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Monday, November 18, 2002
(Part A)

—

Speaker: The Honourable Peter Milliken

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HOUSE OF COMMONS

Monday, November 18, 2002

The House met at 11 a.m.

Prayers

BUSINESS OF THE HOUSE

• (1105)
[English]

TAKE NOTE DEBATE

Hon. Don Boudria (Minister of State and Leader of the Government in the House of Commons, Lib.): Mr. Speaker, there have been discussions among the parties, more particularly the House leaders, and it has been tentatively agreed that the take note debates previously scheduled for Tuesday and Wednesday evening will be replaced by a take note debate to take place during government orders. It would be my intention, for the benefit of hon. members, to start that on Wednesday and probably continue on Thursday.

I will give the appropriate notice of motion to the table momentarily if the motion passes. In order to facilitate this, I would propose the following motion:

That the order of November 7, 2002, appointing the evenings of November 19 and 20, 2002 for consideration of a take note debate is revoked and government order, Government Business No. 7 is discharged.

The Speaker: Does the hon. government House leader have the unanimous consent of the House to propose the motion?

Some hon. members: Agreed.

The Speaker: The House has heard the terms of the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.
(Motion agreed to)

BUSINESS OF SUPPLY

The Speaker: It is my duty, pursuant to Standing Order 81(14), to inform the House that the motion to be considered tomorrow during the consideration of the business of supply is as follows:

That this House call upon the government to develop a comprehensive program to level the playing field for Canadians with disabilities, by acting on the unanimous recommendations of the committee report "Getting It Right for Canadians: the Disability Tax Credit"; in particular the recommendations calling for changes to the eligibility requirements of the disability tax credit so that they will incorporate in a more humane and compassionate manner the real life circumstances of persons with disabilities, and withdraw the proposed changes to the disability tax credit released on August 30, 2002.

[Translation]

This motion standing in the name of the hon. member for Halifax is a votable motion. Copies of the motion are available at the Table.

[English]

It being 11:10 a.m. the House will now proceed to the consideration of private members' business as listed on today's order paper.

PRIVATE MEMBERS' BUSINESS

• (1110)
[English]

SOLICITATION LAWS

Ms. Libby Davies (Vancouver East, NDP) moved:

That a special committee of the House be appointed to review the solicitation laws in order to improve the safety of sex-trade workers and communities overall, and to recommend changes that will reduce the exploitation and violence against sex-trade workers.

She said: Mr. Speaker, I thank my colleague, the member for Burnaby—Douglas, for seconding the motion today.

I am very pleased to rise in the House today to debate the motion and to hear the comments and views of members from other parties.

The motion is votable so it will have three hours of debate and this is the first hour. I will read the motion for the people who are watching the debate today.

That a special committee of the House be appointed to review the solicitation laws in order to improve the safety of sex-trade workers and communities overall, and to recommend changes that will reduce the exploitation and violence against sex-trade workers.

I want to give a little background on the motion. The reason I brought this forward and the reason it is an issue of great significance and concern not just to me and my community in East Vancouver but, I think, to a number of cities across Canada is that a lot of evidence and reports have shown that the federal soliciting laws are actually putting a lot of women who are on the street at risk.

Private Members' Business

I first became concerned about this issue as a result of the situation in Vancouver's downtown east side where, as I am sure members are aware, a terrible tragedy has been unfolding. As of now 63 women, all of whom were involved in the sex trade in terms of street soliciting, have gone missing and many of them, if not all of them, may have been murdered. We now have the largest serial murder case in Canada's history unfolding out of Port Coquitlam as a result of the 15 murder charges that have been laid.

While that investigation has been going on, I have been working in my community in the downtown east side with local organizations that provide services and interventions with regard to street prostitution. While there are many questions about this horrific situation of missing women in Vancouver, there are many serious questions about the police investigations and why it took so long for a special task force to be put together to investigate the disappearance of these women. I think many of us wonder, had these women not been sex trade workers or prostitutes, whether the investigation would have been treated differently, at a much earlier date and with much more urgent priority.

In speaking briefly about the investigation, the many serious questions that arise as a result of the murder investigation and the fact that there is a need to have a public inquiry, I also want to put forward that there are still women who are at risk on a daily basis, not only in that community but in many communities across Canada. They are at risk because of neglect, stigmatization and the failure of governments to act.

While media attention is focused on the murder investigation that is taking place, many organizations and individuals in the downtown east side are pointing to the urgency of the situation still facing women who are at risk on a daily and nightly basis in the community.

It was because of some of the underlying issues around the role the Criminal Code plays in the laws pertaining to solicitation, around policing issues and around the marginalization and criminalization of sex trade workers that I brought forward the motion. I believe we need a review of the federal laws pertaining to solicitation that put so many of these women on the street at risk. It is important that we not only try to improve their safety and reduce violence and exploitation but that we also try to improve safety overall in the community.

I think some members of the House who have been around for a long time will remember that in 1985 the Fraser commission did a very thorough review of Canada's laws pertaining to solicitation and the sex trade. Hearings were held across Canada

•(1115)

I was a member of the Vancouver city council at the time the commission did its study. I remember very well the debate and the controversy around the Fraser commission. There was a lot of focus on street soliciting and the fact that many neighbourhoods were complaining about soliciting and the impact of prostitution, safety issues, traffic issues, cars driving around, johns and pimps. In many Canadian cities, including Ottawa, it was an issue that sparked debate with many different points of view.

What came out of the Fraser commission was a subsequent change in the law that dealt with communicating for the purposes of

soliciting. The review of that law has shown that over the years since 1985 there has been no substantial change from the point of view of either increasing safety or law and order in local communities. Also, there has been no improvement in the marginalization and stigmatization faced by women who are involved in the sex trade. This becomes another reason that we need to have a review of the federal laws as they are today. We have not really had that kind of discussion since 1985.

One of the real problems we are facing is that prostitution itself is not illegal. Communicating, keeping a common body house, pimping, all of those activities of soliciting is illegal but in many communities off street prostitution is well tolerated. If we were to look through the yellow pages in any telephone directory we would see page after page of advertisements for escort services.

We have a very contradictory view about prostitution. When it is off street, out of the public eye and invisible there is a high level of tolerance, through law enforcement, municipal licensing and society at large. However when it comes to street prostitution the main instrument still being used to deal with street prostitution is a law enforcement approach.

From all the reports I have read, both nationally and locally in Vancouver because of the violence we have seen and the safety issues, they have basically highlighted how law reform is something that needs to be looked at. We need to have a community discussion involving sex trade workers themselves. We need to know the daily risks they face and what needs to be done, either through law reform, law enforcement, social services support or intervention services counselling, to help women exit the sex trade.

Those are the things that are a daily reality in my community but which get very little attention. What I found in talking to organizations locally is that if anything there is a greater and greater concern that reliance on an enforcement approach to street prostitution without recognizing some of the underlying systemic issues that are forcing women on to the street is creating a situation that is more and more dangerous.

I want to specifically point to some of the work that is being done by John Lowman, a criminologist at Simon Fraser University, who has studied this issue and presented a major paper in 1998 in terms of prostitution and law reform in Canada. He makes the point that Canadian laws in the Criminal Code are very hypocritical and that they allow this tolerance for off street prostitution but that when it comes to street prostitution we are still involved in enforcement that criminalizes women and causes all kinds of difficulties.

The motion before us today is to set up a special committee to review the impact of these laws and what needs to be done. In putting that forward, I am not suggesting what the outcome or conclusion should be.

Private Members' Business

●(1120)

I do have some opinions about what we should be looking at, but I think it is something that members of the House should be participating in because I know there are various points of view. I do believe that through this debate we will probably see that all of the members from the different parties do have one thing in common and that is the huge concern about the safety issues and the violence issues that are involved. We do have a responsibility to review the Criminal Code and the specific sections of it that pertain to this, to look at how these sections of the Criminal Code are actually increasing the risks sex trade workers face. While there may be different points of view on what we need to do in terms of looking at decriminalization or different kinds of law reform, I think there probably would be a fairly strong consensus that the need to improve safety for individual sex trade workers, as well as the communities at large, is something that is very important.

I think that the way to do this is to have a committee that can examine this issue. In fact, I have been sitting on the Special Committee on Non-medical Use of Drugs and we have been doing exactly this. There are issues that often do not get the kind of attention they need, in a thoughtful way where members can actually examine historical situations and think about what we need to do in terms of law reform or policy development. I support the idea of having a special committee. All members of the House can contribute to the debate and we can go out to the community and speak to people. We can speak to experts like John Lowman and to other organizations. For example, one group in my community, PACE, Prostitution Alternatives Counselling Education, has done research that has involved taking surveys among sex trade workers to find out from those people themselves what their issues and concerns are. While this information is available in the local community and I have seen similar studies from Montreal and similar information from Edmonton, there has been no way to collect this information and actually bring it together in a way such that members of Parliament can have a debate.

Recently I met with the Minister of Justice about the missing women in the downtown east side and I found the minister to be very sympathetic. One of the things I put forward to the minister is that there has been a working group on prostitution at a federal-provincial-territorial level. It reported a couple of years ago, but again, while some of that work was interesting and useful and also focused on the issues of safety and violence, none of that has become public. Again, there has been no public forum through which these issues can be debated. I would very much like to see that happen.

I would certainly encourage members who are speaking to the motion or members who are interested or may even be facing issues in their own community to support the idea of bringing together a special committee. It could be a valuable tool for having that kind of investigative hearing. It is very important that we have community-based research across the country to do a proper evaluation of soliciting and of what we need to do and how as a society we can be more realistic and more understanding of what kinds of public policy decisions need to be made to improve the safety and end the stigmatization of sex trade workers.

One thing I have learned from speaking with many groups is that when people involved in the sex trade become the subject of law

enforcement under the Criminal Code and are charged or convicted, they basically end up in a revolving door situation. Then it becomes very difficult to exit the sex trade, because they become very stigmatized and very marginalized. It becomes more and more difficult. I have looked at one of the studies, VIDUS, the Vancouver Injection Drug User Study, which specifically looked at the increase of HIV-AIDS in women. It found that about 75% of study respondents were women involved in the sex trade.

●(1125)

The whole environment that is created in terms of illicit drug use, of being involved in the sex trade and of having very little access to resources makes it very difficult. For example, in my community there is no 24 hour safe house. There is no 24 hour counselling available. Most of the groups dealing with this issue are completely stretched for resources. They are operating with volunteers. They are operating in places where they are not even sure if they have security. There are not even the services that should be there to help women exit the sex trade. The services are not even available if they want to make that decision.

To me, this debate is about looking for ways to reduce the harm of what is taking place in these communities. It is about understanding what the impact of the law has been. It is about recognizing that we do have contradictions in the way we view prostitution, whether it is on street or off street. It is about having an honest and frank debate about what we can do to look at law reform and to look what other countries have done. For example, one of the really dangerous situations that the Criminal Code contributes to is that because communicating for the purposes of soliciting is an offence, it means women are put at greater risk because they are getting into a car, the door gets locked, they are driven away and that is where the transaction takes place. So even the communicating law is a situation that is creating a great hazard for people involved in the sex trade. Again, there is some information about this, but it has never been evaluated in a way that allows for a debate and a policy change to be considered.

I very much look forward to the debate that will take place today and I hope that the government representative who will be speaking will recognize that there is a problem. I am sure everybody agrees, but I think we have to focus on what it is that we are going to do to resolve that problem. I really think we would do a disservice to this issue if we were to continue with task force reports that are behind closed doors and at a bureaucratic level. I really believe that this should be an issue that involves members of the House, through a committee. I very much hope that the government would concur with that position and at least allow that debate to happen without prejudging the outcome.

Mr. Speaker, I thank you for the opportunity to speak at the opening of this debate and I look forward to comments from my colleagues.

Private Members' Business

Mr. Paul Harold Macklin (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I am pleased today to rise to speak on Motion No. 192. The motion proposes the creation of a special committee of the House "to review the solicitation laws", that is, the criminal law regarding prostitution-related activities, "in order to improve the safety of sex-trade workers and communities overall, and to recommend changes that will reduce exploitation of and violence" done to sex trade workers.

First, I want to thank my hon. colleague from Vancouver East for having introduced the motion so that we can have this debate on what is clearly a very important issue. It is no secret that public concerns in the area of prostitution-related activities are growing with respect to the safety of the prostitutes and the harm caused to communities. It should also be noted that careful consideration of prostitution-related criminal law issues is important and is consistent with the government's commitment to vulnerable people, children included, and their protection.

I want to stress that the intent of the motion is admirable in that it tries to find a way to help a group of vulnerable persons and communities in our society that have consistently been marginalized, as the previous speaker indicated. However, I cannot emphasize enough that prostitution is a complex and multi-faceted problem. It must be addressed on many fronts, including legislative reform, community support, social interventions and other related issues.

In addition, the various impacts of prostitution on sex trade workers and on communities must be addressed in collaboration with a wide variety of partners, including other federal departments and agencies, provincial and territorial governments, particularly their departments responsible for dealing with justice-related issues and those responsible for social services and child welfare issues, and last but not least, municipal governments across the country.

Having said that, I wonder whether a special committee would be the best vehicle to elicit the collaboration of all these partners that must be involved in any attempt to address these issues. Clearly the cooperation of all these partners would be necessary to properly and usefully address all facets of prostitution-related issues.

I would like to take a few moments to give a somewhat brief and general outline of some of the government's past accomplishments and its ongoing work on this issue.

The Department of Justice has already undertaken various initiatives to address the issues linked to street prostitution, including the safety of sex trade workers and the reduction of harm to communities. For example, past legislative reform has included Bill C-27, in 1997, which amended the Criminal Code to create a new offence of aggravated procuring, to facilitate the use of police decoys for the apprehension of customers of prostitutes under the age of 18 and to make available special protections to young persons testifying against their exploiters, that is, such things as a screen, closed circuit television or videotaped evidence.

Another example of legislative reform is Bill C-51, in 1999, which amended the Criminal Code to extend the list of offences for which an authorization to intercept a private communication can be granted to include prostitution-related offences. This allows law enforcement

to use electronic surveillance to investigate organized and telephone prostitution rings.

In relation to crime prevention and community-based projects, the Department of Justice has supported a number of initiatives, particularly throughout phase two of the national strategy on community safety and crime prevention, a \$32 million per year program for safer communities. One initiative, for example, was the production of the "Stolen Lives" video, which documents the difficult lives of young sex trade workers in Vancouver and Calgary. Another example is the Department of Justice funding of some \$489,000 to Victoria's Capital Region Action Team to address problems linked with youth prostitution in the Victoria area.

In the international arena, Canada has been involved in addressing the trafficking of women and children. For example, we have actively participated in the negotiation of the optional protocol to the convention on the rights of the child relating to the sale of children, child prostitution and child pornography, which was adopted by the UN General Assembly in May 2000. Canada signed the optional protocol in November 2001.

● (1130)

As an example of working with our partners on this important issue, a federal-provincial-territorial working group on prostitution was established in 1992 by the federal-provincial-territorial deputy ministers of justice and reviewed legislation policy and practices concerning prostitution. It was co-chaired by the federal Department of Justice. Its final report was released in December 1998. It made recommendations on both legislation at the federal and provincial levels and on possible partnerships between government agencies. It underscored particularly the need for enhanced collaboration between justice and the child welfare systems.

As another concrete example of our partnerships in action, the federal Department of Justice co-hosted with the British Columbia child welfare services a national meeting of justice and child welfare officials in November 2000. Follow-up action to this national meeting has included the establishment of a network of justice and child welfare officials to allow for the prompt sharing of information on all issues related to children and youth involved in prostitution.

Additional follow-up action is overseen by the federal-provincial-territorial deputy ministers responsible for social services. Also, work is still being done, particularly to study issues and impacts relating to the possibility of decriminalizing street prostitution.

The Department of Justice will continue to build on past achievements and to work with its partners, including provincial, territorial and municipal governments and departments and agencies involved in justice related issues and in social services and child welfare issues.

Needless to say, this is a very complex matter and for all these reasons I support the intent of the motion in principle. However at this time I do not believe that a special committee of the House is the effective way for the development of recommendations and proposed changes to reduce the exploitation and violence done to sex trade workers.

• (1135)

Mr. James Moore (Port Moody—Coquitlam—Port Coquitlam, Canadian Alliance): Mr. Speaker, I suspect if those government programs had had the impact of their intent we would not be here today and we would not see so many Canadian Alliance MPs supporting the NDP. Frankly, we probably would not have seen the election results that we saw in the City of Vancouver only a couple of days ago.

This is an issue that requires action. All the motion asks for is for the House to study possible action. We cannot get the government to even consider doing that.

It is a pleasure to rise and speak on Motion No. 192 put forward by my colleague for Vancouver East. Before I go to my prepared comments, I want to compliment the member.

As a member of parliament from an adjacent constituency who loves and grew up in Vancouver, it has been a tragedy to watch the steady erosion of the downtown east side of the city.

I remember shopping at the downtown Woodward's building with my mom while growing up, feeding pigeons in Pigeon Park and visiting shops in the area. It is stunning today to see how one area of Vancouver has suffered so much.

I greatly respect the genuine sense of compassion and the genuine search for answers to problems of the downtown east side by the member for Vancouver East. I congratulate her for her efforts to raise what is clearly among the most important issues, not only for her riding, but for many areas of Canada.

My riding of Port Moody—Coquitlam—Port Coquitlam is among the most beautiful in Canada and one of the best places on earth to live. The city of Port Coquitlam is home to over 52,000 people and is one of the youngest cities in British Columbia, which maybe explains why this city elected a 24-year old member of parliament to serve them in Ottawa, myself, and a 24-year old MLA named Kam Manhas to represent them in Victoria in the B.C. legislature.

Port Coquitlam is one of the great places to live. It came as a real shock to our community when a Port Coquitlam resident, Robert William Pickton, was arrested and charged with murder on February 22 in the deaths of Mona Wilson and Sereena Abotsway.

On April 2 he was charged with killing Jacqueline McDonell, Diane Rock and Heather Bottomley. These women disappeared between January 21, 1999 and October 19, 2001. On April 10 he was charged with the murder of Andrea Joesbury who disappeared last June.

To date, Pickton has been charged with killing 15 women who were on the list of 63 missing women from Vancouver's downtown east side. Police are still to this day searching his farm looking for more evidence of evil acts done against women.

Private Members' Business

I raise this point to show that the problems of Vancouver's downtown east side have not been created in isolation, nor are the impacts of the problems felt in isolation. Prostitution is dangerous, ugly and it is not victimless. It is not victimless to the unknowing wives and girlfriends of johns who come home to them after having been with prostitutes. It is not victimless to the women, and by women I am including girls who should be in girl guides or in middle school, who are abused by johns. It is not victimless to the families of prostitutes who worry endlessly about the health and welfare of their daughters. It is not victimless to my constituents in a quiet Port Coquitlam neighbourhood around the corner from the Pickton pig farm who have been traumatized and shocked that such evil may have occurred so close to home.

Overwhelmingly, prostitution is about the subjugation of women for profit. Overwhelmingly that subjugation is driven by financial need. Financial need is driven by substance abuse, homelessness, exploitation by pimps, forms of personal corruption and a lack of life alternatives due to all of the above.

The motion we are debating this morning, Motion No. 192, reads as follows:

That a special committee of the House be appointed to review the solicitation laws in order to improve the safety of sex-trade workers and communities overall, and to recommend changes that will reduce the exploitation of and violence against sex-trade workers.

On the motion the Canadian Alliance will, as usual, have a free vote. I will be voting in favour of the motion. In my view, any changes or alterations to Canada's laws with regard to solicitation and prostitution must have as their first goal the intent of getting women out of prostitution.

There are simply no young girls who want to be prostitutes when they grow up. There are no reasons to allow women to be beaten and brutalized through prostitution.

Overwhelmingly, prostitution is not the rosy fairy tale of high priced escorts or the experience of Julia Roberts in *Pretty Woman*. It is ugly, cruel, vile and beneath the interests of our collective future.

Some argue that prostitution is the oldest profession and, as such, will always be with us and therefore should be tolerated. This argument is as dumb as it is simplistic. Perhaps the former explains the latter.

Murder has always been with us, but we do not tolerate it in law. Rape has always been with us, but we do not tolerate it in law.

The argument, by the way, that we should tolerate something because it has existed for a long time is also the same argument that was used by those who opposed ending slavery in the United States. It was argued that slavery has always existed, therefore it should exist forevermore. Thank God those who have a moral compass, a drive to raise the value of human life and a sense that we should sacrifice the economic knocks of losing cheap labour have stepped up and have said that there is a greater good and a greater responsibility to not allow the exploitation of people for profit; and so it is with prostitution.

Private Members' Business

•(1140)

In this the 21st century, surely by now we can agree that we should not buy, sell or trade human beings and we should protect those who have been victimized by this process.

[*Translation*]

Mr. Réal Ménard (Hochelaga—Maisonneuve, BQ): Mr. Speaker, I too would like to congratulate our colleague on this motion and to inform her that I intend to get busy within my caucus to gain support for it. I trust that, if ever this House did not give its consent for the striking of a special committee, this motion would at the very least be referred to another committee. I think there might be a number of concrete advantages to having a special committee.

In June 2000, I presented my leader and caucus colleagues with the report of a task force, which I headed along with the hon. member for Saint-Bruno—Saint-Hubert and the hon. member for Longueuil. By the way, the latter member gave birth to her second child last week, and his name is Louis-Félix.

Prostitution, street prostitution in particular, is a highly complex issue. It involves our values. Having to deal with it is often quite upsetting. It is understandable that no parent would want a son, daughter, brother or sister to become a prostitute. At the same time, prostitution is an activity that no doubt goes back almost as long as humans have been on this earth.

The task force I chaired gave me an opportunity to travel to several major centres in Quebec and to meet with sex workers, community groups and representatives of public services. I believe that we, as parliamentarians, would be wrong to think we can avoid a debate on this. Many of our fellow citizens have to deal with the social problem of prostitution. It can readily become a real battleground between groups in the major urban centres.

In my riding of Hochelaga—Maisonneuve there are about 150 girls in this trade. I say girls, because I believe we will agree with the Council on the Status of Women that 98% of sex workers are female. In addition to being female, they often share certain characteristics relating to troubled backgrounds and poverty. We must not look down our noses at this whole issue, because no one among us is immune from reversals of fortune, and no one can predict what tomorrow will bring.

In the report submitted by the working group that I chaired, we proposed some fifteen or so solutions. The first one was to remove prostitution from the Criminal Code. If two individuals agree to sexual relations, and do so in a place that does not cause a public nuisance, if they consent, and one has to pay, this does not fall under criminal law. As legislators, our job is, of course, to ensure that if prostitution is legalized, there is an appropriate framework.

Our report was based on a logical argument. We said that we have to remove prostitution from the Criminal Code, and that over the next five years, there must be no prosecutions for offences under sections 210, 211, 212 and 213 of the code. This affects provincial attorneys general, but also federal attorneys general, even though it is the provinces that are in charge of enforcing the law. This includes keeping a bawdy-house, procuring, and, of course, solicitation. As our colleague was saying, prostitution, as such, is not a crime in Canada. Public solicitation is.

In our report, we said that during this five-year period, some efforts must be made. The member for Laval East will be happy to hear this. The municipalities will have to be involved. Municipalities will have to set up some sort of a task force involving community representatives, which would include, in Quebec, representatives of the Régie régionale and law enforcement services. Most importantly, there must be representation for sex-trade workers and citizens. This committee, this community task force, will have three mandates, for example, establishing designated zones.

•(1145)

We agree that residential areas, and the vicinity of parks and churches are no place for this kind of activity. But surely there must be a way, in our communities, to establish designated areas. I think that prostitution in Montreal would not have been as volatile an issue if it had not been taking place, in the ridings of Laurier—Sainte-Marie and Hochelaga—Maisonneuve and downtown, in residential areas. Even the most tolerant among citizens cannot accept that. I have met people from CLSCs, people deeply involved in the life of their communities, and none of them would accept a sex-trade worker performing fellatio in front of their home. Our fellow citizens cannot be expected to put up with this, and it is normal that they should not accept this. Does this save us the trouble of designating areas where it could be done? No.

Our first mandate therefore is to find areas to be known as designated areas, which would be different from the red light districts; if such areas are to be established, it must be in conjunction with public services and the police. All sex-trade workers who operate in a given area must, of course, do so under the supervision and guidance of the responsible health organizations and the police.

We were also told that it would be unthinkable to decriminalize prostitution if there is no support program to deal with the problem of drug addiction. There are two types of prostitution: there are those who sell themselves on the street because they have a drug dependency, and there is end of the month prostitution. In Hochelaga—Maisonneuve, there are good women, single mothers who, unfortunately, because they cannot make ends meet at the end of the month and because they have responsibilities relating to their status as heads of families, sell themselves on the street.

So, there should be a drug dependency fund to help sex-trade workers who want to stop working the streets to actually do so.

We were also told, and this will be a component of the bill that I want to introduce, that sex-trade workers should qualify for training programs. These women should qualify for employment insurance and pay taxes.

Under the new social contract that we must have with sex-trade workers and citizens, these women must agree to work within a set environment, in set areas, and they must also accept to pay taxes. If they want to leave prostitution behind them, and many do, they must accept that training programs and action plans be made available for them.

This is the essence of the report that we tabled, and we must deal squarely and directly with prostitution. Right now, it is organized crime that controls prostitution. What happens when, in a community, prostitution is allowed to take over?

A few months ago, in south central Montreal, things almost got out of hand. Citizens are telling us that if the lawmakers do not deal with the problem, they will, and they will use force. Beating up prostitutes and resorting to violence will not solve the problem.

Citizens have rights, including the right to live in peace in their community, without being exposed to scenes that should not take place in public places. At the same time, prostitution exists and we must find new, innovative and responsible ways to deal with sex-trade workers, while also being respectful of their rights. This is why we should discuss the issue, listen to people and work seriously on this in a parliamentary committee.

• (1150)

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, it is an honour for me to take part in this very important debate here in the House. I congratulate my colleague for having shared with us his point of view on this subject of concern to us all.

[English]

I wish to congratulate and pay tribute to my colleague from Vancouver East who has long championed this cause. This is an important motion. I would describe it as progressive, compassionate and in keeping with the effort that my colleague brings to this important subject matter. She has been genuine and emotional in bringing this important issue before the House. I wish to commend the perspective of those who have participated in the debate.

The motion calls for a comprehensive study of the issue. How could anyone reasonably be opposed to looking into this important issue, having a special committee of the House of Commons review the solicitation laws to improve qualities that affect us all, qualities that are aimed at improving communities? Human dignity is the basis of this motion.

I want to bring attention to compelling circumstances that are in existence right now. In the home province of the member for Vancouver East the circumstances surrounding accused serial killer Robert Pickton and the appointment of a committee to review the solicitation laws seem to be apropos to where we should be headed right now. Pickton has been charged with the murder of 15 women on a list of a potential 63 missing from Vancouver's east side. There is a chilling investigation into these serial murders. In keeping with issues arising from prostitution, this should lead us to action not just talk.

Prostitution, as was pointed out, is technically not illegal in Canada at this time. It is the solicitation and the act of profit from sexual acts that has to be studied and acted upon. In an essay investigating prostitution in Canada Martha Shaffer took a hard look at the circumstances surrounding the sex trade. Part of her thesis said that we must move prostitution out of the shadows and into the light before anything could be done to eliminate and improve working conditions for Canadians. Shaffer wrote that it was invisibility that exacerbated the negative aspects of prostitution, both for the community and for the prostitutes themselves. Invisibility means

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that we do not have to look closely at prostitution or our response to it because we have an illusion somehow that it is only a marginal part of society. This comes from Shaffer's book *Prostitution in Canada: The Invisible Menace or the Menace of Invisibility?* published in 1994.

From Halifax to Vancouver it is fair to say that prostitution is in fact a sad by-product of poverty, violence, education, power and addiction. This inability on the part of many Canadians to face up to this issue and the unwillingness to recognize that there has been a problem is detrimental to our ability to address it.

The Pickton case proves and provides a further example of how Canadians somehow are turned away and understandably do not want to address the issue head on. However we have women on the east side of Vancouver who went missing. It is known that most, if not all of these women were participating in the sex trade and over the course of time more and more had disappeared and yet they were living in the shadows. They were marginalized. They were not being addressed in terms of their many social problems.

Nothing of substance has been done to determine if the foul play that was involved had anything to do with an organized group that was profiting from prostitution, yet one might easily draw from this that there was a close association to the murders themselves and the trade.

I do not read into this motion an endorsement or even a call for the reduction in sentencing or legalization but rather a way to move this problem front and centre so that Canadians can look for and be engaged in the debate as to how to address the problem.

Striking a special committee with a mandate to investigate the issue is in line with the Progressive Conservative Party's position and it would lead to substantive changes in a way that we could deal with the problem. Getting together stakeholders, interested persons and those with specific insights, like the member from Vancouver, can only help us in dealing with this compelling and troubling issue. Nearly all the assaults and murders that occur while a prostitute is at work is a very troubling issue.

• (1155)

When considering how to deal with legislation regarding prostitution, particularly under section 213 of the Criminal Code, we must be cognizant that the potential for increased violence against prostitutes truly exists.

I was disappointed and taken aback at the position taken by the Parliamentary Secretary to the Minister of Justice. The self-congratulatory tone in talking about what has already been done has not resulted in the desired effects that we are looking for and wrestling with. The issue is one of action. The government could and should do more on this file.

Those involved particularly in the sex trade today are often victimized disproportionately when compared with others in society. It is time to examine that issue closely.

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Many of those who are victimized are mere children, innocence, those whom we have a higher commitment and responsibility, and I would say obligation, to protect. Many of them are also engaged in the issue of pornography where they are further victimized. Those who are victimized are crying out for help in many cases.

This is especially true in terms of youth involved in the practice of prostitution. They are more at risk of being robbed, beaten, sexually assaulted at the hands of pimps or customers. Violence, as the member for Vancouver East has pointed out, is prevalent and closely associated with this issue.

Generally, prostitution will always invoke strong emotions. It is a controversial subject, one that goes back to the beginnings of time. It is involved, complex and contradictory in many of its interests and values that stem from the issue. It has become an acute problem in large urban centres around the country.

From Vancouver to Halifax pimps and prostitutes have in many cases transformed certain areas of cities into unpleasant and intimidating congested streets. It is inevitably associated with other problems, such as drug addiction and violence.

In a 1999 study by the Canadian Centre for Justice Statistics it was reported that there was a sharp increase in the number of prostitution related incidents recorded by police. Since 1995 those numbers continue to rise. However the increase could reflect changes in enforcement rather than in the volume of criminal activity.

The street is a dangerous place for those working in the sex trade. There is a relationship between violence against prostitutes including assaults and homicides, and the venue of its occurrence.

The position of the Progressive Conservative Party is that we would support an effort to study this issue, an effort to bring people together to delve into it in greater detail. One area that should be concentrated on is the tougher sentencing of those who tend to live off the avails of prostitution or engage in the recruitment for prostitution.

Another issue that has been before the House recently deals with the age of consent. This should be brought into the study.

Currently under section 212 of the Criminal Code anyone who procures, attempts to procure or solicits a person to have illicit sexual intercourse with another individual is guilty of an indictable offence and liable to imprisonment for a term not exceeding 10 years. Bringing that sentence higher so that the benchmark itself might be higher would lead to greater deterrence. This section deals specifically with those who wish to live off the avails of prostitution.

