms of enforcement resources, be known before the government introduces legislation with such vast implications? In particular, we must know what the bill would cost farmers, fisherman, loggers, ranchers, et cetera, and what the government's compensation provisions would be. Without this information, individuals cannot plan and governments cannot know what costs are being passed along.

One of my staff members in the constituency office of Surrey North is a member of a family that owns one of the oldest ranches in the Nicola Valley outside of Merritt. I had the pleasure to spend about a week on that ranch a couple of years ago. It was during calving season, but that is a whole other issue. It was quite an experience for someone who lives in the city to be on a cattle ranch during calving season.

• (1040)

I talked to my staff member's brother about the co-operation he shows with Ducks Unlimited to preserve habitat on his ranch, as do all ranchers. These folks understand what the environment means to their livelihood.

The government apparently has no idea of the socio-economic implications of the legislation. They could not be made any clearer than in the following statements from the ministry and the minister. The minister's information supplement from October 2001 says:

Environment Canada is aware that compensation for restrictions on the use of land is a complex issue that requires careful consideration and innovative thinking. We will need several years of practical experience in implementing the stewardship and recovery provisions of the Species at Risk Act (SARA) before we can be precise in prescribing eligibility and thresholds for compensation.

In explaining why he could not guarantee compensation under Bill C-5 the minister said at the standing committee on October 3, 2001:

We then got deeper and deeper into this and it became more and more of the proverbial swamp, more and more difficult to do partly because, of course, governments should not pass legislation which is open-ended in terms of funding. We have fiscal responsibilities which, as you can well imagine, are fairly strict on us. Forty-five million a year is what we've been given to run the process and that's what we can expect and that's it.

The environment minister was admitting he did not know the costs or the implications. He said he was pretty sure they would be more than \$45 million a year. How much more? Has he produced studies? Can he give any idea? He says he does not want to undertake open ended spending commitments. That is fine for the government but Bill C-5 is open ended in terms of what it would cost Canadian property owners. The minister and the government would not pay for it but they would have no problem forcing others to absorb the costs.

The Species at Risk Working Group represents a broad range of environmental and industry groups including the Canadian Wildlife Federation, the Sierra Club of Canada, the Canadian Pulp and Paper Association and the Mining Association of Canada. In its presentation to the standing committee in September 2000 it recommended as an amendment that:

The purposes of this Act shall be pursued to the extent possible while taking into account the social and economic interests of Canadians.



*Government Orders*

With these facts in mind I hope the government and the opposition parties see the sense in the Canadian Alliance amendments and vote in favour of them. Otherwise we cannot support the legislation. As I said, we understand the implications of species at risk and the need to protect them, as do all Canadians. However we must consider the implications before we do so.

● (1045)

**Mr. Ken Epp (Elk Island, Canadian Alliance):** Mr. Speaker, I am honoured to stand in the House of Commons to represent not only the people of Elk Island and Alberta but the people of Canada.

As members know, I am mathematically oriented. I just did a calculation. Today is the 3,069th day since I was first elected. What we have accomplished here? I like to think we have had successes as the opposition. We have had some influence on government policy. However I am increasingly frustrated that the work of committees and parliamentarians is continually being stifled in this place. We see it again in Bill C-5.

When we look at Bill C-5, the species at risk act we are debating today, we see a number of amendments. It distresses me more than anything that the government has chosen to put forward amendments which would undo some of the work of the committee. It is regrettable.

How do we hold a government accountable when it has a majority as the Liberal government does? I think even the Prime Minister and members opposite want to do what is best for Canada. How can that happen if the government routinely ignores the sage advice of expert witnesses from the scientific world and members of parliament who report the concerns of the constituents they all serve? When members of parliament work hard in committee to come forward with amendments and the government reverses the amendments at report stage we must shrug our shoulders and ask what we are doing here. What is the point?

We have made the presentation. Why does the government not accept some of the amendments? Why does it not use common sense instead of the bull headed approach it insists on using?

We are addressing a number of the Group No. 3 amendments today. We need to listen carefully to what the witnesses and technical experts have said. One thing that concerns me is that information coming to the committee has been ignored, especially information from technical experts. I am concerned that the bill's definition of wildlife species would be amended by one of the government's motions. Bill C-5 currently defines a wildlife species as:

—a species, subspecies, variety or geographically or genetically distinct population of animal, plant or other organism, other than a bacterium or virus, that is wild by nature and

(a) is native to Canada; or

(b) has extended its range into Canada without human intervention and has been present in Canada for at least 50 years.

This is the definition accepted by scientists and most thinking people as acceptable and workable. This was the thinking of the witnesses and the recommendation of the committee.

Lo and behold, when the bill came back to the House the government put forward Motion No. 9 which would go back to the generic, mushy definition of "biologically distinct population".

● (1050)

What does the government mean when it says biological? I do not know if hon. members remember the biology they studied at university when they were young or whether they did. I distinctly remember studying biology in both high school and university. One of my goals was to become a researcher in neurology. It was one of the things I thought might do although I subsequently changed my mind. As members know, I became a mathematics instructor.

When I was studying biology it was the big group. The term biology includes the animal kingdom and the plant kingdom. Biology means any life. That is what it is. It is about biological organisms. It is not a definition. It is a wide, sweeping scope that does not define anything.

I am going strictly from memory. I did not bother writing this down. I am reaching back 40 years or more since I graduated from university. I cannot believe the years have slipped by so quickly. I distinctly remember that after the term biology in terms of specifications we had a kingdom, then a phylum, a class, an order, a genus and a species. I hope I remember it correctly. My biology teacher would be downright proud of me for having the subclassification system correct after all these years.

When defining organisms we need to get right down to the species. We must be precise in our definition of endangered species and wildlife species. Otherwise we will swim around in a vast sea of the unknown and courts and lawyers will have a heyday trying to figure it out.

I am distressed about another element which would come about as a result of Bill C-5. Farmers, ranchers and other people with an interest in the habitat of endangered species would be harassed. If they went on fishing expeditions they could be charged with destroying the habitat of endangered species. They would have to defend themselves whether it was true or not.

Over and over in the House we from the west have tried to get it into the heads of Liberal members, those who control the government, that there is a major crisis in agriculture in western Canada. It used to be that farmers were struggling to make ends meet with margins of 3%, 4% or 5%. When that margin disappeared the profit level was gone. The ability of farmers to earn a living for their families disappeared. Today more farmers than not are struggling with negative numbers. Their input costs exceed their income due a whole bunch of factors.

Can members imagine the distress our farmers feel? They are being threatened by species at risk legislation which could put them in jail, fine them and cause them to incur huge legal costs to defend themselves. At the same time the legislation before the House lacks clear and precise definitions.

*Government Orders*

The fact that government bureaucrats came up with the wording four or five weeks ago does not mean it is automatically right the first time. When witnesses in committee advise us of better ways of doing things why do we not humbly accept their advice and make the changes? The committee tried to do so. The all party committee agreed. The bull headed government then said no. It said it would undo it even though it was not there to hear the arguments or listen to the expert witnesses. I find it distressing.

• (1055)

Mr. Speaker, you are signalling me that I have eight seconds left so I have to wind down. I have appreciated the time very much.

**Mr. Darrel Stinson:** Mr. Speaker, I rise on a point of order. We are debating a very important piece of legislation and I just do not see a quorum in the House, nor have I seen a quorum in the House for quite a while.

**The Acting Speaker (Mr. Bélair):** There is a call for quorum.

*And there being only 16 members present:*

**The Acting Speaker (Mr. Bélair):** There is no quorum. The bells shall not ring for more than 15 minutes.

Call in the members.

• (1100)

[*Translation*]

*And the bells having rung:*

**The Acting Speaker (Mr. Bélair):** Now that we have a quorum, resuming debate. The hon. member for Calgary West.

[*English*]

**Mr. Rob Anders (Calgary West, Canadian Alliance):** Mr. Speaker, I am so glad to have an audience today. The last member did not have one so I am glad to see all the bright, smiling government faces across the way with even a few ministers in the mix. It warms the cockles of my heart. Many times have I walked down the aisle with them, but this one gives me joy.

For the folks at home who may be watching today and wondering what the shenanigans are all about, it is about legislation the Minister of the Environment is putting forward. It amounts to taking money out of the hands of farmers, fishermen, loggers and ranchers without fair compensation. That is what it boils down to. Let us get to the heart of it.

The bill is based on American legislation that has been in place for 25 years and has wasted millions of dollars. As best as the Americans can figure out, after 25 years and millions of dollars of taxpayer hard-earned sweat-soaked funds, it has saved four species, despite the fact that over 1,154 animals and plants were listed.

I do not have a calculator with me. The member right next to me is rather fond of calculators and mathematics though and I am sure he could figure out for me what percentage four out of 1,154 would be. I know it is less than 1%.

**Mr. Ken Epp:** It is three-tenths of 1%.

**Mr. Rob Anders:** I thank the member for Elk Island for informing me that it is three-tenths of 1%.

In other words, in the United States when the legislation was introduced for species that were deemed endangered, three-tenths of 1% were actually positively affected with regard to the legislation. In other words, it has a 99.7% failure rate.

Let me repeat that one more time. I want it to sink in. Maybe it will sink in for the government members across the way. I notice there are a lot less of them now since the quorum call. It is amazing how that works around here. They have disappeared. They are really not that concerned.

There is a 99.7% failure for the American bill on which the one we are debating is based. Let us get this straight. The government is expecting us to toss in millions, possibly hundreds of millions, maybe billions of dollars for a 99.7% failure rate.

I want that to sink in because I will ask a list of questions. I think these questions should be asked with regard to any piece of legislation that comes into this place.

Is it within the jurisdiction of that legislature to deal with it? I would argue in this case that with regard to property rights, mineral rights and all those sorts of things, I really wonder whether or not the federal government should be marching ahead with this given the fact it is not doing the proper consultation with the provinces. There are provinces that have issues with this.

Aside from jurisdictional issues, what sword upholds the covenant? All laws that are made in this place must be enforced if they are to be law or to be effective at all. Otherwise they are nonsense upon stilts, as Jeremy Bentham would have said. What sword upholds the covenant and is the sword just?

When that sword comes down on the necks of farmers, fishermen, loggers and ranchers and takes from them their livelihoods or their prosperity and violates their right to personal and private property, that is an unjust sword wielded by an autocratic and top down demagogic government. It does not help those people who are on the front line for the preservation of those lands because they are theirs, or for the species, the plants and animals that live on those lands. It is an entirely unjust sword the government wields today.

• (1105)

Will what the government is proposing with this third group of amendments solve the problem? My demonstration with my able colleague from Elk Island and his calculator proves that there is a 99.7% failure for the legislation that this bill is based upon. It does not solve the problem.

The question which therefore arises is why the expense to the taxpayers? Why the waste of their time? Why the lack of priority on the part of the government to list a problem, but then when it tries to come up with a solution it chooses one that fails 99.7% of the time. It does not solve the problem. As a matter of fact the American experience with this very law proves that it makes the problem worse.

*Government Orders*

I ask you, Mr. Speaker, to put yourself in the position of a farmer, a fisherman, a logger or a rancher. It is very tough for some of the members in this place as they stare at me with their patronizing, I think is the word I would use, looks. What they have over there is ego over common sense. What they have over there is elitism over the interests of the average people who will be dealing with this legislation.

For the people, the farmers, the fishermen, the loggers and the ranchers on the front lines of this legislation, it will mean that if they happen to think they have a potentially endangered species on their land, it will either make the land useless to them so that they cannot do anything with it, cannot have it for resale and therefore it will drive the value of the land down. Human interest, the normal affairs of things would say that a lot of people would not respect the government, and I am trying to find the word here, the law being a bit of an arse, they would not respect it. What they would do is they would go ahead and try and liquidate that problem. That is exactly what has happened in the United States.

What has wound up happening is that a lot of endangered species in this case have actually been dealt with harshly because there was not fair compensation.

This does not solve the problem. Actually it is not even neutral to the problem. It actually makes the problem worse.

What fruit will the legislation bear? If the fruit that it bears is that it makes the problem worse, it is 99.7% inefficient or failing and it costs a lot of money and it negatively impacts the people whom it is supposed to directly impact, the farmers, fishermen, loggers and ranchers, who is the government serving? What fruit is this bearing?

The question that flows naturally from it is who wants it? Certainly farmers, fishermen, loggers and ranchers do not want the legislation. By the way, my constituency is largely an urban one. However, on the edge of my constituency there are ranches with cattle roaming about them because it is Alberta. There are people who have their farms at the very edge of my riding, on the outskirts of the city. They do not want the legislation. I have talked with them. I have met them when I travelled around, even in the surrounding constituencies. These people do not want this legislation. Who does it serve?

It probably serves some self-serving Liberals across the way who have it hard written into them with a hard heart toward these taxpayers who pay their salaries that they are going to impose this law on them despite the fact that it does not actually solve the problem. Who wants it? A few Liberals do and frankly, that is not good enough as a test.

**An hon. member:** They just do not want private ownership of land.

**Mr. Rob Anders:** That is right. They are opposed to the private ownership of land.

Another question is, does the bill attack a straw man? Yes it does. It is building up this straw man of being able to defend the interests, if you will, of these endangered species.

● (1110)

Actually it falls so short of doing that. In a sense it is flailing at straw because there is nothing there. It tries to make farmers, fishermen, loggers and ranchers into evil beings when indeed they are the stewards of the land.

I have three final questions. How much will it cost? The minister does not know. Who will pay for it? Not the government. Would it pass in a referendum? When we leave it to the people to whom it would directly affect, it would not. It fails by all counts. Shame on the government.

[*Translation*]

**Ms. Pauline Picard (Drummond, BQ):** Mr. Speaker, I am very pleased today to speak to the proposed amendments to Bill C-5 that make up the third group. The House will recall that Bill C-5 replaces Bill C-33, an act respecting the protection of wildlife species at risk in Canada.

This leads me to comment more specifically on the amendment introduced by my colleague, the member for Rosemont—Petite-Patrie, who is the Bloc Québécois critic for the environment. He proposes amending clause 56 of the bill, which reads as follows, “the competent minister may...establish...national...guidelines with respect to the protection of” species.

Yet the second statement of the accord signed in 1996 stated that the minister will establish “a Council of Ministers that will provide direction, report on progress and resolve disputes”.

It seems to me as though this government is obsessed with establishing national standards from one end of the country to the other, imposing them in areas that come under provincial jurisdiction. The species at risk act is yet another example.

Clause 56 would allow the government, as I said earlier, to establish codes of practice and impose national standards or guidelines, yet the federal government is not responsible for most of the lands involved and has no power over the resource management in these areas.

Therefore, this clause not only violates the division of powers set out in the constitution and interpreted as such over the years, but it also grants broad discretionary powers to the Minister of the Environment.

This bill interferes directly in provincial areas of responsibility and excludes the provinces from making real and direct contributions to the process. Existing laws are ignored. It is an outrage.

Of course, the protection of certain species is only effective if their habitat is also protected. But it is up the provinces to manage this in co-operation with the various stakeholders involved.

Despite the fact that the minister theoretically supports shared responsibility between the federal government and the provinces for the protection of species at risk, first, he is disregarding the division of powers and the provinces' responsibilities in managing habitat and protecting species; second, he is ignoring laws that already exist; and third, he is assuming extremely broad powers to protect species. The federal government is therefore going against real environmental harmonization between the different levels of government.

*Government Orders*

I would also like to mention the position of environmental groups and industry which are opposed to this bill. The bill scares them. The main problem, which seems to have been raised by all these environmental groups, is the fact that the decisions on the designation of species will be taken by the minister and his cabinet, and not by scientists themselves.

Will somebody tell me what sort of decision the minister, who does not have the qualifications and has not studied this area, will take? They will truly be informed. He is excluding the scientists who have been studying these endangered species for years. The minister will tell them what to do simply because he is the minister. It is scandalous too.

Quebec's position on this bill has been expressed by Quebec's minister of the environment. When his federal counterpart first introduced the bill he said that it was just another useless development for Quebec. Quebec's minister said that not only was the bill introduced by the federal government designed to put in place a safety net for endangered species and their habitats on sites under federal jurisdiction but also throughout the territory of Quebec.

•(1115)

While the federal government may be responsible for protecting migratory species, it has no Constitutional authority—this government interprets the constitution when it suits its purposes—with respect to the management of habitats located in provincially owned lands. There can obviously be no question of the government of Quebec sitting by while the federal government invades areas of jurisdiction that do not belong to it and tells Quebec how to go about protecting its ecosystems, when Quebec already has legislation to protect endangered species and their habitats.

Quebec's minister said:

Quebec has always behaved in a responsible and appropriate manner regarding the protection of the most threatened fauna and flora species and intends to keep on exercising its authority in this matter. We will never accept umbrella legislation covering all the initiatives in this area.

In fact, the government of Quebec believes that legislation such as that proposed in the bill could be acceptable if it excluded any species or habitat under provincial jurisdiction and if it were applied to provincial lands if, and only if, the province or territory specifically so requested.

The Quebec government would not need to use such a provision, since it passed its own act in the late eighties. Indeed, the Quebec government passed the act respecting threatened or vulnerable species in 1989. It also passed an act respecting the conservation and development of wildlife, and fishing regulations. These three legal supports provide Quebec with the tools required to identify species at risk, to legally designate them as threatened or at risk, to protect their habitat and to develop implementation plans that provide sufficient protection for species and habitat that are in a precarious situation.

The situation is clear. The province of Quebec and its government do not need a federal act to encroach on its jurisdictions.

With the increasing rate with which species are disappearing, the situation is serious. It is true that effective action is necessary, but

does this bill really make a contribution to improving the protection of our ecosystems and of the endangered species in it? In our view, the answer to the two questions asked at the beginning is negative.

The Bloc Québécois completely supports the principle of providing additional protection for species. However we do not think the bill would improve the protection of threatened species. In fact, we are opposed to it because it constitutes a direct intrusion into many jurisdictions of Quebec that I just listed.

This bill is liable to create more red tape, rather than to make it possible for the limited resources to be properly channeled where they can do the most good. The government of Quebec is already legislating in the areas addressed by the bill. While acknowledging the urgency of improving the implementation of these statutes, we do not believe the bill will make it possible to achieve results.

We will not let this bill intrude in our jurisdictions. We already have an excellent act and we want to keep it.

•(1120)

[*English*]

**Mr. Scott Reid (Lanark—Carleton, Canadian Alliance):** Mr. Speaker, I want to address my comments today to the amendments in Group No. 3. The amendments have been divided into several groups. Group No. 3 deals with amendments on the theme of socioeconomic interests and public consultation.

A great deal of the work I have done in putting forward amendments to the bill was based upon public consultations in which I engaged in my own constituency on the subject of Bill C-5. This is a bill which has a different kind of impact and a different kind of response in rural areas as compared to urban areas.

My constituency of Lanark—Carleton is divided almost 50:50 rural-urban, so it seemed appropriate to me to consult with people in my constituency and inquire on how they felt about the bill. I had a tremendous amount of feedback and many suggestions and ideas which I tried to incorporate as best I could into amendments to the legislation, including some amendments in Group No. 3 and in some of the other groups. I believe I have put forward more amendments to the bill than any other member of the House.

Rather than speaking directly to any one amendment I thought I might deal with the theme of this group of amendments as a whole and the government's general treatment of this theme. Then I will speak to how it could be improved as a general thematic discussion.

I will start by talking a bit about the government's approach and the minister's approach to the theme of the bill's impact on socioeconomic interests. To frame that discussion I will be quoting somewhat extensively from the hon. minister's commentary before the Standing Committee on the Environment on October 3 of the year past. On the issue of compensation he said the following:

We then got deeper and deeper into this and it became more and more of the proverbial swamp, more and more difficult to do partly because, of course, governments should not pass legislation which is open-ended in terms of funding.

*Government Orders*

Do we not wish that were true with some of the other things to which the government commits? He continued:

We have fiscal responsibilities which, as you can well imagine, are fairly strict on us. Forty-five million a year is what we've been given to run the process and that's what we can expect and that's it.

A few days ago in the House it took us about 10 minutes to pass \$16 billion of expenditures, so one wonders why there is this tremendous concern about adding \$45 million in potential compensation costs to the government's budget.

This is indicative of the whole attitude of the minister toward the bill. It is an attitude which clearly could be dealt with, by the minister's own admission, for the very modest cost of \$45 million. That is modest for a government which measures its expenditures in the tens of billions of dollars and the liabilities it has imposed upon future generations of Canadians in the hundreds of billions of dollars.

Nonetheless, it is a matter that could be dealt with if we were to adopt some of the amendments that have come forward with regard to the bill. If that were done, the bill would transform from being something unpopular among farmers and rural landowners to something they could support.

We should not forget that no one is more naturally friendly to that environment than those who live in it. Those who live surrounded by our woodlands, our fields and our lakes are those who have the deepest and most profound attachment to woodlands, fields, lakes, plains and mountains. They more than anybody else want to enjoy the direct personal benefit of knowing they are husbanding and protecting endangered species.

● (1125)

The proposed solution can be found thematically described best in a piece of private member's legislation from a previous parliament. It was a piece of legislation proposed by Herb Grubel, former member of parliament for West Vancouver—Sunshine Coast. He was one of the most intelligent members of parliament to serve in the House in recent decades and one of four members of parliament when I was a researcher who I thought had the most profound grasp and intellect.

The other three included the current member for North Vancouver with whom I worked on issues relating to direct democracy; Preston Manning with whom I worked on issues relating to national unity; and our former national unity critic for the then Reform Party, Stephen Harper, who had an extraordinary intellect. He was a truly remarkable man and I am sure hon. members will appreciate having him in the House soon.

Herb Grubel and I worked together on a piece of legislation known as the balanced budget and spending limit act which in the 35th parliament was under the title of Bill C-213.

That piece of legislation contained a compensation provision which would serve as a thematic guide for the government in this piece of legislation or indeed in any similar piece of legislation where the government considers engaging in what the Americans refer to as a taking, that is to say, some kind of restriction upon property rights possibly in the form of actually taking that piece of property from the private owner and placing it in government hands,

moving it to some agency or simply restricting the use of that piece of property.

In the case of environmental legislation the most difficult kind of taking is a restriction upon use. One cannot, for example, cultivate a field, clear a woodlot or develop a subdivision because it is perhaps a nesting site. These are not unreasonable restrictions if some form of compensation is provided. By the government's estimate around \$45 million in compensation would be necessary to protect the various animal, bird, reptilian, plant, mollusk and fish species, et cetera.

Under the bill that Herb Grubel put forward this kind of obligation was referred to as a transferred burden, that is to say, a burden of expenditure which the government has taken and transferred to a private individual.

**Hon. Charles Caccia:** Mr. Speaker, I rise on a point of order. With all due respect to the hon. member, while it is extremely interesting to hear what a former colleague proposed with respect to a bill I draw attention to the fact that we are dealing with a group of motions.

The hon. member may want to address the substance of the group of motions before us rather than the substance of a private member's bill proposed by a previous member of the House.

**The Acting Speaker (Mr. Bélair):** I am sure the hon. member will tie in his previous remarks to the substance of the bill in the minute and a half he has left.

**Mr. Scott Reid:** Unfortunately it will be much harder to tie them in because of the fact that some of my time has been eaten up by the intervention of the hon. member. The point I was driving at was that this former piece of private member's legislation served as a thematic link to the amendments I have proposed in this group as well as some other groups of amendments.

The point I am attempting to make is that in that piece of private member's legislation, which is the ancestor of some of the amendments I put forward, the idea was that a transferred burden could be placed by the government on an individual if that burden were transferred along with compensation. Specifically under the bill the following wording occurred:

A party on whom a transferred burden is imposed is entitled to full and prompt compensation in an amount equal to the cost of the transferred burden.

Some amendments to this bill includes similar provisions. If such provisions were included there would be almost no opposition in rural areas among farmers, fishers, and others in Canada to this piece of legislation. I strongly urge members of the House to consider adopting some of the amendments which include this kind of compensation provision.

● (1130)

**Mr. Peter Stoffer (Sackville—Musquodoboit Valley—Eastern Shore, NDP):** Mr. Speaker, I rise today on behalf of the great people of Sackville—Musquodoboit Valley—Eastern Shore to address our serious concerns about the government's approach toward what should be one of the most important pieces of legislation the House ever sees.

### *Government Orders*

Unfortunately the government decided to ignore its own parliamentary committee, the nine Liberals who sit on that committee. We appreciate that it will ignore us, but the fact is that it ignored its own people. The report of that committee was unanimous in its concurrence in terms of the proposed amendments.

The individual MPs did not do it on their own. They heard evidence from many learned people across the country who have serious and grave concerns about the condition of our environment and the species within that environment. They worked very hard.

I speak for my colleague from Windsor—St. Clair and for all other MPs from various parties who worked on that committee to hash it out. Anyone who works on committees, as I do on two full committees, knows it is very difficult to come to consensus or to put together a report that is unanimous in terms of its recommendations or the concerns it wants to move forward. This is what that committee did, only to have the government turn around and reintroduce its own amendments.

The government has made a grave mistake. The original bill came to the committee and the “deeming” section on page 7 read:

For the purposes of the definition “wildlife species” in subsection (1), a species, subspecies or biologically distinct population is, in the absence of evidence to the contrary, presumed to have been present in Canada for at least 50 years.

The all party committee changed that to read that the definition of wildlife species now covers:

—a species, subspecies, variety or geographically or genetically distinct population of animals, plants or other organism.

That was not good enough for the government. It brought forward a motion in the name of the Minister of the Environment which reads:

That Bill C-5...be amended by replacing the following lines 11 and 12 on page 7 with the following:

“cies, variety or biologically distinct population of animal, plant or”.

Basically that means the government could say it will protect the Beluga whale in the St. Lawrence. However it will forget to tell us that there is a distinct population of Beluga whales in Hudson Bay. That population is genetically different and distinct from the one in the St. Lawrence. The Belugas in Hudson Bay are very seriously threatened by extinction. This amendment by the government will do nothing to protect them.

The government could say that it will do some protection in the St. Lawrence. It would be utter nonsense. All species in Canada should be treated with the greatest care. I just returned from a committee tour of the east coast. It was most unfortunate once again to hear very serious evidence of the raping and pillaging of our ocean resources in terms of fish stocks.

The government has not learned a thing from the cod crisis. Now the Atlantic salmon is in crisis. The turbot, the same fish Mr. Tobin bragged about in 1995, is clinging on by its fingernails. He is right now; it is hanging on. Another species, the redfish, is now in serious trouble.

What does the government do to protect those stocks? Absolutely nothing. It has learned nothing from the collapse of the cod stocks. Yet it calls itself fiscally responsible. After the collapse of the cod stocks \$4.2 billion Canadian were spent readjusting the east coast

fishery. It is still spending more. More and more species of fish are in serious decline. One of the greatest reasons for this is the serious overfishing within and outside the 200 mile limit of Canada's economic zone.

• (1135)

The other day we heard about a Russian trawler fishing within our waters and catching moratorium fish. We heard that Icelandic ships, which had a 67 tonne quota on shrimp and which should have taken no more than a couple of weeks to catch, were fishing for over 100 days on the Flemish cap. That can only result in a very serious decline in the shrimp stocks as well.

We found out the government knew in September that was happening. The former minister of fisheries, now the Minister of Natural Resources, and the former minister of industry, Mr. Tobin, knew very well that very serious infractions were happening on the east coast of Canada and they did absolutely nothing stop it. Thousands of people go unemployed, the biodiversity of the fish stocks is suffering as we speak and the government says nothing.

It pains me that the government ignores nine of its own members but it also pains me that it also ignores the scientific evidence of someone like David Schindler, a leading scientist and environmentalist in the country. He is not one for flippant remarks. When this man speaks he speaks wisely and cautiously. The government even ignores people of that stature.

It is unfortunate that we in the federal New Democratic Party cannot begin to even support the bill because of the serious flaws. We can only assume two things. Either the bureaucracy surrounding that department is completely inept and so out of touch that it is unbelievable, or the bureaucrats are giving clear information to their political masters and their political masters, because of their complete ignorance toward the protection of species within our environment, are overriding anything they are saying.

The tragedy of all this is that for every species we lose it brings us closer up the food chain to ourselves, and that is a tragedy and a legacy that we should not leave for our children's children.

It is unfortunate that the government continuously stalls, delays and thwarts any concentration of a consortium of effort of people working together to come up with long term solutions to protect the health of our country and the biodiversity of all the species within our country. I am simply beside myself as to why the government does that. Why is it so ignorant and arrogant when it comes to the aspect of this particular bill?

The people from that committee came forward with some wonderful amendments. They hashed out the bill and brought it back to the government only to have the government again thwart their very efforts. I have been on the environment committee many times and I can only imagine the frustration that those Liberals and the other opposition members who worked very hard on that must feel.

Why do we hear people from the Alliance constantly getting up and saying that committee work is a sham? In many ways they are right. I would like to disagree because I think committee work is a very valuable part of a parliamentarian's work.

*Government Orders*

**An hon. member:** It should be.

**Mr. Peter Stoffer:** It should be. The hon. member is right.

When we see things like this going on we can only shake our heads in full dismay.

In conclusion, I want to thank my hon. colleague from Windsor—St. Clair, all the members of the environment committee and all the people who presented to the committee, to the Government of Canada.

I only plead and beg for the government to stop this nonsense, accept the amendments brought forward by the environment committee, move quickly to protect the species within our country and move forward to a proper balance of our environment for all our children and their children's children.

• (1140)

**Mr. Jim Abbott (Kootenay—Columbia, Canadian Alliance):** Mr. Speaker, with your indulgence, before I speak to the bill and to the motions I want to acquaint you with the fact that I just received a telephone call from a constituent who raised a very interesting point. He is a senior in my constituency. He raised the point, with respect to the indexing of government pensions, that now we have a very peculiar situation in British Columbia.

As a result of the downloading of the government in Victoria, many of the costs, prescription and otherwise, that are facing him now are putting him in a position where he will be looking to the federal government for assistance to help him meet these costs. It is a very interesting situation in which we find ourselves when we have a complication between the federal and provincial governments.

Speaking specifically to the motions in Group No. 3, the issue of socioeconomic interests in public consultation is one that is exceptionally important in my constituency.

I will reacquaint members with the fact that I live in one of the most beautiful parts of Canada. It is right in the Rocky Mountains on the southeast corner of the province of British Columbia. We have caribou, moose, grizzly bears, lynx and cougar. We have every imaginable kind of animal in our area.

I take a look at the issue of the government deciding relative to COSEWIC, which stands for the Committee on the Status of Endangered Wildlife in Canada, and take a look at some of the decisions that COSEWIC has already made in my constituency as it specifically relates to socioeconomic interests, particularly in the city of Revelstoke.

Revelstoke is a very interesting city with 8,500 people, nestled down between three valleys. They are isolated to the east. One goes over Roger's Pass to Golden which is an hour and a half drive. To the west one drives for approximately an hour to another small community called Sicamous. To the south one drives for the longest time over a ferry and on down to Nelson, about a two and a half hour drive. This is a community of 8,500 people who are completely isolated in one of the most pristine and beautiful parts of Canada.

The community has been hit a number of times economically by virtue of the fact that there are more responsible and sustainable logging practices that are now being practised. As a consequence,

there has been a downturn in the level of employment available to the people. I commend the industry, by the way, for the fact that it has adapted very readily to these more sustainable logging practices and they truly are sustainable.

However, in picking up the slack, investors came in. Because of the exceptionally heavy snow load, which is typical for the Revelstoke area, and the beautiful snowmobiling terrain, investors came in with millions of dollars and invested in lodges right in or immediately around this isolated area of 8,500 people and were ready for the snowmobilers to come. They created a service, an availability for this recreation.

All of a sudden, out of the clear blue sky, we had COSEWIC looking at the issue of the mountain caribou in the area. It changed the listing of the caribou and suddenly many of the trails were eliminated immediately.

For anyone to suggest that I or anyone in my party is not concerned about red listed or endangered species would be completely inappropriate because we are. The mountain caribou are a very special species of animal.

• (1145)

The fact of the matter is that there are many pressures on the Rocky Mountain caribou, not the least of which are predators. A predator eradication program used to be in effect in that area but the program no longer exists. As a result, the cougars, the wolves and coyotes just go after the caribou. It is something that simply is not taken into account.

Something else that is really very interesting is that as COSEWIC and other organizations have attempted to get a handle on exactly what is involved with the caribou, they have been flying in and dropping nets over the caribou herds. The caribou thrash around in the net until the helicopter can land and the members of these organizations can shoot the caribou with something that puts them under. They radio collar the thing, take the net off and then fly away in the helicopter. It is rather interesting that the caribou now are spooked by helicopters.

One of the other very responsible recreations in that area is helicopter skiing. All of a sudden people are saying that part of the problem here is the helicopter skiing. Excuse me, if they are going to spook the bejabbbers out of the caribou by doing these types of studies, I guess they will run when they hear a helicopter.

We have another one in terms of endangered species and socioeconomic interests. In the far southeast corner of British Columbia is an area of primary growth forest. It is an area that is overpopulated with grizzly. Anyone who does not know anything about it will say that the grizzly are an endangered species and then they get into a whole list of prohibitions. In that particular part of my constituency there is an overabundance of grizzly. They are literally crawling all over each other.

*Government Orders*

Studies are being done on the grizzly, fortunately not by helicopter, whereby, through the genetic coding of hair taken from the grizzly which happens to be on their scratching trees, the number of grizzly in that area can be determined. However that is not good enough. We have the Canadian Parks and Wilderness Society that is proposing a total preserve in this area to protect the grizzly. Why would it do that? I believe I just said that we have an overabundance of grizzly. There has been responsible resource extraction in the area by the forestry and mining companies. There are open areas for the forage of the grizzly, which can then go over the U.S. border without going through customs, get into Glacier National Park in the United States or go over the Alberta border and not pay any more provincial sales tax and they get into the Waterton Lakes area which is primary forest.

All of a sudden we have a situation where we have people, who I can only presume are well-meaning, saying that we have to protect the grizzly when there is an overabundance. I have said it before and I say it again, like Yogi Berra said, "If it ain't broke don't fix it."

Are there problems with grizzly in other areas even within my constituency? Yes, there are. There are problems with grizzly because of the encroachment of human beings into an area. There are problems with grizzly because of the imbalance of the predator to prey situation that has occurred because of human management.

With respect to this Group No. 3, the whole issue of taking a look at the socioeconomic relationship before there is any movement to take definitive action against people and against human activity that is under the species at risk bill is totally inappropriate. I say that on behalf of the people of Kootenay—Columbia who live and experience the wonderful wildlife that we have in Canada.

• (1150)

**Mr. John Williams:** Mr. Speaker, I rise on a point of order. I was so much enjoying that speech about helicopters, grizzly bears, caribou and so on that I wonder if there is unanimous consent to give the hon. member another 10 minutes so we can hear some more.

**The Acting Speaker (Mr. Bélair):** Is there unanimous consent?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**Mr. Keith Martin (Esquimalt—Juan de Fuca, Canadian Alliance):** Mr. Speaker, it is a pleasure today to discuss Bill C-5 and the motions in Group No. 3. I would like give some background on the tragic history of Bill C-5 and how the government has utterly failed in its responsibility as a federal institution to move legislation forward to protect our endangered species, and on the environment file, it has failed miserably.

On the aspect of endangered species, the federal government had the responsibility to put forth strong legislation. It waffled and waited, despite the good work from members across party lines and the committee which proffered constructive solutions to save our endangered species.

When the bill was put forth in the last parliament, it was unworkable and despite that, it was pushed forward by the minister. Blessedly so, it did not go to a vote because of an election call.

Now the bill has been brought back. Despite an incredible amount of work on the part of the department and the good committee members, this bill is again unworkable. That is why the Canadian Alliance put forth amendments to strengthen the bill so it will protect endangered species.

Another aspect is the socioeconomic interests and public consultation. If we are going to protect endangered species, we need the buy-in by the individuals who will be the guardians of this. Take for example, private landowners. Our party has said that the government must negotiate not only with the provinces but with private landowners in the protection of critical habitat. If no agreement can be reached, then a financial remuneration for the loss of use of critical habitat must be obligatory and not optional. We cannot go and unilaterally take over land. We must provide fair and reasonable compensation for critical habitat.

The other aspect is the bill unfortunately only deals with a very small chunk of land for which the federal government is responsible. I would make a lot more sense for the federal government to work with the provinces and the municipalities and develop an agreement with private landowners at large. That would be a way to protect critical habitat across Canada. As we know, endangered species do not recognize boundaries. Birds, fish and mammals do not recognize provincial boundaries. The problem is really quite severe.

We have more than 300 species that are at significant risk of disappearing. Never in the history of our species have we ever seen the catastrophic decline in the biodiversity within the world today, and we are no different in Canada.

Canada is culpable in the decimation of species across the world. We are the second or third largest conduit for the products of endangered species in the entire world, animals from as far away as the Far East such as the big cats: the Siberian tiger, the Chinese tiger, the Amir tiger, the Sumatran tiger and the Bengal tiger. Then there are large mammal species such as the black rhino in Africa, the Javan rhino and the Sumatran rhino. Then we can move to snow leopards. We can talk about birds from all over the world. We can talk about plant species, which are disappearing at a rapid rate because of the hunger for the species for medicinal uses, for example, that do not work at all but are based on myth.

Sadly we have not seen action on this and it is tragic. Our ports individuals, the police, are grossly undermanned and underserved and do not have the tools to do the job. As a result, international traffickers know full well that Canada basically has an open door to being a conduit to endangered species around the world. By doing so, Canada has become part of the problem. Knowing full well that this is happening, the federal government has failed to institute measures that would secure our borders in a more reasonable way.



*Government Orders*

•(1155)

The other aspect is the identification of species. We have asked that the identification of species at risk not be a political issue but be based on COSEWIC, which is a group of scientists who could identify species at risk based on scientific criteria, not on political expediency.

We are also asking that land be identified based on scientific criteria that is considered to be critical habitat and that there be obligatory compensation for landowners in the absence of use of the land that is destined for critical habitat.

The government has an extraordinary opportunity. It needs to work with other countries around the world to stem the trade in endangered species products. This is the third largest contraband in the entire world behind small arms and drugs. Small arms, drugs and endangered species product sales form the three top contraband entities on which organized crime banks. The amount for endangered species products is in the billions of dollars which go primarily into the pockets of organized crime. Individuals from around the world pay the penalty and worse, species are disappearing at an astronomical rate.

I would ask that the Minister of the Environment work with the Minister of Foreign Affairs. There is a great opportunity this year. Three things are happening. First, the G-8 summit will be taking place in Canada. Second, there is the new plan for—

**Mrs. Karen Redman:** Mr. Speaker, I rise on a point of order. I have been listening with great interest and intent. I am having a very difficult time relating this to Group No. 3 amendments. I am wondering if my hon. colleague could show some relevance to what is before the House.

**The Acting Speaker (Mr. Bélair):** I am sure that with the three minutes that the member has left he will tie in his remarks to the subject at hand.

**Mr. Keith Martin:** Mr. Speaker, I was coming to the climax of my speech which deals completely with the issue of socioeconomic interests. I thank my hon. friend from the government for basically laying the ground for the hard hitting points at the end.

Group No. 3 deals with socioeconomic interests. We have a great opportunity here because three things are happening this year: the G-8 summit, the new plan for African development and the Rio summit 2 taking place in Johannesburg. We can make a linkage between all three.

The province of KwaZulu-Natal in Africa has managed to merge the issue of sustainable utilization of resources in game parks and share the generation of moneys from hunting, eco-tourism, sustainable fishing, sustainable utilization and growth of medicinal plants, which is a multi-billion rand industry in South Africa alone, with the parks and with the people in the surrounding areas for primary health, education and economic development.

This is a sustainable model that works well. It marries sustainable environmental utilization and development for the primary needs of people in the rural areas. The benefit is sustainable, long lasting and rejuvenates. It will also retard the urbanization taking place on that continent. However this model can be applied everywhere, particularly in Canada where our parks are having tremendous

trouble finding even small amounts of money for research. I have met people in the parks department who cannot even find \$100 for lights so they can do their anti-poaching work. This is an egregious situation.

I ask the government to look at this model, apply it to the G-8. It will save many lives. We will have sustainable utilization of resources. Better yet, the bottom line principle is if game reserves, parks and wild spaces cannot generate moneys to provide for themselves, they will sadly disappear. There are models that work.

I ask the government to please look at them. We are very happy to help the government with a strong sustainable species at risk act. All we ask is that the government adopt the wonderful amendments, particularly those in Group No. 3.

•(1200)

[*Translation*]

**Mr. Clifford Lincoln (Lac-Saint-Louis, Lib.):** Mr. Speaker, I take a particular interest in this issue. In 1988, one of the last things I did as Quebec's minister of the environment was to introduce in the national assembly the first act protecting threatened species in Quebec.

Sure, this act is not perfect. It needs—as a Bloc Québécois member pointed out—to be improved regarding habitat protection. At the same time—1988 was quite a number of years ago—the Quebec act, like the acts of other provinces, was implemented over 15 years ago. Today, at the federal level, we are still discussing an act on threatened species. All these years have gone by; three bills have been introduced, this one being the third one. Unfortunately, it is sad to see that this third bill may be the weakest of all, because it is so discretionary.

Let me give some examples taken from Group No. 3. In Quebec, we have the beluga whales that live in the St. Lawrence River. This is a most important species, because it is unique. There are belugas elsewhere. There are some in the north, but they are not as threatened as those in the St. Lawrence. There is clear evidence that, in the St. Lawrence River, because of the pollution generated by factories, the beluga whales have had to fight for their survival for years, even decades. At one point, it was mentioned that there were only some 600 belugas left and they could barely survive.

A friend of mine, Pierre Béland, who works for the Institut national du Saint-Laurent and who follows the evolution of the belugas, told me that the survival of these belugas is still in jeopardy, because they are so intoxicated by all the emissions that are unfortunately released into the St. Lawrence River.

An amendment that was proposed in committee would have enabled the federal government, which has clear jurisdiction over waters and is a direct partner of the Quebec government in the Saguenay—St. Lawrence marine park, to settle this issue. In this instance, Bloc Québécois members cannot argue that the federal government does not have jurisdiction.

*Government Orders*

Therefore, the committee submitted, with good reason, an amendment to protect species that are threatened geographically or genetically. Separate geographical protection means that if, in a given geographical region, for example the St. Lawrence River, belugas are affected, but that they are not affected in another location, then, according to the act, those that are threatened must be protected.

It seems to me that this provision makes perfect sense. It makes so much sense that all the biologists to whom we talked said it is essential. Could someone give me just one reason as to why the government should withdraw this protection?

• (1205)

[English]

It seems to me if we want geographic protection for certain species in one area where they might be affected and not in another area where they may not be affected, surely this makes a tremendous amount of sense for a government that wants to protect a particular species.

I cannot conceive of one reason that this amendment is viewed to be superfluous, to be bad for the common good of the public, for the protection of species. I challenge the government to give me one good reason why this amendment is flawed, why it makes no sense. It is a part of a feeling that the committee has gone beyond its powers. Yet what the committee has done is it has made a feeble bill a little less feeble, a little stronger. Certainly the bill can be viewed as so drastic as to upset the people who are not strict environmentalists like myself.

There is another example of why the government has gone beyond the norms to set aside all the logical amendments that were brought forward by the committee. It has to do with interim measures, which make a lot of sense, if a long space of time occurs between the time a species is declared endangered and the time an action plan happens.

The committee rightly gave the minister discretionary powers to institute interim measures to protect the particular species between the time it was listed and the time an action plan happened. These powers would be discretionary. We did not put compulsory and mandatory powers on the shoulders of the minister. We gave the minister the discretion to use these powers. If the minister for a particular reason, jurisdictional or other, did not choose to use the interim powers, then they would not be used.

Even that was viewed to be going too far. Yet who will ensure that interim protection if this power is not given to the minister?

If I were the Minister of the Environment, I would love to have additional powers to protect species because that is the objective of the law. I would have asked for these powers if the committee had failed to suggest them itself. I would have put them in the original bill anyway. But had I not put them in the original bill, I would have welcomed the committee's idea to insert them in the bill so that these discretionary powers would be in my hands if I chose to use them at any time. But no, even a mild change such as this was viewed to be too outlandish and had to be reversed.

Then there is the question of permitting. In the original Bill C-5 the minister has the authority to enter into an agreement to issue a

permit to people which authorizes them to affect the listed species, its residence or its critical habitat. The committee judiciously and logically amended the bill so that there would be consequences if this was not followed.

• (1210)

With the government amendment it means there is no penalty if a person does not get a permit and there is no penalty if it is not complied with. What is the incentive for enforcement? What compels somebody who wants to endanger a species if there is no compulsion at all under the bill, not the slightest desire to enforce it by the government or the minister?

There again it is totally illogical that the government should choose to refuse such limited powers under the bill which would give it far more space, far more latitude to comply with the objectives of the bill which are the protection of species. We wonder whether it was some wish by the minister or the government to—

**The Acting Speaker (Ms. Bakopanos):** Order. Resuming debate, the hon. member for Fundy—Royal.

**Mr. Loyola Hearn:** Madam Speaker, I would gladly give up some of my time to let the hon. gentleman finish, if the Chair agrees.

**The Acting Speaker (Ms. Bakopanos):** There has to be unanimous consent. Is there unanimous consent?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Acting Speaker (Ms. Bakopanos):** Is the hon. member for Fundy—Royal rising on a point of order or for debate? He has already spoken to Group No. 3.

**Mr. Loyola Hearn (St. John's West, PC/DR):** Madam Speaker, I am the member for St. John's West and I have not spoken to Group No. 3.

Let me first express my concern about the fact that we were hearing a tremendous debate by the member who just spoke. All of us could have learned from it. He had a few other key elements left in his speech which all of us could have benefited from hearing. It is unfortunate it was his own party that refused to give unanimous consent for him to finish. That is a complete and utter shame. There are few people in the House for whom I have more respect than the hon. gentleman. His contribution to the debate will enrich the knowledge of every member in the House.

Having said that, let me also express concerns about the bill. Bill C-5 is supposed to protect endangered species within our country. One concern is that this bill has been scrutinized by people who are extremely concerned with this topic and it has come up wanting. The members of the committee, the species at risk working groups and groups and individuals throughout the country who have major concerns with this legislation have all pointed out that if amendments from the committee had been accepted, we could have had a great piece of legislation with which we could all be satisfied.

What happened? Government in its almighty knowledge refused to accept the amendments. Consequently, if this bill as it is presently constituted is passed, we will have a very bad piece of legislation.

*Government Orders*

Species at risk by its name alone dictates to us that most of what we discuss relates to rural Canada rather than the large urban areas. It is provinces like Alberta, Saskatchewan, Manitoba and Newfoundland and Labrador where most of these species will exist. It is ironic that the government concentrates very little on its own back yard, on the public domain in the country. It is wrong for the bill to have provisions allowing for federal interference on private and provincial lands without specifically containing mandatory protection of critical habitat on federal lands.

Many of the lands in rural Canada are privately owned. Many of the species that are considered to be endangered exist on those lands. What protection is there for the owners of the land, whether it is compensation for land that might be confiscated or whether it is a concern about charges for damages that might occur to endangered species by the owners of the land? In many cases the owners would have no knowledge that the species were endangered or would not know that the species existed on their land.

There are so many elements in the bill with which so many disagree. I read one statement recently which said that no one supports the bill. I suppose we have to say that is not true because apparently a number of government members support the bill or are being told to support the bill.

The Government of Canada has failed to do its homework. It has foolishly ignored the consensus of the species at risk working group. There is now further gutting to an already weak bill not supported by environmental groups, industry and the provinces. A broad coalition of major environmental groups together with the Mining Association of Canada and the Forest Products Association of Canada agrees that at the very least a scientific listing process and habitat protection in federal jurisdiction should be in the species at risk legislation.

● (1215)

We support the capacity to ensure there are complementary safety nets in place. We received statements indicating that while the provinces did not support Bill C-5 prior to it being tabled certain committee amendments do provide increased clarity. Amendments are made that would satisfy many of the concerns across the country but they are rejected. I sometimes wonder what the House is all about and why we have committees.

People who sit on committees are people who have a specific interest in a particular area. They are informed individuals who are in contact with agencies throughout the country concerned about any topic with which we might be dealing. Committee is a forum where these people can get into the nuts and bolts of legislation. It is a place where we hear the concerns, the feelings and recommendations of people from across the country. What happens when these recommendations are brought back to the government? They are rejected. It is hard to understand why something like that could happen.

Right in the middle of this discussion we saw one of the most experienced parliamentarians in the House, one of the most concerned individuals in the House with regard to our country and to species at risk, not get the courtesy he deserves from his own colleagues to finish his debate. I have never seen such a discourtesy given to an experienced individual in all my life.

When it comes to species at risk we should also pay a lot more attention to a number of other species. We should be concerned about Atlantic salmon which are close to being put on the species at risk list.

When I was a young individual, 5 or 10 years ago, I used to stand by the side of the road with many of my friends and count the number of salmon jumping in the harbour on their way up the river. We do not see them anymore. That is not just a story. It is a true fact in Renous and on the great southern shore of Newfoundland and Labrador. It is a true story in almost any part of Atlantic Canada. Atlantic salmon are going the way of the dodo bird.

One of the reasons is the same reason why our fish stocks are disappearing. It is because of the uncontrolled growth of another species, the seal. Some years ago Canada had a million seals and everybody became concerned about the size of the herd. We now realize that the seal herd has reached seven million. They are purported to eat 40 pounds of pollock a day. If they were to eat just one pound of pollock a day they would consume 2.55 billion pounds of pollock in the run of a year. As one of our former MPs from Newfoundland once said, they certainly do not eat turnips. They live on fish from the ocean. If we multiplied seven million by 40, 365 times, it would give us an idea of the magnitude of the volume of fish consumed by a growing seal herd that is out of control and which the government fails to regulate.

We have in our own hands in this honourable House the power to do something about species at risk, whether it be Atlantic salmon, birds, or whatever else throughout this country. We have the power to ensure that affected people such as landowners have protection in relation to species that might exist on their land.

We should have the power to develop legislation that all of us would say is good legislation and the only way people are affected is in a positive way. That is not the way we are headed. Unless the government wakes up we in the House will also become an endangered species because our contributions as politicians will become less and less effective.

● (1220)

**Mr. Steve Mahoney (Mississauga West, Lib.):** Madam Speaker, to a certain degree it is with a little bit of trepidation that I rise on this because I was not involved in the committee that studied this issue to the extent that perhaps some other members were.

However I am a member of parliament and must vote on the bill. Therefore I must understand it, take time to study it and look at all the ramifications. As members of parliament we all have an obligation to stake out our positions, whether in support or against the government or whether in support or against the committee.

The previous speaker made a statement and I think he said that absolutely nobody supports the government bill. That is simply not true. Perhaps he heard that statement. I would not accuse that member of saying something that was untrue but it is just not factual.

*Government Orders*

For example, much to my surprise, the cattlemen's association and the mining association supported the government approach on compensation. I would have thought that those were two groups to which many people, particularly from the west or from mining communities, would listen. There is some support there.

Provinces such as Alberta, Ontario, Manitoba and New Brunswick and all territories are all concerned about the committee amendments that change the balance between federal and provincial jurisdiction. There are members on the committee other than some of the ones who have spoken who will support the bill.

Let me talk, if I might, in terms of the criticisms levied against the government because members of the government caucus disagree with the government's position. It is always an interesting conundrum to hear members opposite and the media say that Liberal backbenchers must stand up and show some spine, that they have to be prepared to take positions against the government. What happens when they do? There are three particular members who have spoken or will speak on this issue for whom I have a lot of respect when it comes to environmental issues. I will listen to their arguments and judge whether or not I agree with them.

Just because I respect their knowledge or positions does not mean that at the end of the day I am always going to agree. Today we are dealing with amendments most of which I will admit are housekeeping but some of which are substantive. When those members stand to speak and stiffen their spines as they are encouraged to do particularly by members opposite people will stand up in this place and say, is it not awful the government will not listen and will not allow their respected members to continue speaking.

We know full well that the opposition would obviously rather listen to a distinguished member of the Liberal Party speak against the government than another member of the opposition. We understand that. That is not rocket science. If I were sitting over there I would probably want to do the same thing. The reality is that these committee members did their work, they put forward their arguments and the committee came forward with recommendations. Now it is up to the government to make a decision.

