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OFFICIAL REPORT
(HANSARD)

Tuesday, October 17, 2006

—

Speaker: The Honourable Peter Milliken

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HOUSE OF COMMONS

Tuesday, October 17, 2006

The House met at 10 a.m.

Prayers

• (1000)

[*English*]

POINTS OF ORDER

VOTE ON AMENDMENT TO BILL C-24

Hon. Jay Hill (Prince George—Peace River, CPC): Mr. Speaker, last night, I think quite inadvertently, a mistake was made during the deferred recorded division on the Liberal amendment to Bill C-24.

I am sure you will recall, Mr. Speaker, as you were in the chair at the time, that during the vote process the NDP rose to seek consent to have NDP members who were present for the previous vote recorded in support of the Liberal amendment to Bill C-24. Unfortunately, the reality is that when the NDP House leader rose for a second time to seek consent, that consent was denied by the House at that time.

As it was very evident to me, I rose on a point of order and stated that no points of order were to be entertained by the Chair during the vote process and, second, that I wanted to ensure the public viewing the vote process last night did not blame the clerks for the NDP members missing their opportunity to vote. Likewise, I believe that when a party, or an individual member for that matter, seeks to correct the record of a vote after the vote process is completed, it is normal tradition in the House that consent is granted by the members present in the House.

In conclusion, I believe that one mistake in the House should not be compounded by a second mistake. Therefore, in the interest of non-partisanship, common courtesy, traditional practice and in fairness to the New Democratic Party, in particular my colleague, the member for Acadie—Bathurst, I seek the unanimous consent of the House at this time to have the results of the deferred division taken last night on the Liberal amendment to Bill C-24 corrected to indicate that the NDP did intend to support the Liberal amendment.

Hon. Mark Eyking (Sydney—Victoria, Lib.): Mr. Speaker, I believe the House leaders should discuss this among themselves before a decision is made.

Hon. Jay Hill: Mr. Speaker, I respect the desire to have all the parties involved in this but, as I just explained, it is common practice

and common courtesy for the House to grant unanimous consent. It has happened many times to members from all four parties present in the House. From time to time mistakes are made during votes. I have seen the situation where some members during private members' votes because of confusion vote both ways and have it corrected afterward.

Mr. Speaker, I would again ask you to put the motion. I see the official opposition House leader is here. Perhaps he would be willing to consult with his members very quickly and grant permission for them to support this motion to amend the vote results from last night.

• (1005)

Hon. Ralph Goodale (Wascana, Lib.): Mr. Speaker, the proposition that the whip for the government presents on the floor this morning comes as a bit of a surprise because of the government's position last night, which was exactly the opposite.

The proposition that he is bringing forward appears, from a substantive point of view, to be a reasonable one in view of the fact that there was either confusion or an error in the course of the taking of the vote on the amendment to Bill C-24 that was entirely unintentional and inadvertent on the part of the New Democratic Party. I suspect there is a will in the House to see that it is corrected.

However, I need to point out, Mr. Speaker, that this is not the first time this has occurred. We saw a similar incident in the spring in relation to a vote on a budget bill; I hasten to add, not on the budget itself, but in relation to the vote on the budget bill. At that time the House, specifically on the part of the government and perhaps the Bloc, but I do not want to characterize its position because I do not know for sure, did not have the will to accommodate the simple correction of what was an obvious inadvertent occurrence that, since that time, I must say, the government has been at some pains to exacerbate.

The point is that these incidents do, unfortunately, occur. It is obvious to all members of the House that they are inadvertent and there has, at least up until last spring, been the will in the House to immediately recognize the reality of the situation and to cooperate with each other to correct the error and ensure the record accurately reflects what the will of the House would be.

In this instance I think it is obvious what the NDP intended, even though that was not reflected in the detail of what happened last evening. From the opposition's point of view, we are certainly prepared to see that inadvertent situation put right and the accurate reflection of the NDP's position to show through in the proceedings of the House.

Routine Proceedings

I simply make the point that the same goodwill, the same give and take and the same sense of fair play and accurate reflection should apply in all circumstances.

Hon. Jay Hill: Mr. Speaker, it is unfortunate that we end up in a debate over this point of order but I simply cannot allow that to pass without pointing out the obvious, which is the incident that the official opposition House leader refers to, which is in fact not that a mistake was made during a vote. The reality is that due to inattention—

Hon. Ralph Goodale: It's exactly the same thing.

Hon. Jay Hill: It is not exactly the same, Mr. Speaker. In fact, it was quite different.

I have only been here 13 years but I remember when the Liberal Party was in power and quite often it would deny unanimous consent to correct errors that opposition parties made. This is not unique.

The Speaker: Without having a continuation of the debate, let me put the question to the House. Does the proposal that the chief government whip has put forward, that the members of the New Democratic Party who voted on the previous motion be counted as having voted yea on the amendment moved by the Liberal Party to Bill C-24 at second reading last evening?

Some hon. members: Agreed.

Some hon. members: No.

ROUTINE PROCEEDINGS

• (1010)

[*English*]

GOVERNMENT RESPONSE TO PETITIONS

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, pursuant to Standing Order 36(8) I have the honour to table, in both official languages, the government's response to 12 petitions.

* * *

CRIMINAL CODE

Hon. Vic Toews (Minister of Justice and Attorney General of Canada, CPC) moved for leave to introduce Bill C-27, An Act to amend the Criminal Code (dangerous offenders and recognizance to keep the peace).

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

* * *

[*Translation*]

COMMITTEES OF THE HOUSE

CANADIAN HERITAGE

Hon. Mauril Bélanger (Ottawa—Vanier, Lib.) moved:

That the eighth report of the Standing Committee on Canadian Heritage, presented on Thursday, October 5, 2006, be concurred in.

He said: Mr. Speaker, it is my pleasure this morning to ask my hon. colleagues in this House to concur in the eighth report of the Standing Committee on Canadian Heritage. This report is essentially comprised of the motion adopted on October 4 by a majority of committee members, which reads:

That, pursuant to Standing Order 108(2), the Standing Committee on Canadian Heritage recommend that the government continue funding the Court Challenges Program at the fiscal 2005-2006 level.

It will come as no surprise to anyone that this recommendation or proposal was not adopted unanimously. It was adopted, however, by a majority of committee members. That is why, having given notice of this proposal, I hasten to put it forward this morning. I do believe that this is a matter of critical importance. So much so that I might suggest a possible connection with the government bill to amend the Criminal Code that was just introduced. This bill introduced by the government this morning could very well be challenged in court some day. It is highly likely that people will need financial assistance to assert their rights then. Initially, that is what the court challenges program was intended for.

Let us look at a bit of history. Hon. members might remember that, in the early 1980s, Canada established the Charter of Rights and Freedoms and patriated the Constitution, opening the way to a marvellous societal adventure. The subsequent decades saw the rights proclaimed at that time, rights enshrined in a charter which is the envy of many, be affirmed in our country. That is indeed what happened.

It has often been said that, on paper, the Russian constitution was probably the best in the world. But we have to go further than that and see to what extent people's rights and freedoms are respected on a daily basis. In that respect, Canada is a leader.

For over two decades now, we have upheld those rights. The Court Challenges Program of Canada has been an important part of asserting our rights and liberties. Our success as a country is due in large part to this program, which has enabled traditionally under-privileged groups and the poor to assert their rights and exercise their citizenship fully. A former Conservative government abolished this program, and the Liberal government reinstated it in 1994. I find it very disturbing that, once again, the Conservative government is targeting the court challenges program and, at the end of September, announced its intention to eliminate it.

I hope that a majority of the Canadian people's representatives in this House will choose to maintain this program because it is a social tool of vital importance. Many have said so. To those who indulge in exaggeration, who allege that this program encourages parties to challenge government actions in court, I would say that we must look to the facts. I know that the *Calgary Herald* published an editorial on July 16, 2006, stating that over 50,000 suits were brought against the government in court. That may be, but not all of these cases went through the Court Challenges Program of Canada.

Routine Proceedings

[*English*]

As we know, charter law is a rather specialized area and most cases against the government would not even involve constitutional issues. The 50,000-plus cases the *Calgary Herald* editorial was referring to this past July are cases that individuals may bring against the government on whatever grounds, but in terms of charter cases, let us be clear.

This information can be obtained from the annual report of the court challenges program. Between 1994, when the program was re-established after the Mulroney government cut it, and 2005, the program has funded 375 equality rights court cases and 142 language rights court cases. Of those, 121 of the 375 equality rights cases were to fund interveners, not the original plaintiffs, and 44 of the 142 language rights cases were also to fund interveners.

•(1015)

That is the nature of what we are addressing. The cost of the program was slightly over \$2 million, which of course we know is, in the grand scheme of things, a sum of money that the government and the country can afford. We will get to that in a few minutes.

So that people understand the nature of the program, I note that it does not even involve constitutional issues. It involves very specific issues of equality and language rights. It is restricted by contribution agreements between the non-profit organization that was created to manage the program and the Government of Canada. Therefore, it is all spelled out and directed as per the will of the government.

To say that it is a program that benefits only certain groups and certain people is not accurate. On that front, I would like to give an example. I can give this example because the people involved have given their permission to be quoted. Indeed, some of the cases are now before the court system.

There is a group from the linguistics side and also a number from the equality side.

[*Translation*]

On the official languages side, the Centre d'avancement et de leadership en développement économique communautaire de la Huronie believes that its rights to community economic development have not been respected. This case is before the courts.

In another case, Claudette Chubbs has challenged the Government of Newfoundland and Labrador in the court of appeal on the issue of the rights of parents of eligible children in the L'Anse-au-Clair, Forteau and L'Anse-au-Loup regions to have their children educated in French.

For its part, the Fédération Franco-TéNOise is taking a legal challenge to the court of appeal for clarification as to whether the Government of the Northwest Territories—and, by extension, all the territorial governments—is an institution of the Government of Canada for the purposes of section 20 of the charter.

The case of Raymond Robinson and Gerry Deneault is a legal challenge filed by parents of children who attend the Centre Jules-Léger in Ottawa, the only public primary or secondary school in Ontario that provides instruction in French for children with learning disabilities.

Despite court statements that have identified school management and control as important aspects of exercising the rights set out in section 23 of the charter, there are no mechanisms for consultation or cooperation between centre administrators and parents of eligible children. There are other similar cases and cases relating to equality.

•(1020)

[*English*]

On equality rights, we have a number of cases being funded by the court challenges program. I have to list a few so that Canadians have a sense of the scope and the importance of the court challenges program.

There is one case by the name of Amparo Torres Victoria v. Canada, in this case the Minister of Citizenship and Immigration and the Minister of Public Safety. It is the case of a lady who was a trade union and human rights and political activist in Colombia and is now accused of terrorism. She is defending herself against the charges. In doing so, she is challenging sections 33, 34, 78 and 86 of the Immigration and Refugee Protection Act, essentially because she is being charged in secret. We have just had a very famous case dealt with in this country in that regard and we ought to be very careful about this. This kind of case would indeed probe the legality and the constitutionality of certain sections of that law.

There is the case of the Council of Canadians with Disabilities v. Via Rail Canada Inc. This application was on the agenda for the panel's November 2006 meeting but cannot be heard. The appeal concerns the purchase by Via Rail of passenger railcars that are inaccessible to persons in wheelchairs.

We also have the case of the Canadian Association of Retired Persons v. Canada. The applicant is an organization representing elderly persons who wish to challenge paragraph 15(1)(c) of the Canadian Human Rights Act, a provision that allows for mandatory retirement. This is of rather significant importance.

[*Translation*]

There is also Le Front commun des personnes assistées sociales du Québec v. CRTC.

[*English*]

In this case, the applicant is challenging section 5(1)(b) of the broadcasting regulations as violating section 15 of the charter based on under-inclusiveness.

The Metro Toronto Chinese and Southeast Asian Legal Clinic is involved in challenging provisions of federal immigration law that require sponsors to meet minimum levels of income or deny social assistance recipients' right to sponsor, something of significance to a number of Canadians.