These are truly the bottom feeders in this whole equation. Rather than increasing the sentence from summary to indictable for those charged under section 213, we could potentially address the greater issue, that of persons who are profiting from prostitution more directly. An increase along those lines would allow for a greater message of deterrence to be sent. It might also include raising the age in this section to 18. This could serve as a potential model for other sections and it would have a beneficial effect when we need to address the heart of the issue.

We need to engage in these preventative measures: early intervention, educational awareness, strategies, development of

educational tools and resources, and identifying those at risk early on.

I commend the member for Vancouver East and like-minded individuals of this House and around the country who are looking for solutions and actions on this long standing and troubling issue. Members of the Progressive Conservative Party of Canada will support and participate in that effort.

• (1200)

Ms. Judy Wasylycia-Leis (Winnipeg North Centre, NDP): Mr. Speaker, it is a privilege to participate in this debate on the motion put forward by the member for Vancouver East. I also want to congratulate her for her work on the very serious issue of the sex trade.

This is a very constructive motion before the House. It is worded in a way that gives members of Parliament an opportunity to come together to develop strategies based on the evidence and research done to date. It provides an opportunity to bring guidance and direction back to the House in terms of legislative or programmatic changes.

I am surprised that there has not been a more clear indication of support from government members speaking today for the motion. It seems to me that when we acknowledge and recognize a serious social concern and problem in our society and when we have constructive recommendations for pursuing that problem, we should come together and supports actions based on that kind of understanding. It is surprising to me that there has not been an outpouring of support today from all sides for the motion so we can get down to work and do as other members have said, and that is to get involved in action. Study after study has been done. Research project after research project has been done. Now is the time for action.

The member for Vancouver East has been vigilant and persistent in raising issues around the invisibility of the sex trade worker, particularly from the point of view of the missing women in downtown Vancouver's east side. We need to draw on the experience of members like her to recognize the gaps in policy and the need for action.

Not only is this a serious problem and concern in the City of Vancouver. It has been clearly identified as a priority for the community of Winnipeg. I want to acknowledge the work of the Social Planning Council of Winnipeg which recently conducted a series of consultations and information sessions to produce a report entitled, "Exploitation in the Sex Trade: What Can Communities and Agencies Do Together?", released on March 8. It offers a number of recommendations that ought to be sent to a committee of the House for consideration and deliberation.

This study, like so many others, clearly has acknowledged that this is not just a simple problem for which there is a simple solution. We are talking about a very complicated and complex matter that has come about as a result of multiple causal factors, which have already been identified today in the House. The issues of drug abuse, gang involvement and difficult economic circumstances, particularly deeply entrenched poverty, are clearly factors as to why women are involved in the sex trade. This requires a concerted, comprehensive approach on the part of all of us.

The recommendations that flowed from the Winnipeg consultations are very significant and ought to be studied immediately by this place. Recommendations ought to be brought forward by way of changes to legislation and program initiatives. I want to reference a few of them for the House. These recommendations were made by talking as a community.

The first recommendation is that sexually exploited children and youth ought to be removed from the streets as quickly as possible and taken to a safe place, not from the point of view of emphasizing punishment, but to pursue treatment, to provide safety and alternative programming and to help at the earliest stages possible because nothing is more shocking for all of us than to see, hear and read about very young children aged 6, 7, 8, and 9 years old engaged in the sex trade.

• (1205)

The second recommendation out of the Winnipeg Social Planning Council, and this has been referenced by the Conservative member who just spoke, is that johns found guilty of procuring sexual favours from children and youth ought to be prosecuted for child sexual abuse.

The third recommendation is that we find ways as policy-makers and legislators to partner with Child Find so that we can share information pertaining to children and youth who are missing with children and youth who are clearly identified in terms of the sex trade and sexual exploitation.

Another point, and my colleague from Vancouver has said this time and time again, is that we need a concentrated program around providing community based safe houses because if we do not ensure that we as a federal government support provincial and municipal initiatives in this regard we will never have the kind of network of safe houses that are needed to really make a difference. When people talk about safe houses, they mean support for former prostitutes and including them as staff members. It means linking these safe houses with drug rehabilitation programs. It means access to cultural programs, staff to assist prostitutes transitioning into the mainstream, access to child care services, and so on.

Let me also say that the Winnipeg effort has recognized the need for training of the people involved in law enforcement in this regard so that we provide appropriate cultural awareness and training to police officers, RCMP, judges and crown attorneys so that all are prepared, ready and equipped to deal with this very serious social ill.

It has also been recognized that we absolutely have to place an emphasis on apprehending those responsible for fuelling the industry of prostitution, not blaming the victim and focusing on solicitation but understanding that the johns, pimps, drug dealers, business owners, those who knowingly prey on people who are vulnerable and use them to make money to improve their financial situation. That has to be the target of our efforts today.

Finally, the Social Planning Council and other activists in Winnipeg have recommended that we have an active outreach program so that we can reach sex trade workers on the streets, talk to those who are vulnerable and identify from them the solutions that will make a difference.

Government Orders

There is enough research and knowledge from the communities that we represent. It is time to take that knowledge and information, that research and analysis and get it into an active working committee of the House of Commons that can prioritize and sort through jurisdictional questions and come back to this place with recommendations for legislative changes, for changes to the Criminal Code and for programs that actually make a difference in helping women, youth and children get off the streets, out of the sex trade and into areas where they can serve our society with dignity and with pride.

• (1210)

[*Translation*]

The Acting Speaker (Mr. Bélair): The time provided for the consideration of Private Members' Business has now expired. The item is dropped to the bottom of the order of precedence on the Order Paper.

GOVERNMENT ORDERS

[*Translation*]

PUBLIC SAFETY ACT, 2002

The House resumed from November 5, 2002 consideration of the motion that Bill C-17, An Act to amend certain Acts of Canada, and to enact measures for implementing the Biological and Toxin Weapons Convention, in order to enhance public safety be now read the second time and referred to a committee.

The Acting Speaker (Mr. Bélair): I wish to inform the hon. member for Matapédia—Matane that he had 14 minutes remaining when the debate on this bill was interrupted. After his speech, he will have 10 minutes for questions and comments.

Mr. Jean-Yves Roy (Matapédia—Matane, BQ): Mr. Speaker, thank you for informing me, in your great wisdom, of the speaking time I have left. Naturally, I will endeavour to use this time appropriately. When I spoke on Bill C-17, I pointed out that this was an improved version of the bill put before us last spring, the public safety bill, Bill C-55.

At the time that bill was introduced, I rose to express great concern about, among other things, controlled access military zones, now referred to as military security zones, as defined in Bill C-42.

This was a very important point. I should remind hon. members that the concept of controlled access military zones, at the time, made it possible for the government to establish protected military zones, which could cover any area where there are military facilities. This could lead to abuse. At the time, I gave the very specific example of Quebec City as a potential controlled access military zone. It would have been very difficult to do anything in Quebec City if there had been problems of terrorism.

Government Orders

The other point I raised at the time concerned the interim orders. The new bill before us today also contains provisions on interim orders. We were primarily concerned about the deadlines for these orders and the way they could be made, the fact that the decision to make interim orders could be made by an individual, either the minister or an official.

A problem remains concerning interim orders, and I will come back to that. I am talking about the lack of preliminary compliance audits. I will address this issue later, to explain why we oppose the new version of the bill, Bill C-17, before us today and dealing with interim orders.

We also strongly emphasized another point: the exchange of information. In this respect, the amendments proposed to the previous bill fall far short of what is needed. A great deal of information can still be exchanged and, as far as I am concerned, too much control and power is given to the RCMP and the Canadian Security Intelligence Service. I will come back to that also. The privacy commissioner commented on this last spring. He is saying pretty much the same thing now, stating that the provisions do not represent the proper balance between safety and security, and privacy.

So, I said in the first part of my remarks, that we would vote against the bill in its present form. We will do so for reasons that are essentially the same as those mentioned last spring, because, in our opinion, the changes made to the bill are clearly insufficient.

More specifically, on the subject of military security zones, a recent news release issued by the Department of Transport indicated the following:

The government concluded that it needed to take a more measured approach and re-engineer these provisions in a way that achieves a better balance between the public interest and the ongoing legitimate security needs of Canadian Forces and visiting forces in Canada. The government recognizes the need to deal with these security concerns as a matter of some urgency. As a result, it has decided to establish, through Order-in-Council, controlled access zones in Halifax, Esquimalt and Nanoose Bay harbours.

The same news release, which was issued when the bill was introduced, also said:

These controlled access zones will be much narrower in scope than the earlier provisions and will apply only to the three naval ports in question, although other such zones could be considered on a case-by-case basis, should the security situation dictate.

This last comment is a source of concern for us.

Of course, we are pleased that, in the new bill, the government did not include the military security zones that were being considered at the time. However, the fact is that these zones can still be established through orders in council.

• (1215)

This measure seems much more reasonable to us than the prior one. However, it still leaves room for abuse and this is one of the reasons we are not supporting this bill.

We must be sure, obviously, that when military zones are established, particularly in Quebec, they be established with the agreement of the Government of Quebec, particularly if the zone in question includes Quebec City, or other military bases located in Quebec.

As for the interim orders, the bill still contains provisions that would allow various ministers, and in at least one case, bureaucrats, to make interim orders and we have concerns regarding this. When it comes to interim orders, they really must be tabled in Parliament so that Parliament is informed of the situation, and aware of what is really happening.

The time period has been shortened, from 45 to 14 days before cabinet approves it, which is still far too long as far as we are concerned. What is more, the major problem regarding interim orders is, as I said earlier, that there is no prior assessment to ensure that they respect the charter and enabling legislation.

As for the sharing of information, as I said, this is a very, very important element, especially for us, because we are used to certain freedoms and we try, as much as possible, to avoid giving the police too many powers. In fact, Bill C-17 allows two different individuals, in addition to the Minister of Transport, or an official designated by the minister, to have direct access to information on passengers from airlines and airline reservation systems operators. These two individuals are the Commissioner of the Royal Canadian Mounted Police and the Director of the Canadian Security Intelligence Service. This information may be requested in the case of an imminent threat to the safety of transportation. In the case of CSIS, this information may also be requested for investigations into threats to Canadian security. Bill C-55 also allowed for the disclosure of information about persons for whom a warrant has been issued.

Usually, the information collected by the RCMP and CSIS must be destroyed within seven days of being received or obtained, unless it is reasonably necessary for transportation safety, or to investigate a threat to Canada's security.

Once again, we are granting what I would call a discretionary power. We are giving the Royal Canadian Mounted Police the authority to retain this information and not destroy it if the commissioner determines that it could be useful.

Personally, I consider that to be a serious threat because we should require that this information, and all the other information, be destroyed within the prescribed time limits, unless, of course, special authorization is granted by the minister or the cabinet.

Last May, the Privacy Commissioner issued a letter in which he expressed his concerns about the provisions of Bill C-55 giving the RCMP and CSIS unrestricted access to personal information. He said he was troubled about the provisions, and I quote:

a) Empowering the RCMP to obtain and scan passenger lists in search of anyone subject to an outstanding warrant for any offence punishable by imprisonment of five years or more; and

b) Allowing CSIS and the RCMP to retain passenger information in search of suspicious travel patterns.

With respect to paragraph a), several provisions were problematic at the time and still are. Among others, there was the definition of the term warrant and those provisions allowing the RCMP to collect and communicate information about individuals subject to an outstanding warrant. The commissioner suggested that these provisions be withdrawn from the bill.

• (1220)

Basically, the RCMP would compile a file, share the information with other police services or other institutions in order to do checks. To what extent should these files be destroyed or eliminated? That question has been raised.

Currently, from the way we understand Bill C-17, the government has tried to tighten up these provisions, but in the end the door is still ajar and there is still a danger when it comes to files being compiled, information sharing and the disclosure of personal information regarding Canadians and Quebeckers who travel. I think that the door is open far too wide when it comes to the RCMP obtaining personal information.

Even though, under Bill C-17, the RCMP no longer has the power to collect information in order to find a person for whom a warrant has been issued, it still has the power to share information obtained under the provisions of Bill C-17 with a peace officer if it has reason to believe that it could be useful in executing a warrant. This is still what I would describe as a discretionary power, which in my opinion is a very problematic element when it comes to Bill C-17.

In fact, it is the Royal Canadian Mounted Police itself that decides when a situation is a threat to transportation security, which allows it to ask an airline for information concerning passengers. As soon as the Royal Canadian Mounted Police has any doubt, it would be allowed, under Bill C-17, to ask the airline for information concerning passengers. This leaves room for abuse.

In the bill, there is no control mechanism concerning this provision. I believe that the government should have included restrictions throughout Bill C-17, that it should not have opened the door so wide with respect to this provision and allowed the Royal Canadian Mounted Police to obtain information relating to all airline passengers.

This gives the Royal Canadian Mounted Police carte blanche as it were. Furthermore, once the information is obtained, nothing prevents the RCMP from keeping it, as long as the reasons for doing so are recorded. This means that a file would be created on people who travel within the country or elsewhere. A file would be created on all the people using air transportation and all the information concerning passengers could be obtained through the airlines, which appears extremely dangerous to us and also appears dangerous to the Privacy Commissioner, George Radwanski.

In concluding, I would like to reiterate that we will vote against Bill C-17, for the reasons that I just mentioned, among others.

[English]

Mr. Garry Breitkreuz (Yorkton—Melville, Canadian Alliance): Mr. Speaker, I am rising to make a few comments on the amendments, known as Bill C-17, to the Explosives Act.

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My remarks will be in two parts. The first part will deal primarily with the inexplusive ammunition component that is in Bill C-17. No matter how many times the government rennumbers and reintroduces this bill, the proposed amendments to the Explosives Act do not change and consequently we continue to oppose them. Our rationale for opposing these amendments does not change either. I wish the government would listen but nothing has changed.

The federal government is using the September 11 terrorist attack as an excuse for continuing its anti-gun, anti-hunting, anti-farmer, anti-sports shooter, anti-firearms collector, anti-historical re-enactor, anti-licensed firearms and ammunitions dealer, anti-guides and outfitters, and anti-aboriginal hunting rights agenda. These are the honest, law-abiding, taxpaying Canadians that the Liberals have targeted with these 10 pages of proposed Explosives Act amendments.

These amendments were so urgent that the Liberals have waited five years to bring them before Parliament. It was on November 14, 1997, that former deputy prime minister, Herb Gray, signed the Organization of American States inter-American convention against the illicit manufacturing and trafficking in firearms, ammunition, explosives and other related materials in Washington, D.C. If anyone needs any more proof of the government's anti-gun agenda, former deputy prime minister Herb Gray, when he signed the OAS convention in Washington in 1997, said:

This could be the start of a global movement that would spur the development of an instrument to ban firearms worldwide that would be similar to our land-mines initiative.

That comes from the *Montreal Gazette* of November 15, 1997, under the heading "Canada signs deal to curb illegal sales of guns".

The government already has control over the explosive part of bullets and shells, namely gunpowder. What possible public safety, anti-terrorism objective can be achieved by controlling parts of ammunition that cannot go anywhere without the gunpowder? There is none. These proposed amendments to control inexplusive ammunition components are plain and simple government harassment of the tens of thousands of responsible firearms owners who happen to load their own bullets and shells for their own legal recreation and sport.

Terrorists and their deadly operations would remain unaffected and undeterred by these amendments. Explosives are easily obtained by terrorists through criminal means and just as easily manufactured with everyday materials that are available in most food and hardware stores.

The only part of the bill that is any good at all is the increased penalties for the criminal use of explosives. The trouble with these sections is that they are most likely going to hit the wrong target by potentially criminalizing tens of thousands of law-abiding citizens who load their own ammunition for their legal pastimes and sports. Instead of writing the law the way the government intended, the government assures all concerned:

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The people responsible for applying the amended act do not think that the proposed measures will interfere with supplies for hunters and people who manufacture their own agenda.

If that is what the government means, then why does the government not say who these laws are intended for and exempt everyone else? It does not do that. The danger of these amendments was pointed out in a Library of Parliament research paper prepared on January 18, 2002. The lawyers reported:

Those who presently make their own ammunition are already regulated under the Explosives Act since an explosive (gunpowder) is a regulated product. Thus, licences are currently required, for example, to import explosives. Clause 36 would replace section 9 of the current Explosives Act by requiring a permit to import, to export and to transport in transit through Canada not only for explosives but also for inexplusive ammunition components.

● (1225)

That is what I so strongly object to.

Consequently, law-abiding citizens who manufacture their own ammunition could end up being charged with the new offences proposed in these amendments, offences that call for fines of up to \$500,000, or half a million dollars, and imprisonment for up to five years in jail if someone has these inexplusive components. Offences that are targeting law-abiding Canadians in this act include: acquiring, possessing, selling, offering for sale, transporting or delivering any illicit inexplusive ammunition component and making or manufacturing any explosive from an illicitly trafficked inexplusive ammunition component.

The government has not told us how it thinks anyone can make an explosive from an inexplusive ammunition component. The definition in the act states:

“inexplusive ammunition component” means any cartridge case or bullet, or any projectile that is used in a firearm as defined in section 2 of the Criminal Code.

Even the government's own definition clearly demonstrates that no one could possibly make an explosive out of an “inexplusive ammunition component”.

Before we proceed any further with these amendments, Parliament needs to hear testimony in committee from firearms and explosives experts. Maybe if the government had consulted with the firearms community it might have avoided another showdown with law-abiding gun owners in this country. Obviously the government has not learned any lessons from the colossal failure of Bill C-68, the firearms registry bill.

I want to read into the record today the words of a well-known firearms expert. Dave Tomlinson has been acknowledged by dozens of courts in Canada as an expert witness on firearms and firearms law. Here is what Mr. Tomlinson said after reading the proposed “inexplusive ammunition component” amendments in Bill C-17:

It will be a criminal offence to take an empty cartridge case or a warped and twisted fired bullet picked up at a shooting range into or out of Canada. Inadvertent presence of one or more of those items—in quantities of one inert empty cartridge case or one inert and unusable bullet—in the trunk of your car or the back of your pickup truck will be grounds for criminal prosecution. It will probably also be grounds for confiscation of your vehicle, and giving you a criminal record. How does that enhance homeland security? Public safety? World peace? How does it create any problem for any criminal engaged in any criminal activity? Criminals are not handloaders. If they want ammunition, they buy it from smugglers—who import whole cartridges, because that is what their criminal customers want. This is a typical example of the muddleheadedness of the Liberals.

At the appropriate time during this debate I would like to move amendments to remove all of these references to the “inexplusive ammunition component” from the proposed amendments to the Explosives Act, and we will do that.

I would like to conclude this part of my speech by saying that the government has wasted a lot of money on the gun registry and now it is going to begin another huge paper-shuffling exercise. It is going to be another huge waste of money.

The last time, the government said that if we had a gun registry we would reduce the criminal use of guns and prevent smuggling. That is exactly the opposite of what is happening. The smuggling is increasing and the criminal use of firearms is increasing.

Would it not make a lot more sense to target the terrorists and to spend the money gathering intelligence about their activities rather than hassling law-abiding citizens? Terrorists do not use inexplusives, empty cartridges, in their activities. The people the government will spend time and resources on will be law-abiding people. This money could be spent much more profitably by improving public security rather than regulating inexplusive components.

● (1230)

I now would like to go on to the second part of my speech, which is on a completely different topic. I would like to read into the record a news release put out by the Privacy Commissioner of Canada, George Radwanski. He released this statement a couple of weeks ago.

Before I begin reading it, I would remind everyone listening that this gentleman was appointed by the Liberal Prime Minister. He is a former editor-in-chief of *The Toronto Star*, so he is not exactly a card-carrying Alliance member. He said:

Since last May, I have expressed extremely grave concerns about one provision of what was then Bill C-55, the federal Government's Public Safety Act. This same provision has now been reintroduced, with only minimal and unsatisfactory change, in the replacement legislation, Bill C-17.

The provision in question, section 4.82 of both bills, would give the RCMP and CSIS unrestricted access to the personal information held by airlines about all Canadian air travellers on domestic as well as international flights.

I have raised no objection to the primary purpose of this provision, which is to enable the RCMP and CSIS to use this passenger information for anti-terrorist “transportation security” and “national security” screening. But my concern is that the RCMP would also be expressly empowered to use this information to seek out persons wanted on warrants for Criminal Code offences that have nothing to do with terrorism, transportation security or national security.

The implications of this are extraordinarily far-reaching.

In Canada, it is well established that we are not required to identify ourselves to police unless we are being arrested or we are carrying out a licensed activity such as driving. The right to anonymity with regard to the state is a crucial privacy right. Since we are required to identify ourselves to airlines as a condition of air travel and since section 4.82 would give the RCMP unrestricted access to the passenger information obtained by airlines, this would set the extraordinarily privacy-invasive precedent of effectively requiring compulsory self-identification to the police.

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I am prepared, with some reluctance, to accept this as an exceptional measure that can be justified, in the wake of September 11, for the limited and specific purposes of aviation security and national security against terrorism. But I can find no reason why the use of this de facto self-identification to the police should be extended to searching for individuals who are of interest to the state because they are the subject of warrants for Criminal Code offences unrelated to terrorism. That has the same effect as requiring us to notify the police every time we travel, so that they can check whether we are wanted for something.

If the police were able to carry out their regular Criminal Code law enforcement duties without this new power before September 11, they should likewise be able to do so now. The events of September 11 were a great tragedy and a great crime; they should not be manipulated into becoming an opportunity—an opportunity to expand privacy-invasive police powers for purposes that have nothing to do with anti-terrorism.

If we accept the principle that air travellers within Canada can in effect be forced by law to identify themselves to police for scrutiny against lists of wanted suspects, then there is nothing to prevent the same logic from being applied in future to other modes of transportation. Particularly since this provision might well discourage wanted individuals from travelling by air, why not extend the same scrutiny to train travellers, bus passengers or anyone renting a car? Indeed, the precedent set by this provision could ultimately open the door to practices similar to those that exist in societies where police routinely board trains, establish roadblocks or stop people on the street to check identification papers in search of anyone of interest to the state.

The place to draw the line in protecting the fundamental human right of privacy is at the very outset, at the first unjustifiable intrusion. In this instance, that means amending the bill to remove all reference to warrants and thus limit the police to matching passenger information against anti-terrorism and national security databases.

● (1235)

The concerns that I have raised in this matter since last spring have been publicly endorsed by the Information and Privacy Commissioner of British Columbia and the Information and Privacy Commissioner of Ontario; by members of every party in the House of Commons, notably including a member of the government's own Liberal caucus who is an internationally recognized expert on human rights, [the member for Mount Royal]; and by editorials and newspapers, including the *Toronto Star*, the *Globe and Mail*, the *Vancouver Sun*, the *Vancouver Province*, the *Calgary Herald* and the *Edmonton Journal*.

These concerns are now being ignored by the government.

The changes that have been made in this provision in the new bill do nothing to address the fundamental issues of principle that are at stake.

The Government now proposes to have regulations limiting the Criminal Code offence warrants for which the RCMP will be searching. But this does nothing to address the fundamental point of principle that the police have no business using this extraordinary access to personal information to search for people wanted on warrants for any offences unrelated to terrorism.

As well, in the new bill the Government has removed the "identification of persons for whom a warrant has been issued" as a "purpose" for accessing passenger information under the legislation. But this is meaningless—indeed, disingenuous—since the RCMP would remain empowered to match this information against a database of persons wanted on warrants and to use such matches to bring about arrests. It insults the intelligence of Canadians to suggest, as the Government does in its press release accompanying the bill, that the RCMP may "incidentally" come upon individuals wanted on Criminal Code warrants—if the police are to match names of passengers against a database of individuals wanted on Criminal Code warrants, there can be nothing "incidental" about finding them.

Since the original Bill C-55 was introduced, I have used every means at my disposal to make the crucially important privacy issues that are at stake known and understood by all the Ministers and top Government officials who are involved in this matter. I regret that I have not, to date, been successful in obtaining an appropriate response from them, though I will certainly continue my efforts. It is now up to Parliament to explain to these people that privacy is a fundamental human right of Canadians that must be respected, rather than treated with the apparent indifference that the Government is showing.

That is the end of a very lengthy quotation. I would hope that the government would take to heart the comments of the privacy commissioner, who is here to serve all Canadians through Parliament.

I will conclude with one question. The government must answer this question before it proceeds. Why is it ignoring the privacy commissioner's comments? Why? I would like to have an answer from the government.

Also, on the first part of my speech, why is it not removing wholly the number of references to inexplusive components in the firearms act?

● (1240)

[*Translation*]

Mr. André Harvey (Parliamentary Secretary to the Minister of Transport, Lib.): Madam Speaker, I want to congratulate my colleague on his remarks regarding this extremely important bill. He just mentioned that, in drafting this bill, the government should have taken into account the comments made by the Privacy Commissioner.

In Bill C-17, the government took into account the comments made by numerous stakeholders, particularly our colleagues in the House of Commons, all civil associations and the Privacy Commissioner, especially regarding the elimination of controlled access military zones. These zones will only be maintained in three locations in the country, namely in important ports on the west coast and in Halifax. That debate was difficult. Some people wanted Canadians to believe that all of Canada would become a controlled access military zone even though, initially, the bill was strictly limited to anything that had to do with military equipment that belonged to Canadian Forces or to foreign forces.

Changes have also been made to the deadlines for interim orders. This is a significant change. On the issue that concerns my colleague with regard to the exchange of information, particularly in the case of passengers with outstanding warrants, I would like to ask him if he has had the opportunity to see whether the definition of warrants issued for very serious offences is satisfactory or not. It is a new notion that seems important to me. I would like to have the member's opinion on that, knowing that the committee will improve the bill if necessary.

● (1245)

[*English*]

Mr. Garry Breitkreuz: Madam Speaker, may I have a clarification, please? Were these changes made since November 1?

[*Translation*]

Mr. André Harvey: Madam Speaker, to my knowledge, the bill provides that the offences for which warrants must be executed are extremely serious ones, including murder.

*Government Orders**[English]*

Mr. Garry Breitkreuz: Madam Speaker, I would take that to mean no, that these changes have not been made since November 1. In other words, the comments of Mr. Radwanski, the Privacy Commissioner, who is the expert on this whole bill, stand firm. The government has not taken into account the concerns that were expressed by the Privacy Commissioner.

In other words, what I have read into the record is completely accurate. The government has not made the necessary amendments to provide for the protection of privacy of Canadians. The government needs to do that before it proceeds. The comments that are made are quite valid because no amendments have been made since November 1.

Mr. Larry Bagnell (Yukon, Lib.): Madam Speaker, first, I refer to the amendments that were in the press release. I have three other questions that I will ask later. This is to see if this is more palatable to the member.

Passenger information could be disclosed to a third party for very restricted use. The impression left by the speech is that it could be collected for any offence and used for minor offences.

These purposes would relate to the mandate of each department or agency. For example, Transport Canada could only disclose information to restricted parties for transportation security purposes, while CSIS and RCMP designated officers could disclose this information to limited parties for specific purposes, including transportation security imminent public safety threats, outstanding warrants, removal orders, compliance with subpoena or court order and counter-terrorism investigation.

The new Public Safety Act, 2002, has proposed the identification of persons for whom a warrant has been issued be removed as a purpose for which the RCMP could obtain air passenger information. With this change the RCMP could only access passenger information for the purpose of transportation security.

While screening passenger lists for transportation security, if the RCMP incidentally discovered a criminal warrant for a serious crime, and that is what the other member was asking, the force would still be able to disclose that information to a peace officer if there was reason to believe it would assist in the execution of a warrant.

Retaining this aspect of the scheme is necessary for public safety because the RCMP needs to take appropriate action if it happens to find a passenger wanted for an outstanding warrant for a serious offence such as murder or kidnapping. With this amendment a much more limited regime would be created for the RCMP which would permit only incidental use of passenger information for warranted purposes, while screening for transportation and security risks.

Mr. Garry Breitkreuz: Madam Speaker, I am trying to find out from the hon. member's comments what question was involved there. I did not pick up a question. I do not think it even related to what I spoke about in my speech and the quotation I read from the Privacy Commissioner.

I will pick up on something that I think he was trying to drive at, although that was not quite obvious, and that is that we are to trust the RCMP to only focus on one narrow aspect. The Privacy

Commissioner has said that is really meaningless, to have us say in the House of Commons that the intent of the legislation is not this but is primarily that. That is completely meaningless the Privacy Commissioner says.

In fact, it is disingenuous to argue that, as the member has, since the RCMP would remain empowered to match this information against the database of persons wanted on arrest on warrants and to use such matches to bring about arrests.

That is the concern. That has not been addressed in the amendments that the government has not made at this point.

I have lived in societies where police have had unbelievable powers. The bill allows our police forces to move in that direction. I do not think we want this to happen. We had better re-examine the legislation so the proper amendments are made to provide for the privacy of our people in Canada.

The Privacy Commissioner is warning us that this legislation can be misused. It may not be misused by all police forces or all those who are on duty, but it can potentially be greatly abused. That is what I am raising as a concern and the Liberal government had better listen carefully. We do not want to move in that direction.

• (1250)

Mr. Larry Bagnell: Madam Speaker, that is the exact point I was getting at, that these amendments have been made and that the only screening now is for very serious transportation and security purposes. I am amazed at the member from the Alliance. If we found, somewhat incidentally, that a person was wanted for murder or kidnapping, would we not want to arrest that person?

Let me go on to my other questions. He can review the amendments that I read later to see if they limit the powers drastically to what is acceptable for his party.

One point he made was that we did not give any details on the hoaxes. I would just like to give some details once again that are in the package. The proposed maximum penalties for these offences would also be amended to provide increases proportionate to the harm caused. The maximum penalty for the base offence is five years imprisonment. However if the hoax caused actual bodily harm, the maximum penalty would be increased to 10 years imprisonment. If the hoax caused death, the maximum penalty would be increased to life imprisonment. What more details is the member looking for in that area?

My second question is related to explosives. The act would regulate the importation, manufacture, storage and sale of commercial explosives along with their transportation. I gather from the member's speech that he is not opposed to putting this into an act to regulate the use of hose explosives specifically. I am not worried about the other ammunition such as firearms but I am concerned about these in particular because I had a constituent within the last few weeks blown up in a terrorist explosion. I want to make sure he is not opposed to us trying to take every precaution possible related to explosives.

Government Orders

Mr. Garry Breitkreuz: Madam Speaker, let me answer the second question first. I have no problem with the government regulating the importation and export of explosives. I want to make it clear that I think it is a complete waste of time and money to regulate the inexplusive component and that component is mentioned in the legislation over 20 times. There is no point in regulating this. I want to make it clear that that is to what I object.

The first part of the member's comments were about murder and kidnapping and did I object to the police catching these people. If one has read the expert testimony on this and some of the commentary that has appeared across the country, one realizes that this is not the concern people have. People have concerns that the government will use this to go into all kinds of other areas that we would regard as almost frivolous in their search to regulate Canadians and violate their privacy. That is the problem. It is not the murder and kidnapping, it is all the other stuff for which the government can use this bill.

Mr. Larry Bagnell (Yukon, Lib.): Madam Speaker, I want to talk today specifically about the Biological and Toxic Weapons Convention implementation act part of Bill C-17 for the next nine and a half minutes.

Since 1925, the Geneva protocol has prohibited germ warfare and the use of biological weapons. The convention on the prohibition of the development, production and stockpiling of bacteriological, biological and toxic weapons and on their destruction, better known as the BTWC, bans the possession of such weapons altogether.

The BTWC, which was concluded in 1972 and entered into force in 1975, was the first global treaty to prohibit an entire category of weapons of mass destruction. It represents a universal norm and is an important pillar of international peace and security.