I am the vice-chair of the Standing Committee on Citizenship and Immigration. We just released our committee report this morning in a press conference at 10.30. Members from the government side were forced in many instances to put some water in our wine as it related to that particular bill. There were members in our caucus who spoke out against that particular bill several months ago when it was introduced, when the regulations were introduced, particularly as they relate to things like retroactivity and the new grid that would be used.

• (1225)

I only use this as an example to compare it to this particular bill and to these amendments. If we were to decide at the end of the day that given the rejection of the government of certain recommendations that we as backbenchers in the Liberal government have made, that as a result there is no way in our good conscience we can vote for the bill, then we should stiffen our spines. I have no difficulty with that and I know the government has no difficulty with that.

However in reality this is what we need to do because this is the art of the possible. Is it better to have no bill in this instance? Is it better not to have a process in which endangered species can be offered protection? I think of a place like the Oak Ridges Moraine. One of the recent speakers said this is largely a rural issue. In fact there are many parts of this great country that are going through the transition from rural to urban. The Oak Ridges Moraine in the greater Toronto area is a classic example. If rampant developments were allowed to take place there would be drainage of the water table that would destroy habitat. It would make it impossible for certain species to find food, to reproduce and to survive. With all due respect it is not just a rural issue.

I will grant that in most parts of rural Canada we will find more endangered species because there are fewer of us intruding upon their habitat, but it is still a factor in our own communities. In the Credit River valley, going right through the heart of the city of Mississauga, a city with over 600,000 people, I can assure the House that there are endangered species in that valley ecosystem that we would want to protect.

We need some rules. We need some understanding. We need a process.

I personally had a run in with an endangered species. I have a property in the Parry Sound area where I wanted to build a road. The MNR, the provincial ministry, came in and discovered the nest of a red-shouldered hawk, much to my surprise, on my property within 30 or 40 feet of the right of way where I wanted to build the road. Guess what? We were well along in the process and all of a sudden it was stopped. One red-shouldered hawk put an end to me having reasonable, easy access to my property. I must go by boat to get there as a result of that hawk.

I must say I had mixed feelings. At first, since I was getting older, I wished I could have this. Someone said I could take care of it, but I would not do that. At the end of the day this made my property that much more sacred to me. As a result we found a second nest. This is a very rare hawk which is in danger of extinction. I support the re-establishment of the committee that would come up with the definitions, scientific data and research that is needed to determine whether or not the red-shouldered hawk should in fact be put on the endangered species list. That is what the bill would do.

If we want to throw out the baby with the bath water, or the red hawk with the nest, then by all means trash the bill, but let us face it and look at some of the statistics. There were 334 motions tabled during clause by clause review. I know how grueling that is, having sat through at least that many in terms of the immigration bill, Bill C-11. I know how taxing it is. The committee passed 125 of the 334 motions tabled. That is a lot of work, research, and debate. Of these the government supports 75. The ministry requirement to have an assessment by the committee within 90 days is a substantial improvement to the situation.

I understand the passion and the feelings of those folks within the government caucus who will not be able to vote in support of the bill.

*Government Orders*

•(1230)

In this business one learns to put some water in the wine. There are victories that can be achieved by working through the committee process, the caucus process and perhaps even at report stage in this place. However at the end of the day a decision has to be made and my decision will be to support the bill.

**The Acting Speaker (Ms. Bakopanos):** Is the House ready for the question?

**Some hon. members:** Question.

**The Acting Speaker (Ms. Bakopanos):** The question is on Motion No. 3. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

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

**Some hon. members:** Yea.

**The Acting Speaker (Ms. Bakopanos):** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Acting Speaker (Ms. Bakopanos):** In my opinion the nays have it.

*And more than five members having risen:*

**The Acting Speaker (Ms. Bakopanos):** The recorded division on Motion No. 3 stands deferred.

The next question is on Motion No. 4. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

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

**Some hon. members:** Yea.

**The Acting Speaker (Ms. Bakopanos):** All those opposed to the motion will please say nay.

**Some hon. members:** Nay.

**The Acting Speaker (Ms. Bakopanos):** In my opinion the nays have it.

*And more than five members having risen:*

**The Acting Speaker (Ms. Bakopanos):** The recorded division on Motion No. 4 stands deferred. The recorded division will also apply to Motion Nos. 7, 8, 19, 30, 32, 34, 36, 68 to 71, 73, 77, 115, 119, 120, 134 and 135.

[*Translation*]

The next question is on Motion No. 5. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

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

**Some hon. members:** Yea.

**The Acting Speaker (Ms. Bakopanos):** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Acting Speaker (Ms. Bakopanos):** In my opinion, the nays have it.

*And more than five members have been risen:*

**The Acting Speaker (Ms. Bakopanos):** The recorded division on Motion No. 5 stands deferred.

[*English*]

The next question is on Motion No. 9. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** No.

**The Acting Speaker (Ms. Bakopanos):** I declare the motion lost. I therefore declare Motions No. 9 and 10 lost.

Motions Nos. 9 and 10 negatived

[*Translation*]

**The Acting Speaker (Ms. Bakopanos):** The next question is on Motion No. 14. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

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

**Some hon. members:** Yea.

**The Acting Speaker (Ms. Bakopanos):** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Acting Speaker (Ms. Bakopanos):** In my opinion, the nays have it.

*And more than five members having risen:*

**The Acting Speaker (Ms. Bakopanos):** The recorded division on Motion No. 14 stands deferred.

•(1235)

[*English*]

The next question is on Motion No. 15. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

*Government Orders*

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

**Some hon. members:** Yea.

**The Acting Speaker (Ms. Bakopanos):** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Acting Speaker (Ms. Bakopanos):** In my opinion the yeas have it.

*And more than five members having risen:*

**The Acting Speaker (Ms. Bakopanos):** The recorded division on Motion No. 15 stands deferred.

[*Translation*]

The next question is on Motion No. 66. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

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

**Some hon. members:** Yea.

**The Acting Speaker (Ms. Bakopanos):** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Acting Speaker (Ms. Bakopanos):** In my opinion, the yeas have it.

*And more than five members having risen:*

**The Acting Speaker (Ms. Bakopanos):** The recorded division on Motion No. 66 stands deferred.

• (1240)

The next question is on Motion No. 79. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

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

**Some hon. members:** Yea.

**The Acting Speaker (Mrs. Bakopanos):** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Acting Speaker (Ms. Bakopanos):** In my opinion the nays have it.

*And more than five members having risen:*

**The Acting Speaker (Ms. Bakopanos):** The recorded division on Motion No. 79 stands differed.

[*English*]

The next question is on Motion No. 136. These motions were read or deemed read when they were proposed. Therefore it is not my intention at this time to read the motions again. I refer hon. members to the notice paper for the full text of the motions.

Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**The Acting Speaker (Ms. Bakopanos):** I declare Motion No. 136 carried.

(Motion No. 136 agreed to)

**The Acting Speaker (Ms. Bakopanos):** The next question is on Motion No. 137. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**The Acting Speaker (Ms. Bakopanos):** I declare Motion No. 137 carried.

(Motion No. 137 agreed to)

**The Acting Speaker (Ms. Bakopanos):** The next question is on Motion No. 138. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**The Acting Speaker (Ms. Bakopanos):** I declare Motion No. 138 carried.

(Motion No. 138 agreed to)

**Hon. Maurizio Bevilacqua (for the Minister of the Environment) moved:**

Motion No. 6

That Bill C-5, in Clause 2, be amended by deleting lines 42 to 44 on page 5.

Motion No. 16

That Bill C-5, in Clause 7, be amended by replacing lines 26 to 33 on page 8 with the following:

“implementation of action plans; and

(b) coordinate the activities of the various governments represented on the Council relating to the protection of species at risk.”

Motion No. 17

That Bill C-5 be amended by deleting Clause 7.1.

Motion No. 20

That Bill C-5 be amended by adding after line 26 on page 9 the following:

“8.1 The Minister may establish a committee, to be known as the National Aboriginal Committee on Species at Risk, consisting of six representatives of the aboriginal peoples of Canada appointed by the Minister based on recommendations from aboriginal organizations that the Minister considers appropriate. The role of the committee is to advise the Minister on the administration of this Act.”

Recommendation

(Pursuant to Standing Order 76.1(3))

Her Excellency the Governor General recommends to the House of Commons the appropriation of public revenue under the circumstances, in the manner and for the purposes set out in a measure entitled “An Act respecting the protection of wildlife species at risk in Canada”. That Bill C-5 be amended by adding after line 26 on page 9 the following:

“8.1 The Minister may establish a committee, to be known as the National Aboriginal Committee on Species at Risk, consisting of six representatives of the aboriginal peoples of Canada appointed by the Minister based on recommendations from aboriginal organizations that the Minister considers appropriate. The role of the committee is to advise the Minister on the administration of this Act.”

Motion No. 24

*Government Orders*

That Bill C-5, in Clause 10.1, be amended by replacing line 10 on page 10 with the following:

“son. A copy of the stewardship action plan must be included in the public registry.”

Motion No. 25

That Bill C-5, in Clause 10.2, be amended by replacing lines 11 to 38 on page 10 with the following:

“10.2 The stewardship action plan must include, but is not limited to, commitments to

- (a) regularly examine incentives and programs that support actions taken by persons to protect species at risk;
- (b) provide information and increase public awareness about species at risk;
- (c) share information about species at risk, including community and aboriginal traditional knowledge, with other governments and persons;
- (d) create awards and recognition programs;
- (e) provide information respecting programs related to stewardship agreements, land conservation easements and other such agreements; and
- (f) provide information relating to the technical and scientific support available to persons engaged in stewardship activities.”

Motion No. 29

That Bill C-5, in Clause 13, be amended by deleting lines 14 to 22 on page 12.

Motion No. 72

That Bill C-5, in Clause 45, be amended by replacing lines 9 to 13 on page 27 with the following:

“(2) If the amendment relates to the time for completing an action plan, the competent minister must provide reasons for the amendment and include a copy of the reasons in the public registry.

(3) Sections 39 and 43 apply to amendments to a recovery strategy, with any modifications that the circumstances require.

(4) Subsection (3) does not apply if the”

Motion No. 76

That Bill C-5, in Clause 50, be amended by replacing lines 15 to 37 on page 29 with the following:

“50. (1) The competent minister must include a proposed action plan in the public registry.

(2) Within 60 days after the proposed action plan is included in the public registry, any person may file written comments with the competent minister.

(3) Within 30 days after the expiry of the period referred to in subsection (2), the competent minister must consider any comments received, make any changes to the proposed action plan that he or she considers appropriate and finalize the action plan by including a copy of it in the public registry.

(4) If an action plan is not finalized in the time set out in the recovery strategy, the competent minister must include in the public registry a summary of what has been prepared with respect to the plan.”

Motion No. 114

That Bill C-5, in Clause 69, be amended by

(a) replacing lines 15 to 19 on page 38 with the following:

“for the conservation of the species and the competent minister adopts the existing plan as the proposed management plan, he or she must include a copy of it in the public registry as the proposed management plan in relation to the”

“wildlife species into a proposed management plan for the species.”.

Motion No. 126

That Bill C-5, in Clause 123, be amended by replacing lines 33 to 37 on page 68 with the following:

“filed in court and are available to the public; and

(h) every report made under sections 126 and 128.”

● (1245)

**Mr. Andy Burton (Skeena, Canadian Alliance)** moved:

Motion No. 127

That Bill C-5, in Clause 124, be amended by replacing line 39 on page 68 with the following:

“SEWIC, may restrict the public release of any”

● (1250)

**Hon. Maurizio Bevilacqua (for the Minister of the Environment)** moved:

Motion No. 130

That Bill C-5, in Clause 129, be amended by replacing lines 34 and 35 on page 70 with the following:

“force, a committee of the House of”

**Mr. Bob Mills (Red Deer, Canadian Alliance):** Madam Speaker, it is my pleasure to speak to the motions in Group No. 4.

We in our party are in favour of protecting species at risk. However Bill C-5 would do that. It is not a workable piece of legislation. That is why we are opposing it. It should be clear by now that not only our party opposes Bill C-5. All the opposition parties and a great many Liberal members are opposing it. That should tell the government something. It should tell the Minister of the Environment the legislation is not good enough. It would not save species at risk.

The committee met. It brought in witness after witness. We on the committee put forward more than 300 amendments. More than 100 of them were from government members. We listened. We consulted. We talked to experts. We talked to many Canadians. We all talked to people at length in our ridings. We learned a lot about species at risk and what the legislation should be about.

In putting forward our amendments we took into consideration things like compensation in Group No. 1. We talked about mens rea versus due diligence in Group No. 2. We talked about provincial safety nets, sustainable development and socio-economic impacts in Group No. 3. We are now into Group No. 4. We want to talk about the process of creating an action plan and how the government intends to do it.

Everyone worked hard and co-operated to make legislation that would protect species at risk. It was frustrating to come back at report stage to find all the good work we as a group had spent nine months on was changed back by the government. We have a stillborn bill because of what the government has done to it.

The government says it does not want to review the bill in five years. It has eliminated the five year review. I do not know what it is afraid of. I cannot imagine the reason any government could have for not reviewing how well a piece of legislation is working.

I will talk primarily today about our party's Motion No. 127. It is probably one of the major issues in the section. A number of amendments are technical and we agree with some of them. However this issue is the most upsetting to all of us.

Because there are no members here to listen I will walk our viewers through the process and how it might work. Endangered species would be listed. This would be done scientifically by COSEWIC. We trust it would do its job adequately. The list would then go to the political masters. However now that they have amended the bill from what the committee proposed they would not consider the socio-economic impacts. They would not consider the legalities.

*Government Orders*

Who would then identify endangered species? Let us say the DFO police would do it. It is interesting. In Alberta we have over 20 new Department of Fisheries and Oceans officers. Why are there so many new DFO officers in Saskatchewan, Alberta and B.C.? The fisheries department has done such a poor job there are no fish. They had to send the officers somewhere where there were still fish. That is the only reason I can think of.

• (1255)

How these people do their investigations is most interesting. Some minnows were found in a provincial jurisdiction in Alberta and fisheries officers arrived to investigate. They arrived with flak jackets on. They were armed with guns which were drawn. They broke down the door to enter a provincial office. They wore flak jackets, their guns were drawn and they broke down the door because some minnows were found.

Is that the kind of action there will be for our endangered species? That happened. It is not a story. Ask the Alberta environment minister about that. The poor secretaries were shocked when those guys broke down the door and entered the office to seize the files. That is the way DFO may handle the endangered species. I hope not.

To continue, the minister is advised by the officers, whoever they are, that there is an endangered species or some endangered habitat. Remember if a person is found guilty of hurting that endangered species or changing that habitat, it is a punishable criminal offence. The person could go to jail.

Motion No. 127 says that the landowner has to be advised that he has endangered habitat or an endangered species. The way the bill reads now, the minister may decide to not release the information to the public. I can understand that because tourists and all the bird watchers in North America might come to see a piece of property and break down the fences. They might damage the endangered species habitat, so I can understand not making it public. However I cannot understand why the onus should not be on the minister to tell the landowner that there is an endangered species on the land.

When one of the DFO police has decided that is the case, what would be so onerous about telling the landowner that there is an endangered species on the land? I do not understand how we can have a piece of legislation that does not demand that the government advise people that they have an endangered habitat or an endangered species on their land. It defies all imagination. That is why we fought so hard for a mens rea clause. It is why we felt that due diligence was not fair. The farmer cannot do an environmental impact study, cannot know that an endangered species is on his land.

I have gone through the list which includes tiny cryptanthe, a slender mouse-ear-cress, a hairy prairie-clover, a burrowing owl, a sand verbena. How does a farmer or rancher know what a sand verbena is? It is an endangered species in Saskatchewan. I do not know how the farmer will know. The government will not tell him. What kind of legislation is that?

We have to change the bill. We have to defeat some of the amendments and we have to pass some of the amendments we are putting forward if we have any hope of the proposed legislation working.

The making of an action plan is now discretionary for the minister. He may not have to come up with an action plan. He may not have to tell the public about it. He may not have to tell the landowner about it.

The legislation just will not work. Like the other three groups of amendments, some of the Group No. 4 amendments are just technical ones. However we have to change some of the amendments to allow for informing landowners across the country.

• (1300)

**Hon. Charles Caccia (Davenport, Lib.):** Madam Speaker, in this group of amendments a number of items need to be addressed.

The member for Red Deer did his job in condemning a certain approach. I would like to remind him that the mens rea issue was discussed at length and in depth at committee. The conclusion we arrived at after very careful and thoughtful deliberation was that there is a justification for that approach in certain extreme cases but not definitely in cases for which he understandably expressed some concern.

I would like to address an item in this group of motions that concerns aboriginal people. A motion was made in committee to facilitate and provide a broader basis for consultation with aboriginal people across the country. It was a matter that our colleague, the member for Churchill, espoused quite eloquently in committee. It resulted in an amendment that was made which we all thought was reasonable and desirable but which became the object of a motion by the government which in a sense in Group No. 4 unravels the consensus reached so carefully in committee.

I noticed with some sense of alarm the press release issued yesterday by the Inuit Tapiriit Kanatami president. The changes made by the government at report stage are the object of the press release. The president of the Inuit Tapiriit Kanatami said the changes—

—do not currently reflect the constitutionally protected relationship between Inuit and the federal government. More specifically, the Inuit Tapiriit Kanatami feels the federal government has undermined the integrity of the Species at Risk legislation through its report stage motions.

The Inuit Tapiriit president put his finger on an issue we also raised, namely the unfortunate intervention by the government by way of motions. They are undoing the careful work made by way of consensus, intensive negotiations, co-operation and initiatives taken in particular by the member for Red Deer and the member for Simcoe North and others, to arrive at an all party consensus which resulted in the report from our committee.

Coming back to yesterday's press release by the Inuit Tapiriit Kanatami, the last paragraph reads:

Due to these recent events, the Inuit Tapiriit Kanatami, along with other Aboriginal groups, have no choice but to withdraw their support from the Species at Risk Act. ITK will only support Bill C-5 if the federal government reverts wording concerning NACOSAR [National Aboriginal Council on Species at Risk] back to the Standing Committee version, or an honourable compromise can be reached between Aboriginal groups and the federal government.

• (1305)

I hope a solution can be found by way of an honourable compromise and by way of an amendment perhaps later on in this debate.



*Government Orders*

Too many of the motions, too many of the discrepancies and divergences of opinions that have been expressed during the debate rest on the federal-provincial accord arrived at in 1992 in Charlottetown. These were federal and provincial ministers who were responsible for wildlife and the environment.

What is the Charlottetown accord to which so much undue importance is attributed? It is simply a piece of paper. Those who signed it had no mandate by parliament or legislatures to do so. Since then they have had time to bring that accord back to their respective legislatures and parliament for a good discussion. They have not done so. It is a document that has no parliamentary foundation.

In addition there has been no public consultation on that accord. No parliamentary hearings have taken place. No debates in the House, or to the best of my knowledge in any legislature, have taken place on the Charlottetown accord.

What it has produced is very hard to measure. It is an understanding on loose concepts which has no real significance in the achievement of the goal, namely the protection of endangered species. It is a meaningless document which nevertheless is invoked frequently despite its insignificance.

I am bringing this into the discussion today because it seems to me that rather than being guided by the 1992 Charlottetown so-called accord which has no parliamentary or legislative basis at all, we should instead concentrate on the federal role, the federal responsibility for the protection of endangered species. We should give strong leadership because we have a constitutional base for the promotion of the protection of endangered species. Just with water alone and the species that move in water, we have a tremendous responsibility and constitutional mandate.

The federal government also has the moral authority to take a leadership role. Canadians and the public at large expect the federal government to take a leadership role. This is what should be guiding us in these deliberations.

Industries, specifically the mining industry and the forestry industry, and a number of environmental groups support the key changes the committee made to the bill regarding listing and habitat. This type of coalition is unprecedented. We must also keep in mind that 1,300 scientists have supported a strong bill and have said that the bill should go even further than it does in the protection of endangered species.

Never before have we seen such a broad industry-environment consensus on a major environmental bill. It is extremely unfortunate the government will not go as far as industry is willing to go in the protection of endangered species.

• (1310)

**Mrs. Carol Skelton (Saskatoon—Rosetown—Biggar, Canadian Alliance):** Madam Speaker, saving species at risk is important to both myself and my party. While we believe that legislation must be in place to secure the future of our wildlife and their habitat, we also believe that serious amendments to the current bill must be made.

The theme throughout these debates has been co-operation. Without the full support and co-operation of property owners and users, there is little hope of the bill being as effective as it should be or could be. Property owners and users must be made partners with various levels of government. They should not be viewed as obstacles to the saving of species, but helpers.

An area that should be discussed is stewardship. Effective stewardship programs need to be established. The punishment and penalties outlined in the bill seem to indicate that compliance is based on the fear of reprisal. This is not the attitude to be taken if we want this legislation to have full effect. Incentives for good stewardship would make better sense. Instead of complying to avoid punishment, property owners should be rewarded for their active participation. These incentives can be more than simple cash payments. Tax incentives are an option.

Stewardship plans should also be made part of the public record. As these plans have the possibility of affecting not only the initiating property owner, but also neighbouring landowners, public access to these plans is necessary. There needs to be an opportunity for public consultation, including all involved stakeholders.

Knowledge and information are key for these stewardship programs to be effective. The government should make every effort to keep property owners, land users and average citizens informed on which species are included, their habitat and plans to protect both of these.

The Liberal motion would see the removal of an amendment that would require a commitment to provide technical and scientific support to persons involved in stewardship activities. This is like giving someone a brand new car but not giving them the keys. Without the proper information, property owners are on their own to figure out the program. The punishment for violating this legislation currently applies equally to the person who deliberately and maliciously endangers species and to the one who inadvertently endangers species.

With no distinction being given to the deliberate actions of the criminal mind and the innocent mind, the government could at the very least offer as much information as possible to enable the non-criminal the opportunity to avoid making these mistakes. Not providing the best information possible only sets the stage for failure and the further endangering of species and their habitat.

There must be real assistance provided by the government to property owners. Mailing information pamphlets will not do. There needs to be an open sharing of information and data to assist property owners in their choices and land use practices.

The public deserves to have access to documentation. The information provided to them is vital in their efforts to help save endangered species. The government would like to exclude all ministerial reports, including listing decisions, from being listed in the public registry. This reduction of transparency by eliminating public access goes against Canadian ideals. We believe ourselves to be living in a free and open democracy, yet the government would see basic information limited.

*Government Orders*

Canadian citizens should not be burdened with having to submit access to information requests. This is not some top secret military expedition. We are trying to save animals and their habitat. Why the fear of open access to information on the part of the government? I do not know.

• (1315)

The government would see the public held accountable for their actions without having provided them with the information necessary to make wise choices. The penalties are too harsh to not give property owners every opportunity to make wise choices. To not offer all relevant information to property owners and land users in light of the penalties involved would be negligent. If true stewardship is to be promoted then all available resources must be offered to property owners. The government must do its part if it expects the property owners to do theirs.

Along with public participation comes public consultation. The property owners are the grassroots folks in the plan to save endangered species. To exclude their input on how this legislation is working is to exclude a vital component of the plan.

The government seems to thrive on secrecy. What Canada needs is transparency and accountability. To ensure accountability, there needs to be scheduled reviews of this act, a review process that would allow for the active participation and involvement of the public. Legislators would have the opportunity to hear from those with firsthand knowledge on if and how the program is working. Who better to offer ideas on what is or is not working and any changes that are necessary than property owners who are directly affected by this bill?

Asking for five year scheduled reviews is not unreasonable. The government again would see us simply trusting it in that if it deemed a review necessary only then would one be called. This is not acceptable. If left to its own discretion, we can all be assured that no review would ever be called, at least not one with any public input or government accountability.

If this bill is to be truly effective, it must ensure openness and accountability. As I said, the inadvertent actions of an individual carry enormous penalties. The decisions affecting such a person cannot be made behind closed doors. The property owners and resource users are on the frontlines in the protection of species at risk. Their ongoing co-operation is expected. They should be able to expect co-operation from their government as well.

The government seems to be content in snubbing the committee process when it comes to Bill C-5. It also seems content to treat the public in the same way by snubbing the possibility of its input. This attitude is arrogant and unacceptable. The government cannot legislate and then flee the scene. Ongoing public involvement is necessary. This bill will not succeed with the direct involvement and support of the public. It must be included in any consultation processes and deserve to be provided with the best information possible.

Legislators cannot save species and their habitats without the co-operation of property owners and resource users. To think otherwise is arrogant. The majority of Canadians feel it is necessary to help

endangered species. Let us ensure that the government works with them, not against them.

• (1320)

[*Translation*]

**Mr. Bernard Bigras (Rosemont—Petite-Patrie, BQ):** Madam Speaker, I am pleased to again have the opportunity to speak on Bill C-5, the species at risk bill.

We are looking at the motions in Group No. 4. These motions, of course, propose amendments to this bill, but when one takes the trouble to read each amendment—and there are plenty of government amendments—it quickly becomes obvious that these government amendments modify the bulk of the work done in committee. I am pleased that my colleague has already pointed out what exemplary work the committee has done, in many ways, by reaching a consensus that was not always an obvious one, but which came after much work. Some of the motions presented by the government change what was done in committee.

I would again remind the House that this bill comes nearly 10 years after the 1992 earth summit and on the eve of Rio plus 10, which will be held in Johannesburg in late August and early September. Today we have a great deal of to-do over a bill that could have had almost unanimous support in this House.

The opportunity was there and was shunted aside. It would have enabled us to turn up in Johannesburg with a bill on which there was consensus. Now we have to admit we have a bill that has managed to create division everywhere. There is opposition from the environmentalists and the opposition—but the government would say that is what the role of the opposition is—but this bill has even led to division within the party in power, within the government.

This bill is totally unacceptable for Quebec. Not that endangered species legislation is unacceptable in itself but rather that the federal government is introducing a bill which includes certain clauses to be applied to Quebec lands, provincial lands. If this were only a federal bill affecting federal jurisdictions, and more precisely crown lands only, for example, those of us on this side of the House would most certainly have voted in favour of the bill, but there are certain clauses that on the contrary apply to Quebec lands.

It must be remembered that in 1989 Quebec passed its own endangered species legislation. The irony is that the sponsor of that legislation is now sitting on the government benches. Now, a mere 12 years later, the federal government is getting ready to pass a bill, when one of its members had a similar bill passed in Quebec that will be overridden by this federal legislation. Yet, it was one of the members opposite who sponsored the Quebec legislation in 1989. And he is not the only one.

Other members from Quebec sitting in this House were also members of the Robert Bourassa government. Today they are getting ready to legitimize the government's plan to override Quebec's legislation. Democratically speaking, this is paradoxical. It is all very fine and well for the members to live with their paradoxes today, but it is important for the people of Quebec know that is what they are doing, and we are here to remind them.

*Government Orders*

Quebec's legislation also dealt with aspects covered by the federal bill now before us with respect to the identification of species, and the necessary recovery plan, which Quebec's legislation also included as a priority. There is the whole issue of enforcement. We know Quebec's 1989 legislation provided for wildlife enforcement officers.

• (1325)

In Quebec, we know what wildlife enforcement officers are. However, people should know that this bill will create federal officers who will basically be at complete odds with Quebec's wildlife enforcement officers as they attempt to enforce Quebec's legislation. The creation of these federal officers as provided for in the bill is therefore duplication of legislation, enforcement and duties.

Quebec made efforts even before the international consensus of 1992. Even before the Rio summit, Quebec passed its own legislation and always felt that co-operation was necessary when it came to the protection of species. Quebec is in favour of co-operation and partnership with the federal government.

This is why, in 1996, Quebec signed the federal accord on the protection of endangered species. I need hardly remind those listening that at the time, six years ago, when he signed this agreement, Quebec's minister of the environment warned that there was a risk, because it left the federal government free to introduce more powerful legislation interfering directly in Quebec's jurisdictions. On October 2, 1996, Quebec's then minister of the environment, David Cliche, said:

We cannot remain indifferent to the fact that this agreement opens the door to overlap between the future federal legislation and the act that has been in force since 1989, an act that works well and has already proven useful. We risk creating more red tape instead of dedicating ourselves to what really matters to us: the fate of endangered species.

That was October of 1996, when the national accord for the protection of species at risk in Canada was signed. There was good reason to be concerned. The minister at the time feared that the federal government would introduce legislation that would interfere in provincial jurisdiction. When we see the bill before us today, we see that he was indeed right.

We cannot remain indifferent. Quebec has not remained indifferent when it comes to protecting species, and it was also proactive in terms of protecting their habitat.

I remember that in 1996, the same year the national accord for the protection of species at risk in Canada was signed, that the Government of Quebec implemented a strategy to protect vulnerable areas. These are the protected areas of Quebec.

This strategy had three objectives. First, it was designed to increase the ecological knowledge necessary for the creation of a network to maintain quality and for the protection of vulnerable or threatened components of natural biological diversity. The strategy's second objective was to establish and maintain a comprehensive and representative network of protected areas to preserve biological diversity, and finally, to strengthen the network of managed conservation areas so as to ensure the protection of biological diversity over a greater area.

Why am I going on about Quebec's strategy for protected areas? To demonstrate that with Quebec's 1989 legislation, with the fishing regulations and the act respecting the conservation of wildlife, in addition to the 1996 strategy for protected areas, Quebec has the tools it needs to protect species and their habitat.

• (1330)

[English]

**Mr. Andy Burton (Skeena, Canadian Alliance):** Madam Speaker, I am pleased to rise today in the House at report stage of Bill C-5. We are in the process of discussing the fourth grouping of amendments to the bill at report stage. This grouping deals primarily with portions of the bill that would ensure the federal government and the Minister of the Environment consult with the public and landowners prior to implementing recovery plans, action plans and entering into agreements with groups.

In particular, this grouping includes amendments being made by the government to overturn committee decisions on how the government must consult on the bill. Government amendments in this grouping seek to limit the meaning and usage of consultation mechanisms like the public registry.

More specifically, this grouping includes 12 government amendments, most of which reverse decisions taken by backbench MPs from the government side and opposition members. Many of the government amendments deal with consultation measures and some are purely technical. There is one amendment from the opposition which I have put forward, namely Motion No. 127.

I will begin my discussion on this grouping with general comments on each of the government amendments and conclude with the reasons I believe all members of the House should support Motion No. 127.

I would remind members of the House that most of the government motions in this grouping are either reversing decisions taken in committee or changing express wording agreed to by the committee members. It would seem the government does not trust its own backbench members to make proper decisions at committee level. It is when the government pulls stunts like this that I find it very hard to believe it is remotely serious about democratizing parliament.

Let us move on to summarizing each government amendment. The first four government amendments, namely Motions Nos. 6, 16, 17 and 20, all seek in one way or another to delete reference to national aboriginal council and replace it with an aboriginal committee. I believe there is no real reason for the government to make these changes. The government wording will have largely the same results as the committee's proposal, except for the name change from council to committee. These changes fail to respect the wisdom of the all party Standing Committee on the Environment.

Even though these changes are minor, it still does not justify reversing the work of the committee. These changes were, after all, initiated by the Liberal members of committee. Why make the changes now? These amendments show the government's contempt for the work of parliamentary committees and for its own MPs.

*Government Orders*

Motion No. 24 seeks to amend clause 10.1 which deals with the stewardship action plan. Believe it or not, this amendment would ensure that a copy of the stewardship action plan is included in a public registry for all to read. I just cannot believe the government is making the stewardship agreement transparent. There must be a catch because this Liberal government is not known for being transparent.

Of course when we read Motion No. 25 it all becomes clear. The minister was not so much looking for transparency in his decision on stewardship in Motion No. 24 because in Motion No. 25 the minister, in a rather sneaky move, makes developing action plans discretionary and not mandatory, as was the case before the amendment. Allow me to explain. This motion extensively modifies the amendments of the standing committee that introduced the idea of stewardship action plans in Bill C-5. This amendment, Motion No. 25, reinforces government amendment Motion No. 24 in that it makes the development of an action plan discretionary and not mandatory.

Although when a minister does in fact choose to develop an action plan, some of the original points of clause 10.2 are left intact, those which expressly dictate which elements must be included in such an action plan.

As if this amendment was not bad enough, it also seeks to remove any mention of compensation. Although the committee did not agree to mandate compensation, it did at least require the minister to commit to regularly examine tax treatment and subsidies and to eliminate disincentives for people to protect species at risk. Motion No. 25 removes any recognition that the tax system might be used to provide incentives for property owners, as well as any recognition that property owners face disincentives to protecting endangered species. This amendment fails to recognize the financial burden that the act potentially places on landowners.

Furthermore, it removes the committee's amendment which required a commitment to provide technical and scientific support to persons engaged in stewardship activities. Instead, the government commits to providing information. With this amendment, landowners can expect a far lower level of support from the government. The Liberal government through this bill is asking landowners to not only assume significant responsibilities but they are being threatened with criminal sanctions for inadvertent errors. Yet the minister still refuses to offer them tangible assistance. If it is not the old "damned if you do and damned if you don't" scenario, I do not know what it is. It is shameful how the government treats landowners.

• (1335)

If the House will kindly take a look at government Motion No. 29, it is once again a modification of amendments carried in committee, quite freely I might add, by the government's own Liberal members on the environment committee. Motion No. 29 deals with clause 13 (1), a section dealing again with stewardship agreements and, most particular, the publication of those agreements in the public registry. The committee had agreed that in the interests of transparency and in the spirit of public consultation all draft contribution agreements be made available to the public through the public registry for comment prior to these agreements becoming permanent.

These agreements, as stated in clause 13(1), are for "payment of contributions toward the costs of programs and measures for the conservation of wildlife species". This clause allows the minister to enter into these agreements with other governments, organizations or a person. Since stewardship agreements can affect not only the landowner but neighbouring lands as well, the committee in its wisdom thought it best to make the draft agreements subject to public scrutiny before signing on the dotted line, and the government is reversing its decision on this amendment.

This is unacceptable. I can think of any number of reasons why proposed stewardship agreements should be made public. One that comes to mind is quite clear. For example, take the reintroduction of wolves back into an ecosystem. Depending on the area in question, these wolves might not only affect the ecosystem of the national park as intended but might also adversely affect the ranchers in that area. This is a specific case that I can think of right off the top where those ranchers should be allowed public input into that stewardship agreement. Motion No. 29 allows the minister to remove that consultation requirement altogether. I believe that is unacceptable.

I will move along to government Motion No. 72 which affects clause 45(1). This motion deals with changes to the recovery strategy and is consequential to government Motion No. 76 and clause 50, which would remove the timelines for action plans. These timelines were specifically imposed by the standing committee to ensure the government could not drag its heels on developing recovery strategies or action plans for species at risk. These motions remove the mandatory timelines set by the standing committee that required action plans to be completed within one year of the completion of its recovery strategy if it were an endangered species and within two years if it were a threatened or extirpated species.

The Canadian Alliance supports the requirement for mandatory timelines on the development of action plans. The Liberal government has been in no hurry to pass endangered species legislation. It made promises in the 1993 red book and since then legislation after legislation has died on the order paper because of two premature elections. It has shown no urgency in protecting species at risk. Timelines would certainly guarantee some progress on protecting endangered species and prevent the government from simply dragging its heels whenever it wishes.

The preparation of action plans is essential to protecting endangered species. To do so requires much study and would, for example, mean collecting data on the socioeconomic impact of those action plans. The government readily admits that it has little or no data on the socioeconomic implications of the bill and yet the minister, through his amendment, is still seeking to remove those mandatory timelines. What about those species at risk? How long can they wait?

*Government Orders*

Motion No. 126 is a further example of how the minister and the Liberal government is reducing the transparency of the bill. The motion once again removes the amendment made by the standing committee which required that all ministerial reports, including decisions, be listed in the public registry. What is the government afraid of? The amendment significantly reduces transparency and public access to important documents showing the process for how the list of endangered species is developed. Of course the Canadian Alliance will be voting against this motion.

Government Motion No. 130 reduces a review of the proposed act from every five years to only once on the five year anniversary of its coming into force. A mandatory review every five years of the effectiveness of the legislation would not only hold the government accountable for its inaction but would make it clear where the act needed more work.

I will quickly say a few words on Motion No. 127 which currently allows the minister to:

—restrict the release of any information required to be included in the public registry if that information relates to the location of a wildlife species or its habitat and restricting its release would be in the best interests of the species.

It is nice of the minister to look after the best interests of the species but this must be balanced with other interests. My amendment would restrict the public release of that information only and therefore guarantee that the minister must advise the affected landowner of the presence of the species.

● (1340)

How can the government on one hand prosecute landowners for contravening the act and on the other hand withhold knowledge of the presence of the species? I find it outrageous.

I urge all members to support Motion No. 127

**Mr. Alan Tonks (York South—Weston, Lib.):** Madam Speaker, the proposed species at risk act is becoming one of the most widely debated pieces of legislation the House has considered in some time. As much as we would like to say all decisions associated with species at risk and habitat protection are cut and dried, black and white and easy to decide I think everyone in the House would agree that is not the case.

Some members may agree on the compensation approach but not the listing approach. Some like the notion of government accountability but do not care for the way ministers would make decisions. Some support the co-operative approach. Others think there should be a more heavy handed approach.

This is only what we hear in the Chamber. Outside the Chamber even more has been made of the bill. Would it protect enough? Would it protect too much? Would it be better to move with what we have or have nothing at all?

I am not making light of the controversy. We need to acknowledge and even revel in it because it is democracy in action. However we need to understand why the government has been so insistent on its approach to issues concerning species at risk. It has stuck with them. It has introduced and reintroduced them. It has understood the political liabilities of some of them and still stuck to its positions. Why? It is because they are the right positions.

This is not arrogance. The government's position is based on the best available research. Bill C-5 is the result of exhaustive consultations. It is the result of nearly nine years of looking at what works and what does not. It is the result of studying the American example in the Canadian context, looking at precedents for compensation, and learning from 25 years of scientific expertise under the COSEWIC process.

We did not begin fully armed with policies. We built the bill one step at a time, with many amendments, and on the basis of the best experience in modern and up to date federalism. This is the Canadian co-operative approach. The provinces and territories must be involved. The territories must be treated as full partners in the protection of species at risk. There is a significant amount of federal land in the territories but under the legislation they would not be treated as little brothers or sisters. They would be treated as equals.

We must continue to ensure this full partnership is not undermined in any way. The approach must be one of joint actions and not heavy handed, top down law. Balance is what we must strive for. That is an absolute certainty. That is exactly what has been achieved in Bill C-5.

Our overall strategy for protecting species at risk is to ensure the federal portion of the responsibility is met. Bill C-5 is one element of the strategy. It would complement the work of other levels of government. It would build on the partnership approach of the federal provincial territorial Accord for the Protection of Species at Risk. It would reinforce the stewardship component of that strategy.

The accord is one of Canada's commitments to protect species. We also have commitments through international and domestic agreements such as the United Nations Convention on Biological Diversity and the Migratory Birds Convention Act.

Unfortunately standing committee amendments eliminate the incentive for the Northwest Territories, Yukon and Nunavut to complete the development of their own species at risk legislation to meet their commitments under the accord. That is not good news for wildlife.

● (1345)

We should all be proud that for the first time in any piece of federal conservation or environmental legislation we are entrenching the role and importance of traditional aboriginal knowledge. These are the people whose traditions tell us about the habits and patterns of birds and animals. These are the people who know because they have been told by their parents and elders going back generations that certain plants can thrive in certain situations. Such knowledge could help us protect species and plan effective recoveries.

We are incorporating aboriginal traditional knowledge into our assessment and recovery process in a formal way. This is quite unique. We are supporting steps to establish a formal aboriginal committee that would recognize the enormous contribution aboriginal groups have made in the formation of these policies. It would be an enormous step forward. It would formally recognize and acknowledge our partnership and the valuable contribution of aboriginal people to the protection of species at risk.

*Government Orders*

The policy intents of Bill C-5 were not arrived at overnight. They came from years of study, consultation, discussion and examination. The co-operative approach is the Canadian way. It is the only way. It is already working. The time to act on the legislation is now.

If protecting endangered species is a significant step toward giving future generations a sustainable legacy in the natural environment then whatever the imperfections of Bill C-5, perceived or otherwise, it is the best and perhaps last chance to finally make a beginning.

**Mr. Larry Spencer (Regina—Lumsden—Lake Centre, Canadian Alliance):** Madam Speaker, I thank the hon. member for Souris—Moose Mountain for giving me this time slot. I am quite sure he will be speaking after question period.

In my childhood I had a recurring dream which illustrates a point I have been hearing over and over. Members have been addressing the fact that the government has ignored many of the recommendations brought forward in committee or come back and tried to reverse them. My dream was in the context of the farm where I used to feed cattle, chickens and the different animals my family had. In the dream I was walking around with a five gallon feed pail in each hand. I had the notion that if I stepped into the bucket and pulled up on the handle I could fly. The harder I pulled the higher I could fly. It was a lifting experience. I enjoyed the dream whenever I had it but it was not realistic.

The government continues to dream of producing good legislation while ignoring parliamentary committees, MPs and other levels of government. Perhaps it is dreaming beyond its potential.

The government's approach to Bill C-5 has been to reduce the challenges of protecting species at risk by basing almost every decision on political discretion. Its approach has been to say "trust us", an approach which has satisfied few outside government. Because of this significant changes were made to the bill as it went through committee stage.

The Standing committee on Environment and Sustainable Development finished its study of amendments to Bill C-5 at the end of November. The Canadian Alliance worked hard to achieve several key changes to the bill. Most important of these was the reverse onus listing. It would give cabinet the final decisions about the listing of species but it would have to make them within a limited time. Listing decisions it did not make within the allowed time would default to the list compiled by the scientists.

Good science in this context must include socio-economic issues. It must take into account whether species are at risk because of human causes, natural causes or changes the animals themselves have made. When I last spoke to Bill C-5 in the House I mentioned that in Regina we protect peregrine falcons as an endangered species. I have since learned there are thousands of them in different locations. They have merely changed their patterns of flight and habitat. They are not an endangered species at all. Sometimes we need to investigate a lot of things.

We did not achieve a lot of our key goals in committee. We continue to believe strongly that when all other forms of negotiation fail there cannot be full co-operation without full compensation for landowners. Without full co-operation species across Canada would suffer instead of being helped. We fought hard for this. However our

friends across the way voted down our motions while all opposition members voted to support them.

We debated the issue in the House of Commons in February and March. I have no doubt we will be back to debate it in April at report stage so all Canadians can understand how important compensation is for the protection of endangered species.

I will turn the attention of the House to Motion No. 29. The motion would extensively modify the standing committee amendments that would introduce the stewardship plan to Bill C-5. It is one of the reversal amendments.

● (1350)

The committee did not mandate compensation but at least it required that the minister commit to regularly examine tax treatment and subsidies and to eliminate disincentives for people to protect the species at risk. Motion No. 29 would remove any recognition that the tax system might be used to provide tax incentives for property owners as well as any recognition that property owners face disincentives to protecting endangered species. This would fail to recognize the financial burden that this act potentially places on landowners.

It would remove the committee's amendment which required a commitment to provide technical and scientific support to persons engaged in stewardship activities. We oppose it since this strongly waters down the committee's changes and in particular omits the mention of tax treatment and subsidies to eliminate disincentives.

We argued in committee that those who accidentally kill a species, its residence or its habitat, must not be liable for prosecution. Liability should be reserved for intentional trespasses against the act. The committee vote resulted in a tie. The Chair decided the vote and this part was done away with. We brought this change to report stage to discuss the importance of limiting liability to intentional acts, not to accidental acts.

It is so easy in some cases to accidentally spoil habitat in a farmer's field or on his property or perhaps even accidentally kill an animal or wound an animal. We need to ensure that we include criminal intent and not just simply an accident that might happen.

We believe that taking into consideration the costs and the benefits of planning options would make for a much more effective bill. If precious money were wasted, species would be hurt because of it. The government must better consider economic realities and develop more formal ways of choosing the program that is the best bang for the buck. The committee rejected these arguments. Committee members believed that species would be worse off because of the lack of these things.

The Canadian Alliance is committed to protecting and preserving Canada's natural environment and our endangered species. However, we do not believe the act will work unless it includes fair and reasonable compensation. It will not work unless criminal liability requires intent. We believe that we need co-operation and not confrontation with the provinces and other levels of government. We believe that the government wants to amend Bill C-5 to reverse many of the positions taken even by its own Liberal MPs on the environment committee. This is another example of top-down control from the Prime Minister's Office and shows the contempt in which the government holds members of parliament.

Unless the bill provides for mandatory compensation and stops criminalizing unintentional behaviour it would not provide effective protection for endangered species. This is the reason why we cannot support the bill.

I remind members of that little story, of the insistence the government has to dream on and on. My city dwelling friends have a better vantage point for dreaming. Perhaps some have spent too much time in the CN Tower to really get down to earth and realize what happens on the ground out on the farm where people will have to bear the burden of the cost of protecting these species. We need to protect them. As has been said in many ways in many days in the House our prairie farmers are an endangered species themselves. We need to give them every tool to survive but also every tool they require to protect the endangered species they might find on their properties.

● (1355)

**Mr. Joe Comartin (Windsor—St. Clair, NDP):** Madam Speaker, all sorts of amendments have been brought forth by the government to dramatically alter the work done by the environment committee. A great deal of them are offensive but none more so, I would suggest to the House, than the amendments that are part of Group No. 4. They attack the sections that would expand the ability of the first nations to have input into the implementation and total application of SARA.

Just before the House resumed today a press release from the president of the Inuit Tapiriit Kanatami Association speaking on behalf of the Inuit in the north attacked the government indicating clearly that the Inuit were no longer in a position to support the amendments as proposed. The Inuit were particularly interested in subsection 7(1) of the act which had the effect of establishing a council that would allow direct participation by the first nations.

The press release indicates that various attempts were made by the Inuit to approach the Minister of the Environment to ask him to reverse his position, go back to what the committee had proposed and to allow the first nations in the country meaningful participation.

*S. O. 31*

As of yesterday there was no response from the minister and today the Inuit issued this release indicating that there is no longer any willingness on their behalf to support the SARA legislation as amended by the government.

It is my understanding from contacts that we have with first nations across the country that the position taken by the Inuit is generally supported by most first nations in the country. It is another example of how out of touch with reality and relationships the government is with the first nations.

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## STATEMENTS BY MEMBERS

● (1400)

[English]

### FOREIGN AFFAIRS

**Ms. Colleen Beaumier (Brampton West—Mississauga, Lib.):** Madam Speaker, yesterday an ad appeared in the *International Herald Tribune* signed by over 250 dignitaries highlighting the suffering that the Iraqi people have had to endure due to sanctions imposed on their government. It also denounced the smart sanctions plan proposed by the U.S. and the U.K.

The proposal is not the solution to the economic and social problems. It is a grim perpetuation of a failed policy and a violation of internationally recognized human rights and humanitarian standards. Smart sanctions are still sanctions.

The proposal is an attempt to shift the blame for the Iraqi people's suffering away from the U.S. and Britain. Moreover, U.S. support for smart sanctions reflects the Bush administration's recognition that there is no support for the currently policy.

I urge the Canadian government to take the initiative at the security council by initiating the process of de-linking humanitarian sanctions from military sanctions and establishing a diplomatic presence in Baghdad. The global conscience—

**The Acting Speaker (Ms. Bakopanos):** The hon. member for Nanaimo—Alberni.

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### CANADIAN ALLIANCE

**Mr. James Lunney (Nanaimo—Alberni, Canadian Alliance):** Madam Speaker, the Canadian Alliance has undergone a major metamorphosis as we carried the question of leadership and the future direction for our party to Canadians from coast to coast.

Last night members chose a new leader. I am pleased to rise in the House today on behalf of my friends and colleagues in caucus to welcome and acknowledge Stephen Harper as our new leader. Stephen brings a wealth of experience in the policies and principles that founded our party and movement.

*S. O. 31*

We also applaud our former leader, the member for Okanagan—Coquihalla who campaigned tirelessly and passionately. We look forward to working with him in caucus alongside our other leadership candidates, the members for Calgary—Nose Hill and Macleod.

We are determined to regroup and retool as a unified caucus. We call on our members from coast to coast to pull together. It will take all of us and a lot more. It will take an openness for honest discussion and scrutiny of issues.

We welcome Stephen and congratulate all the candidates. Working together let us build a revitalized Canada and a better future for our children and all Canadians.

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#### MARINE CONSERVATION AREAS

**Mr. Peter Adams (Peterborough, Lib.):** Mr. Speaker, March 24 is the 13th anniversary of the Exxon Valdez oil spill. In this parliament I was pleased to support Bill C-10, an act respecting the national marine conservation areas of Canada. The bill would allow for the protection of national heritage in Canadian waters that extend the area of our huge country by 50%. It would allow the extension of our great national parks system out into the ocean.

Among other things Bill C-10 would allow the establishment of a Gwaii Haanas national marine conservation area reserve proposed in an agreement that was signed in 1988, the year before the Valdez spill. This reserve, on our sensitive west coast, would allow for the protection of rare ocean species. It would be a sanctuary for them just as our national parks on land are a sanctuary for plants and animals.

I urge all members to support the extension and strengthening of our national parks system on land and offshore.

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#### WORLD POETRY DAY

**Ms. Sarmite Bulte (Parkdale—High Park, Lib.):** Mr. Speaker, March 21 is World Poetry Day. This day was declared by UNESCO in 1999 to celebrate poetry and to lend recognition and provide impetus to poetic movements around the world.

[*Translation*]

World Poetry Day thus gives us an opportunity to reflect on the human need for expression, and for art and beauty that provides inspiration and promotes healing. A world without poetry, art, theatre or literature would be extremely boring. Poetry gives a voice to all peoples.

[*English*]

Poetry is one of many ways in which we as Canadians celebrate our lives, express our diversity and share our vision and values with the world.

[*Translation*]

The Government of Canada is proud to support and promote all artistic and cultural activities in Canada, including the poems and the poets whose words are thought provoking, amusing or inspiring. Let

poetry continue to be read, heard and felt in all our libraries and schools, but above all in our hearts and homes.

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#### ASSOCIATION FÉMININE D'ÉDUCATION ET D'ACTION SOCIALE

**Ms. Carole-Marie Allard (Laval East, Lib.):** Mr. Speaker, for several years now, women from across Canada have been getting together to unite their strength and their voices, whether for solidarity purposes, or to actively promote their ideals.

Twenty thousand Quebec women are members of the Association féminine d'éducation et d'action sociale, a non-profit organization whose goal is to improve women's living and working conditions, and to defend their rights. The AFEAS has been working to that end in 430 Quebec towns for close to 35 years.

I am asking the House to join me in welcoming the representatives of the Association féminine d'éducation et d'action sociale who are here today. These women are leaders in their communities. They are here to take part in a colloquium organized by Communications Canada.

I welcome them to Ottawa, and I wish them every success in their endeavours.

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● (1405)

#### DAFFODIL DAY

**Ms. Diane Bourgeois (Terrebonne—Blainville, BQ):** Mr. Speaker, every year in April, the Canadian Cancer Society and thousands of its volunteers lead a huge campaign to raise funds for research to beat this terrible disease.

Daffodil Day has been a tradition in Quebec since 1961. This anticipated event signals the arrival of spring and the return of life. It expresses support for those who are affected by cancer, in one way or another. More than 125 cities and towns in Quebec take part in this operation.

The fight against cancer is not over. We are all affected, directly or indirectly; 134,100 people died from the effects of cancer in Canada in 2001. In Quebec, more than 12,000 volunteers will pool their efforts for a cause that concerns every one of us.

The Bloc Québécois invites all Quebecers to encourage volunteers on Daffodil Day in order to give back hope to those who are living with cancer.

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#### INTERNATIONAL DAY FOR THE ELIMINATION OF RACIAL DISCRIMINATION

**Ms. Libby Davies (Vancouver East, NDP):** Mr. Speaker, today we celebrate International Day for the Elimination of Racial Discrimination.



[English]

While we celebrate the multiculturalism and diversity of Canada and acknowledge the history and inherent rights of aboriginal peoples we are also called to speak out against racism, discrimination and injustice.

Recent studies have shown there is growing racism in this nation since the tragedy of September 11. We have also learned that newcomers to Canada, the majority of whom are visible minorities, are twice as likely to live in poverty as a result of the discrimination they face in employment practices.

[Translation]

We in the NDP stand in solidarity with all those who work to ensure that human rights are respected.

[English]

On this day we reaffirm our commitment to stop racism, hatred and xenophobia. We call on the government to address the systemic barriers of racism and discrimination that prevent many from participating fully in the social, political, cultural and economic life of Canada.