I can go on. A number of cases are of great importance to the social fabric of our community. Some involve aboriginal Canadians, for instance the Fort Providence Metis Council, and some involve the Inter-Cultural Association of Greater Victoria.

Routine Proceedings

This is a program rooted in our communities. I take great exception to the Prime Minister's response when asked why his government did this to the court challenges program. He said two things, one of which was that he did not like funding "Liberal lawyers". That is a great mis-characterization and is disingenuous at best, because this program funds our communities, our associations, our non-profit organizations and our individuals, rooted in Canada and their communities, who are fighting to make sure their rights are respected. They choose their lawyers. For the Prime Minister and some of his ministers to respond the way they did is not worthy of the offices they hold. I take great exception to that.

However, the second response given by the Prime Minister in his reasoning why the court challenges program was cancelled is frightening. The Prime Minister said something to the effect that his government intends to behave in a constitutional manner. I hope so. All governments and all executives should be expected to behave in a constitutional manner. It goes without saying. For the Prime Minister to think that he has to say his government intends to behave in a constitutional manner is rather outlandish.

Then the Prime Minister said in this House, "We do not intend to adopt unconstitutional legislation". I have serious problems with that statement. First, not only does the court challenges program address proposed legislation, but it addresses existing legislation as well, legislation that has been on the books since the start of this country, legislation both here in the Parliament of Canada and in the provinces and territories. That is what is involved in the court challenges program. We have seen a number of cases in which we have had to reach back and where, because of laws passed before the advent of the Charter of Rights and Freedoms, some sections of laws were struck down. That is the first difficulty I have with the Prime Minister's response.

Another difficulty I have is that his statement implied that it only applies here for legislation passed by this Parliament and sanctioned by the Queen. That is not so. Some of the rights protected in the Charter of Rights and Freedoms affect provincial legislation as well. Education is a case in point. A number of the linguistic rights cases that have been funded by the court challenges program fall under that category. For the Prime Minister to say we do not need this because the government will only adopt constitutional laws is disingenuous again, because it applies to the entire universe of laws that this Parliament has put in existence plus what is out there in the provinces.

There is another point about the Prime Minister saying that his government does not intend to adopt unconstitutional legislation. Two provinces have said that some of the bills introduced by the government are unconstitutional. There is a slight problem here. The Government of Quebec and I believe the Government of Ontario have said that in terms of legislation dealing with the other place.

So which is it? Does the government not intend to adopt unconstitutional legislation? That brings me to the fourth and most important difficulty, a scary consequence of what the Prime Minister said.

There are three branches of our government: the executive branch, which is the Prime Minister and his cabinet; the legislative branch, which is us in this House; and there is the judiciary. By the Prime

Minister saying that we, the executive, do not intend to adopt unconstitutional legislation, he is actually substituting the executive for both the legislative and the judiciary branches in this country. That is very scary.

● (1025)

As a legislator I am very concerned that the Prime Minister would have the attitude that he knows best, that his government, his executive, can decide what laws are to be adopted. First of all, that is the prerogative of the legislature. The Prime Minister should know that especially in a minority situation. Then, that the judiciary would not have a say, as a legislator I am concerned. As a citizen I am scared.

If that is the attitude that is coming from this government, then I understand why it cut, eliminated, and slashed the court challenges program. I think the will of this House should be listened to by this government. Where the country is going now is not very good.

In effect, we are starting to see here a bit of an advocacy chill. We are seeing a government that is trying to shut down systematically those who would speak in ways that do not please the government. The court challenges program is very much a case in point. It is not the only one.

We have seen what this government has decided in terms of funding for women's groups in this country. The government has actually taken advocacy off from what the groups could do in order to receive money. The groups can no longer advocate. If they do, they are not eligible for subsidies. If that is not an advocacy chill, I do not know what it is.

The Minister of Agriculture is getting into the game. He has put out a directive that the Wheat Board cannot use its resources to promote itself. If that is not an advocacy chill, what is it?

Canadians are starting to see a pattern here. This government is not even prepared to listen to another point of view. It is still a minority government. I guess that is the reason why polls are indicating that Canadians have no appetite to give this government a majority. Canadians are starting to be very concerned about the consequences of that.

If my colleagues think that I am the only one here, there are a number of people in our society that have made comments. I would like to take a few minutes and read a couple of quotes from people who have been following this issue. The national president of the Canadian Union of Public Employees, Paul Moist, said:

When we look at just 2 of these program cuts \$5 million from the Status of Women and \$5.6 million from the Court Challenges program, a clear message is being sent. The government is essentially saying that any voice given to addressing gender inequality in this country will be further silenced—furthermore any voices wanting to challenge the current status of the laws of this land will be muzzled.

Marcus Tabachnick, president of the Quebec English School Boards Association, had this to say in a letter sent to the Minister of Justice:

The pertinence of the Court Challenges Program of Canada has been recognized by the Canadian Bar Association. Important decisions on minority-language schooling, access to services and key issues regarding freedom of expression have been rendered after interventions funded by the Court Challenges Program. Many of those interventions would have been impossible to initiate without the program's support.

Routine Proceedings

• (1030)

[Translation]

Jean-Guy Rioux, president of the Fédération des communautés francophones et acadienne du Canada, says:

These program cuts announced by the government [of the Prime Minister] go against the commitments made by the Government of Canada and represent an attack on the francophone and Acadian communities...Accountability demands that the government consult us, which it did not do. We have therefore filed a complaint with the Commissioner of Official Languages.

[English]

Audrey Johnson, executive director of the Women's League Education and Action Fund said in a media release:

This is a devastating loss to Canada's most vulnerable groups. Without the CCP it means that "ordinary citizens" will be less able to protect or restore their rights when they are infringed by laws or actions of the state.

[Translation]

The last quote comes from Jean-Robert Sansfaçon in his editorial in *Le Devoir* on September 27:

On the whole, these Conservative cuts are in no way intended to reduce waste. Their purpose is simply to eliminate programs that clash with the convictions of some Conservative ministers or even to throw obstacles in the way of volunteer organizations or activist groups that could hurt the Conservatives. What a lack of generosity, what small-mindedness!

[English]

Mr. Larry Miller (Bruce—Grey—Owen Sound, CPC): Mr. Speaker, I kind of chuckle to myself when I hear some of the comments from my colleague across the floor. The member mentions the Wheat Board. What do you have against western farmers—

The Deputy Speaker: Order, please. The hon. member should know by now that he should address his comments through the Chair and not directly to the member opposite.

Mr. Larry Miller: My apology, Mr. Speaker. You are absolutely right, I should have known better.

During the speech of my colleague across the floor he mentioned the Wheat Board. I would like to know what he has against western wheat producers on that issue alone and why they should not have a choice. Many farmers in the riding I represent have a choice. That is all the government is trying to do.

My hon. colleague criticized cuts. The cuts only involve basically what has been a matter of overtaxation. Cutting out administration and seeing that money actually goes to Canadian taxpayers is all the government is doing.

I ask the hon. member across the way, what does he have against Canadian taxpayers getting a good bang for their buck and why he supports overtaxation?

Hon. Mauril Bélanger: Mr. Speaker, let me remind the member opposite that when we formed the government back in 1993, we inherited from the previous Conservatives a \$42 billion annual deficit.

It was the Liberal government, under the leadership of the right hon. Jean Chrétien and the member for LaSalle—Émard, who undertook to redress the public finances of this country. Within three or four years, we had eliminated the deficit and we started paying off

debt. We have nothing against prudent fiscal management, au contraire. We did what the previous Conservative government would not do.

The present government has benefited from that because in this first year of its administration, which I hope will not be lasting much longer, it has put away \$13 billion. However, 10 of the 12 months under which that \$13 billion was accumulated happened to be under the previous Liberal administration.

The biggest single tax cut to Canadian taxpayers came under the previous administration as well. We have nothing against sound fiscal management and prudence, but we believe in a fair society.

Two and a half million dollars for the court challenges program to be eliminated the way the Conservatives did demonstrates mean-spiritedness, and a belief that Canadians should not be able to access public support to have their rights respected. Canadians are not very fond of that attitude.

As far as the Wheat Board is concerned, I have no problems with it. The opposite is true. That party would like to destroy the Wheat Board and in so doing, it has even ordered the Wheat Board to not promote itself.

That is part of the bigger picture of advocacy chill that we are starting to see emerge from the government. The Conservatives do not like it when others do not agree with them. Thank goodness we have in the House the ability and the right to make those points of view heard.

I cannot guess the outcome of the vote on the debate, but I suspect the Conservatives may find out that indeed, the majority of the members of the House do not agree with their meanspiritedness.

• (1035)

Mr. Rick Casson (Lethbridge, CPC): Mr. Speaker, I would like to pose a question to the member opposite on his intervention this morning.

The court challenges program is government funding special interest groups to challenge the government on laws that have been prepared. The reason the previous government across the way supported it is because some of the laws it put in place needed a second look by the courts.

Would the member not agree that if the proper discussion, debate and oversight is done upfront when the laws are presented in the House, when they are debated in the House, debated in committee, and go through the whole process that legislation goes through before it becomes law, that is the time for any changes and improvements to the law so it better reflects what Canadians want?

Does he not feel that is where the effort and the time should be spent to create the law right in the first place instead of having a court challenges program, funded by government, that does not release how much money is being spent by which groups? It does all that without reporting to the Canadian people. Is that not a more acceptable path to follow than what is presently being done?

Hon. Mauril Bélanger: Mr. Speaker, I failed to convey the information that I was hoping was relevant and I will try again.

Routine Proceedings

On the strict question of whether we should focus on making better laws, of course, the role of this House and of that other place is to make good laws. However, we have three branches of government in this country: the judiciary, the legislative and the executive. The legislative role is, as my colleague says, to make the best laws possible. The judiciary also has a role in interpreting those laws and determining sometimes whether or not we have made mistakes and that has happened.

That is for laws that are before us now. The difficulty with the member's premise is that the court challenges program in effect deals with much more than that. It deals with laws that existed prior to the advent of the Charter of Rights and Freedoms. It deals with provincial legislation, and it deals with provincial and federal inaction. I will give him an example.

In Summerside, P.E.I., the francophone community figured it had a right to a school. The provincial government did not accept that. The francophone community went to court, had some support from the court challenges program, and the Supreme Court of Canada determined indeed that it was right and now it has a school. There were no laws in this case. It was a provincial inaction. The court challenges program has that broad a scope, it does not just deal with current legislation that is before us.

In terms of current legislation, I tend to agree. Yet, there has to be an authority beyond us that will make a determination and that is why we have three branches in the government. For the rest, it just does not only deal with that. It deals with everything that came before the Charter of Rights and Freedoms and provincial legislation through actions and inactions. The court challenges program is indeed a necessary ingredient which is recognized internationally, by the way, as something that this country should be proud of. We should continue that program.

• (1040)

[*Translation*]

Mr. Jacques Gourde (Parliamentary Secretary to the Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC): Mr. Speaker, I am pleased to hear my colleague discuss agriculture. He totally overlooked the fact that, between 1993 and 2005, more than 75,000 Canadian farms disappeared. He also forgot to mention that, under the previous government, from 1993 to 2005, the total liability of Canadian farmers grew from \$25 billion to \$48.9 billion. There is no denying that the previous government completely abandoned agriculture.

We now have measures to create greater cash flow. We would like to work towards ensuring that the Canadian Wheat Board can give more money to producers.

Why is my colleague against measures that could help farmers solve their money problems.

Hon. Mauril Bélanger: Mr. Speaker, this is pure foolishness. I did not say anything about agriculture. I spoke about the court challenges program and a government that insists on silencing anyone who is unhappy with them or who criticizes them. What they are doing is stifling criticism in our democracy. This is what I addressed.

The member rises and says that I talked about agriculture. This is pure foolishness and warrants no further response. This is ridiculous.

[*English*]

Mr. Jim Abbott (Parliamentary Secretary to the Minister of Canadian Heritage, CPC): Mr. Speaker, it is with great honour I rise today as a Canadian citizen and a member of Parliament.