Canada, which signed and ratified the BTWC in 1972, strongly supports this convention. Canada attaches great importance to full compliance with all the provisions of the convention and fully supports its purposes and objectives.

Canada does not have an offensive biological weapons program.

Canada has long sought to strengthen the international norm against biological weapons. To this end, it has participated actively in negotiations for legally binding compliance protocol to the BTWC, which would institute a system of declarations, inspection visits and investigations and create an international organization for the prohibition of biological weapons to monitor respect for the provisions of the convention.

A protocol of this nature would also require states, parties, to enact specific legislation, creating national authorities to implement its provisions.

To our profound regret, negotiations for such a protocol collapsed in July, 2001, after seven years of work, denying the world its best chance to achieve a mechanism to impede the development and spread of biological weapons.

Subsequently, last December in Geneva, at the fifth BTWC review conference, the Canadian delegation worked to promote an outcome which would have contributed to the convention's integrity and vitality by building bridges and encouraging those countries with the

requisite expertise to assist others in enacting or improving their national legislation, by advocating an enhanced review process and by working for the adoption of new measures to strengthen the convention, including a viable way forward to resume negotiations for a multilateral, legally binding compliance mechanism for the convention.

It was unfortunate that the review conference was unable to achieve an outcome and that it was forced to suspend work for a year.

Let me however assure members that Canada has not given up efforts to reinforce the global ban on germ weapons. During the past year we have worked closely with like-minded countries to prepare for the resumed review conference, which concluded successfully on November 15.

Canada is pleased that the conference endorsed a multilateral inter-sessional work program that will help to strengthen the effectiveness and implementation of the BTWC and will continue to participate actively through this agreed inter-sessional work program leading to the next review conference in 2006.

We have also taken a number of steps, on a strictly national basis, with the review to reinforcing the treaty. To cite but one example, the Minister of Foreign Affairs recently sent letters to his counterparts in more than 40 states, which are not party to the convention, urging them to ratify or accede to the BTWC.

In the past year, many countries have indicated that in the light of events of September 11 and in the light of subsequent bioterrorism attacks using anthrax, they are in the process of revising or supplementing their own legislation relevant to biological weapons.

National enforcement efforts cannot substitute for an international compliance mechanism aimed at preventing the development of biological weapons but in themselves, national efforts are still valuable and necessary.

●(1255)

Export and import controls, licensing, domestic inspection, verification and policing all complement and buttress the global ban on biological weapons.

Article IV of the BTWC requires state parties, in accordance with their constitutional processes, to take measures to prohibit and prevent the development, production, stockpiling, acquisition or retention of banned substances and articles in their territory, jurisdiction or control.

In view of the collapse of the protocol and negotiations in July 2001 and the terrorist threat that emerged only two months later, it is now appropriate to go beyond the strict requirements of the convention and to supplement our existing legislation with an act that specifically prohibits both biological weapons and related agents.

Government Orders

The biological and toxin weapons convention implementation act will put Canada at the forefront of efforts to prevent biological weapons proliferation and bioterrorism. It will help Canada fulfill its obligations under the BTWC more comprehensively with respect to domestic law, ensuring that the convention's ban is respected not only by the Government of Canada, but also by individuals, organizations and institutions in Canada.

The vast majority of biological agents and types of equipment that may be employed in the manufacture of biological weapons are dual use. That is to say, these substances and articles have a legitimate, even vital, role in fields such as science, medicine, pharmaceuticals, biotechnology and agriculture. Likewise, bio-defence programs intended to develop detecting devices or vaccines, antidotes and protective gear to defend against biological weapons attacks require biological agents and equipment. Dual use agents and equipment are therefore essential to our health, prosperity and security and for the advancement of knowledge.

The BTWC recognizes the dual use nature of these substances and articles by allowing agents that have prophylactic, protective or other peaceful purposes in equipment not designed for hostile purposes. These exemptions for legitimate use are preserved in the legislation.

The BTWC implementation act will therefore provide the legal basis to create a licensing regime for a more complete control of biological substances and articles. It will also permit the establishment of a responsible authority. It sets out the powers of inspectors charged with enforcing the act.

The legislation has been carefully drafted to ensure that Canadian procedures will be compatible with any eventual international compliance mechanism which Canada is continuing to advocate. While the licensing regime and regulations should be rigorous, they must not be excessively burdensome to legitimate users of biological agents.

Just as the BTWC is a framework convention, the BTWC implementation act is framework legislation. We expect that the process of elaborating regulations and of establishing the responsible authority and inspectorate will require intensive study and consultation with many sectors, including industry, the farming sector, universities, medical and scientific communities, research institutes as well as the provinces and territories and other interested parties. It will be important to get the details right. A one size fits all solution will not work.

The level of scrutiny and security required for a containment facility studying highly contagious diseases would obviously not be appropriate for research institutes studying low risk pathogens.

While the burdens of the act imposed on legitimate users of biological weapons will not be onerous, the penalty for illegitimate users will be severe. The development, production, stockpiling, acquisition, retention, use or transfer of biological weapons or biological agents not having peaceful purposes will be an offence punishable by a suitably stern sentence of up to 10 years imprisonment and a fine of \$1 million. The act also sets out lesser penalties for interference with its application. These provisions will help to deter anyone tempted to acquire or to assist others, whether they are terrorists or foreign powers, to acquire biological weapons.

This act will make Canada and the world a safer place. It will help impede the development and spread of biological weapons globally. It will show that Canada is committed to the fight against terrorism. At the same time, it will underscore our active support for the BTWC, for a rules based, multilateral approach to non-proliferation arms control and disarmament consistent with Canada's historic role in furthering co-operative activity.

• (1300)

[Translation]

Ms. Pauline Picard (Drummond, BQ): Madam Speaker, Bill C-17 now before the House replaces Bill C-55. In fact, it is a watered down version of the previous bill. The Bloc Quebecois has been very critical of some elements of this bill.

The bill is the third attempt by the government to legislate in response to the terrorist attacks of September 11, 2001. It seems that the government has agreed with some of the criticism, since it has toned down its security bill. I really appreciated the very insightful statement made by the Minister of Transport, who is sponsoring the bill. He told reporters that he listened to the concerns of members of Parliament and received very good advice.

He just forgot to mention the remarkable contribution of the Bloc Quebecois.

However, there are still some left-over issues from the previous bill, namely privacy issues because of the information to be gathered by the airlines. I would like to quote the Privacy Commissioner, George Radwanski, who said:

The changes that have been made in this provision in the new bill insult the intelligence of Canadians and do nothing to address the fundamental issues of principle that are at stake.

Mr. Radwanski and his colleagues are right, because in ensuring the security of their citizens, governments should be careful not to violate their fundamental rights.

In its previous version, Bill C-17 allowed RCMP and Canadian Security Intelligence Service officers to scrutinize list of passengers entering Canada, in order to find individuals sought by the state for a crime punishable by a five-year jail sentence. This scrutiny would have allowed the police to arrest individuals as soon as they disembarked from a plane. This provision is not completely withdrawn from the present bill, but it will not be as systematic as initially planned. Still, the RCMP and CSIS will be able to investigate airlines' passenger lists.

What will be the consequences of the exchange of information between the RCMP and CSIS?

Last May 6, the Privacy Commissioner publicly released a letter in which he explained his concerns about previous Bill C-55 allowing the RCMP and CSIS to obtain information. He expressed concerns about various provisions, including the use of personal information.

Government Orders

There were problems with several provisions. This was the case with the definition of warrant, the provision allowing the RCMP to obtain information in order to find individuals subject to arrest warrants, and the provision allowing the RCMP to convey information on people subject to an arrest warrant. The commissioner recommended that these provisions be withdrawn from the bill.

Our present understanding is that the government tried to tighten up these provisions but was unsuccessful.

As a matter of fact, while the RCMP can no longer obtain information for the purpose of finding an individual subject to a warrant, it can still convey to a peace officer information obtained through the provisions in Bill C-17 if it has reason to believe that this information would facilitate the execution of a warrant.

However, in actual fact, the RCMP decides by itself when there is a threat to transportation safety and can thus ask an airline for information on passengers. There is no mechanism controlling the use of this provision. In other words, the RCMP has carte blanche. Moreover, once it has obtained the information, nothing precludes the RCMP from keeping it, as long as the reasons for doing so are written down.

• (1305)

What is more, the government has tightened up the definition of warrant. In the previous version, it might be an outstanding warrant for any offence punishable under federal law by imprisonment for five years or more. Now the definition stipulates that there will be a regulation stipulating exactly what crimes are involved.

The commissioner also expressed serious reservations regarding how long the information could be retained: The seven day period during which the RCMP and CSIS may keep the information is excessive; 48 hours would be adequate. The fact that the RCMP and CSIS can keep this information indefinitely is of concern. There must be limits. Neither of these changes was made.

As a result, on November 1, 2002, Privacy Commissioner George Radwanski issued a press release in which he described the changes as follows:

—with only minimal and unsatisfactory changes in the replacement legislation, Bill C-17.

According to the Commissioner:

The provision in question, section 4.82 of both bills, would give the RCMP and CSIS unrestricted access to the personal information held by airlines about all Canadian air travellers on domestic as well as international flights.

He goes on to say:

But my concern is that the RCMP would also be expressly empowered to use this information to seek out persons wanted on warrants for Criminal Code offences that have nothing to do with terrorism, transportation security or national security.

This is but one of the aspects of the bill that remain problematic.

We in the Bloc Québécois believe that the amendments introduced by the government in connection with the power of the RCMP and CSIS to gather information on air passengers are still far too broad. Although the proposed amendments may appear to be plugging some of the loopholes, the problems raised by the Privacy Commissioner remain.

We are therefore fielding the ball thrown out by the Privacy Commissioner and are opposing these new broadened police powers.

We must not forget that the new databank that the RCMP and CSIS will have the authority to create will be in addition to the new databank created by the Canada Customs and Revenue Agency, also condemned by the Privacy Commissioner.

Bill C-17, the Public Safety Act, 2002, clearly represents a big step back by the Liberal government, which acted much too precipitously following the events of September 11. It acted too quickly.

The new version demonstrates clearly that our criticisms were reasonable and founded. Even after the changes made, this bill remains unacceptable and is described by the Privacy Commissioner as an unsatisfactory version.

• (1310)

[English]

Ms. Judy Sgro (York West, Lib.): Madam Speaker, I wish to speak to the interim orders required for Health Canada that would be allowed under Bill C-17.

The bill would allow certain ministers to make interim orders if immediate action is required to deal with a significant risk to health, safety or the environment. It would allow the minister to act rapidly to address an emergency situation.

Should a threat be identified, the Minister of Health could, for example, impose more stringent controls on the storage and distribution of potentially dangerous biological or chemical products to prevent them from being diverted to terrorist purposes.

In a situation where an epidemic is developing in some part of the world, possibly as a result of terrorist activities, the Minister of Health could require persons arriving in Canada from these countries to provide evidence of immunization so as to prevent the spread of the disease in Canada.

What is envisaged are situations which may not justify a declaration of national emergency under the Emergencies Act but still require that immediate action be taken to protect the public. Indeed the scope of the powers that could be exercised under Bill C-17 would be more limited than under the current Emergencies Act. The minister could only do by way of an interim order what government could do in any event by way of regulations. It would allow the minister to adopt an interim measure pending the adoption of regulations by the governor in council.

In that vein the act would provide that the interim order must be approved by the governor in council within 14 days after the order is made, and its duration would be limited to a maximum period of one year.

Government Orders

It has been said that these provisions would bypass parliamentary review. The truth of the matter is, that except in some rare exceptions established by law, Parliament does not review regulations before they are adopted. Quite to the contrary, Bill C-17 would provide that the interim order must be tabled before Parliament within 15 days after it is made. Several other provisions would ensure a significant degree of control on the actions of the minister. I will only mention two of them.

The interim order would have to be published in the *Canada Gazette* within 23 days after it is made thus ensuring transparency of the entire process. The interim order would be subject to judicial review as are other government decisions. One must also keep in mind that the Charter of Rights and Freedoms would continue to apply fully. This is also the case of the provision of the Official Languages Act which requires that orders of this nature be made in the two official languages.

The bill would provide for appropriate checks and balances, and these provisions could serve as a useful legal instrument to protect Canadians in emergency situations.

• (1315)

[*Translation*]

Mr. Benoît Sauvageau (Repentigny, BQ): Madam Speaker, it is appropriate to begin by reminding the House what led to today's debate on Bill C-17. This bill has been before us for a long time. It previously had different titles. It was originally known as Bill C-55, before becoming Bill C-42. It is now before us as Bill C-17. This legislation was changed and improved somewhat to meet the major concerns of the public, the main stakeholders and the opposition in recent years.

The bill was significantly amended as regards designated military zones. We can say—as my colleagues have done, and it is only normal to do so without being too boastful—that it is a victory for the opposition, a victory for individual rights over security. In this regard, the fact that this legislation has been tightened up the way it has is a victory for democracy and for the public.

During the week of recess, we went back to our respective ridings. People often ask us “What exactly is the role of the opposition?” Bill C-17 provides a good example of the role of the opposition. I do not agree with the former Minister of Finance who said that the opposition does not make solid suggestions to the House. An example of a solid suggestion that we made to the government is when we said “Listen, you are probably going a little too far with these designated military zones”. We called the government to order.

This bill, like the young offenders legislation and other bills that I could mention, provides an example of the role of an informed opposition. It provides an example of how it helps correct proposed measures. At no time have Bloc Québécois members, and members of the other opposition parties, said “We are opposed to the bill, whether it is Bill C-55 or Bill C-42”. However, we said “Even though we agree with the idea of providing greater security for the general public, individual and civil rights must not be violated for the benefit of collective security. Let us be cautious in this regard”. We said it time and again.

People ask “What point is there to a debate, if there is no vote immediately afterward? Are these just empty debates?” We have, however, been heeded by someone somewhere. Between the two sessions there have been some positive changes made which enable us to say that this bill is an improvement. We are therefore encouraged to continue to make improvements. We are all in agreement with the principle of ensuring people's safety. As I have said, however, their rights must not be sacrificed in the process.

The Bloc Québécois is therefore very pleased with the amendment relating to military security zones, namely that they have been done away with. On the other hand, we are still wary. We are saying to the government and the stakeholders “Heed us as you did for the military security zones. We feel some improvements still need to be made if this bill is to be the object of consensus. Consensus is the goal of everyone in this House”.

There are still problems, however, one of them concerning interim orders. Here again we have evidence of how the opposition can bring about constructive improvements to a bill, if only through what is said here in the House. Let us compare the three bills we have had presented to us concerning these interim measures: Bills C-42, C-55 and C-17. Initially, we were vehemently opposed to C-42 and C-55 as far as military zones and interim orders were concerned.

What did Bill C-42 have to say about these interim orders? The interim order was made by a minister, or in certain cases by departmental officials. It ceased to be in effect after 90 days, unless ratified by the governor in council. In other words, these were 90-day interim orders.

We said “This is terrible; it is wrong; it is dangerous. It goes beyond common senses to give so much power with respect to interim orders”. If memory serves, the government members' reaction at that time was to label us irresponsible, to tell us “These responsibilities are justified. We are entitled to have 90-day interim orders”. They listened to us, nevertheless.

• (1320)

When Bill C-55 was introduced, the period was reduced from 90 to 45 days, “unless it is approved by the Governor in Council”. At least, the government listened to us and reduced the period to 45 days. Still, the timeframe was felt to be unreasonable and, as a result, in Bill C-17, it was further reduced to 14 days. It went all the way from 90 days to 14 days.

To those who ask what good the opposition and its speeches are, I say that we have the ability to influence the government and bring it to make changes when it goes too far—in negotiating, one often asks for more just to get what is reasonable—and 14 days is probably more reasonable.

With regard to the introduction in Parliament of a bill like this one and the important role played by parliamentarians, members should know that there were no provisions for the tabling of interim orders in Parliament. At no time could the people's representatives have voted on or examined the orders, had Bill C-42 been passed.

In Bill C-55, the provision read “within 15 days after it has been made”. Under Bill C-55, the timeframe was 15 days from the time an interim order was tabled, and this timeframe has been maintained.

Naturally, we see that substantial improvements have been made from the initial version of the bill. However, the main problem, the lack of a preliminary review period to ensure compliance with the charter and enabling legislation, remains.

While welcoming improvements with respect to the powers of the various ministers and officials in connection with interim orders, there is a more serious problem with the new legislation before us—we are not alone to say so—and it concerns the exchange of information.

In this respect, if time permits, I would like to read two excerpts from the release by the privacy commissioner:

This same provision has now been reintroduced, with only minimal and unsatisfactory change, in the replacement legislation, Bill C-17.

He is talking about the exchange of information. And he adds:

But my concern is that the RCMP would also be expressly empowered to use this information to seek out persons wanted on warrants for Criminal Code offences that have nothing to do with terrorism, transportation security or national security.

I would like to point out to the President of the Treasury Board that the Privacy Commissioner does not respect the Official Languages Act, as far as I am concerned, or at least the spirit of the act, because he seems to have problems with our language, unlike the Commissioner of Official Languages and the Auditor General, both of whom respect the act and the spirit of the act. However, I am sure that the President of the Treasury Board was aware of this. Just a quick aside.

The Privacy Commissioner found other problems and when Bill C-42 was introduced, he was quick to voice his concerns about the broad powers that were being given to CSIS and the RCMP to obtain information on matters unrelated to security, terrorism or the protection of citizens. With these new powers, they would be able to arrest other criminals here and there, based on information they received. There was a great deal of talk about this, and “Big Brother” was what we saw.

To conclude, this bill is very interesting. It proves that it is possible to improve upon a bill. It also proves that the opposition, when confronted with a bill as important to public safety as this one is, can make real and specific proposals to improve it, calling on the government and stakeholders, so that everyone can support it.

However, at this time, we in the Bloc Québécois still cannot support this bill because of the interim orders but, more importantly, because of the sharing of information, which, as the Privacy Commissioner has said, goes beyond the powers of this government.

• (1325)

[English]

Mr. Paul Szabo (Parliamentary Secretary to the Minister of Public Works and Government Services, Lib.): Madam Speaker, I am pleased to add a few points with regard to Bill C-17, the public safety act.

As the House knows, the proposed public safety act replaces Bill C-55 which was introduced on April 29, 2002. The proposed act contains a number of provisions and I would like to comment very briefly on one aspect.

Government Orders

The bill contains provisions whereby it would enhance Canada's secure environment for air travel. It would provide for data sharing between air carriers and federal departments and agencies. There are other provisions to deal with things like hoaxes, to establish tighter controls over explosives and hazardous substances, to help identify and prevent harmful, unauthorized use or interference with computer systems, and to deter the proliferation of biological weapons. That outlines the flavour of the bill.

I want to provide a little insight into the issue of anti-terrorism and the need for us to ensure that we are well prepared in all aspects to protect Canadians, our assets and our dear country from the threat of terrorism.

As a member of the Standing Committee on Transport, I had the opportunity to travel with the committee to Washington last spring to visit with our U.S. counterparts.

I was not aware of how deeply September 11 had touched the American people. I recall one meeting in which a senior official in the transport and anti-terrorism area of the United States government was speaking to us about some of the arrangements that the United States had made. When he got to the point where he referred specifically to September 11, he paused and I could see that he was overcome by emotion. The room went quiet. It was terribly apparent to me that September 11 was a much more serious and deeper wound to the American people than we could ever imagine.

Some have argued that the United States, being the most powerful country in the world and being involved in virtually all aspects of anti-terrorism and conflict around the world and being called upon to play a lead role so many times, will become the target of terrorism. I reject the notion that somehow those who deal with the peace and security of our globe should be targeted because they are trying to alleviate the pressures around our globe which create the environment in which terrorism might thrive.

September 11 is a proxy for all nations of peace to review and look at their own circumstances to determine what they can do to safeguard their people and their countries.

When the transport committee started to look at the security arrangements at our airports, we visited some of our larger airports to look at the provisions that had been in place and what was being planned. Even with regard to an airport such as Pearson International where new construction was going on, this was all planned in advance of September 11. How that has changed since. The initiatives of the government on anti-terrorism measures in the last round have influenced the development and construction of the new terminal at Pearson airport to ensure safety and security to a greater extent than was anticipated prior to September 11.

• (1330)

We also found that there were many other deficiencies, even down to things like checking baggage. The equipment that is necessary to check every piece of baggage going into the hold of an aircraft is sophisticated. It is large. It has to be staffed by properly trained people. We found out that there was not enough equipment in existence to put in our airports, so we were already starting from a deficit in terms of having the technology available to install in airports.

Government Orders

What was worse when we visited with our U.S. counterparts was we found that in their program to get this kind of equipment in, they found that much of the equipment was still in the wrappers in airports. It had not been unpacked. It still had not been installed. People still had not been trained.

It takes time to do these things. A lot of the coordination had not been done. It was very difficult to get many of the airports up to the level that everybody working on travel safety and security would certainly want to put in place. It was fairly clear that the intent and the requirements were well known but the ability to implement them was not.

Now there is a different dimension to the whole aspect of anti-terrorism. There has been a new communiqué issues, presumably by al-Qaeda, presumably by the world famous terrorist, Osama bin Laden. These latest pronouncements have escalated the level of concern and probably should. There are linkages to the tragedy in a Moscow theatre, the bombing in Bali and the numerous casualties there, the Chechen conflict. This incident and those people have now linked themselves to all the terrorist activities which are happening literally around the world. We have heard anecdotal comments about sleeping cells all around the world, even in Canada.

Those are the kinds of things we cannot discount. As much as we would like to say that it is not so and that we are a safe country, we are a country of riches, we are a country next to the United States of America. We have a substantial trade relationship with the Americans in a number of areas, including hydro which is a very important commodity for Canada in terms of export and for the U.S. in terms of its importation for its needs. These are areas which some have targeted as possible places in which terrorist activities may occur.

Canada is vulnerable, as is every industrialized western nation. They are vulnerable to what terrorists might do.

It is fair to say that we could not possibly insulate ourselves or protect ourselves 100% from any terrorist threat. However our role as parliamentarians is to ensure that we pass legislation which enables our country to protect itself to the greatest extent possible in the areas of highest risk.

Bill C-17 provides many of the tools that we will need to continue to build the response mechanisms that we need to reduce terrorist risk. I stress that this is almost more prevention in that it is providing the tools so that we can anticipate and detect activity which may turn out ultimately to be a viable risk to the safety and security of Canada.

For those reasons I am pleased to lend my support to the bill. It is an important bill. I understand that numerous concerns have been raised by Canadians with regard to personal privacy and related matters. Those are valid points. We as legislators will have to determine the greatest extent to which we can balance the need for personal privacy with the need for us to protect Canada.

• (1335)

Mr. Pat Martin (Winnipeg Centre, NDP): Madam Speaker, on behalf of the NDP caucus I am pleased to join the debate on Bill C-17.

We note that Bill C-17 represents just the latest incarnation in a series of bills that have been introduced to try and address the aftermath of 9/11. It is a top of mind issue for every Canadian and for every global citizen as we take necessary steps to add to the security of ordinary Canadians and the sense of security that they should enjoy in a great country like Canada.

Bill C-17, building off of Bill C-42, building off of Bill C-55, building off of Bill C-36 attempts once again to find a reasonable balance between the needed measures that must be taken to give Canadians confidence and those precious personal rights and freedoms by which we define ourselves as Canadians. We believe that we are still struggling to find that balance and we are not satisfied that we are there yet today. We are still very concerned that Bill C-17 may fall under the quote that was referenced earlier, that those who would trade personal and individual rights and freedoms in exchange for short term and temporary security really deserve neither.

If we are willing to compromise the very personal freedoms by which we define ourselves as Canadians for an unproven commodity, we are really being asked to buy a pig in a poke because we are not even sure that the measures that are recommended under Bill C-17 in many ways will be satisfactory or will in fact improve the level of comfort that Canadians enjoy while being secure within our own boundaries. We are not sure that balance has been reached.

Bill C-17 will be an omnibus bill once again and will seek to address the issue of the safety of Canadians in a variety of acts. An enormous number of acts are influenced by the bill, for example the Aeronautics Act, the National Defence Act, the interim order of powers, the Canadian Air Transport Security Authority Act, the Marine Transportation Security Act, the Criminal Code, the Personal Information Protection and Electronic Documents Act, and the Immigration and Refugee Protection Act. That will give an idea to those who might be listening at home how broad and sweeping Bill C-17 really is.

We have to question if the bill has really had enough scrutiny, attention and study. Even though we debated at length Bill C-36, Bill C-55 and then Bill C-42, the same issues that we on the opposition benches have raised over and over again either have not been taken seriously or someone has failed to understand the legitimate points that keep being raised over and over by the people on this side at least.

There are people who have gone the whole broad spectrum of criticism, and there are some who fear that we are starting up that slippery slope to a police state. I do not believe that personally. I think that is badly overstating the issue. We do have to caution when we make fundamental changes to the way we have always done things and the way things have always been treated that there are those who in their zeal or just in their willingness to do their jobs well may take advantage of these measures in areas where they were never meant to be used.

Government Orders

I think of the simple right to protest. I come from the labour movement where it is not uncommon for my colleagues and I to find ourselves in a confrontational situation as we take our arguments to some sort of act of civil disobedience, if one will. Now, especially in what are called new military zones, that type of protest could be seriously limited. The new authorities under Bill C-17 could be exercised to stifle that sort of legitimate protest. I raise that as a point that concerns the trade unionists very much, as did Bill C-55, Bill C-42 and all the other bills leading up to this. That is only one point.

• (1340)

I will speak for a moment to an issue raised by one of the members of the Canadian Alliance. The Alliance believes the police or customs authorities should not have additional powers when it comes to seizing the components of explosives. I disagree 100%. I believe our customs and revenue agents should have the right to seize the makings of explosives, just as much as they have the right to seize a bomb.

As a former blaster in underground and open pit mines, I know that fairly innocuous elements can become very dangerous when put together for the purposes of making a bomb. In the bombing of the federal building in Oklahoma City, which everyone remembers very well, the actual bomb that went off was made with ordinary Prell fertilizer. Anyone with a farming background will recognize that as a fertilizer farmers use every day. Diammonium phosphate mixed with ordinary diesel fuel blew up the Oklahoma federal building. Perhaps I should not use the brand name Prell but that is the common pellet form of that fertilizer.

Frankly, if I saw a customs officer seizing a shipment of Prell fertilizer, the purposes of which could not be clearly explained, I think those revenue agents would be doing us all a service to at least use added scrutiny when they see that type of material crossing our border. That is one element of Bill C-17 with which I have no objection at all. In fact, I applaud the initiative.

We believe that the broadening of the new military zones goes far beyond what is necessary. We note that the new military zones designated by order in council would include the Esquimalt military base and the area surrounding it, areas around Halifax, et cetera. We recognize that our military bases need to have additional scrutiny because if we are to be targeted in any way, our military zones would have to be viewed. We also think this could cross a line between what is needed and what may be used in another way.

I have seen anti-nuclear protestors outside the Nanoose Bay installations, for instance, on Vancouver Island. They were peaceful protestors who simply disagreed with allowing American nuclear submarines into Canadian waters. Under the new rules, those peaceful protestors could be hauled away, held without charge and have their personal freedom to protest violated under the bill.

The NDP has spoken out loudly against these additional measures, not all the measures but those we deem to be unnecessary and even questionable and of questionable benefit. No one has really been able to demonstrate to us why all these measures are absolutely necessary.

It was perfectly understandable after 9/11 that the government used a fairly scattergun approach. North America and our American

colleagues were under attack. For all we know that same level of alert should still be in place today. However we are using a completely scattergun approach and, in our effort to cover the bases necessary, we believe we are going too far in covering things that may not have been necessary and may have been frivolous. A more cynical person would say that we are trying to achieve measures that could not be achieved through the normal course of legislation by giving additional powers to police and to officers, which the country would normally balk at.

The new tax on air transportation is one example where we believe the government took advantage of a desperate situation to initiate a tax grab that never would have been tolerated under normal circumstances. Under the guise of this renewed need to resecure our borders, we believe it snuck this new cash cow under the wire.

Let me just state for the record that the NDP caucus still opposes Bill C-17. We have serious reservations. We question the motivation of the introduction of many of these clauses. We look forward to having the opportunity to address them further.

• (1345)

Mr. Peter Adams (Peterborough, Lib.): Madam Speaker, I am pleased to speak to Bill C-17, the public safety act.

The bill, which was introduced in the House last Thursday, is an improved package of public safety initiatives in support of the government's anti-terrorism plan.

The proposed public safety act 2002 contains key provisions that will increase the Government of Canada's capacity to prevent terrorist attacks, protect Canadians and respond swiftly should a significant threat arise.

The proposed public safety act replaces the old Bill C-55 which was introduced this past spring but died on the order paper when Parliament prorogued in September. The proposed act retains key principles of Bill C-55 and notably would amend two acts that fall within the responsibilities of the Minister of Natural Resources: the National Energy Board Act and the Explosives Act. Like my colleague, I will be speaking to the technical aspects of the proposed legislation.

As hon. members will recall, the federal Explosives Act regulates the importation, manufacture, storage and sale of commercial explosives along with aspects of their transportation. Natural Resources Canada's, NRCan, primary mandate is to ensure the health and safety of workers in the industry and the health and safety of the general public.

Government Orders

The proposed amendments to the Explosives Act are the same as the amendments set out in Bill C-55 and are aimed at protecting Canada's explosives supply from criminal and terrorist interest. Proposed are: new measures to control the acquisition and possession of explosives by potential criminal or terrorist interests; to track the consumer sale of components of explosives, such as ammonium nitrate, which was mentioned by my colleague; and to introduce export and in-transit permit requirements to complement the current import permit regime.

This will assist in Canada's eventual ratification of the Organization of American States' inter-American convention against the illicit manufacturing of and trafficking in firearms, ammunition, explosives and other related materials in the OAS convention, which was signed in November 1997.

I would now like to take the opportunity to clear up some misconceptions which we have heard in the House about the proposed amendments to the Explosives Act during second reading debate of the previous bill in the last session, Bill C-55.

The reason that inexplosive ammunition components—inexplosive means non-explosive components of ammunition such as cartridge cases and bullets—are proposed to be defined and included for control under the Explosives Act is that the OAS convention captures such components in its definition of ammunition. In addition, to complete rounds of ammunition, the OAS definition also includes the propellant powder, primer, cartridge case and projectile.

The OAS regime is based on a system of import, export and in-transit licences aimed at protecting the shipment of firearms, ammunition, explosives and other related materials within the Americas from loss or diversion to criminal or terrorist interests.

This is already a known problem in some Central and South American states. For that reason, the Organization of American States, the OAS, felt it necessary for the convention to address this issue on an America-wide basis. Once the proposed amendments to the Explosives Act are enacted, Canadian importers of small arms ammunition will need to amend their existing explosives importation permits to include cartridge cases and projectiles.

There is no intention to ban, severely control or impose any further restrictions on domestic commerce if the goods were lawfully manufactured or imported.

● (1350)

The proposed controls for curbing illicit manufacture and trafficking of explosives are not intended to burden lawful shooting activities.

While ammunition propellant, such as smokeless powder, will continue to be defined and regulated as an explosive under the Explosives Act, no additional domestic requirements for the shipment, storage and possession of lawfully imported or manufactured cartridge cases and projectiles are intended. These proposed amendments will not adversely impact lawful shooting activities in Canada.

I would now like to turn my attention to the proposed amendments to the National Energy Board Act contained in part 14 of Bill C-17. This is the other aspect of NRCan's responsibilities in these matters.