\* \* \*

[Translation]

#### HIGHWAY SYSTEM

**Mr. Jeannot Castonguay (Madawaska—Restigouche, Lib.):** Mr. Speaker, I live in Edmunston, New Brunswick, one of the maritime provinces of the beautiful Atlantic region. This region in eastern Canada has much to offer tourists from the rest of Canada and the rest of the world. The people of my region like to visit our cousins in Quebec and in the other provinces in the east, centre, and west of this country, but they also like to welcome them to their part of the country.

If this superb corner of the country is to be able to show off its true worth, and if the tourist industry is to be bolstered, we need to have proper highways available to potential visitors. The roads from Rivière-du-Loup to the New Brunswick border need to be improved, that is highway 185 and the section of highway 2 from the N.B. border, at Edmunston, to Fredericton.

On a number of occasions in the past, the Prime Minister has indicated that this highway project was a priority for his government. The people back home remember this and they feel the time has come to stop talking about the project and to start taking steps to make it happen: a four lane highway from Rivière-du-Loup, in Quebec, to Fredericton, in New Brunswick.

You will always be welcome to visit my part of the country, Mr. Speaker.

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[English]

#### PRIVATE MEMBER'S MOTION

**Mr. Greg Thompson (New Brunswick Southwest, PC/DR):** Mr. Speaker, yesterday was an example of the heavy handedness of the Prime Minister's Office when it went to the unprecedented length of instructing every one of its members to vote against a private

*S. O. 31*

member's motion in the House, a motion that would have provided documents to individual members of parliament to do their job. It would—

**The Speaker:** Order, please. The hon. member will want to be very careful not to reflect on a vote of the House. I know he knows that is against the standing orders. Perhaps he can rephrase his language.

**Mr. Greg Thompson:** Mr. Speaker, I will just shoot from the hip. Why would the Prime Minister enforce certain restrictions on his members of parliament? This has happened over and over again in the House when the Prime Minister has instructed his members of parliament to operate in a certain way.

In other words, we want to rejuvenate parliament and make it stronger so that individual members of parliament can do their job without being shut down by the powers of the Prime Minister's Office. That is the point. Let us renew this institution. Let us make it better. Let us make it stronger.

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● (1410)

#### JOHNNY LOMBARDI

**Mrs. Betty Hinton (Kamloops, Thompson and Highland Valleys, Canadian Alliance):** Mr. Speaker, I rise today to pay tribute to a second world war veteran and a son of Italian immigrants who died Monday in the city where he brought multiculturalism to new levels of awareness.

Johnny Lombardi, long time broadcaster and a prominent Torontonion, started out by convincing CHUM radio that it needed an hour long program devoted to Italian music. That was 36 years ago. The self-made entrepreneur ended up owning CHIN, a community ethnic radio station, that today serves more than 30 cultural communities in Toronto and southern Ontario.

Mr. Lombardi was a Canadian success story. He started life with little but his determination, his heritage and a strong work ethic. When he did find success he shared it with others through active fund raising on behalf of charities and hospitals. He built bridges with his smiles, his enthusiasm and his love of life.

Mr. Lombardi's life can and should be a role model for all of us who believe that Canada's immigrants and our diversity can be a mix that strengthens us all.

May he rest in peace.

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#### DISCRIMINATION

**Mr. Gurbax Malhi (Bramalea—Gore—Malton—Springdale, Lib.):** Mr. Speaker, today Canada observes the International Day for the Elimination of Racial Discrimination.

The Department of Canadian Heritage conducts a national video competition encouraging youth to make a videotape to express their stand against discrimination. This year more than 1,100 students from every province and territory participated.

*S. O. 31*

I am pleased to announce to the House that this morning in Toronto 30 young Canadians received awards from the Minister of Labour and Secretary of State for Multiculturalism in recognition of their exceptional work, which demonstrates a commitment to eliminating racial discrimination.

The March 21 campaign raises awareness of the harm caused by racism and demonstrates Canada's commitment to fostering respect, equality and diversity.

On behalf of the Government of Canada, I congratulate all the winners and participants in this national video competition. They have said there is no place for racism in Canada or anywhere else in the world.

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[*Translation*]**AFÉAS**

**Ms. Monique Guay (Laurentides, BQ):** Mr. Speaker, the Association féminine d'éducation et d'action sociale, with its membership of more than 20,000 Quebec women, is celebrating its 36th anniversary this year.

The AFEAS has always, throughout its long history, offered us a place where we can get together, be ourselves, with our own words, our own way of thinking, our own way of being, our own way of doing, and has always been the guardian of our rights.

This desire to enhance the autonomy and economic security of women has taken many forms of meaningful action. The voice of women has been expressed through a multitude of means: the luminous artistic works of Marcelle Ferron; the sensitive lens of Anne Claire Poirier; the wonderful language of Marie Laberge; the winning determination of Myriam Bédard.

Each time we speak up, we improve the autonomy, economic security and social conditions, not only for women, but also for men and for children, who are equally in need. This has always been very clearly understood by the AFEAS.

Bravo to all these women, and long live the AFEAS.

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**RACIAL DISCRIMINATION**

**Ms. Diane St-Jacques (Shefford, Lib.):** Mr. Speaker, today, March 21, is International Day for the Elimination of Racial Discrimination.

Here in Canada, we mark this day with the March 21 campaign, designed to heighten awareness of the harmful effects of racism on a national scale.

Canadians from all over the country are taking this opportunity to proclaim together that we will not tolerate racism in our schools, workplaces and streets.

We are a diversified people, but we all share the same respect for this diversity. Canada is a unique nation. We decided a long time ago to take advantage of the numerous benefits of openness to the world. Today, our success shows that we made the right decision.

The March 21 campaign is an opportunity to realize that we must continue to work together to eliminate racism in Canada and around the world.

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[*English*]**NOROUZ**

**Mr. Richard Harris (Prince George—Bulkley Valley, Canadian Alliance):** Mr. Speaker, today Muslims around the world are marking Norouz, the Islamic new year. This is a very special day of celebration for Muslims everywhere, and a particularly momentous one for the people of Afghanistan who for the first time in 20 years can freely celebrate this joyous day. With the help of Canadian and alliance forces, the Taliban tyrants are on the run, hopefully banished forever from Afghanistan.

There are a billion Muslims around the world and 350,000 resident in Canada. The Canadian Alliance Party is proud that we have Canada's first and only Muslim member of parliament in our midst, the member for Edmonton—Strathcona and our deputy leader.

From all of us in the Canadian Alliance, I extend a happy new year to everyone in the Muslim community.

\* \* \*

● (1415)

**EDUCATION**

**Mr. Loyola Hearn (St. John's West, PC/DR):** Mr. Speaker, the Government of Canada has two choices. One is to invest in the education of the youth of our country and the other is to pay the social costs of an uneducated populace down the road.

Young, uneducated individuals draw from the economy. Educated individuals not only contribute to society from an economic point of view but also take less from the public purse. The well educated require less expenditure on health care and other social costs.

The choice should not be a difficult one. Why put off until tomorrow what we can do today, especially if the benefits are much greater this way?

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**GREECE**

**Ms. Eleni Bakopanos (Ahuntsic, Lib.):** Mr. Speaker, this weekend more than 300,000 Canadians of Hellenic origin will celebrate the 181st anniversary of Greece's independence day.

[*Translation*]

Greece's Independence Day is the most important anniversary of its history. March 25, 1821, also marks the most influential moment of western civilization.

*Oral Questions**[English]*

My constituents of Hellenic origin and the members of the greater Hellenic community of Montreal and across Canada have always upheld here in Canada the very same ideals held by their ancestors. They have maintained a tradition of democratic principles and rights, and with wisdom and courage contributed to the promotion of peace worldwide and to the fight against injustice everywhere. These concepts and values born from Greece, my country of origin, have formulated the direction and structure of our nations, including those of Canada, my second "Patrida".

I am proud of my Hellenic heritage, just as I am proud of being Canadian, as Canada is the prime example of a country devoted to the ideals of Hellenism: freedom, democracy and justice.

On March 25 I invite all members of the House to wish Canadians of Hellenic origin:

*[Editor's note: Member spoke in Greek]*

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## ORAL QUESTION PERIOD

*[English]*

### GRANTS AND CONTRIBUTIONS

**Mr. Rahim Jaffer (Edmonton—Strathcona, Canadian Alliance):** Mr. Speaker, I would like to start by congratulating all of the Canadian Alliance leadership candidates for their valiant effort, and especially to congratulate our new leader, Stephen Harper. We all look forward to him assuming his responsibilities in the House. I would have had a full report from last night but somehow it has gone missing.

Speaking of missing reports, on Monday the minister of public works assured the House that Groupaction contracts were awarded through a competitive process and were given to the best bidders. However an internal audit conducted in 2000 questioned whether the government got the best price on these contracts and questioned their compliance with treasury board rules.

In light of the phoney photocopied report and the damning statements of his own auditors, does the minister still defend these contracts having gone to the best and lowest bidders?

**Hon. Don Boudria (Minister of Public Works and Government Services, Lib.):** Mr. Speaker, the hon. member is just not himself. He is mixing up a number of issues today. What we have is a competitive process that was given to provide the standing offers for all the sponsorship programs. The hon. member knows that. That has been expressed to him.

In the year 2000, my predecessor announced the establishment of a more rigorous system for the awarding of these kinds of contracts. That was announced in the House some two years ago, perhaps at his own questioning or at the questioning of other colleagues. It holds true today. Insofar as the two—

**The Speaker:** The hon. deputy leader of the opposition.

**Mr. Rahim Jaffer (Edmonton—Strathcona, Canadian Alliance):** Mr. Speaker, it seems like his department is so mixed up, it is tough to keep track.

*[Translation]*

It seems that three is the magic number with this government. First, we learned that the government had awarded a \$550,000 contract to its friends for a bogus list. Then, we learned that the government had paid even more for a photocopy of the report. Now, we are finding out that the government is paying another half a million dollars for another photocopy. That is enough waste.

When will the government stop making fun of people and start acting responsibly with the taxpayers' money?

**Hon. Don Boudria (Minister of Public Works and Government Services, Lib.):** Mr. Speaker, speaking of acting responsibly, the hon. member should consider asking more responsible questions, because he is well aware that what he just said, what he just discovered, has been in the government's public accounts for years.

Therefore, the research done by the hon. member leaves something to be desired. As for the existence of the third report, which is the one that was prepared to set up the system, the question was asked in the House by the Bloc Quebecois leader two days ago.

• (1420)

*[English]*

**Mr. Rahim Jaffer (Edmonton—Strathcona, Canadian Alliance):** Mr. Speaker, I do not think the questions are the problem. It is the irresponsible answers we continue to get from the government.

Last year the previous minister was under fire for a previous Groupaction contract for which it got \$615,000 to evaluate its own work on government event sponsorships. He refused to release the report to the public.

Will the new minister now table that report so that we can see if it is another jumbled collection of photocopies or will he continue to cover up the tactics of Alfonso Gagliano?

**Hon. Don Boudria (Minister of Public Works and Government Services, Lib.):** Mr. Speaker, that is exactly the same report that the hon. member is talking about.

**Mr. Vic Toews (Provencher, Canadian Alliance):** Mr. Speaker, let us look at the Groupaction kickback scheme. It got \$550,000 to photocopy an old report. It got \$615,000 to review its own careless work. It got \$95,000 to buy Swiss watches that disappeared. Then it got a 17% commission on the disappearing watches, and along the way it kicked back \$68,000 to the Liberal Party.

With this clear pattern of corruption, will the Prime Minister suspend Gagliano's appointment?

**Hon. Don Boudria (Minister of Public Works and Government Services, Lib.):** Mr. Speaker, the hon. member can make outrageous remarks. He is learned in the law. He is making accusations of a criminal nature against a company, against civil servants and against everybody else.

He knows that the Auditor General of Canada is presently conducting an audit into some of the things that he raised, the more responsible ones that is, and will be reporting that audit. I have already committed myself to tabling it in the House of Commons as soon as it becomes available to me.

*Oral Questions*

**Mr. Vic Toews (Provencher, Canadian Alliance):** Mr. Speaker, the Groupaction kickback scheme at public works occurred mainly under the watch of Chuck Guité, who has now left the department.

In light of the fact that Mr. Guité's company was the fourth largest corporate contributor to the current minister's re-election campaign, will the minister excuse himself from the handling of this very sensitive file? Will he not interfere in this and have nothing further to do with this file?

**Hon. Don Boudria (Minister of Public Works and Government Services, Lib.):** Mr. Speaker, I challenge the member to make that statement outside the House of Commons after question period where it will be subject to the consequences that will follow. He might remember the words of his former leader, as of a few hours ago, and how he fell from office because of irresponsible statements like that.

[*Translation*]

**Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ):** Mr. Speaker, between 1997 and 1999, Groupaction provided public works with not one, not two, but three identical reports for a total of \$1.6 million. Worse yet, the job was not even finished.

According to Groupaction, as long ago as June 1999, the department apparently agreed to have the commissioned qualitative analysis covered, if necessary, by, and I quote, a "request for upward amendment" of the last contract.

Could the minister of public works tell us today whether the third contract of \$575,000 was indeed increased, if there was another report in 2000 and in 2001, and how much more was Groupaction paid?

**Hon. Don Boudria (Minister of Public Works and Government Services, Lib.):** Mr. Speaker, as far as the third report is concerned, I have a copy here. It is available, and I am perfectly prepared to provide the hon. member with a copy after oral question period.

As for the allegations made by some that it is a photocopy, that is incorrect.

**Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ):** Mr. Speaker, it might have been nice if he had answered the question, but we will get back to it later.

In 1996, when the member for Sudbury was the minister of public works, Groupaction was paid \$500,000 for the initial contract. Then, in 1998, after the arrival of Alfonso Gagliano, Groupaction got a second contract for \$550,000 to do the same job. In 1999, the same scheme was used, and this time, Groupaction was paid \$575,000 for doing nothing more.

Does the fact that the same contract was renewed at least twice, supposedly without anyone in the department noticing it, not prove that there is a system of sweetheart deals going on at public works and that a public inquiry is required?

• (1425)

**Hon. Don Boudria (Minister of Public Works and Government Services, Lib.):** Mr. Speaker, in case the hon. member was not listening to what I said, the auditor general was mandated, and I

quote "to review the requirements of contracts". This applies to the three contracts. She can examine them all.

Clearly, the document I have before me dates from before the sponsorship program began; so it was not an evaluation of the prior program. It had not started at the time. So it is clearly not the same thing. I suspect the hon. member realizes this.

**Mr. Michel Gauthier (Roberval, BQ):** Mr. Speaker, three contracts produced three reports that are virtually identical.

I concentrated on the first contract, and I noticed that on July 2, 1996, the contract was awarded for \$250,000. Two months later, despite the fact that work had yet to begin on the contract, there was a recommendation to increase the fee from \$250,000 to \$500,000 for this contract. All of the other terms and conditions remained the same.

Could I please be told why someone, in the middle of the summer, decided to double the price for the Groupaction contract?

**Hon. Don Boudria (Minister of Public Works and Government Services, Lib.):** Mr. Speaker, the hon. member is asking me about changes made to a report proposed six years ago. That is the question he has just raised.

Regarding the three reports, I have repeated and I will repeat again, the Auditor General of Canada will audit the books in the case of the three documents. Yesterday, I quoted the auditor general's mandate, as well as her usual mandate, and I am also prepared to table this document.

**Mr. Michel Gauthier (Roberval, BQ):** Mr. Speaker, the first contract is the one that established the amount for all of the subsequent contracts. That is why it is of interest.

My question for the minister is as follows. Can he tell me what happened poolside in Ottawa in July, 1996, for a \$250,000 contract to become a \$500,000 contract, without any of the other terms or conditions being changed, as recommended by Mr. Guité and approved by Mr. Guité? We want to know what happened poolside that cost taxpayers \$250,000.

**Hon. Don Boudria (Minister of Public Works and Government Services, Lib.):** Mr. Speaker, speaking of pools, some cooling off is perhaps in order.

The Auditor General of Canada said, regarding her work, that "For the moment, [the focus] is the . . . contracts. We will see how things progress, and if we feel that it is necessary to go further than that, we will". This is what the Auditor General of Canada said. This must be true, since it comes from the *Globe and Mail*.

\* \* \*

[*English*]

#### LUMBER INDUSTRY

**Mr. Bill Blaikie (Winnipeg—Transcona, NDP):** Mr. Speaker, my question is for the Deputy Prime Minister.

In spite of the fact that the lumber industry in the United States seems to have more power than the president of the United States and in spite of the fact that it seems intent on imposing what the *Washington Post* has called an American new home ownership tax on American consumers, I wonder if the Deputy Prime Minister could tell us, as the Prime Minister is in Monterrey and so is the president with whom he will be meeting, will he be raising this with the president today to make sure that commitment is kept and a solution is found to this problem that does not amount to a form of blackmail on Canada and a threat to our sovereignty?

**Hon. John Manley (Deputy Prime Minister and Minister of Infrastructure and Crown Corporations, Lib.):** Mr. Speaker, the Prime Minister has made a point of raising this very important issue with the president on each opportunity that he has had occasion to speak with him. Given that the negotiations are not completed and are continuing, it is very likely that he would be intent on raising the issue again with President Bush.

That being said, we are not prepared to sign any agreement. We are attempting to negotiate an arrangement that will serve our interests but will not yield territory that is important to us, namely the ability to have full and free access to the U.S. market for our products.

\* \* \*

•(1430)

#### TAXATION

**Hon. Lorne Nystrom (Regina—Qu'Appelle, NDP):** Mr. Speaker, my question is for the minister of financial institutions.

Today world leaders are in Monterrey at the United Nations summit on global poverty. The first draft of the Monterrey consensus document includes a reference to a currency transaction tax, the so-called Tobin tax, but the current version of the draft does include any such reference.

We understand that the Canadian delegation was instrumental in removing reference to that tax.

The House voted overwhelmingly in favour of pursuing internationally a Tobin tax initiative. Why did the government betray a resolution of the House which was supported by 130 Liberal members of parliament, including the Minister of Finance?

**Hon. John McCallum (Secretary of State (International Financial Institutions), Lib.):** Mr. Speaker, I must say that I was not in the House at the time and was not aware of that motion. However, I would commend the government for ceasing to support a Tobin tax because I think it is a pretty bad tax.

\* \* \*

[Translation]

#### GRANTS AND CONTRIBUTIONS

**Mr. André Bachand (Richmond—Arthabaska, PC/DR):** Mr. Speaker, yesterday we learned, big surprise, that, in addition to the two almost identical reports prepared by Groupaction in 1998 and 1999 for the department of public works, there was a third report. There is, no doubt, a fourth one on the horizon. This report lists many of the same events. There are three similar reports, three contracts and three payments of half a million dollars.

#### Oral Questions

How many reports and how many millions will it take for the government to understand that Matane does indeed hold a shrimp festival? When may we expect a public inquiry?

**Hon. Don Boudria (Minister of Public Works and Government Services, Lib.):** Mr. Speaker, I do not know who wrote that, but he should be fired on the spot.

The hon. member says that this is a third report. He says that it is identical to the other two. The House should know that the member has never asked me for a copy of this third report, and that he has therefore not seen it.

**Mr. André Bachand (Richmond—Arthabaska, PC/DR):** Mr. Speaker, I will get a copy to him before he gets one to me.

That having been said, there is a taint of scandal, corruption, patronage and overpayment hanging over this government.

After one, two, and three reports, when can we expect a fourth and a fifth? When will there be a full public inquiry? Will the minister stop defending the indefensible patronage of this government?

**Hon. Don Boudria (Minister of Public Works and Government Services, Lib.):** Mr. Speaker, it is not a matter of defending. I myself asked the auditor general—the member was perhaps not here when I did so, but I will reread him the terms of the auditor general's contract—first, to review the requirements of the three contracts given to Groupaction. He does not want to hear the truth. Second, to analyze and compare the deliverables. Third, to review the approval process for payments made to Groupaction. Fourth, to conduct any other audit procedures necessary and, finally, to provide findings and recommendations with respect to the three, not two, reports.

\* \* \*

[English]

#### TERRORISM

**Mr. Brian Pallister (Portage—Lisgar, Canadian Alliance):** Mr. Speaker, yesterday we learned that there may be a Canadian connection to the September 11 terrorist attacks.

Unfortunately, U.S. authorities arrested Suhail Sarwer only after luring him across the border from Canada. He was wanted on charges of destruction of aircraft, bombing, and FBI investigators actually believe he has a direct and recent link to the September 11 tragedy.

The RCMP had investigated him but did not see fit to detain him despite knowing that he was wanted in the United States.

Why did the RCMP not arrest Sarwer and turn him over when it had a chance?

**Hon. Lawrence MacAulay (Solicitor General of Canada, Lib.):** Mr. Speaker, my hon. colleague indicated that there was a link. There is no direct link to what happened on September 11.

I can also tell my hon. colleague that I do not direct, as solicitor general, who the RCMP arrests and who it does not arrest.

**Mr. Brian Pallister (Portage—Lisgar, Canadian Alliance):** Mr. Speaker, naturally we all hope there is no Canadian connection with the September 11 attacks but to let that hope blind us to our own responsibilities would be a tragic error.

*Oral Questions*

American citizens died on September 11 but so did Canadians. Americans are fearful of a repeat of these terrorist attacks and so are Canadians. Suhail Sarwer was in Canada and the RCMP let him go. Canadians want to see justice done. They will not accept the overwhelming denial and complacency of the government on this issue.

When will the government understand that a Canadian connection demands a Canadian solution?

• (1435)

**Hon. Lawrence MacAulay (Solicitor General of Canada, Lib.):** Mr. Speaker, as I indicated before, there is no Canadian connection at this time. However my hon. colleague needs to know that the RCMP has responded to over 9,000 tips. It has worked with CSIS and its American counterparts since September 11 to make sure that any individual involved in terrorism around the world is brought to justice. It has and will continue to do that.

\* \* \*

[Translation]

**GRANTS AND CONTRIBUTIONS**

**Mr. Ghislain Lebel (Chambly, BQ):** Mr. Speaker, we know that the official responsible for this file at public works, Charles Guité, asked Groupaction to not bother with an important part of its mandate, namely the qualitative analysis, and focus instead on the inventory of events that could be sponsored.

Considering that, at the request of Public Works Canada, the qualitative analysis component was dropped, how does the minister explain that the initial contract was billed in full and then paid in full by Public Works Canada?

**Hon. Don Boudria (Minister of Public Works and Government Services, Lib.):** Mr. Speaker, this is a reasonable question. I can tell the hon. member that if he read—and I believe he did—the statement released on March 19, he knows that the auditor general has a mandate to do that and that I also pledged to ask for a refund, if we paid for services that we did not receive.

**Mr. Ghislain Lebel (Chambly, BQ):** Mr. Speaker, I can understand why the minister wants to hide behind the auditor general's investigation, but she is not the one in charge of the department.

The minister must tell us if, as we speak, there are still contracts from his department that are being executed by Groupaction, one of its subsidiaries or related companies. If so, what is the nature of these contracts?

**Hon. Don Boudria (Minister of Public Works and Government Services, Lib.):** Mr. Speaker, even those who read today's newspapers, or who listened to the news, know that there are nine companies that execute advertising contracts for the government. There was a call for tenders. We originally had 14 bidders. Of course—and this is already public knowledge—Groupaction is one of the nine companies that is doing work for us at this point. There are two or three contracts that are about to be completed. There are jobs that are being done under competitive bidding.

[English]

**TERRORISM**

**Mr. Paul Forseth (New Westminster—Coquitlam—Burnaby, Canadian Alliance):** Mr. Speaker, U.S. officials only told Canada about Suhail Sarwer after he was arrested. We already know that inside our country the RCMP and CSIS do not always talk to each other. Obviously we do not talk to our American counterparts either. So much for the Ridge agreement.

Why would the U.S. wait to tell Canada until after the suspect was in custody? Is there something wrong with our relations with the U.S. when it comes to national security?

**Hon. Lawrence MacAulay (Solicitor General of Canada, Lib.):** Mr. Speaker, it is unfortunate that my hon. colleague wishes to criticize the Royal Canadian Mounted Police and CSIS. We have one of the best police forces and security intelligence agencies in the world. They have worked with the United States authorities since September 11 and in fact before that. They work in co-operation to make sure that anybody involved in terrorism is brought to justice.

**Mr. Paul Forseth (New Westminster—Coquitlam—Burnaby, Canadian Alliance):** Mr. Speaker, flag waving does not do it.

It seems the United States has been forced to act alone in capturing this suspected terrorist. Many experts on border security and immigration have warned the government that if Canada does not do its job others will step in and do it for us. This now seems to have happened.

Could the solicitor general explain to Canadians how he can be satisfied with the country's security services if the U.S. has been forced to act alone to catch this terrorist in Canada who was let go by the RCMP?

**Hon. Lawrence MacAulay (Solicitor General of Canada, Lib.):** Mr. Speaker, as I said before, I do not tell the RCMP who they should arrest and who they should not to arrest. If my hon. colleague would give the attorney general of the United States department a ring he would find out exactly how the United States feels about the co-operation between Canada and the United States.

We have an excellent police force and an excellent security intelligence agency that work well with their American counterparts and will continue to do so.

\* \* \*

[Translation]

**GRANTS AND CONTRIBUTIONS**

**Ms. Francine Lalonde (Mercier, BQ):** Mr. Speaker, as far as the awarding of contracts to Groupaction is concerned, every day brings something new, and the more we look into the matter, the more new elements we turn up, which cast more and more doubt.

Given the constantly changing context, I am asking the Minister of Foreign Affairs whether he would not find it wiser to delay Alfonso Gagliano's assumption of ambassadorial duties in Denmark?

*Oral Questions*

●(1440)

**Hon. John Manley (Deputy Prime Minister and Minister of Infrastructure and Crown Corporations, Lib.):** Mr. Speaker, Mr. Gagliano has demonstrated before the committee that he has the necessary capacity to work on behalf of the government and the people of Canada in Denmark.

**Ms. Francine Lalonde (Mercier, BQ):** Mr. Speaker, I did hear the minister's answer, but that is not what the issue is. It is that he is an important, if not key, witness for the investigation to be undertaken by the auditor general.

If her conclusions point to the necessity of withdrawing Ambassador Gagliano, has any thought been given to the international consequences of this?

**Hon. John Manley (Deputy Prime Minister and Minister of Infrastructure and Crown Corporations, Lib.):** Mr. Speaker, the auditor general has the right to do whatever she wants as far as the investigation is concerned. But there is no necessity for us to be without representation in Copenhagen because of this.

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[English]

**LEADERSHIP CAMPAIGNS**

**Mr. Garry Breitkreuz (Yorkton—Melville, Canadian Alliance):** Mr. Speaker, the finance minister's Alberta bagman, Jim Palmer, was on contract with the Department of Finance to provide advice on tax policy in the energy sector at the same time he was engaged in the secretive effort to raise money from the same energy sector for the finance minister's leadership bid.

How can the Deputy Prime Minister assure us and all Canadians that the finance minister's bagman was not selling tax policy in order to raise money for the minister's leadership slush fund?

**Hon. John Manley (Deputy Prime Minister and Minister of Infrastructure and Crown Corporations, Lib.):** Mr. Speaker, the matter the hon. member has raised was reviewed by the ethics counsellor. He has observed upon it and corrective action has been taken.

**Mr. Garry Breitkreuz (Yorkton—Melville, Canadian Alliance):** Mr. Speaker, let us look at the facts. Mr. Palmer was secretly raising money for the finance minister's leadership race. He got caught. The lapdog ethics counsellor has advised the Liberal leadership candidates that they can keep raising money in secret. Now it appears that tax policy may have been for sale in order to pay for the finance minister's leadership ambitions.

How can the Deputy Prime Minister assure Canadians that these problems are limited to the finance minister when even the Liberals' own lapdog ethics counsellor will not force ministers to disclose their leadership fundraising now?

**Hon. John Manley (Deputy Prime Minister and Minister of Infrastructure and Crown Corporations, Lib.):** Mr. Speaker, the ethics counsellor is there to advise the Prime Minister and ministers on matters of possible conflict or apparent conflict.

He has been consulted in this matter. He has given his advice on it and action has been taken to correspond with the advice that the ethics counsellor has given.

The very fact that the process has worked is an indication of the seriousness with which the government takes this very important matter.

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**REGULATORY REFORM**

**Mr. Tony Valeri (Stoney Creek, Lib.):** Mr. Speaker, my question is for the government House leader.

Canadian companies are faced with an increasingly complicated regulatory process. After investigating, I found that some departments have moved to a performance based system while some have retained the old command and control approach.

When will the government finally move toward a government-wide performance based system of making regulations to reduce the regulatory burden and encourage innovation?

**Hon. Ralph Goodale (Leader of the Government in the House of Commons, Minister responsible for the Canadian Wheat Board and Federal Interlocutor for Métis and Non-Status Indians, Lib.):** Mr. Speaker, I am a strong believer in regulatory reform and I very much appreciate the hon. member's interest.

Over the past eight years we have made some progress. As a result Canada is now seen by the OECD as among the most advanced in the world for regulatory management. There is more work to be done. I intend to pursue it. Among other things, it is part of the innovation agenda of the Government of Canada. I welcome the input of members of parliament in achieving greater regulatory efficiency and effectiveness.

\* \* \*

[Translation]

**EMPLOYMENT INSURANCE**

**Mr. Yvon Godin (Acadie—Bathurst, NDP):** Mr. Speaker, today *L'Acadie nouvelle* reported that the Liberals in New Brunswick obtained a document showing that Human Resources Development Canada and the Government of New Brunswick signed an agreement to make retired public servants eligible for employment insurance.

One thousand three hundred public servants from New Brunswick took early retirement and obtained employment insurance benefits at the same time.

Is it a new policy of the government of the Minister of Human Resources Development to give EI benefits in cases of early retirement? Will the minister include miners from Leaf Rapids, Manitoba?

●(1445)

[English]

**Hon. Jane Stewart (Minister of Human Resources Development, Lib.):** Mr. Speaker, the voluntary early retirement window is a provision that is part of the Employment Insurance program.

This program is available to both public and private employers. It is my understanding that the agreement we have with the province of New Brunswick is being honoured there.

*Oral Questions***AIRPORT SECURITY**

**Mrs. Bev Desjarlais (Churchill, NDP):** Mr. Speaker, my question is for the Deputy Prime Minister.

The 1993 Liberal red book promised Canadians fairness and simplicity in tax policies, including the promise to find a fair alternative to the GST. We still have the goods and services tax and now the government is imposing another GST on Canadian air travellers, including children as young as two years of age.

Beginning April 1 the Liberal government will start taking in \$1 billion more than what air security will cost. Instead of another tax on tiny tots and their parents, will the Prime Minister withdraw the government security tax? Canadians do not want another GST.

**The Speaker:** The hon. Secretary of State for International Financial Institutions.

**Hon. John McCallum (Secretary of State (International Financial Institutions), Lib.):** Mr. Speaker, that is my official title but junior finance minister will do.

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

**Hon. John McCallum:** Mr. Speaker, in answer to the question, the idea that we will take in \$1 billion—

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

**Hon. John McCallum:** Mr. Speaker, I have answered this same question many times. I do not think I will try to do it again.

\* \* \*

**GOVERNMENT CONTRACTS**

**Mr. Jim Pankiw (Saskatoon—Humboldt, PC/DR):** Mr. Speaker, the Liberal sponsorship program slush fund is so riddled with political interference that the auditor general is investigating the phantom report.

Incredibly, the Minister of Public Works and Government Services is refusing to conduct a parliamentary inquiry even though when he was in opposition, he tabled a motion demanding that a parliamentary committee “examine all aspects of government contracts including those relating to advertising”.

Surely such a radical flip-flop deserves an explanation from the minister of pork and patronage. Why is he ignoring his own advice?

**Hon. Don Boudria (Minister of Public Works and Government Services, Lib.):** Mr. Speaker, that question was as clear as mud. If the hon. member is asking me if the auditor general is conducting an inquiry, and I assume he is throughout all of this, the answer of course is yes. The rest of the House knew about it already.

**Mr. Jim Pankiw (Saskatoon—Humboldt, PC/DR):** Mr. Speaker, the minister is trying to sneakily avoid the question. He has flip-flopped on his own motion which reads “to examine all aspects of government contracts including those relating to advertising”. He tabled this motion in the House specifically demanding a parliamentary investigation into government contracts relating to advertising. Those are his words in his motion.

Will the minister guarantee that all sponsorship program slush fund contracts are examined by a parliamentary committee and that

the government will adopt the auditor general's recommendations on this scandal?

**Hon. Don Boudria (Minister of Public Works and Government Services, Lib.):** Mr. Speaker, that question was only half as clear as the previous question.

If the member was asking, and we are only guessing at this point, if the advertising contracts are given in a competitive process, I have already answered that to another member. There were 14 submissions some time ago. Nine of them were selected as being the successful bidders and the advertising is being given pursuant to those successful bids. The member is not even listening to the answer.

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**EMPLOYMENT INSURANCE**

**Mrs. Carol Skelton (Saskatoon—Rosetown—Biggar, Canadian Alliance):** Mr. Speaker, the Minister of Human Resources Development continues to deny that section 19(3) of the EI Act was unfair even though her own department said so publicly in the *Canada Gazette*. I quote:

However, ongoing monitoring has found that, despite the regulation change in 1999, there is still a significant number of cases where the undeclared earnings rules result in unfairness.

Why is the minister contradicting her own department?

**Hon. Jane Stewart (Minister of Human Resources Development, Lib.):** Mr. Speaker, honestly the best thing I can do is repeat to the hon. member her own words. On March 12 she said in the House:

The principle of overpayment is a good one. If Canadians receive government benefits to which they are not entitled, they should pay them back. No one argues with that.

The only one who seems to argue with it is the hon. member and her party. The government has only ever recovered that portion of benefits paid to people who were not legally allowed to receive them. I never thought I would ever see the day when that party challenged us on recovering benefits that were not eligible to be paid.

• (1450)

**Mrs. Carol Skelton (Saskatoon—Rosetown—Biggar, Canadian Alliance):** Mr. Speaker, the HRD minister said yesterday that changes were necessary to make the process fair. This would imply that it was previously unfair.

Will the minister admit that for five years her department ripped off innocent workers?

**Hon. Jane Stewart (Minister of Human Resources Development, Lib.):** No, Mr. Speaker, I will not.

Let me be clear. If individuals honestly or mistakenly fail to declare their earnings, the only amount that they are expected to pay back is the amount equal to the benefits that they received for which they were not eligible.



*Oral Questions*

[Translation]

**Mr. Paul Crête (Kamouraska—Rivière-du-Loup—Témiscouata—Les Basques, BQ):** Mr. Speaker, the Auditor General of Canada reiterated to the Standing Committee on Public Accounts that the spirit of employment insurance had not been respected in setting the premium rate, because of the exaggerated surplus in the EI fund: more than \$40 billion.

Can the Minister of Human Resources Development assure us that the rates for 2003 and 2004 will be set in a process that is, and I quote the auditor general, “transparent and objective”, or will she continue siphoning money from the unemployed?

[English]

**The Speaker:** The hon. junior finance minister.

[Translation]

**Hon. John McCallum (Secretary of State (International Financial Institutions), Lib.):** Mr. Speaker, as the member knows, this \$40 billion surplus is not real money. It is not real.

What is real, is that over the last nine years, the government has reduced premiums substantially, giving contributors more than \$6 billion. And the government announced its intention to continue these decreases in the future.

**Mr. Paul Crête (Kamouraska—Rivière-du-Loup—Témiscouata—Les Basques, BQ):** Mr. Speaker, what is real, is that the government paid down its debt on the backs of the unemployed.

Will the minister ensure that the rate setting process is transparent in order to guarantee adequate parliamentary control so that employers, employees and the unemployed stop getting fleeced by this government?

[English]

**Hon. Jane Stewart (Minister of Human Resources Development, Lib.):** Mr. Speaker, what the auditor general said at committee is exactly what she said in her report in December. What she indicated is that she thought there was a better way of setting employment insurance premium rates. We agree with her. That is why in Bill C-2 we included that as part of the act. I would remind the House, the hon. member and his party that they voted against that bill.

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**ARTS AND CULTURE**

**Mr. Jim Abbott (Kootenay—Columbia, Canadian Alliance):** Mr. Speaker, there must be something about Scandinavian countries the Liberals do not like. First they send a scandal ridden politician to Denmark and now the heritage minister interferes with an upcoming royal visit from the king and queen of Norway.

The minister claims the Sami Inuit exhibit was cancelled in Toronto because of lack of funding. Ironically, if the venue were changed to Hamilton, funding from Heritage Canada would magically appear.

The minister is quoted as saying that she would love to fund the event, but is she not really saying that she would love to fund the event as long as it is in her home town of Hamilton?

**Hon. Sheila Copps (Minister of Canadian Heritage, Lib.):** Mr. Speaker, on the contrary. The member opposite and his party have been very critical of the government for allegedly funding organizations that never applied. In this case no application has ever been received either in Toronto or in Hamilton. It is very difficult to fund an exhibition for which an application has never been received.

I am awaiting the application. I hope the University of Toronto or any other organization will apply forthwith.

**Mr. Jim Abbott (Kootenay—Columbia, Canadian Alliance):** Mr. Speaker, that is rather interesting because the Norwegian ambassador confirmed today in a letter to the *Globe and Mail* that the foreign affairs department and the embassy contacted Heritage Canada. Ambassador Havnen was looking for alternative sources of funding; the minister was interested in alternative venues.

Why does the minister not just admit that she never intended to assist with the funding unless the event was moved to the Hamilton art gallery whose chairman just happens to be Jordan Livingston, a significant campaign donor and longtime political friend of the minister?

**Hon. Sheila Copps (Minister of Canadian Heritage, Lib.):** Mr. Speaker, it is rather sad that the member opposite would besmirch the reputation of a gallery which has the fourth largest collection of art in Canada, which had a curator who was a member of the group of seven and which has an incredible international reputation.

That being said, I am not surprised because the member quotes the ambassador. If he reads the letter that the ambassador wrote to the *Globe and Mail* he will find that the ambassador stated very clearly that the only thing that I attempted to do was to help the ambassador in achieving his objectives of bringing the exhibition to Canada.

\* \* \*

● (1455)

**FISHERIES**

**Mr. Wayne Easter (Malpeque, Lib.):** Mr. Speaker, the Standing Committee on Fisheries and Oceans just returned from holding hearings into foreign fishing violations just outside our 200 mile limit.

Witnesses were very forceful. In fact some were near tears in telling us directly that Canada must take action against these violations by NAFO member countries. In 2001 there has been a documented illegal harvest of greater than 10,000 tonnes of species under moratorium.

This strikes at the heart of this country's protecting its fish stocks. What is the minister willing to do to protect our fish?

**Hon. Robert Thibault (Minister of Fisheries and Oceans, Lib.):** Mr. Speaker, I thank the member and his committee for the outstanding work on this most important issue for Atlantic Canada.

I should like to make it clear that Canada will not tolerate the deliberate abuse of NAFO rules by foreign fishing fleets on the Grand Banks and the Flemish Cap.

*Oral Questions*

I have announced today as a first step that Canada is closing its ports to fishing vessels from the Faroe Islands for persistent violations of NAFO measures and disregard for conservation of the fish stocks.

\* \* \*

**FOREIGN AFFAIRS**

**Mr. Keith Martin (Esquimalt—Juan de Fuca, Canadian Alliance):** Mr. Speaker, the actions of Ari Ben-Menashe and his Canadian company, Dickens and Madson, have put the life of Zimbabwe opposition leader, Morgan Tsvangirai, in extreme danger.

Mr. Tsvangirai has been charged with treason which calls for the death penalty based on a highly questionable videotape done by the same individuals. These individuals have been involved in a history of fraud and extortion around the world.

Will the solicitor general instruct the RCMP to investigate the international activities of Ari Ben-Menashe, Alex Legault and their company, Dickens and Madson?

**Hon. Lawrence MacAulay (Solicitor General of Canada, Lib.):** Mr. Speaker, I understand that the RCMP is investigating the allegations. As my hon. colleague is well aware I am certainly not in a position to indicate whether it should or should not, but the RCMP has indicated that it is investigating.

\* \* \*

[Translation]

**SOFTWOOD LUMBER**

**Mr. Pierre Paquette (Joliette, BQ):** Mr. Speaker, today is the day that the Americans are supposed to announce their decision on what they are going to do about Canadian softwood lumber. On his return from the United States, the Prime Minister indicated that an agreement was imminent, and the Minister for International Trade made the commitment not to sign any agreement that did not take provincial specifics into account.

Can the Deputy Prime Minister assure us that his government will not sign an agreement just to save face for the Prime Minister, and that any agreement that might ensue will respect the specific nature of Quebec and of the provinces?

[English]

**Mr. Pat O'Brien (Parliamentary Secretary to the Minister for International Trade, Lib.):** Mr. Speaker, discussions went on through the night last night in Washington and negotiations have resumed. Our negotiating team is sparing absolutely no effort to find an agreement.

I can assure the hon. member, the House and all Canadians that the government simply will not sign a bad deal just to have a deal.

**Mr. Bill Casey (Cumberland—Colchester, PC/DR):** Mr. Speaker, month after month, week after week, the Minister for International Trade stood in the House and assured us that he would accept nothing short of free trade in softwood lumber.

Why is he caving in at this 11th hour and changing the position he repeated to us so often?

**Mr. Pat O'Brien (Parliamentary Secretary to the Minister for International Trade, Lib.):** Mr. Speaker, I have no idea where my

hon. friend would get that impression. The fact of the matter is, I repeat, that the government will not sign what it considers to be a bad deal.

The long term goal remains exactly the same. We will not have a deal that does not guarantee unfettered open access for Canadian softwood lumber to the American market. That was, is and will continue to be our position.

\* \* \*

**FISHERIES**

**Hon. Charles Caccia (Davenport, Lib.):** Mr. Speaker, my question is for the Minister of Foreign Affairs. In 1981 the Government of Canada was among the first to sign the United Nations convention on the law of the sea. During the election in 1993 the Liberal Party made a commitment to ratify the convention.

When could Canadians expect the Government of Canada to ratify the United Nations convention on the law of the sea?

● (1500)

**Hon. Bill Graham (Minister of Foreign Affairs, Lib.):** Mr. Speaker, I thank the hon. member for his question and his interest in this matter. He knows full well, as does the House, that it is the policy of the government to ratify the law of the sea convention as soon as possible, bearing in mind that it is the primary duty of the government and ourselves to protect the fishing stocks of this country.

We heard the minister of fisheries speak to this matter in the House this afternoon. We have now dealt with the straddling and highly migratory fish stocks. We will continue pursuing protection of fish stocks and will sign the law of the sea convention as soon as we are assured the Canadian interests in this important area are guaranteed.

\* \* \*

**FOREIGN AFFAIRS**

**Mr. Keith Martin (Esquimalt—Juan de Fuca, Canadian Alliance):** Mr. Speaker, senior Zimbabwean politicians and members of the Zimbabwean defence force have with the help of Dickens and Madson turned Zimbabwe into a hub for the sale of blood diamonds. This same company is the company from which the Department of Foreign Affairs was extracting information.

My question is very simple. Will the solicitor general also ask the RCMP to investigate the involvement of Ari Ben-Menashe, Alex Legault and Dickens and Madson in the sale of blood diamonds, arms trafficking, fraud and their involvement with Robert Mugabe?

**Hon. Lawrence MacAulay (Solicitor General of Canada, Lib.):** Mr. Speaker, I have responded to my hon. colleague previously. The fact of the matter is that he is fully aware he can inform the RCMP of these allegations. It can evaluate the allegations and decide whether or not it will investigate.

My hon. colleague is fully aware that I do not direct what the RCMP does or does not investigate, but he is certainly open to giving the information to the RCMP, and I suggest he should.

[Translation]

#### BATTLE AGAINST HOMELESSNESS

**Ms. Christiane Gagnon (Québec, BQ):** Mr. Speaker, under the SCPI, which was announced in 1999, the Quebec region was to receive \$7.2 million to battle homelessness. On December 1, 2001, the 23 projects selected by the joint committee were submitted to the department for review and signature.

Now, three months later, not one cent has been paid out. No region except Quebec has been involved in such a lengthy allocation process.

Will the Minister of Human Resources Development make a commitment to speed up the project approval process for the Quebec region, so that they will all have been approved by Easter?

[English]

**Hon. Ralph Goodale (Leader of the Government in the House of Commons, Minister responsible for the Canadian Wheat Board and Federal Interlocutor for Métis and Non-Status Indians, Lib.):** Mr. Speaker, the minister responsible for coordinating efforts with respect to homelessness has performed absolutely brilliantly on this file.

In every corner of the country she has engaged non-governmental organizations, municipalities and Canadians generally. She has moved a long distance in resolving this issue in every corner of the country and she intends to continue to do so.

\* \* \*

#### PRESENCE IN GALLERY

**The Speaker:** I draw the attention of hon. members to the presence in the gallery of the laureates of the Governor General's Awards in Visual and Media Arts: A. A. Bronson, Charles Gagnon, Edward Poitras, David Rokeby, Barbara Steinman, Irene Whittome and Ydessa Hendeles.

[Translation]

I invite all hon. members to join them in Room 216-N for a reception at 3:30 p.m.

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

\* \* \*

[English]

#### BUSINESS OF THE HOUSE

**Mr. Garry Breitkreuz (Yorkton—Melville, Canadian Alliance):** Mr. Speaker, it is my honour to ask the usual Thursday question with respect to the government's agenda.

There seems to be a terrible void with regard to meaningful legislation. Does the government have any fruitful legislation to debate within the next while? Hopefully so.

• (1505)

**Hon. Ralph Goodale (Leader of the Government in the House of Commons, Minister responsible for the Canadian Wheat Board and Federal Interlocutor for Métis and Non-Status Indians, Lib.):** Mr. Speaker, I am very pleased to respond in the affirmative. The government's agenda is of course a fruitful one.

#### Privilege

[Translation]

This afternoon, we will continue with report stage of the species at risk legislation, Bill C-5.

Tomorrow, we will return to debate on Bill C-50 respecting the WTO. If this is concluded, we will call Bill C-47, the excise amendments.

[English]

The two weeks following this one constitute the Easter adjournment. When we return on April 8 we will resume debate on criminal code amendments, Bill C-15B, and commence consideration of the pest control legislation that the Minister of Health has introduced today.

In addition there is a very lengthy agenda of important business for Canadians. I look forward to the ample co-operation of all members of the House of Commons to move forward in an expeditious manner.

\* \* \*

[Translation]

#### PRIVILEGE

##### STANDING COMMITTEE ON PROCEDURE AND HOUSE AFFAIRS

**Mr. Yvon Godin (Acadie—Bathurst, NDP):** Mr. Speaker, I rise on a question of privilege today, because this morning I was disappointed to read in the *Globe and Mail* part of the report of the Standing Committee on Procedure and House Affairs, when we were to sit in camera today to complete that report and submit it to the House of Commons.

I find that this is happening all too often, and it is totally unacceptable. I would like to quote some excerpts of the newspaper article, which deal specifically with the report that was presented to the committee. For example, it says, and I quote:

[English]

This affair has been politically and personally embarrassing to [the Minister of National Defence]. There has been widespread coverage of this story in the media, including editorial cartoons and jokes at his expense. There would not appear to have been any motivation for him to knowingly put himself through such an experience. He made a mistake, but that it was done without any intent to confuse or mislead.

I could go on.

[Translation]

In my opinion, this is totally unacceptable.

Mr. Speaker, on March 19, 2001, you made a ruling on a similar case, saying that it was unacceptable and that the matter should be referred to a committee.

In this case, since it involves the Standing Committee on Procedure and House Affairs, it is a real joke, and totally unacceptable that such a thing should happen in this committee, or through one of its members. I am not accusing anyone—

**The Speaker:** I am sorry to interrupt the hon. member, but he will be able to resume his question of privilege after royal assent.

*Privilege***THE ROYAL ASSENT**

● (1515)

[English]

A message was delivered by the Usher of the Black Rod as follows:

Mr. Speaker, Her Excellency the Governor General desires the immediate attendance of this honourable House in the chamber of the honourable the Senate.

Accordingly the Speaker with the House went up to the Senate chamber

*And being returned:*

**The Speaker:** I have the honour to inform the House that when the House did attend Her Excellency the Governor General in the Senate Chamber Her Excellency was pleased to give, in Her Majesty's name, the royal assent to certain bills:

Bill S-14, an act respecting Sir John A. Macdonald Day and Sir Wilfrid Laurier Day—Chapter No. 2.

Bill C-37, an act to facilitate the implementation of those provisions of first nations' claim settlements in the provinces of Alberta and Saskatchewan that relate to the creation of reserves or the addition of land to existing reserves, and to make related amendments to the Manitoba Claim Settlements Implementation Act and the Saskatchewan Treaty Land Entitlement Act—Chapter No. 3.

Bill C-41, an act to amend the Canadian Commercial Corporation Act—Chapter No. 4.

\* \* \*

[Translation]

**PRIVILEGE**

STANDING COMMITTEE ON PROCEDURE AND HOUSE AFFAIRS.

**Mr. Yvon Godin (Acadie—Bathurst, NDP):** Mr. Speaker, I will try to pick up from where we were interrupted and continue to present my arguments concerning the preliminary report we have in hand, on which we worked in camera and which was released by *The Globe and Mail*. It was published today and it is fairly obvious that this newspaper received the report.

Furthermore, yesterday at 9.08 a.m., the preliminary report was sent to 37 people. It is difficult to try to establish which of these 37 sent the report to the newspaper. One thing is certain and that is that it was done by the government side.

I think that it is wrong that it decided, today, to publish a minority report. I do not think that this is the way to work in camera. The privilege will perhaps have to be withdrawn, because it is not worth the trouble. It only leads to frustration. Inviting the cameras and the newspapers to our meetings makes working this way impossible. This was irresponsible of those who did this. There should be an investigation into this.

I ask you to conduct an investigation in order to try to determine who was responsible. In addition, since it is our committee which is involved, according to the usual procedure, I would ask you to refer it to the Standing Committee on Procedure and House Affairs

In the interests of credibility and so as to avoid conflict of interest, I think that you should convene a special committee to examine this situation and make recommendations in order to shed some light on this incident.

Once again, I am very disappointed that this happened, because this is no way to work together. I trust that you will make the right decision.

● (1520)

**Mr. Pierre Brien (Témiscamingue, BQ)** Mr. Speaker, I would like to support the hon. member for Acadie—Bathurst, who has raised the question of privilege. I too sit on the Standing Committee on Procedure and House Affairs.

This morning, I was dismayed to find newspaper reports quoting excerpts from a confidential report. The article is unequivocal. The reporter states clearly that he has a draft report in his possession, whereas this document had been in the hands of committee members only a few hours. They were provided with it yesterday and it was discussed privately this morning, in camera.

We are now faced with an extremely difficult situation for you, Mr. Speaker, and for all members of this House. Normally, the Standing Committee on Procedure and House Affairs is where we can all, yourself included, go to shed light on problematical occurrences here.

Now we find ourselves in a situation where the people on the committee are the ones responsible for the leak. Of course, all manner of hypotheses are possible, but regardless of whether an MP or an assistant was involved, the responsibility ultimately lies with the MP, despite the arguments we heard on this in committee this morning.

This is a very problematic situation. For several years now—and I have been a member since 1993—the number of reports that have been leaked to the media has increased dramatically. It is a major problem and it is growing. Similar cases have already been referred to the Standing Committee on Procedure and House Affairs. However, in this case, there is almost nowhere to turn.

In light of this, the member for Acadie—Bathurst suggested that you strike a special committee or some other body. We are in a situation where we have to ask ourselves who can shed light on this, and it is very worrisome.

I could make lengthy comments on my hypotheses and on whom I think leaked the report to the media, but that is not the point of today's discussion. All we can do is look at who stood to gain from the crime to know who committed it. People can judge for themselves. All they need do is read the article in question to come to their own conclusions.

However, you are faced with a situation that is very disturbing and I do not know how you will be able to resolve it. Clearly there is a problem. The committee's credibility has been greatly affected. I find this unfortunate, because I sit on this committee. I do not like wasting my time and I do not want to be a part of a committee that will be discredited in the future.

So there is a credibility problem that concerns the committee, the House and the Speaker, who relies on this committee to investigate contentious issues.

I look to you to provide an indication as to how we can solve a problem that persists and that has gotten worse in recent years, with many reports finding their way to the media.