It is a privilege to speak to the House, a House that has long been a symbol of fairness and equality. It is in the House that the laws which protect us have been crafted and the bills that defend each of us have been passed. It is in this chamber that the Charter of Rights and Freedoms emerged and this is where they will stay protected and guarded by the representatives of the people of Canada.

Canadian society has been shaped by the collective values of its citizens who, with thought and conscience, proudly participate in the democratic process by choosing representatives to be their voice, to stand up for the rights and freedoms of all individual citizens and to ensure a society that accords dignity and respect regardless of gender and race. It is our system of Parliament which has served as the foundation of our way of life. It will continue to shape and mould the way we live as we evolve together as a community and a nation.

Canada's system of Parliament stands as a model for countries around the world, striving to achieve equality and justice for our own citizens. We are considered a leader in the promotion and preservation of human rights and freedoms. It is imperative that we ultimately protect this process from those who wish to reject our democratic system, preferring to advance their cause through legal research and court costs paid by Canadian taxpayers.

The government believes in creating legislation that is constitutional and reflects the values of all Canadians. We believe in creating laws that promote diversity and equality. The government believes in the democratic process and that Canadians should be rewarded for practising that right and to experience their hopes and beliefs become reality through laws that are created and passed by those they elect to the House. We believe that public policy should be driven by the will of the people. We believe it will be best expressed through publicly elected officials who sit in debate in the halls of Parliament and commit themselves to standing up for all Canadians.

The Canadian court challenges program is inherently flawed in that it promotes and encourages special interest groups to advance causes that do not reflect the view of the majority of Canadians. It allows special interest groups to use hard-earned Canadian tax dollars to promote a public policy agenda that is not always in line with the majority of Canadian voters. This manipulation of the system is neither transparent nor accountable. The Canadian court challenges program is not required to reveal which groups it chooses to fund or how much money these groups get. In today's political environment this just is not acceptable.

Routine Proceedings

Government funded protest is an irresponsible use of taxpayer dollars. Government should have the foresight to enact laws that are responsible and fair and that protect and support the interests of minority and disadvantaged groups. Public money should be used in practical ways to directly support the population through social programs that meet the needs of the citizens.

The new Canadian government is committed to ensuring that laws are fair. We are committed to the review and update of those laws, which no longer reflect the values of Canadians. The government is working directly with disadvantaged groups to improve conditions so they may participate fully in society. The government is committed to ensuring that minority groups are guaranteed access to social, economic and cultural rights.

The new Canadian government, through serious action, has proven its advocacy toward the most vulnerable citizens. The ministers of the government work together to identify problems and work in concert to devise solutions for the benefit of minority groups and disadvantaged citizens.

Let us take a look at the last 10 short months of this government and what it has done more to protect the rights of vulnerable citizens than the previous government in its full term of office.

The new Canadian government acknowledged the injustice that was committed against aboriginal children through the residential school program. In May of this year the hon. Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians along with the hon. Minister of Canadian Heritage and Status of Women approved a final Indian residential school settlement agreement and the immediate launch of an advanced payment program with the hope of fostering reconciliation and healing among all Canadians.

● (1045)

It must be noted that this is in the face of the fact that the previous Liberal administration had this file on its desk for the full term and it did nothing on this file. In less than six months we resolved the issue where the previous government took 13 years of inaction to do nothing.

The government acknowledged the injustice that was done to Chinese Canadians in the early 1900s. The Chinese head tax was a blatant form of discrimination. In June of this year Canada's new government officially apologized. The hon. Minister of Canadian Heritage and Status of Women along with the Parliamentary Secretary to the Prime Minister were instrumental in working with the Chinese community to begin the healing process. The Prime Minister issued an official apology for the head tax imposed on Chinese Canadians and the government announced it would make ex gratia symbolic payments of \$20,000 to living head taxpayers and to persons in a conjugal relationship with a now deceased head taxpayer.

What had the Liberals done on this file? Absolutely nothing. In less than six months we resolved that file, which was a blight on the conscience of Canadians since the 1900s. We did it in six months.

The government acknowledged the unjust treatment of victims who contracted hepatitis C from the blood system before January 1, 1986 and after January 1, 1990. In July of this year the government

recognized that all victims who contracted hepatitis C through contaminated blood suffered equally and were liable for compensation. The Minister of Health and Minister for the Federal Economic Development Initiative for Northern Ontario along with his parliamentary secretary and hon. members such as the member for Cambridge, the member for Kitchener—Conestoga, CPC) and the member for Halton spearheaded the movement to finally address this injustice, an injustice the former government had refused to recognize.

I recall very clearly sitting on the other side of the House when our party was pushing on this issue. We actually got the Liberals to agree that this was a complete travesty and injustice to those who had suffered from hepatitis C. What did they do? They agreed only so they could get out of the House with their heads up because they wanted to get across the street. Then they had to put their heads back down again. We got them to supposedly move on this issue of public interest and they did nothing.

Our government has set aside nearly a billion dollars in a special settlement fund which sole purpose is to provide compensation to the pre-1986 and the post-1990 hepatitis C victims. Hepatitis C victims have said thank goodness for the new Canadian government.

The government acknowledges the plight of aboriginal women, who are struggling with marital breakdown and are faced with overwhelming barriers in securing a future for themselves and their children. Just a few weeks ago, the government took the initiative and began to work to secure fair and equitable on reserve real matrimonial property rights. The hon. Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians has begun consultations across the country in hopes of establishing on reserve matrimonial real property solutions to first nation communities.

What had the Liberals done in the full 13 years when they were on this side of the House? Nada, nothing, on this absolutely vital issue. We take no lessons from the Liberals on issues of social fairness and social justice.

The members of the government are proud to act as advocates for vulnerable citizens in our country. The members of the government are proud to stand up for the rights of minorities and the disadvantaged. The government believes that public policy should be made by parliamentarians. Debates on equality and rights should focus on the individual, not the self-serving special interest groups. The government is committed to ensure that legislation passed is legislation that is good for Canadians.

● (1050)

It is very interesting that the member brought forward this concurrence motion today. He will be aware of his own intervention yesterday, and I agreed with the member. The heritage committee will listen to people who will tell us the good things of the court challenges program. I have to state to the House, in fairness to the member, he agreed that people who were denied access to these funds should also be given the access to the committee so they could have their say as well. I commend the member for that.

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This is all about the fact that the situation is out of the control of accountability of the House. Why have these people been funded? I do not know. On what basis have these people had access to these funds on what basis? I do not know. The difficulty is there are many people who have felt they should have had access to these funds in order to bring forward their own cause. Yet the individuals who make the decisions as to who should receive the funding are not accountable. We have no reason why they make their decisions.

I am very proud of our government. We do stand up for the vulnerable in our society. As we are made aware of things, we act and we act expeditiously. Our government is very proud to stand up for all Canadians.

Hon. Mauril Bélanger (Ottawa—Vanier, Lib.): Mr. Speaker, I am going to read a section of the Official Languages Act to the hon. member. Section 43.(2) states:

The Minister of Canadian Heritage shall take such measures as that Minister considers appropriate to ensure public consultation in the development of policies and review of programs relating to the advancement and the equality of status and use of English and French in Canadian society

Would the hon. member, who is the parliamentary secretary to the minister, tell us what consultations, if any, were held before the decision was made to cancel the program?

Mr. Jim Abbott: Mr. Speaker, in taking a look at the consultation process on this question or any other question, not being a member of cabinet, I have no access to that information.

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, contrary to the member's assertions about caring about the priorities of Canadians, let me remind him of some of their cuts: \$5 million from the Status of Women; \$45 million from Canada Mortgage and Housing; \$10 million from the elimination of support for Canadian volunteerism; \$25 million from the funding for the Canadian apparel and textile industries; \$10 million from the elimination of the youth international internship program; \$11 million from the elimination of the first nations and Inuit tobacco control strategy; \$6 million from the Canadian Firearms Centre; \$39 million from the regional economic development agencies; \$18 million from the literacy skills program; \$55 million from the youth employment initiatives; \$6 million from the court challenges program; \$83 million from public service human resources program; \$78 million from the elimination of the visitors' GST rebate program; and \$11 million from the elimination of the unused funding for the previous mountain pine beetle initiative.

There is a pattern here, a pattern of a government that says, "Do as I say, not as I do". It is a meanspirited government. It is a government which is driven by ideology and by political ambition rather than to provide responsible government.

The member has to come clean with Canadians. Canadians deserve the truth. Why does the member not rise in his place and acknowledge that the cuts to the museums, for instance, were meanspirited and wrong? These points were raised by the hon. member moving the motion. Cultural heritage of Canada is important to Canadians.

The government does not seem to get it. Even on the court challenges program, it seems to think somehow that this is a matter of we have to deal with laws correctly the first time round, that there

should be no recourse down the road as circumstances change. Laws always can change, and sometimes people cannot afford to go to the courts to argue their rights under the Canadian Charter of Rights and Freedoms. When is this member going to get it?

• (1055)

Mr. Jim Abbott: Mr. Speaker, as a matter of fact, we do get the whole issue of accountability.

In the case of the mountain pine beetle, for example, our government has committed \$1 billion over the next 10 years, which is \$100 million a year, toward the pine beetle program. In the particular instance that he keys on, of the \$11 million so-called cut, that was \$11 million that had not been expended, that was from a leftover, defunct, very inadequate Liberal program. We simply took that \$11 million off the books and replaced it with \$100 million and another \$100 million the next year after that and after that, for a total of \$1 billion. This kind of responsible way of managing the people's money as though it was something of value is a concept that seems to be lost on most Liberals.

Let us take a look at the museums assistance program. When we add the \$9.6 million, which was originally in the budget, to the amount in the summer works program for students, which is directed to museums, the total is about \$11.7 million.

As my friend was prone to reciting a particular section, I will recite some figures for him of the actual expenditures from 1995-96 and 1996-97. Against the \$9.4 million that had been previously budgeted, actual Liberal expenditures were \$8.0 million, \$7.9 million, \$8.3 million, \$7.2 million and \$8.5 million. In the year 2000-01, expenditures hit \$9.6 million but then in 2001-02, expenditures were \$7.7 million, \$7.4 million, \$8.2 million and \$8.1 million. These funds were distributed by the Liberals against a \$9.4 million program. Why would they leave a \$9.4 million program, plus the \$2.4 million for students, intact when in fact only in one year did they actually hit a \$9 million expenditure?

It is called accountability and our government is very proud of being accountable to Canadian taxpayers.

Hon. Mauril Bélanger: Mr. Speaker, I would like to quote for the member a comment that was made to the United Nations Committee on Economic, Social and Cultural Rights, which, incidentally, recognizes that the court challenges program is an important tool for accessing justice for Canada's historically disadvantaged marginalized groups.

The government itself, during a recent presentation to the Committee on Economic, Social and Cultural Rights, stated:

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It is not possible for the government to support all court challenges, but this uniquely Canadian program has been successful in supporting a number of important court cases that have had direct impacts on the implementation of linguistic and equality rights in Canada. A recent evaluation found that there remain dimensions of the constitutional provisions currently covered by the CCP that still require clarification and the current program was extended to March 2009.

Is that government representative, in his capacity as parliamentary secretary, prepared to table in this House, or make available to the relevant committee, a copy of the evaluations of the program? Those documents need to be made available to Parliament. Did the government conduct an evaluation of this program before deciding to cut it? If so, can we have a copy of that evaluation?

● (1100)

Mr. Jim Abbott: Mr. Speaker, as the member will know, the minister will be before committee tomorrow and perhaps that would be the most appropriate place to put that question. She is the person who ultimately has responsibility for that. He can put that question to her in committee tomorrow.

[*Translation*]

Mr. Réal Ménard (Hochelaga, BQ): Mr. Speaker, I want to thank the hon. member for Ottawa—Vanier for presenting this motion, which follows the tabling of the eighth report. It is quite incredible. It is hard to fathom the government's intentions; basically, they are doing everything to target the most vulnerable, to weaken those who truly need the government's assistance.

It seems that Conservatives believe in social contract. However they believe in it when everything is going well, in times of prosperity when there is no need to rely on solidarity.