Given the events of September 11, 2001, the Government of Canada needs to clearly define the powers of the National Energy Board with respect to security. I would like to make it clear that safety and security are related but they are not the same thing.

The National Energy Board currently has the mandate to regulate safety of interprovincial and international pipelines and international power lines. The amendments to the National Energy Board Act would provide the board a clear statutory basis for regulating the security of energy infrastructure under its jurisdiction.

The board's authority to regulate security would only apply to those pipelines and facilities that fall under federal jurisdiction. Production, treatment, refining, storage and internal distribution clearly fall under provincial jurisdiction. The proposed amendments do not apply to these facilities.

The amendments proposed to the National Energy Board Act are the same as the amendments set out in the old bill, Bill C-55, which lapsed. They would expand the National Energy Board's mandate to regulate security of installations and would provide the NEB with a clear statutory mandate to: order a pipeline company or certificate holder for an international power line to take measures to ensure the security of the pipeline or the power line; to make regulations respecting security measures; to keep information relating to security confidential in its orders or proceedings; to provide advice to the Minister of Natural Resources on issues related to security of pipelines and international power lines; and, finally, to waive the publication requirements for applications to export electricity or to construct international power lines if there is a critical shortage of electricity.

The board's inspectors would be given additional authority to make orders with respect to security matters. The ability of the board to keep sensitive industry security information confidential is essential to the exercise of regulatory responsibilities for security. The amendments therefore contain a provision enabling the board to take measures to protect information in its proceedings or in any order.

There are two tests for exercising that authority. These matters, as in other areas of security, are a matter of balance. It is essential for the board to maintain confidentiality with regard to security measures.

In conclusion, the amendments to the National Energy Board Act and to the Explosives Act contained in Bill C-17 would contribute to the safety and well-being of Canadians and provide us with better tools to address and better protect ourselves from terrorism.

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STATEMENTS BY MEMBERS

● (1355)

[English]

THE ENVIRONMENT

Mr. Larry Bagnell (Yukon, Lib.): Madam Speaker, I wish to congratulate the Gwich'in chiefs and other heroic Canadians who are in Ottawa today after marching on Washington, D.C. Saturday to protect the porcupine caribou herd from oil drilling in their calving grounds in the 1002 lands of the Arctic National Wildlife Refuge. This herd sustains a civilization that is thousands of years old and is one of the hallmarks of Canada's proud diversity.

I would like to commend the efforts of northerners like Fred Carmichael, grand chief of the Gwich'in tribal council; Peter Ross, chief of the Gwichya Gwich'in; Abe Wilson, chief of the Tetlit Gwich'in; Joe Linkletter, chief of the Vuntut Gwich'in; Ken Madsen, the walk coordinator; Wendy and the kids, Abe, Malcolm and Norma Kassi.

I was pleased to join them in Washington this past week to raise awareness of the calving grounds of the porcupine caribou herds. I wish to commend all the participants in the walk for their hard work so far.

Because of the recent elections in the United States it is important all of us here in Parliament redouble our efforts. The Canadian government has always supported this fight and we must all keep up a great fight.

* * *

EMPLOYMENT INSURANCE

Mr. Scott Reid (Lanark—Carleton, Canadian Alliance): Madam Speaker, for the third time in a year I am rising in the House to bring attention to the fact that despite repeated assurances the federal government is failing to meet its service delivery standards in the processing of employment insurance benefits.

It was on September 28, 2001, that I first stood in the House to point out that laid off workers in eastern Ontario were having to wait on average 42 to 56 days to have their claims processed despite the fact that the stated goal of the government was to process such claims in 28 days. A year later nothing at all has been done to lower the waiting period. The average performance level is still twice the waiting period promised by the government and that is simply unacceptable.

The unemployed in my riding and elsewhere should not have to pay the price for the Human Resources Development Department not being able to manage its internal affairs. I have been waiting a year for the minister to address this situation.

Will laid off workers in this part of the country have to wait another year for the government to simply meet its publicly stated promise of performance?

* * *

RELIGIOUS ORGANIZATIONS

Ms. Colleen Beaumier (Brampton West—Mississauga, Lib.): Madam Speaker, *Wahe Guru Ji Ka Khalsa, Wahe Guru Ji Ki Fateh.*

On Saturday I attended a blood donor clinic at the Dixie Gurdwara in Mississauga. Response to the clinic was so overwhelming that wait times were upward of three hours and many were turned away.

While there I witnessed the lessons of giving taught by Guru Nanak being observed by young and old alike. "The gift is in the giving" is a belief that is practised by Sikhs around the world. They feed the homeless and provide lodging, they raise money for hospitals and care for the sick, all with no publicity and no fanfare.

Tomorrow is the birthday of Guru Nanak Dev Ji and I invite all members to join me in wishing all Sikhs a joyous holy day. *Wahe Guru Ji Ka Khalsa, Wahe Guru Ji Ki Fateh.*

* * *

● (1400)

THE ENVIRONMENT

Mr. Peter Adams (Peterborough, Lib.): Madam Speaker, national parks and marine conservation areas protect Canada's fabulous biological diversity. They also protect drinking water for downstream communities, provide habitat for 402 endangered species and diversify regional economies by providing long term jobs in remote areas.

They enable aboriginal communities to realize their goals for cultural, economic and ecological sustainability. In addition, they provide and present to Canadians and visitors from overseas ecologically significant examples of wilderness heritage.

We lose the equivalent of three football fields of pristine wilderness every hour. It is critical that the government move swiftly on the throne speech commitment to greatly expand our parks on land and at sea. This commitment must be fully funded in the budget.

* * *

KEN MARLAND

Mrs. Lynne Yelich (Blackstrap, Canadian Alliance): Madam Speaker, I am proud to recognize today the achievement of Mr. Ken Marland, a teacher at Buena Vista Elementary School in my riding of Blackstrap.

Two days ago Mr. Marland received the Governor General's Award of Excellence in teaching Canadian history. He and five other recipients were selected from a field of more than 150 candidates from across Canada. Mr. Marland's innovative approach to helping children learn goes far beyond traditional classroom routines.

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Rather than dictate lessons directly from a textbook Mr. Marland utilizes hands-on learning and real life examples to motivate his young students to learn about Canada's rich history. By fostering an enthusiastic love of learning Mr. Marland is giving his students a chance to grow and develop throughout their lives. What a wonderful gift.

I invite all members to join me in paying tribute to one of Canada's premier teachers, Mr. Ken Marland.

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[*Translation*]**GOVERNMENT FINANCIAL MANAGEMENT**

Mr. Robert Bertrand (Pontiac—Gatineau—Labelle, Lib.): Madam Speaker, it is with great pride that I rise today to announce that a new study on world economic trends shows that Canada is once again a model to follow.

Indeed, the Conference Board of Canada notes the Liberal government's sound financial management. We succeeded in avoiding the world economic slowdown. Our performance in the area of job creation and economic growth is one of the best. In 2002, over 400,000 new jobs have been created in Canada.

This study merely confirms what Canadians already knew: this government's prudence, accountability and sound management are yielding results.

Today, I want to congratulate our government and encourage it to keep up its excellent work.

* * *

[*English*]**SPORTS**

Ms. Nancy Karetak-Lindell (Nunavut, Lib.): Madam Speaker, last Wednesday night there were Nunavut flags being waved proudly during a Hershey Cup All Star Series game at the Robert Guertin Arena in Gatineau. In front of an enthusiastic crowd the WHL Eastern Conference team defeated the Quebec Major Junior Hockey League Conference team by a score of 5 to 2.

Jordin Tootoo of Rankin Inlet, Nunavut, was a key player for his WHL team and was cheered on by his proud mother, Rose, who was joined by many equally proud supporters from Nunavut, some who flew down the great distance for the occasion. We were probably the loudest fans at that arena. Jordin is an excellent role model for Nunavut youth and we wish him well for the rest of his season.

I ask my colleagues to join me in congratulating Jordin Tootoo and his teammates.

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[*Translation*]**JOCELYNE GERVAIS**

Ms. Pauline Picard (Drummond, BQ): Madam Speaker, the Syndicat des agricultrices du Centre-du-Québec has named Jocelyne Gervais, a resident of Saint-Guillaume, female farmer of the year 2002.

Mrs. Gervais works on the farm with her husband and does various tasks, in addition to managing the accounts of their farm and negotiating bank loans.

A dynamic woman, Jocelyne Gervais is also very involved in her community. She is active in many social clubs, in addition to being chair of the board of the Caisse populaire Cavignac.

I hope that her example will encourage other women to become actively involved in their community.

Congratulations to Jocelyne Gervais, the female farmer of the year for the Centre-du-Québec region.

* * *

JOB CREATION

Ms. Raymonde Folco (Laval West, Lib.): Mr. Speaker, thanks to the economic climate and industrial and commercial development in Laval, the job market is expected to grow by 33,500 jobs in approximately 500 areas of activity before 2005.

This is excellent news for residents of Laval who are now, or who will soon be, looking for employment. However, 80% of these 33,500 new jobs will require greater knowledge and specialization by those who will be hired.

I am therefore particularly proud of the commitments made by the Government of Canada in its Speech from the Throne, making innovation and employment programs the centrepiece of all government actions.

Whether it be promoting learning on the job, or helping young people with their postsecondary studies, this innovation initiative will definitely provide for improved working conditions for Canadians in the future.

* * *

● (1405)

[*English*]**AGRICULTURE**

Mr. Peter Goldring (Edmonton Centre-East, Canadian Alliance): Mr. Speaker, today on Parliament Hill many have gathered to support Canada's farmers.

During the French Revolution, the storming of the Bastille sparked civil change and citizens' rights, in particular, the right of farmers to market their grain as they wish. Reform was sought because French farmers were previously told how and where to sell their grain. French farmers received marketing freedom 200 years ago.

This same rights scenario is the reason for the symbolic "storming of the Bastille" today: freedom and equality for Canada's farmers. This freedom still eludes some of Canada's farmers who have suffered discrimination and imprisonment in their belief that all Canadians should be treated equally. National unity uncertainty is fostered by inequality of people and of livelihoods. All Canadians deserve and expect to be treated equally.

Today we call on our government to listen, listen to the call for equality, listen to Canada's farmers, and listen to the people of Canada.

* * *

ABBA EBAN

Mr. Irwin Cotler (Mount Royal, Lib.): Mr. Speaker, Israel and the international community mourn today the death of one of the greatest statesmen and diplomats of the 20th century, Abba Eban.

South African born and Cambridge educated, Abba Eban played a decisive role—joined in by Canadians Justice Ivan C. Rand and Lester Pearson—in securing support for the United Nations General Assembly resolution in 1947 calling for the establishment of a Jewish state and a Palestinian state.

As Israel's long time ambassador to the United Nations from 1949 to 1959, and as its foreign minister from 1966 to 1974, a period which spawned the Six Day War and the Yom Kippur War, Eban became known as the "Voice of Israel", resonating with its unique combination of Churchillian rhetoric and Shakespearian literacy. But even that was an understatement. Indeed, he was the voice of humanity, and his entire being was suffused with the commitment to peace between Jews, Arabs and Palestinians.

A distinguished academic, a prolific scholar, the unparalleled chronicler of his people and his country, and of civilization itself, his voice for peace is very much missed today. We have lost a great human being. We shall not see the likes of him again.

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[*Translation*]

ÉMILE OLLIVIER

Mr. Yves Rocheleau (Trois-Rivières, BQ): Mr. Speaker, eight days ago, author Émile Ollivier passed away. Journalists, literary critics and friends paid tribute to him and bade farewell to this sociologist, teacher and author.

Émile Ollivier was born in Haiti. He chose to live in Quebec so that he could live in French. He was a great lover of the French language.

Quebeckers can pride themselves on the contributions by those like Émile Ollivier, who came from afar to take part in building a society that is rich and modern, thanks to its diversity. A society in which many flourish in harmony with their new surroundings, while maintaining bonds with their motherlands. The works of Émile Ollivier have left an impression, and will continue to do so, on generations of Quebeckers.

I extend my condolences to his wife, Marie-José Glémaud, his daughter, Dominique, and his granddaughter, Mélissa, and to all those who, with the passing of Émile Ollivier, have lost someone they loved and admired.

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[*English*]

POVERTY

Mrs. Bev Desjarlais (Churchill, NDP): Mr. Speaker, this year the Thompson Corps of the Salvation Army celebrated its 40th

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anniversary. I would like to extend my congratulations to the members of the corps and its volunteers for their hard work and determination.

The Thompson Corps began in the basement of a home and it has grown from its humble beginnings to provide community services, such as the local thrift store, the food bank and the emergency shelter. With the hard work of corps members and community volunteers, the Salvation Army raises money through its Red Shield Appeal and in the upcoming holiday season through its Christmas kettles.

In addition, the Thompson Corps and the Salvation Army, nationally with other organizations throughout Canada, provide Christmas food hampers to families in need. Regrettably, the number of families in need has grown as the problem of poverty has continued to escalate in Canada. More and more people in this country are forced to work two and three jobs just to survive.

The Liberal government needs to finally make good on its promises to help impoverished children and their families.

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● (1410)

JUSTICE

Mr. Paul Harold Macklin (Northumberland, Lib.): Mr. Speaker, this is Restorative Justice Week. Restorative justice is a new way of looking at a very old concept of justice. It focuses on healing the societal relationships that have been broken by criminal actions. Restorative justice seeks participation by everyone affected by the crime, victims, offenders and the community, to recognize the harm done, achieve reconciliation, and restore harmony in the community.

It is a less adversarial approach that has been used historically and also in aboriginal justice systems. Principles of this approach were added to the Criminal Code in 1996. The Supreme Court of Canada has recognized its importance, and the Law Commission of Canada endorsed it in a 1999 paper.

The government is committed to solutions that work for our communities. Restorative justice is a concept that has valid applications for all of us to learn more about it and to explore new ways to look at our criminal justice system.

* * *

ST. FRANCIS XAVIER UNIVERSITY

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, I am honoured today to rise in the House to extend my congratulations to St. Francis Xavier University in Antigonish, Nova Scotia, on being ranked number one among Canada's primarily undergraduate universities by *Maclean's* magazine.

This prestigious commendation is a ringing endorsement of the university's vision, work ethic and commitment to education throughout its almost 150 year history. Its study and research in science, business, humanities and social science makes St. FX an integral player in forming Canadian and international leaders.

Oral Questions

I also want to welcome President Shawn Reilly and representatives of St. Francis Xavier's Coady International Institute who are joining us here today for a reception to which all members are invited. The Coady Institute's work in education, and social and economic justice is world renowned.

On behalf of the Progressive Conservative Party and all members of Parliament, I wish to commend St. FX, its administration, faculty, staff and student body on keeping it a vibrant and vital part of Canadian education and international development. Xavierians everywhere are beaming with pride.

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[*Translation*]

OSTEOPOROSIS

Ms. Diane St-Jacques (Shefford, Lib.): Mr. Speaker, November is Osteoporosis Month. It is important for Canadians to become more aware of this disease, because of its stealthy nature. People can have the disease without any symptoms. It steals bone mass silently, and bones deteriorate and become more fragile.

In Canada, more than one in four women and one in eight men over the age of 50 have osteoporosis. More women die each year of fractures related to osteoporosis than from breast cancer.

Osteoporosis can be prevented by a healthy diet, including sufficient calcium and Vitamin D, combined with physical activity. Osteoporosis can be avoided. I invite all Canadians to learn more about it.

* * *

[*English*]

COAST GUARD

Mr. John Cummins (Delta—South Richmond, Canadian Alliance): Mr. Speaker, on November 6, the minister for the Coast Guard advised the House that the men and women of the Coast Guard were answering the bell, yet on November 7 the minister was forced to admit to the House that the Coast Guard fleet on the east coast had been tied up because it had no money for fuel.

What he did not tell the House was that the Coast Guard on the west coast has no money for uniforms.

Internal Coast Guard documents reveal that on October 28 all Coast Guard vessels on the west coast were advised that "all uniform clothing requisitions dated from October 1, 2002, will not be processed until further notice".

The men and women of the Coast Guard are trained to answer the bell when called to do so, but how can they do so without uniforms or without fuel for their vessels?

With winter fast approaching and with nearly five months left in the fiscal year, when will the Coast Guard be provided the uniforms it needs?

ORAL QUESTION PERIOD

[*English*]

TERRORISM

Mr. Stephen Harper (Leader of the Opposition, Canadian Alliance): Mr. Speaker, the government's right hand does not know what its left hand is doing when it comes to national security.

The foreign affairs minister said for two months that the United States had offered no justification or information for the deportation of Maher Arar. Yet we now know that the RCMP knew of Arar's activities. They questioned him nearly a year ago and they were notified weeks ago by the FBI of its information.

My question is, when did the minister know of the RCMP's holding of information on this matter?

• (1415)

Hon. John Manley (Deputy Prime Minister and Minister of Finance, Lib.): Mr. Speaker, we would not in any circumstances of course disclose information of that sort, whether we had it or not, with respect to a particular individual.

Of course we raised issues regarding the consular rights of the individual involved, but in no circumstances would we confirm or make any comment on any information that we might have about an individual—

The Speaker: The hon. Leader of the Opposition.

Mr. Stephen Harper (Leader of the Opposition, Canadian Alliance): Mr. Speaker, he said he did not know. It would be nice if there were somebody here to actually answer a question on this.

While the minister participated in high level consultations to defend a suspected terrorist, it apparently took a trip by the U.S. Secretary of State for the minister to admit what he really knew.

Officials now acknowledge that they have had evidence on Arar's activities for weeks. Why did it take a newspaper article to correct the record? Why did the minister and the government not reveal these facts to the House before today?

Hon. Wayne Easter (Solicitor General of Canada, Lib.): Mr. Speaker, the Department of Foreign Affairs and International Trade is working with United States authorities on this issue to clarify the matter. We do not comment publicly on these matters related to international security.

Mr. Stephen Harper (Leader of the Opposition, Canadian Alliance): Mr. Speaker, perhaps I will ask that minister. The Minister of Foreign Affairs was asked in the House of Commons about this file. He acted as if he knew absolutely nothing and said he was going to consult the United States because he had no justification or information.

The minister's department has an agency under him, the RCMP, which had that information. When was that information passed on to the Minister of Foreign Affairs?

Oral Questions

Hon. John Manley (Deputy Prime Minister and Minister of Finance, Lib.): Mr. Speaker, the Leader of the Opposition is confusing the issue of a citizen's consular rights, that is, rights to consular support in any circumstance, and the issue of whether or not there was substantive information that concerned this particular individual in the possession of U.S. authorities.

In the former, of course we will intervene in order to ensure that consular rights are respected. In the latter, we will not be prepared to comment.

Mrs. Diane Ablonczy (Calgary—Nose Hill, Canadian Alliance): Mr. Speaker, it is time the Liberals told the truth: that their system of screening and security checks is pathetic. Arar was given dual Syrian and Canadian citizenship by the government. It did not pick up on his terrorist links and the U.S. had to clue it in.

How is it that the U.S. could uncover this man's background so quickly when the government's screening system failed to find his al-Qaeda links?

Hon. John Manley (Deputy Prime Minister and Minister of Finance, Lib.): Mr. Speaker, I point out to the hon. member for Calgary—Nose Hill that Mohammed Atta, the conspirator behind the September 11 destruction of the World Trade Center, received his visa from U.S. authorities six months after September 11.

Mrs. Diane Ablonczy (Calgary—Nose Hill, Canadian Alliance): Mr. Speaker, the government needs to take responsibility for what it is doing to protect Canadian security. The fact is that these Liberals were asleep at the switch.

Arar was not properly checked. Instead, the government ran around chastising the U.S. for sending Arar back to Syria, where he is also a citizen.

Why is it that the Liberal security system is so weak here that they overlook vital information that the U.S. picked up on a routine check?

Hon. Wayne Easter (Solicitor General of Canada, Lib.): Mr. Speaker, if hon. members on the opposite side would listen, I want to make it very clear that we are on top of our game in terms of international security. The RCMP and CSIS are very much on top of their game in ensuring that we are protecting Canadian citizens against terrorism.

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[*Translation*]

KYOTO PROTOCOL

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, the hon. member for LaSalle—Émard, who is the most serious aspirant to the job of Prime Minister, has just asked that ratification of the Kyoto protocol by Canada be postponed.

Despite the comments of the member for LaSalle—Émard, will the government respect its commitment and ensure that Canada ratifies the Kyoto protocol by the end of 2002?

Hon. David Anderson (Minister of the Environment, Lib.): Yes, Mr. Speaker.

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, the hon. member for LaSalle—Émard is also of the opinion that

the vote in the House promised by the Prime Minister before the Kyoto protocol is ratified, should be postponed.

Despite the views expressed by the leadership candidate, who is the most influential member within the Liberal caucus, can the Minister of the Environment confirm the government's intention to hold a vote in this House before Canada ratifies the Kyoto protocol, in 2002?

● (1420)

Hon. David Anderson (Minister of the Environment, Lib.): Yes, Mr. Speaker.

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, by openly defying the Prime Minister on an issue of such importance as the Kyoto protocol, the hon. member for LaSalle—Émard has given rise to serious doubt regarding the Prime Minister's capacity to follow up on his own commitments.

Can the Deputy Prime Minister tell us whether the Prime Minister will impose a party line on all his members regarding the vote in the House?

Hon. John Manley (Deputy Prime Minister and Minister of Finance, Lib.): Mr. Speaker, it goes without saying that, in the Speech from the Throne, the Kyoto protocol is a priority for our government, and we have pledged to adopt it.

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, will the Deputy Prime Minister admit that the fact that the Prime Minister announced his departure 18 months before actually leaving is creating a serious leadership problem? Unfortunately, we will have to wait until long after his successor takes over to know the outcome of the major issues confronting us, including the Kyoto protocol.

Hon. John Manley (Deputy Prime Minister and Minister of Finance, Lib.): Mr. Speaker, the President of Mexico announces his leaving office six years before the fact, since he cannot run for another term. During his second term, the President of the United States announces his departure four years before leaving. Therefore, 18 months is not too long a period.

* * *

[*English*]

BORDER SECURITY

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, when Colin Powell and our foreign affairs minister met in Ottawa last week, they led Canadians to believe that racial profiling at our border is no longer happening.

It is happening. Members of Parliament know from constituents' personal testimony that racial profiling is happening on a daily basis. Even on Canadian soil, Canadians are being harassed and intimidated by American customs officers at airport pre-clearance facilities.

When will the government acknowledge the truth and summon the American ambassador to say that enough is enough?

Ms. Aileen Carroll (Parliamentary Secretary to the Minister of Foreign Affairs, Lib.): Mr. Speaker, the recent meeting between Secretary of State Colin Powell and the Minister of Foreign Affairs consisted of very successful discussions on a number of issues.

Oral Questions

In particular as it relates to this member's question, the NSEERS program was discussed. We were assured by the secretary of state that no one with a Canadian passport would have that program triggered because of their place of birth. We are confident that the secretary of state is very much on task with that.

Mr. Joe Comartin (Windsor—St. Clair, NDP): Mr. Speaker, those assurances clearly are not enough. We want some concrete action. What we have here is that Canadians are being harassed and abused because of their country of origin and the colour of their skin.

Windsor is the busiest crossing point in the country. There are thousands of people going across every day. Students, workers and families are suffering because of these discriminatory measures of U.S. authorities.

When will the government stand up and protect Canadians and demand that the U.S. cease this discriminatory conduct?

Ms. Aileen Carroll (Parliamentary Secretary to the Minister of Foreign Affairs, Lib.): Mr. Speaker, we have made it very clear and have been responded to very clearly in return that Canadians' place of birth would not trigger NSEERS. Canadians have the option, if they choose, not to have their place of birth put on their passports, but if they do so they risk not being admitted to certain countries that will not allow this.

We are very confident that we are working closely with our American allies in this regard. We have asked and they have listened.

* * *

NATIONAL DEFENCE

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, four months ago DND received a report from the Defence Science Advisory Board which concluded that the provincial emergency response systems are doomed to fail due to the absence of an overarching command structure to coordinate efforts, and that there is no plan to protect civilian targets.

In light of the ominous message attributed to Osama bin Laden, could the Minister of National Defence tell Canadians exactly what has been done since receipt of that report to create such a command structure and to secure nuclear power plants, power grids and other critical infrastructure?

• (1425)

Hon. John McCallum (Minister of National Defence, Lib.): Mr. Speaker, the specific answer to the question is that the report has since been overtaken by events. The government, for example, has allocated an additional \$69 million to protection from chemical, biological and nuclear warfare.

In general the government has allocated \$7.7 billion over five years to increase the security of Canada. That money has gone to doubling the capacity of our special forces, investing with the provinces and municipalities to protect critical infrastructure such as power sources, and many other areas.

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, there are a lot of events overtaking the Liberal government.

In the aftermath of September 11 the government deployed our fleet of CF-18 fighters across the country to better respond to

potential terrorist threats. However last week we learned that the CF-18s were quietly called back to base in August.

Recent events, including the bin Laden tape, proved the terrorist threat is still very real yet the Liberal government has diminished our ability to respond.

If the threat of terrorism was real enough to deploy the CF-18s in the first place, what events did the government base its decision upon to bring those planes home?

Hon. John McCallum (Minister of National Defence, Lib.): Mr. Speaker, as I have just explained, the government has invested \$7.7 billion over five years, including \$1.2 billion for the military alone. The CF-18s performed admirably in Kosovo and elsewhere. They are fighting planes which do very well. They are in the process of a modernization program, which is well underway, so Canadians can rest assured that those CF-18s will be there when we need them.

* * *

TERRORISM

Mr. Stockwell Day (Okanagan—Coquihalla, Canadian Alliance): Mr. Speaker, we have now been informed that the bin Laden tape threatening Canada is authentic. We also know that bin Laden's al-Qaeda meets with Hezbollah to plot strikes on the western hemisphere.

Bin Laden in effect could use Hezbollah, which operates legally in Canada, as a launch pad to carry out his threatened attack on our country.

Why will the government not protect Canadians from bin Laden's Hezbollah buddies and simply outlaw them in Canada now?

Hon. Wayne Easter (Solicitor General of Canada, Lib.): Mr. Speaker, first let us be clear. We do not need to have these entities on a list for CSIS to do its job. We have already announced, as I informed the member before, seven entities on a list and we are doing more accurate work before we announce other entities for the list.

Mr. Stockwell Day (Okanagan—Coquihalla, Canadian Alliance): Mr. Speaker, we now have more evidence that Hezbollah is operating in Canada. Canadian Hezbollah recruit, Fawzi Ayoub, is reported to have masterminded the terrorist killings of 12 Israelis on Friday.

Hezbollah's leaders have declared Canada an enemy. The group meets with al-Qaeda to plot strikes on the western hemisphere, and now Ayoub's case shows the group is actively recruiting within our borders.

What tragedy will have to take place in this country before this government will do, as our allies have done in their countries, and outlaw, put on a list, this group of terrorists?

*Oral Questions***KYOTO PROTOCOL**

Hon. Wayne Easter (Solicitor General of Canada, Lib.): Mr. Speaker, I already informed the member we do not need to have people on a list for CSIS to do its job. However in terms of doing our analysis of what organization or entity should be on the list, we do not base our information on the last statement by the member opposite or on the last headline in a newspaper. We base it on actual credible information so that we are very clear, when we put the list in place, that we are definitive that they should in fact be on the list.

* * *

[Translation]

HEALTH

Mr. Réal Ménard (Hochelaga—Maisonneuve, BQ): Mr. Speaker, according to a study by the Queens University Institute of Intergovernmental Relations for the Romanow Commission, the federal government lacks the administrative ability to manage the health care system as well as Quebec and the provinces are doing.

In order to ensure optimum health care delivery, can the Prime Minister assure us that his government will respect the jurisdiction of Quebec and the provinces over health, as the Institute recommends?

[English]

Hon. Anne McLellan (Minister of Health, Lib.): Mr. Speaker, let me first assure the hon. member that we are fully aware that the provinces have primary jurisdiction over health care and are the primary deliverers of health care. In fact, they have all been working very hard, especially since the accord of 2000, agreed to by the Prime Minister and the premiers, to renew our health care system and to ensure that we have accessible high quality health care available to all Canadians. We will continue to work in that spirit of collaboration and partnership.

● (1430)

[Translation]

Mr. Réal Ménard (Hochelaga—Maisonneuve, BQ): Mr. Speaker, the study by the Queens University Institute of Intergovernmental Relations also stresses that any attempt by the federal government to interfere in areas under the jurisdiction of Quebec and the provinces would be ill advised.

Instead of eyeing the jurisdictions of others, will the federal government leave the administration of the health care system to Quebec and the provinces, and provide them with the financial means to take action by once again providing the necessary funding for care, which is all it is responsible for doing and indeed all it is required to do?

[English]

Hon. Anne McLellan (Minister of Health, Lib.): Mr. Speaker, let me reiterate that the provinces are the primary deliverers of health care in this country and we respect that jurisdiction and work closely with them.

Let me also reassure the hon. member that a number of members of the government, including the Minister of Finance and myself, have said that if new money is required for the health care system, which it clearly appears to be, the Government of Canada will be there to do its fair share.

Mr. Bob Mills (Red Deer, Canadian Alliance): Mr. Speaker, the next joint ministers meeting to develop a made in Canada alternative to Kyoto is scheduled for this Thursday. The current federal plan is nothing more than a powder-puff PowerPoint presentation with which provinces want nothing to do. The provinces have 12 conditions to which they are asking the federal government to agree.

Will the environment minister agree to all 12 conditions put forward by the provinces?

Hon. David Anderson (Minister of the Environment, Lib.): Mr. Speaker, the very day that these 12 principles were put forward I indicated that 9 were acceptable but that 3 were ambiguous or were capable of more than one meaning. We have asked for clarification on those. We are awaiting that clarification. I certainly hope we will get it and I certainly hope the meeting will take place on Thursday.

Mr. Bob Mills (Red Deer, Canadian Alliance): Mr. Speaker, the Prime Minister has refused to meet with the premiers on Kyoto. Now the environment minister is turning his back on the provinces. All they want are assurances that this ill-conceived deal will not destroy their economies. They want this minister to promise, before they agree to meet him, that he will look at those 12 points.

Will the environment minister agree to incorporate the ideas of the provinces into the Kyoto plan before it is brought before the House?

Hon. David Anderson (Minister of the Environment, Lib.): Mr. Speaker, the hon. member has not accurately described some of the 12 principles upon which we have differing views. For example, regarding the words “incorporate appropriate federally funded mitigation of the adverse impacts of climate change initiatives”, we are not quite sure exactly how far that goes and whether that includes the federal government paying for every climate change initiative or not.

* * *

[Translation]

HEALTH

Mr. Richard Marceau (Charlesbourg—Jacques-Cartier, BQ): Mr. Speaker, according to the author of the health study who presented his findings to the Romanow commission, the provinces are very aware of the coordination problems between the various elements in the health care system, they are trying to remedy the situation, and the arrival of a new player is only making matters worse.

Should the federal government not clearly state that it got the message, that same message we try to get across each time the health issue is raised, and put the question to rest about whether or not it plans to meddle in health care?

[English]

Hon. Anne McLellan (Minister of Health, Lib.): Mr. Speaker, I do not really understand the premise of the hon. member's question. Health care has always been a collaborative partnership in this country. All the premiers agree that the Canada Health Act and the five principles of the act are a federal responsibility in terms of their enforcement.

Oral Questions

We work in partnership with the provinces. We acknowledge that the provinces have primary jurisdiction over health care. In fact, the September accord of 2000 is no better indication than anyone could have that we do truly view this as a collaboration and a partnership, and one in which we work together to ensure all Canadian have high quality health care.