*Privilege*

Many members here learned about this from the media, before having had the chance to discuss it. Some members of the committee learned about the report last night, others did so this morning after seeing it in the papers. That much is clear.

The report was most definitely leaked. If we thought that the passages that were quoted were not accurate, we would not be raising the issue today.

Mr. Speaker, I look to you to give us some direction, some solutions and ways to rectify this problem in the future.

**Mr. André Bachand (Richmond—Arthabaska, PC/DR):** Mr. Speaker, I do not want to take too much time, but I want to give my support to the request made by the hon. member for Acadie—Bathurst.

The credibility of three major players must be preserved. I want to mention them, not necessarily in order of precedence. First, there is the committee's credibility. Committees are made up of opposition and government members who try to do credible work.

Second, there is the minister's credibility. As we know, the Minister of National Defence is in a difficult situation. While we must do our job as opposition parties, we must also preserve the defence minister's credibility, and ensure that the committee can work in a credible fashion.

Then there is the Chair's credibility. Mr. Speaker, you have issued very specific rulings, for example as regards oral question period and the issue relating to the Minister of National Defence. This House has co-operated with the Chair.

Today, the issue is a document that was released earlier than it should have been. While the committee's credibility is affected, the Minister of National Defence cannot, regardless of where we stand in the political spectrum, hope for a credible judgment from his peers if documents are released before they are completed. Similarly, Mr. Speaker, you want to make sure that the issue is dealt with in a credible manner when you issue a ruling.

Mr. Speaker, you, the Minister of National Defence, the committee and even this parliament all have a credibility problem. With all due respect, I hope that you will grant the request made by the hon. member for Acadie—Bathurst, so that we can get to the bottom of this issue as quickly as possible, in the interest of all.

• (1525)

[English]

**Mr. Rick Casson (Lethbridge, Canadian Alliance):** Mr. Speaker, the official opposition wants to add its support to the member for Acadie—Bathurst on this issue that comes up time and again in the House. Now we have a report from the procedure and house affairs committee being quoted in the paper before it has been presented in the House.

It is far past time that something be done to stop this. It has involved many committees of the House. I know, Mr. Speaker, you take this very seriously and have expressed those concerns in the past. We in the official opposition encourage you to come up with some kind of a plan to stop this, and some kind of ramifications should this ever happen again.

This cannot constantly be going on. It is a breach of the confidentiality of the House and the essence of what the House of Commons stands for in Canada. I urge you, Mr. Speaker, to do the right thing.

[Translation]

**Mr. Jacques Saada (Brossard—La Prairie, Lib.):** Mr. Speaker, not to set a precedent, but I believe that unanimity on this matter will be reached very easily.

I fully share the frustration and concern expressed by my colleagues, in particular the member for Acadie—Bathurst. I too sit on the committee and I demand the same privilege as any other member who is on the committee. I believe that my privileges have indeed been breached, as have those of my colleagues.

I would, however, like to correct two or three small points raised in these presentations. The first is that this was a Liberal report, which is incorrect. The report was prepared by the clerk of the committee, on instruction from the committee. So the presumption that this was a Liberal report is based on an assumption of how the various political parties or committee members were going to vote. This in itself is an offence against the *in camera* status of the meeting, because I believe there has never been any public discussion.

Second, this is not the first time a question of privilege has been raised in this connection. It may have only been raised today in committee, but there have been precedents.

I believe it is time for two matters to be looked at very carefully. The first is what has happened in this instance, because it is important to see whether it can be determined who is responsible for this situation which affects us all. Second, is this the time to review some of the ways committees operate, particularly *in camera* sessions, in order to determine how to best prevent such things from happening?

In conclusion, I am fully in agreement with the basic premise of the question of privilege raised by my colleague from Acadie—Bathurst.

[English]

**Hon. Ralph Goodale (Leader of the Government in the House of Commons, Minister responsible for the Canadian Wheat Board and Federal Interlocutor for Métis and Non-Status Indians, Lib.):** Mr. Speaker, let me briefly say that all members of the House are put into difficult and frustrating positions when information that is intended to be confidential to members of parliament is released or appears in the public domain before it appears in the House. That is a legitimate point of concern and complaint by members of parliament.

I must say that on this particular matter I have not personally seen the media reports. I gather from what hon. members have said they would tend to indicate that identical or almost identical language has been used in the press as that which would have appeared in a draft document to which only members of the committee and committee staff would have been privy.

*Government Orders*

The concern of hon. members is indeed understandable in this matter. I want to associate myself with the comments on this subject that have been made by the deputy government whip to indicate that obviously there is a matter that needs further inquiry. Therefore, if the rules and procedures of either the committee or the House have in fact been breached here, then the appropriate remedial action should be taken.

• (1530)

[*Translation*]

**The Speaker:** The Speaker is in a rather difficult position. The hon. member for Acadie—Bathurst has raised this question of privilege and he has cited an article in *The Globe and Mail*, I believe, concerning the draft of a report by the Standing Committee on Procedure and House Affairs.

As Speaker, I have not seen this report. I was not on the list of those who received the draft of the report. It is therefore difficult for me at this time to compare the quotations in the *Globe and Mail* article with the draft of the report, and I do not wish to see it at this time.

However, the other thing which is very important is that it is the Standing Committee on Procedure and House Affairs which really has the right to examine things. If I find a question of privilege today, the matter will undoubtedly be referred to this committee. So, if all those who are members of this committee agree that the committee should examine this matter, the committee may do so without a referral from the House. It has the right to do so and, in my view, the obligation.

So, at this time, the committee is in charge of its own procedure for examining this important issue, this breach of its own privileges, which appears to have taken place.

[*English*]

I urge members of the committee to go back to a meeting of the committee and take the necessary steps. They can call the reporter who published this story. If the reporter will not tell them who published it, they can recommend to the House that he be jailed for contempt. They have amazing powers. However, the committee is master of its own procedure. It is not for the Speaker to tell the committee how to do its work.

I can allow the member to move a motion in this House referring the matter to the committee, but the committee has to take its own enforcement procedures, subject of course to the House approving those enforcement procedures.

I do not know what the government House leader thinks of my suggestion, but I am sure that if the committee considers the matter it will come up with a solution that will appeal to all hon. members on a very important issue.

However, there are other ways of investigating this. I am sure the committee can come up with a list of witnesses who might be able to assist it and its investigation into this matter.

[*Translation*]

For the time being, I will take under advisement the question of privilege raised by the hon. member for Acadie—Bathurst. I much

appreciate the interventions of the other members on this issue. I hope that, until such time as I am prepared to rule on this question of privilege, which will be soon I hope, the committee will be able to take this matter under consideration and begin an investigation in order to determine what the problem is and what must be done to ensure that it does not recur, for this committee and for others.

As I have already said in my earlier rulings, this is a serious problem for the House of Commons and for all committees of the House. I hope that we will be able to find a solution to it very soon.

I am sure that the members who raised this matter today and who spoke are prepared to ensure that the Standing Committee on Procedure and House Affairs can do precisely what is necessary in this situation.

For the time being, I will take the matter under advisement.

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## GOVERNMENT ORDERS

• (1535)

[*English*]

### SPECIES AT RISK ACT

The House resumed consideration of Bill C-5, an act respecting the protection of wildlife species at risk in Canada, as reported (with amendment) from the committee, and of the motions in Group No. 4.

**Mr. Joe Comartin (Windsor—St. Clair, NDP):** Mr. Speaker, when we broke for question period, I was addressing comments to the Group No. 4 proposed amendments, specifically to the gutting of the legislation done by the government and its impact on the aboriginal community, the Metis, the Dene, the Inuit and all other first nations in the country.

I began to quote from a statement released today by the Inuit Tapiriit Kanatami president expressing his outrage at what has happened. Let me read from it fairly extensively. I think it summarizes very accurately the offensiveness on the part of the government to those communities. He says, and I quote:

The Report Stage changes, undertaken unilaterally by the government, do not currently reflect the constitutionally protected relationship between Inuit and the federal government. More specifically, the Inuit Tapiriit Kanatami feels the federal government has undermined the integrity of the Species at Risk legislation through its report stage motions.

The statement goes on about section 7.1 which was in the amendments that were passed at the committee stage and brought forward for report stage. The government has changed that quite dramatically and that is what he is addressing.

The statement goes on:

Section 7.1. in the Act was of special interest to Inuit, as it created the National Aboriginal Council On Species At Risk (NACOSAR), in which six Aboriginal leaders would form a council with three federal ministers of the Crown to provide advice and recommendations to the Canadian Endangered Species Conservation Council (CESCC). The NACOSAR would have provided a direct link between Aboriginal groups and federal, provincial, and territorial ministers in charge of implementation, listing, and recovery of species at risk. Such a council would have benefited all Canadians. The Standing Committee agreed, voting unanimously in favor of the creation of NACOSAR earlier this year.

That is a very accurate portrayal of what went on leading up to report stage.

He then goes on and to say:

In Motion 20 of Report Stage, the federal government dramatically altered and weakened NACOSAR making it “discretionary” instead of “mandatory”, a “committee” instead of a “council”, and changing the composition of the committee to six Aboriginal leaders who would advise only the Minister of the Environment, not the CESCC.

These fundamental changes are unacceptable. The Report Stage NACOSAR belittles Aboriginal Nations and their leaders by removing their rightful place in an advisory body with ministers of the Crown within the Act. Inuit Tapiriit Kanatami has repeatedly asked for a formal response from (the) Minister of the Environment... regarding Motion 20, and has received none.

Since 1996, the Inuit Tapiriit Kanatami has worked with the Canadian government on the development of the Species At Risk Act. Until Report Stage, ITK felt the Bill included appropriate Aboriginal involvement at a meaningful level, in spite of disagreements concerning but not limited to compensation and federal jurisdiction.

Then it concludes:

Due to these recent events, the Inuit Tapiriit Kanatami, along with other Aboriginal groups, have no choice but to withdraw their support from the Species at Risk Act.

That statement reflects very accurately what went on; the facts and the background to SARA. It also reflects, and what we have been told by those communities across the country, their feelings of betrayal by the government.

• (1540)

It is important that the House appreciate that a large number of communities such as aboriginal groups, first nations governments, the Métis, the Dene, and the Inuit came forward to the committee with presentations, some of which were extremely impressive and which impacted not only with regard to representation in the legislation by those groups, but also in a lot of other ways.

Often I have spoken about how impressed the committee was by these presentations and how they had a great impact in the ultimate amendments that were passed by the committee, which the government is now attempting to change. I cannot say enough about how effective they were and how much they did impact on the committee in its deliberations.

I can understand very well these communities feeling this betrayal and feeling outraged by it. It is another in a long series of the government offending the aboriginal community, the Inuit, Métis and the first nations. The government has done it repeatedly and now it has done it again. Quite frankly there is no reason for it. All they were really asking for was to continue to do what they did in that committee: to advise, to be consulted with, and to assist in the implementation of the legislation. These communities have a great deal to offer and are being denied significantly by the government.

**Mr. Ken Epp:** Mr. Speaker, I rise on a point of order. There have been no consultations on this, so I am appealing to the collegiality of my colleagues. Could we ask for unanimous consent to revert to presentation of petitions for about 30 seconds on behalf of my colleague from Skeena who was unable to be here this morning and who has a set of petitions of some urgency?

**The Deputy Speaker:** Does the House give its consent?

**Some hon. members:** Agreed.

### Government Orders

## ROUTINE PROCEEDINGS

[English]

### PETITIONS

#### AIRLINE SECURITY

**Mr. Andy Burton (Skeena, Canadian Alliance):** Mr. Speaker, I apologize for the confusion on my part and I appreciate the House giving me a few moments here.

Today I would like to table a petition sent to me by clients of Hawkair, a small air carrier which operates out of my riding of Skeena in northern British Columbia. This petition, signed by over 500 air travellers, is a perfect opportunity for the Minister of Transport to rethink his outrageous \$24 round trip tax grab.

I hope that he will pay close attention to the information that comes out of the committee hearings taking place over the next little while and reconsider the implications and effect of this tax on small airlines and travellers across Canada.

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## GOVERNMENT ORDERS

[English]

### SPECIES AT RISK ACT

The House resumed consideration of Bill C-5, an act respecting the protection of wildlife species at risk in Canada, as reported (with amendment) from the committee, and of the motions in Group No. 4.

**Mr. Rick Laliberte (Churchill River, Lib.):** [*Editor's Note: Member spoke in Cree*]

It is an honour and a privilege to speak on the proposed Group No. 4 report stage motions. I bring to the House the serious concern that has been raised by the United aboriginal leadership of Canada in relation to government Motions Nos. 6, 16 and 17.

The government motions diminish the standing committee's work to recognize the crucial role and important contribution that aboriginal peoples would make toward protecting species at risk. The standing committee acknowledged, by a unanimous all party vote, that a national aboriginal council on species at risk was a necessary component for bringing all jurisdictions of all peoples of Canada together to protect the life and species that were under threat.

The aboriginal peoples of Canada, the Inuit, the first nations and the Metis, all have stood united for inclusion in the decision making process that would reverse the losses of our species.

Since 1998 the leaderships have asked to be included at the decision making table to meet face to face with the federal and provincial ministers, the Canadian Endangered Conservation Council, a decision making body established under the federal-provincial species at risk accord, as action plans and recovery strategies for protecting species at risk are discussed, formulated and implemented.

*Government Orders*

This desire to be a partner in a co-operative manner between governments and peoples is nothing new. In matters related to the constitution and the charter of rights, and the repeated supreme court decisions, a requirement of our federal government in matters related to aboriginal rights should create models of inclusion. In fact the six representatives of the aboriginal peoples were involved in the ministers meeting in Iqaluit. They were invited by the environment minister himself to the surprise and gratitude of the aboriginal leadership. This was a huge step forward as a meeting of the minds and a clear signal that Canada would move forward in aboriginal relations, and it was a new step forward in the new millennium.

The government Motions Nos. 6, 16 and 17 were a huge disappointment to the aboriginal leadership. For the information of the House, the wording accepted by committee to create a necessary link to protect species between aboriginal peoples in Canada, to seek and consider advice and recommendations from aboriginal peoples, which the committee clarified to be the counsel in language specifically found in the federal-provincial accord, was based on the successful Iqaluit model.

The aboriginal working group successfully consulted with the government and its leadership to create the support required for this representation and inclusion. Representation from the east, south, west and north was very critical to having the inclusion of a unique biodiversity and eco-regions of Canada.

I call attention to Motion No. 25 as well. It changes the mechanisms and methods necessary to ensure intellectual property rights inherent for the successful implementation of SARA are respected and protected and are shared and used in an honourable manner.

In these new wording changes, I would propose that following two amendments to the report stage amendments, Motions Nos. 20 and 25, be accepted:

That Report Stage Motion No. 20 to amend Bill C-5 be amended by replacing all the words after "The Minister" with "shall establish a Council, to be known as the National Aboriginal Council on Species at Risk, consisting of six representatives of the aboriginal peoples of Canada selected by the Minister based upon recommendations from aboriginal organizations that the Minister considers appropriate. The role of the Council is to:

- (1) advise the Minister on the administration of this Act;
- (2) provide advice and recommendations to the Canadian Endangered Species Conservation Council."

That Report Stage Motion No. 25 to amend Bill C-5 be amended by replacing paragraph 10.2(c) with the following:

"(c) methods for sharing information about species at risk, including community and aboriginal traditional knowledge, that respect, preserve and maintain knowledge and promote their wider application with the approval of the holders of such knowledge, with other governments and persons."

●(1545)

I also bring to the attention of the House that aboriginal leaderships have explicitly stated that the removal of the council in the act, if not corrected and an honourable compromise is not reached on Motion No. 25, there may not be aboriginal support for SARA. Canada needs the support of the aboriginal peoples and their nations to ensure the successful implementation of this act and of preservation of the threatened and endangered species of this country.

I offer this honourable compromise.

●(1550)

**The Deputy Speaker:** The Chair is ready to rule immediately on this matter. The amendments are in order.

**Mr. Roy Bailey (Souris—Moose Mountain, Canadian Alliance):** Mr. Speaker, a few days ago we received a lot of data from census Canada showing that a shrinking number of Canadians live in what is truly called rural Canada.

The vast majority of people in Canada live in a centre of 10,000 plus. As a result of that, one can take a look at many bills that come before the House, certainly Bill C-5 at the present time. Bill C-5 only involves a very small group of people who live in the rural area.

Yesterday we discussed Bill C-15B. Were the people in the ranching business consulted? Was the dairy industry or the hog industry consulted? No. These people were not consulted and yet they are the ones who will be the most affected.

This morning in the veterans affairs committee we had what I considered very good consultation. We had a gentleman who was very knowledgeable about the subject and we asked questions and so on.

The vast majority of people who this bill would affect were never consulted. Today we have a new president of the Saskatchewan Stock Growers' Association. He lives in a little area north of the No. 1 highway in Gouldtown, Saskatchewan. Was the Saskatchewan Stock Growers' Association consulted about the effects of Bill C-5? No. Yet its members own millions of acres of grazing land and they were not consulted.

If we were going to pass legislation applicable to a mass urban area like Ottawa or Toronto, there would be public consultation all over the place but when we deal with basic, rural agricultural problems, it does not matter any more because if we took all the people engaged in agriculture and spread them across Canada there would not be a voting block anyway. It really would not change the composition of members in the House. It is not a big issue except for those who happen to live there.

I was in Guelph, Ontario two weeks ago. The people there asked me to give a talk on how the agri-industry could continue to operate with such bills as C-5, C-15B and Kyoto, especially since it was not consulted on any of them?

I have seen a lot of the government's perception of consultation. Some crown corporations that are going to raise their rates put advertisements in the paper and invite the public to come. Three people may show up. The most common thing heard is that the government will simply go ahead and act anyway.

I am familiar with a provincial government issuing an environmental regulation to a group of people who for years used particular patches of land for grazing their animals.



*Government Orders*

• (1555)

Instead of telling them they could only use the land for grazing during a certain period of the year, the ruling came down stating that the piece of land had to be divided into three sections and that only one of those sections could be grazed every third year to preserve the nesting of certain birds. In order to make that land worthwhile, they had to put in miles of ineffective fencing.

This is very strange legislation. If a landowner or a land renter accidentally hurts or kills a particular animal, he or she must prove due diligence; that is, that he or she did everything possible beforehand to find out if that endangered species was on the land.

When the Rafferty dam was created in Saskatchewan we found that rare species of animals, animals which had never lived in the area before, moved in because of the water. Some people who graze their cattle near that dam still do not know that those animals are there. Under this legislation they would have to prove that they were guilty without due knowledge of what was happening. That is contrary to every other law we have in Canada which states that someone is innocent until proven guilty.

I know what people will say. They will say that the government would never do that. I know people will say that we would have a logical excuse. However, under this bill, the landowner has to prove that he is innocent.

I really believe that we in rural Canada from coast to coast are being totally ignored. Yesterday we talked about the cruelty to animals bill. The government never once consulted, learned about or asked about established practices that have been going on in this country since before Confederation and yet, under the proposed legislation, it will have the right to give its interpretation of such things as suffering and the right to say that a particular practice will no longer continue even though it never consulted with the people involved prior to the bill coming to the House.

The committee which studied Bill C-5 never heard from the people actually involved in land ownership. We did have good representation from industry and from some cattlemen but we never really heard from the national cattlemen's organization.

The government has never had the courage to say that the practices, such as branding, which have been going on forever in this country, will no longer be required. Instead, it waits. Let it say that a person who has an endangered species without knowing it is guilty of not protecting it. How can we protect something if we do not know it is there?

I found some endangered species on a piece of property and I reported them. The owners of the property and the environment people were very happy about that. However if an individual visits someone who owns land and a particular endangered species is destroyed unknowingly on that piece of land, such as being ridden over by a horse, or an endangered piece of vegetation was trampled on, then they are guilty. We have to go back and change that part of the bill.

• (1600)

**Mr. Julian Reed (Halton, Lib.):** Mr. Speaker, I listened intently through at least part of the speech of my friend, the hon. member for

Souris—Moose Mountain. For a while I wondered which bill he was speaking to, species at risk or cruelty to animals.

I want to point out to him and to the House that there has been a great deal of consultation on the bill. As a matter of fact there has probably been more consultation than there has been with any bill of its kind in past history, and particularly for the section we are speaking to, aboriginal peoples, who are the people who stand to benefit their country the most through the implementation of the bill. They are the people on the land, the people who are very directly affected. I can tell my hon. friend that I certainly will not forget the farmers, but I have to pay great respect to the aboriginal peoples of this land.

I should point out that in the bill it is the first time ever that aboriginal traditional knowledge is part of the decision making process. This has never happened before in the history of Canada. This is the first time. To me, that is very significant. As imperfect as some of my colleagues feel the bill is, we have made breakthroughs.

I also want to point out that a review is built into the legislation so that after the bill is passed, four years from now we are obliged to take a look at it again. There is a review process built right in so that the committee can review it. We can then determine what we have done right and what we have done wrong, because the actual nature of the bill is a breakthrough in itself. It is an attempt to bring about a departure from traditional kinds of legislation that are what we might describe as command and control. The Americans tried that. They passed legislation on species at risk or endangered species and it has not worked well. It is so deeply flawed that much of the budget for the preservation of species is going to litigation.

My minister wants this legislation to actually assist with the rehabilitation of species at risk, the identification of species at risk, and it will depend to a very large extent on the information obtained from aboriginal peoples in this country who will be able to deliver their traditional knowledge, which for the first time in the history of Canada can be brought to bear on the determination of species at risk.

The process has had intense involvement by representatives of Canada's aboriginal people in the development of the bill and has become a formal process through the working group on species at risk. This group has provided advice to the Canadian Wildlife Service, the Parks Canada Agency and Fisheries and Oceans Canada for a number of years already, and the advice, I must say, is invaluable. We are ensuring that it will continue in a formal way. It must. Ensuring that this formality exists is an enormous step forward. We are recognizing and putting into law the importance of the relationship of aboriginal people to land and wildlife. It is formal recognition and acknowledgement, a formal partnership. It is workable and valuable to all parties.

*Government Orders*

•(1605)

With this process and this legislation, with the incorporation of traditional aboriginal knowledge into the assessment and recovery of species, we are indeed moving forward. We have been saying for nearly nine years that we all share the responsibility for protecting wildlife. Perhaps no one group typifies a commitment to that responsibility more than Canada's aboriginal people. Our partnerships with aboriginal peoples have set the example for partnerships we have worked hard to foster with others: with landowners, with farmers, with fishermen, with conservation groups and with those in the resource sector.

We have established that nature and wildlife are an integral part of Canadian identity. This means that everyone in Canada has to take part in the success of this act. It deserves the support of everyone. I listened to my friend from Souris—Moose Mountain talk about farmers and people in the country, but he also quite rightly mentioned that the great majority of our citizens are urban. People in urban Canada have an equal responsibility for the protection of species, perhaps in the main because most of the species at risk are aquatic in nature. They are in the water. They are not on land at all. Therefore, when water such as the Great Lakes is degraded it means that those species at risk are continually put in danger.

With the bill, then, urban people will be able to join hands with rural Canada, with the very important input of aboriginal people, and hopefully, while it is perhaps not perfect, we can make this a bill that will raise the consciousness of all Canadians so that we can all move forward together and actually accomplish something that other parts of the world to date have not been able accomplish.

I enthusiastically endorse the bill. I also recognize that we can go back and look at it in years to come and ask what we did right and what we can correct, change and make better. In that spirit, I endorse Bill C-5 and would like to see it passed as soon as possible.

•(1610)

[*Translation*]

**Mr. Mario Laframboise (Argenteuil—Papineau—Mirabel, BQ):** Mr. Speaker, I am pleased to speak today to Bill C-5, an act respecting the protection of wildlife species at risk in Canada.

First, I would be remiss if I did not congratulate my colleague, the member for Rosemont—Petite-Patrie, who, as environment critic, has done excellent work standing up for Quebec's position on this complex issue. Obviously, it has been made even more complex by the Canadian federation. I commend my colleague for advocating for the interests of Quebec, both in committee and with his learned and brilliant speeches in the House.

Speaking of which, I would obviously be remiss if I did not mention the poor participation of the Liberal delegation from Quebec in this House, when it comes to defending the rights of Quebecers. Take, for example, the member for Lac-Saint-Louis, who was even Quebec's minister of the environment at one point, to name but one. So I am critical of federal Liberal members for not standing up for the interests of Quebec on this issue that should not be that complex, based on the wording, but that has received a great deal of attention in Quebec.

Before speaking about the protection of species at risk in Quebec, let us look at the history surrounding this. In 1990, the Government of Quebec passed the act respecting threatened or vulnerable species, the act respecting the conservation and development of wildlife, and fishing regulations.

The Government of Quebec had already, back in 1990, adopted a safety net for species at risk. All of this was recognized in the federal-provincial accord signed in 1996, the accord for the protection of species at risk. So there have already been major discussions in Quebec and in Canada. The proof is that an accord was signed in 1996, known as the accord for the protection of species at risk.

At the time, Quebec's minister of the environment warned the Quebecers in a press release, by saying, "Yes, it is well and good, we signed an accord for the protection of species at risk with the federal government, but I am warning you to watch out for overlap".

Now, six years later, the overlap we had been talking about in this parliament since 1996 is upon us. This is where the problem lies with the Canadian federation. As soon as the federal government manages to get along with the provinces, negotiations begin in the House of Commons to have our own protection system, and government members dare tell us "This is a double safety net".

I am sorry, but when such important amounts are allocated, this is not a double safety net; it is overlapping in jurisdictions. This is the reality with the act respecting the protection of wildlife species at risk in Canada.

In 1996, a federal-provincial agreement was signed, the Accord for the Protection of Species at Risk in Canada. Sure, the terms "wildlife" and "Canada" were not included, but the federal government could easily have reached an agreement with Quebec and the other provinces to make changes to this accord in another federal-provincial agreement. This is not what the Liberal government is proposing.

Again, I am upset at Quebec Liberal members for not protecting the interests of Quebec. In Quebec, we have laws that have been in effect since 1990. We have a whole network of wildlife conservation officers. This network is working very well, but it is probably underfinanced because of the constant efforts that the Quebec government must make in health and education. It goes without saying that these wildlife conservation officers are doing a tremendous job in all sorts of situations to try to protect species, including those at risk.

Instead of having an agreement with Quebec and the other provinces to try to increase budgets and pay part of the costs relating to wildlife conservation officers, this bill will create, believe it or not, federal enforcement officers.

*Government Orders*

A whole new monitoring system will be created, when the province of Quebec already has a monitoring system that works very well and that employs men and women who work very hard. They often work overtime during peak periods. The federal government, with its massive surplus, could very well have tried to reach an agreement with the provinces to improve wildlife officers' working conditions and increase their numbers so that they could conduct more monitoring, if they felt it necessary, to protect species at risk.

• (1615)

But this is not what will happen. A new system is being created, and we are being told that this is a double safety net. But this is not a double safety net; it is another instance of duplication in order, once again, to increase the government's visibility in the provinces, and in Quebec.

I listened to my Liberal colleague who spoke before me. The Liberals are celebrating an agreement reached with aboriginal people so that, in the end, there will be success. When it comes to aboriginal peoples, I trust the government of Quebec. At the beginning of this year, it signed the peace of the braves with a significant portion of Quebec's aboriginal population, the Cree nation. The peace of the braves is a historic agreement signed by the government of Quebec.

I trust Quebec when it comes to protecting wildlife species at risk in Canada or in Quebec. If the federal government had asked for it, it could very well have gotten a new federal-provincial agreement and reached an agreement with aboriginal peoples. Once again, this is the hard reality of the Canadian federal system.

I am still annoyed with the federal Liberal members from Quebec, who are not defending the interests of Quebecers. Once again, these members are going to try to persuade Quebecers that this is a double safety net and that twice the protection is better. The people of Quebec and of Canada are already paying enough in taxes without this sort of overlap. The federal government could very easily have got all the provincial environment ministers together around one table and asked them to sign a new federal-provincial accord for the protection of species at risk.

I repeat, in 1996, we signed an accord for the protection of species at risk. The government of Quebec signed this agreement. The then minister was far-sighted when he said in a press release that care would have to be taken to avoid overlap. Since it signed this accord with the provinces in 1996, the federal government has been trying, year after year, to introduce bills in the House with the purpose, once again, of enhancing its visibility in each of the provinces and creating its own oversight authority. This is hard to take in these heavily taxed times.

To say that we get along is nice. Government members, including Quebec Liberal members, are trying to convince us that it is a good agreement. Opposition parties tabled 138 amendments. Do not come and tell me that this is an acceptable agreement and that it is accepted by opposition parties, when they had to table 138 amendments. These amendments even had to be divided into five groups for debate.

Today, we are discussing one group, but there are five. Why? Because 138 amendments were tabled in the House. They were not

all accepted by the Chair, but many of them were, and this is why we have to deal with five groups.

So, it is not clear sailing for this bill. There is a problem. The problem for Bloc Quebecois members is that, with the help of Quebec Liberal members, the federal Liberal government is once again creating a double protection for something that may seem minor, namely the protection of wildlife species at risk, when a federal-provincial agreement could easily have been negotiated among federal and provincial environment ministers. It would have been so simple. We could have renegotiated the agreement that was so successfully negotiated in 1996.

Again, it is too complicated. There is not enough visibility for the federal government. All they want is to display little flags, and have their own staff to overlap what wildlife conservation officers are doing in Quebec.

• (1620)

[English]

**Mrs. Karen Kraft Sloan (York North, Lib.):** Mr. Speaker, the government's Motion No. 76 guts the committee's amendments to clause 50 which pertains to action plans. It deletes timelines for their completion which is rather astounding. This is another in a long line of so-called flexible measures in the bill. With this change there is no longer an obligation to finish this crucial step in recovery planning so that getting on with protecting and recovering species can commence.

It is worth noting that the government's Motion No. 78, which unfortunately was lumped into Group No. 2, removes timelines on the actual implementation of action plans. It also refers the implementation of action plans protecting habitat on federal lands to clause 59, which in turn renders a "must" develop regulations to a "may".

All of this is to say that under these motions, the government absolves itself of any obligation to complete an action plan in a set period of time or to ever implement it once it has been completed. This too is called flexibility. I call it an abdication of government responsibility.

What we are talking about here is losing a species forever. The committee continually asked for something very reasonable, that is, just do not kill the last ones. We cannot do this unless we protect the places they need to survive. To do that we need some assurance that action plans will be done in a timely fashion and more to the point, will be put into place and not disappear into the void.

For these reasons I call on all members of the House to defeat these motions.

I turn now to government Motions Nos. 6, 16, 17 and 20. It is with a particularly heavy heart that I address these motions. They make a number of pronounced and surprising changes to the language setting out the national aboriginal council on species at risk. I say surprising because the council language was introduced by my colleague from Churchill River with the blessing of the government.

*Government Orders*

I know that my colleague worked long and hard to secure the support of the aboriginal and first nations communities for the language that was ultimately passed by the standing committee. He must have been as surprised as I was to see these motions on the notice paper.

The government motions essentially do four things to the original language around the aboriginal council in the bill.

First, they change the concept from one of a council to one of a committee. This is not some minor semantic variation of a concept. Rather it reflects, I would argue, a downgrading of the original council's role. Why this has appeared at the 11th hour is unclear to me.

Second, the motions now make the very creation of the aboriginal committee discretionary. This is bizarre. With the government's support, the committee passed language that made the council's existence a fact. Now the government has changed its mind and is seeking instead to make the existence of the aboriginal committee a possibility, another maybe. I suppose this is another instance of flexibility. This bill is so flexible we should rename it the Gumby act.

Third, the government motions change whom the national aboriginal committee advises. Formerly it was the Canadian endangered species conservation council, which is comprised of the competent ministers and provincial and territorial ministers. Now the national aboriginal committee advises only the minister.

Finally, where the council's advice and recommendations were formerly sought and considered, the committee's role now is to simply advise.

These are profound changes to the original aboriginal council language which, I stress again, enjoyed almost unanimous support at committee. I was dumbfounded to see these motions on the notice paper.

I must emphasize at this point that the committee did its work despite the message imparted to it at the outset of its comprehensive study, mostly via the media, that the government would not entertain anything other than superficial alterations to the legislation. This is appalling. Our committee rejected that message and for that it should be applauded.

• (1625)

Nonetheless, it is indeed a painful process to watch hundreds and hundreds of hours of work be so flippantly rejected by the government. Many of the substantive improvements to the bill that a majority of committee members agreed to make have been torn up and thrown in our faces.

Even more bizarre is this set of four motions and what they represent. For the record, the government is gutting amendments that it supported at committee.

The government with a great deal of fanfare asked the committee to support these changes at the clause by clause phase. The committee was happy to comply as members recognized the importance of this initiative. I must add that it was one of the best days we had at committee. There was a sense in the room that for all

the right reasons and in a spirit of great harmony, respect and trust, the aboriginal council initiative represented parliament and committee work at its best.

The council is crucial to the success of the bill and to the often proclaimed spirit of co-operation upon which it is built. How then can the government hold up its head and say that these four motions merely tinker with the aboriginal council? They do nothing of the sort.

These motions swing a scythe through all of the negotiations, all of the promises, all of the time and the energy that went into the development of what became section 7.1 of the committee report. Perhaps more important, the motions destroy whatever trust had been so carefully developed over the many months of consultations with the parties in question. That trust is not something to be taken lightly, yet it appears that it has been.

It is a sad day therefore when a government member who was at the centre of those consultations has to rise in the House and move to amend government motions that themselves seek to gut carefully developed government supported language.

My colleague from Churchill River deserves special commendation for his hard work, his patience and his desire to improve a badly flawed bill. My colleague's amendments seek to restore some of the language that the ship of state is trying to torpedo. I commend him for that.

I call on all members of the House to support the motions of the member for Churchill River and to defeat government Motions Nos. 6 and 16.

**Mr. Rick Casson (Lethbridge, Canadian Alliance):** Mr. Speaker, I commend the hon. member opposite for her presentation. It takes courage to stand in the House against one's own government. I am pleased to see her do that. She puts a lot of time and effort into the environment committee and takes it seriously.

I commend the hon. member for Churchill River for his comments about aboriginal involvement. The aboriginals have a theory that anything we do must be considered seven generations down the road. Perhaps if we did that we would all be in better shape today.

There are a lot of things going on in legislation before the House that are of concern to people in rural areas of the country who make a living from the land, the sea and Canada's resources. The bounty we have in Canada is unbelievable.

Let us look at the logging sector. A softwood lumber dispute has the whole sector in crisis. It does not look like it will be resolved. Today is the day it should be resolved but it does not look like it will happen. A pine beetle infestation due to the mild winter is devastating the forests of British Columbia and putting the province's forestry industry in trouble.

Let us look at farming. Last year was a disastrous year from coast to coast in the agriculture community due to low commodity prices and drought. In my area of southern Alberta the drought is severe and has not yet given any indication it will let go. The foreign subsidies that drive down commodity prices and distort production are killing our farm communities.

*Government Orders*

Let us look at the fishermen who make their living from the sea. Let us look at the mismanagement that has taken place there. Fish stocks are running out. Fishermen in Canada can no longer make a living. An emergency debate on the whole fishing industry in Canada has been applied for and agreed to for this evening.

Yesterday we debated Bill C-15B on cruelty to animals, a bill which has a lot of people concerned in the rural parts of the country.

The list goes on. The resource sector in Canada is concerned about the Kyoto protocol and some of the things it could do. We have the species at risk legislation. Today a bill was introduced to modernize the Pest Control Products Act. The bill would have ramifications throughout the resource and agriculture sectors.

If we add all of these things together, and they keep piling up, it is no wonder people in the agriculture, resource and fishing industries are terrified about the things that could happen to them. If passed as it is some of the legislation could be far reaching and devastating to many sectors.

What does the government do when developing a bill? The opposition is involved in the process. The bill is sent to committee. Expert witnesses from across the country are brought in to give their opinions. People from different sectors are brought in to talk about the bill and the problems associated with it. Hundreds of hours are involved in the process. The government brings hundreds of witnesses to Ottawa at great expense. It is not only at great expense to the government. It is at great expense to the witnesses who take time to come and bear witness under the guise that what they say will be listened to.

The committee listened. It made amendment after amendment. It went through Bill C-5 clause by clause. As the previous speaker indicated, committee members from all parties worked together to come up with a bill everyone could agree with.

The bill left committee. Before it came back to the House the government introduced amendments to take it back to where it was before the committee had a chance at it. The hundreds of witnesses, all the hours and all the expense of bringing in expert witnesses to present their cases was thrown out. That is an absolute shame. It derides the value of committees. It derides the value of the House when a government can do that.

As we have heard, many members on the government side of the House are concerned about what has happened. They work in good faith at the committee level as we all do. What we put forward should be considered. It was completely thrown out. The consultation process we asked for at committee stage was completely ignored. We asked for consultation with all sectors. It happened but the advice was ignored.

● (1630)

I would not be surprised if in years to come we invited industry representatives to present at committees and they refused. They use their own time to come and testify and the government does not listen to them anyway, so why should they?

The consultation we asked for at this stage did not happen. We have asked for consultation after Bill C-5 is implemented. That has

been eroded as well. We have put forward an amendment to take care of the issue.

The government is proposing that if the minister became aware of an endangered species he or she would not have to make it public. We agreed to this to a certain extent because if people wanted to come and look it could harm the endangered species. However the person or company who owns the land should be notified if a species is there. Whether an area is on water or land the people in control of it should know the species is there so they can help make arrangements to protect it.

Under Bill C-5 affected landowners would not be notified if endangered species were on their land. Let us think about that. There are people trying to make a living as ranchers, farmers or fishermen who may not realize there is an endangered species in the area. Let us suppose it somehow gets reported to the Minister of the Environment. If these people did something to harm the species all the power, weight and heavy handed approach of Bill C-5 would come to bear on them. The government has taken out the aspect of mens rea which says the harm must be done willingly. That is gone. It absolutely terrifies people to think this could happen.

Let us look at the resource sector. People working in the bush surveying or doing whatever they do may not know an endangered species is nearby. They would be inadvertently affected because the whole weight of Bill C-5 could be thrown at them including jail time and huge fines. That is absolutely wrong.

Consultation did take place but it was not heeded. That is a huge problem. The issue of consultation and proper notification of affected landowners needs to be addressed before Bill C-5 goes forward.

We talked about the compensation issue at other stages of the bill. The whole idea of consultation would affect the ultimate compensation. If landowners do not realize there are endangered species on their property and the Minister of the Environment moves to affect their livelihoods they should be fully compensated for the income they lose.

We have talked a lot about the urban rural split. There is not really a split. This is an issue for which all of society is responsible. A few people in urban centres cannot dictate to the entire rural population how to operate their farms, ranches or resource industries. If people in urban centres want to do that then all people need to be responsible for compensation under Bill C-5.

This is something we want as citizens and as a nation. Everyone wants legislation that will adequately protect species at risk. However if we do not do it in the proper way the bill will not protect endangered species. It will do more to harm them.

*Government Orders*

Consultation, compensation and the whole idea of jurisdiction need to be addressed before Bill C-5 can be an effective piece of legislation. We have the support of all opposition parties regarding the amendments that need to be turned down and the ones that need to be approved. I urge all government members to listen to the people from the environment committee, the hon. member for Davenport and others on that side of the House when they say the amendments need to be made for the legislation to truly work.

• (1635)

**Mr. Rodger Cuzner (Bras d'Or—Cape Breton, Lib.):** Mr. Speaker, stewardship is a word we have heard quite a bit throughout the debate. I will address my remarks to the series of motions regarding the stewardship approach in general. Stewardship is a word we struggle with a bit because it does not seem to portray the importance of what we mean by it.

Stewardship is more than a landowner doing the right thing. It is more than a company showing good corporate citizenship by sponsoring a wildlife centre or rehabilitating a wetland. Stewardship is how we get things done in Canada not just for species at risk but for much of what we do for wildlife. Stewardship is a local community group pulling together a conservation effort to protect an important shoreline for birds. It is a farmer who decides to let trees and brush remain along the edges of a field to encourage nesting. It is a big company that not only makes a financial contribution but sets aside thousands of hectares as a conservation easement.

This is stewardship. It is co-operation. In Canada it is how we get things done. In many ways we could say it is what species at risk protection and the bill before us are all about.

Bill C-5 is an essential piece of legislation. It would fulfil the commitment the federal government made with the provinces and territories under the Accord for the Protection of Species at Risk. It sets out in the full letter of law the key components of assessment and listing, recovery planning, habitat protection and prohibition.

I will speak to the government motions that support the key component of stewardship in our strategy, the motions that would ensure co-operation was the first approach for protecting critical habitat.

Our neighbours to the south are envious of our stewardship traditions and the way we are enshrining them in our legislation. Many people point south of the border to the endangered species legislation the U.S. has had in place for 25 years. It has done much for lawyers and the legal industry. It has done less for species. The Americans wish they had our approach. Courts are choked with cases under the U.S. law.

Our commitment to stewardship has already been reinforced with the Habitat Stewardship Program. Under the program \$45 million over five years has been targeted for stewardship activities. The program is entering its third year. It has fostered many new partnerships and allowed old ones to accomplish more. It has brought new partners into the stewardship fold.

For the \$5 million in first year funding the program attracted non-federal funding of over \$8 million. In other words, for every dollar spent by the federal government under the HSP \$1.70 of non-federal resources was contributed by project partners. In the second year of

the HSP \$10 million for more than 150 projects has been allocated. Volunteer Canadians from all walks of life are involved in the Atlantic Beach Guardian Program to protect the habitat of the piping plover, the Gulf of St. Lawrence aster and the maritime ringlet butterfly.

We have provided for more favourable tax treatment for the contribution of ecologically sensitive lands. Over 20,000 hectares has already been donated as ecological gifts.

There is more to stewardship than the Habitat Stewardship Program and ecological gifts. There is the stewardship action plan set out in Bill C-5. We accept in principle the proposal to develop the stewardship action plan introduced in Bill C-5 by the standing committee. Work is already underway on the development of a federal, provincial and territorial Canada wide stewardship action plan. There have been meetings, discussions and much progress in the area.

However we want to avoid legislating mandatory federal government programs which have the added complication of making future resource commitments in law. We want to ensure sufficient time to develop a plan in co-operation with others including landowners, resource users, aboriginal peoples, provinces and territories. That is why the government motions would remove the one year deadline and provide the minister the authority to develop a stewardship action plan in consultation with the Canadian Endangered Species Conservation Council.

I will speak in favour of the government motion to remove the requirements the standing committee imposed on the minister to publish draft contribution agreements when they are complete to provide the public an opportunity to comment on them. This type of requirement serves as a disincentive to stewardship. We are all stewards in one way or another.

• (1640)

The federal government is a steward in its protection of species at risk and their critical habitats in Canada. Land owners, farmers and fishers are stewards, as are aboriginal peoples, conservation groups and workers in the resource sector and others. We all deserve credit for the stewardship work we do. Bill C-5 would encourage us to do more and deserves our support.

**Mr. Scott Reid (Lanark—Carleton, Canadian Alliance):** Mr. Speaker, it is a pleasure to speak to the Group No. 4 amendments to Bill C-5.

*Government Orders*

As a way of developing a theme in which to frame my remarks I make the observation that there are concerned members of parliament on both sides of the House. There are those opposed for a variety of reasons who express, as many do on this side of the House, the concerns of rural Canadians, in particular, farmers, fishermen and people who make their living in and from nature. There are those on the other side who express the point of view that the bill does not go far enough or it is in some degree a sham and avoids dealing with and genuinely protecting the environment. I actually find there is quite a common theme between what both sides say.

The legislation as it is worded, and particularly as it would be amended by some of the government amendments put forward in this group, and in some of the other groups, manages to achieve both of the violations to which those who feel it goes too far and those who feel it does not go far enough are pointing.

It does this because it continues a dangerous trend that is prevalent in Canadian legislation and in some legislation of other countries as well. We are not the only ones guilty of this.

I refer to a tendency to enshrine in law unspecific provisions that would bind the executive but rather general instructions to the executive, instructions that talk about what ministers may do, that set timelines that might be met, that put in requirements that if not met do not bear any consequences for the government and which therefore may not in practice be met.

On the other hand if all these measures were taken to the full power that is considered or is potentially available under them, they could have the effect of putting draconian powers in the hands of the minister and government agencies. Both sides are justifiably concerned by the same piece of legislation.

Curiously enough, if the legislation were amended it could actually at the same time satisfy the concerns both of those who are worried that it is overpowering and those who are worried that it is underpowered. This can be demonstrated by turning to some of the specific amendments that have come up in earlier discussions.

For example, in Group No. 4, the member for York North mentioned government Motion No. 76 which says that action plans are advisory as opposed to being binding upon the government. Her point, a point well taken, is that if they are not binding then very little will be achieved by having these action plans mentioned at all in the bill. One is justified in asking, why are these things here at all? Why are action plans written down when they are not really action plans, they are really advice that the executive might or might not draw upon in the future?

By the same token on the other side of the equation there are members, including myself, who are concerned that when we talk about compensation it is compensation that may be given according to a standard that would be set up after the bill was passed.

Rural Canadians, farmers and developers, and others, want to have some kind of assurance that compensation would not be merely contemplated, considered a potential, or happen in an inadequate way. They want to have some kind of assurance and we can fight over what the amount should be. I believe in full compensation.

Others would say it should be less than full and while I disagree with them they have a case to be made.

● (1645)

None of us have any clue as to what it would be. We are all expected to simply take it on trust. This is a dangerous sort of principle to have in law.

The legislation contemplates reviews at five year intervals. There was a contemplation that this law would be taken out if government Motion No. 130 is passed. This assumes that we do not have perfect knowledge now. There is a requirement to adjust the legislation five years from now and the assumption is that five years from now we would have perfect knowledge, we would have it all down pat and there would be no further reviews because the legislation would be perfect. Of course, that is a preposterous assumption.

Worse than that is the fact that this comes back to one of the points I was dwelling upon a bit earlier. We have provisions in our laws that are not actually enforceable. Legislative reviews under the government unfortunately have become something of a joke.

For example, there was the legislative review of the Referendum Act that was passed in 1992. It was the legislation under which the 1992 referendum on the Charlottetown accord took place. Members may recall that the Referendum Act, which was proclaimed on June 15, 1992, had a provision stating it would be legislatively reviewed three years after the date of its proclamation. Three years after the date of proclamation was June 15, 1995.

I remember at that time working as a researcher on Parliament Hill and I gathered all the information together so that my party, the Reform Party at the time, could present a series of intelligent, thoughtful critiques of the bill and ways it could be improved. June 15 came and went and no review took place as far as we could tell.

It turned out there had been a review. As a member of parliament I had a chance to ask the chief electoral officer about this many years afterward when he was a witness before our committee and he informed me there had been a review. A motion was brought up without notice in committee. The motion essentially said that the act was being reviewed and that there was no particular reason to actually have witnesses appear before the committee. The committee did not think there was any need to have discussion of it and it was killed just like that. It was passed so quickly that members of the very same committee were unaware it had happened. People were present at the meeting when it occurred and happened not to be paying attention at that particular nanosecond in time that this review came and went.

If this is the kind of review we can expect then it is not a review at all. This is provided for by the legislation so it is clearly a flaw in the legislation. There must be a provision. When the government is required to do something and when the executive is bound there must be a requirement that this has some kind of consequence. If the executive fails to act, some form of independent action must take place.

If these kinds of changes are made to the legislation I suggest members will discover that there will be much more support for Bill C-5 than currently exists.

*Government Orders*

•(1650)

[*Translation*]

**Ms. Jocelyne Girard-Bujold (Jonquière, BQ):** Mr. Speaker, I am pleased to speak today on Bill C-5, an act respecting the protection of wildlife species at risk in Canada.

I would like to add my voice to that of my colleague from the Canadian Alliance, the member for Lethbridge, about how little this government respects what goes on in committees.

I was on the Standing Committee on the Environment along with my colleague from Lethbridge when Bill C-33, the precursor of Bill C-5, was examined. We heard dozens of witnesses in connection with Bill C-33, the one that preceded Bill C-5.

As my colleague from Lethbridge has said, the position taken by most of these was diametrically opposite to that taken by the government in this bill. I believe that the government just sloughs off any presentations by witnesses who come before a committee to offer their opinion on a bill.

This government operates with a kind of magical thinking. It applies a semblance of democracy by inviting people before the committee. "We will listen to you", it tells them. "We will ensure you are given a careful hearing. We will let you provide us with some improvements to the bills".

However, the witnesses and opposition parties are just being taken in, every time, by this government. Never, since I was first elected in 1997, have I seen any open-mindedness on the part of the government with respect to bills. They deserve to be approached with an open mind. Let us not lose sight of the extreme importance of protecting species at risk.

Neither us nor the government alone possess the whole truth. People in the field are well aware of situations we are not. This is perfectly normal. Everyone is an expert in their own area of knowledge.

The government hears the witnesses but does not listen to them. It continues along the path it has already chosen, and heads straight for third reading. It keeps on introducing repetitive bills which mean that there is never any progress made with an issue. This species at risk bill is once again a duplication of effort with the provinces.

In 1996, the federal government proposed a Canada-wide agreement to the provincial and territorial environment ministers, the Accord for the Protection of Species at Risk. My colleague from Argenteuil—Papineau—Mirabel referred to it earlier. So there has been an agreement since 1996.

Why did they not bring together all the environment ministers and tell them "Together, we have made some progress. Why should we not sit down together again and make more progress with this issue?" What do they do instead? They deny their own agreement with the provinces and draft a bill that is contrary to many areas of provincial jurisdiction. What will the result be? It will cost dearly, very dearly. Once again, there will be duplication. It will end up in squabbles and this does solve the problems.

What is more, they have the gall not to want to use the COSEWIC list. I would like to explain to our viewers just what COSEWIC is. It

is a body that was created in 1978 and is composed of representatives of each governmental agency in the provinces and territories, along with four national conservation bodies. It is the main player as far as species protection is concerned, and its mandate is to list the endangered species on Canadian territory.

These are the experts. I am not an expert, but I can recognize those who are. They have drawn up a list of 340 species that are endangered at the present time. These are credible people. They have been around since 1978 and are doing a good job.

•(1655)

What is the government saying? It says "We are setting aside the work that you have done since 1978. The governor in council, cabinet will draw up the priority list to protect species at risk".

This is ridiculous. It is nonsense. A minister or cabinet does not know which species are the most at risk and require immediate protection on the territory. This is not true. I hope members do not believe that. I am sure that our viewers do not believe it either.

Let us be serious. If we want to move ahead on this issue, because it is urgent to do so, we must sit down with the experts. I do not trust people who claim to be perfect. I am afraid they might engage in petty politics. This is no time to engage in petty politics. But maybe they want visibility. Perhaps this government is bent on getting visibility at all costs. No, the government must not seek visibility here: it must act.

It is time for the federal government to co-operate with the provinces, to sit down with their officials, to say that it will continue to settle the issues that have surfaced since the 1996 accord. But this is not what the government is doing, and it is unfortunate. There is still time to propose amendments to that effect, but the government is so dense, so uninterested in settling issues that it creates new ones to get more visibility.

This is an extremely important area. It is said that biodiversity is the result of the earth's evolution over a period of more than 4.5 billion years. This evolutionary process has generated a large selection of living organisms and natural environments on our planet. This is the reality.

I think that the provinces would have wanted to continue, with the federal government, to try to improve the 1996 accord. However, the federal government has decided once again to stand out, to get more visibility and to reinvent the wheel. This government is always reinventing the wheel and, in the end, it only causes trouble. This is no time to cause trouble. It is time to act and to make progress. I deplore this attitude.

There have been three bills: Bill C-65, Bill C-33, during a previous parliament, which died on the order paper, and this one. Therefore, I ask the government to withdraw its bill and to sit down again with the provinces to update the 1996 accord.

[*English*]

**Mr. Paul Forseth (New Westminster—Coquitlam—Burnaby, Canadian Alliance):** Mr. Speaker, in this report stage debate, I will talk about only three areas that must be focused on at this time within Group No. 4.



*Government Orders*

Bill C-5, entitled an act respecting the protection of wildlife species at risk in Canada, states in its summary that:

The purposes of this enactment are to prevent Canadian indigenous species, subspecies and distinct populations of wildlife from becoming extirpated or extinct, to provide for the recovery of endangered or threatened species, to encourage the management of other species to prevent them from becoming at risk.

A series of motions in Group No. 4, Motions Nos. 6, 16, 17 and 20, deal with the national aboriginal committee. I will also talk about the creation of stewardship action plans and public consultation.