Who would have thought that a government could be so low, so irresponsible, so servile and petty—to use words that are parliamentary—as to abolish a program that calls for total spending of almost \$3 million, because that is what it comes down to for the court challenges program?

I have been here since 1993 and one of the stupidest things I have heard in my life as a parliamentarian came out of the mouth of the Prime Minister. I truly could not believe my ears when he justified himself in answering a question from the leader of the Bloc Québécois, the hon. member for Laurier—Sainte-Marie. The member asked why the government was abolishing the court challenges program, and what was the Prime Minister's response? In all his wisdom and enlightenment, the Prime Minister said that the government had no intention of introducing unconstitutional legislation.

Can you imagine the stupidity of such a statement, which is all the more worrisome coming from a head of state, a prime minister, a man who has major responsibilities when it comes to the value of equality?

Of course, governments never introduce unconstitutional legislation. When a submission is made to cabinet, the Minister of Justice must ensure that the content of the bill is compatible with various human rights mechanisms. In the Canadian example there is the 1982 Canadian Charter of Rights and Freedoms and Diefenbaker's Canadian Bill of Rights, adopted in 1962, the year of my birth.

But that is not the substance of the debate. The substance of the debate is that certain rights are denied today. The law is in fact a

changing thing. Our view of the law is subject to a certain evolution, for morals change. We no longer define indecency as it was defined in the 19th century.

Take the death penalty for example. It was partially abolished in Canada in 1977, and definitively in 1982. Ultimately, it can be called cruel and unusual punishment in light of the Canadian Charter.

So how can a head of state, in this instance the Prime Minister, say that his government does not intend to table unconstitutional legislation?

We will be returning to the Conservatives' record on human rights. However, it is true that when a bill is tabled in this House, it has been evaluated by the Department of Justice.

Nonetheless, that is not what we are talking about. The court challenges program is primarily a means of verifying the scope of rights. Moreover, the fact that a right is not recognized by the Supreme Court in 2006 does not mean it will not be recognized in 2012. I have some examples.

First, we know that the Conservatives are not fond of homosexuals, not fond of people of the homosexual orientation: they have exercised a policy of institutionalized homophobia. I am not saying that individually they are homophobes.

● (1105)

I am not saying that. I will give some examples.

Since 1993, each time they have had the opportunity, the Conservatives, as a group, have voted against the rights of gays and lesbians. That is called institutionalized homophobia. I am not claiming that, as individuals, they are homophobes.

Imagine if the Bloc Québécois had voted nine times against the rights of aboriginal people. Imagine if the Bloc Québécois had voted nine times against the rights of women. Imagine if the Bloc Québécois had voted nine times against the rights of the cultural communities. Well, on nine occasions all of the Conservatives, with about five exceptions, none of whom unfortunately are current members of this House, voted that way. Those are the facts.

There was the first bill I tabled, on recognition of common-law spouses, which was supported by Mr. Lucien Bouchard and almost all of my caucus. This was in 1995. I remember that the vote on my bill was held on a Monday morning, and Alfonso Gagliano was the Liberal government whip. That was the only time in my life I voted on a Monday morning, and it was concerning my bill. Now, Sheila Copps was the only Liberal cabinet minister present at the time in this House. She represented the generous, humanist left wing of the Liberal Party. That Monday morning in 1995, however, other hon. members, 55 in all, supported that sole member of the Liberal cabinet present in the House.

So the Conservatives have voted against the rights of gay men and lesbians nine times. That is not insignificant.

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In 1995, when the motion I had introduced regarding same-sex common-law partners was voted on, Allan Rock amended the Criminal Code to add sexual orientation as a prohibited ground of discrimination in section 718.2.

This was referred to as a provision relating to violent crimes motivated by hate. In imposing a sentence, the judge may look to a number of provisions under which he may find that there is an aggravating circumstance.

In the second vote on Allan Rock's bill, all of the Conservatives voted against it.

The same was true when former minister Anne McLellan introduced a bill dealing with recognition of same-sex common-law partners. Obviously she introduced a bill because she was well aware that the federal government had little hope of winning the foreseeable court challenges.

The Conservatives introduced a motion saying that homosexual unions were not real families.

They voted against Svend Robinson's hate crimes bill.

In committee, they voted against an amendment I proposed relating to access to new reproductive technologies by lesbians.

Twice they voted against a motion relating to marriage introduced by the Conservatives, and against a bill relating to marriage introduced by the previous government.

And so on nine occasions, the Conservatives, as a parliamentary caucus, have voted against the rights of gay men and lesbians.

In 1995, a couple who had lived together for 40 years challenged the provisions of the law relating to the old age pension income supplement that is paid to people who have not reached the age of 60 or 65 years. They had been living together for 40 years, but one of them was not eligible because same-sex common-law couples were not recognized. At that point, the Supreme Court said that sexual orientation had to be added to section 15 of the Canadian Charter as a prohibited ground of discrimination.

There is an example of a case which allows the Supreme Court, whose responsibility it is to bring about progress in the law, to take an updated look at our important legislation and the management of public funds used to assist minority groups in challenging laws.

● (1110)

I will say it again, when the Prime Minister rose in this House to say that his government did not intend to introduce unconstitutional legislation, that was one of the stupidest things I have heard in this House. Of course the government does not introduce unconstitutional legislation. It is the courts that bring about progress in the law, in some circumstances.

I have cited the example of minority groups in terms of sex, but could we not say the same thing about minority groups in terms of language?

Once again, what is it about the court challenges program that the government is afraid of?

This is not the first time that this problem has arisen. Remember that this program was established in the 1970s. It is worth recalling that under Brian Mulroney, who was in fact more progressive than conservative, in their next to last year in power, the Conservatives wanted to abolish the court challenges program. In fact, they did not want to abolish it, they abolished it. It was only when the Liberals returned to power, in 1993, that the program was reinstated.

Obviously, there was great indignation over the elimination of the program. All the human rights activists made their opposition known. This is typical of the current government. It has no sympathy for the most vulnerable people. It is not sensitive to minorities. A government really needs to be low to slash literacy programs. It really needs to be low to attack the status of women.

I would agree if a government were to say that a part of its responsibilities is to periodically evaluate how effective programs are in light of their objectives. We are not against program reviews and evaluations. But this government cut the court challenges program because it thinks that minorities do not need government assistance.

Do they know how much it can cost to go to court? This is not a gratuitous criticism of lawyers; everyone has a right to earn a living. When a good lawyer wants to challenge some legislation and it goes all the way to the Supreme Court, he has to write statements of argument and must be very well prepared in order to back up his challenge. The legal fees for all this can reach hundreds of thousands of dollars.

Let me say parenthetically that two of my fellow citizens, Michael Hendrix and René Leboeuf, were the first to challenge the lack of equality when they were refused a civil marriage. They relied on the court challenges program because section 15 of the 1982 Canadian charter provides for equal treatment. What equal treatment means is not specified in the act. It is the courts that have defined what equal treatment is.

Does anyone think that we would have made the great legal strides in minority rights without the court challenges?

It is terrible to see what is happening now. It is terrible to see this lack of sensitivity on the government's part.

Maybe we need to look into whether the court challenges program is well managed. Maybe it should not be administered by a non-profit agency. We are open to this kind of discussion. But that is not what the government wants to hear. The government says that this program is not needed because it will not introduce any unconstitutional legislation.

This government is extremely dangerous insofar as human rights are concerned. The Conservatives' agenda is of deep concern to anyone who is a member of a minority, to anyone who believes deeply in equality, and to anyone who believes that minorities deserve to be helped to defend their rights.

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•(1115)

I cannot name one person in their cabinet or even their caucus who is an advocate for minority rights. I believe that two Conservative members may be somewhat more sensitive to the issue. I cannot name them, but the parliamentary secretary to the senator who has not yet been elected has some sensitivity.

The Parliamentary Secretary to the President of the Treasury Board is moving ahead, but has not yet fully matured in similar files. He is giving me a sign, and we will see how he votes when his government introduces a motion to revisit the issue of civil marriage for same sex couples. The member is nodding his head and gesturing. I would like to assume that he is concerned about minority groups, but I am curious to know how he will vote when the time comes. If memory serves, he is not among the short list of Conservative members who supported the bill introduced by the former Liberal justice minister concerning marriage rights.

It is a rather sad state of affairs when we begin bargaining with minority rights and when we hear that \$1.1 billion has been cut, even though there is a budget surplus of \$15 billion.

I saw the President of the Treasury Board on television, quite happy to be on camera to sign a \$15 billion cheque. Meanwhile, our constituency offices had received the list of programs that were cut. Surprisingly, the programs cut were the programs that helped those less fortunate through literacy, housing and status of women.

Proof that this government is not interested in hearing public debate on human rights is that, in addition to cutting the court challenges program, it also abolished—yes, abolished—the Law Commission of Canada. True, the commission was known to question governments and to recognize, in its opinions, that the current state of rights may not be generous enough towards a certain minority group in our society. Nevertheless, a government that is proud of its minorities is one that gives them the tools they need to assert their rights.

I will close by stating that it is possible to support the court challenges program without necessarily supporting institutional bilingualism in Quebec. I hope that the member for Ottawa—Vanier will agree, although I doubt it. We all have an interest in helping the francophone community outside Quebec, for example, to become as dynamic as possible. In a minority language situation, one has to constantly fight for access to institutions. The governments did not just wake up one morning and decide to ask what they could do to improve the situation of minorities. It was the court challenges program that made it possible for linguistic minorities to gain access to educational institutions and to manage their own school boards. Just remember the fight that was waged on behalf of the Montfort, a French-language hospital.

Finally I would like to say that this government will pay dearly for its insensitivity towards minorities, no matter which ones. The Bloc Québécois, and the other opposition parties, will never condone this lack of sensitivity towards minorities. On behalf of my Bloc Québécois colleagues and all the members of this house, I say shame on this government. One day its representatives will have to explain their gross neglect of minorities. We will never be a party to abolishing the court challenges program, a valuable program that

defends human rights. And if this government has any sense of responsibility and honour, it will restore the budget of the court challenges program, which strongly supports human rights.

•(1120)

[*English*]

Ms. Catherine Bell (Vancouver Island North, NDP): Mr. Speaker, I am from British Columbia and several years ago the Government of British Columbia cut legal aid programs that helped low income and vulnerable people to access the court system in our province.

I heard your comments regarding persons with disabilities and other vulnerable peoples in our society and I am just wondering if you could comment on what recourses and what supports they would be left with if—

The Deputy Speaker: Order, please. I would ask the hon. member to address her comments through the Chair and not specifically to the member.

Ms. Catherine Bell: Sorry, Mr. Speaker. I wonder how the hon. member feels about what supports and recourse the most vulnerable in our society would have.

[*Translation*]

Mr. Réal Ménard: Mr. Speaker, there will be far fewer ways for people to get help.

For example, the list of cuts includes the social development program that supported manpower adjustment programs and helped people with disabilities. I am not saying those people will no longer have a program, but I am saying that we have good reason to be worried. Once again, that was totally unjustified. We are not experiencing fiscal hard times. Even if we were, that would not justify weakening minority groups.

Recently, the President of the Treasury Board appeared on television, all smiles, signing a \$15 billion cheque.

To add insult to injury, along with his \$15 billion surplus announcement, the President of the Treasury Board announced \$1.1 billion in cuts that will affect the most vulnerable. We will not forget that.

[*English*]

Mr. Lloyd St. Amand (Brant, Lib.): Mr. Speaker, the hon. member touched on a variety of issues in his interesting speech. He talked about the court challenges program, the Supreme Court of Canada and the seeming reintroduction by the government of a bill to re-establish or restore the traditional definition of marriage.

As I understand the law on that point, every legal expert in the country, without exception, has said that if the government were to introduce and ultimately pass a bill restoring the so-called traditional definition of marriage, that such a law would be ruled unconstitutional and contrary to the charter by the Supreme Court of Canada.

Is the hon. member's understanding the same or has an expert actually now come out in support of what the Prime Minister, seemingly, is intent on doing.