[Translation]

Mr. Richard Marceau (Charlesbourg—Jacques-Cartier, BQ): Mr. Speaker, the hon. minister claims that she does not understand the premise of my question, which is the following.

In the Queen's University report, Mr. Lazar noted that the federal government was not equipped to get directly involved in health care, saying:

It does not have the administrative or bureaucratic capacity to organize the system as well as the provinces, whose jurisdiction it is.

Following this strong endorsement of what the Bloc Québécois has been saying, should the signal not be given right away that the federal government got the message and will honour its traditional responsibility of properly financing the health care system, period?

• (1435)

[English]

Hon. Anne McLellan (Minister of Health, Lib.): Mr. Speaker, the hon. member fundamentally misunderstands the role of the Government of Canada if he thinks that it is only to provide funding. It is our responsibility to provide leadership in a number of roles, including the enforcement of the five principles of the Canada Health Act.

However, if the hon. member is suggesting that the provinces are the primary deliverers of health care and deal and struggle with the challenges of delivery on a day to day basis, they do and we are very respectful of that.

* * *

KYOTO PROTOCOL

Mr. James Rajotte (Edmonton Southwest, Canadian Alliance): Mr. Speaker, the Vienna convention and the standard practice of past Canadian governments requires that the government introduce and pass all implementation legislation before moving to formal ratification of an international treaty.

Will the government follow customary procedure and not ratify the Kyoto accord until all federal and provincial implementation legislation is passed?

Hon. David Anderson (Minister of the Environment, Lib.): Mr. Speaker, I think the hon. member's inexperience perhaps has led him to not understand exactly what takes place in the case ratification. He has wildly exaggerated the work that is done prior to ratification.

I can assure him that we fully intend to have details and give a very good picture of what the costs will be and what the impact will be for every sector of the economy and for every part of the country before ratification takes place.

Mr. James Rajotte (Edmonton Southwest, Canadian Alliance): We would like to see that tabled, Mr. Speaker. Convention, from past Canadian governments and from the Vienna convention, is that ratification requires all implementation to be passed beforehand.

The government House leader confirmed last week the legislation to implement the Kyoto accord would not be tabled until next year.

Why is the government not following the standard practice of treaty ratification with respect to the Kyoto accord?

Hon. David Anderson (Minister of the Environment, Lib.): Once again, Mr. Speaker, the hon. member has mischaracterized the standard practice for treaty ratification.

I can assure him that we will follow the standard practice for treaty ratification. I can assure him also that I know of no country on earth which has done more to try to anticipate the cost to the economy, the cost to any sector of the economy and the cost to any region of the country of ratification of Kyoto than Canada.

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JUSTICE

Mr. Sarkis Assadourian (Brampton Centre, Lib.): Mr. Speaker, my question is for the Solicitor General. Following the recent meeting of federal and provincial justice ministers, could the minister tell the House what the proposals for a national sex offender registry will do in terms of increasing public safety in Canada?

Hon. Wayne Easter (Solicitor General of Canada, Lib.): Mr. Speaker, I thank the member for Brampton Centre for his question and his concern about public safety.

We got good representation from the ministers at the meeting we held with federal-provincial-territorial ministers in Calgary. We presented to them our proposals for sexual offender registration. I am pleased to report that we had a very good consensus from the ministers. We look forward in the coming weeks to bringing the legislation forward to the House.

* * *

HEALTH

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, in the resounding municipal election result in Vancouver on Saturday the voters made it crystal clear that they support Larry Campbell's straightforward and compassionate approach to saving lives and dealing with the drug crisis.

If the Minister of Health needed any more evidence that the public is solidly behind safe injection sites, she only has to look at the landslide victory COPE candidates.

Will the Minister of Health act now to be part of the solution, to ensure that safe injection sites are set up in the new year? Treatment does not begin with dead bodies.

Hon. Anne McLellan (Minister of Health, Lib.): Mr. Speaker, as the hon. member is probably aware, the federal government has been working with provincial and territorial colleagues for some time in relation to the possible development of safe injection sites. My department is in the process of finalizing draft guidelines which will be discussed by stakeholders in the coming weeks. These guidelines will form the basis for a local community if it so chooses to make an application for a safe injection site.

It is not for me to presume, but in light of the election results in Vancouver I take it that the new mayor and his council might be interested in pursuing it.

FOREIGN AID

Mr. Svend Robinson (Burnaby—Douglas, NDP): Mr. Speaker, my question is for the Secretary of State for Latin America and Africa. When the Prime Minister announced a special \$500 million fund for Africa at the G-8, he told Canadians it would lift Africa out of poverty. He did not say the money would line the pockets of Canadian businesses.

Earlier this month though the Treasury Board approved the PM's plan to allocate 20% of the fund to support Canadian businesses instead of Africans.

Given the performance of some Canadian businesses in Africa, including Talisman Energy, Acres International and the five mining companies in Congo recently found in violation of international UN regulations, will the minister agree to independent monitoring of their performance and an assessment of the development impact of this money?

• (1440)

[Translation]

Hon. Denis Paradis (Secretary of State (Latin America and Africa) (Francophonie), Lib.): Mr. Speaker, the plan for NEPAD, the new partnership for the development of Africa that is being proposed by Africans for Africa, provides first of all that, to get investments in Africa—and this is the only way out for Africans, they say—there has to be progress in democracy, human rights and good governance.

This is the blueprint for Africa. For this purpose, last year, in Canada, as the hon. member indicated, we in this House voted \$500 million in special funding to help Africa.

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[English]

TERRORISM

Mr. Greg Thompson (New Brunswick Southwest, PC): Mr. Speaker, to protect itself from a possible bioterrorist attack, the United Kingdom has already vaccinated health care workers against smallpox. In an emergency, the United States is prepared to vaccinate 280 million people within a week. It has also secured 100,000 doses of the vaccine antidote DIG produced by a Canadian company.

Can the Deputy Prime Minister tell us why Canada has not yet secured access to a single dose of this antidote? What is the plan to protect Canadians against smallpox?

Hon. Anne McLellan (Minister of Health, Lib.): Mr. Speaker, as the hon. member may be aware, we are working with the provinces and territories on the updating of our national smallpox strategy.

I can reassure the hon. member and all members of the House that the Government of Canada has approved the purchase of additional vaccine as well as antidote. We are moving forward with that procurement strategy right now.

Mr. Greg Thompson (New Brunswick Southwest, PC): Mr. Speaker, the minister is rambling simply because the government does not have a plan.

Oral Questions

As a reminder, following September 11 the government announced the creation of a committee of experts to deal with bioterrorism. However that committee has not yet met.

Can the Deputy Prime Minister explain why the committee of experts to deal with bioterrorism has not met?

Hon. Anne McLellan (Minister of Health, Lib.): Mr. Speaker, the committee to which the hon. member refers is chaired by Dr. Low, a renowned microbiologist at Mount Sinai Hospital. It is a 12 member advisory committee. In fact it had its first meeting by teleconference in October and will be meeting again in December.

Clearly we seek the advice of the committee as we need it and look forward to recommendations it might have for us coming out of the December meeting.

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VETERANS AFFAIRS

Mrs. Betty Hinton (Kamloops, Thompson and Highland Valleys, Canadian Alliance): Mr. Speaker, Lieutenant Colonel Al Trotter is a highly decorated former prisoner of war being denied his full pension by Veterans Affairs.

For over a year I have been appealing to the minister to set things right and extend benefits to this Canadian hero. The minister has told the media that his officials are reviewing the file. He has had the facts for over a year. What is left to review?

Hon. Rey Pagtakhan (Minister of Veterans Affairs and Secretary of State (Science, Research and Development), Lib.): Mr. Speaker, I cannot discuss this individual case. However, I should say that all who had been prisoners of war and who have filed applications for benefits within the law passed by this Parliament have received the benefits according to the law of Parliament.

Mrs. Betty Hinton (Kamloops, Thompson and Highland Valleys, Canadian Alliance): Mr. Speaker, the minister cannot hide behind a loophole. I have met with his predecessor and himself and we have talked about this.

Mr. Trotter is 79 years old. It seems that the minister is delaying until Mr. Trotter and others in his situation are no longer around.

He could make the change today. When can I tell Mr. Trotter that the cheque will finally be in the mail?

Hon. Rey Pagtakhan (Minister of Veterans Affairs and Secretary of State (Science, Research and Development), Lib.): Mr. Speaker, this is a very heart-rending case for all of us. That is why I have asked my department to revisit the issue. If amendment of the law remains an option, when the answer is available I will give it to the House of Commons.

Oral Questions

●(1445)

[Translation]

FOREIGN AFFAIRS

Ms. Francine Lalonde (Mercier, BQ): Mr. Speaker, we know that the Department of Foreign Affairs has been toying with the idea of an identity card. The Minister of National Revenue has closed the door on the project, calling it inappropriate, while his colleague from immigration has said that the card may facilitate travellers' access to the United States.

Does the Deputy Prime Minister realize that the solution being proposed by the Minister of Citizenship and Immigration is not the right approach, particularly since the Privacy Commissioner has said that the type of information contained on the card could violate the right to privacy?

Hon. Denis Coderre (Minister of Citizenship and Immigration, Lib.): Mr. Speaker, I think some clarification is in order.

First, we have always talked in terms of a debate. What about the Maple Leaf cards for permanent residents, given the situation between the United States and Canada regarding the border?

Second, when it comes to Canadian citizens, we wondered if we should have a broader debate. We wondered if we could have tools that would facilitate certain situations and ensure that there were preventative measures.

In a democracy, debate is essential, but the government has not taken any position yet.

Ms. Francine Lalonde (Mercier, BQ): Mr. Speaker, in this debate the minister mentioned, he is promoting an identity card, saying, among other things, that it would spare Canadians from having to obtain a visa to cross the border.

Does the minister realize that by opening the door to an identity card, he is upsetting the balance that must exist between security and freedom?

Hon. Denis Coderre (Minister of Citizenship and Immigration, Lib.): Mr. Speaker, the question the member raises is extremely relevant. This is why it is important to have this balance between openness and vigilance.

That said, we do not wish to create any new identity card. We propose looking into whether or not we could have a debate that would allow us to decide, based on existing technology, what we would like to use. As such, I think that this type of debate would be good. It is up to us to decide.

When we had the debate on the card for permanent residents, it was viewed as a tool to regulate the system. I think that debate is healthy. Canadians will decide, but once again, the Government of Canada has made no decision on this. It is healthy to debate things in this country.

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[English]

CORRECTIONAL SERVICE CANADA

Mr. Kevin Sorenson (Crowfoot, Canadian Alliance): Mr. Speaker, the new Solicitor General has inherited a department that

is plagued by serious problems that threaten the security and safety of Canadians. Of immediate concern are 800 parolees who are apparently no longer reporting to their parole officers, thereby dramatically increasing the likelihood of reoffending.

Does the Solicitor General confirm or deny the fact that Correctional Service Canada has lost track of 800 parolees?

Hon. Wayne Easter (Solicitor General of Canada, Lib.): Mr. Speaker, the member struck the nail on the head. I will neither confirm nor deny whether there is a number of parolees. The fact of the matter is though—

Some hon. members: Oh, oh.

The Speaker: Order. It is very important that the Chair be able to hear the Solicitor General's answer and there is so much noise I can hardly hear a word.

The hon. minister is trying to answer the question raised by the Alliance Party. Most of the comments that I am sure are intended to be helpful are coming from the Canadian Alliance and I know that they would want to hear the minister's answer since the question came from there.

I know that hon. members are also exchanging their pleasure at seeing one another after a week away, but we do have to be able to hear the questions and the answers and the Solicitor General has the floor, so we will now hear him.

Hon. Wayne Easter: Mr. Speaker, I do know that Correctional Service Canada and the National Parole Board take very seriously those people who are granted parole and are out on parole. They do everything within their power to ensure that those people are rehabilitated back into society in a way that ensures the safety of Canadians.

Mr. Kevin Sorenson (Crowfoot, Canadian Alliance): Mr. Speaker, it is awfully hard to rehabilitate them back into society when we do not know where they are.

Repeatedly last year the Canadian Alliance brought forward case after case where police officers acting in the line of duty were murdered by parolees. According to Correctional Service Canada's own statistics last year, convicts on parole committed 6 murders, 10 attempted murders, 60 major assaults, 33 rapes and 102 armed robberies.

I ask the Solicitor General, how many more police officers and innocent Canadians have to die before he puts an end to this—

●(1450)

The Speaker: The hon. Solicitor General.

Hon. Wayne Easter (Solicitor General of Canada, Lib.): Mr. Speaker, it is amazing how the member can find every bad example in the book when really the record is in fact improving. The fact—

Some hon. members: Oh, oh.

The Speaker: Order. Again, the hon. member for Crowfoot will want to hear the answer and he cannot if everybody is making all this noise. It is hard for the Chair to hear the Solicitor General who sits very close to me.

Oral Questions

Hon. Wayne Easter: Mr. Speaker, the records clearly show that through the system that we have in place, through granting parole and integrating people slowly into the system, their chances of reinstating crime are very much less. We take great pride in our system of parole and corrections in this country.

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EMPLOYMENT INSURANCE

Ms. Nancy Karetak-Lindell (Nunavut, Lib.): Mr. Speaker, the government has said many times that it is committed to giving children the best possible start in life and helping families with children. Last year the government extended maternity and parental benefits under employment insurance to a full year of coverage.

Could the Parliamentary Secretary to the Minister of Human Resources Development tell the House what concrete impact this has had on the lives of Canadians?

[*Translation*]

Ms. Raymonde Folco (Parliamentary Secretary to the Minister of Human Resources Development, Lib.): Mr. Speaker, I thank the hon. member for Nunavut for bringing this information to the attention of the House. The fact is that the improvements to maternity and parental benefits under employment insurance made almost one year ago have been a resounding success.

I can announce to this House that in excess of 200,000 Canadians received parental or maternity benefits in 2001. This is a 24% increase. For the benefit of this House, what is even more interesting to note is that 80% of those who received benefits were men.

* * *

[*English*]

AGRICULTURE

Mr. Art Hanger (Calgary Northeast, Canadian Alliance): Mr. Speaker, right this minute there are four western farmers who have been denied their basic freedoms as Canadians. Jim Chatenay, Bill Moore, Ron Duffy and John Turcado are serving their third week as political prisoners. This is not China, Iraq or North Korea I am talking about; it is Lethbridge, in western Canada. The government jails farmers simply for selling their own grain.

Why does the minister responsible for the Wheat Board believe that western farmers should not have the right to sell their own products to whomever they want?

Mr. Paul Szabo (Parliamentary Secretary to the Minister of Public Works and Government Services, Lib.): Mr. Speaker, in 1996, 13 farmers conducted a protest against the laws of Canada. They went through the legal process fully. Thirteen farmers decided that they would go to prison instead of paying their fines. I am pleased to advise the House that today 10 of those 13 farmers have paid their fines and are home with their families.

Mr. Art Hanger (Calgary Northeast, Canadian Alliance): Mr. Speaker, the member should be ashamed of himself.

In Ontario—

Some hon. members: Oh, oh.

The Speaker: Order. I think some of the language I am hearing may be unparliamentary and we would not want that.

The hon. member for Calgary Northeast has the floor and I know hon. members will want to hear his question.

Mr. Art Hanger: Mr. Speaker, the government should be ashamed of itself.

In Ontario farmers can grow their own wheat and sell it to the highest bidder. Cross the border into Manitoba, Saskatchewan and Alberta, and they cannot do that; they go to jail instead.

This should be brought to the attention of the Prime Minister to let him answer the question. Will he demand that the minister responsible for the Wheat Board table legislation that would allow farmers to sell their grain freely and set those farmers free?

Mr. Paul Szabo (Parliamentary Secretary to the Minister of Public Works and Government Services, Lib.): Mr. Speaker, the Canadian Wheat Board is highly respected and supported by western Canadian farmers.

There is a process in which the Canadian Wheat Board Act can be not applied. It requires a plebiscite of western Canadian farmers and a recommendation of the board of directors, two-thirds of which are western Canadian grain farmers.

I would also advise that in 1998 the government tried to change the rules to facilitate precisely what the opposition is asking for and they denied it.

* * *

• (1455)

[*Translation*]

LUMBER

Mr. Paul Crête (Kamouraska—Rivière-du-Loup—Témiscouata—Les Basques, BQ): Mr. Speaker, logging companies keep on reporting financial losses. After Uniforêt and Abitibi Consol, now it is Tembec's turn to report a \$158 million loss, including more than \$17 million for antidumping and countervailing duties levied by the United States on lumber exports from Quebec.

How many more examples do the Minister of Industry and the government need before they understand that their current aid package is insufficient? What are they waiting for to put forward an aid package that meets the needs of the lumber industry? Time is running out.

Mr. Benoît Serré (Parliamentary Secretary to the Minister of Natural Resources, Lib.): Mr. Speaker, this government is fighting hard for the interests of workers in the lumber industry. We have challenged the Americans in the WTO and NAFTA forums. Just recently, we announced a \$340 million program to help our workers and communities, and we will continue to help them.

*Oral Questions**[English]***EMPLOYMENT INSURANCE**

Ms. Judy Wasylycia-Leis (Winnipeg North Centre, NDP): Mr. Speaker, remember Kelly Lesiuk, a part time nurse and mother from Winnipeg? She fought the government's discriminatory employment insurance rules and won. What did the government do? It decided to appeal the case and will launch its arguments tomorrow in Edmonton. It simply refuses to recognize the reality of women trying to juggle work and family responsibilities.

I ask the government, why not drop the appeal, admit the inequality and get busy removing the barriers that discriminate against women and part time workers?

Ms. Raymonde Folco (Parliamentary Secretary to the Minister of Human Resources Development, Lib.): Mr. Speaker, I do not have knowledge of the person the hon. member is speaking about. I will take it under advisement and come back with a response as soon as I can.

* * *

HIGHWAY PROGRAM

Mr. Rick Borotsik (Brandon—Souris, PC): Mr. Speaker, on August 14 the Prime Minister announced the cost shared Trans-Canada Highway twinning program in the province of New Brunswick at a cost of about \$400 million. The country needs a national highway program and yet since this announcement the Minister of Transport has been exceedingly quiet.

The Minister of Transport should extend this program to other parts of the country. Will he commit today to continue the remaining twinning requirement in the province of Manitoba?

[Translation]

Mr. André Harvey (Parliamentary Secretary to the Minister of Transport, Lib.): Mr. Speaker, our government has adopted a specific \$2 billion strategic infrastructure program. We are doing on a daily basis what the opposition is asking of us, that is to respect provincial jurisdictions.

We have negotiations underway with each of the provinces. I hope that the opposition is going to vote with us when we take such positive steps to carry out projects that are so important to the provinces.

* * *

*[English]***AGRICULTURE**

Mr. Jim Gouk (Kootenay—Boundary—Okanagan, Canadian Alliance): Mr. Speaker, grain handling in Vancouver has been stopped for three months due to a lockout of the workers and the minister has taken no real steps to resolve it. Talking is not working.

Our solution of final offer arbitration does not impose a contract. It simply stops the work disruption.

The government has always been quick to act when there have been work disruptions when workers go on strike. Why is it waiting so long to take similar action when those workers are locked out? Why the double standard?

Hon. Don Boudria (Minister of State and Leader of the Government in the House of Commons, Lib.): Mr. Speaker, there is no double standard. The Federal Mediation and Conciliation Service is in contact with the parties. It is prepared to provide them with mediation assistance once they indicate a willingness to compromise.

The grain destined for export from west coast ports is being shipped through the port of Prince Rupert. We know there has been some legal disruption there lately. A legal work stoppage is in process and the collective bargaining process allows workers and employers to solve these kinds of issues without interference. The government is prepared to assist in the case.

* * *

*[Translation]***WIND ENERGY**

Mr. Odina Desrochers (Lotbinière—L'Érable, BQ): Mr. Speaker, one of the forms of energy with the most promise as far as lowering greenhouse gas emissions is concerned is wind energy. The current federal government program to encourage wind energy production has an envelope of \$260 million over 15 years, which represents a mere \$17.33 million a year.

Given the obligations Canada intends to commit to by ratifying Kyoto, does the government intend to substantially beef up the funding envelope for wind energy?

• (1500)

Hon. David Anderson (Minister of the Environment, Lib.): Mr. Speaker, I thank the hon. member for his excellent question.

The discussion on what will be in the Government of Canada's budget next February or March will be between the Minister of Finance and his colleagues between now and February. The hon. member's ideas will no doubt be taken into consideration.

* * *

*[English]***GOVERNMENT OF CANADA**

Mr. Stephen Harper (Leader of the Opposition, Canadian Alliance): Mr. Speaker, the Canadian Taxpayers Federation has revealed that in the past year and a half the federal government has added nearly 30,000 bureaucrats to its payroll, yet another indication of the complete loss of fiscal control over there.

My question is very simple. When Canadians are saying to the government that they want to see more soldiers in uniform and more doctors and nurses in hospitals, why is it the priority of the government to create a bloated bureaucracy?

[Translation]

Hon. Lucienne Robillard (President of the Treasury Board, Lib.): Mr. Speaker, at the present time, an examination of the way public expenditures have evolved will indicate that our government has been in control since at least 1993, and there has not been any excessive increase.

Oral Questions

I would also point out that the figures given today in the newspaper in question represent not only the public service per se but also all the hirings by agencies, crown corporations and distinct employers. They also include seasonal and contract workers, indeed all those who are there to deliver services to the people of Canada.

* * *

[*English*]

PRESENCE IN GALLERY

The Speaker: I would like to draw the attention of hon. members to the presence in the gallery of Senator Alan Ferguson, Chair of the

Standing Committee on Foreign Affairs and Trade of Australia, and his accompanying delegation.

Some hon. members: Hear, hear.

The Speaker: I would also like to draw to the attention of hon. members the presence in the gallery of Mr. George Bowering, the first Parliamentary Poet Laureate, who was appointed on November 8, 2002, in accordance with recent changes to the Parliament of Canada Act.

Some hon. members: Hear, hear.

[*Editor's Note: For continuation of proceedings see Part B*]

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CANADA

House of Commons Debates

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OFFICIAL REPORT
(HANSARD)

Monday, November 18, 2002
(Part B)

—

Speaker: The Honourable Peter Milliken

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HOUSE OF COMMONS

Monday, November 18, 2002

[Editor's Note: Continuation of proceedings from Volume A]

ROUTINE PROCEEDINGS

• (1500)
[English]

ORDER IN COUNCIL APPOINTMENTS

Mr. Geoff Regan (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I am pleased to table, in both official languages, a number of order in council appointments made recently by the government.

* * *

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 114 petitions.

* * *

• (1505)

ACCESS TO INFORMATION ACT

Mr. Rick Borotsik (Brandon—Souris, PC) moved for leave to introduce Bill C-302, an act to amend the Access to Information Act (crown corporations and Canadian Wheat Board).

He said: Mr. Speaker, the bill is to have transparency and accountability in the Canadian Wheat Board. We would like it to be subject to the Access to Information Act.

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

* * *

[Translation]

INCOME TAX ACT

Mr. Paul Crête (Kamouraska—Rivière-du-Loup—Témiscouata—Les Basques, BQ) moved for leave to introduce Bill C-303, An Act to amend the Income Tax Act (travel expenses for a motor vehicle used by a forestry worker).

He said: Mr. Speaker, this bill will make it possible for a forestry worker, under certain conditions, to deduct motor vehicle travel expenses from income, where he was required under a contract of employment to use the motor vehicle to travel to and from his ordinary place of residence and his workplace or the employer's place of business.

Forestry workers work far away from their homes, hundreds of kilometres distant in fact. I would like to see them able to deduct their expenses and thus encouraged to work. The current situation is a disincentive to work, or forces them to move away.

I believe it is important for the Minister of Finance to examine this matter and for the consent of the House to be obtained as soon as possible.

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

* * *

[English]

UKRAINIAN CANADIAN RESTITUTION ACT

Mr. Inky Mark (Dauphin—Swan River, PC) moved for leave to introduce Bill C-331, an act to recognize the injustice that was done to persons of Ukrainian descent and other Europeans who were interned at the time of the First World War and to provide for public commemoration and for restitution which is to be devoted to education and the promotion of tolerance.

He said: Mr. Speaker, I thank the member for Brandon—Souris for seconding the bill.

I have the honour to table the bill on behalf of the one million Canadians of Ukrainian descent. The bill was previously tabled under Bill C-331. It is long overdue that the Ukrainian community in this country receive justice after seeking justice for over 20 years.

I ask for unanimous consent to have the same number remain on the bill as the previous tabling of Bill C-331.

The Speaker: Is it agreed that the bill be numbered Bill C-331?

Some hon. members: Agreed.

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

* * *

NATIONAL AGRICULTURE INDUSTRY RELIEF COORDINATION ACT

Mr. Rick Borotsik (Brandon—Souris, PC) moved for leave to introduce Bill C-304, an act to ensure coordination in the delivery of programs by governments in the case of agricultural losses or disasters.

Routine Proceedings

He said: Mr. Speaker, the bill is a pet of mine. With what we have seen in the agricultural community recently with respect to all of the natural disasters, it is extremely important that we strike this committee and that this committee be allowed to put forward recommendations with a natural disaster program that comes forward with agriculture where in fact we do have consistency between all provinces and all producers.

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

* * *

INCOME TAX ACT

Mr. Tom Wappel (Scarborough Southwest, Lib.) moved for leave to introduce Bill C-305, an act to amend the Income Tax Act (health club membership fees).

He said: Mr. Speaker, this is a very simple bill with the intent to encourage people to become physically fit and thereby ensure that by being physically fit they will be less of a burden on the health care system as it becomes more and more expensive.

I am using the Income Tax Act to attempt to encourage behaviour that allows people to become physically fit by joining health clubs and making sure they look after themselves. This would permit a deduction of the health club membership prior to the calculation of taxable income.

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

* * *

• (1510)

PETITIONS**STEM CELL RESEARCH**

Mr. Tom Wappel (Scarborough Southwest, Lib.): Mr. Speaker, I have four petitions. Two of them are on the subject matter of adult stem cell research. The petitions are primarily from people in my riding, totalling about 125 people.

They call upon Parliament to focus its legislative support on adult stem cell research to find the cures and therapies necessary to treat the illnesses and diseases of suffering Canadians.

FOREIGN AID

Mr. Tom Wappel (Scarborough Southwest, Lib.): Mr. Speaker, the next petition is primarily from people in my riding calling upon Parliament to request that the Government of Canada undertake a review of the foreign aid it provides to the Bangladesh government in view of that government's record of re-current violations of human rights with respect to the persecution of Hindus and other minorities; and that the Government of Canada consult with the government of India to ensure that refugees belonging to Hinduism and other religious minorities in Bangladesh are given all possible assistance in India on humanitarian grounds as outlined in the Geneva convention and in conformity with the practice of the Indian government in the past.

CHILD PORNOGRAPHY

Mr. Tom Wappel (Scarborough Southwest, Lib.): Mr. Speaker, the final petition, which is primarily from people in Ontario, calls upon Parliament to protect our children by taking all necessary steps

to ensure that all materials which promote or glorify pedophilia or sado-masochistic activities involving children are outlawed.

COAST GUARD

Mr. John Duncan (Vancouver Island North, Canadian Alliance): Mr. Speaker, I have a petition containing 142 signatures of people from Calgary, the Gulf Islands, Victoria and the lower mainland.

The petitioners are saying that the Department of Fisheries and Oceans no longer provides sufficient resources for the Coast Guard to effectively perform rescue operations; that the lack of resources has led to several people, who potentially could have been saved but who drowned on the west coast this year; that the Coast Guard is in desperate need of a new hovercraft; and that it appears that the current government does not have as a priority a search and rescue service that has the ability to save lives.

Therefore, the petitioners want to make the Coast Guard an independent body, whose priority would be to save lives, separate from the Department of Fisheries and Oceans, and with all the necessary resources for staffing and equipment.

CHILD PORNOGRAPHY

Mr. Svend Robinson (Burnaby—Douglas, NDP): Mr. Speaker, I have the honour of tabling two petitions today.

The first petition is on the subject of child pornography and has been signed by residents of my constituency of Burnaby—Douglas, in particular, Mrs. Sien Wan-Lim and Armanda Calaciura of Burnaby.

The petitioners draw to the attention of the House their concern that the creation and use of child pornography is condemned by the clear majority of Canadians. They point out that the courts have not applied, in their view, the current child pornography law in a way which makes it clear that such exploitation of children will always be met with swift punishment.

Therefore, the petitioners call upon Parliament to protect our children by taking all necessary steps to ensure that all materials which promote or glorify pedophilia or sado-masochistic activities involving children are outlawed.

• (1515)

STEM CELL RESEARCH

Mr. Svend Robinson (Burnaby—Douglas, NDP): Mr. Speaker, I have a second petition, which again is signed by residents of Burnaby, and in particular I want to note the name of Rosina Mamullo of Burnaby. The subject is stem cell research.

The petitioners point out that hundreds of thousands of Canadians suffer from debilitating illnesses and diseases such as Parkinson's, Alzheimer's, diabetes, cancer, muscular dystrophy and spinal cord injury. They note that Canadians support ethical stem cell research, which has shown encouraging potential to provide cures and therapies for these illnesses and diseases. The petitioners note that non-embryonic stem cells, adult stem cells, have shown significant research progress without immune rejection or the ethical problems associated with embryonic stem cells.

The petitioners therefore call upon Parliament to focus its legislative support on adult stem cell research to find the cures and therapies necessary to treat the illnesses and diseases of suffering Canadians.

CHILD PORNOGRAPHY

Mr. Rick Borotsik (Brandon—Souris, PC): Mr. Speaker, the member for Halifax West has responded to 119 petitions, of which I am sure most of them also belong to this category. The same applies to the member for Burnaby—Douglas.

The petition I am presenting today on behalf of my constituents also deals with the subject of child pornography, an issue that is resonating in Canadian society today. It is very important that we as Canadians protect our children. My constituents wish to add their voices by way of petition to suggest that all materials that promote or glorify pedophilia involving children should be outlawed. I present this petition and would again like to have a response from the member.

Mr. Jerry Pickard (Chatham—Kent Essex, Lib.): Mr. Speaker, I have two petitions to present today.

Petitioners from my riding state that a clear majority of Canadians condemns acts of child pornography and that the courts have not applied the current child pornography law in a way which makes it clear that such exploitation of children will always be met with swift punishment.

The petitioners call upon Parliament to protect our children by taking all necessary steps to ensure that all materials which promote or glorify pedophilia or sado-masochistic activities involving children be outlawed.

STEM CELL RESEARCH

Mr. Jerry Pickard (Chatham—Kent Essex, Lib.): Mr. Speaker, my second petition calls attention to the fact that hundreds of thousands of Canadians suffer from debilitating diseases: Alzheimer's, diabetes, cancer, muscular dystrophy and spinal cord injury.

The petitioners call upon Parliament to focus its legislative support on adult stem cell research to find the cures and therapies necessary to treat the illnesses and diseases of suffering Canadians.

CHILD PORNOGRAPHY

Mr. Philip Mayfield (Cariboo—Chilcotin, Canadian Alliance): Mr. Speaker, I also wish to present a petition concerning pedophilia.

Petitioners primarily from Cariboo—Chilcotin, but also from as far away as Manitoba, Alberta, Victoria, North Vancouver, Surrey and Fort St. John, petition Parliament to protect our children by taking all necessary steps to ensure that all materials which promote

Routine Proceedings

or glorify pedophilia or sado-masochistic activities involving children are outlawed.