Our standing committee wished to create a national aboriginal council but the government instead wants to call it a committee. It is changing the words in these various classes which of course affects its power. The idea of an aboriginal committee itself is acceptable. Clearly in many places, especially in the north, natives have a close knowledge of the land and live off country food for their sustenance, so consultation with them is very appropriate, as it is with other stakeholders such as property owners and resource users.

The existence of this committee should not preclude wider consultation with others. Care must be taken to ensure that it does not become a special conduit for perhaps a race based political concern. The administration of the act must concern itself with the protection of endangered species in a sustainable socioeconomic manner. Special privileges and exemptions from the act's application should not be based just on being an aboriginal with status.

The name change from council to committee reverses the standing committee's work without justification. The government is showing its contempt for the work of the parliamentary committee and its own Liberal MPs when it makes retro changes to the normal legal process of a bill.

Motion No. 25 deals with the creation of stewardship action plans. Here the government is introducing such a far-reaching and noxious amendment to the standing committee's work that I think special note must be made of it. The standing committee required that stewardship action plans must include "a commitment to regularly examine tax treatments and subsidies and to eliminate disincentives". The government wants to delete this language, but I think it is vital. It demonstrates that compensation is not just a cash payment but could involve other things like tax treatments, which are so vital to farmers and other property owners.

Further, while the government always wants to create incentives and programs and spend money, it must be forced to confront the realities of disincentives in the same situation, the reasons why people do not respond in the way that perhaps the ivory tower theorists and bureaucrats think they might.

The government also wants to delete the standing committee's requirement that stewardship action plans provide "technical and scientific support to persons engaged in stewardship activities". Instead, it will "provide information relating to the technical and scientific support available to persons engaged in stewardship activities". This is a small but significant difference. Instead of giving property owners real assistance by sharing data on the presence of endangered species or assistance in configuring their properties to protect sensitive habitat, the government can just maybe mail them a pamphlet. Thanks a lot, bureaucrat.

I will just talk a little bit about public consultation. Most of the remaining Group No. 4 amendments concern issues of notice and public consultation. There is a fundamental importance to making consultations as wide as possible, ensuring that consultations have a real impact on the administration of the act and are not just simply done for show, for knowledge creates the capacity to protect.

Initially the bill provided for a parliamentary review of the species at risk at five year intervals. The standing committee added the additional requirement that it be subsequently reviewed at five year intervals. Motion No. 130 from the government will remove the standing committee amendment. It does not think automatic five year reviews are really needed and instead would put the onus on parliament to put a review on the agenda should it deem it necessary at some point in the future. This is just plain wrong.

• (1700)

It is really contemptuous of the standing committee and removes an opportunity for greater accountability and public involvement. Mandatory reviews of legislation are important for ensuring that the act is working as intended and that creating an opportunity to make a change will not simply be left to the whim of the government House leader of the day to fit another political agenda. This is basic democratic accountability and ensures that legislation is kept evergreen.

I will conclude my comments by saying that the bill as it is before the House is really in a complete tangle. Things have just worked out this way and there is an underlying reason, which is that the Liberals cannot manage. They have no guiding vision or values to carry us into the 21st century. As this is the third bill, it is obvious to all that it is a failure. Maybe it is a case of three strikes and the government is out.

It is the sad legacy of this country that the Liberals cannot manage and they are hurting the country. The evidence of those statements that are rather far-reaching is certainly in the process of this bill.

• (1705)

**Mr. Peter Stoffer (Sackville—Musquodoboit Valley—Eastern Shore, NDP):** Mr. Speaker, I rise to debate Bill C-5 and the amendments in Group No. 4.

First I want to speak to hon. members on the Liberal side, especially my colleague from Bras d'Or—Cape Breton who just spoke about stewardship. He made a good speech if indeed that is what the government is providing, but unfortunately the government is not. It takes the members for York North and Churchill River to provide that stewardship. It is simply ironic and incredulous that two Liberal backbenchers have to stand in the House and literally yell and scream in order to tell the government that what it is doing is wrong.

It is unbelievable in this day and age that we are talking about the change of one simple word, the change of the word "may" to the word "shall". When it came to the aboriginal consultative group, the original bill said that the government "may" do this, which means it will not do it. The committee got together and put in the words "the government shall establish". The government has turned around and changed that again.

*Government Orders*

The member for Churchill River, my former colleague, says that the wording should be that the minister “shall” establish a council. That is exactly what this is about.

The fact is that aboriginal people, first nations, Metis, Inuit and Innu and many others, have a very strong knowledge of what goes on in terms of traditional knowledge of our natural environment. If we want to consult with anyone, it should be with those people. They are the ones who live on the land. In many cases their nutrition is supplemented by food off the land. They know what is best for the species. They know what is best for themselves.

It is absolutely incredible that I listened to two very good members of the Liberal Party turn around and basically aim their entire speech right at the front bench. It is one thing for us in the opposition to do that. That is what we are here to do. However it is wonderful, and it is quite sad at the same time, to hear the government's own backbenchers do the same thing.

I encourage my colleagues on the Liberal side, especially from Nova Scotia, and those across the country to review what the government has done and support the member for Churchill River's amendment because he is absolutely right.

Why do the aboriginal communities have a large distrust of the government? The government plays around with wording of that nature in order to avoid responsibility and leadership, not only in aboriginal affairs but in terms of our natural environment.

I go back to the work that the committee did, especially the work by the hon. member for Windsor—St. Clair and his other colleagues. They worked extremely hard. They also spent a lot of taxpayers' dollars to bring people from around the country to the hearings and come up with recommendations that at best were watered down. They were the minimum. Individual members wanted tougher language, stronger conditions to protect our various species and habitats, but through compromise the 16 members from five political parties got together and said “This is the minimum we can do, the very best. This is something we can all support”.

What did the government do? It ripped them up in a heartbeat, in record speed, which meant that all along the environment committee's work was a facade. That is what is really sad. People poured their guts into this report and worked extremely long hours only to have the government turn around with record speed and bring forward amendments which it has absolutely every intention of passing. It ignored the work of the committee.

● (1710)

If members of parliament on both sides of the House are frustrated at the government's action, imagine what the aboriginal communities, Metis and Inuit people must think, along with many others.

While I am on the subject of consultation with our first nations, what about consultations with coastal communities throughout Canada? Fishermen and fisherwomen in Canada's many hundreds of fishing communities know the waters they are adjacent to extremely well. They could tell us what is happening to our fish stocks, water temperatures, or the natural environment. The government does not want to listen to them. It only wants to listen to its own bureaucracy and delay the inevitable of accepting leadership and responsibility. It is a sad day.

I fear the five year review process will not have any merit at all. If there is a problem, the government will tell us not to worry, that a bit of jiggling around will be done and it will do it in five years. Five years from now someone could stand in this place and say that five years previously a particular species existed but it has since gone. What would the government say then? It would say “We simply did not know. We did not have the right information at the time. Maybe we should have a royal commission and spend millions of dollars”.

The government could save a lot of time by accepting the committee's recommendations as is, which at the very best is the minimum. It should move forward to strengthen the bill in order to protect all species for future generations.

**Mr. Clifford Lincoln (Lac-Saint-Louis, Lib.):** Mr. Speaker, there is an old saying that discretion is the better part of valour. The government must have been seeking valour because the bill is full of discretion. In every section that I read there is discretion. It is may instead of shall. It leaves a lot of latitude to the minister to decide whether he will or he will not.

When I read the text of the bill regarding consultation with aboriginal people I have to sadly say, as my colleague before me has pointed out, that the people whose livelihood depends on the earth and living species, the people closest to Mother Earth whose spiritual belonging is tied up with nature and living species, are the ones who were perhaps slapped hardest in the face.

At one point the bill provided for an aboriginal council to be established. Then what did the government do? It wiped it from the definitions. There was also advice to be sought from the aboriginal council under clause 7. That has been completely changed. The council has become a committee and the committee is discretionary.

The committee was to advise the Canadian Endangered Species Conservation Council. Under the previous provision three relevant ministers including the Minister of the Environment were to sit on that council. Now there will be only one minister and there are no ministers on the committee at all.

The council's advice and recommendations were to be sought and considered by the Canadian Endangered Species Conservation Council. Now the committee's role is simply to advise the minister.

If any people should have been listened to because of their tremendous regard and love for the land, nature and living species, it should have been the first nations and all the aboriginal peoples of this land.

I know colleagues before me have read them, but the views of the Inuit Tapirisat should be read into the record again and again. They equate to those of all aboriginal people and say that these fundamental changes are unacceptable.

Report stage belittles aboriginal nations and their leaders by removing their rightful place in an advisory body with ministers of the crown within the act. The Inuit Tapirisat has repeatedly asked for a formal response from the Minister of the Environment regarding Motion No. 20 and has received none.

Due to these recent events the Inuit Tapirisat and other aboriginal groups have no choice but to withdraw their support from the species at risk bill. This is all very sad.

*Government Orders*

Originally clause 129 provided for a review of the act after five years and after the five years there would be no review. The committee amended it to provide for a review every five years. I ask the powers that be whether it makes sense to have a review of important legislation every five years. This provision was enshrined at the request of the Liberal Party when in opposition and CEPA was passed.

● (1715)

It was the Liberal Party in opposition that obtained the tremendous new provision that an important environmental act should be reviewed every five years because of its complexity, the changes that technology inevitably brings and the huge changes that happen to nature as a result of pollution. That was enshrined in CEPA and in the Canadian Environmental Assessment Act. Yet the government refuses the amendment by the committee to make the act reviewable every five years.

Can anyone tell me one good logical reason why that should be? I hope, Mr. Speaker, you will agree with the validity of following amendment:

That Motion No. 130 be amended by replacing all of the words after the word "force" with the following: "and every six years thereafter, a committee of the House of"

The effect of this amendment would be to make sure that the act is reviewed every six years. If the government feels that every five years is too soon, let us make it six years. Every six years the act could be reviewed by a relevant committee of the House just the same as CEPA is reviewed and just the same as the Canadian Environmental Assessment Act is reviewed.

I table this amendment with you, Mr. Speaker. Knowing your breadth of knowledge I am sure you will accept it as completely valid and I hope it will become law.

● (1720)

**The Deputy Speaker:** The Chair will take the matter under consideration and will get back to the House, particularly to the member for Lac-Saint-Louis, hopefully before 5.30 p.m.

**Mr. Dale Johnston (Wetaskiwin, Canadian Alliance):** Mr. Speaker, I am pleased to speak to the motions in Group No. 4 respecting Bill C-5, the endangered species legislation. It is pretty safe to say that most Canadians agree we have a responsibility to protect endangered species.

I have some pamphlets that have been put out by the government of Saskatchewan which refer to the sage grouse. Most people recognize they are endangered. Certainly the piping plover was mentioned in the House earlier today. Most people also realize it is an endangered species. The greater prairie chicken is a different species from the sage grouse. That species and the whooping crane are very recognizable Canadian species of wildlife that are endangered.

In the work I have done researching the bill I have been given to understand that if any of these endangered species are discovered on land of which an individual or group of individuals has ownership, the government has no obligation to inform them. If I had some sage grouse, whooping cranes, piping plovers or other birds on my land I would very likely know about it. I recognize they are endangered

species. I would probably take steps to ensure that their environment was not damaged because of something I did.

However there are a other species on the prairies. For instance, the slender mouse-ear-cress, a very small plant, is one of which I have no knowledge. There are also western spider warts and the hairy prairie-clover. These are prairie vegetation that are on the endangered species list. If I or someone who owns the land inadvertently destroys the habitat of the sand verbena or the hairy prairie-clover, we would be subject to severe penalties even though we had no idea the endangered species was on our land and even though the government does not have any obligation to notify us so that we can take the required precautions.

In talking with our critic we were informed that some nine months of work of the committee, which is a gestation period, produced at least 300 amendments, 100 or more of which were approved by all parties. All that work was completely wiped out when the legislation came back to the House. Members of the House have a lot better things to do than attend nine months of committee work which counts for absolutely nothing when it comes back to the House.

This is a sham. It is a total waste of parliament's time, potential and resources. All of us have better things to do. Our constituents would be better served if we spent more time with them and less time in a committee that does not work. Committee work is wonderful. It is where the nuts and bolts of legislation are made. If the committee works it is a wonderful tool. When it is treated in this way it is an absolute, total sham.

● (1725)

I agree with him when he moves his motion that the bill should be reviewed on a regular basis. I would have thought that a five year review would have been good but if he is willing to go with six years I am sure we can live with that. I can speak for my colleagues that we would be willing to support such a motion. I am pleased to see that he has moved that. I know that he and other Liberal members who speak against the bill do so at their peril. I applaud them for taking that stand and having that courage.

When we talk about people who own land and try to make a living from that, I know a little about that. I made my living from the land for 35 years by raising cattle and other crops to feed a hungry nation.

I would like to read into the record something I came in contact with. It is written by a fellow who did a lot of work with the transplantation of timber wolves from Alberta to Yellowstone Park. It was a project with the state of Wyoming and the province of Alberta. This person came to the realization by talking to a man by the name of William Pen Mott.

William Pen Mott was national park service director to former president Ronald Reagan. He attended a meeting with sheep ranchers who did not have a whole lot of love for the wolves. He said:

The single most important action that conservation groups could take to advance Yellowstone wolf restoration would be to start a compensation fund. It is economics that makes ranchers hate wolves. Pay them for their losses and the controversy will subside.

*Private Members' Business*

If the legislation does not compensate landowners for land that is taken out of production because of endangered species that live on it then the legislation is not only doomed to fail but it also does not serve the purpose it was intended, that is, the protection of endangered species. I submit that it will not protect endangered species. The only way that there will be protection of endangered species is if the people whose land the endangered species reside on are equal and willing partners in the program. If they are not willingly compliant, it will not work.

If the Government of Canada were to start confiscating land from people because there were endangered species on that land then we never owned the land in the first place. The right to own property is a fundamental right in Canada. If that were taken away from us, it would be a sad day for Canada.

**The Deputy Speaker:** Let me report the ruling of the Chair regarding the amendment proposed by the member for Lac-Saint-Louis. The amendment is not in order. It is deemed to be beyond the scope of the motion.

It being 5.30 p.m. the House will now proceed to the consideration of private members' business as listed on today's order paper.

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## PRIVATE MEMBERS' BUSINESS

• (1730)

[English]

### CORRECTIONS AND CONDITIONAL RELEASE ACT

**Mr. Darrel Stinson (Okanagan—Shuswap, Canadian Alliance)** moved that Bill C-252, an act to amend the Corrections and Conditional Release Act (statutory release granted only when earned and subject to mandatory supervision), be read the second time and referred to a committee.

He said: Mr. Speaker, it is a pleasure to speak to Bill C-252, an act to amend the Corrections and Conditional Release Act (statutory release granted only when earned and subject to mandatory supervision).

My private member's bill takes aim at the root of many problems caused by a Liberal change to the Corrections and Conditional Release Act which makes it mandatory that inmates serving a fixed-length sentence longer than two years are released after serving two-thirds of their sentence unless correctional officers make a report against such a release, approximately 11 months ahead of the statutory release date. That report goes to the institutional unit board or the detention review board which in turn must decide whether to send it to the parole board for consideration at the granting hearing.

Existing possibilities at the parole board hearing are that the inmate in question may not get out on statutory release or may be sent to a halfway house or might be released on a one-shot basis meaning that failure to satisfy his parole officer can result in the inmate being sent back to serve the entire remainder of his sentence.

According to the National Parole Board performance monitoring report less than 59% of the offenders released on statutory release during the period of April 1, 2000 to March 31, 2001 completed their

sentences successfully in the community. This means a 41% failure rate.

Any organization or company with a 41% failure rate has some serious problems. If people buy an automobile or were using machinery with a 41% failure rate, I am sure that the company would be hauled up on all kinds of financial questions.

Of the 4,900 let out of federal prisons on statutory release, 14.4% of new offenders while 26.7% of offenders on statutory release had those releases revoked for failing to abide by the conditions of their release. By contrast, prisoners who earned their release did much better.

Full and day parole could only be granted by the National Parole Board where statutory release is granted by law, a law changed by the government. Most offenders serving definite sentences, for example six years, are released after serving two-thirds of their sentence.

One of the most tragic failures in the present system involved innocent victims of offenders on statutory release. Although convictions for violent offences by offenders on conditional release have been dropping for the past seven years National Parole Board figures show that 188 convictions for violent offences were still obtained in the year 2000-2001.

We are talking about such crimes as murder, attempted murder, sexual assault, major assault, hostage taking, forcible confinement and armed robbery. These are the kinds of crimes people on statutory release have committed.

Any serious offence by prisoners out on statutory release are simply not acceptable. The parole board is investigating serious crimes committed by those released from jail to see if there are any loopholes in the system. That is an improvement. However the biggest loophole is the present definition of statutory release in the first place. Instead my bill would require offenders to earn their release by good behaviour.

According to the National Parole Board:

All federal offenders are entitled to statutory release after serving 2/3 of their sentence unless it is determined that they are likely to commit an offence causing death or serious harm to another person, a sexual offence involving a child or a serious drug offence before the expiration of the sentence.

Only the National Parole Board determines that inmates are likely to commit such an offence that they now can be detained to serve their full sentence. What if the board thinks there is only a 30% or 35% chance that the prisoner would commit such a crime? In that case, the prisoner must go free. Once they are released I have had the police tell me that in the community where my constituency office is located we are getting some very violent offenders being placed in our power house because parole boards think it is not likely that they will recommit a serious crime.

*Private Members' Business*

● (1735)

There were 2,779 offenders out on statutory release across Canada from 2000-01. That is up from 2,016 from 1993-94 when the Liberal government took office. The largest increase took place in the Pacific region, up 14.4% for the same year of 2000-01. We had a prison population of 12,791 with 4,698 out on statutory release. In other words 37% were out on statutory release. In anyone's estimation that represents a high percentage when we realize these are people who have not earned their release but simply people that the system was required by law to let out.

Existing laws put the burden of assessing an inmate's status mostly on correctional officers. Granted that they will consult with the inmate, Bill C-252 would put the burden mostly on the inmate to earn his or her release through such good behaviour as getting counselling for anger management, healing addictions to alcohol and/or drugs and so on.

Bill C-252 is based on several points. First and foremost is the desire to protect the public from possible slip-ups by administrators which have in the past resulted in harm to innocent victims by releasing the wrong people into our communities.

In recent months we have seen a startling increase in the number of law enforcement officials being killed or seriously injured when stopping someone who is out on statutory release. Those offenders knowing full well that they will go back to the slammer pull guns on officers.

The member for Provencher told us as recently as February 27 that in less than three months two RCMP officers in Manitoba have been shot, one of them fatally. Just last week the home of another Winnipeg police officer was firebombed. In both shootings we know that the suspects were wanted for parole violations.

While criminals in Canada are increasingly more willing to use violence our solicitor general continues to accelerate the process of early parole that would see more dangerous offenders released from club fed style prisons. This not only defies common sense but it puts the police at an unacceptable risk.

In order to restore public confidence in our justice system and to give police the support they need the Liberal government must act immediately to require that criminals earn their parole. Indeed this area of changing parole is not only the essence of my private member's bill it is one of the keystones of a recent petition launched by the police across Canada. It asks that we end unearned early release from prison.

Regarding danger to the general public the Canadian resource centre for victims of crime sent my party a long list of offenders who committed serious crimes while on statutory release. They include: Luc Gregoire who abducted a woman in Calgary and murdered her; Douglas Parenteau who murdered two people in Millet, Alberta; Fernand Auger who abducted and murdered a woman in B.C. and then took his own life; Irwin Bird who was charged in Alberta with murder, forcible confinement and aggravated assault; Huy Manh Pham who was charged with second degree murder in Vancouver; and John Borden who was charged with second degree murder in Edmonton.

The list goes on and on but it gives us some idea of why statutory release should be changed both to protect law enforcement officers and the general public.

Another principle behind my private member's bill is to recognize that prisoners often need to learn how to make good decisions. Instead, in prison they make very few decisions. This is one of the defining differences between being in prison and being at-large in society. It is that we, free men and women, can decide what we will do and when we will do it. The more an inmate can make successful decisions while incarcerated the better that person is prepared to function successfully when released from a highly structured prison environment.

● (1740)

That is one of the biggest goals of imprisoning any offender. It is not only to punish the offender, it is not only to protect society, it is also to try to turn around the lives of prisoners and make them once again a productive member of society.

That leads me to another principle behind my proposed bill, mainly that early release for good behaviour provides a clear incentive for wanting to improve. It can help inmates form good habits and break bad patterns of behaviour. This can help turn our prisons into locations which are more successful in improving the prisoner's behaviour patterns.

According to prison officials with whom I have discussed this, a soft prison system where inmates get rewards, regardless of whether or not they co-operate with the guards or the programs offered to them, is bad for the public, the guards and prisoners alike. Looking at this issue from the point of view that society wants inmates to succeed once they are released from prison, having prisoners take much more responsibility for their own rehabilitation can help increase the success ratio.

Specifically, if prisoner is not ready to perform well outside prison, my bill would mean that he or she would not be booted out of the door as the present CCRA requires. We have to realize that inmates who have served several years in prison are at high risk to reoffend, unless there is some structure outside the prison to help them adjust.

As one correctional officer told my office recently, "If an inmate is released on Friday with \$100 and no structure to his life, he is likely to score with heroin or a hooker and be back in custody in no time. That failure helps nobody". Such failures also contribute to the overload on our courts and on our police.

In conclusion, redefining statutory release so that it would have to be earned and would be subject to parole, would better protect both the general public and law enforcement officers as well as improve rehabilitation in the correction of inmates in our prisons.

*Private Members' Business*

**Mr. Lynn Myers (Parliamentary Secretary to the Solicitor General of Canada, Lib.):** Mr. Speaker, I am pleased to rise today to join in this discussion. Before us are proposals regarding the revision of the Corrections and Conditional Release Act, or CCRA as it is often called. There are two components here and it would simplify things if I speak to the second proposal at this time.

The member Okanagan—Shuswap indicates by his bill that offenders who return to our communities under the statutory release provisions of the act should be supervised. As he puts it, there should be mandatory supervision. That is exactly what CCRA now provides. Each year more than 9,000 offenders are released from the custody of Correctional Service Canada. Almost all are released under supervision with the exception of a few hundred whose earlier release cannot be stopped.

The justice system is continually under review. For example, in the early 1990s there were extensive consultations and nationwide discussions of the Criminal Code of Canada and the Penitentiary Act and Parole Act as they were then called. In 1992 these efforts culminated in the passage of the Corrections and Conditional Release Act. It modernized the way in which court imposed sentences were administered and entered well thought out principles, policies and practices into the law itself. In doing so, the new act ensured that our practices complied with the Canadian Charter of Rights and Freedoms.

At that time the provisions for statutory release replaced a similar program that had been introduced in 1971 called mandatory supervision. Mandatory supervision had developed piecemeal and contained elements of both statutory and earned remission. It was unwieldy to administer but the practice allowed offenders who had not been paroled previously to re-enter society under supervision after approximately two-thirds of their sentence had been served.

Previously, earned remission advanced the end of the sentence but did not require supervision or set conditions for that early release period. Moreover although the mandatory supervision had been seen as an inducement to good behaviour, almost all inmates earned almost all of their remission. Under mandatory supervision, that last third of the sentence became a supervised period to provide both control and assistance to offenders being released as a result of earned remission.

After 1992 and through subsequent amendments to the Corrections and Conditional Release Act, the concept of earned remission was removed from sentence calculation but the mandatory supervision of offenders conditionally released remained part of the law. In addition to the support and control provided by parole officers, strict conditions are imposed on offenders on statutory release that may include that they reside in a halfway house. Any breach of conditions can lead to the revocation of release even if no additional crime has been committed.

All of this is to say that the member opposite is proposing an unnecessary redundancy.

I would now like to turn to the first clause of Bill C-252. The acceptance of this proposed change would significantly alter the face of sentence administration. The abolition of statutory release and the return of a form of earned remission would set the system back to its

pre-1992 status that was so in need of modernization. At that time human resources were being expended on maintaining an onerous system of monitoring and record keeping, rather than promoting involvement in programs and personal improvement.

As I have had occasion to mention, the criminal justice system certainly has been before us often during the time I have had the honour to serve in this place. Most recently we have been seeing meaningful changes in the criminal code and related statutes in response to terrorist threats. The matter of youth justice, as an example, has been dealt with in accordance with the wishes of the majority of Canadians. The solicitor general, in addition to responding to the tragic events of last fall, has extended protection of young Canadians from sexual predators with amendments to the Criminal Records Act and continues to oversee the updating of information systems to better track those who pose a threat to the vulnerable.

In the areas of corrections and conditional release, these meaningful and positive changes have been made to protect Canadians and to maintain the level of security they expect and enjoy.

As I have mentioned, these initiatives began in earnest 10 years ago with the replacement of the Parole Act and the Penitentiary Act through the creation of the new Corrections and Conditional Release Act. There is ample evidence from abroad that we can pride ourselves on our worldwide reputation for maintaining a correctional system that acts fairly and respects the human dignity of offenders while pursuing its primary goal of public protection.

● (1745)

The proposal now before us would in no way contribute to our efforts to administer sentences in a way that best protects Canadians. In fact, the hon. member's proposals would go against the principles of correctional and conditional release passed by this parliament and enshrined in the law itself. Public safety is the first priority of correctional and conditional release.

I believe and think it is well known that the government has demonstrated its continual willingness to undertake change when necessary. I would be the last to say that any legislation is perfect. It is our duty to remain aware of changing circumstances that may require the reform of existing laws. We must be alert to faults that may be detected in our laws that may give rise to injustice. We must be equally alert in identifying and resisting proposals such as the one before us today that would not contribute to the continuing success of efforts to improve our corrections and conditional release system.

Bill C-252, suggesting as it does the revision of the Corrections and Conditional Release Act, brings something new to the legislation passed by the House less than 10 years ago and thereafter reassessed and amended as was determined to be necessary.

*Private Members' Business*

The amendments proposed would change our laws in ways not intended by those who agreed to major legislative reform in this place when the CCRA was passed and subsequently revised. In addition, the proposals would not be in line with the recent recommendations of the parliamentary committee in its review of this act. It is clear then that the removal of the current statutory release scheme has been thoroughly considered on a number of occasions and rejected.

The opposition members have been quick to criticize our correctional system at every opportunity. They never however mention the tremendous successes that we have in our system. They focus on failure. They never mention that our system is the envy of most nations in the world and that their representatives come to Canada to see how they can use our best practices.

That is not to say that we cannot improve; we can. The government has shown that it will continue to take the action necessary to make our corrections system even more effective and to ensure that public safety is always the number one priority for all Canadians. Consequently, Bill C-252 cannot be given our support at this time.

● (1750)

**Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC/DR):** Mr. Speaker, I am pleased as always to have an opportunity to rise and speak to private members' business.

I listened carefully to the parliamentary secretary and the Department of Justice line he trotted out, the gobbledegook in support of the government's position to reject statutory release as an amendment to the current Corrections and Conditional Release Act. He gave many of the same criticisms that we have heard in debate in the past in regard to changing the way in which we automatically release prisoners into society by virtue of the statutory release provisions of the Corrections and Conditional Release Act.

In many ways the hon. parliamentary secretary answered his own criticisms. He spoke of public protection being so engrained in the act, yet it is public protection that is very much at risk as a result. He trotted that out as is often the case when he is questioned.

Mr. Speaker, representing the riding of Kingston and the Islands, where we have one of our largest and most secure facilities in the country, the Kingston maximum security prison, you are well aware that by virtue of this legislation, subject to very few restrictions prisoners are automatically given the keys to their prison cell by virtue of just doing their time. Therefore, I would suggest, prisoners have no incentive to rehabilitate and reform themselves. They have no incentive to partake of prison programs. There is no incentive even to behave, which is what I think is most crucial. There is no encouragement to dissuade and deter prisoners while they are doing time. In instances where prisoners find themselves in the Kingston pen doing time for the most serious and heinous offences, such as sexual assault, murder, invasion of a person's property and person, by virtue of statutory release they simply do their time.

The sentiment and the purpose behind having mandatory supervision apply by virtue of the adoption of such a change to the legislation, in essence doing away with statutory or mandatory release and putting in place a system of earned release, which used to exist, let me be quick to add, tells federal inmates and society

generally that when persons have been convicted, have availed themselves of due process and appeals and all legal avenues have been exhausted, and they are then incarcerated, they will be encouraged, nay, they will be required to behave and earn early release rather than simply pervert the judge's sentence which in essence says they will serve a set period of time. The parole board, the Corrections and Conditional Release Act, allows for that sentence to be undermined and, in many instances, watered down.

This very simple change to the Corrections and Conditional Release Act contemplated in the hon. member's bill, Bill C-252, this very subject matter, was the subject of a discussion that took place in a review at the justice committee. It was alluded to by the parliamentary secretary. I was part of that committee. Many Liberal members on committee at that time were prepared to support those changes. They were prepared to embrace the idea of earned release, earned remission, encouraging individuals to actively pursue programs which would demonstrate that they were rehabilitating themselves and ready to re-enter society instead of simply sitting in their prison cells and, I will be graphic, engaging in incredibly inappropriate activity involving guards, such as throwing feces at them, swearing at them, engaging in fighting and all sorts of other inappropriate activity with other prisoners, thereby posing a real threat to the brave men and women who serve in the correctional system and to other inmates. That is not the way we should be operating our prison system in Canada.

● (1755)

To suggest somehow that we have the most effective correction system, the envy of the world, as the hon. member opposite referred to it, that is not the case. We have a lot of problems to deal with, including the amounts of drugs and inappropriate activity that are still very prevalent in Canada's corrections system. Having a system of earned release would address that. It does not say that the person would not be released early. It does not contemplate that an individual would not be entitled to early release. It says that people have to play by the rules, that they have to behave appropriately and avail themselves of programming which demonstrates that not only are they mentally prepared to go back into society but they are actually taking part in their own rehabilitation.

Therefore this is not the type of legislation that would cause a major shift in the current numbers who would be released. What it would do is put clear restrictions in place for individuals who, while doing time, have demonstrated through their actions that they are not ready to be reintegrated, that they are not prepared to go back into society and behave in an appropriate way, a non-criminal way.

I would suggest that the hon. member, by bringing forward his private member's bill, is following the path of common sense and bringing forward a change to our current Corrections and Conditional Release Act that would do away with this perversion of the sentencing process. It would do away with making it automatic that we use some randomly determined, and in many cases inextricable, formula to decide who is and who is not released from our prisons.

*Private Members' Business*

Not only would the merit system proposed by this type of amendment benefit the offenders through engaging them in their own rehabilitation process, it would certainly benefit the guards, the frontline correctional services personnel. Most important, it would give society some indication that the parole board and Corrections and Conditional Release Act was being followed.

As it currently stands, the individual just simply has to show up, and he has to because he is in jail, but that individual has to do nothing. The judge says "ten years in jail" and a person is out in four. That is the way it works today. That is not the type of general and specific deterrence judges speak of every day in courts across the country, and yet that is a word that seems absolutely perverse. It seems that one never wants to hear that word uttered on the other side of the House. Liberal members do not like the philosophy of general deterrence. They do not want to hear about it. They think it should not be part of the system, even though it is there. It is omnipresent every day in courts across the country.

There would be a financial cost, some would suggest, if offenders did not or could not meet the new requirements of release, if they had to be held to a higher standard. Hon. members on the Liberal side would say it would cost too much. What is the cost when somebody is released early and goes out and shoots a police officer or strangles a child or sexually assaults someone? That is the human cost that is intangible, that we cannot even contemplate when prisoners are released prior to demonstrating that they are ready to be back on the street.

No, it is not a perfect system. No, there is no way to predict human behaviour in every instance, but one way to predict human behaviour is to study the previous behaviour that landed somebody in jail in the first place. Judges determine sentences based on the evidence, on the victim impact statements, often on psychiatric evidence, on what they hear in the courtroom, the circumstances and facts of the case. When a judge makes a decision and the correctional system and the parole board conspire to put that person back on the street, it is a very serious and damaging outcome for society.

This simple amendment would ensure that things are tightened up, that those currently in the system would ensure firsthand that individuals would not be back on the street before being ready. Surely this is the most prominent, relevant and important way to protect society. We hear about the protection of society all the time from the solicitor general, the commissioner of corrections and from the RCMP. Let us do something about it and actually make changes that would bring that sentiment to fruition.

• (1800)

Members of the Progressive Conservative Democratic Representative Coalition support this initiative. We thank the hon. member for the opportunity to bring this matter back to parliament. The recidivism criteria should always be taken into consideration for those eligible for accelerated parole. One of the most perverse things is that the current youth criminal justice system will bring statutory release, conditional sentences and some of the worst perversions of justice in the adult system to our youth system. That is what we will see happening instead of seeing things going in the opposite direction, the way this private member's bill would move our legislation.

**Mr. Vic Toews (Provencher, Canadian Alliance):** Mr. Speaker, I am pleased to rise today in favour of Bill C-252, introduced by my colleague, the member for Okanagan—Shuswap.

This legislation aims to shift the priorities at Correctional Service Canada toward a greater concern for public safety and victims' rights. Unfortunately, during the past few years of the Liberal government's tenure we have seen a steady slide in the opposite direction, indeed, giving greater priorities to the rights of dangerous criminals with the federal government's club fed style prisons. They also include release quotas and laws such as statutory release that the bill seeks to remedy.

Recently I received a letter from a constituent who said he was concerned that dangerous criminals in Manitoba have been receiving overly lenient sentences. Clearly the issue of overly lenient sentences is a question that the courts need to address, but one thing parliament can address is the issue of parole. In this case, an individual was beaten to death and the accused received a sentence of two years less a day. Whether or not one agrees that the sentence was appropriate for the beating death of that man, in the end the man served only five months in prison before being let out on parole.

In response to the inquiry from my constituent, I said that early release from prison must be earned. It has long been the position of the Canadian Alliance and its predecessor, the Reform Party, that it should not be the right of dangerous offenders to expect and automatically receive reductions in their sentences. Unfortunately the government does not agree, preferring instead to allow criminals to automatically receive early release from prison. Where a criminal presents a continuing danger to law-abiding Canadians, an automatic reduction of prison sentence by parole officials brings the entire system of justice into disrepute.

Our parole system requires a number of changes to prevent convicts from being released prematurely into society. The bill brought forward by my colleague would amend the Corrections and Conditional Release Act and would be a solid step in the right direction.

Statutory release is a law that gives most federal inmates mandatory release after serving two-thirds of their sentence. We know that aside from mandatory release prisoners are given additional time off depending on the category of offence. For example, there are some offences that the parole officials, through government direction, have categorized such that a convicted person receives parole after serving one-sixth of the sentence.



In a recent visit to a federal penitentiary, I raised this issue with one of the guards. He said not only was that true, indeed, prisoners who go through an orientation to come into the prison so that the officials can categorize them and determine where they should be going are released after serving a minimum amount of time even before the orientation program in fact is completed. What they are doing by statutory release provisions or administrative quota systems is moving people through, even though they do not know what dangers these individuals could pose.

We all know that statutory release has resulted in numerous offenders being released back into society before the authorities have even had a chance to attempt to rehabilitate these individuals. In that process, ordinary Canadians, law-abiding, taxpaying Canadians, are being put at risk.

• (1805)

Although an inmate may be detained until the end of his or her term, under certain circumstances Correctional Service Canada and the parole board only review violent offences in this context. Even in such cases we know that sometimes the most dangerous offenders are paroled early and are given a second chance to commit a violent assault, to prey on children or as we have been learning very recently, to shoot police officers.

The bill would amend the law so that offenders who are given statutory release would be subject to a mandatory supervision order as well as a requirement for rehabilitation. Most important, statutory release would not be automatic. It would have to be earned.

The need to overhaul Canada's prison and parole system has long been championed by our top law enforcement officials. Just last week the Canadian Police Association and the Ontario Police Association launched a nationwide petition to parliament to strengthen Canada's system of sentencing, corrections, parole and release.

In its policy resolutions the Canadian Police Association has taken the position that statutory release must be repealed. This has also been the position of the Ontario minister of correctional services, Mr. Rob Sampson. In a December 2001 letter, he called on the minister to immediately repeal the statutory release law, or the discount law as criminals refer to it.

The recent shootings of four police officers underscore the urgent need to overhaul our system.

Just last week a 28 year old police officer was shot near Cornwall, Ontario. His bullet resistant vest saved him during a shootout that left one person dead after the car was stopped for a traffic violation.

Montreal Constable L'Ecuyer, age 29, was shot and killed during a chase with a speeding car on February 28, 2002.

In Manitoba RCMP officer Mike Templeton, age 30, survived after he was shot in the face while attempting to pull over a suspected stolen vehicle near Oakville, Manitoba.

RCMP Constable Dennis Strongquill, age 52, was fatally shot after pursuing a stolen car in Russell, Manitoba on December 20, 2001.

### *Private Members' Business*

In many of these tragic cases, the suspects involved were either out on parole or were wanted for parole violations. In many cases our parole officials say that the breach of parole was not that bad. They knew the individual was already in breach of parole and they said that it was not that bad.

What message are we sending to criminals when not only do they get mandatory statutory release, which they now consider their due, but we say to them that these are the conditions but if they breach them and they are not that serious, we will let them stay out? We are sending the message that the law does not need to be respected. The message is that law enforcement officials are being put at risk because of a blind adherence to an ideology that puts the rights of criminals ahead of the rights of our law enforcement officers, ordinary citizens and those who work hard to make Canada a safe place.

The solicitor general's policies defy common sense and put Canadians at risk. Criminals simply should not be awarded a get out of jail free card.

I support my colleague's bill. It is important legislation. We need to see that it becomes law.

• (1810)

**Mr. Ken Epp (Elk Island, Canadian Alliance):** Mr. Speaker, this is another one of those occasions where I have not been scheduled to speak. I did not think I would speak but I was listening to the debate and it has put some thoughts into my mind. I did hesitate to see if someone else wanted to speak because I do not like to hog the scene here, but at any rate I appreciate this opportunity.

This issue is of great importance. Since I have been a member of parliament I have picked up on something in the justice area which is that there is no law we can pass that can make people good and that the purpose of the law is to restrain those who are not. I cannot claim that is an original idea. I heard it from someone else. I do not remember the name of the person but it rang a bell.

Certainly one of the reasons for my joining the then reform party, now the Canadian Alliance, and having stayed with the party all these years, is that its members believe that the protection of law-abiding citizens takes precedence over the rights of those who break the law. I have often thought that as well. Those people who choose to break the law, who step outside the circle of law and order are incorrect when they claim that the rules of law and order should apply to them. They were not willing to apply them toward their own victims. This is an issue of great importance.

Another thing occurred to me as the debate was going on here this evening. Unless a person has been sentenced to life, where life means that one will be imprisoned until one dies, it follows that the person will serve that sentence for a certain time, after which the person will be released back into society. If the purpose of the law and of our justice system is to protect the law-abiding citizen, then we must do something with criminals while they are incarcerated which will change their attitudes, which will change their degree of respect for other people and for other people's property, so that they will not repeat the offence. Otherwise our system has failed. As has been mentioned, the rate of recidivism is an indication that our justice system is a failure in this area.

*Private Members' Business*

I have spoken also to people who have worked in the prisons and with prisoners. They say that there is not a great deal that happens inside the prisons which will change that very internal conviction and knowledge of what is right and wrong and which will convert the person into a law-abiding citizen while they are in jail. Usually it is efforts that go beyond that which will produce that change.

I remember the old saying that a man convinced against his will is of the same opinion still. If a person is held in prison against his will and is told that if he behaves in a certain way he will get some reward, he may be behaving in that certain way only motivated by the reward, be it early release or be it some other benefit that he gets while in prison, without actually having changed his inner attitude and convictions.

Bill C-252 is important because it addresses that principle. If we put a person in jail, the sentence having been for 10 years, and the person knows that in two and a half years he is going to get out, the person does not need to take any personal responsibility and can just do the two and a half years. In essence what has happened is that the sentence of the judge has been nullified to no advantage.

• (1815)

That is what is wrong with the present system. When the judge says 10 years, the criminal really hears two and one-half years. That has a double effect. It means that the prisoner needs to do nothing in prison in order to get out in two and one-half years. An even more devastating effect is that minimizing the sentence the judge handed down says that what the criminal did was not so bad. It reduces the degree to which the person takes responsibility which landed him in jail in the first place.

I believe very strongly in the concept called truth in sentencing. I believe that when a judge says a person will be serving 10 years, the person should serve 10 years. The person may still appeal the sentence before it is carried out. There are all sorts of appeals open to people who are convicted in the country and rightly so. However when that final judgment is made that what the person did was serious and objectionable in our society and an affront to law-abiding citizens and the person is going to serve 10 years, it should mean 3,650 days. It should not mean 3,640. It should mean exactly what it says.

Notwithstanding that is how long the criminal would be in prison, throw into the mix that an earlier release could be earned if during the time in prison the person eagerly and voluntarily attended courses, sessions and seminars which are offered inside prison to correct the person's attitude and thinking. The person would have to show an exemplary attitude in being part of the society within prison in terms of doing his share of the work required.

Our prisons are missing one very important aspect. Too few of them are attached to a farm. The best thing that could happen to people to give them a normal perspective on life would be to realize that even things as basic as shelter and food require human effort.

All of us do that. Some of us work in different areas and we trade our credit. For us it is the money we earn in our line of endeavour with others who have worked in agriculture and on the farms to produce food. It would be very worthwhile for prisoners to work in an environment where they actually have to get out and cultivate,

hoe and do all of the work required to grow the food that would be used to feed them. Just doing that work is special. It connects people to the relationship between human effort and the standard of living we expect.

I visited the Edmonton max not too long ago. It has a very fine gymnasium. I thought what a waste of energy. All those guys have trouble restraining themselves anyway and they are given the opportunity to pump iron and really get strong so that when they get out they will have great ease in overpowering anyone who does not do what they want. It is not exactly the kind of training I would give them.

When I saw all the energy being expended in those weights going up and down, on the treadmill and all that other stuff, I asked why do we not get those guys to use that same energy to produce something? That would give them a sense of worth, a sense of connection to the human effort that is required in society, and a sense of respect. That is what is needed.

In conclusion, we need to do some lateral thinking about what we can do to correct these people's minds before they are released. The initiative taken by my colleague today says that early release is a reward which can be earned because we have observed proper, voluntary behaviour showing that the person is eligible and less likely or even unlikely to be a risk to the rest of society when released. It has to be the good way to go.

• (1820)

I am actually astounded that the Liberal members opposite and the Liberal government cannot see through such a very simple principle.

**Mr. Darrel Stinson (Okanagan—Shuswap, Canadian Alliance):** Mr. Speaker, first, I want to thank the hon. members on this side of the House who spoke to the bill. I have some concern with the government's response to the bill.

If members stopped to think about it, we are in a position here in the House to make changes to certain laws in Canada. Members should not forget that one of the foremost reasons we were elected was that the public at large voted for us with a basic understanding that members from every party would do things that would enhance the well-being, the livelihoods and the safety of Canadians.

We introduce bills, such as Bill C-252, when police officers, the public at large, the written word in newspapers and even the government's own tests prove that statutory release is a basic failure. It has an unthinkable 41% failure rate.

It makes no sense to me why Correctional Service Canada does nothing about it and why the government pats itself on the back for the 58% success rate. How can we possibly encourage people to go into Correctional Service Canada with this kind of an attitude? If we cannot even protect the people who are in there to try and keep us protected, what would be the point of joining that organization? Yet here we have the government saying that it does not have to do anything about this.

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The guards, the wardens, the police officers and those who are out there protecting us are the ones pointing out the problem. The government's own audit showed a 41% failure rate. However we are supposed to be happy because we have succeeded in 58.7% of the cases.

I cannot speak for everyone in the House but on this side of the House it is of grave concern. The public must be pulling out their hair. I heard a member say that we should pick a few names out of a hat. I can tell members about a man in St. John's who while on statutory release was charged with second degree murder.

Let us talk about two other prisoners released from jail. One was on day parole and the other was on statutory release in Ottawa. Members should remember the day those two attempted to rob a bank and became involved in a shootout with the police, injuring two police officers.

While on statutory release in Ottawa after serving time for manslaughter Brett Morgan murdered his female partner.

While on statutory release in Ottawa John Richardson and a gang of thugs murdered a 17 year old boy, sexually assaulted a 16 year old girl and beat up two teenagers.

The list goes on and on. The government cannot say that it has not heard or that does not know about these cases. These cases are right in our own backyard and yet nothing is done.

• (1825)

**The Deputy Speaker:** The time provided for the consideration of private members' business has now expired. As the motion has not been designated as a votable item the order is dropped from the order paper.

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## EMERGENCY DEBATE

[Translation]

### FISHERIES

**The Deputy Speaker:** It being 6.30 p.m., the House will now proceed to the consideration of a motion to adjourn the House for the purpose of discussing a specific and important matter requiring urgent consideration, namely fisheries.

[English]

**Mr. Loyola Hearn (St. John's West, PC/DR)** moved:

That this House do now adjourn.

He said: Mr. Speaker, I thank the Chair for recognizing the importance of this issue and agreeing that it is worthy of an emergency debate. I also want to give a sincere word of thanks to the Standing Committee on Fisheries and Oceans.

Back in September when I became the fisheries critic for our party I gave notice at my first meeting that I would be pursuing this issue. Later in the fall I formally moved that the committee address the issue which it unanimously agreed to do. I then asked that committee travel to the province of Newfoundland and Labrador so members could experience firsthand the devastation caused by overfishing on the nose and tail of the Flemish cap.

Under the direction, guidance and co-operation of the Chair, the committee went to Newfoundland and, as members will hear tonight from a number of committee members, they learned a tremendous amount about the effect of overfishing on our province.

I will be sharing my time tonight with the member for South Shore because we would like to get as many people involved in this debate as possible.

Newfoundlanders and Labradorians have discussed this issue for years. It gets raised, it flutters, it dies and it is forgotten until some issue causes us to revive it. This time let me assure people that it will not die.

Thanks to the work of the committee and the interest generated not only in our province but across the country, all aspects of the industry and perhaps even society have come together. We heard from governments, oppositions, unions, harvesters, processors, plant workers and people from the affected towns. They all came together with the same concerns and, with small variations, made the same recommendations. I am sure all members of the committee feel as I do and, as I have said, we will hear from them all tonight.

The interest in this issue has to carry beyond Newfoundland and Labrador. It has to carry across Canada because it is a major national issue for two reasons. Even though the direct effect might be felt more in Newfoundland than anywhere else, it is also felt in Atlantic Canada. However the economic effect is felt right across the country. Most of the rules and regulations pertaining to the fishery are governed by this very forum in which we are now participating.

I also want to say a word of thanks to the new minister of fisheries. Last fall, before the member became the minister of fisheries, I made the remark in the House that I hoped he would become the minister of fisheries. Since being appointed to that position he has been extremely co-operative with the issues we have brought before him

I raised an issue yesterday that may have caught him by surprise. It concerned mature codfish being found on a boat that was simply detained for polluting Canadian waters. I should not use the word simply in the sense that it was a minor offence, because it certainly was not. The boat was detained for pumping out its bilge water and polluting Canadian waters.

When the boat was brought into Newfoundland, mature codfish, a species under moratorium, were found in its hold. I am sure the minister will talk a bit more about this tonight. This was the straw that broke the camels back, as the old saying goes, because today the minister announced that he had closed Canadian ports to the Faroe Islands.

The problem we have of course is that the Faroe Islands are governed by Denmark. Our man in Denmark is the former minister of public works who left here under a cloud, and as somebody said, it is the greatest tragedy to hit Denmark since *Hamlet*.

• (1830)

I am not sure how that will play out but I do not care. All I care about is that the minister had the intestinal fortitude today to quickly make the first move. It is only a minor move. We have to make many more.

*S. O. 52*

During the night we will get all kinds of examples of what has been happening. I will read a few into the record.

In recent months we have seen directed fishing and excessive by-catch of moratorium species. In fact this past year enough species of fish under moratorium were caught by foreign nations to keep several plants in Atlantic Canada going. The amount of fish that they were allowed to catch but overcaught, or an excessive by-catch, would keep Canso, Burgeo, Fermeuse and Trepassey, all those plants, going.

When I say plants people think of a few weeks work a year. Until we closed down the fishery some years ago these plants operated 52 weeks a year and in some cases around the clock. We provided full time employment for people in the centres I mentioned and in many more.

What has happened now? Many of these places are like ghost towns simply because the resource is not there.

We just heard about Fishery Products threatening to lay off half its workforce, again because of a lack of resource. Six hundred jobs in Newfoundland is the same as 15,000 being laid off in Ontario. The 30,000 people affected in Newfoundland by the downturn in the fishery equates to 600,000 people being affected in Ontario. That gives the House an idea of the impact overfishing has had on our province.

Another major issue that we will not be dealing with tonight directly but plays an important part in this is the rapid growth of the seal herd that is probably doing more damage to the growth of our stocks than even foreign overfishing.

Another thing that is happening is directed fishing after closure, increased frequency of mesh size violations. That means countries participating in the fishery are using a mesh size, smaller than the average, which means they are catching fish that should not be caught. There is an increase in the issuance of citations. This past year alone I believe we have had 27 infringements. How many more take place that we know nothing about? This is about five times the total of the last five or six years.

Countries are not getting better in relation to conservation. They are blatantly thumbing their nose at us and doing whatever they want. There is non-submission or late submission of observer reports. The observer program is becoming a joke because observers are being put on the boats by the countries involved and they go back and tell them whatever they want to tell them. One observer on a boat cannot work 24 hours a day. The whole thing is a charade.

What is not a charade is the fact that a major Canadian resource is being caught by foreigners who have absolutely no regard for environmental standards for the preservation of our resources. They are looking after their own bottom line and we are paying the price.

At recent NAFO meetings Canada proposed a number of good solid recommendations but they were rejected by NAFO.

What can we do? I say to the minister that he has to get foreign affairs and international trade on the ball. We have to get NAFO working the way it should. We have to take over the custodial management of the nose and tail of the Flemish cap or we need to extend our jurisdiction and run the show ourselves. It should be our

resource for our people and we should not be defending foreigners who are there to rape our resources for their benefit and we are paying the price.

• (1835)

**Mr. Gerald Keddy (South Shore, PC/DR):** Mr. Speaker, I certainly appreciate the comments and expertise my colleague from St. John's brings to the fisheries portfolio. I thank him on behalf of all Canadians, especially Atlantic Canadians for recognizing the importance of asking for this debate, and having the debate granted through going to the Speaker's office. It is an extremely timely and important debate.

What the debate comes down to is very simple. It is about overfishing on the Grand Banks, outside the 200 mile limit and the question of what we are doing about it. Unfortunately, my belief is we are doing very little about it. I do not expect we would have been doing anything about it today, tomorrow or yesterday had my colleague not asked the question in the House.

Why is it that we picked up a foreign trawler on a polluting offence and suddenly found moratorium cod in hold? There is something wrong. We are not doing our job on the Grand Banks. We do not have enough fisheries officers, patrol vessels, aircraft or helicopters. We have ignored it and the government has been especially guilty of ignoring it.

Members of the government have tried to say that there has not been a serious problem of overfishing on the Grand Banks and outside the 200 mile limit since 1995. I am sorry but that is a joke and it is not a very funny joke. Obviously there have been violations of overfishing and a lot of them, and we just have not been checking.

We were not checking yesterday. We caught them by accident. We were looking for something else. Do not think that a month, six months or a year ago they did not have the same moratorium cod in their holds because they did. Now we are going to shut the Faroe Islands out of Canadian ports. Excuse me. Did nobody in this place hear tell of St. Pierre and Miquelon? It is not like they cannot go to port on the east coast of North America. They can.

St. Pierre may not have the same freezer capability that Newfoundland has but it certainly has the capability to supply the boats. We need an important directive to put the fisheries officers, the ships and the coast guard vessels on the high seas to board these ships and check on their holds to see if they have moratorium species onboard.

NAFO is comprised of 18 countries. It is not just the Faroe Islands. It is Bulgaria, Canada, Cuba, Denmark, Estonia, the European Union, France, Iceland, Japan, Korea, Latvia, Lithuania, Norway, Poland, Romania, Russia, Ukraine and the United States. There are a lot more ships to check than just the ships from the Faroe Islands.