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• (1125)

[*Translation*]

Mr. Réal Ménard: Mr. Speaker, my colleague is absolutely right. The civil marriage rights of same sex couples are now established in law. We voted on it in this House. They are part of the protections provided for in our key human rights documents. There have been court challenges, and we know how those turned out.

I take comfort in knowing that, should this government stoop so low as to introduce a motion to revisit the issue, we would quickly put this government in its place by defeating the motion. As I understand it, Bloc and NDP members agree, and I think our Liberal colleagues will too.

Mr. Pierre Poilievre (Parliamentary Secretary to the President of the Treasury Board, CPC): Mr. Speaker, the hon. member's comments are quite interesting. He claims that his party is a major champion of the rights of francophone minorities across Canada. However, he contradicts himself. The sovereignty he desires and wishes to attain will divide Canadian francophones into two groups: Quebec francophones and francophones in the rest of Canada, with my father a member of the latter.

He wants to abandon francophones living outside Quebec. To state in this House that he wants to be their champion is a major contradiction.

Mr. Réal Ménard: Mr. Speaker, I have a great deal of respect for my colleague, with whom I often chat at the gym, but I must state that, in my opinion, the comments he has just made are most unfortunate. First, when the day comes that Quebecers decide to become sovereign, it will be as a result of a democratic movement advanced by a referendum.

Second, when the Bloc Québécois arrived in this House in 1993, Lucien Bouchard worked with the former member for Rimouski-Neigette-et-la Mitis on the matter of francophones living outside of Quebec. We had proposed a sort of oversight body. Even René Lévesque had done so at the time of the St. Andrews initiatives. We proposed a parity structure. We would look at how francophone minorities outside Quebec are treated and you would look into how anglophones are treated in Quebec, anglophones who have the right to services in their language, from kindergarten to university.

We have never been ashamed of the way in which we have treated the founding minority of Quebec, that is the anglophone minority. The fact that we will become sovereign through a democratic process must not be interpreted in any way as an indication that we intend to abandon francophones outside Quebec. That is not the intention of the sovereignist movement, nor of the National Assembly, and I urge my colleague to validate and to verify the documents that we have presented on these issues since 1995. That was done by Mr. Bouchard through our heritage critic at the time, Mrs. Suzanne Tremblay.

Ms. Christiane Gagnon (Québec, BQ): Mr. Speaker, I would like to remind the House that this was a decision made at the summit of la Francophonie. Imagine. The Prime Minister was accompanied by a delegation of people from across Canada, including a number of Acadians from New Brunswick and Newfoundland and Labrador. Members should have seen how this announcement was received by francophone minorities outside Quebec. What nerve.

Rights are being taken away from the francophone minority in the rest of Canada. In Romania, the Prime Minister bragged in a speech about the importance of the French fact around the world, while he himself was taking rights away from an important community in Canada and Quebec.

I have a question for my hon. colleague. He said that it was shameful for a government to have acted that way toward minorities, and I know that he is good at defending Canada's minorities such as francophone communities. I hope that, in the next election campaign, the Bloc Québécois will decry this government's lack of courage, because this government is afraid to give rights that would allow people to challenge it. So much for democracy.

• (1130)

Mr. Réal Ménard: Mr. Speaker, the hon. member for Québec is right, and her remarks are especially relevant since she was in attendance at the summit of la Francophonie.

We know what the Prime Minister said in his speech at the summit of la Francophonie. But, beyond that, one has to recognize that it takes an awful lot of nerve to show up at the summit of la Francophonie with such a poor record in terms of protection of rights. I think that it is totally legitimate for the hon. member for Quebec to point out this incongruity which voters will remember come the next election.

[*English*]

Mr. Rick Casson (Lethbridge, CPC): Mr. Speaker, in the hon. member's intervention he indicated that this government gave no consideration for the less fortunate people of Canada. I disagree entirely with that. I would like to point out to him a number of issues that this government has addressed in the short period of time that it has been the government.

The government has addressed the residential school issue. This was a tragedy inflicted on this country. We have given redress for the Chinese head tax issue in the short time we have been in government. We have also addressed the rights of aboriginal women for property on reserves.

In the short time that we have been the government, we have addressed a number of issues that deal with the less fortunate, people who have been wronged over the years in different situations.

Ultimately, the elected officials in this country, the members who represent our constituents from coast to coast, are the ones that should be creating policy and legislation in Parliament. It is Parliament that has to deal with any inadequacies that are created in laws by bringing them back and addressing those issues. Would the member comment on that aspect?

[*Translation*]

Mr. Réal Ménard: Mr. Speaker, part of this responsibility lies with the government, but if we had waited for this government to include sexual orientation as a prohibited ground of discrimination in the Canadian Charter of Rights and Freedoms, it never would have happened. That is why the courts also have a responsibility.

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I challenge the hon. member to add to the list of achievements he just gave by voting in favour of the motion by the hon. member for Ottawa—Vanier. If he votes to restore the funding, the next time he rises in the House, in addition to the three achievements he just mentioned, there will be the reinstatement of the court challenges program. Every member in this House will be grateful to him.

Mr. Yvon Godin (Acadie—Bathurst, NDP): Mr. Speaker, I am pleased to rise today in this House to speak about court challenges. Although I say I am pleased to rise in this House, I think this is a sad day. The Conservative Party, the government, has decided to cut the court challenges program. By doing so, the minister has said, here in this House, that it was not right to give money to groups so that they can challenge a government that has created the laws. It is not right. If not, then the Supreme Court of Canada should be abolished. If it is not right, the provincial courts should be abolished.

An hon. member: They will do it.

Mr. Yvon Godin: If it is not right, then we should live with a dictatorial government. Let us not forget that the ministers and members of this government cannot even talk to the press. Is that the kind of Canada we want?

I can give examples of the contribution that the court challenges program has made to minorities, and the support they have drawn from it. In New Brunswick, an attempt was made to move the food inspectors from Shippagan to Moncton, in the Dieppe and Shediac regions, and the Association francophone des municipalités du Nouveau-Brunswick, thanks to money from the court challenges program of Canada, brought a court challenge and won its case. This decision was then brought before the Supreme Court by the Liberal government of the time, which contested the decision of the Federal Court of New Brunswick. At least the municipalities had some tools at the time to defend the minority communities.

Did they think that one person, an individual on his own, the Shippagan food inspector on his own, Mr. Gauvin and his colleagues, would have had the money to appeal to the Supreme Court? No.

That is what the Conservative government wants. It wants to lay down laws, it does not want citizens to defend themselves; it is depriving citizens of the right to bring a court action against the government. It is setting itself up as a saint, it believes it is perfect, it thinks it is establishing good laws which citizens must respect.

If that were the case, the government should not have to be afraid of investing in court challenges, for it would win in court. However it is shameful to remove the democratic tool that allows citizens to defend themselves in Federal Court, in the Supreme Court of Canada and in the provincial courts. The Conservatives should be ashamed. I do not know how they can sleep at night.

Let us consider the RCMP in New Brunswick, which was not providing service in both languages. Once again, New Brunswick organizations, through the SANB, received money from the court challenges program to go to court, and they won. At the time, the Liberals in power decided to contest this decision up to the Supreme Court. At least the organizations had the money to keep defending themselves.

If citizens and organizations cannot receive money through the court challenges program, to be fair the government should not have the right to take taxpayers' money to fight citizens in court. That would be a bit more fair. Yet the government takes in money through taxes—whether citizens like it or not, taxes are deducted from their pay—and uses it to fight an individual in court. At the same time, it says it will not give the community the chance to benefit from this money in order to reach a happy medium, a balance of power. It is undemocratic to deprive citizens of such a tool.

● (1135)

The government machine is too big for the individual. That is what the Conservatives want, an American system where the individual feels all alone in life and has to manage all alone without any help.

In my opinion, the same is true of the status of women. The reason that women have made it to where they are today is because funding has been granted to create groups so that women are able to show what they can do and are recognized even here in Parliament.

Equality between men and women must also be recognized. Equality was not achieved as a result of the wishes of a single person who stood up one fine day and said that he or she wanted equality between the sexes so that women would be respected and government would support this. There were battles fought and there are organizations that worked hard to achieve that objective.

As for literacy, we are told that we do not want to spend money on older people, we want to fund young people instead. So we are being told that when we get to be 40 years old we are no longer citizens, we are no longer human beings? What kind of attitude is that, Mr. Speaker? The attitude that the Conservatives are taking today toward these people and these organizations is disgraceful. They are going to realize that there are people working in these organizations and that those people talk to one another. At this moment, those people are protesting and a big wave will be hitting Ottawa, telling them that they are not right and they do not deserve to be leading this country. They have taken things away from us that are fundamental to our country.

If you can imagine, two days before the literacy cuts the wife of the Prime Minister of Canada took part in a march for literacy, all the while her husband, right here in the House of Commons, was cutting the funding for literacy training. I hope that she will talk to him this evening and tell him that what he has done and what the Conservative government has done is not right.

We know people who worked at the same company until they were 40 or 50 years old and who always worked at the same job. With all the cuts going on in industry today, we have to help the workers and equip them with the skills they need so that they can find new jobs. And yet the Conservatives are telling us that there will be budget cuts for the organizations that do this, cutting the fat, they say.

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So someone will have to go to the library in Bathurst by himself or herself to pick up a book. That person will go home and study independently, with no help from anyone, no teacher, no local organization. The same will be true in Timmins, Ontario, or in Regina, Saskatchewan, or in Edmonton, Alberta. People in Alberta love it when people from our hometowns work on their oil wells. What these cuts mean is that we will not give the people in our hometowns a hand so that they can learn to read and write. These are people who started working when they were very young and never had a chance to go to school. Are we going to let all these people fall by the wayside?

You know, Mr. Speaker, I did not come to the House of Commons yesterday. How many times have we heard it said in committee that we have to do something for minorities? And then came the question of how much it is going to cost us.

The Standing Committee on Official Languages has never travelled across the country to visit minority communities. Who has objected to that? Always the Conservatives. Do not tell me that it is not true, because it is true.

Last year, I was forced to make a proposal to the effect that if the Standing Committee on Official Languages did not travel, none of the committees would travel. If we can send 12 people across the country to see where seals live, we can send the Standing Committee on Official Languages to anglophone and francophone communities to find out what people need.

The Prime Minister had said that we should perhaps look at the system in Belgium, and he suggested that Quebec look after the francophones and the rest of Canada look after the anglophones. I was born in New Brunswick, on the Acadian Peninsula, and I am Canadian.

• (1140)

I want to obtain services in both official languages, like any English- or French-speaking Canadian. Anglophones should be able to obtain service in their mother tongue where they live.

Someone has said that no one was asking all the anglophones to learn French and all the francophones to learn English. People were asking the government to offer service in both official languages. It is not hard.

It was sad when Senator Jean-Robert Gauthier had to introduce Bill S-3 three times. The bill amended section 41 of part VII to make the obligations therein enforceable rather than declaratory. It applied to federal institutions, and the Bloc Québécois voted against the bill on the grounds that the government had no right to interfere in Quebec's areas of jurisdiction. However, at issue were areas of federal jurisdiction.

I am sorry, but we cannot rely on Quebec alone to defend francophones outside Quebec. Quebec showed in that instance that it had not defended them. This is a federal law that applies to federal institutions.

In committee I said to the Conservatives that I would have liked them to vote against Bill S-3 and then come and say to us that they support francophones. But even though I told them to vote against the bill they voted in favour. Now they think that, since they voted in

favour of this bill, they can take away our right to appear in the various courts. That is what they did. They took our tools away from us.

Take the example of the Montfort Hospital, here in Ottawa. It was not just because someone was sick and bedridden at the hospital that they won that case. It was because organizations got together to fight for it. They used money from the court challenges program. That is when the case was won, thanks to the support and desire to help.

The government is a big machine and can become a dictatorship. It has the army on its side, the police on its side, it has everyone on its side in order to enforce the law. But in our democracy citizens get a chance to attend court. They are entitled to go to court and obtain judgment. Is the government right or not?