CHILDREN

Mr. Ovid Jackson (Bruce—Grey—Owen Sound, Lib.): Mr. Speaker, pursuant to Standing Order 36, it is my honour to present on behalf of my constituents of Bruce—Grey—Owen Sound a petition with regard to the family.

The petitioners ask that Parliament make legislation to ensure that we have a clear definition of shared parenting and that all the laws concerning children be looked at with respect to making sure that the kids get the best outcomes and the best values.

CHILD PORNOGRAPHY

Mr. Gurmant Grewal (Surrey Central, Canadian Alliance): Mr. Speaker, I am honoured to table 19 petitions containing 2,288 signatures of people residing in the constituency of Surrey Central.

The petitioners call upon Parliament to protect our children by taking all necessary steps to ensure that materials that promote or glorify pedophilia or sado-masochistic activities involving children are outlawed.

COAST GUARD

Mr. John Cummins (Delta—South Richmond, Canadian Alliance): Mr. Speaker, I have three petitions today. The first petition calls on the government to re-examine the relationship between the Coast Guard and the Department of Fisheries and Oceans.

The petitioners point out that the Coast Guard is not suitably equipped to perform the functions that are expected of it, whether it be the search and rescue functions on the coast at large or the functions as the primary rescuer for any mishaps off Vancouver airport.

They call upon Parliament to separate the Coast Guard from the Department of Fisheries and Oceans.

• (1520)

FISHERIES

Mr. John Cummins (Delta—South Richmond, Canadian Alliance): Mr. Speaker, my second petition has to do with the fishery. The petition notes that the federal fisheries minister has an obligation to protect wild fish and their habitat. The petitioners point out that the Auditor General and others have found that the minister is not meeting his constitutional obligation to protect wild Pacific salmon and their habitat.

They call on Parliament to require the minister to fulfil his obligation to protect wild fish and their habitat from the effects of salmon aquaculture.

CHILD PORNOGRAPHY

Mr. John Cummins (Delta—South Richmond, Canadian Alliance): Mr. Speaker, my third petition deals with pornography. The petitioners point out that child pornography is an activity condemned by the majority of Canadians and that the courts do not seem to have applied the current child pornography laws in a way that Canadians want.

Routine Proceedings

The petitioners call upon Parliament to protect our children by taking all necessary steps to ensure that pornographic materials involving children are outlawed.

STEM CELL RESEARCH

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I am pleased to present a petition signed by a number of Canadians, including petitioners from my own riding of Mississauga South.

These petitioners believe, as I do, that human life begins at conception. The petition was prompted by research developments which show that stem cells from bone marrow have the ability to produce virtually every cell in the human body.

The petitioners want to advise parliament that they support ethical stem cell research. They therefore call upon parliament to focus its legislative support on adult stem cell research, not embryonic stem cell research, to find the necessary cures and therapies to treat the illnesses and diseases of suffering Canadians.

CHILD PORNOGRAPHY

Ms. Val Meredith (South Surrey—White Rock—Langley, Canadian Alliance): Mr. Speaker, like many in other constituencies, my constituents are also concerned about child pornography. I would like to add another 120 names to the other wise petitions I have presented before, whereby the petitioners are calling upon Parliament to protect our children by taking all necessary steps to ensure that all materials which promote or glorify pedophilia or sado-masochistic activities involving children are outlawed.

STEM CELL RESEARCH

Mr. Jay Hill (Prince George—Peace River, Canadian Alliance): Mr. Speaker, it is my pleasure and duty to present two petitions this afternoon.

First, I would like to table a petition on stem cell research with a total of 30 signatures from constituents in my riding of Prince George—Peace River. These petitioners support legislative change that would encourage ethical stem cell research focusing on adult stem cells while excluding embryonic stem cell research.

HEALTH CARE WORKERS

Mr. Jay Hill (Prince George—Peace River, Canadian Alliance): Mr. Speaker, my second petition deals with the freedom of conscience of health care workers. Pursuant to Standing Order 36 it is my pleasure to table a petition from some 76 constituents of Prince George—Peace River, primarily from the city of Prince George.

These petitioners call upon parliament to enact legislation that would protect health care workers from coercion or unjust discrimination for the refusal to participate in matters contrary to the dictates of their conscience.

* * *

QUESTIONS ON THE ORDER PAPER

Mr. Geoff Regan (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, the following questions will be answered today: Nos. 4, 7, 10, 12, 13, 16, 22 and 23.

[Text]

Question No. 4—**Mr. Gerald Keddy:**

What action has the government taken to implement the Kimberley Process that was initiated to develop an international certification scheme for rough diamonds to prevent conflict diamonds from entering legitimate markets?

Hon. Bill Graham (Minister of Foreign Affairs, Lib.): Legislation mandating the domestic implementation of the proposed Kimberley process certification scheme for rough diamonds was tabled in the House of Commons on October 10, 2002, and completed third reading on November 8. The proposed legislation, Bill C-14, has now been referred to the Senate. At a ministerial meeting of the process held on November 5, 2002, in Interlaken, Switzerland, representatives of Canada and more than 30 other countries, and the European Union, restated their commitment to introduce the scheme beginning on January 1, 2003.

Question No. 7—**Mr. John Williams:**

With regard to the Atlantic Canada Opportunities Agency, ACOA, from 1998 to the present: (a) how many construction and/or renovation projects has ACOA approved in Prince Edward Island; (b) who was the contractor for each project; (c) what was the dollar amount for each project; (d) in a brief narrative description, what work was carried out under the project; (e) on what date was the contract awarded; (f) was the contract awarded through an open competition, an advance contract award notice, ACAN, or a non-competitive award; and (g) who at ACOA approved the contract?

Hon. Gerry Byrne (Minister of State (Atlantic Canada Opportunities Agency), Lib.): With regard to the Atlantic Canada Opportunities Agency, ACOA, attached is a table covering the period 1998 to the present, responding to the following questions: a) how many construction and/or renovation projects has ACOA approved in Prince Edward Island; b) who was the contractor for each project; c) what was the dollar amount for each project; d) in a brief narrative description, what work was carried out under the project; e) on what date was the contract awarded; f) was the contract awarded through an open competition, an advance contract award notice, ACAN, or a non-competitive award; and g) who at ACOA approved the contract.

Renovations ACOA PEI

Fiscal year 1998-99 to date

As at June 24, 2002

Routine Proceedings

Contract	Award Date	FSCL_YR	Cost	Work Description	Contractor	Approving ACOA Officer	Competitive/ Non-Competitive Tender
SSA	01-Aug-98	1999	\$27,548.78	Renovations, 3rd floor	Public Works & Government Services Canada	Brian Schmeisser	Not applicable
SSA	01-Aug-98	1999	\$9,993.50	Renovations, CBSC	Public Works & Government Services Canada	Brian Schmeisser	Not applicable
LPO	20-Aug-99	2000	\$4,824.31	Design & Wall coverings	FORTUNE 50 DESIGN	Brian Schmeisser	Recommended by PWGSC
LPO	27-Aug-99	2000	\$1,207.39	Wall Coverings	FORTUNE 50 DESIGN	Brian Schmeisser	Recommended by PWGSC
LPO	20-Aug-99	2000	\$1,022.76	Design	FORTUNE 50 DESIGN	Brian Schmeisser	Recommended by PWGSC
LPO	20-Aug-99	2000	\$729.50	Wall Coverings	FORTUNE 50 DESIGN	Brian Schmeisser	Recommended by PWGSC
LPO	07-Jul-99	2000	\$1,885.30	Design	FORTUNE 50 DESIGN	Marlene King-MacKinnon	Recommended by PWGSC
LPO	23-Jan-01	2001	\$1,266.50	Wall paper repairs	House of Excellence Home Decor Centre	Brian Schmeisser	Non-Competitive
LPO	05-Jul-00	2001	\$1,042.54	Painting	Island Painting and Decorative Services Ltd.	Brian Schmeisser	Non-Competitive
LPO	02-Jul-99	2000	\$1,322.00	Wall to separate space from former tenant	MACLEAN CONSTRUCTION LTD	Brian Schmeisser	Non-Competitive
LPO	14-Feb-01	2001	\$4,500.00	Central Records renovations	MACLEAN CONSTRUCTION LTD	Lynne Bearsto	Competitive
LPO	07-Jul-99	2000	\$1,789.38	Remove Walls, install interior window	MILTON JENKINS CONSTRUCTION LTD.	Marlene King-MacKinnon	Non-Competitive
SSA	05-Jul-00	2001	\$18,316.17	Fit up - upgrade 2nd floor additional space	Public Works & Government Services Canada	Brian Schmeisser	Not applicable
SSA	20-Jul-99	2000	\$38,209.35	Fit up 120 M ² 6th floor 119 Kent St.	Public Works & Government Services Canada	Marlene King-MacKinnon	Not applicable
SSA	02-Jul-99	2000	\$33,463.44	Renovations 3rd floor	Public Works & Government Services Canada	Marlene King-MacKinnon	Not applicable
SSA	01-Oct-99	2000	\$2,342.55	Counter & shelving near photocopier	Public Works & Government Services Canada	Brian Schmeisser	Not applicable
LPO	02-Jul-99	2000	\$3,939.90	Relocation of server room electrical	Island Telecom	Brian Schmeisser	Sole source
SSA	06-Jan-00	2000	\$7,727.41	Relocation of server room electrical	Public Works & Government Services Canada	Brian Schmeisser	Not applicable
SSA	02-Jul-99	2000	\$11,600.48	Move Server Room to Basement	Public Works & Government Services Canada	Marlene King-MacKinnon	Not applicable
SSA	10-Sep-99	2000	\$11,753.01	Heating & Ventilation improvements	Public Works & Government Services Canada	Brian Schmeisser	Not applicable
SSA	02-Jul-99	2000	\$29,979.19	Fit up additional space 2nd floor	Public Works & Government Services Canada	Marlene King-MacKinnon	Not applicable
SSA	18-Feb-00	2000	\$1,880.25	Install & supply 6 Light Fixtures	Public Works & Government Services Canada	Sheila Bolger	Not applicable
			\$216,343.71				

Question No. 10—Right Hon. Joe Clark:

LPO: Local purchase order

SSA: Small Projects/Specific Service Agreements—These are for services to be provided by Public Works and Government Services Canada (PWGSC); all contracts are let and managed by PWGSC.

Number of Renovation Projects: 9

Number of Contracts: 22

With regard to the cost of the June 2002 G-8 Summit: (a) what specifically was the cost of security for (i) the G-8 site at Kananaskis; and (ii) G-8 related activities in Calgary by the RCMP, the city of Calgary, the Department of Defence; and (b) what was the total cost of the Summit?

Routine Proceedings

Mr. Geoff Regan (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): I am informed as follows:

Canada Customs and Revenue Agency:

The following is the amount spent by the Canada Customs and Revenue Agency on the 2002 G-8 summit:

Fiscal year 2001-02: \$79,000

Fiscal year 2002-03: \$907,000

Canadian Food Inspection Agency:

The Canadian Food Inspection Agency's share of the total cost for the June 2002 G-8 summit is estimated at \$500,000.

Foreign Affairs and International Trade:

As summit security was the responsibility of the Royal Canadian Mounted Police, RCMP, any questions concerning security costs should be directed to the RCMP. This would include G-8 related activities in Calgary by the RCMP and City of Calgary as Department of Foreign Affairs and International Trade, DFAIT, is not privy to arrangements entered into between the city and the RCMP. Department of National Defence, DND, will be reporting on its own costs.

Non-security costs for the summit are still being tallied. The Department of Foreign Affairs and International Trade is not able to provide summit cost figures for other departments, however summit costs for the Department of Foreign Affairs and International Trade for fiscal year 2001-02 amounted to \$12,400,000. In addition, from April 1 to September 30, 2002, the department expended \$23,116,000 with another \$15,230,000 in commitments which may or may not be expended in full. A full reconciliation will be made available once all the invoices are submitted, reviewed, settled and accounted for.

Health Canada: The costs related to the G-8 summit are approximately \$131,000.

Industry Canada: Approximately \$498,000.

Justice Canada: Justice Canada costs related to the June 2002 G-8 summit are \$232,840, provision of legal advice and services related to the G-8.

National Defence: (a)(ii) As of September 30, 2002, the total estimated incremental cost for fiscal year 2002-03 to the Department of National Defence for the planning, preparation and execution of the security tasks in support of the G-8 summit was approximately \$43 million. The incremental cost is that which is over and above the

	1997-98	1998-99
LINC Funding	10,042,000	10,508,000

amount that would have been spent for personnel and equipment if they had not deployed on this task.

Public Works and Government Services, PWGSC:

Fiscal year 2001-02: \$ 9,292,500.00

Fiscal year 2002-03: \$ 6,070,005.00

Total cost: \$15,362,505.00

The amounts identified are to cover such activities as accommodation, interpretation services and procurement and contract management for which PWGSC received appropriated funds. Activities, such as the management of the executing agency, are funded by other government departments and should be calculated in their total cost.

Please note that the amount for 2002-03 was calculated on cost to date plus any known outstanding commitments.

Solicitor General of Canada: With regard to the cost of the June 2002 G-8 summit, the department is not in a position at this time to determine its total cost for security for the G-8.

Canadian Security Intelligence Service: It is the policy of the Canadian Security Intelligence Service not to comment on operational activities nor release specific details of its budget and expenditures for reasons of national security.

Correctional Service of Canada, CSC: The CSC spent a total of \$1,600,000 associated with the G-8 summit.

These costs were a result of CSC housing provincial offenders in its federal institutions during the G-8 summit. This allowed the province to have the space available at their provincial jails should it be required.

Royal Canadian Mounted Police: With regard to the cost of the June 2002 G-8 summit, the RCMP is not in a position at this time to determine its total cost for its portion of the security for the G-8.

Question No. 12—**Right Hon. Joe Clark:**

Since 1997, what has been the amount of annual funding for the Language Instruction for New Canadians (LINC) program that has gone to: (a) the province of Alberta; (b) the city of Calgary; and (c) how does this funding compare to other provinces and cities?

Hon. Denis Coderre (Minister of Citizenship and Immigration, Lib.): Insofar as Citizenship and Immigration Canada, CIC, is concerned, the amount of annual funding for the language instruction of new Canadians, LINC, since 1997 is as follows:

(a) The Province of Alberta

	1999-00	2000-01	2001-02
	10,037,000	10,569,000	10,653,000

Source: CIC Integration, Settlement Grants & Contributions Expenditures Tables.

Routine Proceedings

(b) The City of Calgary

	1997-98	1998-99	1999-00	2000-01	2001-02
LINC Funding	4,514,385	5,771,439	5,716,710	5,757,024	5,924,688

Source: CIC Regional Office—Prairies & Northern Territories

Province	1997-98	1998-99	1999-00	2000-01	2001-02
Newfoundland	456,000	480,000	439,000	492,000	466,000
Nova Scotia	1,201,000	1,567,000	1,586,000	1,327,000	1,223,335
New Brunswick	399,000	485,000	622,000	675,000	642,000
PEI	245,000	223,000	229,000	214,000	221,000
Ontario	63,666,000	79,194,000	77,002,000	76,265,000	74,540,000
Saskatchewan	2,388,000	2,599,000	2,252,000	2,100,000	1,953,000

Source: CIC Integration, Settlement Grants & Contributions Expenditure Tables and CIC Regional Office—Atlantic for NS.

N.B. Under the terms of the Canada-Quebec Accord funds are transferred directly to the provincial government for settlement services, not specifically for language training. British Columbia and Manitoba have also signed settlement agreements with the Depart-

City/Area	1997-98	1998-99	1999-00	2000-01	2001-02
Halifax	N/A	1,566,561	1,585,749	1,326,189	1,223,335
Ottawa	4,535,862	5,727,080	5,358,766	5,630,722	5,711,435
City of Toronto*	36,630,847	50,358,815	49,801,158	51,175,670	52,435,922
Peel Region*	8,268,632	10,130,901	7,926,377	7,918,151	8,082,318
York Region*	613,147	734,591	509,972	489,879	512,639
Edmonton	3,931,222	4,554,172	4,101,602	4,341,769	3,902,644
Saskatoon	1,144,981	1,231,732	779,452	967,104	871,931

Source: CIC Regional Offices—Atlantic, Ontario, Prairies & Northern Territories and Ontario Region Constituency Reports for 99-00, 00-01 & 01-02

All three areas are part of the Greater Toronto Area.

N.B.1: The above cities were selected randomly based on existing data for the purpose of providing information on LINC funding in other cities. Immigrant intake was not specifically considered, thus the above data can be used for information purposes but is not suited for comparisons.

(c) Provinces

ment of Citizenship and Immigration in 1998. CIC transfers a lump sum to the provinces to be used in the delivery of all settlement programs. In general, approximately 80% of funds are allocated to language training.

(d) Cities

N.B.2: All figures exclude funding for Kosovo refugees.

Question No. 13—**Right Hon. Joe Clark:**

With regard to development assistance for each year since 1993 until present: (a) how much of Canada's official development assistance has been devoted to sub-Saharan Africa; and (b) per year and by country, what was the amount of aid?

Routine Proceedings

**Hon. Susan Whelan (Minister for International Cooperation,
Lib.):**

Total ODA Disbursements for Sub-Saharan African Countries from 1993/94 to 2000/01* (\$ Millions)

	1993/94	1994/95	1995/96	1996/97	1997/98	1998/99	1999/00	2000/01
Angola	23,327	11,630	10,510	10,440	6,222	8,500	11,484	7,870
Benin	17,377	18,619	18,410	15,330	13,390	13,000	9,037	11,740
Botswana	10,053	3,050	3,100	2,474	2,390	2,510	1,749	2,090
Burkina Faso	25,452	18,670	20,130	16,766	17,893	20,200	19,616	25,970
Burundi	18,337	8,760	8,370	5,470	8,160	9,523	5,759	7,150
Cameron	17,575	21,250	30,120	21,446	46,230	33,930	35,083	17,180
Cape Verde	2,128	1,322	1,465	1,263	1,370	1,670	2,375	2,030
Central African Republic	1,884	1,488	4,251	2,584	2,544	1,760	2,307	2,380
Chad	8,102	4,510	6,250	11,624	10,774	8,922	8,174	7,290
Comoros	294	181	1,150	1,104	1,020	760	1,015	730
Congo	393	291	4,960	15,040	9,540	9,190	5,623	2,350
Congo, Democratic Republic	6,709	12,830	2,653	5,220	14,470	10,364	9,986	13,880
Côte d'Ivoire	6,790	11,050	67,493	56,630	42,780	106,364	49,185	26,450
Djibouti	3,108	160	560	1,100	1,340	790	1,144	1,210
Equatorial Guinea	2,505	1,275	400	490	200	440	616	580
Eritrea	6,809	6,470	5,764	3,010	2,530	3,020	2,263	8,900
Ethiopia	77,197	63,040	29,530	27,760	38,384	31,700	28,373	42,030
Gabon	4,077	2,136	3,760	6,022	3,450	3,290	2,821	2,420
Gambia	3,031	2,113	1,602	2,033	2,286	2,040	1,705	2,290
Ghana	52,613	43,355	43,435	43,964	45,193	40,670	43,899	31,100
Guinea	26,958	18,067	13,210	17,840	18,734	22,632	12,745	18,190
Guinea-Bissau	1,112	1,784	2,070	2,740	3,033	2,882	1,465	1,610
Kenya	44,251	44,490	17,293	28,257	28,990	21,694	25,228	27,860
Lesotho	7,150	5,060	1,900	2,320	2,700	2,371	1,945	2,150
Liberia	6,291	6,247	5,307	2,352	802	1,370	1,136	1,100
Madagascar	9,351	5,940	4,880	7,851	7,680	9,075	8,033	10,570
Malawi	18,450	24,320	20,900	23,130	21,500	26,040	18,079	23,030
Mali	37,594	34,900	29,599	26,882	29,892	34,615	33,026	33,140
Mauritania	9,418	9,786	7,190	9,180	8,670	7,023	8,335	8,950
Mauritius	850	744	1,140	1,512	955	982	1,197	1,481
Mozambique	54,635	38,820	32,360	27,510	37,231	30,471	28,342	30,630
Namibia	1,626	3,020	1,800	1,390	1,790	1,694	1,983	1,550
Niger	9,004	16,122	8,620	10,130	7,492	13,105	9,550	11,334
Nigeria	10,283	6,465	6,098	7,082	6,684	11,830	9,250	12,602
Rwanda	20,970	40,320	20,787	43,090	25,210	19,630	14,949	13,800
Sao Tome/ Principe	1,254	240	670	850	881	810	654	537
Senegal	33,175	28,320	32,654	38,494	38,010	36,620	31,989	29,575
Seychelles	652	710	1,626	1,653	1,242	1,010	1,280	1,071
Sierra Leone	7,954	4,785	4,982	14,040	10,600	7,230	11,017	10,280
Somalia	6,713	2,386	2,650	2,272	1,252	1,734	4,412	2,170
South Africa	18,286	9,430	16,690	14,910	16,840	18,600	21,824	19,420
Sudan	30,836	19,880	6,920	3,370	7,922	14,320	9,421	14,240
Swaziland	1,561	1,930	1,600	1,321	744	1,356	1,479	1,650
Tanzania	31,817	30,750	22,880	28,850	31,660	37,190	33,979	33,730
Togo	3,003	1,449	5,840	4,480	4,310	3,712	5,721	3,890
Uganda	24,114	17,000	14,501	24,513	27,230	30,161	19,888	23,740
Zambia	20,112	27,530	127,570	20,020	28,370	23,370	16,899	29,250
Zimbabwe	30,027	36,280	26,690	12,670	10,580	13,140	15,218	14,930
Other Regional Programs	105,832	71,665	63,580	70,265	58,790	51,830	59,532	59,810
Total for Sub-Saharan Countries	861,040	740,400	765,920	697,640	709,960	755,140	650,790	657,930
Total ODA	3,075,270	3,092,460	2,683,550	2,676,440	2,524,560	2,591,140	2,749,260	2,586,980
% OF ODA	28.00	23.94	28.54	26.07	28.12	29.14	23.67	25.43

Routine Proceedings

* Total disbursements include: Government to Government, Canadian Partnership Program, Multilateral Assistance (Imputed Costs), Commonwealth Scholarships, Food Aid, Humanitarian Assistance, IDRC and ICHRDD.

Source: Table M of the Statistical Report on ODA (excluded from the Africa country list are Tunisia, Morocco, Egypt and Algeria)

October 11, 2002

Question No. 16—Mr. Pierre Paquette:

What are the amounts and contributions from the different federal government organizations and departments that have been directed to the Inter-Parliamentary Forum of the Americas (FIPA) since 2000?

Mr. Geoff Regan (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): I am informed as follows: Canadian International Development Agency, CIDA: CIDA has not funded the Inter-Parliamentary Forum of the Americas, FIPA, directly but has provided a \$400,000 grant to the Organization of American States, OAS, in August 1999 which was used by the OAS to support the development of FIPA. CIDA made a further contribution of \$70,000 in March 2002 to support costs of the OAS to be incurred in their capacity as a technical adviser to FIPA.

Foreign Affairs and International Trade:

Canada encourages inter-parliamentary relations in the hemisphere, and in particular the work of the Inter-Parliamentary Forum of the Americas, FIPA. The participation of parliamentarians is key in the success of the implementation of the plan of action of the summit of the Americas. Since 2000, the Department of Foreign Affairs and International Trade has contributed a total amount of \$150,000 Canadian, through the Canadian Parliamentary Centre, in order to support the Canadian presidency of FIPA.

Question No. 22—Mr. Ted White:

With respect to the Compass Program of Human Resources Development Canada: (a) what were the costs associated with running the program over the past year; (b) what are the projected costs for the current year; (c) how is the success rate of the program measured and what were the most recent results of those measurements; and (d) if no measurements have been made to determine the success of the program, how is its continuation being justified?

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): The Nova Scotia Compass program was funded under the federal strategic initiatives program. This program ended in December 1996.

Compass was delivered by the N.S. Department of Community Services and was designed to provide employment opportunities and/or work experience to job ready clients from both provincial and municipal social assistance caseloads. Total expenditures were \$12.5 million over two years from October 1994 to December 1996.

A summative evaluation was conducted in the winter of 1997 to measure labour market outcomes of program participants as compared to a comparison group. In addition to the participant/non-participants surveys, an econometric analysis was conducted to determine program impact.

Program outcomes at time of survey: 56% of participants were working as opposed to only 37% of non-participants; 33% of participants were on social assistance while 57% of non-participants

were on social assistance; 25% of participants were on EI compared to 12% of non-participants.

Econometric analysis: Evidence showed that the Compass program increased participants proportion of time spent working by 12% to 14%; participants showed reduced reliance on social assistance.

Question No. 23—Mr. Ted White:

With respect to documents known as “trespass warnings”, whether in the form of “constructive” or “actual” notices, sent by registered mail to the Minister of National Revenue by persons acting on instructions provided to them in the Detax strategy promoted by Mr. Eldon Warman of Calgary: (a) how many such notices have been received by the Minister in each of the tax years 1996 through 2002; and (b) how many of the persons filing such notices have since begun or resumed paying taxes, been prosecuted, and been sentenced or acquitted during that same period?

Hon. Elinor Caplan (Minister of National Revenue, Lib.):

(a) During the period 2000-01, the Minister of National Revenue received 571 so-called “constructive notices”. The minister received 274 during 2001-02, and 57 from April 1, 2002 to September 30, 2002. There is no reliable data for the periods prior to 2000. Similarly, the Canada Customs and Revenue Agency, CCRA, has no data with respect to the source of these “constructive notices” or where a client may have obtained instructions on their use.

(b) The CCRA does not keep statistics on the number of persons filing “constructive notices” in relation to their filing status and does not prosecute Canadians for filing a “constructive notice”. However if a client chooses not to file a return and not comply with a “requirement to file a tax return”, the client may then be prosecuted for the failure to file a required return.

* * *

[English]

QUESTIONS PASSED AS ORDERS FOR RETURNS

Mr. Geoff Regan (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, if Questions Nos. 6, 8, 11, 14, 15 and 21 could be made orders for returns, these returns would be tabled immediately.

The Speaker: Is that agreed?

Some hon. members: Agreed.

[Text]

Question No. 6—Mr. John Williams:

With regard to the Atlantic Canada Opportunities Agency (ACOA) from 1998 to the present: (a) by fiscal year, how many loans, grants, and/or contributions has ACOA made in Prince Edward Island; (b) in which city, town, village and federal riding was each loan, grant, and/or contribution made; (c) who was the recipient of each loan, grant and/or contribution; (d) what was the dollar amount of each loan, grant and/or contribution; (e) in a brief narrative description, what was each loan, grant and/or contribution for; (f) when was the loan, grant and/or contribution approved; (g) when was the loan, grant and/or contribution made; (h) who at ACOA approved the loan, grant and/or contribution; (i) was the final recipient of each loan, grant and/or contribution a legitimate recipient within the rules of ACOA; and (j) did the final recipient of each loan, grant and/or contribution use the funds in any way to finance construction or development on property or projects owned or managed by a government department, government agency or Crown Corporation?

Return tabled.

Government Orders

Question No. 8—Mr. John Williams:

With regard to the Atlantic Canada Opportunities Agency (ACOA) from 1998 to the present: (a) how many offices of any size did ACOA operate; (b) in what city, town or village and what province were these offices located in; (c) on what date was each office established; (d) for each fiscal year, how many staff worked in each office; (e) what were/are the names and titles of each staff member in each office; (f) how many physical moves of offices were made; and (g) when did these moves take place?

Return tabled.

Question No. 11—Right Hon. Joe Clark:

With regard to the amount of government funds expended to assist communities with homeless problems: (a) what is the total amount expended since 1999; (b) which communities have received funds; (c) what year did they receive funds and what was the amount; (d) how many new shelters have been constructed; (e) where were these shelters constructed; and (f) how many new beds have become available to shelter homeless Canadians?

Return tabled.

Question No. 14—Mr. Robert Lanctôt:

For the last fiscal year, what amounts were allocated by the various federal departments and agencies to the following service categories: (a) communication studies (T000); (b) market study and opinion poll services (T001); (c) communication services, including exhibitions (T002); (d) advertising services (T003); and (e) public relations services (T004)?

Return tabled.

Question No. 15—Mr. Robert Lanctôt:

Will the government provide a list for the past five years, by federal department and agency, of companies approved under a pre-qualification process (such as a “standing offer”) to provide the following communications services: (a) communications study; (b) market study and public opinion services; (c) communication, including exhibition, service; (d) advertising service; and (e) public relations service?

Return tabled.

Question No. 21—Mr. Svend Robinson:

With regard to the transboundary watersheds shared by the State of Alaska and the Province of British Columbia: (a) what investigations, reviews, references, studies or plans of study have been initiated, completed, and planned for in relation to the Alsek, Chilkat, Taiya, Skagway, Taku, Whiting, Stikine, or Unuk transboundary watersheds, in relation to provisions or requirements contained in the International Boundary Waters Treaty Act; (b) how many authorizations or approvals under section 5(1) of the Navigable Waters Protection Act have been issued for each of the transboundary rivers listed in part (a); (c) what is the location of each authorization; (d) how many authorizations or approvals under section 5(1) of the Navigable Waters Protection Act have been denied for each of the transboundary rivers listed in part (a); (e) what fisheries are located in each of the transboundary rivers listed in part (a); (f) what efforts have been taken to ensure the protection of salmon habitat and safe passage as required and in relation to the Pacific Salmon Treaty for the transboundary watersheds listed in part (a); (g) what investigations, studies or plans of study have been initiated, completed, and planned for in conjunction with the State of Alaska Department of Fish and Game or related United States Departments or Agencies in relation to each of the transboundary watersheds listed in part (a); (h) what investigations have been initiated or completed under the Canadian Environmental Protection Act or the Fisheries Act for each of the transboundary watersheds listed in part (a); and (i) what investigations, reviews, references, studies or plans of study have been initiated, completed, and planned for in relation to the State of Alaska proposal for the “Bradfield Road” transportation corridor?

Return tabled.

[English]

Mr. Geoff Regan: Mr. Speaker, I ask that all remaining questions be allowed to stand.

The Speaker: Is that agreed?

Some hon. members: Agreed.

GOVERNMENT ORDERS

[English]

The House resumed consideration of the motion that Bill C-17, an act to amend certain acts of Canada, and to enact measures for implementing the Biological and Toxin Weapons Convention, in order to enhance public safety, be read the second time and referred to a committee.

Mr. Loyola Hearn (St. John's West, PC): Mr. Speaker, I just want to say a few words on Bill C-17. Many of my colleagues from all the parties here on this side have expressed concern that Bill C-17 is very much like the old Bill C-55, whereby the changes that we hoped to see in the new bill really are not there. There have been some cosmetic changes made, with some changes in time differentials and whatever, but generally speaking in regard to the effect Bill C-17 will have on the privacy of Canadians, there are still a lot of the same concerns that were raised before.

The bill is about one thing and one thing only. It has nothing to do with the threats of attacks against our country. No, the bill is about power. More specifically, the bill is another attempt by the Liberal government to increase the powers of the executive and individual cabinet ministers.

As with its predecessor, the bill concentrates too much power with too few people. Many of us are very concerned when we look at the people in whose hands this power is going to be placed. We have seen demonstrations of how inadequate a number of the ministers have been over the last few years and, more specifically, certainly over the last few months.

When we look at the infighting that is going on within their own party and when we think that these very few people are going to be able to control in their own hands, individually, what goes on in relation to the security of the country, it makes one very nervous.