Go back to Tobin who seemed to get a lot of publicity because he pulled one liner out of one Spanish trawler, the *Estai*, in 1995. The next day the Spaniards and Portuguese were overfishing and using liners and their nets on the Grand Banks. We ignored them and then we tried to buy them off with turbot. They would not go away and we got fined. That is not a plan. That is nothing. That is ridiculous.

• (1840)

At least he raised the issue and for that I give him credit. However, we cannot turn our backs on the issue for the next five years and say it is not going on. It is going on but we are not looking.

At the NAFO meeting in Denmark in January, we showed evidence of fishing infractions by Russia, Portugal and other European fleets. They included the use of small mesh nets, directed fishing of prohibited species like cod, excessive bycatch of species under moratorium, like cod, exceeding quota limits in groundfish and in the shrimp fisheries and the misreporting of catch information.

I would like to ask the Minister of Fisheries and Oceans what has been done about that. We know the infractions are occurring. What has been done? We are telling the Faroese that they cannot dock in Newfoundland or Nova Scotia. I am sure they will dock on St. Pierre and Miquelon or they will use freezer trawlers and they will freeze their species on the high seas. They can certainly take it back frozen.

We need a better plan than just simply reacting to circumstances. It is just not sufficient.

**Hon. Wayne Easter:** That is what you are doing. You are reacting to a good proposal by the minister.

**The Deputy Speaker:** Order, please. I know members are anxious to get on the record, but please be just a little bit more patient. The hon. member for South Shore.

**Mr. Gerald Keddy:** Mr. Speaker, the NAFO states continue to ignore our request for stricter enforcement. They have accepted an increase in Greenland halibut against opposition from Canada and against the scientific evidence from NAFO's own scientific council. Yet they increased the quota. The increase was supported by Japan, Russia, the Baltic states, Ukraine and Poland, among other nations.

If we look at the record, in the early nineties there were about 45 foreign fishing violations each year. At least in those days we had some observers and we had some ships in the area. After 1995 there were almost none, because we had turned our head. We caught one ship, the *Estai*. We had a great little photo op down at the United Nations with the then minister of fisheries. While the country thought that something was really being done, nothing was being done because we were ignoring the issue totally. We continued to ignore it until yesterday.

It is a big responsibility for the new minister. I give him credit for at least looking at the issue, but he has to do more than that. He has to come up with a concrete plan to not only stop overfishing on the high seas, but to extend Canada's control outside the 200 mile limit where we can be in a custodial role and board ships. If that takes an international tribunal and we need to have other NAFO members, so be it. We can bring them over here and put them on our coast guard boats. We have to spend money. We cannot do enforcement without spending some money.

*S. O. 52*

Since the year 2000, they say the numbers of infractions are about 27 per year. There are some things out on the North Atlantic that are just the same as those 27 infractions a year. Those things are called icebergs. About 10% of an iceberg sticks out of the water. About 10% of the infractions are actually being caught. I would say it is probably less. It is probably 1% or 2% of the infractions that are being caught. It is going on daily.

I am sorry, it is not adequate to simply tell the Faroese they cannot come ashore. It is a start but it is not adequate. My suggestion to this problem is to bring the NAFO countries together and have an international team of fisheries officers boarding boats on a regular basis on the high seas to check on the holds. It would not just be Canada's initiative, it would be a NAFO initiative with Canadians, Faroese, Icelanders, Norwegians and EU people. We should bring in fisheries people from all those countries and work in a co-ordinated effort. Maybe we could do something about it.

• (1845)

[*Translation*]

**Hon. Robert Thibault (Minister of Fisheries and Oceans, Lib.):** Mr. Speaker, I will be sharing my time with the parliamentary secretary, the member for Bonaventure—Gaspé—Îles-de-la-Madeleine—Pabok.

[*English*]

I would like to thank the members opposite for their brilliant and nice words. I would like to thank the hon. member for St. John's West for bringing the debate to the floor of the House in such an intelligent manner and to such a high level. We are not all that far apart. We all see it the same way. We might have some differences in that one side governs and one side opposes and can be a little more critical. However I think what we want to achieve is quite similar.

[*Translation*]

Naturally, people will agree that our government takes these problems very seriously. As the Minister of ACOA, as a former municipal councillor, and as an entrepreneur, I recognize, as do all my colleagues, that there is a direct connection between the health of our fish stocks and of our fisheries and the health of the communities in our region and our country. It contributes to our economic and social vitality.

If the fisheries are threatened by foreign overfishing, then the future of these communities is directly threatened. We recently had an example of this. I am referring, of course to the situation in Canso, the difficulties of which are known to all of us. The member for St. John's West mentioned several other communities with the same problems, perhaps in varying degrees.

S. O. 52

[English]

During a port inspection of the Russian vessel *Olga*, and again I want to congratulate the member opposite on his very good system for getting information quickly, my officials determined that the vessel had on board 49 tonnes of cod and 9 tonnes of skate that had been caught outside Canada's 200 mile limit.

The relative amount of cod on board clearly indicated a directed fishery for this species, which is contrary to the moratoria for all cod stocks in the NAFO regulated area. My officials have communicated the results of this incident to the Russian fisheries representative in Halifax and have asked for his immediate attention in this matter. We will also be bringing up this matter with the Russian authorities in Ottawa and Moscow.

For now the *Olga* remains in port as a result of recent Environment Canada charges on discharging a deleterious substance into Canadian waters. Officials will continue to monitor the vessel.

•(1850)

[Translation]

Incidents like this show clearly why countries must put up a common front to prevent overfishing.

Even though the Government of Canada is taking this problem very seriously, we are also aware that the issue is a complex one and cannot be resolved quickly. Nonetheless, we have made great progress in recent years.

For example, we played a key role in the negotiations leading up to the adoption and introduction of the UN fisheries agreement on straddling fish stocks and highly migratory fish stocks, the UNFA. We were among the first nations to sign this agreement in 1995. Quite simply, the UNFA sets out a large number of fish management principles, which Canada feels are important principles such as conservation and a precautionary approach.

The *Olga* incident proves once again that we must continue to apply pressure in order to incorporate these principles in all our policies and legislation as well as within regional fisheries organizations such as the Northwest Atlantic Fisheries Organization.

Canada is not acting alone. In fact, foreign overfishing and non-compliance in the NAFO regulatory area are problems which countries the world over are facing, and not just Canada.

[English]

We are not letting the challenge stop us. To combat the problem of overfishing I am not ruling out any option at this time. For instance, I have heard the frustrations expressed by many in Newfoundland and Labrador about foreign non-compliance with the rules of NAFO. Several suggestions have been made, a few in the House today, on how to deal with this issue and we are evaluating all these suggestions now.

In the meantime I have asked Pat Chamut, my assistant deputy minister, fisheries management, to consult with Newfoundland and Labrador and industry on an urgent basis to develop options and provide me with recommendations on our next step.

My decision today to close Canadian ports to fishing vessels from the Faroe Islands is further proof that Canada is taking overfishing seriously. After continued violations of NAFO's conservation measures by vessels from the Faroe Islands, which are fishing shrimp beyond Canada's 200 miles limit, I announced today that Canada is closing its ports to all fishing vessels from the Faroe Islands.

While I cannot agree with the member for South Shore that it was because of the question yesterday by the member for St. John's West, I have to say his timing was incredible.

Canada will not tolerate the wilful abuse of NAFO quotas and rules that has been exhibited by this fleet. Let me add that my officials are closely monitoring the fishing activities of several other fleets. If there is evidence of non-compliance similar action is certainly an option.

At the most recent NAFO meeting which was held from January 29 to February 1 in Denmark we brought the problem of foreign overfishing to the table. We achieved positive results on a number of fronts. However some of our key conservation proposals did not meet with success.

Over the coming months my officials and I will be reviewing the results of that meeting and planning our next steps as we prepare for NAFO's annual meeting this coming September. We will be doing so in close consultation with the provinces concerned and with the fishing industry.

I can assure the House that we will work with our industry partners to put together the strongest case possible for the September meeting. Indeed involvement in NAFO affords Canada an important forum to voice our concerns over the fishing practices of foreign fleets as well as to develop solutions to these problems.

I thank my colleague, the member for Malpeque and chairman of the fisheries committee, as well as all members of the fisheries committee for the excellent work that has been done by the committee when it sat in Ottawa and travelled to eastern Canada to get opinions and suggestions from the communities most directly affected.

While I look forward to reviewing the standing committee's report on the issue I would like to add that a unilateral move by Canada to extend its jurisdiction over fisheries would be inconsistent with accepted international law. I assure the House, however, that I will use any other tool at my disposal to stop overfishing outside Canada's 200 mile limit.

All Canadians depend on DFO to manage this resource on their behalf responsibly and with an eye to the future. As minister I take this responsibility very seriously. I stand today in the House to make clear that I will not tolerate the systematic abuse of NAFO's quotas and rules by any country. I will take whatever steps necessary to ensure that this abuse is stopped now and in the years to come.

•(1855)

**Mr. Gerald Keddy:** Mr. Speaker, I rise on a point of order. I thank the minister of fisheries for engaging in debate, but I am wondering if we could have unanimous consent to have questions and comments because of the importance of the debate.

*S. O. 52*

**The Deputy Speaker:** Before I put the question, sometimes in the past what has been helpful is if we define a period of time for those questions and comments.

I will go back to the member for South Shore if he would like to make a suggestion in that area before I put the proposition to the rest of the House.

**Mr. Gerald Keddy:** Mr. Speaker, I would love to say 10 minutes. However that may not be appropriate. If we could not get 10 minutes I would settle for 5 minutes.

**The Deputy Speaker:** Does the House give its consent to the member for South Shore to put forward his request?

**Some hon. members:** Agreed.

**Some hon. members:** No.

[*Translation*]

**Mr. Georges Farrah (Parliamentary Secretary to the Minister of Fisheries and Oceans, Lib.):** Mr. Speaker, first off, obviously I would like to thank the member for St. John's West for having raised this issue in the House of Commons, an issue that has been studied at great length by the Standing Committee on Fisheries and Oceans.

I would also like to highlight the excellent contributions made by all of the members of the Standing Committee on Fisheries and Oceans, who have worked together very effectively, members of all parties. What is important for us, our common objective, is to work hard to ensure that maritime communities are able to live off fish resources adequately and properly.

I would also like to add that, as a member from Quebec, often when we talk about the fishery, people wonder what we are talking about, because in Quebec, the fishery is not seen as an important part of economic activity. What is important to highlight—and this is very important—is that for the maritime communities in Quebec that survive on the fishery, the economic situation for them is as bad as it is for communities in Newfoundland, Nova Scotia, New Brunswick or Prince Edward Island.

Accordingly, even though the fishery makes up a relatively modest portion of the entire economy of Quebec, for those communities, it is a very important element of economic development.

As a maritime country, Canada has always been particularly interested in the oceans and their resources. The fishery has long held a significant place in the lives of Canadians, from historical, economic and cultural perspectives.

We understand perfectly well that adequate conservation measures and proper management play a critical role in maintaining the viability of fish resources in our oceans.

I would also like to take this opportunity to thank the minister for his very effective and very prompt action regarding the situation, particularly beyond the 200 mile limit. As my colleague, the member for St. John's West said, all of the stakeholders in the fishery across the country welcomed the appointment of the new Minister of Fisheries and Oceans. So it is a great pleasure to work with the hon. Minister of Fisheries and Oceans.

The Government of Canada regards overfishing to be a serious problem. That is why we have given our full support to the United Nations agreement on straddling fish stocks and highly migratory fish stocks, also known as the United Nations Fisheries Agreement.

The 1982 United Nations Convention on the Law of the Sea, which took effect in November 1994, gives coastal states exclusive sovereign rights for the purpose of exploring and exploiting, conserving and managing the fisheries within a zone extending 200 nautical miles from their shores.

It does not, however, address the rights these states have over straddling fish stocks and highly migratory deep sea species.

Hence the importance of the action we are taking. If we as a country are taken steps within our 200 mile limit to have highly efficient conservation measures—which is not always easy, given the economic situation of our communities—it is important for countries fishing outside our limits to respect international conventions, for the very purpose of preserving this resource, which is so vital to the development of our communities.

For example, some of the straddling species, such as cod, dab and halibut, move about within and beyond the east coast fishing zones, that is beyond the 200 mile limit, as well as the adjacent offshore waters. The highly migratory species such as swordfish and tuna move about the high seas and the exclusive economic zones of the coastal states.

The United Nations Fisheries Agreement helps remedy some of these shortcomings. It was adopted in August 1995 by a United Nations Organization conference. Canada signed it on December 4, 1995 and ratified it on August 3, 1999. It took effect on December 11, 2001, after ratification by the 30th country on November 11, 2001. This represented a major step in international co-operation as far as the high seas were concerned, an objective of considerable importance to Canada for a long time.

As hon. members are aware, Canada played a lead role in the ratification of this agreement on the international level, and the contribution of all of the fisheries ministers who participated very actively in the adoption of this agreement needs to be recognized.

● (1900)

The agreement establishes guiding principles for the sustainable management of straddling and highly migratory fish stocks, such as the precautionary approach and the minimization of pollution, waste, discards and bycatch.

It also sets out serious obligations for flag states to respect and contains provisions regarding the oversight and application of fisheries measures established by regional fisheries organizations in order to ensure compliance. In addition, a dispute settlement mechanism contained in the agreement provides for the peaceful resolution of conflicts on the high seas.

What does this mean in the world? It means that regulations are now in place, that regional organizations can effectively take action to prevent overfishing, that in the case of fishing at levels which would not ensure sustainability and when disputes arise between countries, there is a dispute settlement mechanism available.

## S. O. 52

The principles of the agreement are principles very much after our own hearts, principles such as conservation and the precautionary approach.

This is why we were very proud of our active participation in its development. We played a key role in the negotiations leading to the adoption and entry into force of the United Nations Fisheries Agreement. We were proud to be among the first countries to sign this agreement in 1995. Since then, many other countries have ratified it as well: the United States, Russia, Norway, Iceland, Brazil and Australia.

Canada has never shirked its responsibilities as a leader in the international management of fish. In fact, the Government of Canada took its commitment towards the UNFA very seriously. It tried to incorporate these principles into its legislation and its policies, as well as within regional fisheries organizations such as the Northwest Atlantic Fisheries Organization.

It is all very fine and well that we enforce these rules in our country, but it is also important that they be respected by other member countries and signatories to this agreement.

We just saw how important this is. During the inspection of a Russian ship, the *Olga*, officials from the Department of Fisheries and Oceans found 49 tons of cod and nine tons of ray on board. The fish had been taken outside Canada's 200 mile limit. Such activity violates the moratorium imposed on all stocks of cod in NAFO's regulatory area. We continue to closely monitor this situation. However, the case of the *Olga* clearly illustrates the importance of implementing the principles of the UN agreement on fisheries in all regional fishing organizations.

Above all, Canada has worked hard to get the message through. Over the years, we have assumed a leading role in promoting that agreement around the world.

Whenever we had the opportunity, we explained that the UN agreement on fisheries is a giant step toward the effective management of international fish stocks. This agreement will have a truly positive impact on all the nations that rely on sound and abundant fisheries.

The message has been heard. In December, following its ratification in Malta, the UN agreement on straddling fish stocks and highly migratory fish stocks officially came into effect. This was a great victory for all maritime nations, and a giant step toward the effective management of the world's fish stocks. Canadians can be proud of this major achievement.

The agreement gives the countries of the world the means to manage fishery resources in a sound fashion, and to protect them offshore. It is a perfect example of the commitment made by Canada and the countries of the world to promote responsible fishing practices, and to ensure the establishment of strong and sustainable world fisheries, now and in the years to come.

In conclusion, Canada will pursue its efforts to convince the states that have yet to ratify the agreement to do so at the earliest opportunity. We will continue to put pressure to ensure the full and effective implementation of the UN agreement on fisheries.

Finally, I applaud the very quick action taken by the minister to ensure that this agreement is respected by all the countries that depend on fishing.

•(1905)

[English]

**Mr. Andy Burton (Skeena, Canadian Alliance):** Mr. Speaker, I have just returned from an eight day trip to the east coast with the Standing Committee on Fisheries and Oceans. I learned an awful lot on the trip and I hope some of it stuck in my head so that I can speak with some degree of confidence in this debate.

The negative effect of foreign overfishing on the Grand Banks and the nose and tail of the Flemish Cap is an extremely serious problem. There is no doubt about that. It reflects to some degree the problems that resource communities across Canada are having.

We have problems on the west coast for some of the same reasons but not necessarily all of them. There are problems with resource based communities right across Canada, whether it be fishing, logging, mining or agriculture. That has to be noted and taken care of. Tonight the debate is on the overfishing of the Grand Banks.

The first item I want to speak to is the rationale for the debate. This is a serious matter that requires immediate attention and consideration by the House of Commons. I am confident that the fishery committee will be addressing it very quickly and putting a report forward to the minister. It is a serious problem that requires some degree of urgency.

There is a tremendous amount of people out of work on the east coast because of the collapse of the cod fishery and other ground fish resources. In excess of 30,000 people are affected. Up to 200 plants that were at one time working to the fullest extent are no longer employing people other than on a very part time basis.

There are a number of problems that Canada has put forward to NAFO, the Northwest Atlantic Fishing Organization. It is supposed to control these kinds of issues and problems. Canada's concerns at NAFO do not seem to be getting the attention they should be.

A number of resolutions were put forward including mesh size, directed fisheries for species at risk which is a huge problem, overfishing, misreporting as well as a number of other issues. What we were told on the east coast is that the stocks are diminishing at an extremely alarming rate. Communities are collapsing. We were even told that the northern cod and even the Atlantic salmon were endangered. The whole stock is in danger of totally disappearing. That is simply not acceptable. Something has to be done and it has to be done as quickly as possible.

NAFO is supposed to act as a forum for its members regarding international co-operation in science, conservation and management in the northwest Atlantic. NAFO was founded back in 1978 following the extension of Canada's jurisdiction to the 200 mile limit which exists today. That is known as the economic zone and it extends to the 200 mile limit.



*S. O. 52*

Outside of that zone is where the nose and tail of the Flemish Cap exists which is part of the Grand Banks. This is where a lot of the problems lie when we get into the situation with straddling stocks that have no boundaries and move back and forth. These stocks have been heavily overfished. The members of NAFO were supposed to manage that with direction while following rules and regulations to make sure these stocks were not endangered. That is just not happening.

There are some 17 or 18 nations that right now belong to NAFO, including Canada, the U.S.A., Denmark on behalf of the Faroe Islands, Greenland, Russia and a number of others. They are supposed to provide for conservation and management of a number of stocks.

There are two categories of NAFO stocks: straddling and discrete. Straddling stocks are those found both inside Canada's 200 mile limit and outside on the high seas. Those stocks managed by NAFO are the 3LMNO American plaice, the yellowtail flounder, 3LMNO cod, 3NO witch flounder, 3M redfish and 3M shrimp.

● (1910)

NAFO is headquartered in Dartmouth, Nova Scotia. Canada pays approximately half the annual operating costs of NAFO and presumably should have a good deal of input into the operation and an amount of respect.

The fisheries commission is responsible for making decisions on management and conservation on the high seas outside the 200 miles of straddling and Flemish Cap stocks. It is also made up of member nations and decisions are made by consensus or by majority votes.

Decisions of NAFO are subject to objection within 60 days by any member nation. In this case an objecting member nation would not be bound by the decision it objected to. That seems to be the Achilles heel of NAFO. Certain quotas are supposed to be met. If a member nation thinks it should be able to catch more of a particular species it can object and it is not bound by any decision. The adherence of NAFO members to its own decisions is voluntary. NAFO does not possess any power to impose penalties, financial or otherwise, to member nations contravening NAFO decisions. International pressure is the only tool.

To explain a little more about the exclusive economic zone and the area outside that, which is the area under concern, the nose and tail and Flemish Cap, the EEZ is the 200 mile limit that Canada imposes and controls the management of the fisheries through DFO. To some degree it is reasonably effective.

We visited a DFO site in Halifax that has an aircraft that flies out there. I believe there is also one based in St. John's that has a significant and impressive capability of monitoring and looking at what is going on in that 200 mile zone that Canada has control over. It can spot ships in the dark. It can fly over them and take real-time photographs and images and see what is on the deck, what is being processed, and what is actually being done. It is very impressive and relatively effective.

The problem is the area outside the 200 mile limit, or the EEZ, where the straddling stocks live. The situation is that the continental shelf of Canada extends out to about 325 miles, and that is the nose and tail of the Grand Banks and the Flemish Cap.

Canada has jurisdiction over the actual bottom of the ocean and the critters that inhabit the bottom of the ocean, the crustaceans. However we have no control over the actual water column which is the ocean above that area outside the 200 mile limit and out to the edge of the continental shelf, another 125 or so miles, where basically the bulk of the species live. Therein lies the problem. We must get a handle on what is going on out there and get some better control.

We had hearings with the committee in a number of communities on the east coast, including Halifax, St. John's, Gaspé, Rimouski and Sydney. The theme of most of the presentations was fairly consistent. The position regarding NAFO in St. John's was to pull out unless it can become effective.

Trevor Taylor, who is a member of the legislature in Newfoundland, said the province has never recovered from the northern cod collapse. He called for action. He said that we have jurisdiction over sedentary stocks and must have water column and migratory species jurisdiction. He added that Canada must take on a management role. He concluded by saying that we should cull seals.

Tim Morgan, who represented Newfoundland boat owners, said the federal government cannot do the job. He wanted provincial control. He said that NAFO had failed and Canada was viewed as weak by the economic union. He also suggested closing ports.

I give the minister credit. He did take a small first step by at least flexing Canada's muscles. He said we were fed up because things were not going the way they should. He added that we would not put up with it forever. The stocks are threatened and if they are not managed properly we will all lose out. However there are solutions.

● (1915)

The Fisheries Association of Newfoundland and Labrador claimed that: rules were broken by NAFO members and names were not made public; reports that NAFO put out were incomplete and not timely; and, observers on NAFO ships were from the nation that the ship belonged to, therefore if it was a Spanish vessel it had a Spanish observer, if it was a Russian ship it had a Russian observer.

That is not in the best interest of the resource to have the fox in charge of the hen house. These people live on these ships, they work with the crews and they go back to their home country when it is all said and done. It is extremely hard to believe that they can always give realistic and objective observations.

I have some comments regarding the Department of Foreign Affairs representing Canada at NAFO. The Department of Foreign Affairs sits in on most NAFO meetings. There is some concern as to whether the fisheries are being managed by the Minister of Fisheries and Oceans or the Minister of Foreign Affairs. There are some real concerns there. It is something we need to get to the bottom of.

Other comments were to the effect that NAFO had no force and no teeth.

*S. O. 52*

Gus Etchegary, who is a very well-respected and well-known fishery critic in Newfoundland, claimed that there were a number of problems with Spanish pair fishing vessels. That is when there is a vessel here and a vessel there and they both drag a trawl in between. They catch everything. They caught more than the whole Atlantic plaice quota in their bycatch. How can we manage a fishery with those kinds of things going on? He said that DFO was run politically and it cannot be like that. It just goes on and on.

John Efford was frustrated because no one listens. He felt that management of DFO was dismal. A member of the legislature in Newfoundland and Labrador said that this was not a new problem. He added that NAFO did not work and unilateral action was required.

The comments went on and on. They very clearly stated that there was a huge problem there and that somehow we would have to get a handle on.

I have mentioned that there appears to be some intervention by the Department of Foreign Affairs. It is something that we need to get a handle on, whether DFO is actually managing the fisheries.

I will touch on this very quickly. There are some problems on the west coast which are not totally similar. There is a hake fishery off the west coast of Vancouver Island that has foreign factory vessels processing a lot of that hake. That is something that the minister needs to take a real hard look at. Our fish should be processed in Canadian plants. It is similar to the problem in Newfoundland and Labrador where there is not enough fish. The fish are out there on the west coast at times but they are not all being processed by Canadians. That is not acceptable.

Are there solutions? There may be some out there. We did have some thoughts on potential solutions. The minister should at least consider some of these things which are: fix NAFO; work within the system with political pressure and submissions of non-compliance to member nations overfishing; and, establish a reasonable timeframe to resolve issues. Should this not work then possibly Canada should consider leaving NAFO.

One suggestion that came out very strongly in St. John's, Newfoundland and Labrador was that Canada should implement a custodial management regime whereby Canada would be responsible to conduct the science, set the TAC and implement and administer conservation-based management systems including monitoring and enforcement on the area outside of our EEZ, the nose and tail of the Grand Banks and the Flemish Cap.

This would put in place a comparable resource management regime for all transboundary stocks. This would not mean that we would take anything away from those who are already fishing. Rather, we would set quotas and manage those quotas in a way that is done properly, where the endangered stocks are monitored and not overfished.

● (1920)

Another solution is to extend jurisdiction whereby Canada would unilaterally move our EEZ to the edge of the continental shelf or further to include the Flemish Cap. This would mean Canada could take ownership of and not just manage the stocks. This would probably be very difficult to do. We do not believe it would receive a

great deal of support outside Canada, but it is certainly an option when all else fails.

The realistic approach is probably to start by working strongly within NAFO to change it, to make it more effective and to put some teeth into it. If we are unsuccessful when we move toward custodial management the unilateral extension is a potential. There are solutions out there. The will is there. The minister will have to be very strong and take some firm steps to deal with these problems.

My party and I firmly believe that those most affected by the fisheries must be given more control over management. A resource in an ocean cannot be managed, whether it is on the west coast or the east coast, when the management regime is in the middle of Canada thousands of miles from any fish. It does not make sense. That is a huge problem. We have to get management closer to the resource with more onsite people. There are excellent people in the DFO, but we have some problems in terms of how we manage it. Getting closer to the resources is the best way to do it.

Local communities should have a greater voice in the management and preservation of Canada's fish stocks. We heard from communities such as Trepassey in Newfoundland and Labrador that is basically on its knees. There are no fish to process. Newfoundland survived on fishing for almost 400 years. It is not acceptable the population of an area does not have more input and control over a resource that is critical to its livelihood and well-being.

Canadian fleets should have priority over foreign vessels. Charity begins at home. I do not think there is anything wrong in saying that. It became very clear to me over the last week or so of travelling with the committee that it was very functional. I enjoyed working with those people. When people who work together have good relationships it tends to develop respect for one another and one another's opinions, which was extremely important for the effectiveness of the fisheries committee.

I give a great deal of credit to the chairman who is present in the House. I look forward to working with him to resolve some of these issues in a way that will be successful for the east and west coasts which certainly have problems.

There is a commonality, a common thread across Canada in whatever the resource industry may be. We are talking about fishing tonight, but when we look at the softwood lumber situation in British Columbia with 20,000 people unemployed it is a huge problem. It is just as big a problem in Newfoundland with the fishery.

In closing I thank the member from Newfoundland for raising this issue for debate tonight. It is very timely and very important. I urge the minister to deal with it as quickly and expeditiously as possible.

S. O. 52

● (1925)

[Translation]

**Mr. Jean-Yves Roy (Matapédia—Matane, BQ):** Mr. Speaker, I am pleased to take part in this evening's debate on overfishing in the boundary area, that is that area of Atlantic Canada which is beyond the generally recognized 200 mile limit. I would like to thank the hon. member for St. John's West for this opportunity to express our views on the fisheries situation, particularly the Atlantic sector.

I would like to draw attention to the fact that the minister has today announced the closure of our ports to the Faroe Islanders, who are accused of breaking the recognized regulations and illegally overfishing our waters and even the waters beyond them.

To clarify the situation, the Faroe Islands, with a population of 45,000, are an independent community attached to Denmark. They are one of the countries that does not respect internationally recognized rules on fisheries.

Before entering into the debate, I would like to see us address the situation in the Grand Banks and Flemish Cap, as well as within the 200 mile limit, in Atlantic Canada, as far as this resource is concerned.

The Standing Committee on Fisheries and Oceans has done a complete tour of Atlantic Canada and eastern Quebec this past week. During that period, the incident of the boarding of the Russian ship to which my colleagues have referred made us aware of the situation. Representatives of the Government of Newfoundland, the people of Nova Scotia, Newfoundland, and Quebec—both the Gaspé and the Rimouski area—vented their frustrations to us and shared their feelings about the fisheries situation in this region. Foreign ships take advantage of the opportunity to appropriate our resource, waste it and overfish it so that it is not there for us to use and to take advantage of.

When we visited the Maurice Lamontagne Institute, owned and operated by Fisheries and Oceans Canada, and mandated to audit the status of this resource, two of the institute's biologists were just releasing a study. I will offer hon. members a summary of the content of the Radio-Canada news reports for the Gaspé and Îles de la Madeleine areas.

On March 19, 2002, while the committee was in the area, the following was being broadcast:

Alarm sounded by two biologists: adult cod biomass decreasing.

According to Alain Fréchette of the Maurice Lamontagne Institute, the biomass of adult cod has decreased by 30% in the northern part of the gulf over the past year

This happened when the Standing Committee on Fisheries and Oceans was visiting the institute, at the time when a Russian vessel was arrested and at the time when other foreign vessels were taking advantage of the situation to make away with our resource.

To continue:

Mr. Fréchette does not understand this decrease—

I am somewhat surprised that he does not understand this decrease.

—because the number of cod has been increasing slightly every year since 1994.

Another biologist, Ghislain Chouinard, from the Department of Fisheries and Oceans, from a Department of Fisheries and Oceans institute, affirms that the situation is as dramatic in the southern gulf.

Therefore, the situation does not only exist in the north, but also in the south. Moreover:

Biomass decreased 6% this year. The drop would have reached 12% if a 6,000 tonne quota had been authorized.

We know that foreign countries are increasingly coming to fish outside of the 200 mile zone. We know that foreign countries are stealing our resources, and we have known this for years.

● (1930)

What was our reaction? We took the diplomatic route. What kind of results has the diplomatic route produced? Absolutely none. Not only has it produced nothing, but our resource continues to vanish. Will we continue to pursue diplomatic discussions and resist taking more forceful measures to solve the problem once and for all?

In 1995, there was a great commotion: a Spanish trawler was arrested. Now we have arrested another one. Since 1995, in seven years, what has happened? Have we solved the problem? Have we found any solutions to remedy this situation?

I have a document here that analyzes what happened in 1995, during this great commotion. I have a plethora of articles and texts that have been published since 1995. I have all kinds here and all of the titles are negative, because since 1995, we have taken the diplomatic approach, we have been content to discuss. We have placed our trust in an organization called the North Atlantic Fisheries Organization.

This is outrageous, because we provide 50% of the funds to support this organization. We are being robbed of our resource on a regular if not a daily basis in the gulf, outside the 200 mile limit, with the result that we no longer have that resource inside the 200 mile zone. We are funding a totally ineffectual organization. We are funding an organization that has absolutely no credibility. And we are funding it to the tune of 50%, because we want to act in diplomatic fashion.

We have been acting diplomatically for 20 or 30 years and the problem still persists. Are we going to act diplomatically until the resource is totally gone, until there is none left for our communities, whether it is in Newfoundland, in the other maritime provinces, in Quebec, in the Lower St. Lawrence region, particularly in Cap-Chat, where a large number of groundfish fishers are in a difficult situation? Are we going to wait until there is no resource available? Are we going to wait until everything is gone, until the resource has been completely eliminated, before taking effective action?

I want to go back to the text to which I was referring earlier, and which more or less summarizes what has been going on since 1995. That text was published in 1995, but the situation remains the same. It is from a scientist, Pol Chantraine, and it was published in *Le Devoir*. It summarizes what happened in 1995, following the arrest of the *Estai*. It reads:

In spite of the fine speeches, of the jubilation on the docks of St. John's, in Newfoundland, and of the awards given to the captains of the Canadian offshore patrol on Easter weekend—

And now we are getting close to Easter, seven years later.

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—the upshot of the turbot crisis launched a few weeks ago with the arrest of the trawler *Estai* is hardly impressive, even if the entourage of fisheries minister Brian Tobin cannot stop congratulating itself as though they had won Canada's greatest victory since 1945.

First, Canada had to give up half of its turbot quota to the European Union in order to get an agreement. Then, under the agreement, the Spanish, the main European fishers of turbot, will still be able to take some 5,000 tonnes of this fish after April 15, 1995, which will bring the total of their catches to more than 12,000 tonnes, instead of the meagre 3,400 tonnes they were allowed by NAFO in February.

What does NAFO do? Absolutely nothing. What purpose does it serve? Absolutely none. Even after all the to-do over the arrest of the *Estai*, Canada was obliged to give up three times what it was allowed by NAFO earlier. And this was in a 1995 document. The situation has become worse since.

● (1935)

Not only has the situation grown worse but these are the observations in the material I have been able to gather following the announcement that we were going to have an emergency debate this evening. I can give titles. A Fisheries and Oceans Canada press release dated March 11, 1999, is titled as follows, “Canada Calls for World Action to Bring International Fisheries Conservation Regime into Force”.

Well yes, of course Canada is calling for it, but other countries are not interested. What they want is to help themselves to our resource and sell it on the market. Certainly, I can go and see my colleague and make whatever request I wish; he is free to say no and to continue doing whatever he wants. That is what Canada is doing: letting other countries do what they want. It is letting other countries help themselves to our resource, completely exhaust it, and we, good little sheep that we are, are saying, “We are asking you, we are begging you”. That is one of the texts.

Another press release bears the following title, “Minister of Fisheries Continues Push for Action on International Fisheries Conservation”. That was in 1999. That produced big results. Since then, the situation has grown worse. It is as simple as that.

“Foreign fishing in and outside our waters”. With regard to the nose and tail of the Grand Banks off Newfoundland, another document refers to an “environmental disaster”. It was published in 1997. I could quote from a large number of documents.

Scientists have been telling us about the situation and have given us evidence. For 25 or 30 years, they have been saying that overfishing must stop and that we must better control our resource and ensure it can continue to prosper if we want to keep harvesting it.

In my capacity as a member of the Bloc Quebec, I toured with the Standing Committee on Fisheries last week, as did other members from all parties. I was rather surprised by what I heard from local communities as well as from the minister of fisheries for Newfoundland.

The minister of fisheries for Newfoundland came to tell the standing committee of the House the same thing that we, in Quebec, have been saying for years. The minister came to ask the government to allow some form of joint management, which means that each province would be involved in managing the resource and the utilization of this resource. He gave Quebec as an example. I

mentioned to him that Quebec was not involved in managing the resource. Only the Government of Canada, through the Department of Fisheries and Oceans, has the power to manage and protect the resource.

Unfortunately, ever since this power was handed over to the federal government, the situation has been getting worse every year. What the minister of fisheries for Newfoundland is asking for is more than Quebec ever obtained in the past. He came to ask for the right to be involved not only in transforming the resource but also in managing it, to ensure better protection of that resource.

Elsewhere, in other provinces, people in local communities reminded us that they wanted to be consulted. They told us repeatedly that the consultations carried out by DFO were meaningless. Basically, the department was having consultations but not listening to anyone. In some cases, the report was even ready before the consultations had begun. That is what happened for instance for class B fishing permit holders.

What do the people from Atlantic Canada and Quebec expect from the government? They want the government to be efficient.

Of course, we can continue to use diplomacy, to negotiate with countries fishing on the Grand Banks around the 200 miles limit, off Newfoundland. We can always ask these countries to sit down with us and negotiate. However, more aggressive measures are also required.

Anyway, those who have economic interests to protect, who are currently overfishing and getting away with it, can agree to sit down and negotiate, but we know full well what the result will be. They will string us along. During the negotiations, they will keep overfishing and destroying our resources.

● (1940)

So, I would ask the government, with the consent of the provinces—in fact, the fisheries ministers from Atlantic Canada should be meeting in the next few days—to think about the impact resource management is having on local communities. I would ask them to think about the impact it has on communities like Cap-Chat and other communities in the Gaspé and in Newfoundland, which are in dire straits.

And I would urge the government to act now.

[English]

**Mr. Peter Stoffer (Sackville—Musquodoboit Valley—Eastern Shore, NDP):** Mr. Speaker, I thank the hon. member for St. John's West for bringing the debate to the House of Commons. I also thank the Speaker for allowing the debate to take place. It should have taken place a long time ago. However I am glad we are able to debate the issue tonight.

I will mention a couple of things. First, when we refer to the Flemish Cap and the nose and tail of the Grand Banks we are referring to something we call the Grand Banks of Newfoundland. Let us remember that. It is the Grand Banks of Newfoundland. It is not the Grand Banks of Lithuania. It is not the Grand Banks of the Faroe Islands. It is not the Grand Banks of Russia, Japan or China. It is the Grand Banks of Newfoundland.

Second, in the early seventies former Prime Minister Trudeau said the problem with fish is that they swim. He was absolutely correct. In 1979 the hon. member for Winnipeg—Transcona who is from Winnipeg took time in his maiden speech to talk about overfishing on our high seas. That was in 1979. I thought I would let members in on that little historical fact.

The Liberal government and previous governments have ignored the issue to date. They have tried to use diplomacy when diplomacy has failed. It is time to take serious action. Atlantic cod stocks are in serious trouble. The wild Atlantic salmon is in serious trouble. The turbot or Greenland halibut is in trouble. The redfish is in trouble. There are a couple of reasons for this within our 200 mile limit but we know why it is so outside the 200 mile limit.

I applaud the Minister of Fisheries and Oceans for his words today. I know he is bilingual but he is talking out of both sides of his mouth. One minute he says we cannot take unilateral action because the rest of the world may be upset with us. The next minute he says we will take whatever action is deemed necessary. We cannot have it both ways. Either he will stand up for Canadian fishermen and the fish the planet relies on for its food source, or he will not.

Let us be clear. We are talking about extending the Flemish Cap and the nose and tail of the Grand Banks of Newfoundland to the 350 mile limit to include the entire continental shelf. We are not saying all foreigners must leave. We are not saying the boats that operate in those waters must go. We are saying it is time we took over because NAFO has failed. It is time Canada took custodial management of the area to set quotas and enforce penalties. That is what my Liberal, Conservative, Alliance and Bloc colleagues on the fisheries committee heard. It is what we have all agreed to informally although we have not yet put it in our report.

On the subject of enforcement, the committee was in Newfoundland recently. I asked a gentleman from the coast guard how many vessels were patrolling the waters of Newfoundland and Labrador for fisheries violators. This was a few days ago. His answer was none. There were zero. Not one vessel, coast guard or military, was patrolling the waters of Newfoundland and Labrador to look for fishing violations. Their surveillance aircraft was on the ground. They do not have the budget to maintain that type of surveillance and enforcement.

Provincial Airlines Limited does contract work for DFO in terms of surveillance. It does a good job. However it has only one surveillance aircraft, sometimes two. It does not have the funding from the Government of Canada to do more surveillance. It is willing to provide the surveillance but the federal government does not give it the funding.

•(1945)

Why we do not unilaterally take over the continental shelf and tell the rest of the world what we are doing and why we are doing it based on the evidence before us? One reason is that DFAIT representatives appeared at the committee before we left and gave an entire 20 minute speech on why it could not be done.

My hon. colleague from Scarborough asked them a good question. He said it was the same argument they would have given the minister in 1976. He was absolutely correct. The government bureaucracy is

timid, shy and nervous. I do not know why. The greatest advice I can give the minister is to completely ignore the officials at DFAIT. He should brush them aside. He should not return their calls. He should get rid of them. If that is their approach the people at DFAIT have absolutely no sense of responsibility. They do not care about the fish stocks off our east coast. If that is the analysis they give us it is absolutely incredible they are still employed by the Government of Canada.

In 1992 on behalf of Jack Harris, leader of the provincial NDP in Newfoundland and Labrador, we had a resolution before our convention. We resolved:

—that the New Democratic Party calls upon the Government of Canada to instruct their representatives at these conferences, to duly notify the participants that, unless overfishing on the Nose and Tail of the Grand Banks ceases by January 1, 1993, Canada should immediately take the necessary steps to assume custodial management of the fisheries in that area.

That was in 1992, 10 years ago. Today the foreign affairs minister was asked when he would ratify the law of the sea. He said not to worry, the government would do it. How many fisheries ministers and foreign affairs ministers have told the House of Commons they would ratify the law of the sea? We signed it 20 years ago. We are still waiting for the government to ratify the law of the sea. I do not want to sound partisan but it begs the question of how serious the government takes the issues we heard when our committee travelled to the east coast.

There was a gentleman here by the name of Mr. Tobin. We all know about the *Estai* affair. It looked good. He looked tough. He said he would protect the little halibut and turbot that were hanging on to the continental shelf by their fingertips. The reality is that the ship went back to Spain with all the fish and we paid the money. What did we get out of it? We put observers aboard foreign vessels. I do not know if members have seen a report from any of the observers. We got one in committee a few years ago that was all blacked out and whited out. We could not make out anything.

The countries that fish in the Flemish Cap and the nose and tail of the Grand Banks have their own citizens as observers aboard their ships. There are no Canadian observers aboard the ships to review their procedures. In many cases the observers' reports mean absolutely nothing because there is only one observer on the ships. The ships fish 24-7. That is one of the major problems.

We along with the hon. member for St. John's West are asking that we take custodial management and control of the entire continental shelf off our coastlines as quickly as possible. We need to assume full responsibility for the Grand Banks of Newfoundland so that we are the enforcers, managers and custodians. We would then look after the resource and divvy it up as we deemed necessary.

On a more personal note, since 1990 total landings for the sea fisheries are down by more than half a million metric tonnes.

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• (1950)

I have some statistics from the great province of Newfoundland and Labrador. Since 1990, 40,000 people have left that beautiful province. The Burgeo, Trepassey and St. John's fish plants have closed. In Marystown the workforce is down from 1,000 people working 52 weeks to 650 people working just 26 weeks and they are lucky to have that.

I want to stress something very clearly. In editorials across the country there is the perception that the people of Newfoundland and Labrador who work in the fish plants want to work just long enough to get their weeks to qualify to go on EI. What utter nonsense. The mayor of Burgeo and others said at the committee that there was a time when people in that town worked 52 weeks a year at that fish plant. That is what the people of Newfoundland and Labrador are doing. For anyone to accuse them of being lazy is simply irresponsible.

Not only has the government given up on its responsibility for the protection of fish and fish habitat, it has also given up on the people of Newfoundland and Labrador. We simply cannot go on with this any more.

At the fisheries committee I have raised an issue with DFAIT officials and other people. We are going back to NAFO in September and we are going to discuss our concerns. If the government is serious about having NAFO talks, those talks should be in St. John's, Newfoundland and Labrador. Bring the world to St. John's. Have those meetings there. With the evidence before them, Canada should tell them "If you do not resolve these issues on your own, we will resolve them for you".

The government is going to have these talks in September. I ask the minister and everyone else. What will it do in October? The member from the Bloc Quebecois is absolutely right. It will probably talk some more. The time for talk is over. I am certainly not advocating gunboat diplomacy. That is wrong. I am advocating that the government show some backbone.

It is also unconscionable that the former minister of fisheries, now the Minister of Natural Resources, and the former Minister of Industry, Mr. Tobin, knew these infractions took place last September and nobody in the House was aware of it. Those two gentlemen, members of the cabinet, knew exactly what was going on and refused to tell anyone in the House or the people of Newfoundland and Labrador.

What did the government do? In January it went to the NAFO talks in Denmark to express its concern. According to Mr. Pat Chamut we did not win a thing at those talks.

The minister himself has said "We will go back in September and talk about it again". What is he going to do in October? If we could have asked the minister a question, my question would have been what will be done on October 1 to protect those stocks and protect the interests of Newfoundland and Labrador and the rest of Canada?

Not only that, the fact is these countries from overseas have absolutely no responsibility toward these stocks. By taking control of that, Canada will be doing them a favour. The management

through NAFO simply is not working. It has failed. It was a nice try but it has failed.

We have jurisdictional responsibility for the ocean floor for 350 miles, but we do not have it above the water table after 200 miles. We are asking for that control.

When the member for Gander—Grand Falls was the committee chairperson, he expressed this same issue many times. I want to give credit where credit is due. I work on the Standing Committee on Fisheries and Oceans in the Parliament of Canada and we are chaired by an outstanding gentleman, the member for Malpeque. He does an outstanding job for our committee.

• (1955)

If the government will not listen to the member for St. John's West, or to me from Nova Scotia or to my colleagues from Quebec or British Columbia, then I encourage the government to at least listen to the member for Malpeque because he heard the same thing we did.

**An hon. member:** And his colleagues.

**Mr. Peter Stoffer:** And his colleagues heard it as well. The parliamentary secretary from Quebec is doing a fine job. They need to stand up not just for Canadians but for the fish stocks. It is the constitutional mandate of the Government of Canada through the Department of Fisheries and Oceans to protect fish and fish habitat.

The Minister of Fisheries and Oceans is from Nova Scotia. When he was appointed as minister he said that as his legacy he would like to leave the department in better shape than when he found it. It is very admirable of him to say that. However, his legacy will not be a very good one if more fish stocks go down or become extinct or are no longer available for commercial processing. His legacy will not be very good if more people leave the east coast to look for work because their traditional fishing industry has been downgraded. His legacy not be good if he goes to Europe and asks them please not to rape our ocean stocks any more, please be nice to our fish stocks. It is time to stop asking and to start doing.

The minister should put his foot down and tell the Department of Foreign Affairs and the Prime Minister that we need to take this issue very seriously. The Prime Minister had a discussion with regard to softwood lumber. I am asking that he take this issue extremely seriously and not to slough it off as a problem that fish swim, as the previous prime minister has done. He should take a leadership role and stand up for that great province of Newfoundland and Labrador to protect the Grand Banks and institute custodial management of it.

At those meetings in September he should tell the NAFO countries that this is how it is going to be, either to clean up their act or we are going to clean it up for them. That should be the bottom line. On October 1 if the NAFO countries do not agree, so what? Take over custodial management and let the chips fall where they may. That would be responsibility. For a minister to say we should not do that or maybe it is not the right way to do it, I say so what?

S. O. 52

How many more people have to leave the great province of Newfoundland and Labrador to look for work? He is the Minister of Fisheries and Oceans for Canada, not for Lithuania, Russia or the Faroe Islands. He should stand up for Canadians and protect the fish stocks. If he does that, he will have our full support.

He announced in the House that the ports will be closed to Faroe Islands fishing vessels. I agree and support that. Unfortunately some stevedore jobs will be lost because of that. That is fine. We can accept that. This is what we heard in Newfoundland and Labrador. We will support that decision. It is a reactionary decision. However, what is he going to do in October? I would like to ask the minister what the government will do on October 1.

I suspect that the NAFO countries will carry on with business as usual and we will stand back and say that we will have to have another meeting and discuss it further.

The fish stocks cannot wait. It is our constitutional obligation to protect the fish stocks for future generations. I encourage the Minister of Fisheries and Oceans, the Prime Minister and all parliamentarians to support stronger action when it comes to protecting the Grand Banks.

● (2000)

**Mr. Wayne Easter (Malpeque, Lib.):** Mr. Speaker, I will be sharing my time with the member for Burin—St. George's.

I am pleased to take part in this important debate proposed by the member for St. John's West. The member for Gander—Grand Falls has talked about this issue for as long as I have known him and I have been in the House eight years now. Other members from Newfoundland and Labrador have spoken about this issue consistently, including the member for Burin—St. George's and the member for Labrador. They have expressed to the House the concerns of Newfoundlanders and Labradorians about the serious issue of overfishing off the Grand Banks.

Yes, these members have brought forward the issue but I can tell everyone that there is nothing like being in Newfoundland and Labrador as we were last week to hear the people directly, to feel the emotion, to sense the frustration, to see the tears in some cases and to almost touch the anger over this issue in which people see their livelihoods being illegally taken away. They have every right to request directly that parliament and this nation as a whole stand behind them in terms of dealing with that question.

Last Friday and Saturday, March 15 and 16, the Standing Committee on Fisheries and Oceans had the privilege of holding hearings on this very issue in St. John's. We heard the concerns in spades. I will discuss some of those concerns in a moment.

I want to express first the reason that we were there. Members of our committee, including members from their home ports and coastal communities and members in the House, brought forward to our committee the concern of foreign overfishing. We set up a hearing on the point of extending jurisdiction over the nose and tail of the Grand Banks and the Flemish Cap. We know that is a hard sell. We know that. We are willing to look at other alternatives, whether it is coastal management or whatever it may be. We are willing to look at all the options. I will say clearly however that based on what we heard in

Newfoundland and Labrador this issue absolutely must be dealt with.

Let me turn for a moment to some of the points brought forward by some of the speakers we heard from while we were in St. John's, although they said it better than I. Mr. Alastair O'Reilly, who is with the Fisheries Association of Newfoundland and Labrador, talked about how illegal fishing has increased recently compared to what it was. He stated:

And what we saw in 1995 was truly extraordinary for Canada to have taken the action it did against the *Estai*.

That is the Spanish vessel.

And this really brought, I think, a level of consciousness among the various member countries of NAFO to realize that we are just not going to take this kind of behaviour. And that held for the first two or three or four years. But it's begun to erode rapidly and there are not consequences, thus far.

That is until today. The Minister of Fisheries and Oceans stood in the House today. He has taken some action. I expect and hope the House demands that all departments, including the Prime Minister's Office, stand with the minister and take further action if it is necessary to do so.

Mr. O'Reilly talked about consequences. Let us look at what has happened over time.

Before 1995, prior to the *Estai* being seized and the strong action of then minister Tobin, on the Grand Banks outside the 200 mile limit there were 26,000 fishing days a year by 71 vessels. After 1995 when the issue was addressed concisely and aggressively by the nation, those fishing days dropped to 6,000. In 2001 illegal fishing was gradually creeping up again. It is up to 10,000 fishing days.

● (2005)

I say to all Canadians that that is what happens when the nation does not take a strong stand and stand by it as we did in 1995.

Foreign overfishing and illegal harvesting in 2001 included illegal harvests of 10,000 tonnes of species that were under moratorium and quota overruns of 3,100 tonnes of turbot. That cannot be allowed.

I want to point out another point that Mr. O'Reilly made. In response to a question he said:

Maybe you're right, it's much broader than fisheries. But, we feel that even within Foreign Affairs and International Trade, fisheries is an extremely low priority...It's galling how ineffective we are in moving some of those issues forward...Canada was able to be stopped by bureaucrats, not let alone member countries. It's appalling how ineffective we are on that front.

What that points out to me is that we have not worked in a co-ordinated approach up to now. I understand that lawyers in foreign affairs get into legalese, but this issue is more than legalese. It is about the sovereignty of a nation and sometimes we have to stretch that legalese to make our point. That is what has to be done internationally.

*S. O. 52*

When Earl McCurdy, the president of the Fish, Food and Allied Workers union in Newfoundland, was before us, he said that we had to challenge Canada's sovereignty as a coastal state. He was an adviser at NAFO. He said that the Canadian presentation documented a number of violations and he believed this fall's meeting would be critical. He talked about using Bill C-29 and said that we might be able to use that piece of legislation to shut off Canadian ports. He talked about well documented violations and the importance of the American Plaice to our fisheries. He said that we needed a strong national campaign to protect our straddling stocks.

I do want to correct the member for Sackville—Musquodoboit Valley—Eastern Shore on one remark he made earlier about Pat Chamut, assistant deputy minister, being before the committee. I am not one for giving compliments to the bureaucracy very often, but when he was before the committee he made a great presentation. He stood strong at the NAFO meetings and presented to us the outcomes of a balanced assessment of the NAFO meeting showing some positive results.

The positive outcomes of that meeting were an increase in the mesh size for the skate fishery, an adoption of a new compliance review process, improved reporting requirements for 3L shrimp, a working group of NAFO management of oceanic redfish and adherence to scientific advice for all stocks except Greenland halibut.

He went on to say, and he was very forceful in this, that the objectives not met were the rejection of Greenland halibut depth restriction and an adoption of a 10% increase on the Greenland halibut TAC. He admits that we failed to gain those points.

Mr. Chamut has very clearly said that NAFO, although it is an important organization, is not working as it should. We are saying, and I am saying on behalf of the fisheries committee and those who I represent, that it is will take strong action for NAFO to understand that it must come back to abiding by the rules that it established itself.

• (2010)

Let me close with this. In May 1994 the Canadian parliament adopted Bill C-29 and its implementing regulations that prohibited stateless vessels and those flying the flags of states listed in the regulations from fishing prescribed straddling stocks in contravention of NAFO. This continues to provide the legislative framework for Canada to arrest ships that are fishing contrary to the NAFO conservation framework.

Following the passage of that new legislation, those vessels stopped fishing for straddling stocks and left the area. That shows me, and I think shows the nation, that when this country stands together and takes the strong aggressive action, then we can force those international countries that are fishing illegally and basically stealing fish stocks from Newfoundlanders and Labradorians who are Canadians. It is time the nation stood behind them.