I will give some other examples. Take the example of electoral boundaries. In my riding this has caused some problems. They wanted to send some of the francophones from Acadie—Bathurst to Miramichi, where 70% of the constituents are anglophone. Thanks to a court decision, that did not happen. In the history of Canada, that was the first time a boundary was changed by the court. The association of municipalities managed to do that with money from the court challenges program. Without that money, which boat would we have missed, what direction would we have taken?

Here is another example. This morning at the Standing Committee on Official Languages we tried to pass a motion recommending that the government give back the money to the court challenges program. The only party that voted against this was the Conservative Party.

This is unbelievable and unacceptable! Let us hope that it will change and that Canadians recognize it.

We have a beautiful country. But we must not deceive ourselves—it is not just about francophones and anglophones; it is about power. That is the problem. It is dangerous to give too much power to a government. It is dangerous not to challenge its decisions, its interpretations or the directions it takes.

To say that Liberal lawyers make a lot of money from that is wrong, completely wrong. How much work has Michel Doucet, a professor at the University of Moncton, done for us? How much responsibility has he taken on to defend francophones and minorities, without charging them anything?

• (1145)

It was only for the court costs. How many hours of volunteer work did Michel Doucet of the Université de Moncton give freely? Thank you, Michel for what you have done on behalf of these communities.

Today the Conservatives want to do away with that but we are not going to sit here in our seats without speaking out. We are going to fight for this. We will not accept that here in our country we cannot defend ourselves after laws have been passed, laws that are badly interpreted and not respected.

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They are not compelled to misinterpret legislation. If they do not respect it, if they do not do anything, the law and the courts give us the tools to force the government to do something. The fact of having services is just as significant for anglophone minorities in those places where francophones form a majority. It is not asking too much to be able to speak with your doctor in the language of your choice when you are sick. If you are having your appendix removed, it is to be hoped that the doctors will not remove your spleen. We must have access to these services. This morning at the Standing Committee on Official Languages we talked about the importance of ensuring that patients can receive services in the language of their choice in our hospitals. It is not too much to ask.

As I have said, we are not asking that all anglophones become francophones, nor that all francophones should become anglophones. We are asking that services be provided, that the Official Languages Act of our country be respected, and if it is not respected, we want the tools to go before the courts, before judges appointed by the government. We want to ask for the opinion of the court. That is democracy. What would it be without access to the courts?

We are sending out soldiers to fight in Afghanistan to promote democracy, and in our own country we are abolishing it. It is a disgrace. In our own country we are cutting funding for the status of women but we are going into Afghanistan because we want Afghan women to have rights. We cut funding in Canada. Is that not hypocrisy?

It is an insult, as the member for Québec properly described it earlier. We went to Romania for the summit of la Francophonie. How could the Prime Minister stand up and say that he supports the Francophonie? At the same time he was cutting all the existing powers that enable minority communities in Canada to live the Francophonie.

The wife of the Prime Minister of Canada took part in a walk in support of people with literacy problems. Two days later, her husband cut off funding for literacy. Where does that leave us?

The communities are hurting. We are getting phone calls about that. We are meeting people back home. Anyone who has not contacted Conservative MPs yet should know that there are toll-free numbers they can use. They can phone them; those numbers are at their disposal. If people are happy with all that is happening and want an American-style system, let them rejoice because it is on the way, well on the way. Once it is done, they will wonder why.

I know that the Conservatives will insist that they are not like that, that they invested money everywhere. The fact is that they are individualistic. Take what they did with child care. To keep the public quiet, they announced they would be providing a \$1,200 benefit. But there is still no child care system. The American style is making its way into Canada. Whatever people say, this is a Bush-league style of work.

If Canada were problem-free, there would be no need for the Francophonie and official languages department and its minister. Besides, that portfolio was not even given to a person who speaks both official languages. That is adding insult to injury. When the time came to appoint a parliamentary secretary, it took the

government three months to appoint one. This shows how important official languages are to this government.

Nevertheless, this is our country, and we have to show one another respect; anglophones and francophones have to show each other respect. We are all human beings. We are just passing through on earth and we should be able to get along. There are countries where people speak five or six languages and they respect one another much more than we do here, in this country. In some countries, the battles are apparently about religion or race; here, they are about language.

• (1150)

We should set all of that aside and work together toward making our country a better place to live, one of the greatest in the world.

Mr. Christian Ouellet (Brome—Missisquoi, BQ): Mr. Speaker, I would like to say to my hon. colleague from Acadie—Bathurst that he deserves to be admired for what he just said about this bill, which is really very ambiguous.

The court challenges funding is truly a democratic instrument. I must say that some of what he had to say about the Bloc was a bit too partisan, but I guess he felt the need to say it.

I would like to ask the hon. member for Acadie—Bathurst whether he thinks that private enterprise will take the place of public funding when it comes to defending collective rights.

Will the fishers in New Brunswick provide money? Will VIA Rail Canada, Bombardier in Quebec, General Motors in Ontario or construction companies provide funding, will they invest the funds that are needed to challenge oversights and regulations that are often to the detriment of minorities? These minorities often consist of disadvantaged people. Can neo-liberalism replace public funding?

I would like to ask my colleague whether he thinks we could have public collections to replace this funding.

Mr. Yvon Godin: I would like to thank the hon. member for his question. The answer is no.

The Conservative Party should just say now that since judges are paid with taxpayers' money, we are going to take their pay away because they are no longer needed to interpret our laws because the Conservative Party is perfect. It will pass legislation and comply with it. That is the message the government is sending out. Individuals, however, do not have enough resources.

All the examples I mentioned, whether food inspection or the part of the riding of Acadie—Bathurst that was attached to Miramichi, were cases that were won.

There is the question of the RCMP. We should look at that. New Brunswick is the only province in Canada that is officially bilingual. The RCMP is a federal agency and provides services in New Brunswick. The federal government denies that it is responsible for bilingualism in New Brunswick. In its view, New Brunswick should see to it. I want the courts to pass judgment in this regard. I hope that this decision is favourable to minorities and states that the federal government is responsible for all its institutions, even when it is loaning out their services.

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Take the case of Montfort hospital. Would companies like Bombardier, Chrysler or the Irving family in Bathurst have helped it to survive? No. The answer is no. The government is responsible for handing out money to communities so that they can defend their rights and force compliance with the law. That is what real democracy is all about.

• (1155)

Hon. Raymond Simard (Saint Boniface, Lib.): Mr. Speaker, as everyone undoubtedly knows, I represent a Manitoba riding. When the province of Manitoba was created, francophones and anglophones were essentially equal in numbers, although francophones were the majority at one time. That did not last very long. Anglophones soon surpassed them in numbers and eventually suppressed the rights of the minority for 80 years. As the hon. member for Acadie—Bathurst no doubt knows, Georges Forest took matters into his hands and fought all the way to the Supreme Court. He did so with his own money and suffered tremendously as a result.

So, I am astonished that the Prime Minister would rise in this House and say that the court challenges program was a waste of money, that it only went to pay legal fees to Liberal lawyers. I find that entirely unacceptable.

Here is my question for my hon. colleague. Last year, when the Standing Committee on Official Languages voted in favour of Bill S-3, was that a political decision or not? Indeed, how can one vote in favour of Bill S-3, which essentially gives francophones the right to defend their constitutional rights, only to later take away the main tool that allows them to do exactly that? This is my question for the member for Acadie—Bathurst.

Mr. Yvon Godin: Mr. Speaker, that is exactly the problem. I would like to thank the member for Saint Boniface for his question.

It makes no sense that the people whose rights have been violated are forced to go to court to fight for their convictions in the hope of changing the interpretation of the law to help an entire community. They truly believe they can win even though their whole family will suffer in the process. The government will deploy a whole team of lawyers selected according to the O.J. Simpson model to take on one defenceless individual. Apparently those lawyers would not be Conservatives. Perhaps the government would send only lawyers with new democratic sympathies.

That is what scares me. We should all be scared of this; we should condemn it and refuse to accept it.

I would like to conclude my response to this question by asking the government to really think about what it has done. The Conservative government includes members from Quebec—francophones. They have a responsibility. Some of them said they knew all about the Conservatives, but decided to join the party so they could moderate things and ensure their fellow party members understand francophones. It is time they started talking to them, because things are going very badly. Things are going badly because they are already cutting programs for minorities. Those francophone members have a responsibility—maybe they think this situation will pass and that everything will work out in three years. This is how it is working, and I suggest the francophone members from Quebec wake up right now because they are not doing their job. I am sorry, but they are not helping us, not at all. Furthermore, the

Minister for la Francophonie and Official Languages is a francophone from Quebec, and she did not even stand up for this issue.

Please forgive me, but this is very disappointing.

• (1200)

Hon. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): Mr. Speaker, this is a sad day for me and I know it is a sad day for my colleagues in the Liberal Party, the official opposition, but it is also a sad day for many Canadians and Quebecers. This so-called new Canadian government, this Conservative minority government, is cutting funding to Canada's court challenges program.

[*English*]

I sat here stupefied listening to the parliamentary secretary, the member of Parliament for Kootenay—Columbia, state today during the debate that the government believes in creating laws that protect the constitutional rights of people. He said that the constitutional court challenges program is inherently flawed in that it encourages special interest groups to promote issues not supported by the majority of Canadians, that the court challenges cases are a misuse and wasteful use of taxpayers' money, and that this new Canadian minority Conservative government has proven its commitment to protect the rights of vulnerable Canadians.

I would like us to look at these statements that were made by the member for Parliament for Kootenay—Columbia on behalf of this new Canadian minority Conservative government. Let us look at the facts.

When the government and the Prime Minister state that the moneys that are used by the court challenges program is a misuse of Canadian funds and it is money that is used simply to finance Liberal lawyers, what are the facts? I have a letter dated October 2, 2006 written to the Prime Minister of Canada by a whole series of organizations that I will list. One of the points they make is as follows.

[*Translation*]

The Minister of Justice has questioned the accountability of the court challenges program. This is not a sustainable objection. The court challenges program has an established track record as an effective and accountable institution that promotes access to justice. It provides quarterly reports on its activities to the government and publishes an annual report with statistics on the number and types of cases that it has funded.

The annual reports are public documents and are available on the CCP's website: www.ccppcj.ca. It has been evaluated on three separate occasions by independent evaluators, most recently in 2003-2004, and received an extremely positive report each time.

The CCP is subject to some legal restrictions on disclosing information about cases that are before the courts. This information is protected by solicitor-client privilege and cannot be released by CCP, in the same way that legal aid organizations cannot divulge information about their clients.

I want everyone in this House and those watching this debate on television to hear this: the court challenges program's responsibility to protect this information was affirmed by a Federal Court ruling in 2000 in *Hirondelle v. The Queen*.

The Minister of Justice claims that the program is not transparent, that public servants or those in charge of the program are hiding information, but he is the one hiding information from Canadians because he is not telling the whole truth. He knows full well, as the Attorney General and Minister of Justice, that a Federal Court ruling has established when the program can disclose information and when the program cannot.

That is not all.

• (1205)

[English]

The member of Parliament for Kootenay—Columbia claimed that the court challenges program is inherently flawed in that it encourages special interest groups to promote issues not supported by Canadians. Let us look at the statement the parliamentary secretary made on behalf of his government.

Let us look at the partial list of organizations in Canada that are making their voices heard to save the court challenges program: Action Canada for Population and Development; Action ontarienne contre la violence faite aux femmes; African Canadian Legal Clinic; Alberta Association for Community Living; Alliance for Equality of Blind Canadians; ARCH Disability Law Centre; Association des juristes d'expression française de la Colombie-Britannique; Association des juristes d'expression française du Nouveau-Brunswick; Association of Chinese Canadian Lawyers of Ontario; B.C. Human Rights Coalition; B.C. Coalition of People with Disabilities; Brain Injury Association Network; Breast Cancer Action Montreal; Canadian Arab Federation; Canadian Association for Community Living; Canadian Association of Elizabeth Fry Societies; Canadian Association of Law Teachers; Canadian Association of the Deaf; Canadian Auto Workers Union; Canadian Bar Association; Canadian Council for Refugees; Canadian Council of Muslim Women; Canadian Federation of Students; Canadian Feminist Alliance for International Action; Canadian Hard of Hearing Association; Canadian Health Coalition; Canadian Internet Policy and Public Interest Clinic; University of Ottawa, Faculty of Law; Canadian Research Institute for the Advancement of Women; Canadian Union of Public Employees; Canadian Union of Public Employees, Local 2204 and Local 3260; Canadian Women's Health Network; Canadians for Equal Families; and Canadians for Equal Marriage.