In so doing, it undermines the authority of this place and the electorate that put us here to represent its views and protect its fundamental rights and freedoms. The power play in relation to security and major decisions affecting our country should lie right here within these hallowed halls, in decisions made generally by the people elected to make such decisions and not concentrated in the hands of a few ministers. It also undermines the legitimate authority and constitutionally enshrined jurisdiction of other levels of government. As my colleague from Pictou—Antigonish—Guysborough stated originally when he spoke to the bill, this bill undermines the very foundation of the country, the Charter of Rights and Freedoms and the division of powers defined by Canada's Constitution Act.

The one thing that the governing Liberals have failed to do is explain why the bill is actually needed. They failed to do so in the spring and they have still failed to demonstrate to Canadians this time around why such a bill, which threatens the freedoms and civil liberties of Canadians, is required when this country already has adequate legislation on the books in the form of the Emergencies Act.

Government Orders

It is easy for the government to hide behind the threat of terror and international attacks on our peace and security so that it can hoodwink Canadians into believing that such legislation is required. However, if the government were serious about protecting Canadians from such threats, it would invest more in our military instead of watching it dwindle to under 60,000 troops at a time when we need them the most, troops who do not have adequate equipment. Nor are they compensated properly for the fine work they do for their country. If the government were truly serious about security, it would reinvest in our military and make it the proud institution that it used to be.

While the government played politics and cancelled the contract to replace the Sea Kings, our personnel were losing their lives. The first of the Progressive Conservative helicopters would have been delivered already if it were not for the petty politics of the Liberal government. However, millions of dollars and nearly 10 years later, our personnel still risk their lives each time they set foot in one of those beaters. Meanwhile, the government is still looking for a good deal. This is nothing short of irresponsible.

The fact that the current Prime Minister will likely leave office without resolving the Sea King problem shows where the government puts our security on its priority list: at the bottom. What kind of legacy is that? Helicopters that will not fly, military pants that will not stay up, and submarines that will not float. That is the Liberal vision of our military and our security, and what are the Liberals going to do instead of addressing the real concerns of the country and putting money where money is really needed?

• (1525)

They are going to put decision making powers into the hands of ministers. Every day we are getting some hint, mainly through the press, of the security threat to the country. The government cannot answer a question in the House because it does not discuss these things publicly. It does not want anybody to know what is going on. The problem of course, that we fully understand, is that the ministers involved do not know what is going on and that is why they cannot answer the questions. If that is the way they handle such a serious situation we can imagine these same people having, within their hands, the ability to make major decisions as they relate to the security of the country and the privacy of citizens to live there.

The bill is really about something that is high on the Liberal agenda. It is not security but more power. The government has failed to put the proper resources into the military and other agencies of Canadian security. Instead it has come up with this bill that increases the power of cabinet ministers and trounces the authority of Parliament.

When we talk about putting money where money is needed, a few nights ago we had a debate on the Coast Guard or perhaps we should say the lack thereof. Resources to the Coast Guard have diminished over the years and the tremendous work that our Coast Guard has done around the coasts of this country has been diminished.

The security that exists at airports and at the borders of the country may be termed adequate. If one gets on a plane we know what type of security measures one goes through. If people drive across the border into Canada we know the people and their cars are thoroughly searched. However if people have any kind of mechanism that floats,

from a raft, to a yacht, to an ocean liner, they can land in about 70% of this country and nobody even knows they are coming.

The Minister of Fisheries and Oceans who is responsible for the Coast Guard delighted the other night in telling us that the government has strengthened up measures because when boats are coming into our waters they now have to give us 96 hours advance notice rather than the 24 hours which was required originally.

How often have we heard of drug pushers or terrorists calling ahead to get reservations in this country? We know they do not call ahead. If we know of all the places in the country that are not covered by radar, certainly we must realize that they also know.

Given that Canada already has the Emergencies Act, why is the bill necessary? The government should not be trying to suspend our freedom and constitutional rights. It should be protecting them. The Government of Canada, which already has too much power, should not be seeking more tools to infringe on the rights of Canadians when legislation already exists.

• (1530)

Mr. John McKay (Scarborough East, Lib.): Mr. Speaker, I would like to comment on two things in the bill, the first having to do with the sharing of information, and the second having to do with interim orders. I then wish to comment on whether in fact this is creating an environment of security or one of insecurity.

I just returned from a week abroad and my transfer point was Miami. I was flying in from a foreign country through Miami to Toronto. Frankly, Miami was a horror show. All I had to do was transfer from one airplane to another. It was the same airline in the same constellation of lounges. However, in order to be able to do it I had to disembark from the one airplane, go through U.S. immigration services, customs services, go back through security again, line up in front of the desk going into the gangway of the airplane, and then line up in the gangway of the airplane itself again. It was a nice waste of about two and half hours.

Apparently that is all for security purposes. I was kind of hard pressed to fathom how I would become a security risk by virtue of transferring from one airplane to the next airplane, in the same lounge which is a transit lounge, but apparently I was.

I can see how these so-called security needs lead to great frustration and create air rage on the part of the travelling public. I am hard pressed, however, to see how all of these security measures, as I experienced them in Miami yesterday, relate to security at all. In fact, it gets a little bizarre. Just to add on to the add on, the number of pieces of baggage with the number of passengers could not be correlated, so we sat there for an hour on the tarmac trying to count the baggage all over again.

Government Orders

I find that this kind of environment, particularly in the United States, leads to more paranoia than it does to security. If one ever wants to thank his or her lucky stars to be Canadian, one should travel in the United States now. Everyone there is walking on eggshells and I respectfully suggest that it is a society at war with itself, that in fact it is turning in on itself and contradicts some of the values it prizes the most, namely its freedoms and openness. I feel sympathetic to many of my American colleagues, but I must ask myself whether we in fact, by doing bills such as this, feed into that paranoia.

The paranoia in my opinion is further hyped by those who have a political agenda. For those in the security business these are good times. It serves those folks and they do not seem to be overly fussed about losses to rights of privacy.

Bill C-17 would allow the transference of all of my travel information to all security services around the world, particularly in the United States. They will know with whom I travelled. They will know that I travelled with my wife in this instance. They will know where we went and how I paid for it. They will know how often I travel, where I travel, with whom I travel and how I propose paying for it. That may in itself sound relatively benign except if one is the innocent victim. Make no mistake that this information will never be used for us. It will only be used against us.

I and everyone in the House will have a travel profile which will be gathered here and transmitted electronically around the world. There are no restrictions on how it would be used and who would use it and it could be cross-referenced with other data from various agencies that have information on me.

Our privacy commissioner has likened it to a police state mentality and while I think that is a bit overboard, I want to comment on having actually travelled in a police state, namely Estonia, when I was younger.

I recall vividly going to church on a Sunday morning, sitting in a service and while the minister was preaching, four soldiers from the Soviet army marched into the church, walked to the front and just stared at everybody in an attempt to intimidate those who were still going to church in that country.

● (1535)

The point is not that Canada would become a police state but that it would create an environment of fear. It would be sharing information with countries, some of whom clearly are much closer to police states. It would feed a climate of fear and fear builds on itself. To put an ironic twist on, John Fitzgerald Kennedy, a former president of the United States said "You have nothing to fear but fear itself". It is indeed ironic because all these bills create this environment of fear.

We are proposing this bill even though the results are not in on Bill C-36. One of the provisions of Bill C-36 is that there must be an annual report presented to Parliament on how it was used and possibly abused. We do not know whether the changes in the Criminal Code were actually helpful or a hindrance. We passed Bill C-36 in great haste but we have yet to see a report on its effectiveness.

Files tend to have a life of their own, especially where security forces have already reached a conclusion and like to secure evidence that advances that conclusion.

Bill C-17 would reduce the time a minister would require to make an interim order where immediate action is required to deal with a significant risk to health, safety or the environment.

I suppose the first question is: What is a significant risk?

This would allow the minister to act rapidly to address an emergency situation. Should a threat be identified, the Minister of Health, for example, could impose more stringent controls on the storage and distribution of potentially dangerous biological and chemical products to prevent them from being diverted for terrorist purposes.

What is envisioned here are situations which may not justify a declaration of national emergency but still require immediate action. The scope of the powers that could be exercised under Bill C-17 are more limited than we would get under the Emergencies Act but nevertheless are quite extensive in and of themselves.

I must congratulate the minister who has listened to some of the complaints that would limit some of the timeframes and some of the review processes. I guess the best that could be said here is that it is not as bad as Bill C-55.

However, the cabinet could still extend an interim order for a year. Parliament is not bypassed since an interim order must be tabled with Parliament, which is an unusual procedure and again I congratulate the minister for taking up that concern and tabling the interim orders before Parliament so they can in fact be reviewed within 15 days. This may or may not address the concern expressed by the previous speaker about ministerial excesses but that would largely be up to the vigilance of Parliament.

The interim order would still have to be gazetted within 23 days after it is made, thus ensuring some level of transparency. It is also subject to judicial review, as are other government decisions.

We still have a Charter of Rights and Freedoms which we continue to fully apply.

One would hope that as we add up all these checks to these potentially significant intrusions into the security and privacy and freedoms of our citizens we can have some measure of sense that these checks and balances would serve as useful legal instruments to protect Canadians in an emergency situation.

I do not know whether we will end up looking like the United States in the not too distant future. It is certainly not a future I covet as a husband and as a father for my children. I certainly do not covet it as a parliamentarian. I would hope that we here in Parliament act as a significant check on those kinds of intrusions into our rights.

● (1540)

Are we doing the right thing by sharing this information with other security services? I frankly do not think so. Are we doing it because we have to? Largely that is true. We are doing it because we have to. If people want to travel to the United States, those will be the rules of the ball game. Will interim orders be abused? I do not know. I do not think so.

Government Orders

Parliament needs to be at the centre of the vigilance and protection of our rights. Let us hope that both Parliament and the committees will do their job.

Mr. Lynn Myers (Parliamentary Secretary to the Solicitor General of Canada, Lib.): Mr. Speaker, I am pleased to rise today to speak to Bill C-17, the public safety act.

Specifically I would like to address section 4.82 which would amend the Aeronautics Act. This is an improvement over an earlier proposal in Bill C-55 because it addresses a number of concerns, not only of parliamentarians and people in the House, but also the Privacy Commissioner.

At the same time it is a very important provision for public safety. It will give our law enforcement and security agencies an effective and timely tool to improve transportation security and safety for all Canadians. How will it do this? It will require airlines, which already collect personal information about passengers, to share it when requested with specifically designated RCMP and CSIS officers.

Let me assure the House that designated officers cannot use the information for unrestricted purposes. Their use will be strictly limited to the purposes of transportation, security and counter-terrorism. This makes sense because the RCMP requires information about passengers to deliver an effective air carrier protection program.

In practical terms the RCMP needs to know if there are potentially dangerous passengers on flights so that it can assign aircraft protective officers to cover them. Likewise, CSIS needs the information to identify known suspected terrorists before they board a plane. I do not think it would be in the interests of Canadians to deny the RCMP and CSIS access to this information if it could avert a terrorist incident or protect Canadians from potential harm.

We have removed the identification of persons subject to outstanding warrants as an authorized primary purpose for obtaining passenger information as it was set out in Bill C-55. However during the course of analyzing passenger information to check for terrorists and other high risk persons, the RCMP would be able to notify the local police if they identified a fugitive wanted for a serious crime such as murder.

This change specifically responds to concerns raised by hon. members and the Privacy Commissioner that accessing air passenger lists to identify persons with outstanding warrants for serious offences goes beyond the counterterrorism intent of the bill.

In keeping with public expectations, the RCMP would still be able to take action in the interests of public safety. If the RCMP happened to identify a dangerous wanted criminal or terrorist, it would then be able to notify the local police so it could be apprehended before they could harm someone else. The public would not expect anything less from the RCMP.

We must not lose sight of the fact that an arrest warrant is essentially an order that is issued in situations where the justice or the court believes it is necessary in the public interest to do so. What is more, it commands peace officers to arrest the person and to bring him or her before the justice or the court to be dealt with according to law. Without this provision we would be placing RCMP members in a very difficult position by preventing them from assisting in the

execution of serious warrants they may discover in the context of analyzing passenger data for transportation security purposes.

I would like to take this moment to assure hon. members of the House that this authority would in no way give the RCMP blanket permission to arrest and detain just anyone. Before any passenger could be arrested, the RCMP and any other police force for that matter would have to take reasonable steps to positively identify the person named in the warrant.

That brings me to the second change, which is to narrow the types of offences for which warrants can be executed. Only warrants for offences which are punishable by five years or more in prison and which are identified and specified in a schedule to be listed in a regulation will be subject to disclosure.

Finally, the hallmark of Canada's approach to national security is collaboration among departments and agencies at the federal and provincial level, industry, parliamentarians, citizens rights groups and in the international community, especially the United States. The joint resolve of these stakeholders is one of the reasons why Canada remains one of the safest countries in the world in which to live.

● (1545)

To ensure that air carriers have the authority to collect and use information about individuals obtained from the government and to search for information about them for specific purposes, a consequential amendment to the Personal Information Protection and Electronic Documents Act, PIPEDA, is proposed. This amendment would ensure the effectiveness of the data sharing regime proposed by Bill C-17.

The PIPEDA was developed to ensure that privacy and enable law enforcement agencies to protect the safety of Canadians and support a competitive and innovative marketplace. This same balanced approach has led to this amendment which would maintain the overall integrity then of intelligence activities in a changed security environment.

The amendment to section 4.82 needs to take into account Canadians' privacy rights as well as their protection against terrorism. That is why this proposal makes very strict privacy safeguards and as such is well worth considering.

All passenger information would have to be destroyed within seven days unless it was reasonably required for the restrictive purposes of transportation security or the investigation of terrorist threats. When we consider there are thousands of flights a day in Canada, it makes good sense then to give the RCMP and CSIS the time they need to analyze passenger information they have accessed before planes actually depart.

Government Orders

To ensure accountability and transparency, written records would have to be kept then to justify intentional disclosure of any passenger information. This would enable review agencies such as the Security Intelligence Review Committee, the Inspector General for CSIS or the Privacy Commissioner to readily examine records for compliance with the law. The RCMP and CSIS would each be required to conduct an annual review of information retained by designated officers. If retention could no longer be justified, the information would have to be destroyed.

In closing, section 4.82 is what Canadians want and I believe that sincerely. It will ensure that law enforcement and national security agencies can improve transportation and national security and work effectively with our international partners. It will do this while maintaining privacy rights which as all members of the House know are also very important.

We have taken into account concerns expressed about proposals in the previous legislation. We have listened and we believe we have struck the right balance. After all, I believe Canadians want and expect from parliamentarians and those of us in the House to strike the right balance when it comes to privacy and the rights of Canadians and also security and safety for all Canadians.

• (1550)

Hon. Ethel Blondin-Andrew (Secretary of State (Children and Youth), Lib.): Mr. Speaker, I would like to give a bit of context to the amendments we are speaking to today. On October 1 the proposed public safety act, 2002 was introduced into first reading in Parliament. The new bill replaces Bill C-55 which was introduced on April 29 but died on the Order Paper when Parliament was prorogued in September.

The proposed safety act, 2002 contains key provisions that would increase the Government of Canada's capacity to prevent terrorist attacks, protect Canadians and respond swiftly should a significant threat arise. Public safety and security requires a collective effort of a number of partners including industry. At the same time the government will continue its commitment to protecting the security of Canadians while upholding individual freedoms and right to privacy in a marketplace.

The introduction of this bill builds on the Government of Canada's anti-terrorism plan and the \$7.7 billion commitment in budget 2001 to keep Canada safe, terrorists out and the border open.

Much has been said about what is not happening. What has not been made clear to the Canadian public is just exactly how complicated, how involved and how extensive and comprehensive the work is that needs to be done by the whole of government, every department and every aspect of government, in a regulatory sense.

If we look at this, the Department of Citizenship and Immigration is dealing with Department of Citizenship and Immigration Act and the Immigration and Refugee Protection Act. DFAIT is dealing with the Biological and Toxic Weapons Convention Implementation Act and the Export and Imports Permit Act. The Department of Fisheries and Oceans is dealing with the Navigable Waters Protection Act. DND is dealing with the National Defence Act. Environment Canada is dealing with the Canadian Environmental Protection Act, 1999. The Department of Finance is dealing with the Office of the Superintendent of Financial Institutions Act, the Proceeds of Crime

(Money Laundering) Act and the Terrorist Financing Act which has been worked on for awhile. Health Canada is dealing with the Canada Health Act, the Food and Drugs Act, Hazardous Products Act, Pest Control Products Act, Quarantine Act and the Radiation Emitting Devices Act. The Department of Industry is dealing with Personal Information Protection and Electronic Documents Act. The Department of Justice is dealing with the Criminal Code. Natural Resources Canada is dealing with the Explosives Act and the National Energy Board Act. Transport Canada is dealing with the Aeronautics Act, Canadian Air Transport Security Authority Act, Canada Shipping Act, Canada Shipping Act, 2001 and Marine Transportation Act 1999.

Consequential are the Access to Information Act and the Transportation Appeal Tribunal Act as well as all of the other regulatory work that has to be undertaken. This is just to give a small sample of all of the things that need to happen. That would probably take up all of my 10 minutes if I were to go on about that. However I want to focus on the transportation issues.

Through Bill C-17, the Government of Canada is committed to protecting the safety and security of Canada's transportation system. Transport Canada has been looking at all models of transport through different acts of Parliament to ensure appropriate security measures are in place and will consider all reasonable actions to enhance the safety and security of the transportation system. The focus of the transport related amendments contained in Bill C-17 is aeronautics, although there are minor amendments to the Marine Transportation Security Act and the Canada Shipping Act.

The department has been engaged in significant work on security issues with other federal departments and agencies, international organizations and foreign governments.

To understand the context of what is in this public safety act, it is important to understand that the government has been acting on many fronts in seeking to raise even higher standards for aviation security, some of which I have mentioned already.

This government has made significant improvements to the safety of Canadians with regard to transportation in the country since September of 2001. Last October the government announced a wide range of new initiatives to enhance the security of operations at Canada's airports. Then in December the budget carried through on these initiatives providing \$2.2 billion for air and marine security initiatives such as the creation of a Canadian Air Transport Security Authority, CATSA.

• (1555)

Preboard screening at Canadian airports has been enhanced with the addition of new funding of up to \$128 million per year. This is a significant investment.

Funding of over \$1 billion was identified over the next five years for the purchase, deployment and operation of advanced explosive detection systems at airports across the country, covering 99% of all air passengers.

Government Orders

As frequent travellers, members of Parliament know only too well how serious those individuals undertake the work they do in terms of making travel secure for all passengers, for the airlines, and for all Canadians. I am sure that it will be well known that much of the newly purchased equipment will enhance the system and make it far more efficient.

Funding of up to \$35 million over two years was also provided to help airlines cover the cost of security modifications, including the reinforcement of cockpit doors, to existing passenger aircraft resulting from new standards and regulations currently in development. Funding was also provided for further significant increases to Transport Canada staffing associated with aviation security functions, including hiring new inspectors to provide increased oversight of aviation security.

On the marine side, funding of \$60 million over the next six years was identified to protect ports and other critical infrastructure from terrorist attacks.

There have been further enhancements made to aviation security, such as requiring that all passengers in Canada be subject to new limits on carry-on luggage and all passengers travelling on flights bound for the U.S. be subject to random secondary searches at the departure gate prior to boarding the aircraft.

In line with our belief that aviation security must be looked at in a global sense, in February Transport Canada provided \$350,000 to help fund the International Civil Aviation Organization's security oversight audit program. The purpose of the audit program is to identify needed remedial action, promote greater understanding of systemic security issues and build confidence in aviation security. In addition, the audit program will identify potential deficiencies in security oversight systems of member countries and will provide suitable recommendations for resolving any such deficiencies.

As I mentioned, the December budget also included the provisions to create the Air Transport Security Authority, which is now responsible for the provision of several key aviation security services in Canada, such as preboard screening of passengers and their belongings, the certification of screening officers, the acquisition, deployment and maintenance of explosive detection equipment at airports and federal contributions for airport police and related civil aviation security initiatives and contracting for police on board aircraft.

There are a couple of amendments included in Bill C-17 to clarify that CATSA is also clearly required to comply with any emergency directions as are related to the delivery of screening services in Canada. In addition, CATSA will be required to implement a security management system which will be subject to inspection by Transport Canada.

Also the definition of "screening point" in the CATSA act is being clarified to more clearly indicate that an authorized aerodrome operator may act on behalf of the authority in the delivery of screening services. An important amendment deals with the authority of CATSA to enter into agreements with airport authorities for the purpose of contributing toward the cost of policing incurred by that airport authority in carrying out its responsibilities. This

authority is being extended to all airports subject to the reaching of agreements between CATSA and the airport authority.

The Minister of Transport has already spoken twice on the public safety act only to find that the bill was delayed through the actions of some members of the opposition parties which have done nothing to hasten the bill into committee. Some members complain that we have done nothing, but they should look in the mirror for who has been delaying sending this bill to committee where the individual components can be debated.

The bill contains some important improvements for the security of Canada's transportation system. The amendments to the Aeronautics Act are designed to clarify and update existing aviation security authorities.

The security of the public is the concern of all members of the House. We have to demonstrate to the Canadian public that we share in that earnestly and that we are not here to debate this ad nauseam while many issues go unresolved because we cannot agree. That is unfair to the Canadian public. I plead with my colleagues on all sides of the House to work together on this.

• (1600)

Mr. Roy Cullen (Etobicoke North, Lib.): Mr. Speaker, I am very pleased to debate Bill C-17, the public safety act.

Everyone around the world is reassessing their approach to public safety, particularly after the events of September 11. People in countries such as Canada that are potential targets for terrorist operations or terrorist threats have to deal very responsibly and assertively with this very real threat.

It is always a challenge to balance off public safety against the privacy issue of our citizens. Our government has done a very good job in making sure that happens.

Bill C-17 replaces Bill C-55 which was introduced on April 29, 2002 but died on the Order Paper when Parliament was prorogued in September. The new bill repeats many of those provisions but there have been some enhancements also. Many Canadians expressed concern over certain privacy issues and the government listened.

The provisions require air carriers to provide passenger information to designated persons in Transport Canada, the RCMP or CSIS. This proposed scheme would include strict controls on access, use and disclosure of information so that it does not go to anybody who wants that information just for their own benefit or purpose. There is a very strict control on who can access that information and for what purpose.

In addition, the ministers must respond more quickly to the Parliament of Canada if they have to use various emergency measures. The period of time within which ministers would be required to table interim orders before Parliament has been reduced to 15 days, whether Parliament is in session or not. The period during which ministers must obtain cabinet approval has also been reduced to 14 days for all statutes. In Bill C-55 in many cases it was 45 days which created some concerns among some of our citizens.

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This new provision will allow ministers to act rapidly to address risks in emergency situations while putting into place proper oversight mechanisms.

The bill is meant to enact a number of provisions that were in Bill C-55, but it also includes some enhancements, particularly addressing some of the privacy concerns that Canadians raised in the interim period.

The bill enhances the ability of the government to provide a secure environment for air travel. This is something most Canadians are looking for and the bill responds to that. It facilitates data sharing between air carriers and federal departments and agencies for the purposes of transportation and national security. It allows for the issuance of interim orders in emergency situations while ensuring that there is proper transparency and accountability.

The bill will deter hoaxes that endanger the public or heighten public anxiety. We have seen the signs regarding airport security which say that a person cannot joke about various weapons or materials they may or may not have in their possession. This puts that into a legislative context and makes it a very serious offence.

The bill also establishes tighter controls over explosives and hazardous substances, activities related to other dangerous substances such as pathogens, and the export and transfer of technology.

When we go to the airport we want to know that the concerns about security are being dealt with and the bill deals with that. It also deals with those who would cause some difficulty on aircraft. We have heard about air rage, individuals who cause a lot of problems on aircraft.

● (1605)

Our family has a good friend who is a member of the cabin crew on one of the major airlines. She told us of the incidents of air rage and the various different forms and shades. Some are much more serious than others.

We heard about an incident the other day, where someone on an El Al plane ran up to the cockpit door with a weapon. El Al has air marshals on just about every plane. They were able to wrestle the chap and he was arrested when the plane landed in Ankara.

The government has called for cockpit doors to be virtually impenetrable. Some of the cockpit crew and the pilots would like either to have weapons or to have marshals on all the flights. I know that we will have a debate on this. I am in agreement with our minister when he talks about some of the dangers of having weapons on board. There are air marshals now on flights going to the United States, but whether we need to increase their number is something we need to debate more in Canada.

The government in budget 2001 brought in measures totalling approximately \$7.7 billion over a number of years which would increase and enhance Canada's security. That is the commitment that was made. These measures will counter the activities of terrorists and make our border much safer where we can ensure that terrorists and people with those sort of intentions are screened more readily.

We are not so concerned about the low risk people who go back and forth across our border. That is why the government has

instituted with the U.S. government a system of preclearance and pre-authorization so that the low risk people and carriers can cross the border freely. Eighty-seven per cent of our exports go to the United States. We have to ensure that we have a border where people and goods move freely.

We also know there are many travellers and many vehicles where there is virtually no risk of terrorist activity or smuggling of any type. The new provisions allow for the safe movement of people and vehicles that are low risk or no risk but make sure that higher risk people or carriers are dealt with and queried. This is to ensure that they do not have access to the United States or Canada to commit various acts of violence, whether they be terrorism or engaging in money laundering activities, taking money back and forth across the border to finance terrorist activities.

I am glad to see that Fintrac, the agency that was set up by the federal government to address money laundering activities, is operating fully. It tracks transactions that are accepted by deposit taking institutions and other financial intermediaries. It ensures that those amounts are reported and investigated if there is any suspicion they might be related to money laundering activities and money laundering that would be devoted especially to any type of terrorist activities.

The bill also deters the proliferation of biological weapons. We all know what is happening today in Iraq. Most Canadians hope that Saddam Hussein, the leader in Iraq, will cooperate with the weapons inspectors and that if any weapons of mass destruction are located they will be destroyed and we can avert a war that would be very costly, not only in terms of money but in terms of human lives and the well-being of many people.

● (1610)

We should get on with this bill. I ask the members opposite to support Bill C-17. It is a good bill and we should get behind it.

Mr. Geoff Regan (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I am pleased to rise today to debate Bill C-17, which was formerly Bill C-55, the public safety act.

Canadians have had great concern about our security since the horrible occurrences at the World Trade Center in New York about one year ago on September 11. Of late we have had renewed interest and concern after the news came that a tape which purportedly contained the voice of Osama bin Laden was presented to the al-Jazeera network in the Middle East. If it was bin Laden on the tape, the person put forward the suggestion that other countries besides the U.S. would be targeted and included Canada on the list of targeted countries.

Government Orders

It is not a complete surprise to Canadians that our country might be targeted by al-Qaeda or other terrorist groups. To have our country included in the list that is mentioned has caused concern for Canadians and has brought this issue home to more people. The threat of terrorism that confronts much of the world is one that confronts us as well and one that we must deal with. At the same time Canadians are concerned and want to see us act in a forceful and firm way to do what we can to prevent, deter and respond to terrorism. They also want to ensure that we protect individual freedoms.

I said in a speech not long after September 11 of last year that the openness that makes us vulnerable is the freedom that makes us strong. That speaks to the kind of balance that we must achieve. It would have been easy a year ago to respond to the events of 9/11 by simply, out of fear, shutting down all kinds of things.

If, God forbid, there was a successful attack in Canada by terrorists there might be a greater demand for severe actions. However, we must guard against that because we must maintain our openness and freedoms. That is one of the beauties of having the Charter of Rights and Freedoms, which of course will apply to this legislation.

There were a lot of concerns last year when the first draft of this bill was introduced about some of its provisions, but it is important to remind all Canadians that any of these bills that deal with public security, unless they actually say it is notwithstanding the Charter of Rights and Freedoms, the charter and all its provisions and protections to personal freedoms would apply to those bills. If there are provisions in any bill which go too far, it is open to the courts to say this bill or this portion of this bill would be struck out and not apply. Therefore, it is important to understand that whatever provisions are in a bill like this, the Charter of Rights and Freedoms would still apply and our freedoms would be guaranteed and maintained.

It is clear that at the time of 9/11 the concern of most people was focused on the airline industry. Obviously we have watched with horror as those two enormous jet airplanes with so many passengers crashed into the World Trade Center twin towers. Naturally for a while our focus was clearly on airline security. It is important that we not forget to do that. There are provisions in this bill that I will talk about in a moment that go further, that ensure we are protecting our airline security as much as we can.

We have become, over the past year since that occurrence, more cognizant of the fact that there are many other things to be concerned about. In fact we had a list that was released last week, purportedly from the U.S. government, which Mr. Powell said was not from the government. We have had other reports that it was not an official document.

•(1615)

It was an interesting list of some 20 or so sites in Canada that might be targets for terrorism. It would not take a rocket scientist to figure out that some of those spots might be targets. However at the same time, without getting overly worried or too alarmed about this, it is valuable for us as Canadians to consider these different sites and consider the fact that they could conceivably be terrorist targets. We need to think about what things we can reasonably do in relation to

these different sites to make them more secure and to provide a reasonable level of security.

That raises the question of whether we can ever provide ultimate, complete security over all sites. If we insist on having an open, democratic and free society, then we cannot live in a police state. We cannot live in a state where the police can check on us for anything it wants or enter our homes and search us whenever it wants for no reason at all. There has to be a rule of law. There has to be a basis for doing things. It is important that we maintain our freedoms otherwise the freedom that is our strength is out the window. We then become like a dictatorship and that is the last thing that we need here in Canada.

The government is trying to find a proper balance. It is trying to provide a good balance between the rights and freedoms of Canadians as well as the need to provide more security. That has been improved in a number of ways in the latest form of this bill.

Bill C-17 would enhance the government's ability to provide a secure environment for air travel. There is no question that we need to see that. We have seen concern over the past year in the airline industry. Airports, particularly in the early months after 9/11, have had a lot less traffic. There has been a lot of concern about issues like tourism and its effect on our whole economy. People were not comfortable flying or travelling. Obviously the economic impact was severe. It was therefore important for us to take steps early on, and it is still important to take steps to enhance the public's confidence in airline travel. I am pleased to see that kind of provision in the bill.

The bill would facilitate data sharing between air carriers and agencies like the RCMP and CSIS. In the case of the RCMP, information could be used for issues relating only to transportation safety. For example, in the original bill, if individuals had an outstanding warrant against them and were spotted, the RCMP could use that information to arrest those individual. In this case, unless there is a danger to transportation safety there is no basis for the RCMP to arrest such a person. It cannot use the information except when there is a risk to transportation safety.

CSIS is a little broader. It has different responsibilities obviously. One might argue that it is the lead agency responsible for confronting issues relating to terrorism in our country. CSIS would be able to use this information for either transportation safety or issues of national security. That is natural and sensible. However at the same time, it is important that it be limited in the way it could use that information. Those are important limits that would guarantee our freedoms.

The bill would provide for the issuance of interim orders in emergency situations while ensuring proper control over government action. I want to speak for a minute about the interim orders provided for in Bill C-17.

The important thing to note is that under the bill a minister would have the authority to issue orders. This would be in a case where there is an immediate or direct threat. It would have to be an urgent situation where it would be impossible to have a full meeting of cabinet to pass orders in council. It would involve something happening on the ground and the government having to respond immediately. That is what we are talking about here.