We must stand together to conserve that fishery for the future. It will take strong action by all departments, right up to the Prime Minister's office to get this job done.

**Mr. Bill Matthews (Parliamentary Secretary to the President of the Queen's Privy Council for Canada and Minister of**

**Intergovernmental Affairs, Lib.):** Mr. Speaker, first, I want to congratulate and thank the member for St. John's West for moving this emergency debate tonight. I want to thank the member for Malpeque for sharing his time with me. I want to thank all those who have participated so far in the debate and those who will participate later on.

This in my view is probably the most serious issue facing Newfoundland and Labrador today. There are very many serious issues in our province but in my assessment this is the most serious issue facing our people.

I represent an area of Newfoundland and Labrador, the south and southwest coasts, that has been devastated because of mismanagement of our fish stocks by successive federal governments.

We brought into Confederation a tremendous resource. The Government of Canada ended up with the jurisdiction to manage that resource. I would like to go on record tonight by saying there is no other province or region in Canada that would have tolerated for so long the mismanagement of a major resource by the Government of Canada.

Imagine the attention we get in the west when we have a drought. Farms and farmers get hurt. Right now the dilemma of softwood lumber is getting a lot of attention and rightfully so. Kyoto is getting a lot of attention and rightfully so. On and on it goes.

However, imagine a way of life that is being threatened in great levels, a staggering out migration of people, a proud and historic people who worked year round. I am one of them. I grew up there. I live there. I represent them now. They work 12 months a year harvesting and processing fish.

In the region that I represent in Newfoundland and Labrador, just 15 years or so ago there were approximately 6,000 people working in fish processing plants. Today, because of mismanagement, mainly by the government of Canada, there are less than 2,000 people left working in those processing plants. Imagine the other jobs in small business and other sectors that have been affected because of the mismanagement of this resource by the Government of Canada.

I ask hon. members who are here tonight this. Where else in Canada, where else in the world would such action or lack thereof by a national government be tolerated? I do not think it would be tolerated anywhere else. Imagine if it was some other province in Canada that got that treatment from its national government for so long.

I concur with the statements of other members, the chairman of the Standing Committee on Fisheries and Oceans, the member for St. John's West and the fisheries critics for the NDP, the Bloc and the Alliance. The one thing about the makeup and the membership of the Standing Committee on Fisheries and Oceans is that it is a non-partisan committee. It puts the issues above partisan politics. We work together and we have worked together for years. This committee is committed and dedicated to seeing the issue addressed properly by the Government of Canada and by this parliament.



S. O. 52

I was delighted today to hear the Minister of Fisheries and Oceans announce his decision on Faroese. He is going to close our ports to those people and rightfully so. However I want to go on record tonight and say it is only a start because there are many other violating countries out in the NAFO regulatory areas that will have to be dealt with. For awhile, many of them were pretty good, but now they are starting to non-comply.

What are the results? We are talking about straddling stocks that are sometimes inside our 200 mile limit and other times are outside because, as the member for the NDP said, fish do swim.

The area that they are raping is a nursery area for fish species. It is a nursery area because of the nutrients in the water and because of the water temperatures. It is where fish spawn, multiply and grow. It is a natural area for that. We have those nations that go out there and rape the area. We call them rogue vessels.

We have the Northwest Atlantic Fisheries Organization that manages those NAFO areas.

• (2015)

If any member country of NAFO does not agree with the quota that has been set, it is ironic that it can register an objection. Then it can go out in the NAFO regulatory area and catch what it wants. That is just how simple it is. NAFO quotas are set on scientific advice by the NAFO scientific council, but all a country has to do is object to that scientific advice, object to the quota as set by NAFO, and go out and catch what it likes.

I want to elaborate on another point. The member for Malpeque talked about fishing days. I am sure members who are not familiar with the situation wonder what he meant. It means that countries go out and fish for a certain number of days. They catch what they can within the fishing days. It is not that they have 5,000 tonnes of fish to catch and they go home and do not come back any more for that year. These countries fish for fishing days. They catch 10, 20, 30 and 40 times more fish than the scientific advice allows. We can imagine what that is doing to those stocks.

We have a very serious problem with our membership in NAFO. We pay 50% of the cost of NAFO. It is not working for us.

I am convinced that the Government of Canada through the Prime Minister, the Minister of Fisheries and Oceans and the Minister of Foreign Affairs has to become very involved in this issue. I say the Minister of Foreign Affairs and not the bureaucrats from foreign affairs.

Where else in this country or this world would this kind of abuse be tolerated? Every day I read articles by environmentalists who express concern about Kyoto, GATT and this and that. Two matters are at risk in the issue we are talking about tonight. One is the species of fish that spawns, multiplies and grows in those areas. They are very much at risk. They are very much endangered species.

Another species that is very much at risk is the people of Newfoundland and Labrador. They are just hanging on by a thread to their way of life because of mismanagement after mismanagement by successive federal governments.

I am convinced that the Standing Committee on Fisheries and Oceans will do its job. I hope the Minister of Foreign Affairs, the Minister of Fisheries and Oceans and the Prime Minister will become involved and do their jobs. However I really believe that we will see a mobilization on this issue in Newfoundland and Labrador like we have never seen before. Right now the rural part of Newfoundland and Labrador, the spinal cord, is ready to sever. It is ready to break.

The latest census of the last week or so showed a staggering outmigration from the communities of our province. The age of the people left in our communities is such that our youngest are gone. There is no tax base left for local municipal governments to offer basic services to our citizens. That is how serious the situation is. I am not sure if the movers and shakers of the Government of Canada understand how serious it is in the province of Newfoundland and Labrador.

As a part of the debate tonight, as a part of what has happened with the Russian trawler over the last couple of days, and as a result of the mobilization that will take place in Newfoundland and Labrador, I am hoping that finally the national government, which has full responsibility for the harvesting practices and for the management of our fish stocks, will take the issue seriously.

In the last number of years, because of mismanagement of our stocks, it has cost Canadian taxpayers billions of dollars for NCARP and for TAGS. If we wipe out the fish and wipe out this way of life, it will cost taxpayers much more.

I congratulate the member for St. John's West for initiating the debate and I thank all those who participated. I plead with the national Government of Canada from the Prime Minister down to get involved. Let us not tolerate any longer abuse and violation of our continental shelf when we can take custodial management, set the quotas, enforce and manage the stock for our people.

• (2020)

**Mr. James Lunney (Nanaimo—Alberni, Canadian Alliance):** Mr. Speaker, I am pleased to rise in the House tonight to enter this debate along with my colleagues, many of whom sit on the Standing Committee on Fisheries and Oceans.

We recently returned from Newfoundland and Labrador where we held hearings on this issue. It is rather timely that just two days ago the Russian vessel *Olga* under Icelandic control was arrested for polluting in Canadian waters, as has already been mentioned tonight. Interestingly the 70 to 80 tonnes of mature breeding cod found in the hold illustrates the issue we are addressing tonight.

I am pleased to say that vessel was apprehended and legal proceedings are under way appropriately so. The *Olga* issue underscores the very reason this debate is necessary tonight. This kind of exploitation of our stocks has been going on for some time.

The committee held two days of hearings in St. John's, Newfoundland, dealing with the subject of the nose and tail of the Grand Banks and the Flemish Cap. Newfoundland and Labrador is one of the most prolific breeding grounds for fish in the world and this wonderful resource has been entrusted to us to manage. Sadly the management of that resource has been lacking.

*S. O. 52*

Many of the witnesses we heard had a lot to say. They were very impassioned. Their livelihoods are on the line. As mentioned by the hon. member before me, the recent census indicated that there has been an outflow. Newfoundland and Labrador has lost 40,000 people not because Newfoundlanders, as some have implied, like to be on assistance. The fact is that people left because they are looking for work. They are hardworking people.

Those who would impugn these people by saying they do not like to work are sadly missing the reality of a hardworking people who live from the resource. They were there originally because of the resource. Because of mismanagement they had to leave the homes they loved and go to other places in Canada in search of work.

We heard from many people whose loved ones are off working in Alberta, Ontario and other places. Interestingly enough we are also hearing that story on Vancouver Island where I am from. Many young people have gone to Alberta looking for work because of the problems in fisheries and forestry. The families of many elderly people are gone. Many wives and children are still there while the husbands are off in Alberta working. It will not be long before they join them. We certainly empathize with Newfoundlanders on this issue and understand the difficulties and the agonies that face families who have to leave the homes they love because work is not available.

I would like to mention some of the testimony we heard when we were in Newfoundland which speaks to the issue more eloquently than I could. I do not believe anyone has mentioned Mr. Trevor Taylor tonight. He is a member of the house of assembly of Newfoundland and is the fisheries critic of the official opposition.

Mr. Taylor referred to the Flemish Cap and talked about an accident of nature. He said that several decades ago officials picked the number 200 from a hat in deciding that the country's coastal management zone would extend for exactly 200 miles from the shores. By an accident of nature three critical fishing areas, the nose and tail of the Grand Banks and the Flemish Cap, fell outside that 200 mile limit.

The same absurdity that set the number 200 in stone also allowed nations from the far corners of the globe to descend on those three areas, the nursery for many groundfish species and an area that many of our stocks migrate to and from. They rake and vacuum away not only the fish but the ecosystem itself.

He went on to say that nations which sponsor this wanton destruction of our continental shelf in their wisdom decided to police themselves through an organization known as the Northwest Atlantic Fisheries Organization, an organization with scientists that few of them heed, rules that few of them follow, restrictions that many of them flout and a complete absence of effective penalties for violators.

• (2025)

Mr. Taylor went on to say that if there were a better definition of impotence he had not heard it and asked why Canada continued to participate in this farce. It was beyond him. In the years since the turbot war overfishing practices have continued unabated. Last year the number of violations of rules increased over the year before.

Canada was at the NAFO meeting in Helsingor, Denmark, in January. In its presentation at the NAFO some of the violations were mentioned. What kind of violations were we talking about?

The Canadian assessment affirms that directed fishing included excessive bycatch of moratoria species; exceeding allocations or misreporting the catch; directing fishing after the closure, particularly 3-L shrimp; an increase in frequency of mesh size violations; an increase in the issuance of citations of apparent infringements; and non-submission or late submission of observer reports.

On the mesh violations I remember Mr. Earle McCurdy who is with the Fishermen, Food and Allied Workers Union had to say. He spoke very eloquently about these issues. He is very knowledgeable about them. He actually passed around a piece of mesh that was taken from a foreign vessels.

The three levels of mesh were of successive smaller size. Mr. Earle's comment was that an anorexic sardine could not get through the net, which is definitely in violation of the regulations. It is clear that nations are not interested in conservation or in following the rules. They are interested in scooping everything out of the oceans that their nets can take.

There were details of non-compliance. There were numerous observer report excerpts from 1999 to 2000 according to Canada's report to the NAFO meeting in Helsingor. They indicated 36 tonnes of American plaice, 15 tonnes discarded while catching only 4 tonnes of skate and 28 tonnes of American plaice while catching a no moratoria species. American plaice is one of our moratoria species. The stocks have been devastated and have not recovered.

They also indicated 27 tonnes of American plaice while catching no moratoria species and another 26 tonnes of American plaice while catching only 1.2 tonnes of skate. Different observer reports indicate 25 tonnes, 24 tonnes and 24 tonnes.

These reports were from observers who were nationals working on the vessels they were supposedly observing and monitoring. As weak as the observer system is, I think it is fair to quote Mr. Alastair O'Rielly who spoke on behalf of the Fisheries Association of Newfoundland and Labrador. He is a very knowledgeable man. He has been involved in the NAFO discussions and meetings.

His comment was that Canada did not name the guilty countries at Helsingor. He said that Canada was too passive in the NAFO process, that we were too compliant and too nice, that there was no enforcement, and that the reports were incomplete and untimely.

In that the observers were from the same countries could be a problem. They have actually been found to be engaging in work aboard ships. We might wonder about the accuracy or sincerity of someone employed and paid by the company harvesting the fish.

As several of my colleagues have already pointed out it is hard for an observer to be awake 24-7. Some fishermen on the west coast work around the clock but not for too many days in a row. Certainly 24-7 is unreasonable. These ships are out to sea for long periods of time and obviously fishermen have to sleep at some time. The fishing vessels are operating 24-7. How can they observe what is happening when they are not awake?

● (2030)

There are non-reports, late reports, false reports and under-reporting of catch and even location. Obviously are some problems in the reporting procedure. I mentioned Mr. O'Reilly. He said that even though the reporting system is not good, when it is compared with the observation that Canada does put in place it at least has allowed us to determine that the system is not working. I imagine that is of some value to us.

Many of the people we heard from were really outraged. Jim Morgan, the former fisheries minister, was outraged again. He is an advocate of custodial management. He said that the Government of Canada cannot adequately manage the resources. He was not expressing a lot of confidence that we would be able to manage it if we did extend beyond and I think that will bring us to some recommendations, which we will come to momentarily.

We did hear about some successes at the plants that are in operation. The representative for Fishery Products International, Mr. Andrews, spoke about the yellowtail flounder. It is a positive Canadian story. There was a three year moratorium when the stocks hit historic lows around 1995, but after the three year moratorium the stocks have recovered and there is a very successful harvest going on. In this case, Canada's share of the total allowable catch is 97.5%. It is not contested by the international community and Canadians have been monitoring and managing this fishery very well. That has allowed stocks to recover for a sustainable catch.

Interestingly enough, the same is not true of the American plaice, which is also a fish that is supposed to be largely Canada's. According to foreign agreements, it is one of two stocks that is supposed to be mostly ours, yet it has not recovered, largely due to the bycatch or even directed fishing for moratoria species that foreign vessels are taking away. Interestingly enough, the yellowtail flounder, it seems, is one that stays within our territorial boundaries. The story is that fish swim, but there are some that seem to like it in our Canadian waters, and we, because of our own management, have done better. However, for those like the American plaice that stray beyond our zone, they are being devastated by overfishing.

We heard earlier from the hon. member for St. John's West. I do thank him for bringing this subject before the House. I heard him say earlier this evening that the stocks of moratoria fish that are being taken as bycatch and in illegal fishing are more than enough to keep the three Newfoundland plants now open in operation. The three plants are in Marystown, Fortune and Harbour Breton and now are in operation for 17 to 26 weeks a year. Those stocks could keep them operating 50 weeks a year with full capacity. We have a problem with the management of these fisheries and we have a problem with enforcement.

*S. O. 52*

There is another issue here, which the House is aware of and which the hon. member for Sackville—Musquodoboit Valley—Eastern Shore mentioned earlier this evening.

**Mr. Peter Stoffer:** It's time to take action.

**Mr. James Lunney:** Yes, that is a very good point. It is time to take some action.

There is the issue of enforcement. If we have rules and do not enforce them it is no different from not having any rules. That is what the member brought out when he asked if there in fact were vessels on the water. The startling response was that there were not any vessels on the water. There is no enforcement. If we are not out there looking, how will we catch anybody? It is a very sad state of affairs if we simply abandon our responsibility to manage the stocks.

● (2035)

Therefore we need enforcement. We need to be out on the waters. We need observers that work. We need to take responsibility for this fishery and we need to manage it in a responsible manner.

I want to bring in another issue because I think it is germane. We also have heard from salmon producers. We are talking about some of our North Atlantic species being endangered. This strays a little bit from the Grand Banks, but I think it bears mentioning that Atlantic salmon are in danger of becoming an endangered species as well. There is huge concern about the seal population. Realistically, because of international pressures we have interfered with the traditional seal harvest. We have a huge problem with a seal herd that is now estimated, it is said, at between 6.5 million and 7 million. Each seal consumes about a tonne of fish a year. We are told that for conservation measures, for a sustainable seal herd we need about 2 million to 2.5 million seals. With 6.5 million to 7 million animals out there eating a tonne of fish each, that is four million tonnes of fish. If we are talking about 100,000 tonnes of species under moratorium potentially being overfished by foreign vessels, it is clear that this over-predation is decimating our stocks as well.

Going back to the people who spoke to us about salmon, seals are being found miles upriver where they never used to be. When the salmon come and go to and from the rivers they have to spend a few days in the estuaries of the rivers. There is clear evidence that the seals are simply devastating those stocks coming and going.

It seems that we need to be realistic in managing this great fish stock that we have out there. Man is not the only predator that is devastating the sea nurseries. We allow the seal herd to grow in an irresponsible manner. We are again abandoning our responsibility for looking after this resource.

*S. O. 52*

As Canadians surely we have a responsibility to look after one another's resources and interests. We feel that way on the west coast with our softwood lumber problems right now. There are 20,000 people in British Columbia out of work. We feel it is the responsibility of all Canadians to take an interest in this. We are looking to the government to help us in this regard. As well, we know that when the farmers are stressed, and they have been, they need the support of all Canadians to resolve the issues.

We feel that Canada needs to stand up for Newfoundland on this issue. We need to take responsibility for our coastal waters, for our offshore banks and for our continental shelf. The continental shelf is part of our jurisdiction and we need to claim that which is ours. It seems to me that Canada needs to rediscover its quills; if we are in a wrestling match being pummeled by a big guy, we need to discover our elbows. Frankly, foreign vessels are disregarding the rules, raping the stocks and devastating the future for Newfoundlanders and other Atlantic Canadians. We have a big problem in Canso. If we manage the stock well, I believe that the Grand Banks can recover. I think there can be a future for Newfoundlanders in the fishery. I believe Newfoundlanders across this country would love the opportunity to go back to their land and to be employed in the land they love.

Frankly, compensation was thrown to Newfoundland after the collapse of the groundfish stocks in 1992, with big sources of money trying to create other venues of work in the coastal communities that are there for the fishery. It has not worked. We heard the mayors of many of the small towns speaking in desperation about what is happening in their communities.

We need to stand up for Newfoundland. We need to stand up for Canada. We need to stand up and do what is right. I join my colleagues in calling on the government to take this matter seriously and get on with what it takes to let NAFO know that Canada is serious about this. We need to extend our custodial management of this area and take responsibility for this great resource.

• (2040)

**Mr. Tom Wappel (Scarborough Southwest, Lib.):** Mr. Speaker, allow me to say that I will be sharing my time with my colleague on the fisheries committee, the hon. member for Bras d'Or—Cape Breton.

I am very pleased to take part in the debate this evening. I will begin by congratulating the hon. member for St. John's West for bringing this matter to the attention of the House. I also want to congratulate the Speaker for permitting an emergency debate on this very important subject.

What is the subject? Tonight in my speech I am speaking to people like me from urban settings in Canada. What is the topic? The hon. member for St. John's West put it succinctly in his letter of March 20, 2002, to the Speaker. I quote: "the negative effect of foreign overfishing on the entire region of Atlantic Canada". That says it all in one short phrase.

One might ask what I, a member from an urban riding, Scarborough Southwest, am doing speaking on this very important subject. My answer to that is this. Scarborough Southwest is a completely urban riding. My southern boundary is Lake Ontario, but having said that, there are no fishing interests in Scarborough

Southwest. However, listening to my colleagues in caucus over the years, I have heard members and colleagues of mine, particularly members from the Atlantic region, talking about the problems with the fisheries, the difficulties their constituents were having and the difficulties the fisheries problems were causing in the economies of their people. Quite frankly, I found it rather difficult to relate to those lamentations because I had nothing with which to compare it. I decided it was time to learn about the subject matter firsthand and I asked to become a member of the Standing Committee on Fisheries and Oceans.

I want to tell the House that in the time I have been a member of the committee I have listened to many witnesses, I have travelled with the committee, I have seen many of the areas concerned, I have talked to the people concerned, and I have learned. I want to tell Canadians that I have learned a number of things, but above all two very important lessons.

The first one is that fish and fishing are critically important to Canadians on our coasts and in particular to Atlantic Canada and especially Newfoundland. Newfoundland's reason for being, as we were told by witnesses, is the fish in and around that beautiful island, for which people have fished for hundreds of years until recently.

Second, I have learned that fishing is important not only to the coastal economy but to the entire economy of Canada and to the people of Canada. After all, if fishing is bad, fishermen cannot make a living and those of us in the rest of Canada come to their aid financially. That is the nature of our federation. If one part needs help, the others help. Clearly if fishermen can fish, then they can earn a living and the rest of Canada does not need to come to their aid. That is what fishermen want to do. They want to fish. They do not want to sit idly by and watch foreigners take our fish.

Our committee just returned from Atlantic Canada where we got an earful. We learned a number of things. Many of the speakers have already mentioned these things, but it is important to restate that our cod stocks, which have been around for hundreds of thousands of years, have been decimated. There has been a moratorium on cod since 1990 or thereabouts, I believe. We heard that there are 7 million harp seals, not 7 million seals but 7 million harp seals alone, and there are all kinds of other species. Those seals need to eat. They are predators. They eat fish. The cod is gone. What do they eat? They eat other fish. If they eat other fish, there are less species that we Canadians can fish.

What are we to do about that? Or are we to hide from that because it is politically incorrect to talk about seals and what to do with them when the predators start taking the very livelihood of our families and our children? We have to grapple with that.

• (2045)

We heard very compelling witnesses, particularly in Newfoundland and Labrador. My hon. colleague from Nanaimo mentioned a name. I was struck with one phrase that Trevor Taylor, a member of the house of assembly and the opposition fisheries critic, said. He stated "As goes the fishing, so goes Newfoundland and Labrador". That is so true. If there is no fishing, the people of Newfoundland and Labrador are gone.

S. O. 52

We heard the hon. member for Burin—St. George's talk about the population decline. People are leaving the rock, as they say, to go to other places. There is nothing wrong with their coming to my riding but they do not want to come to Scarborough necessarily when they have been fishing all their lives, when their parents and grandparents have fished and that is all they have known and it is what they are good at.

The minister of fisheries, Gerry Reid, talked about the crisis in the fishing industry and how stocks are being pillaged for foreign overfishing. Allister Hann, the mayor of Burgeo, told us that his town has pretty well folded up because of the lack of fishing. Tony Hewitt, the mayor of the town of Trepassey, talked about what a wonderful town it was, how lively it was and how there was full employment. Auditoriums and various things were being built for the people. The fishery is decimated and the town is decimated. Its population is half of what it used to be because there is no fishing. That is what negative overfishing does to people. This is an issue of people.

What is the problem with foreign fishing? We have a jurisdiction of 200 nautical miles from our shores. I am not going to get into the long history of all of this. I will simply say that some of the richest fishing grounds in the world are centred around Newfoundland. Everyone knows them as the Grand Banks. Most of them are within the 200 mile economic zone.

There are three little areas that are outside of that 200 nautical mile zone. They are known as the nose and tail of the Grand Banks and the Flemish Cap. They are just outside the zone which means that foreign fleets can go there to fish. Quite frankly in the absence of any agreement, they could pillage that resource. We are not talking about ground fish which stay in one spot. We are talking about fish that straddle inside and outside of the area because they swim. Many of those are the commercial fish that we are talking about in the economy of Newfoundland.

What are the foreign fleets doing and what have they done? This has been proven and demonstrated internationally. They have raped and pillaged the fishery at will. That had to stop and lo and behold we came up with NAFO. NAFO, as has been mentioned by many members, is the Northwest Atlantic Fisheries Organization.

Of course like good Canadians we tried the legal route, which is the correct way to start. We have done everything we possibly can to get the 17 contracting parties to abide by the rules and regulations that we have come up with in NAFO.

Sadly, based on what I and the committee have heard, NAFO is a toothless tiger, plain and simple. There is no punishment. There is no deterrence.

We saw that recently when the Russian trawler was caught by chance for polluting our waters. The hold was opened up. What was in there? A banned species of fish which the Russians had obviously been fishing. What did we do about it? Absolutely nothing. There is nothing we can do about it. We cannot even touch the fish because it was not under NAFO that they were caught. It was under environmental protection. What kind of an agreement is it when a fishing trawler is caught red-handed and nothing can be done about it? It is ridiculous and it has to stop.

It is critically important that we go to NAFO in September, that we lay out the minimum criteria we expect from these nations and tell them that if they do not enforce NAFO regulations, we will walk out. We will extend custodial management. We will protect the fish stocks. We will protect the people of Atlantic Canada. We will make sure that if they do not, we will. I call upon everyone to get behind Atlantic fishermen and look after their interests.

• (2050)

**Mr. Rodger Cuzner (Bras d'Or—Cape Breton, Lib.):** Mr. Speaker, it is a great pleasure to enter into the debate this evening and acknowledge the work put forward by my colleague from St. John's West. He has been vigilant in bringing this message forward, as has the chairman of the fisheries and oceans committee and several others in the past, but certainly my colleague from St. John's West has been carrying the banner.

I am the rookie member on the fisheries and oceans committee. It has been six months since I was assigned to the committee. My early impressions are I am very pleased and proud to be a member of that committee. Our recent trip to Atlantic Canada reinforced that.

The committee is very capable, competent and committed to finding out the truth and researching each of the very wide range of issues that are placed in front of it. The partisan aspect does not play a huge role. Committee members are more committed to finding out what is right and advising as to what is right for those involved. It is acknowledged on the Hill as a very hardworking committee that does its share of great work.

As I said, we did the Atlantic Canada swing and had the pleasure of meeting with plant workers, plant owners, fishermen and people who play various roles throughout the industry. We spoke with groups that made presentations on a wide range of topics.

We were very fortunate that in my own constituency of Bras d'Or—Cape Breton we spoke with fishermen who currently are steaming eight hours off the shores, 130 miles out of their home harbours, to chase fish to try to harvest the resource. They are doing it in 35-foot boats because of inshore licence restrictions. They are certainly putting themselves somewhat at peril and are concerned for their safety.

My colleague from Scarborough Southwest mentioned the impact that seals have had on the fishery. It has been devastating. There are six million harp seals. Seals are being found up rivers, at the mouths of rivers and places where they have never been seen before. They are laying at bay at the mouths of rivers waiting for runs of particular species. It is like a buffet table. It is having a devastating impact on the fish stocks.

Without question the presentations which addressed the nose and tail and the overfishing were the most compelling testimony. It was one issue which galvanized the presenters. It was an issue that was not specific to a community or specific just to the industry. It has galvanized the entire province of Newfoundland and Labrador. All of Atlantic Canada is alert on the issue. It is one that certainly puts the entire fishery in jeopardy. In the presentations that came forward each presenter reinforced this.

*S. O. 52*

We talked at great length about NAFO. NAFO is comprised of 17 different contracting parties. Within NAFO is the fisheries commission. It is one of the three constituent bodies of NAFO. Within the fisheries commission there is a standing committee on conservation and enforcement measures. The conservation and enforcement measures comprise seven sections: management; gear; vessel requirements; scheme of joint international inspection and surveillance schedules; project for observers; satellite tracking; and port inspections.

We heard pretty much from all of the presenters that NAFO is a body that is intended to protect the stock but it has no teeth.

● (2055)

Concerns have been brought to NAFO before. Concerns have been addressed. It has been identified that parties were overfishing, overharvesting, bi-catchings, and high grading their product. These concerns have been brought forward but there has been no penalty. As a matter of fact in most cases they have not even identified the perpetrator.

To use an analogy for an old hockey official like yourself, Mr. Speaker, it would be like having your game and your rules and a penalty takes place. The referee calls the penalty but does not say who the penalty is going to, not even what team. The game goes on and the abuse continues. It has no teeth and that came out time and time again with all the presenters.

I would like to share some testimony that was brought forward by Mr. Gus Etchegary. Gus is a gentleman who started in the fishery in 1945 and has been in the fishery since then. I will quote his testimony:

When a foreign owner [from] any...foreign fishing ports, distant water fishermen who come three or four thousand [miles]—some of them from the Baltic states, Estonia, or Latvia, or Lithuania, they come three, four, five thousand miles to our shores to catch fish. Do you think they're concerned about conservation?

Do you think there's any connection whatever with their government? Do you think the people in their government who administer fisheries had the slightest concern about their practices 3,000 miles away? Put yourself in a Canadian troller fishing in the Baltic Sea or the Bay of Biscayne and he's there—I own the vessel and he's my skipper and this vessel cost me \$15 million and that crew has to earn a living. They're going to catch whatever in hell's name they can catch. They'll high grade as much as they can possibly get away with in order to maximize the return to that vessel and to the crew.

If there was one presenter that was impassioned in his tone and spoke with a degree of urgency, it was Gus Etchegary. The points he brought forward represented what was going on in the kitchens in Newfoundland and Labrador and in eastern Canada.

There are not a lot of easy days in the office of the minister of fisheries. I commend my colleagues, even some of the opposition colleagues who stood and recognized the decision the minister made today with regard to the closure of the ports to the Faroese. It was recognized as a bold step. It was a first step. We want to continue to support the minister as he continues to move forward on this very important issue.

In summary, we certainly can appreciate the tone and the candour of the debate. The situation on the east coast is critical. The situation off the Grand Banks is critical. It is imperative that we continue to support the minister and we make sure that DFAIT and the office of the Prime Minister get involved to bring this issue to a resolution.

● (2100)

**Mr. Bill Casey (Cumberland—Colchester, PC/DR):** Mr. Speaker, it has been an interesting evening. A lot of the members who are speaking are maritime members. It is interesting to hear the focus on Atlantic Canadian issues, especially from those members who are not from Atlantic Canada. They are now starting to get at least a little impression about what Atlantic Canada is like, what we are about and some of the things we face.

I also find it incredible that we are talking about overfishing. I remember in 1991 when that great Newfoundlander John Crosbie made the incredibly tough decision to put a moratorium on fishery. It was a heart wrenching decision. Those of us who were here will never forget the anguish that he went through, and many of his colleagues went through, to shut down the fishery in his own province. It was a courageous move. He took an awful lot of criticism and ridicule over it but it was the thing to do and he put the moratorium on. Here we are 11 years later talking about overfishing.

The only reason we are here tonight is because the hon. member for St. John's West brought it up after a Russian vessel was arrested for polluting Canadian waters and it was discovered that it had illegal fish in the hull.

Why are we faced with it? It is because the rules have not been enforced; the NAFO agreement is not working; and the NAFO countries are not abiding by the rules and not respecting the fishery.

Another thing that I find incredible is the convergence of issues that we have been talking about today. We talked about species at risk all day. Here we are talking about a fishery on which there is a moratorium because the species are at risk and there is no enforcement. Here we are still talking about overfishing even though the species at risk is what we talked about all day. It is an amazing coincidence.

Another coincidence is the census that just came out that said that government policy, it did not specifically say government policy, is driving people out of rural Canada into the major population centres. It even identified Newfoundland and Labrador as the worst victim of this out migration.

It is not only the fishery policy, it is the economic development policy that has been slack for rural Canada, Atlantic Canada and other parts of the country.

It is policies like moving the department of Indian affairs Atlantic regional office from a small town called Amherst to a major centre because the bureaucrats want to move. There are 140 families that work for the Atlantic regional office of Indian affairs but it does not matter about the 140 families. There are a couple of bureaucrats who want to live somewhere else so they are actually considering moving this regional office.

It is policies that affect Canso, a small town in the riding of the hon. member for Pictou—Antigonish—Guysborough, which is completely shut down because of overfishing and fishing policies that have been abused and mismanaged over and over.

*S. O. 52*

It is ironic that we are talking about the Faroe Islands which is under management by Denmark. Today we talked about our new ambassador to Denmark, Mr. Gagliano, who will now go over there and speak on our behalf on these issues.

Tonight someone mentioned the debate we had on softwood lumber and how the Prime Minister was involved in that debate. However in less than three hours from now the Americans will probably be successful in putting a huge countervail charge or export tax, or whatever on this resource. This is another resource that is being battered around by foreigners in the same way our fishery is.

It is ironic and amazing how many things converge on these issues because of government policy, lack of action, lack of policy, lack of administration, lack of enforcement and management by dealing with a crisis only.

I believe that tonight we will make some headway on this issue. I believe it will get some attention. It might have just been a little announcement that a Russian ship was caught for pollution charges and found that there was fish in the hull. Thanks to the hon. member for St. John's West who brought our attention to it and who created so much focus on it and raised public awareness.

● (2105)

It is interesting to hear all the speakers from all over Atlantic Canada, Scarborough, British Columbia and everywhere else become involved in this. We are starting to get the impression that maybe there is a little awareness about the situation that people in Atlantic Canada are facing over this fishery.

When it first happened, and for 10 years maybe, the attitude was that there is a problem down there, let us throw some money at it and maybe it will go away. However, that is not the case. Money is not going to fix this. This is a way of life and it is a heritage. It is a tradition that has not been protected and it has been abused.

Perhaps now the government will take action to take control one way or another over the nose and tail of the Grand Banks and the Flemish Cap and really protect our resource. There is no reason why foreigners should be able to fish that area dry, dump their bilge waters, abuse our waters and our fish, and our systems and environment with no enforcement or repercussions.

Hopefully this debate will generate some interest and some focus on it. We know there are not enough fisheries officers, patrol boats, or helicopters. We know there are not enough resources put into the fishery to protect it and enforce the rules. Because of that NAFO countries are running roughshod over our rules and our fishery.

This was a Russian ship under Icelandic control. How many other ships are out there from how many other countries doing this? How many are doing the same thing that we do not catch because they do not dump their bilge water? It is a crisis and hopefully we will get some action.

We need a real plan. There are some options and it is certainly encouraging to hear government members talking about this. I hope they speak tomorrow to their colleagues, to their minister, to their Prime Minister as we have been for a long time. It is healthy and encouraging to hear this.

We are talking about the health of our communities in Nova Scotia, Newfoundland and Labrador, New Brunswick, P.E.I., and Quebec as well. The accidental boarding of this ship was a stroke of luck. It was certainly a stroke of luck and good management. The hon. member for St. John's West ensured that it did not slip through the cracks and we got the attention on it.

With regard to Denmark, I picked up a report a few minutes ago from the Northwest Atlantic Fisheries Organization called "Canadian Assessment of Compliance in the NAFO Regulatory Area". Lo and behold, the meeting was held in Helsingor, Denmark, which again is the parent country of the Faroe Islands which today was isolated from our ports. So a lot of different approaches are tied together. They all come together in this whole story but this is an incredible report which was given just two months ago in Denmark.

It says Canada is increasingly concerned about the unacceptable level of non-compliance fisheries and it goes on to detail the incredible circumstances. Observers reported one CP had 655 fishing days in shallow water and 40% of these days were clearly utilized for moratoria species. On these days a catch of moratoria species was five times that of legal fish. What happened to them? Was there any enforcement or protection? No, there was not. There was nothing done to protect our resources.

Legitimate shallow water fisheries do occur for skate and redfish. During the remaining 400 days that operator harvested at a daily rate of 18% of non-moratoria fish. This is incredible.

The Canadian assessment confirmed that directed fishing and excessive bycatch on moratoria species was rampant. Exceeding allocations and misreporting was frequent. Directed fishing after closure was always increasing, frequency of net size violations was everywhere. There were always non-submissions or late submissions of observer reports.

In 2001 one of the contractors exceeded its Greenland halibut allocation by 23%, that is 3,000 tonnes. In 2001 there was a significant misreporting of 3L shrimp and 3M shrimp, particularly in December. What happened? Nothing happened nor was there any enforcement or any repercussions.

In 2001 two contractors fished in excess of 100 days yet reported catches within the quota. In 2001 the requirement for each contractor to limit the number of vessels fishing shrimp in 3L at any one time to one vessel was ignored. It goes on and on. It is an incredible report and everybody should read it.

● (2110)

Another violation refers to mesh size. Vessels from one contractor continually used small mesh gear and liners in the 3O redfish fishery. Over a period of just 30 days Canadian and EU inspectors issued four citations for use of small mesh gear or liners to vessels from this contractor. Citations, but what happened? Nothing.

*S. O. 52*

These are the reasons why our fisher people in Newfoundland and Labrador, Nova Scotia and Canso are all out of work. In 2000 three contractors did not submit any reports. In 2001 six have yet to submit a single observer report. This is the Canadian report just presented two months ago. In a total of 200 shrimp reports 80% of a total estimated requirement of 250 have not been submitted. As one of the members said it is one thing to have regulations but if we do not enforce them it is the same thing as not having them.

Non-compliance in the NAFO regulatory area was increasing. Non-compliance was increasing, not decreasing. The deterrence capacity of some contracting parties enforcement programs was questionable given the frequency and continuing nature of non-compliance. Nobody was even trying to stop it.

The report indicated that many contracting parties did not review observer reports or respond to clear incidents of non-compliance. It stated that the continued discrepancy between observer reports and dock side inspections had yet to be resolved. NAFO was not going to do anything about it. It just said it had to be resolved. It just goes on and on.

The report recommends that Fisheries Canada should consider and adopt specific management and conservation measures to stop significant incidents of non-compliance. That makes sense. Why does it not do it? It adds that this should include effective measures to stop directed fisheries for moratoria species and stop misreporting excessive catches.

It recommends the following next steps: verification and reconciliation of all dock side inspections and observer reports should be implemented; standardization of sanction regimes for mesh size; increasing interaction between inspectors and observers at sea; providing real time observer reports to NAFO and inspecting contractors to guide sea and dock side inspections.

This is not in the report but it was said tonight more than once. The people in the industry must be involved; they must have input. They must have some control over fisheries management. Time after time these are the people who have been proven correct. They have been proven knowledgeable and they have been proven right.

There are three options available. Canada must demand that NAFO takes action to enforce quota allocation. It must do that. It is only fair. Canada must claim custodial management over the Grand Banks and the Flemish Cap. We should extend unilateral jurisdiction over the entire continental shelf, nose and tail of the Grand Banks. Finally, the fishery inspection infrastructure and equipment must be brought up to snuff. It must be brought up to an adequate situation so it can handle enforcement and control of the fishery.

We have seen our fishery devastated. It is 11 years after the moratorium and we are still standing here talking about it. I hope John Crosbie is not hearing this discussion tonight.

• (2115)

**Mr. Geoff Regan (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, I want to begin by thanking my hon. colleague from St. John's West for raising this issue today and for bringing this important matter of the state of the Atlantic fishery to the floor of the House.

I know the issue is of concern to many members of the House, particularly those of us from the Atlantic region whose regions were affected by the downturn in the fishery in the early nineties, particularly in the cod stocks. It is clear to many of us that nowhere was that impact more keenly felt than in the hon. member's home province of Newfoundland, although it has been felt in other parts of the country as well.

I have talked to fishermen in the communities of Sambro, Prospect, Terence Bay, West Dover, East Dover, Indian Harbour and other communities in my own riding of Halifax West who rely on the groundfish fishery. They were severely impacted by the moratorium and obviously by what led to the moratorium in 1992, which was the downturn in the groundfish fishery. It was devastating for many individuals. Many people relied directly on fishing for cod and other groundfish species for their income. Overfishing hit them hard. It was very difficult. Some people have not fully recovered yet and are still having a tough time making a living because they relied on that fishery.

My riding was fortunate in many ways because it has a diversified fishery. For example, the lobster fishery has done reasonably well in southwestern Nova Scotia as it has in many parts of the province over the past number of years. It brings in tremendous revenues for people in our province and provides a livelihood for many families, as does other parts of the fishery.

Nevertheless, I do not mean to suggest that the fishery is particularly healthy. The fact is that the downturn in the fishery has had a very negative impact on communities in the Atlantic region.

We have heard in recent weeks about the concerns of people in Canso who have obviously been hit by the downturn. Fifteen to twenty years ago Canso was a tremendously thriving community with lots of people working in the fish plants and on the ships going out to sea. Lots of the resource went into Canso to be processed and the community was thriving.

When the fish stocks were healthy, communities like Canso and so many others, like Trepassey in Newfoundland and many others across Atlantic Canada were thriving and healthy. People were working and bringing home a decent paycheque, certainly not a huge paycheque but at least a modest paycheque. They were feeding, clothing and providing homes for their families. It provided hope to those families and their communities. To have overfishing deplete and destroy so much of the fish stocks off our coast has been devastating to many of those communities as members of the fisheries committee know so well.

In view of the situation we have seen in recent weeks and in view of the situation we have become aware of over the past number of years, particularly in the early nineties with the downturn in the fishery and the impact it has had on the Atlantic region, it was interesting to see what happened this week.



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I am sure the people of Canso, who are desperately trying to find some way to get more fish for their community to process, were surprised to hear that off our own coast, just beyond our 200 mile limit, foreign vessels are catching cod, a fish stock that is under moratorium and a fish they agreed under NAFO not to fish.

● (2120)

We know, for example, the Russian ship *Olga* had 49 tonnes of cod and 9 tonnes of skate on board. I reacted when I heard the Minister of Fisheries and Oceans say those numbers earlier today in the House by saying that was some by-catch. It is unbelievable that could be a by-catch. It clearly was not an attempt by that ship to catch skate. The intention was clear. With the technology available today, ships can identify the kinds of fish they are after and can go after the ones they want.

If the Russian ship had 49 tonnes of cod in its hold and 9 tonnes of skate, it was because it was going out in a directed fishery looking for cod, a fish stock that is under moratorium. It was an outrageous action. I am pleased that the minister has taken action on this matter, particularly in relation to the Faroese ships that have been fishing for shrimp off our coast.

We know that over the course of 2001 and 2002 the Canadian government confronted the Faroese a number of times in relation to their actions in the fishery off our coast. We know that last year the quota for the Faroe Islands fishery off our coast under the NAFO agreement was 67 tonnes of shrimp.

We also know that they fished for over 100 days. I talked to some officials and we know that generally speaking one of the ships takes in 15 to 20 tonnes of shrimp a day. For 100 days at that level there will be a heck of a lot more than 67 tonnes. They are clearly overfishing.

We know they misreport their findings. We know they were supposed to submit observer reports 30 days after each of their trips. In the last two years they have submitted no reports at all. We know they were permitted to have one ship in area 3-L but they had two to three ships at a time. This was clearly a case where the Faroese were not following the rules. I am pleased the minister has taken the step of closing our ports to those Faroe Islands vessels. It was an important step.

We know these ships are fishing beyond our 200 mile limit and that is a problem for us because we are trying to work within international law. I understand the constraints the minister faces because of international law and because it is international law that provides for us the 200 mile limit, which allows us to have management of the stocks within that 200 mile limit. However when we are seeing other countries' ships fishing just beyond that area, on the nose and tail of the Grand Banks, and destroying the same fish that swim back and forth across the line and that are part of our fish stocks, we have to be concerned. I think all Atlantic Canadians are anxious for the government to take whatever actions it can to ensure that the stock is protected.

Let us talk a minute about the Russian ship we know about and the situation with Russian vessels. Perhaps we are just picking on the Faroe Islands and the Russians but I am sure other members will be talking about the ships of other nations, such as the Spanish ships.

We are familiar with the history of that and the history of the turbot when Brian Tobin was minister of fisheries.

We know, for example, that we had trouble with the *Olga* back in December. Those troubles were raised with the Russian government. I have been told by officials that the Russians are responsive. They say that they have taken action on these ships and have fired captains, and yet we see the *Olga* back again doing the same old thing. How can we believe the Russian authorities when they are telling us that they are actually taking real actions against these vessels or the captains. It is a little hard to believe. We would like to see them take much more effective deterrent action. That is their obligation. They have obligations under NAFO and under the UN fish agreement, of which they are one of the few members of NAFO who have actually signed on.

● (2125)

However, having signed on to it, the Russians ought to follow it, live up to those obligations, control their actions and ensure compliance with the rules of the agreements they have signed. Otherwise, what would be the point of having these agreements and international laws? If there are violations, it is their responsibility to take effective actions to deter those violations.

As I said, we are talking about taking action on the fishing that is going on beyond our 200 mile limit. We are not talking about taking action within our limit. We are not talking about the Canadian zone exactly. That creates an obvious challenge and an obvious problem for the government because it is a situation where, rather than being able to easily enforce these international agreements, we need to rely on negotiation, diplomacy and whatever other tools we can use to persuade, cajole or push these other countries to follow those rules.

The closing of our ports to those ships is an important step in the right direction. I think members on all sides of the House would agree that closing our ports to those ships is a very important step. More can be done but we hope that gets a reaction. Our first hope is that these countries will recognize that they need to have access to our ports. They need to recognize that if their ships cannot get into our ports to get supplies or whatever, it will cause them great problems. They will have to go back to their own countries perhaps or much farther away to get supplies. If it does not work for them, they had better start looking at another way to do this. They had better start looking at following the rules so they can get back into the ports. Let us hope that will work. That is the first step. If it does not work, I hope the government will look at other possibilities and all means possible to bring this to a head and to get a reaction from these countries so that we do not have this problem going on and on.

I think the point to keep in mind here this evening is that the impact of overfishing is an impact that is felt by people, by Canadians in Atlantic Canada particularly who have suffered through a decade or more of a downturn in the fisheries. Especially in Newfoundland, as I mentioned earlier, the impact has been very harsh.

*S. O. 52*

We have seen the recent census in which the population in Newfoundland has declined and in which the population of every province in Atlantic Canada, except Prince Edward Island, has declined. We have to be concerned about that decline. We have to be concerned about why it has happened. It is clear to me that in Newfoundland particularly, the downturn in the fishery is the obvious reason for that decline. We know that in outports all over Newfoundland those communities would have been thriving during the time that the fishery was strong. With the downturn in the fishery, those communities have suffered. People in all those communities and their families have suffered.

I think it is important that we, as members of parliament, remind the government of that, that we remind ourselves of that constantly and that we keep mindful of that fact. That is why we are talking about this issue. That is why it is important. That is why it is important that the government take whatever actions it can to ensure that our fish stocks are protected.

**Mr. Joe Comartin (Windsor—St. Clair, NDP):** Mr. Speaker, like my colleague from Cumberland—Colchester, I feel that I should not have to be standing here, that none of us should have to be standing here talking about overfishing off Newfoundland off the Atlantic shore. We have been talking about this issue for 20 or 25 years. The problem is we have not been doing anything or anywhere near enough about it.

I want to recognize the member for St. John's West who proposed this emergency debate. It is obvious that we need to press the government to take definite action, so I thank him for this opportunity.

These are observations from my travels to the east coast, never having resided there, but they are very much fixed in my mind, especially in regard to Newfoundland and Labrador. We are not just talking about the loss of an industry. We really are talking about the loss of a culture that is unique, certainly to Canada and I would argue unique to the world. That was brought home in the debate this evening as we listened to the members from the Standing Committee on Fisheries and Oceans with those heart-rending tales of misfortune by fishers who live in that area.

In 10 or 20 years will have to say that we are sorry, that we recognized the problem back in 2002 and we recognized it back in the 1980s, but we just did not do enough about it? Will we have to say "Sorry, as a culture you have disappeared?" That is not acceptable but it is what we are faced with.

I was just reading some notes from the United Nations Global Environmental Outlook Report 2000 from which I will quote. It states:

In the North Atlantic, 21 of the 43 groundfish stocks in Canadian waters are now in decline and 16 more have shown no recent signs of growth. Groundfish, such as cod, haddock, redfish and several species of flatfish, are most affected by pressure from overfishing, and ground fish stocks off the east coast, especially cod, have nearly collapsed. The Atlantic finfish catch, of which groundfish form the bulk, declined from 2.5 million tonnes in 1971 to less than 500,000 tonnes in 1994.

Then it lists several other causes for this. It goes on to say that failures within Canada's domestic fishery management system and foreign overfishing outside Canada's 200 mile limit are the major causes. It points the finger directly at the government for permitting the overfishing.

We heard that again from the minister earlier this evening. He put his hands up and says that he cannot even think that they might do something more, that we have to stay behind that 200 mile line and that it would be against international law. I could not help but think back to my law school days.

When I was in law school in the late sixties and early seventies, I can remember all sorts of so-called experts saying that Canada could not extend its limit, which was only 12 miles at that time, that international law would not permit it, that we were a small country so we could not do that. "Oh woe is us" was really what they were saying.

● (2130)

That is what we heard from the minister again this evening. That is hogwash. When we look at what has happened, to suggest that we will stand back and say that international law will not let us do it is just not acceptable. It is not acceptable to the peoples of Newfoundland and Labrador and it is not acceptable to the country as a whole because it is not true. International law does not work that way.

Look at what we could be doing. We could be saying to those countries that allow those ships offshore to totally devastate our fisheries that they cannot do that anymore. They were given the opportunity. We set up NAFO, they have participated in that and the result has been a total devastation of our fishery. That is a responsibility we have not only to Canada but to the rest of the world. Every sovereign country owes that to the rest of the world.

If the international system is not working, then we have to take control of it ourselves. We have to say to that part of the international community, which refuses to comply with the agreements we have with them and comply with the system we have established internationally, that this has not worked, that they have had their opportunity and that we are now going to protect those fisheries for Canada and we are going to protect them for the international community.

I want to follow up on the comments of my colleague from Sackville—Musquodoboit Valley—Eastern Shore. We will be going to those negotiations in September. Do we have any contingency plans? I suggest again that we do not because that has been the pattern of the government.

Look what happened when the fishery was in such terrible shape in the middle nineties and the way the government further devastated those communities by dismantling the protection we had at that time in the unemployment insurance scheme. That was done by this government. It shows how much it cared for that area of the country.

What is the government going to do on October 1 as more and more fishers are no longer able to sustain themselves from the fishery? Is it going to maintain the EI system as it is now? Probably. Should it? Obviously not. Is it Will it extend the economic zone? Again, we heard from the minister this evening, probably not. However we should.

I think it was the member for Malpeque who talked about the negotiations that went on in January at NAFO. I would like to list some of the things that happened there. He wanted us to believe that it was not so bad, but here is what happened.

NAFO members voted down measures proposed by Canada to protect stocks under moratoria. They voted to increase the total allowable catch of Greenland halibut in clear contravention of the advice of NAFO's own scientific counsel. There was a long list of violations, the vast majority of them from the European community. Nothing was done about it. The European community led the attack against an important measure proposed by Canada to restrict fishing depths for Greenland halibut. Nothing was done about the extremely well documented misreporting of shrimp landings. That misreporting is one of the major problems. It is underreporting, non-reporting or outright falsification. Nothing has been done about it. There has been no enforcement.

• (2135)

Again, I come back to post-October 1 of this year. We know from experience that those NAFO negotiations will not be successful and will not be of any use in protecting the fishery off the Atlantic coast.

I urge the government to begin to plan for a conservation and sustainable program that would involve total and complete custodial management in the hands of Canada, not just the government, not just the bureaucracy within the fisheries department, but a custodial management program and plan that would have active, meaningful participation from the communities in Newfoundland and Labrador.

I strongly urge the government to consider looking at the banning of certain technology that is being used now. The dragging, which at one point was at 1,000 metres in depth, is now over 2,000 metres and appears to be extending itself on a regular basis. It is probably only a matter of a short period of time until that depth will be 3,000 metres. That dragging is devastating to the fishery. It destroys so much of the terrain under water. It destroys the habitat of that fishery. Even if they are not successful at getting one fish, it has a devastating effect on the overall fishery because of what it does to the habitat. I urge the government to look at that and to consider banning that technology where its use is inappropriate.

I urge the government to get serious about enforcement. We cannot depend on NAFO or the international community for enforcement. That is obvious. If we could, we would not be here this evening. We would not be in a crisis. We would not be looking at a fishery that is almost gone.

We have to seriously consider resources being put into the ocean, to monitor those custodial management plans and to monitor and enforce the regulations that would protect the fishery, that would give it an opportunity to recover and that would give those communities a lifeline.

I recently was on a panel as the environment critic for my party. It was more on the environment side, monitoring and identifying spills, investigating them and laying the appropriate charges. One of the individuals on the panel stated, and there were several who confirmed this, that currently off the entire east coast, that we have either a plane, helicopter or a surface ship in that area monitoring and trying to enforce one day out of every five. That on average is what we are doing. We have at this point absolutely minimal ability to enforce.

Again I urge the government, come October 1 that has to change. We have to have a plan in place that would let us take control of this

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fishery and enforce the regulations that we pass at that time. If we do not, the fishery will be gone and the whole culture and heritage of that island will disappear.

• (2140)

**Mr. Greg Thompson (New Brunswick Southwest, PC/DR):** Mr. Speaker, I thank you for not only being in the Chair tonight to listen to this important debate but for allowing it to take place. We all owe you a round of applause.

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

**Mr. Greg Thompson:** Mr. Speaker, I know you do not like this type of notoriety but it is due. It is also due the other members taking part in the debate and the hon. member for St. John's West who started it.