[Translation]

The list also includes the Centre d'aide et de lutte contre les agressions à caractère sexuel, North Shore region; the Centre d'aide et de lutte contre les agressions à caractère sexuel, CALACS, in Rimouski; the Centre de communication adaptée; the Centre de femmes l'Éclaircie; the Centre d'éducation des femmes; the Centre Entre-Femmes de Rouyn-Noranda and the Centre québécois de la déficience auditive.

[English]

The list includes: CFT French Legal Aid Services; Charter Committee on Poverty Issues; Child Care Advocacy Association of

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Canada; Child Care Workers of Eastern Ontario; Chinese Canadian National Council, Ottawa Chapter; Coalition of Persons with Disabilities; Community Advocates Network; Community Business and Professional Association of Canada.

[Translation]

Also on the list is the Confédération des organismes de personnes handicapées du Québec.

[English]

The list includes: Congress of Black Women of Canada, Manitoba Chapter; Council of Canadians with Disabilities; Cross-Disabilities, Genders, and Sexualities Working Group; Dalhousie Legal Aid Service; DisAbled Women's Network, Ontario; DisAbled Women's Network Canada; Disabled Workers' Complex Case Network Inc.; Dundurn Community Legal Services; East Toronto Community Legal Services Inc.; Egale Canada; Elementary Teachers' Federation of Ontario, Bluewater Local; Elizabeth Fry Society of Manitoba; Ethno Racial People with Disabilities Coalition of Ontario; Excalibur Learning Resource Centre Canada Corp.; Family Alliance Ontario.

[Translation]

In addition, the list includes the DisAbled Women's Network of Ontario; the Fédération des communautés francophones et acadienne du Canada; the Fédération des associations de juristes d'expression française de common law inc. and the Fédération des femmes du Québec.

• (1210)

[English]

Also on the list are: Federation of Post-Secondary Educators of B. C.; Feminist Coalition of Newfoundland and Labrador; Feminists for Just and Equitable Public Policy; Front d'action populaire en réaménagement urbain; Greater Vancouver Association of the Deaf; Grey-Bruce Community Legal Clinic; Halton Community Legal Services; Hamilton Mountain Legal & Community Services; Income Security Advocacy Centre; Institut canadien de recherches sur les femmes; Jamaican Canadian Association, Toronto; Jesuit Centre for Social Faith and Justice; John Howard Society of Manitoba Inc.; Justice for Girls; Kamloops and District Elizabeth Fry Society; Kelowna Women's Resource Centre; Kenora Community Legal Clinic Suite; Kensington Bellwoods Community Legal Services; Kitchen Table Collective.

[Translation]

Also on the list are the Table régionale des organismes volontaires d'éducation populaire de la Montérégie and the Association multi-ethnique pour l'intégration des personnes handicapées.

[English]

Included are the Law Office of Mary Eberts and the Law Union of Ontario.

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[Translation]

The list also includes the Centre francophone de Toronto; the Official Languages Committee of the Ontario Bar Association; the Front commun des personnes assistées sociales du Québec; the Mouvement action chômage Pabok Inc.; the Regroupement des comités logement et associations de locataires du Québec; the Centres d'accueil Héritage in Toronto; and Les Frères et Sœurs d'Émile Nelligan.

[English]

The list includes: Let's Teach About Women; Low Income Families Together, LIFT; Ligue des droits et libertés du Québec; Mad Student's Society; Maison l'Océane; Malaspina Faculty Association; MATCH International; Metro Toronto Chinese & Southeast Asian Legal Clinic; Mokami Status of Women Council—

[Translation]

The list also includes the Mouvement d'éducation populaire autonome de Lanaudière and the Mouvement d'éducation populaire et d'action communautaire du Québec.

[English]

Also on the list are: National Action Committee on the Status of Women; National Association of Women and the Law; National Council of Women of Canada; National Eating Disorder Information Centre; Newfoundland and Labrador Provincial Advisory Council on the Status of Women; Nipissing Community Legal Clinic; North Bay & District Labour Council; North Bay Network for Social Action; Northern Society for Domestic Peace; Nouveau Départ National—

And the list goes on: Okanagan Advocacy and Resource Society; Ontario Council of Agencies Serving Immigrants; Osgoode Hall Law Union; Pacific DisAbled Women's Network; Parkdale Community Legal Services; PEI Council of the Disabled; PRAXIS Conflict Consulting.

[Translation]

The list continues: Promotion handicap Estrie Inc.

[English]

Also on the list are: Provincial Association of Transition Houses and Services of Saskatchewan; Provincial Council of Women of Manitoba, Inc.; Public Service Alliance of Canada; Quebec Community Groups Network; Quebec English School Boards Association; Quebec Native Women.

[Translation]

In French, this is Femmes Autochtones du Québec.

[English]

Also on the list are: Refugee Law Office, Toronto; Registered Nurses' Association of Ontario.

[Translation]

The list also includes the Regroupement des centres de femmes du Québec; the Regroupement des femmes de l'Abitibi-Témiscamingue; the Regroupement des associations de personnes traumatisées cranio-cérébrales du Québec; the Regroupement provincial des

maisons d'hébergement et de transition pour femmes victimes de violence conjugale; and the Regroupement québécois des centres d'aide et de lutte contre les agressions à caractère sexuel.

[English]

Also on the list are: Response: A Thousand Voices; Roach, Schwartz and Associates; Saskatchewan Voice of People with Disabilities; and Selkirk College Faculty Association.

Mr. Speaker, I have two other pages of groups that have voiced their support of maintaining the court challenges program and its funding in all its integrity. These are what the member for Kootenay—Columbia calls special interest groups that promote issues not supported by Canadians.

Let us look at that as well. Let us look at the issue of whether or not the cases which are funded in part by the Canadian court challenges program touch on issues which are of interest to the majority of Canadians.

Let us look at the case of *R. v. Prosper* in 1994. In this case, the Supreme Court of Canada considered whether an impoverished accused upon arrest had a right to state funded counsel. An intervener in the case argued that depriving poor people of access to counsel would result in inequality in access to justice that would be inconsistent with section 15 of the charter. The court held that where an arrested person requests counsel, the police must desist from attempting to obtain a statement until counsel has been provided. Justice McLachlin, who is now the chief justice of the Supreme Court of Canada, in a concurring judgment noted:

—the Charter right to counsel cannot be denied to some Canadian citizens merely because their financial situation prevents them from being able to afford private legal assistance. The poor are not constitutional castaways.

I ask the member for Kootenay—Columbia who is a parliamentary secretary, I ask the Prime Minister, I ask members of his cabinet, I ask the government which is so proud to call itself the new Canadian government but in fact is a minority Conservative government, how they can deem the right of someone who does not have the financial means to secure counsel upon arrest once that person has been arrested, to state that they are constitutional castaways? The chief justice of the Supreme Court has said they are not constitutional castaways.

I would like to go to another case. This will be a case of great interest for those who know that there still exists bias within our society. Most Canadians abhor bias, bias in our legislation and bias in decisions by government officials who have, in many cases, a great deal of discretionary authority and power under various legislation.

R v. S, 1997 is an important case about judicial bias. At issue were remarks made by a black Nova Scotia judge in considering the credibility of both a police officer and R.D.S., an African-Canadian youth. The police had charged the youth with a number of criminal offences relating to an altercation between the police officer and the boy. The youth and the police officer each gave a very different account of the events leading up to the charges.

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Judge Sparks weighed the evidence of the two witnesses. She then determined that the youth should be acquitted as the evidence raised “a reasonable doubt as to the youth's guilt”. In her oral reasons, Judge Sparks observed that in some situations, “Police officers do overreact, particularly when they are dealing with non-white groups”. The Crown challenged her remarks as raising a reasonable apprehension of bias. In the view of the Crown, a reasonable person would think she had prejudged the case without giving proper consideration to all of the evidence.

• (1215)

There was a court challenge on that. The Supreme Court of Canada decided that Judge Sparks had not acted in a biased manner. Moreover, Justices L'Heureux-Dubé and McLachlin, and I remind members of the House and the new minority Conservative government that Beverley McLachlin is now the chief justice, determined that by paying attention to the racial dynamic in the case, Judge Sparks was simply engaging in the process of contextualized judging. As they stated, “It is perfectly acceptable for judges to take into account not only the facts of the case but also the social and psychological context within which the case arises”. They recognize that judges are members of communities, have particular knowledge of such communities and are often guided by this knowledge. Consequently, as a person familiar with the racial dynamic of Halifax, particularly where police are concerned, it was reasonable for Judge Sparks to apply this knowledge.

I conclude in showing—

• (1220)

The Acting Speaker (Mr. Andrew Scheer): Questions and comments, the hon. member for Windsor—Tecumseh.

Mr. Joe Comartin (Windsor—Tecumseh, NDP): Mr. Speaker, we have heard repeatedly that the major reason the government cancelled the court challenges program is the government's pronouncement that it is perfect. The government states that there will be no need for the court challenges program because any law passed by the current government, and one has to presume also laws that will be passed to correct mistakes made by the previous government, will all be perfect and there is no need for a court challenges program.

The second statement of fact that is generally accepted now is that more than half of the court challenges that have occurred up to this point against governments have been against provincial governments and not the federal government.

Based on those statements I ask my colleague if she has any information that explains how the government became perfect. I do not know if there is some divine inspiration or pronouncement from on high that the government is perfect, but I would like her to share that in light of all the groups that she listed that have indicated that they do not see the government as perfect and want the court challenges program to continue.

Even if the federal government is perfect, does the member have any idea of what methodology the government is going to deploy to make sure that provincial governments are also perfect when they pass legislation that affects individual citizens and groups?

Hon. Marlene Jennings: Mr. Speaker, I have no information that would back up the government's statement that it is perfect and that it will adopt only legislation that is constitutionally compliant and respects the Charter of Rights and Freedom.

However, if I simply take that premise and apply good faith to it, governments can adopt legislation that does adhere to our constitution and to our Charter of Rights and Freedom but we all know that the legislation must be interpreted and applied. At times a legislation that is perfectly constitutional and in fact charter proof, is not applied properly. There is a bias on the part possibly of the agent charged with applying it. An example of that is *Baker v. Canada*, Minister of Citizenship and Immigration, 1999 2 SCR 817, which reads:

Many decisions affecting people in Canada are made by government officials who exercise considerable discretion. This judgment encourages the consideration of human rights values in such determinations.

This case was a challenge by a Jamaican born women who had worked illegally in Canada as a domestic worker for a number of years. She had four children born in Canada and after the birth of her fourth child she suffered postpartum psychosis and was diagnosed as a paranoid schizophrenic. She received treatment at a mental health facility for one year and then applied for landed immigrant status on humanitarian and compassionate grounds.

The agent who had the responsibility of examining her application and determining whether or not to approve it, denied her application and ordered her deported. The immigration officer noted:

She will...be a tremendous strain on our social welfare systems for...the rest of her life.

The Supreme Court stated that it was deciding the case in light of the duty of fairness and the principles of natural justice which govern public officials in their everyday dealings with the public. In reviewing the fairness of the decision making process, the court found that the immigration official showed an impermissible bias against single mothers and women with a psychiatric history. That goes to show why the court challenges program is required.

• (1225)

Mr. Pierre Poilievre (Parliamentary Secretary to the President of the Treasury Board, CPC): Mr. Speaker, the member is speaking today about questions of law but I noticed that she did not mention her party's soft on crime policies.