Government Orders

The bill would provide for a minister to issue an interim order under certain requirements but there would be a number of important controls on that order. This would cover matters for which regulations would normally have been made but, of course, regulations cannot be made in five minutes. It would have to be dealt with quickly and in a situation where there is an immediate threat.

• (1620)

These are things that would normally fall within the mandate of the Ministers of the Environment, Health, Fisheries and Oceans and Transport, like the following acts; the Aeronautics Act; the Canadian Environmental Protection Act, 1999; the Department of Health Act; the Food and Drugs Act; the Hazardous Products Act; and many more.

The important thing is that the minister would then have to get approval from the governor in council within 14 days after the day the interim order is made. A copy of the order must be tabled in each House of Parliament within 15 days from the time it is issued. Those are important controls on that interim order. That is a reduction from 45 days to 15 days.

There are many other provisions in the bill that are of interest to members. I am sure they will be fully discussed. However, I wanted to focus on those matters.

Mr. Murray Calder (Dufferin—Peel—Wellington—Grey, Lib.): Mr. Speaker, I am rising to speak about the public safety act, Bill C-17, which would replace Bill C-55 which died on the Order Paper when the government prorogued in September.

The bill would build on the government's anti-terrorism plan and the \$7.7 billion commitment that we made in the budget 2001.

Mr. Rick Borotsik: What do you know about it?

Mr. Murray Calder: The member across the way asks what do I know about this. I have had firsthand experience with this.

The question that has always been asked is: Where were you on September 11? I happened to be in Saskatoon with the Prime Minister's task force on future opportunities in farming.

Camelot died that day as far as I am concerned. From that time on air travel would never be the same. As a government we must respond to that reality. The general public right now is basically nervous about air traffic. The number of air travellers has declined. We must put back that comfort level with travellers so that they know that air travel is safe.

Canada has a next door neighbour of over 300 million people. We do over a billion dollars of trade a day across our border. We must have seamless traffic that is safe and that is what part of the bill would deal with. We must ensure that the truck traffic crossing the border is not interrupted, but it must always be safe. Canada's economy is based on how the bill would deal with the safety factor of the nation.

At the present time the United States is taking a look at a number of initiatives within its own country. We must have a meshing of how these initiatives are undertaken. We must have shared

technology and data. It must be transparent and seamless to make this thing work properly.

One of the items included in Bill C-17 is that the bill would look at enhancing the ability of the Government of Canada to provide a secure environment for air travel. I know that when I returned from Saskatoon on September 11 I made it a point to see what had taken place at Pearson Airport in Toronto. Quite frankly it was something I had never seen before and I have travelled out of that airport since 1993.

There was a line that was over 200 feet long approaching the ticketing agent. The people were being screened and there were all matters of identification going on because of the heightened security. There was a SWAT team at the airport. I had never seen a SWAT team in an airport before, but there was one there a few days after September 11.

Once a person went through that 200 foot line to get your ticket there was another 200 foot line and that was to pass through security before reaching the other side to board the plane. That was the best we could do at that point in time to address an unforeseen situation. We must have legislation that is flexible enough to take and address unforeseen situations. We have already been named in the latest audio release and told that there could be other terrorist attacks. We must ensure that we are ready for it. To facilitate that we need data sharing between air carriers, federal departments and agencies for the purpose of transportation and national security.

Why do I say this? It is because our whole economy is based on it. We are an exporting nation. Some 44% of what we produce we export. Some 85% of that goes to the United States. These are big dollars that we are talking about. We must have something in place that we can take and address it.

We must allow for the issuance of interim orders in emergency situations, while ensuring that there are proper controls over government actions. We must make it flexible. We do not know exactly what we could be dealing with.

• (1625)

We also have to deter hoaxes that endanger the public or heighten public anxiety. That for me is a no-brainer. We know now that people standing in security lines do not mention anything about terrorism or things else like that because we are looking at heightened security. I agree with that.

We have to establish tighter controls over explosives and hazardous substances, activities related to other dangerous substances such as pathogens and the export and transfer of technology. As an exporting nation these things have to be in place to ensure that goods can freely flow back and forth with our biggest trading partner.

We have to help identify and prevent harmful unauthorized use or interference with computer systems operated by counterterrorism agencies, and to deter the proliferation of biological weapons.

Government Orders

All of us now have our own electronic identity and we have to ensure that we have a computer system in place that cannot be hacked into by different forces. One thing we have found is that terrorist organizations obviously run on money. If they do not have the money, then they are unable to carry on their operations.

We want to see the Government of Canada proceed on the guiding principle that our approach to national security can always be improved. For any unforeseen situations, we have to look at how we handle them today and how we can improve the situation to handle them better tomorrow.

Work is ongoing among various organizations in the public safety community to ensure that legislation, policies and operations remain current with and relevant to the rapidly evolving public security environment. As a result, the proposed legislation still includes some of the key amendments that were made to Bill C-55, just to address that.

The provisions in the public safety act of 2002 would require air carriers to provide passenger information on specific persons to designated persons in Transport Canada or on persons onboard any flight to designated persons in the RCMP or CSIS and the proposed scheme would include strict controls on access, use and disclosure. I am totally in agreement with that.

About three and a half months after September 11, I was flying from Vancouver to Toronto. While I was reading my newspaper, all of a sudden I looked down at the back of the seat in front of me and pulled out the flight information about the aircraft. It was a 767. It was the same plane that went into the towers. The hair on the back of my neck stood up. However I want to show the travelling public that we have the proper process, laws and legislation in place. It was unwarranted for the hairs to stand up on the back of my neck. I really had nothing to worry about because everything was taken care of.

Amendments to the Immigration and Refugee Protection Act and the Department of Citizenship and Immigration Act are also proposed to support data sharing for limited public interest purposes and to expressly provide for it in law. That is only common sense. We already have a screening process in the Immigration Act and in laws of the country to find out the backgrounds of people who try to immigrate to Canada. Were they involved in terrorism in the past or do they have a criminal record? All these things are definitely points of interest. We have to have information on people coming into Canada.

• (1630)

Bill C-17 is a very good first step forward in ensuring that our boundaries are secure and that when we travel on any public transit system it is safe too because it has been covered.

Mr. Shawn Murphy (Hillsborough, Lib.): Mr. Speaker, I would like to rise in this debate to pick up on some points that were raised by the member for St. John's West; that is the whole area of interim orders and how these they may interfere with our liberty as Canadian citizens.

More than one speaker in the House, including the member for St. John's West, has asked why do we need interim orders. Do we not already have enough rules, laws, regulations and authorities? Also

the argument was made that these interim orders would of course interfere with the liberty of Canadian citizens.

Given the importance of this topic I want to enter the debate and provide my thoughts on the whole area.

When we consider, and the previous speaker spoke so eloquently on this issue, the operation of an aircraft, the transportation of a substance such a chlorine, the use of explosives, the central concern for safety in Canada is what I would call the law of physics and the competency of the people who operate these devices.

We in the House of Commons and in the various provincial legislatures have numerous pages of regulations, laws and standards guiding the construction and the operation of an airport, the construction of railway tank cars for the movement of noxious substances and for the manufacture, distribution and transportation of explosives. There is one thing in common with these items. That is the bulk of our existing laws and regulations, whether they be infectious substances, or aircraft operations, or ship operations or pest control products, have been established to ensure our safety as Canadian citizens.

I observe that an accident which arises, even though everyone intended to do the right thing, is a failure to maintain safety.

In contrast, when we deal with terrorism activities, I observe that the event which arises, arises because at least one person, and in most instances we are talking about more than one person, has intended to do the wrong thing and that also equally is a failure to maintain security.

We have extensive requirements, as we should, to protect public safety, developed over the years through experience, theory and research and we have extensive requirements with respect to the human element, the training that is required.

Therefore we achieve success with safety because we are able as a civil society to protect how materials will behave during use and what training is appropriate for the human component.

In short, the laws of physics are sufficiently well known to allow us as legislators to develop very solid safety requirements.

However in contrast, the motivation of terrorists and the ways in which they can misuse explosives, chemicals and even means of transport, such as an aircraft, is very much open ended. One only need watch recent films to see ways in which ordinary items can become a threat to public safety when deliberately misused.

In a peaceful community we might suggest that food, clothing, shelter should not from a safety point of view cause us undue concern. However I point out the incident involving Timothy McVeigh. He mixed a fertilizer used to produce that food with fuel oil used to ensure our shelter was comfortably heated and bombed, as everyone here knows, a government building out of existence in Oklahoma City.

Government Orders

The point I am making is this. The most striking contrast between threats to safety and threats to security is that while the former can be predicted to an extent, according to statistical and physical principles and what has gone on in the past, a security attack is not clearly predictable in terms of who, the location or elements of the attack.

• (1635)

When each of us got out of bed on September 11 last year, no one predicted the extent of the attack which was to occur that mid-morning. I am sure each of us could develop a very extensive list of where we as a society would be personally vulnerable should one or more than one person desire or wish to seriously upset our lives, including becoming the target of a sniper.

My point is similar to ones made in this assembly by other speakers. It is the totality of the “what if” scenarios that presents an overwhelming burden that will try to protect ourselves from all the possibilities that are out there. Just where would we start? More important, where would we end up?

First, we could have a curfew with everyone in their residence by 9:00 or 10:00 at night. This might keep all the criminals off the street. Would it be desirable? Absolutely not. Do we establish regulations today for all future eventualities? No. Even if we could be twisted enough in our thinking to conceive of all possible forms of attack, would we consider suicide bombers entering schools or the release of highly contagious agents in shopping centres? There is no doubt that this government as well as future ones will continue to introduce new legislation and the Special Committee of Council will continue to review new regulations.

My point is that we have not attained, even for normal activities, a state of perfect knowledge and perfect regulatory instruments. Nor will that ever be attained in a dynamic and viable culture.

Equally, even if we could list all the areas in which we may be vulnerable, we could not possibly list all the ways in which attempts could be made to exploit one or more of these vulnerabilities. Even if we could, how would we ever possibly enact the number of draconian laws that would be necessary to protect us as a society?

Again, I come back to the events of September 11, 2001 and the very significant lesson that was learned by society at that time. The impact in Canada of such an attack in the United States had not been previously studied by Transport Canada. Nevertheless, as it unfolded, immediate decision points arose and had to be accommodated immediately.

As we will recall, the first immediate decision was to close Canadian air space in an orderly fashion. Fortunately the text of the Aeronautics Act provided for the Minister of Transport the ability to do this. I would like to point out that a delay of an hour in light of the unfolding events that were occurring that day would not have been acceptable. For each minute that passed, one or two aircraft crossing the Atlantic became Canada's responsibility as they crossed the no-return line. The important lesson that was learned, and the point I am trying to make today, was that an immediate decision was required. Fortunately in that case, the authority was present and the decision could be made.

I want to summarize two key points. In the context of terrorist attacks, we cannot predict all events which might arise and which

would require an immediate decision. Second, even if we could predict all potential events, would we want to put into effect all possible preventive measures?

These interim orders are required to deal with emergencies. We cannot predict the emergencies and we cannot predict the way they will be carried out. Therefore, I support the legislation and I urge all my colleagues on both sides of the House to support the legislation.

• (1640)

Mr. Raymond Simard (Saint Boniface, Lib.): Mr. Speaker, I am pleased to address two proposals in Bill C-17 that are intended to improve the data sharing regime that was originally set out in Bill C-55. These proposals are designed to respond to some of the concerns raised by members of Parliament and the privacy commissioner about the scheme and to ensure its effectiveness.

Before describing the two proposals, I would like to point out that the government has listened to the concerns raised and has challenged itself on the basic framework for the data sharing regime. As was contained in Bill C-55, air carriers would be required to provide RCMP and CSIS designated officers, as well as Transport Canada, with passenger information, upon request, for transportation and national security purposes. Canadians need the bill to increase the government's capacity to prevent terrorist attacks and deliver an effective air carrier protective program to ensure the safety of passengers and respond swiftly should a significant threat arise. I believe that we have achieved a balance between privacy and public safety.

The destruction, retention and disclosure provisions originally proposed in Bill C-55 all remain the same in Bill C-17. RCMP and CSIS designated officers would have to destroy passenger information within seven days unless it was reasonably required for the purpose of transportation security or the investigation of threats to the security of Canada such as, for example, if there needs to be an analysis of patterns of high risk passengers travelling on a particular route. Passenger information could also be disclosed to a third party for very restricted purposes. These include transportation security, imminent public safety threats, outstanding warrants for serious offences and removal orders, compliance with a subpoena or court order, and counterterrorism investigations by CSIS.

Government Orders

While this initiative serves to ensure the safety and security of Canadians in a changed security environment, the government will continue to be committed to protecting privacy rights. As such, Bill C-17 contains important privacy safeguards, including having only designated officers access the passenger information, approval by senior designated officers for counterterrorism disclosures, records of retention and disclosure, and an annual review of retained information.

In improving the data sharing scheme, the government was particularly sensitive to the concerns of the privacy commissioner about the RCMP's ability to scan passenger information to search for persons wanted on warrants. Consequently, the identification of persons for whom a warrant has been issued was removed as a primary purpose for collecting passenger information. With this change, the RCMP would only be able to access passenger information for the purpose of transportation security. CSIS would be able to access the information for transportation and national security purposes.

However, if the RCMP discovered an outstanding warrant for a serious offence while screening passenger lists for transportation security, the force would still be able to disclose that information to a peace officer for the execution of the warrant. This aspect of the regime is necessary for public safety, because Canadians would expect the RCMP to take appropriate action if it happens to find a passenger wanted on an outstanding warrant for a serious offence such as murder or kidnapping. Ignoring the fact that a person is wanted for a serious offence and doing nothing about it because of the technicalities would be irresponsible.

Another key proposal in Bill C-17 is a consequential amendment to the Personal Information Protection and Electronic Documents Act, or PIPEDA, to ensure the effectiveness of the data sharing regime. Organizations subject to PIPEDA are already authorized to disclose personal information to a government institution without the person's consent for reasons of law enforcement, national security, defence of Canada, conduct of international affairs and where otherwise required by law.

To ensure that airlines and any other organizations subject to PIPEDA can provide the information to a government institution under this regime, there is a need to clarify the use and collection authorities to mirror the current disclosure authority in PIPEDA. For example, if CSIS receives intelligence from a foreign agency that a suspected terrorist is expected to arrive on a flight from Europe within the next three weeks, CSIS is authorized to share core biographical information about the terrorist with the airlines and to request them to notify CSIS the moment the person buys a ticket. Under PIPEDA, the airlines are currently authorized to disclose personal information without consent in this context.

• (1645)

But for this regime to work effectively, it is clear that the airlines need to be able to respond to the query from CSIS and receive or collect the information in the first place. This would ensure a consistency with the overall intent of PIPEDA, which is to protect the personal information of Canadians while allowing law enforcement and national security to continue their investigative and intelligence activities.

I believe that these amendments not only will clarify how the data sharing regime will work but will also strengthen it to ensure that it will be effective in preventing terrorism. Canadians have a right to live in a safe society and I am confident that the data sharing regime in the bill would support that right while ensuring strict privacy safeguards that reflect Privacy Act protections. The bill strikes a balance between protecting privacy and keeping Canadians safe.

Mr. Reg Alcock (Winnipeg South, Lib.): Mr. Speaker, I am pleased to rise and add my voice to the debate. This is one of those debates that every now and again comes along and gives us an opportunity to reflect on the relationship between government, or how we are governed, and our individual lives.

I think the bill has been in and out of the House in a number of forms because people are not sure about where those boundaries lie, about how we establish our right to live independently and freely as citizens versus the need for the government to undertake actions that may intrude upon that right in order to provide another right, and that is the right to lead our lives free from the threats of death, destruction or kinds of activities that we have seen too often recently in other places.

I want to start by reflecting on how this began. Obviously there were the events of September 11, but I am reminded of the first bill we put through the House by a statement that the Prime Minister made in the House when he said that law made in haste is not necessarily good law. At that time, we were moving very quickly because of the horrific events of 9/11 to put in place a body of law enabling police forces to take additional action in order to provide protection. If we were to ask most of the people in this Chamber and certainly people across Canada if they want or expect government to provide some protection for them and to act to intercede with people who might undertake those acts, I think the answer would be an overwhelming yes.

At the same time, law is a complex issue and one needs to look very carefully at what is being proposed to try to pick apart that which is necessary in order to meet the goal of providing protection and safety for citizens and that which is sort of a natural tendency of bodies to assume as much responsibility and as much authority as they possibly can to get their job done. Always in that space there is a tension that exists between law enforcement and citizens.

I am a son of an RCMP officer. I worked in a position of social control, shall we say, when I was a director of child welfare for a period of time. There always is that area between the rights and needs of the state to function to protect people and the right of individuals to lead their lives unfettered, as long as they are conducting themselves in a lawful manner, so that they can function without fear of intrusion or problems arising from, shall we say, the over-ambitious or over-energetic activities of law enforcement.

Government Orders

There is another aspect to this. There is an old joke that I first heard told about university professors, although I suspect the same joke could be told about most Canadians and most of their roles. In this case the question in the joke is: How many professors does it take to change a light bulb? The answer is: Change?

We are all worried about things that change the world we have become comfortable with. In many ways, these changes are changes that have become more necessary over time as law breakers, those who act to deprive us of our rights, take advantage of new technologies, new strategies, and new ways of exchanging information, travelling around the world and financing their operations. It has strained police forces around the world to respond to them. It has left them unable to respond in many cases, simply because police do not have some of the technological capability in order to keep up.

We saw that in some of the discussion about wiretapping. A wiretapping law that attached the ability to tap to a specific phone in a specific location was fine when all phones were attached to wires and routed inside buildings, but not very effective in a regime where we are into cellular phones. That is before we get into short messaging, fax and the other forms of exchange of information if one wants to track down communication or interfere with communications between people who would do us harm.

•(1650)

We need to look at this very carefully. We need to pick apart those parts of the bill that are specifically involved in modernizing the tools that law enforcement has available to it in order to protect us and provide us with some measure of assurance against the real or imagined acts of others. It is that second part, the imagined acts of others, that is also important because it poses a difficult problem for us.

I just returned from speaking to a group of students who asked me how far we were prepared to go in order to protect ourselves against terrorism and how much were we prepared to spend. The problem is that we do not know.

As a result of the weather last night I had occasion to travel in from the airport with a person who works at Canada Post. He talked about the problems Canada Post was having in trying to keep track of mail going through and checking it for anthrax. It has had a number of these anthrax scares but fortunately the ones in Canada have all been false. Nonetheless, the system must respond. To build a system that would allow Canada Post to inspect every piece of mail for bacteriological agents is just beyond its financial capability and its technological capability right now. However if we wanted to be absolutely sure we would undertake that.

Similarly, in other forms of law enforcement, the capacity to spend on new technologies and new ways of intervening is enormous. The task faced by law enforcement and by us is the task of risk assessment. How much is enough in order to provide us with some level of assurance that we will not suffer the consequences of an attack?

When we speak to the experts who are involved in anti-terrorism, it seems that one of the most effective ways to do that is through intelligence gathering, to try to understand what is going on long

before it becomes an event in the local community. That leads us into these activities that do necessarily begin to trammel sort of traditional rights to freedom and individual privacy.

I want to talk a bit about privacy because it will become more of a consideration as the House moves down this track. I think we need to re-frame in part how we think about privacy. There was a time when the term "privacy" meant the right of individuals to have a life private or separate from the state. As citizens we had certain obligations to fulfill but we had the right to do things that were separate from the state.

Increasingly, we began to confuse the other things with the right to secrecy. Privacy and secrecy are not necessarily the same thing. I have a simple example of that. There was a time when it could be dangerous to be a gay person in the country. Individuals had the right to be gay but it did not mean they could act out that right in any particular way, and so people tended to keep those activities secret. As public awareness and public tolerance has grown, we have seen a reduction in that need to hold things private.

The same thing was true for a Jewish person a few decades ago. A person may not have wanted to be open about that. Certainly if people were Jewish a couple of hundred years ago they would want to maintain the secrecy even though at that time they would not have had the right to a private life. Even though today people have a right to a private life and the right to live their lives free from government, they may necessarily have to keep that secret in order to enjoy that right.

I think the problem that creates for us in government is that we have allowed an awful lot of confusion between privacy and secrecy to the point where we have a culture of secrecy in government that is really quite overwhelming. It creates other problems because there are other things that flow from this, such as the right to hold one's government to account and the right to understand what one's government is doing so a person can intervene with the government when impeded upon by this need to hold things secret.

The bill, while it is in an area that is particularly emotionally charged, is one that we will need to look at very carefully and to weigh those two competing rights: the need to keep us safe and the right to live our lives in quiet enjoyment.

•(1655)

Mr. Ken Epp (Elk Island, Canadian Alliance): Mr. Speaker, I find it incredible to hear Liberal members today talking so much about individual freedom when it is the same Liberal government that puts farmers into jail for the vicious crime of marketing their own grain, the grain they raised themselves, at their own expense and at their own risk. The Liberals have a law in place that says that they may not sell it to anyone other than the government dominated Wheat Board monopoly.

It is just incredible that we are talking here about the invasion of that privacy.

Government Orders

• (1700)

Mr. Steve Mahoney (Parliamentary Secretary to the Minister of Transport, Lib.): Madam Speaker, it is my pleasure to rise today to address some of the issues of concern that I think a number of people have rightly expressed about the actions of the government. I say rightly expressed because there is nothing wrong with people pointing out concerns when we are dealing with something as precious as the freedom of Canadians and the freedom of movement. There is nothing wrong with asking tough questions even on the government side about certain issues that affect the rights and privacy of Canadian citizens.

However at the same time we have some obligations in this place that go far beyond the original anti-terrorism act, an act coupled with the budgetary infusion in the last budget of some \$7.7 billion, to try to respond to the new atmosphere in which we found ourselves. That atmosphere followed the attacks on the World Trade Center and other parts of the United States on that fateful September 11.

We live in a time that is somewhat frightening. People have said that we should not allow the terrorists to win and that if we stay home and keep our heads down and do not continue to live the normal aggressive lives that Canadians are known to live throughout the world, the terrorists will win at the end of the day.

There is some legitimacy to say that the actions of terrorists and the fears of people have had an impact. I would not say they have won but I would clearly say that they have had an impact on the economies of the free world, particularly the United States. Our economy, some would say surprisingly, seems to have survived at least the recession that the Americans have suffered through. It probably is due to the strength and underpinnings of the economy in terms of the debt to GDP ratio and the surpluses that we have been running for the last 10 years in this government.

If we recognize that there has been this kind of impact, fiscally and in the behaviour patterns of North Americans, then there has to be an acknowledgment that more needs to be done. We recently saw the announcement where there were targets identified in Canada. That should not come as a great surprise. Any of us who are aware of the different service provision levels, whether it be in the area of nuclear power or communications, or someplace like the CN Tower or other areas like Niagara Falls, would recognize that these might be attractive areas for a terrorist to target. Therefore we should not be shocked if that happens. However what we must do is ensure that we are reacting in every possible way to provide the safety for average Canadians so that not only can they travel within our country but they can feel somewhat safe travelling abroad.

The expanse of this bill is quite interesting. I would just like to share the necessity of the acts that need to be amended. We have the Aeronautics Act. It would be obvious that there might be some requirement to make changes in the area of aeronautics. We have the Canadian Environmental Protection Act. If we think of the eco-terrorism that could take place, it could have an impact on our economy, on our wildlife and on the atmosphere. Obviously we would have to look at that.

It is the job of the Department of Health to regulate foreign substances, perhaps contamination of food or anything of that nature. Therefore we would have to look at that. We have food, drugs and

hazardous products. We all know from just watching the nightly news the potential for some type of terrorist action to be taken in the area of biological weapons.

We have the Navigable Waters Protection Act. Interestingly enough I spent three days, two in Colorado Springs at Norad and the third day in Winnipeg at the Canadian headquarters where we examined what amounts to Fortress North America.

• (1705)

This is something that was started in the late 1940s, culminating in the construction of Cheyenne Mountain. It consists of three large buildings inside a mountain with the capability to identify the launch of any missile anywhere in the world. It is a bilateral operation with Canada and the United States working together to ensure that we have as safe as possible airspace throughout North America.

One of the interesting aspects of Norad, and I mention this because we are talking about the waters and the ports which are not covered by Norad, Norad is basically air defence. It is not even a defence; it is more of an early warning mechanism. If for example a missile was launched out of Baghdad and was headed toward Israel, the folks in Norad at Cheyenne Mountain would know instantly and could warn Israel in case Israel was not aware, although I am sure in that particular case it would be well on guard and well aware of what was happening. It is an interesting capability.

What we do not have in that is the ability to deal with our ports and oceans. That is another area where we need to address some safety concerns and we would be doing that in this bill.

The bill refers to the Pest Control Products Act, again the concept of using some form of germ warfare, the Quarantine Act, the Radiation Emitting Devices Act, the Canada Shipping Act and the latest revision to the Canada Shipping Act in 2001.

In addition to those specific acts that need amending, we also look at various departments. Obviously the Department of Foreign Affairs would be a major player in this issue, particularly given the status of high alert, I would say, with the inspectors going into Iraq to find out what kind of armaments Saddam Hussein has been building up. It would have a major interest, as would our Department of National Defence.

Much has been said about the lack of readiness of our Department of National Defence. I find that puzzling. When we get the opportunity to visit with our armed forces we realize that we have some of the finest trained personnel in the world. It is not just Canadians who say that; Americans are saying that.

To go back to my visit to Norad, there are three large doors which are set up to close on hydraulics in case of an attack at Cheyenne Mountain in Colorado Springs. The only time since that facility has been built that those doors were actually closed was on September 11. Interestingly enough, the lieutenant general in charge on that day in Cheyenne Mountain was General Pennie of the Canadian military.

Our people are so well regarded and well respected throughout the United States it is astounding when I hear the Armageddon attitude by some members in this place and by some people in the media. Yes, we need to invest more in our military, but as Canadians, we should be proud of the job that they do.

Government Orders

In addition to those departments, we would also have great impact on the Canada Customs and Revenue Agency because of its work at the border and last but not least, on the Department of Citizenship and Immigration.

One of the tragedies that has come out of September 11, in my view, has been the burden that legitimate refugees and new immigrants to this country have had to share, with the accusations and the aspersions that have been cast in their direction.

This is not a bill about immigration. This is not a bill against refugees. It is rather a bill that would provide safety and security for new Canadians and longstanding Canadians so that they can feel safe in their community and recognize that their government has addressed the issues that could be of concern given a future attack by terrorists. The government is committed to safety first and to respect privacy and mobility rights of Canadians, but without a doubt it is our primary responsibility to provide safety for all Canadians.

• (1710)

[Translation]

Hon. Paul DeVillers (Secretary of State (Amateur Sport) and Deputy Leader of the Government in the House of Commons, Lib.): Madam Speaker, it is my pleasure to speak to Bill C-17.

Canadians have clearly indicated that they do not want individuals, including those who do not hesitate to terrorize innocent victims by their hoaxes, to be allowed to abuse Canadian freedoms.

[English]

Mr. Ken Epp: Madam Speaker, I regret to interrupt but I am unfortunately unilingual and right now there is no translation in my earpiece.

The Acting Speaker (Ms. Bakopanos): It is working now and we will continue.

[Translation]

Hon. Paul DeVillers: Madam Speaker, Bill C-17 adds three new offences to the Criminal Code to address the communication of false information likely to lead others to reasonably believe that terrorist activity is or will be occurring. It also deals with any act that is likely to lead others to reasonably believe that terrorist activity is or will be occurring.

These new offences fill a loophole in criminal law. There is much concern about not only clear threats to public safety, such as incredible acts like sending anthrax spores by mail to unsuspecting addressees, but also numerous hoaxes intended to scare, fearmonger and disrupt daily life by causing, for example, a building to be evacuated.

Under such circumstances, several provisions of the Criminal Code may apply, for instance section 372 on false messages, section 430 on mischief, and even section 264.1 on uttering threats. These are essentially general provisions however. They do not deal specifically with hoaxes regarding terrorist activity.

As for sentencing, to ensure that the sentence reflects the diversity of behaviours targeted and is proportionate to the seriousness of the prejudice to society, the maximum provided for is imprisonment for five years, ten years or life, depending on whether the accused is

charged with the basic offence or there are aggravating circumstances such as death or injury to a person.

Bill C-36, the Antiterrorism Act, covers several offences related to real terrorist activities. Take for example, the new sections 83.19 on facilitating a terrorist activity and section 83.22, on instructing to carry out terrorist activity.

At this time there are no provisions that deal specifically with terrorist hoaxes. Establishing offences for this type of activity falls under the commitment made by Canada to adopt comprehensive measures to fight terrorism and completes the provisions of Bill C-36.

After the events of September 11, 2001, provincial officials asked that provisions be added to the Criminal Code to solve the serious problem of terrorist hoaxes.

The federal government listened to this legislative request and followed up with two new offences in Bill C-17, the Public Safety Act, 2002, to address terrorist hoaxes. These offences complete those included in Bill C-36, the Antiterrorism Act, to implement the UN International Convention for the Suppression of Terrorist Bombings and to provide a penalty for the use of explosive devices or other deadly devices.

The provisions making hoaxes a criminal offence would distinguish between persons committing a hoax by conveying false information regarding explosive or other deadly devices and those who show false explosive or other deadly devices. In both cases, the offences must be committed with the intent of causing persons to fear death or bodily harm.

• (1715)

Hoaxes regarding terrorist activity have a detrimental and paralyzing effect on the freedom and safety of people and society, whether their authors intend to cause people to fear bodily harm or damage to property.

Extending the scope of these offences to include an "intent to cause any person to fear...serious interference with the use or operation of property" would maximize the deterring effect of the new incriminating provisions, while complying with appropriate parameters.

Finally, providing harsher penalties for those whose hoaxes have caused a real injury is in line with the more general criminal justice objective which consists in imposing penalties that are "proportionate" to the behaviours sanctioned by the criminal law. Such an approach has already been adopted in other provisions of the Criminal Code, including those that deal with assault and criminal negligence.

Consequently, the revised provisions on hoaxes are based on the definition of "terrorist activity" in Bill C-36 and they now establish a separate criminal offence for those who provide false information that is likely to cause a reasonable apprehension that terrorist activity is occurring or will occur, and those who commit an act that is likely to cause a reasonable apprehension that terrorist activity is occurring or will occur.

In both cases, the person who commits the offence must also have the criminal intent of causing a person to fear death, bodily harm, substantial damage to property or serious interference with the lawful use or operation of property.

The maximum penalty for this offence is five years of imprisonment. If the hoax does cause bodily harm, the maximum penalty is 10 years of imprisonment and if it causes death, the maximum penalty is imprisonment for life.

For these reasons, we think that Bill C-17 should have the support of all members of the House.

[English]

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 the motion. 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.

Government Orders

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): Call in the members.

Is it agreed to defer the vote until tomorrow at the end of government orders?

Some hon. members: Agreed.

The Acting Speaker (Ms. Bakopanos): Accordingly, the vote on the motion is deferred until Tuesday, November 19 at the end of government orders.

● (1720)

Hon. Paul DeVillers: Madam Speaker, I rise on a point of order. I believe you would find unanimous consent to see the clock as being 6:30 p.m.

The Acting Speaker (Ms. Bakopanos): Is it agreed that we see the clock as being 6:30 p.m.?

Some hon. members: Agreed.

The Acting Speaker (Ms. Bakopanos): Accordingly, the House stands adjourned until tomorrow at 10 a.m., pursuant to Standing Order 24(1).

(The House adjourned at 5:20 p.m.)

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