One of the previous speakers, my hon. colleague from the Cumberland area of Nova Scotia, mentioned some of the ironic twists of the debate. Mr. Speaker, he reminded us that about 10 years ago you, myself, the hon. member for Cumberland—Colchester and others here tonight were members of the House when the minister of fisheries from St. John's West, Mr. Crosby, made the tough decision to shut down the cod fishery. We are here tonight in the House of Commons talking about the same thing: the overfishing and depletion of fish stocks.

I was taken with the hon. member for Burin—St. George's who talked about the devastation of fishing communities in Newfoundland including those he represents. One point he made was that thousands of jobs have been lost and more are at risk.

Another point that was made, and I am not sure if it was by him or the hon. member for St. John's West, was that the population of Newfoundland is down to 1963 levels. There has been an migration of people from Newfoundland because they have been robbed of their resource by outsiders. Other nations have taken away their ability to make a living. It has been a tremendous draw on their economy. Families have paid a tremendous price. The stability we would like to see in any family in any village has disappeared along with the fish.

I thought about something interesting while listening to the debate. If this happened in any other jurisdiction we would be outraged. Let us think in legal terms. What would happen if someone stole their neighbour's car or destroyed their property? As members well know, there would be consequences. However other nations can do it to us as Canadians. They can come over here and rape our fisheries as the hon. member for Burins—St. George's put it. Yet nothing happens. It has been happening for years yet we allow them to get away with it.

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I will confess something to the House of Commons. When I was a young man the first time I ever voted I voted Liberal. I know I would normally get a round of applause from the government side of the House for that statement but I say it with pride. I voted Liberal because during the FLQ crisis Prime Minister Trudeau was asked by journalists how far he would go. They asked if he would bring in tanks or the army. Mr. Trudeau's response was "Just watch me". We did watch him.

Some people thought it was the wrong thing to do but a lot of Canadians, myself included, thought it was the right thing. It was the right thing for the right reason: to protect Canada. What we know today as Canada is worth preserving. The fisheries in Newfoundland and the rest of Canada are worth preserving. We must do so.

• (2145)

We have to flex our muscles and be tough. Unfortunately a lot of fisheries policy is not determined by the Minister of Fisheries and Oceans. We all know that. It is determined by foreign affairs. It is the toughest department any minister must deal with because as Canadians we must be polite. If people steal our resources or step on our toes we excuse ourselves for being there.

We cannot afford to do that for ever and ever, amen. We must take strong action. It must be now and not later. We have had this debate in the House of Commons year in and year out regardless of who has sat in the Prime Minister's chair. It is time we took action.

Mr. Speaker, I thank you and my House leader, the member for Pictou—Antigonish—Guysborough, one more time for the other night. I had a private member's motion that was supposed to come to a vote Monday or Tuesday night. Mr. Speaker, you were successful in deferring the vote to yesterday afternoon following question period. This allowed me to be on an island in the Bay of Fundy called Grand Manan Island which has a rich and productive fishery.

The level of income on Grand Manan Island surpasses that of many parts of New Brunswick and Atlantic Canada because inhabitants of the little island manage their fishery very well. They take care of the stock. They are good custodians. They understand that the health of their community and the future of their villages demands that they take care of the resource. They are considered by all of us regardless of political stripe as professional fishermen and true custodians of the resource.

One advantage they have is that a lot of the resource such as scallops or lobster is in the immediate area. A debate that is not uncommon to the community concerns the traditional fishery versus aquaculture and the impact it has on their fishery. The island's inhabitants are protective of their fishery. They want to see strength in the aquaculture industry but not at the expense of their fishery. It is a healthy and active debate. They manage both fisheries well because they are capable of doing so on their own. They do not rely on government to manage the fishery for them because they know it is in their best interest to preserve the resource.

As members well know, the fisheries committee is one of the most non-partisan committees in the House. The House would be a better place if all committees worked in the same fashion as the fisheries committee. The committee recently returned from Newfoundland. I

will read into the record some of what it heard from the province's fishermen and municipal leaders.

Union president Earle McCurdy called on Ottawa to take action to curb foreign overfishing. At the hearings in St. John's Burgeo Mayor Allister Hann was critical of NAFO. He advocated that Canada extend its jurisdiction over the nose and tail. Hann said it was "time the federal government put as much emphasis on fish as it did on the softwood lumber trade dispute with the United States...When was the last time anyone here heard the prime minister say he was going to bring up the matter of abusive foreign overfishing that is taking place on the Grand Banks?"

It is a good question. When was the last time? Hann said he did not expect to hear any of this in his lifetime. I am not sure how old he is but he is right. We seldom hear anything about what we must do to protect this valuable resource.

• (2150)

Jim Morgan, chairman of the Newfoundland and Labrador Rural Rights and Boat Owners Association, advocated closing Canada's ports to foreign vessels engaged in overfishing. He said "It is not good enough to keep talking about custodial management. NAFO has not been acting adequately for protection of our stocks. It is time to take some action and not talk, talk, talk".

Newfoundland's fisheries minister Gerry Reid said Canada needed to control the fish stocks that straddle the 200 mile limit. He said "NAFO is toothless and I think we should move to the next stage".

We should follow Mr. Trudeau's lead.

These types of comments go on and on. What some vessels have gotten away with amazes me. Hon. members have mentioned the events of the last couple of days with the *Otto* and the *Olga*. I remind the listening public that the *Olga* is a Russian fishing vessel. Fisheries officials reported that when the ship landed in port, which it likely did to free some of the shrimp it had caught offshore, they discovered 70 to 80 tonnes of mature breeding cod in its hold. The species is under moratorium. It should not be caught. The Russians are stealing not only our resource but the world's resource. If we take away the breeding stock of a species near extinction we will have absolutely nothing left.

What has the government done to this point? It has done nothing. The sister ship to the *Olga*, the *Otto*, was also headed to Newfoundland with shrimp aboard. Can members guess what? The *Otto* turned away in midstream and headed back home to the Russian port to get rid of its load. There is pretty convincing evidence it too had mature cod on board that should not have been caught. It again goes back to the toothlessness of NAFO.

Rogue nations that have no desire to comply with international law must be dealt with. We could call it terrorism on the high seas. Taking away the food chain and the ability of communities to make a living and feed their people is a high crime and should be punished. We need to go beyond just talking about it. How will the government approach the issue? Will it have the fortitude and the backing of the House to do something? Will the Prime Minister allow the fisheries minister to do something?

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We do not want the same scenario that played out with Captain Canada, the former minister of fisheries by the name of Brian Tobin who put on a huge publicity stunt by taking on the Spanish over the lowly turbot. After the charade and the pictures of him with his head stuck through a life preserver on the New York shore nothing happened. The Spanish continued to overfish. European nations continued to overfish. Nothing has happened.

**An hon. member:** He gave them our turbot.

● (2155)

**Mr. Greg Thompson:** He gave them our turbot. He gave away the sovereign rights of Canada. We did not have the fortitude to go the distance and take on the nations that continue to overfish.

The day will come when we will not be talking about cod stocks in this place because they simply will not exist. We will not have to be concerned about the Russians coming into some of the areas just off the 200 mile limit to overfish our cod because there will simply be nothing there for them to fish. The problem is that serious.

We have to have the strength and fortitude to exercise our rights as international citizens. Canada is the laughing stock of these countries because they can get away with overfishing here.

This debate is timely. It is ironic in a way because we have gone through it before. It is reminiscent of the early 1990s.

I do not want to sit down until I take the Prime Minister to task on the softwood lumber dispute. There has been some comparison in that it is a renewable natural resource. The Americans again are making a laughing stock out of Canada. The Prime Minister made a mistake on this file by not accepting the fact that there are international trade rules and international tribunals that have consistently ruled on Canada's side in relation to the bogus charges brought on by the Americans in relation to the importation of softwood lumber into the United States. The Prime Minister is simply negotiating away our rights under NAFTA and the WTO. It does not make any sense.

Some Newfoundlanders compare the softwood lumber dispute to overfishing. There is somewhat of a comparison. The commonality between the two files is the weakness and lack of leadership on the part of the Government of Canada.

When we get into these disputes we have to depend on the leadership of the government and the office of the Prime Minister to do something. No longer can we be polite Canadians and simply ignore what is going on because of the possibility that we may fall into disfavour with certain nations around the world that are intent on destroying our resource. We have to do more.

The member for South Shore said yesterday in the House of Commons that we do not have enough fisheries officers and we do not have enough patrol vessels and we do not have enough aircraft.

If we are going to protect our resource, we have to put resources into protecting the very fish being exploited. We need the officers. We need the enforcement tools. We have to do something. We cannot procrastinate this problem away as the government often does. In other words, if we wait long enough the problem will

disappear on its own. Sadly in this case that is probably what will happen, but the problem will not disappear, it will simply be the fish.

A few years back a minister of fisheries said that he was not the minister of fisheries, but he was the minister of fish. He said he was there to protect the resource. Unfortunately that minister did not protect the resource, but he was absolutely right in saying that if there are no fish, there are no fishermen.

● (2200)

It is time for the government to take action. It is time for it to do something. The time is now. The Prime Minister will have our support in terms of going into any negotiations that will put a stop to overfishing in Canada and offshore Canada. It is simply stealing jobs away from all Canadians. It is taking away our future as Canadians.

● (2205)

**Hon. Charles Caccia (Davenport, Lib.):** Mr. Speaker, I would like to congratulate the member for St. John's West for bringing forward this item for discussion tonight. I have carefully read his letter and note that he is inclined to blame foreign overfishing in the Atlantic Canada region as the cause for the shortages of the resource.

I will try in the limited time available to put this discussion within the framework of sustainable development. It seems to me it is a classic item for discussion under the general heading of sustainable development.

It is interesting that in 2002 we are discussing something that is not new. This item has been raised in various reports over the last decade at least. It is an item about which not much new can really be said. It is interesting to note that while the member for St. John's West chooses foreign overfishing as the reason for this debate tonight, back in 1997 the Fisheries Resource Conservation Council already had expressed a major concern in its report. I will quote from the report:

A major concern is the management of fishing activities because some gear types are capable of making large catches in a short time irrespective of location, biological behaviour of the fish and season of the year.

The report goes on to say:

This translates into great concern about the excess capacity of the existing Canadian groundfish fleets and the constant improvements in efficiency of harvesting operations, in terms of how effective the operations are in finding fish and catching them.

Evidently the conservation council is not pointing at foreigners. It is pointing at ourselves. I wonder perhaps if it would not be more appropriate and fair to engage in a debate of this kind also with an analysis of our own performance in our own harvest of the resource.

Let me put on record a fact which is very well known to many of us here tonight. In the case of cod, in the 1970s and throughout the whole decade we were catching something like 650,000 tonnes a year. That level of 650,000 tonnes fell in the 1980s to something like 250,000 tonnes a year. In the 1980s the majority of the fleet was Canadian, unlike in the 1970s.

We can see from that comparison a jump from 650,000 tonnes down to 250,000 tonnes. That was a great indication that there was something wrong in the resource. The resource was not as abundant as in the previous decade.

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Then all of a sudden by 1990-91 we saw a decline to 41,000 tonnes, if I remember correctly in 1991. In 1992 the moratorium was called and the cod fishery was suspended all of a sudden.

What is the point in blaming the foreign fishery if we ourselves are also part of the problem? It is an issue that we have to keep in mind. Over the centuries there has been the tendency vis-à-vis our natural resources for humans to take out more than the resources can offer. We find a similar pattern also in forests.

Sticking to the fishery, we can read the accounts of those who discovered North America four or five centuries ago. They wrote of an unbelievable abundance of fish. Apparently a person could almost catch fish by the tail, compared to what is happening today. This issue has to be examined and discussed over the decades and possibly over the centuries. Over time there has been a very serious and alarming decline.

I do not know whether it helps to get excited when there is a foreign boat overfishing because that is just a symptom of a much larger problem.

● (2210)

It is interesting to note that in the September 1996 fisheries and oceans department report there is an analysis of groundfish. It states at a certain point:

In the early 1990s the catches dropped rapidly. In 1995 it reached the lowest level recorded in recent decades.

We were already warned in September 1996 about this pattern.

Scientists all over the world from Iceland to Canada to the U.K. who have examined the behaviour of fisheries have been quite clear in their warnings about the necessity for producing measures of conservation, reducing fleets and suggesting that perhaps the fisheries should become community oriented rather than industry oriented so as to sustain villages rather than the large scale multinationals and so forth. We are unable somehow to put into practice the suggestions that are being given to us by those who are studying these patterns over a longer period of time.

I would like to bring to everyone's attention a study entitled "Beyond crisis in the fisheries: A prospective for community based ecological fisheries management" written by David Coon and Janice Harvey of the conservation council of New Brunswick. They attempted in 1997 to come forward with some policy recommendations in order to ensure sustainability, to reduce these devastatingly heavy harvest patterns. They suggested to shift the benefit of the resource away from the multinational activities on large scales and to bring the resource closer for the livelihood and survival of the local communities. They already said five years ago that we must undergo some radical changes in the way we treat this particular resource.

Another example is the April 1997 announcement by the then Minister of Natural Resources that the cod stock would be reopened in the famous 3P area, which everyone knows the location of, for a total allowable catch level of 10,000 tonnes. This is the very same area where we used to catch something like 60 times as much 20 years earlier. What is going on? Can we blame this on foreign fleets? Let us be realistic about this.

In tackling this particular issue, which is certainly not an easy one, it is important that we first, start from the premise of whether or not we can put into place a policy that will make the sustainability of the resource a priority over the long term. Second, whether we have reached the point of such low levels in the fishery that we must think of the livelihood of the survival of the community at the expense of large scale international operations which may be extremely productive and lucrative. Nevertheless, it takes out more from the ocean than the ocean can replenish.

There may be other policy suggestions which I hope will emerge in this debate. However for heaven's sake let us stop pointing the finger at foreign fleets. Let us stop the practice of gun boat diplomacy because it does not get us anywhere. It gets us into trouble over the long term with our potential allies who we want to bring around to our way of thinking, and I am talking now of the Europeans.

● (2215)

Let us use level-headed thinking about the method because the long term perspective that we have seen over the past two decades is the exploitation of the resource. We euphemistically call it harvesting but it is really taking out of the oceans.

We have taken out more than the resource can replenish and reproduce, and there is a deficit here. Somehow we are unable to deal with the deficit unless it comes to a moment of crisis, as it did with the moratorium on the cod fishery. The cod fishery is a classic lesson from which we must learn how to handle the other resources in the ocean if we are to prevent further sad experiences.

**Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC/DR):** Mr. Speaker, I appreciate the comments of the previous speaker and all speakers tonight on this most important issue.

One of the most important things that I heard from the hon. member who just sat down was that this is not a partisan issue. That sentiment has been echoed around the Chamber. Yet we have heard that this particular issue of overfishing and the plight of the east coast, and to a large extent the west coast of Canada, that our fishermen are currently experiencing has been with us for literally a generation.

The problem of overfishing has paralyzed and crippled many communities throughout the country. If we collectively in this Chamber were going to do something about it, now is the time to do so. Otherwise we are all just a bunch of fictitious Don Quixotes who are somehow tilting after windmills. We are talking and putting forward some great rhetoric and some great ideas but we must actually do something about it.

The person who is most capable and charged with doing something about it is the Minister of Fisheries and Oceans and I would say his second in command in this particular issue has to be the Minister for International Trade, the softwood lumber man. However, we heard a lot of discussion about how we do it and what we should be doing but to date the government has not been able to deliver.

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The incident that brought us to this point today, much in part due to the efforts of the hon. member for St. John's West, was the issue with the Russian trawler, the *Olga*, polluting Canadian waters. That was the offence that led to its capture, yet we know now it was actually in the process of once again raping our natural resource and taking tonnes of mature breeding cod from Canadian waters. Now we can talk about putting the blocks to the Faroese and talk tough.

We have seen instances in the past where we did the same things. Mr. Tobin did a wonderful job exploiting his virtues as minister of fisheries. For what? Here we are five, six years later facing the same problem.

We know that there were 26 reported incidents in the past year. This is just the tangible figure of those who were apprehended. The reality is it is probably double that. While the *Olga* was arrested for pollution there was another ship that turned tail and ran. Suffice it to say that ship was engaging in the same activity.

It will be interesting to see what happens as a result. Is the Minister of Fisheries and Oceans and the government up to the task of actually doing something about it?

I, like previous speakers, commend the members of the fisheries committee who have undertaken a very indepth study of the issue. My colleague from Cumberland—Colchester mentioned this as well, that most importantly they have allowed the stakeholders to have a forum, to come forward and speak with knowledge, experience and tangible proof and evidence of what has been happening. The members of the committee are to be commended. Yet it will all be for naught unless something happens, unless the federal government is prepared to make a strong intervention.

What should that intervention be? One route to follow is obvious. It is the same route that we pursued with softwood lumber in previous disputes that we were engaged in. The potato wart was another incident where through neglect, inaction, and a lily-hearted response we waited at the peril of those who make a living from the land with potatoes. With respect to the fisheries we have waited at great cost to that industry.

One of the issues that was brought to my attention that is most interesting in a legal sense deals with illegal fishing on the continental shelf.

● (2220)

My colleagues, particularly from Newfoundland, would know that on the continental shelf there is jurisdiction that goes beyond the 200 mile limit, that extends to the seabed and what is found directly on the seabed. I am talking in particular about sedentary species such as clams, crabs, scallops and other species such as sea urchins.

If trawlers dragging steel doors and apparatus that rip, tear and take these species off the ocean floor are illegally fishing and if Canada has jurisdiction over that property, why can we not launch an action in international court? Why can we not go to the United Nations as we have in the past and make a legal challenge on what is taking place? Why can the Department of Foreign Affairs and International Trade not launch that particular aggressive action?

My friend from New Brunswick spoke of Canada's need to flex its muscles, exert its control over its proprietary interest and take them

on at the UN. This is what has to happen. If we want enforcement we have to be prepared to act. If we want to see something some change, we have to be prepared to take a stance. We cannot continue this lily-livered approach with respect to overfishing. That is one area in which there is a need and a direct call. An alarm bell is going off for the government to respond.

I want to turn my attention to an issue that is of great concern to myself and many in Nova Scotia and many around the country. What is taking place in the historic fishing town of Canso is not a local issue. Canso is in peril. The scenario that is playing out now in the village of Canso is indicative and a perfect example of what has happened in Burgeo and Trepassey and many communities on the east coast.

It is a time for action but it is also a time for compassion from the government. It is a time for understanding for the human impact of what is happening in a town like Canso. There is a breakfast program to feed hungry children because their parents do not have work in the local plant. The only restaurant in town has closed like many businesses before it. If there is going to be a response that demonstrates that compassion, it will have to include other departments. It will not be solved simply by the Minister of Fisheries and Oceans allotting quota, be it quota for redfish, shrimp, crab, or opening seasons early or extending seasons. There has to be some action.

To date there has been little forthcoming even to give people something to which they can cling. There is a timeline that is looming. I would suggest there is a very real timeline when the school year ends. Parents will then have to make the decision as to whether they will relocate their families and look elsewhere for work. The sad reality of that scenario playing out is many of these families are already teetering on the brink of bankruptcy or beyond. They do not have the financial means even to relocate their families. They will be totally reliant on social welfare.

There is not, short of losing one's health, a more demeaning place to find oneself in this life, being totally reliant on the government and on the goodwill of taxpayers to survive. That is not where people in Atlantic Canada want to be. It is not where the people of Canso want to be. My friend from Musquodoboit Valley knows that.

There are people in Guysborough county who are in just as dire straits as the people of Newfoundland. Outport Newfoundland has the same scenario that has been playing out now for over a decade, a decade that has seen out migration of gigantic proportions that have left towns literally desolate with abandoned houses, schools closed and hospitals packed up.

● (2225)

This a very real emergency. I along with other members commend you, Mr. Speaker, and respect you for recognizing that and giving the nation an opportunity to rivet its attention upon this very real problem

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There will have to be a compromise for towns like Canso that would involve programs under ACOA or programs under HRDC that would allow for an attempt to bring some other form of industry to the area, whether it be call centres or some other form of industrial development. However that should not be a compromise that involves one or the other. That is not to say that because of these other approaches, we should abandon attempts to revitalize the fishery.

That is not what the people of Canso want. This is a town that is coming up on its 400th anniversary of fishing from that location. To find a solution, these other departments may be part of that but this is not to say that we should abandon or in any way denigrate the efforts to revitalize the fishery.

In the town of Canso there is a very famous songwriter who has immortalized some of the plight of people in Atlantic Canada, not just Canso, because it is certainly not particular to only Canso. Stan Rogers immortalized in song much of the sentiment that people feel. One song in particular, *Make and Break Harbour*, and I am not going to sign a rendition of it, does in fact lament the trials and tribulations of people in Guysborough county. One line speaks about "foreign trawlers go by with long seeing eyes taking all where we seldom take any".

That type of feeling has been there for a generation. It is not the long suffering people of Canso, or Mulgrave, or Trepassy or other Atlantic villages that are taking that quota and taking that resource from the sea to such an extent where plants are closing and where people are out of work. It is foreign trawlers.

The most recent example was the Russians or the Faroese. However the Spanish, the French, the Portuguese and other countries, Iceland and Greenland, are still coming into our waters and taking that resource. It is simply unacceptable. The knowledge is there. It is as if we have seen the crime and yet we have chosen not to react, not to lay a charge, not to go forward and bring these people to justice.

It absolutely flouts our sense of what is right and wrong. When something is happening and we choose to do nothing we are complicit. We are a part of the problem.

Here in this historic Chamber, in this debate, as in times previous, we have to go beyond the rhetoric. We have to go beyond simply talking about it. It will take a concerted effort on the part of many departments, but in particular the Department of Fisheries and Oceans and the Department of Foreign Affairs, to send that message.

One of the most telling statistics that we heard was that there were enough fish caught that were under moratorium, fish that were not to be taken from the ocean, to provide thousands of jobs to Atlantic Canada, enough to keep a plant like the Seafreeze plant in Canso running seven days a week, 365 days a year. Instead we have seen that town slip to the point where its very existence is in question and is in peril.

The mayor of the town, Frank Fraser, is calling upon all political leaders in the province of Nova Scotia and federal departments to come to Canso to offer solutions and to take part in efforts to find some way to turn things around.

When it comes to looking for solutions, this where again sadly the minister of fisheries has let down the town of Canso. When Canso requested an opportunity to go into 30 for redfish and take quota from that zone, there were other options on the table and those were not assessed or certainly not responded to in the letter that it received.

• (2230)

They were left with this feeling of being completely blanked and completely ignored. At a town meeting just a week ago, the very able representative of the Canso Trawlermen's Association, Pat Fougere, addressed a crowd of over 300 in a small fire hall and he spoke of this problem. In specific reference to the financial value of the fishery in Atlantic Canada, he stated "People seem to forget that the seafood industry is worth more now than ever with respect to the Nova Scotia economy. Last year the value of exported seafood in our province was worth more than \$1 billion".

We can look to natural gas, we can look to the movie industry and all sorts of new and exciting ventures that are taking place in our province of Nova Scotia, but the fishery if managed properly, if controlled and if there was a concerted effort, we would ensure that we could continue to take our fair share from the ocean. We would ensure that those who are overfishing are rebutted and refuted in their efforts to continue to rape this natural resource. Because it is the overutilization of species by foreigners, not by Canadians, that has led to these dire straits, this moratorium and this risk of complete extinction of some species. It is not Canadian fishers.

My colleague opposite, the previous speaker, mentioned that Canadians have to partake actively in the preservation of the fishery. They have to take part in all efforts to ensure that overfishing is not continued, but it is not Canadian fishers who are doing this. We want to be able to create new Canadian exports from the available stocks. We want to ensure that there is an equal distribution of quota among provinces.

Sadly, one of the things that we have seen occur is that the poorest provinces in Canada are pitted against one another. We have Newfoundland and Labrador taking issue with quota being allocated to Nova Scotia or Prince Edward Island. We have New Brunswick fighting with Nova Scotia. This is what gets the government off the proverbial hook. By not having a concentrated effort, by not having all of the parties, the stakeholders and those interested in preserving the fishery ensuring its survival, the divide and conquer sentiment creeps in.

We are not always looking for an increase in quota, but rather a piece of the quota. Sometimes it is not harvested. What is the long term plan that is coming from the Department of Fisheries and Oceans? It does not seem to be clear. It does not seem to be clearly enunciated, that is for certain. Is it acceptable that foreign fleets are continually taking 80% or more of the total allowable catch of species like redfish? It is totally unacceptable. It is unacceptable that foreign trawlers are allowed to come into the waters and sail away with that fish, often to process it in other countries when it could be processed in our country.



S. O. 52

There are other areas that the Department of Fisheries and Oceans could look to: developmental slope crab, for example, and looking at other species, experimental species that currently trawlermen and fishermen like those from the town of Canso are currently harvesting. Is there a long term plan? Is there an effort to ensure that the fishery will survive? There are many who are questioning that.

We have the northern shrimp quota. We know that there is a huge biomass and the total allowable catch will be greater than 110,000 metric tonnes. That is 242 million pounds of shrimp. Other provinces have been given an allocation of this northern shrimp. It is Canso's turn. It is fine for Nova Scotia to get their oar in the water.

The historic attachment of Canso and the fact that this fishery in which Canso has always played a part is being denied. Recognizing Canso's history, recognizing its historical attachment to that fishery, I would suggest that it is indicative. It is absolutely necessary that the Department of Fisheries and Oceans, led by a Nova Scotia minister for the first time in 80 years, step up and make strong decisions on the part of his community and his department.

● (2235)

It is foolhardy and shortsighted if we do not step up now. The reality is that this dispute has been setting in. We have seen tensions between native fishers and non-native fishers. We have seen instances where foreign trawlers may very well in some cases have come under attack.

It is an opportunity for us to act. I hope the minister has the message. I hope he realizes he has the support of all members. We will be waiting with bated breath to see what the outcome will be.

**Mr. Grant McNally (Dewdney—Alouette, PC/DR):** Mr. Speaker, I have news to report to the House. The debate has made the national news tonight because it is important. Hats off to my colleague from St. John's West because he raised the issue.

The hours may be growing late in Ottawa, but we are here to debate important issues in this place. If there were another more important issue affecting many people right now in Newfoundland and Labrador and Atlantic Canada, I would like to hear what it would be.

My colleagues in the PC/DR coalition have enunciated tonight the reason this is an important discussion. We have been here in numbers to talk about the issue because we care and because we have been sent here to represent our constituents on important issues.

Although I am a member from British Columbia, from the other coast, I understand the importance of the issue, how it impacts communities in Newfoundland and Labrador and Atlantic Canada, and how that in turn affects all of Canada.

If we do not stand together in this place on issues that are important we lose an opportunity to chart a course for the future of our country, our people and our communities regardless of what the issue might be. Foreign overfishing is a very important issue. We have seen this incident arise as a result of a trawler that was pulled aside and found to have thousands of tonnes of cod fish on it. As a result it has brought to our attention that this kind of thing is going on all the time.

As one of my colleagues mentioned earlier in the House it is like the tip of an iceberg. I do not think the government is completely aware of all the incidents that are going on because we do not have the vessels to patrol and we do not have the resources. The government has not put forward the resources to make sure that these kinds of things are not happening. That has a direct impact on the livelihoods of people in the communities of Newfoundland and Labrador and Atlantic Canada who depend on fishing. It is simply not acceptable that it occurs over and over again.

It is positive that we are having a debate here tonight. I commend the government. I commend the minister for speaking earlier. I commend my colleague for bringing the issue forward. However we simply cannot debate tonight and think we have done our job and the problem has gone away.

We will continue to raise such issues, but it is dependent upon the minister of fisheries to act on this issue. If he does not, he is accountable and responsible for the effect that inaction will have on the lives of people in Newfoundland and Labrador and Atlantic Canada and by extension the impact it will have on the entire country. When the government fails to address a glaring problem we all pay the price.

Although we are talking about foreign overfishing, it brings to light a particular issue in my own riding involving the department of fisheries. It might seem somewhat small in comparison to the ongoing overfishing issue off the coast of Newfoundland and Labrador and Atlantic Canada, but it is somewhat related in that there is inaction on the part of the minister of fisheries.

I asked him a question in the House not long ago in February on the whole issue of dredging the Fraser River, one of the largest rivers in British Columbia. The salmon fishing industry depends on the Fraser and its tributaries. There is a problem in that the Fraser riverbed is getting higher and higher because of gravel accumulation. The communities along the Fraser in my riding and in other ridings have been pleading with the minister and with the government to allow for gravel extraction on the Fraser so the fishery can survive and flooding can be avoided. If that happens it will cause billions of dollars of devastation in the area.

● (2240)

I raised this question with the minister and not a week later found out that the department had already decided not to allow for gravel extraction. As a result some communities will be at risk over and over again because of the government's inaction and its inability to deal with a simple matter.

It seems like a simple matter to take some gravel out of the Fraser River to lower the risk or prevent flooding. The communities in my riding have been asking for that for over five years. It has not happened. It is just another example of the inaction of the government on an important issue that affects communities. It simply will not solve the problem but will add to it by its inaction.

We stand together in this place tonight on this issue because it matters. I should like to read some letters into the record. I may relay that for the benefit of my colleagues. The mayor of two of the largest communities in my riding and the neighbouring riding have raised a local issue concerning the inaction by the Department of Fisheries.

*S. O. 52*

Getting back to foreign overfishing we heard the minister give a speech in the House in this emergency debate. He mentioned that he was concerned about the issue. He has taken some action. We applaud the small action he has taken but it simply will not be enough.

My colleague from Pictou—Antigonish—Guysborough pointed out what is happening in Canso. My other colleagues have pointed out what is happening in other communities. I had the opportunity to be in Atlantic Canada this past summer so I had a chance to visit some of these communities. I know the Speaker has made several trips to Atlantic Canada and is aware of what is happening.

**An hon. member:** Visit Canso.

**Mr. Grant McNally:** My friend across the way is inviting me to Canso. I appreciate that. I will take him up on that offer. I have been to the riding. I did not spend as much time there as I would have liked to spend. I was in Cape Breton for a short period of time. I wish I would have had more time to be there; I would love to go back. I was in Malpeque as well this past summer. I also made a stop in Halifax.

**An hon. member:** Did you go to Fredericton?

**Mr. Grant McNally:** Yes. I went to New Brunswick as well.

The point of the matter is not where I have been. That is not the important part. The communities that base their livelihood on fishing are important. If the government does not move to shut down foreign overfishing it will have a devastating impact. It already has. It should move ahead quickly.

I believe the government would find agreement from members on this side who applaud and appreciate movement on this issue. At the same time members of the opposition would hold the government accountable. They would not simply say that because we had this debate the issue is gone and has been dealt with.

Too many times in this place we have had debates in which we have raised important issues but have not seen any resolution, whether it be the ongoing softwood lumber issue, native issues, helicopter procurement or shipbuilding which also affects Atlantic Canada. We have brought forward an unending list of issues to this place.

• (2245)

The words have been said but the action by the government has not been implemented fully, the type of action that will lead to meaningful intervention on issues such as foreign overfishing. I can just imagine how tough it must be for the communities that see these trawlers cruise by their communities scooping up their fish when there is an international moratorium on codfish. How could that happen? How could that possibly continue to go on?

It is as if the government is saying to the residents of the communities affected by this issue that they do not really matter. If the government were to show by its actions that it cares and that this issue matters, it would act. It would do more than just allow for a debate in the House of Commons. It would do more than just take one action when the issue is raised in the media, alerted to the story by my friend from St. John's West, I might add. Perhaps we should

call in the ethics counsellor. We have seen that kind of thing going on and how that has not solved problems either.

There is just simply a disbelief on this side of the House. The government can talk a good talk, allow for people to speak on the issue and at the end of the day just go home and think the job has been done.

We have raised the issue. We are doing our job. We are calling on the government to solve this problem with concrete action. The government is aware of it. It knows this is happening, so now it is faced with a choice. It can ignore the problem, hope it goes away, hope it subsides, that people do not come and knock on its doors for awhile, and that maybe this is an adequate enough safety valve release for people to be able to vent about the issue so that it calms people down for awhile.

**An hon. member:** Wait it out.

**Mr. Grant McNally:** My colleague says "wait it out". How many times have we seen that strategy employed by the government?

**An hon. member:** Wait for the weather to change.

**Mr. Grant McNally:** Exactly, wait for the weather to change. We are reminded of what happened on the whole immigration issue, with the former minister of immigration just waiting for the weather to change to solve a problem with immigration.

We are not able to wait for the weather to change to solve this problem of overfishing by foreign fleets in and around our waters. We need a strategy, not a photocopied report on this issue offered year after year by somebody. We need concrete action. If it is not forthcoming, as I said before, we will raise the issue again and again because it affects our constituents' livelihoods. Without concrete action on this, people's lives will continue to be affected in a way that we cannot even fully understand ourselves.

The members from the ridings who have spoken tonight have a better glimpse into what is going on. They are there on the ground. They are hearing the firsthand stories from individuals coming to talk to them about how this lack of action by the Liberal government has a direct impact on their lives. Without the problem being solved, those stories will continue.

It is more than just a story. It is more than just saying that is too bad. These are people's lives. This is the bedrock of communities: their ability to earn a livelihood and support their families, to thrive as flourishing communities. It is nothing to be taken lightly and this is not a problem that will go away overnight.

We hope that the minister will be true to his word. We hope he will follow through and shut down the overfishing by foreign fleets coming in and basically scooping fish when the residents of Newfoundland and Labrador and Atlantic Canada do not have access to that resource because there is an attempt to rebuild the fishery. What the government is doing on this is pathetic. Without this action it is condemning these communities to a slow, painful death that will have a devastating effect.

S. O. 52

• (2250)

I will close by highlighting the issue going on in Dewdney—Alouette where the Department of Fisheries and Oceans has denied consent for gravel extraction. I, the mayors and the Liberal MLA have written letters on the issue.

I think the member who just came said something about fools. I do not know if he is impugning that this is a foolish topic. I heard his eloquent speech earlier tonight. It was passionate. He lives in a community that has been affected by this fishery issue. I do not think he would say that this is a topic not without merit. Perhaps I misunderstood what he said when he came in.

The point is that the Minister of Fisheries and Oceans and cabinet have the power to do things. We have seen their power. When they want to steamroll something it happens within 24 hours. That is the way it works. We hope the minister of fisheries will take this issue forward to cabinet and get this dealt with. It is his responsibility as well as his government's responsibility. It is on their shoulders. We will hold the government accountable. People are suffering in communities where overfishing is allowed to continue unabated.

I hope my colleagues are not making light of this matter. Many of them have given meaningful speeches here tonight. I hope they raise this issue in caucus after the break. In the intervening two weeks, I hope they talk to the minister on this issue. We need this problem solved and we need it solved now.

I commend my colleague for St. John's West for raising this issue. The minister acknowledged tonight that the member had the information before the minister.

• (2255)

**Mr. Bill Casey:** Mr. Speaker, I rise on a point of order. I am trying to listen to this riveting speech but I am being distracted by the parliamentary secretary who is here in his pyjamas. I wonder if you could have him correct that.

**The Speaker:** I can understand the hon. member being distracted if somebody was in his pyjamas but I have seen nothing like that. It is getting late but it is not that late.

**Mr. Grant McNally:** Mr. Speaker, I will simply summarize the point I made throughout my speech. Government inaction and heckling from the government side is not the solution here. If we need to stay here until midnight to get the point across, we should do that. Are we in a hurry to leave? We are doing our job raising an important issue in this place on overfishing and its effect on Newfoundland and Labrador and the whole of Atlantic Canada. We will certainly not shrink away from that. We will stay here as long as we need to raise awareness of the issue.

This is something that needs to be addressed and dealt with by the minister of fisheries and the Liberal government. The inaction on their part is what has led directly to this problem. They have known about it for a very long time but have allowed it to go on with a blind eye. They can stand and say whatever they like but we would like to see action taken on this issue. We want to see the problem solved to help people in communities who are being affected by overfishing. It is having a devastating effect on their lives and their communities. We hold this government accountable. We do not want to hear just words. We want to see action and we want to see this solved soon.

**Mr. Bill Blaikie (Winnipeg—Transcona, NDP):** Mr. Speaker, I did not intend to make an intervention tonight but I heard that the Liberal caucus was yearning for more NDP and opposition speeches and I did not want them to go without.

I have a few things I want to put on the record. First, it is very nice to see so many government members paying attention to what members of the opposition have to say. I want to congratulate the government on having more than its usual one or two members present in the House. I did not mean to drive the hon. member out by congratulating him.

Earlier in the evening I think the hon. member for Sackville—Musquodoboit Valley—Eastern Shore had occasion to remind the House that this unfortunately is an old problem. It is not something that we have just come to know about, although it appears that with the particular problem that was the occasion for this emergency debate, the appropriate ministers of the government knew about it back in September but did nothing about it and did not share that information with parliament. Instead they waited to deal with that information at an international meeting.

It is only now that the House is able to be seized of the impending crisis with respect to these particular fish stocks. The fact is that we have known for a long time, not just Canada but the world, that we are engaged in a form of overfishing and overconsumption not only of fish but of many other resources. Perhaps what we need to turn our attention to ultimately is the fact that it is our way of life and economic system which demands this kind of growth and that kind of consumption.

**An hon. member:** Capitalist conspiracy.

**Mr. Bill Blaikie:** Someone said capitalist conspiracy. Now that he mentions it, there certainly is an economic element in this crisis.

There has been a corporatization of the fishing industry. We know that corporations are driven by shareholder value and the excessive need to provide profits for their shareholders. This means that the survival, quality and long term sustainability of the fish stocks is very low on their radar screen. What is very high on their radar screen is the next quarterly profit margin or what their shareholders are going to demand of them at the next annual meeting.

Capital conspiracy is an element and I thank the hon. member for mentioning it. There is a way in which our economic system drives us to do things to the environment that we should not otherwise do. I had an occasion to speak about that a long time ago. On October 19, 1979, when I made my maiden speech in the House, I talked about the depletion of fish stocks which was a problem then.

The fact is that as a civilization, not just the Liberal government or the Conservative government before that and many others, we have not faced up to the fact that we are depleting our natural resources, not only our fish stocks but all kinds of natural resources. We are just not willing to face up to the need to redesign our values, our patterns of consumption and our economic system so that we are able to lead a sustainable economic life on this planet.

*S. O. 52*

I want to share a story which I think goes a long way to explaining the nature of the environmental dilemmas we find ourselves in. Earlier this week we saw the breaking off of a huge part of the ice shelf in the Antarctic, another sign of environmental damage. Sometimes we do not see that damage coming. We do not appreciate just how close we are to the critical point.

I ask members to imagine that there is a pond. I am not talking about a pond in the Newfoundland sense because I know that ponds in Newfoundland are more like lakes.

• (2300)

What I want to illustrate is that a lot of our environmental problems are geometric in nature. They are exponential in nature. They are not arithmetic. They do not go one, two, three, four, five. They go two, four, eight, sixteen, thirty-two, sixty-four. I will pretend I am an Alliance member and stop there. This is the nature of the problem we face.

Imagine there is a pond and it will be covered in 28 days by lily pads. It will be covered exponentially, geometrically: one lily pad, two lily pads, four lily pads, et cetera and it will be covered in 28 days. On the 27th day, how much of the pond will still be uncovered? Half. One could be sitting there on the 27th day of the 28 day period but the 28th day will be the critical day when all of a sudden everything is completed.

One could be sitting there and somebody could be saying “We have a problem. The pond will soon be covered”. Somebody could say “Are you kidding, half the pond is left”. On the 28th day, boom, the pond is covered.

That is the kind of situation we are facing with a lot of environmental problems. They are growing exponentially and geometrically. We do not know whether we are on the 24th, 25th, 26th or 27th day but scientists, the David Suzukis of this world and others, tell us that we are somewhere in the mid twenties. Let us hope we are not on the 27th day.

It means that we cannot wait until the 27th day because by that time we will have no time left. We have to act now with respect to fish stocks and all kinds of other natural resources and with respect to stopping pollution.

I wanted to tell that small illustrative tale which I have always found very powerful. I know I have been a bit facetious but I am not being facetious when it comes to that story because when I read it some 20 or 25 years ago, it spoke very powerfully to me of the nature of the cumulative environmental and depletion problems that we face as a planet and a civilization.

I hope some day the government will see it is not enough to just keep assuring people that there is lots of time left or that there is lots of this or lots of that left and that we do not have to worry. We do have to worry and we need to act as quickly as we can to solve all these problems.

• (2305)

[*Translation*]

**Mr. Pierre Brien (Témiscamingue, BQ):** Mr. Speaker, I have been listening to the debate for several hours now, and initially I did not intend to participate but at this time of day, it will not make that

much difference whether I do or not. I wanted to offer a certain perspective on the issue.

I remember—unfortunately it is becoming a habit here—about six years ago, Brian Tobin, the then fisheries minister, the ambitious former industry minister who has since quit, had engineered quite a coup. He had done so in the hope that one day the problem of overfishing, especially in Canadian waters by foreign fishermen, would be solved. He boarded a foreign trawler, and a media show ensued. Six years later, the problem is still here, it has not been solved.

Today, as we speak, negotiations on softwood lumber are underway in Washington; five years later, we are still faced with the same old problem. It is a trend that is becoming more pronounced, especially with regard to natural resources. These issues are extremely important for communities. People in large urban areas may be less sensitive to this reality, but for communities that rely on such important economic activities what is happening is really terrible.

It is not because we are here in Ottawa, far from this everyday reality, sheltered from it, that we should not move more quickly. I understand their cry from the heart. I must admit that earlier in the day, when an emergency debate was requested on this issue, I thought it was not necessarily a top priority for the constituents of Témiscamingue.

At the same time, one must appreciate that for some of our fellow citizens, this is a major issue, just as the ongoing negotiations between Canada and the United States on softwood lumber are for us, an issue the government dragged its feet on. Expectations were created by the promise to return to free trade, but it did not happen. People are waiting. Tomorrow morning, they will wake up wondering what happened.

In other communities of the Atlantic region, there are serious problems with fisheries. Let us look at the background of this matter. There have been some difficulties with stock management. There was a problem with foreigners fishing in our waters. That problem still exists and is not new. Why is it that six, seven years later—and I would guess more than that because the problem probably existed before we went there—nothing has been done and we are still at square one, we are once again discussing the issue just before we leave for the Easter holiday?

I understand the members representing those communities who say “Wake up; this is an emergency for us”. That is the message they want to convey this evening. I know some people are annoyed at having to debate this question tonight. Maybe there are other priorities just now. Some people might have preferred to go to bed earlier, but others are asking what will happen tomorrow with regard to this very important matter.

At first, I did not want to talk to this issue, but as it seems to be annoying the Liberals, the more they are annoyed, the more I will talk and use up all the time that is allotted to me.

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

S. O. 52

**Mr. Pierre Brien:** It is too bad we cannot have a more interactive debate. I feel like a dozen members are talking to me, all at the same time. But I am pleased to see, at such a late hour, so many Liberal members listening to us, which is seldom the case during the day. I see that you are agreeing with what I am saying, Mr. Speaker.

Indeed, what do we hear from the other side of the House except hubbub while we speak? It is silence, or almost. Nobody has anything to say for the moment. Where are the Liberal members representing those communities? What are they doing in practical terms to put pressure on their government after they went around during the election campaign, saying, "Elect us and you will see that we will get things moving"? Afterwards, they find themselves in their ridings justifying or defending the federal government. But here they do not rock the boat.

That issue is not a major issue in our area, but those who are raising the issue are the members from the Coalition and the Tories. Why are the Liberals saying nothing, or next to nothing, and why are they not very active? This is extremely disturbing.

• (2310)

Members of the Bloc Québécois do not want to sit here for years and years, but I do not wish those who will be sitting in this House many years from now to have the same kind of debate we are having tonight. Mr. Speaker, I am convinced you will be in the chair for a very long time, and that you do not wish to have to preside over an emergency debate on the same subject matter four or five years from now.

One thing has struck me since I came here. I thought Canada was an important player internationally, but it is extremely disappointing to realize that its influence is very limited. Why is it that with this issue, we seem to be unable to take the leadership in order to find a solution? Why is it that fishers in Atlantic communities are once more in such a desperate situation that they have to beg the federal government to help, to take action and do something meaningful to bring about a settlement?

I made a comparison a little earlier. The same thing is happening with a lot of issues. Very often, the communities involved are rural communities. Right here, all we have is slick books and documents on the defence of rural life, but it does not mean much for the government.

In my own area, for example, during the election campaign over a year ago, a whole bunch of ministers came and visited us. We had never seen so many of them in such a short period of time. They kept telling us how important resource regions are. The Liberal candidate in the riding next to mine won the election, fortunately or unfortunately for him, by promising investments of \$300 million in a resource region like Abitibi—Témiscamingue and northern Quebec. They have yet to materialize.

What promises were made to Atlantic communities and people who earn a living in the fisheries? What kind of expectations were created then and not met, so that people are in such a situation today?

The level of inactivity here is appalling when it comes to dealing with the problems of primary resource regions. The people across the way lecture the provinces that are having a hard time managing

certain responsibilities. Let the federal government manage properly in its own jurisdictions before it tells the provinces what to do.

The fishery issue is a good example of the federal government's dismal failure. It has been a total fiasco from the beginning to the end. The situation might have been better many years ago, but since I have been here in parliament and since I have taken an interest in politics, the federal government's record on fisheries management has always been disastrous. We have seen it in Quebec in the Lower St. Lawrence, the Gaspé Peninsula and the Magdalen Islands.

At the time, the member for Bonaventure—Gaspé—Îles-de-la-Madeleine, who was doing a tremendous job on fisheries, had to fight constantly to ensure that the government would raise the issue and deal with it, a little. But now, his successor is nowhere to be seen. We never hear about him. I hope that the people from this region will soon realize the trickery or see that they were deluded into believing that a Liberal MP could help them to move this whole issue forward.

I see that I still have a little time and I have to admit that, with such a large audience, it is tempting to use all the time allotted.

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

**Mr Pierre Brien:** I would ask the Liberal members to be silent. In any case, that is what you do best. Keep on doing that. It will not change anything. You are used to that. Do not change anything.

I am happy to join all those who are standing up for their communities. It is our fundamental role as members of parliament. We have to represent the people of our communities. That is what they expect from us.

I was among those who were not too keen on staying here late tonight, but as I listened to the debate, I realized how important it was for these people.

• (2315)

When people voted in elections for members from this side of the House—and it is not just for members of the Bloc Québécois, but for Conservative members, for members of the Coalition, and New Democrat members, like the one who spoke earlier as well as those from the Canadian Alliance, but especially those from the Progressive Conservative Party/Democratic Representative Caucus Coalition—they did so because it was important for their communities.

People expected that when the member they elected got here, in Ottawa, he or she would raise issues that are important to them. It is a shame that on the other side of the House, they try to ridicule issues that are important to people, that they are concerned about all kinds of accessory things, like, for example, the fact that some of them will be missing their Thursday evening reception. Fine, that is their problem.

Once again, it is high time that they sit up and listen, that they hear the message, the cry for help from communities that live in areas with resource based economies. Quite often, it is the entire industry. Employment in a given region depends entirely upon the resource. In the case of the fishery, many people have lived off this resource, and depended on it for generations.

*S. O. 52*

Today's debate may be secondary for some, but not for these people. I hope that there will be enough pressure put on the people across the way to embarrass them into action. The bar is high though, because the parallel is one of their predecessors, the former and ambitious Minister of Industry, at one time, Minister of Fisheries and Oceans, who at least fought a bit harder. Perhaps he only appeared to make an effort, but he always did make a bit of an effort. Now, there is nary a one of them on the other side that lifts a finger or makes an effort. It is quite despicable.

Mr. Speaker, you granted an emergency debate and it was up to you whether or not to agree to this request. You decided that it was an important issue that should be debated in the House, out of respect for the Chair, for the institution and for those elected to sit here. I hope that the government members, those who are not necessarily here, but who may be following the debate, and those who read the transcripts or a report of what happened here, will say, "This is an alarm sounding. Certain communities need us, need us to act".

Furthermore, parliament will not be sitting for two weeks. They have the time to act. When we come back to the House, I hope they will announce that they intend to take action. Of course, we all know that these problems are not simple. However, it is not by waiting for years and years that the problem will be solved.

It is high time that this government to made good on its claim of being influential and to sat down to find a solution. Everybody knows, of course, that the resource is rare because of bad management of stocks earlier on; stocks that are not inexhaustible were overfished.

Fortunately, for a few years now, people have been raising our awareness about the environment and the protection of our environmental assets. They are not unlimited and we must manage them carefully. It is extremely important and it has become part of our habits, our behaviour and our planning. People accept that.

Those who earn their living in the fishing industry have made majoar sacrifices because of the dwindling the stocks, in recent years.

Even if we believed in theory that we would lose jobs in some areas but create some in others—and I was among those who strongly supported free trade, international trade and so on—the fact is that it takes more than just a few years for those who so far had made a living from fishing to train for other jobs and find work. Transition is much more complex and takes a lot longer than that. Resistance to change and adaptation problems always occur. Sometimes, we, on the outside, are not aware of the development potential of the more traditional industries.

In the last few decades, or the last decade, all we have talked about was the new economy, the high tech industries, and we focused all our efforts and energy on these important activities.

In the meantime, a lot of people behind the scenes, within the government and the public service, too often were heard saying something like "the industries in our resource regions are fully developed; our future is elsewhere", but that is not true at all. Opportunities abound.

● (2320)

Take Abitibi—Témiscamingue and northern Quebec as an example. Very often people think that the mining potential has been wholly developed. In reality, however, there is still major potential left. Some people are not aware of these realities, do not experience them, are not open to them. I would invite them not only to be open to foreign markets, but also open to learning about our own society. There are too many MPs from urban ridings who are oblivious to what is going on in the regions.

I will, moreover, cite one of the colleagues on the other side. He said the Minister of Finance was going to have to learn to differentiate between rural areas and major urban centres. Last week, the member for Abitibi—Baie-James—Nunavik said "In Abitibi-Témiscamingue, the Minister of Finance is going to have to learn to make this distinction". Imagine, a member of the Liberal caucus stating publicly, in a region, that the Minister of Finance cannot make this differentiation. This is cause for concern.

I can understand the people in all the remote communities that are mainly centred on development—

**An hon. member:** He is quoting out of context.

**Mr. Pierre Brien:** Not in the least, it is not out of context. I invite them to look it up—

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

**Mr. Pierre Brien:** Mr. Speaker, with all that I am hearing from the other side of the House, I am surprised that no one else is asking to be recognized. So many are speaking all at once. This reminds me of the days when I used to visit my uncle's farm. In the henhouse, we could hear all the hens cackling away. We are hearing the same thing coming from the other side. They are really noisy.

If they have things to say, let them rise in their place and speak. Now is the time to have a debate. There will be a good 35 minutes left this evening. I am convinced that, given the Chair's open-mindedness, they could even ask for an extension and they would get it with the unanimous consent of the House. We would agree to that, if that is what they want, because then we would hear what they have to say.

In conclusion, some people need those whom they elected to assume their responsibilities. And this entails acting, acting for those members of local communities who rely on resources.

This evening, we heard a plea from Atlantic Canada. The same has happened regarding other issues, including softwood lumber. This is affecting other communities. It is high time that it became a government priority and be acted on.

There is one thing I want to add. Problems are being neglected. Whether we are talking about the aboriginal issue or the fisheries issue, waiting will not make the problems go away. These problems will stay with us for years and years if we do not address them right away.

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*S. O. 52*

Moreover, the aboriginal issue and the fisheries issue are closely related. We do not have to deal with them so much in Quebec, but we do have to deal with the issue of how communities interact with one another within our territory. We have a very interesting agreement with the Cree for the development of northern Quebec. This agreement is very important for the future.

In areas such as fisheries, we must be able to address these situations and to avoid the problems that we have experienced until now.

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

**Mr. Pierre Brien:** There are members on the other side who are still very vocal at this late hour, and I hope that we will be hearing from them.

I thank the members of the Progressive Conservative Party/Democratic Representative Caucus Coalition for raising this issue.

They should carry on with the important work they are doing here. There is still a lot to be done. Judging by the attitude shown by the government, I think that the battle is far from over.

I hope that they can take action and meet public expectations. It has been a pleasure for me to take part in this debate tonight.

● (2325)

**The Speaker:** I am convinced that the debate is over. I declare the motion carried.

(Motion agreed to)

**The Speaker:** Accordingly, the House stands adjourned until tomorrow at 10 a.m., pursuant to Standing Order 24(1).

(The House adjourned at 11.25 p.m.)

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