Our government, Canada's new government, has introduced tough new measures. We are bringing in mandatory jail time. We are putting an end to house arrest for serious offenders. We are banning street racing. We are raising the age of sexual consent to 16 from 14.

The Liberals stand opposed to all those measures. The Liberals are soft on crime. They oppose tough measures to crack down on violent offenders. They support house arrest for violent sexual offenders and they oppose raising the age of sexual consent to 16. They oppose all of those things and they are busy blocking those tough on crime measures in the justice committee.

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Why is it that the Liberal member did not stand and defend her soft on crime position? Is it because she does not want Canadians to know how soft on crime her party really is? Is it because she does not want her electors to know that our government is moving forward to keep our streets safe through tough measures to clean up crime?

Hon. Marlene Jennings: Mr. Speaker, I find it astounding that the Parliamentary Secretary to the President of the Treasury Board would make those kinds of statements which have absolutely nothing to do with fact. It is typical of that minority Conservative government to use smoke and mirrors to mask the fact that it itself does not tell the whole truth to the Canadian people.

I would like the member to answer why, given the partial list of groups, which I named in the House today, that have raised their voices in support of the Canadian court challenges program, he would stand shoulder to shoulder with his government in claiming that the court challenges program is inherently flawed and that it encourages special interest groups to promote issues not supported by Canadians.

I would like to know which Canadians do not support a challenge based on the fact that there was a bias demonstrated by a government official in applying legislation when he or she had to render a decision that affected the lives of four Canadian children and their mother. How can that member sit there and not raise his voice in opposition to his own colleague's statement that this kind of thing is a special interest group and is based on an issue that most Canadians would not support?

I do not believe that and the groups that I listed do not believe that. The majority of Canadians are completely supportive of the fact that we need to have a government funded court challenges program to ensure that individual Canadians who see their charter rights and constitutional rights being violated, intentionally or not, are able to defend themselves and their rights.

• (1230)

Mr. Pierre Poilievre: Mr. Speaker, I noticed that among the groups she listed that she did not list victims groups, victims of crime, who have been calling on the Canadian government to crack down on hardened criminals for many years. The Liberal government did not do it. We promised we would do it and we have done it.

We have brought forward 13 tough on crime bills before the House of Commons, such as raising the age of sexual consent from 14 to 16 and making minimum mandatory jail time for hardened criminals.

The member did not answer why her party continues to oppose those measures or why she continues to defend a soft on crime position. Why can the Liberals not be honest and say that they are in favour of soft on crime policies?

Hon. Marlene Jennings: Mr. Speaker, the Liberal Party of Canada, the official opposition, is in favour of our Constitution and of our Charter of Rights and Freedoms, including those that guarantee judicial rights. However, we have never claimed, as a government or as the official opposition, that we are perfect and that we would never adopt legislation that might violate an individual's constitutional rights or that the legislation is in fact constitutional but that those applying it might violate the constitutional rights and

guarantees of an individual, unlike the member over there. We also do not smear people.

Hon. Sue Barnes (London West, Lib.): Mr. Speaker, I would like to take a few moments to join in the debate because it is important for Canadians. It is important for the laws of this land to be constitutional and that governments treat Canadians with the rights they have guaranteed under our Constitution and in our Charter of Rights and Freedoms.

Sometimes, whether it is intentional or not, those rights are trampled on and Canadians, whether they are wealthy or average, need a vehicle available to them to go before a court, obtain an explanation of the rights they are allowed, if there has been an infringement, and have an announcement by the court at the end of hearing facts.

We do not have infallible governments. I do not care that this is characterized in a partisan way. It is not a partisan issue. I do not think any government is ever infallible on every aspect in which it engages.

I go to the guide section of the court challenges program. Right off the bat it states:

THE CANADIAN CONSTITUTION, INCLUDING ITS CHARTER OF RIGHTS AND FREEDOMS, PROVIDES FOR STRONG PROTECTIONS OF EQUALITY RIGHTS AND LANGUAGE RIGHTS. HOWEVER, RIGHTS IN LAW BOOKS DO NOT AUTOMATICALLY LEAD TO RIGHTS IN REALITY.

I think that is understood. Individuals or groups can find themselves in situations where governments refuse to respect their constitutional rights and in those situations people may have to take their governments to court. Courts have the power to force the government to bring its laws, its practices and its policies into accord with our charter, but we know that court action is expensive. It is often far more costly for those very individuals or groups whose rights are not being respected or they themselves belong to marginalized groups.

The role of the court challenges program is to provide the financial support to people who want to use the courts to have those rights respected but lack the funds to do so on their own and, more specifically, it provides financial support to test cases that help to protect and advance the language and equality rights guaranteed under the Canadian Constitution. Aside from funding these cases, the program also funds activities that increase the awareness of the constitutional equality and language rights which fall under the program's mandate.

There are applications. Not just anybody gets it. There is a process of screening. There are funding criteria for the program. Federal laws, policies or practices could be challenged. It has to ensure that it is a test case and not already one that has been decided.

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Some examples of equality cases that have been funded were, first, the first nations people when they opposed a section of the Indian Act that prohibited them from voting in band council elections if they lived off reserve; second, same sex couples seeking the same rights to certain benefits and deductions under the Income Tax Act that are accorded opposite sex couples; third, parents of children with disabilities who sought employment insurance for periods when they must be off work to provide care for their children; and fourth, the legality of the current laws that restrict the courts from admitting evidence of prior sexual activity on the part of sexual assault complainants.

What can the program not fund? It does not fund any case that covers an issue already funded by the program or that is already before the courts. It does not cover challenges to actions taken by provincial governments, complaints under the Canadian Human Rights Act, challenges to provincial laws, policies or practices and public education, community development lobbying or political advocacy.

We should be very concerned when a government thinks it is appropriate to cut funding. The words I have heard are, "We just don't want to pay people to sue us," or comments of that nature.

•(1235)

I could understand that if this minority Conservative government took great care with the constitutionality of the pieces of legislation that have been brought here, but I am very concerned, as I think all opposition members are, that this government has shown a lacklustre concern, shall we say, for constitutional issues. If something is challenged down the road and a few people's rights are trampled on in the meantime, that seems to be good enough for the government.

It is not good enough on this side of the House. Somebody has to take responsibility for protecting people's constitutional rights and protecting their rights under the Charter of Rights and Freedoms. It is true that we are getting a large number of pieces of legislation coming forward, but does that equal a deliverable law and order agenda, for instance? Or does one put questionable pieces of legislation before this House and then take away the very funding that some of the marginalized people under those pieces of legislation perhaps would have access to with the court challenges program, in order to question their government when they feel the government has gone over the line?

These are not new thoughts. This is a program that was established in 1978 to provide access to justice in relation to minority rights. In 1982 Canada received the Charter of Rights and Freedoms and it came into force. In 1985 the program included funding for equality rights cases under section 15 of the charter. We know that in large part the historically disadvantaged groups in our society have been the ones to utilize this program. They are not the only players in the system, but in large part we have those people who are being challenged in many other ways being able to bring their cases for a proper determination before the courts.

I will quote the parliamentary Standing Committee on Human Rights and the Status of Disabled Persons, which said, "This program has made a critical difference in bringing constitutional rights within the reach of francophone parents, aboriginal women and persons with disabilities".

The court challenges program guide tells us that the program is happy to support "test cases that help to protect and advance the language and equality rights guaranteed under the Canadian Constitution".

We need these funds because this funding is not going to come from any other place. We have to know that the clarification of the linguistic aspects of freedom of expression is an important right where we have official languages in more than one language. We have minority language rights in nearly every province and territory in this great country of ours.

We are not talking about great sums of money here. Far greater than the sums of money involved are the great principles involved. We have been proud of this as a country and when we Liberals were the government we made sure this program continued and was funded.

I have been receiving letters from across the country, as have many of my colleagues. Some of them are copies of letters sent to the Prime Minister or the Minister of Justice or the Minister of Canadian Heritage and Status of Women, but some come directly to us.

We know that sometimes their words are better than our own words. I will go to one letter from a lady in Wolfville, Nova Scotia. She talked about a resolution of the Canadian Bar Association urging the government to continue funding for the program. She said:

In fact, the CBA placed so much value on the impact of the Court Challenges Program with regard to protecting the rights of marginalized and vulnerable groups, that it saw an urgent need to increase funding—not cancel it.

The CCP clearly plays a fundamental role in upholding our Constitution. It brings Charter protection within the means of all citizens. Groups that currently access the Court Challenges Program play a vital role in ensuring that economic barriers do not deny Canadian citizens their rights.

Clearly, without the Court Challenges Program it will be much easier for governments to violate the Constitution. This program gives a voice to those who otherwise would have no practical means through which to challenge the courts. Without the ability to challenge—constitutional rights can become meaningless.

•(1240)

I guess that is so unless we have enough money to hire our own lawyer each and every time and we are constantly tracking this, but it is for those who are most vulnerable in our society that we need such a program.

Let us go to some of the other letters that I have had, one from members of the Faculty of Law at the University of Ottawa and professors of law. They sent a letter dated September 25 that talks about the court challenges program, "a national non-profit organization...to provide financial assistance for important court cases that advance language and equality rights guaranteed under Canada's Constitution".

They were concerned because they were hearing news reports that the government was considering cancelling the program. They sent a letter in urging the federal government to continue the important program. They again referred to the Canadian Bar Association's resolution to "increase its funding in order to ensure its long-term... stability". Certainly the government does not listen to these people who have a lot of experience with the program.

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The letter went on to say:

The Court Challenges Program serves a vital function in our constitutional system. The CPP plays a fundamental role in our system of constitutional governance ensuring government accountability, insisting on the rule of law and ensuring equity and access to justice for Canadians.

The Court Challenges Program has made possible some of our most important Charter cases. It has been praised by United Nations bodies. It contributes to Canada's international reputation as a just and democratic society. It is an important mechanism to ensure that constitutional rights set out in our Constitution are meaningful—

The writers mean not just words on paper, but “meaningful”.

—to all Canadians. It deserves strong support.

This was signed by people who are professors of law at the University of Ottawa here in the capital region.

The Alliance for Equality of Blind Canadians sent the minister a letter dated September 23 and said to him that it was:

—writing to you to express our grave concerns over press reports that the Court Challenges Program...is being reviewed, and in jeopardy of being de-funded by your government.

That is the new government. The letter continues:

—achieving coverage under Canada's Charter of Rights and Freedoms represented an important milestone for all equality-seeking groups and individuals. Nevertheless, Canadians with a disability still face numerous barriers to the achievement of our goal of full participation and equality in all aspects of Canadian society. Today, people with disabilities remain among the poorest of the poor living in Canada.

Going to court is expensive. It is critical that groups such as ours have the resources to enforce our hard-won rights under the Charter. The Court Challenges Program plays a critical role in providing resources to our community to make needed litigation under the Charter possible. This litigation has also provided our community—

I am talking about the Alliance for Equality of Blind Canadians there. The letter continues:

—the opportunity to clarify for governments their obligation to protect such rights.

A right which does not include recourse to a legal remedy amounts to no right at all. Having rights without the resources to enforce them will inevitably result in serious setbacks to the progress made by people with disabilities in Canada.

The AEBC strongly recommends the Court Challenges program continue to receive funding from the Government of Canada.

The letter is signed by the president of the association.

The Quebec English School Boards Association sent a letter dated September 22 to the Minister of Justice. The president of that association talks about the rumoured cancellation of the court challenges program by the Conservative government, saying:

As the association representing Quebec's nine English school boards, QESBA speaks on behalf of a universally-elected level of government that answers directly to the members of Canada's English speaking linguistic minority community. In that capacity, we call upon you to confirm publicly that your government will maintain the Court Challenges Program.

● (1245)

We take as a given that your government respects and recognizes its legal and moral commitment to preserving and developing Canada's linguistic minority communities. Canada's Charter of Rights and Freedoms is the cornerstone of that commitment. The Court Challenges Program is an essential tool allowing our communities access to Canada's Courts to ensure that the rights and protections we are afforded in the Charter are upheld, understood and respected by all elements of Canadian society.

The pertinence of the Court Challenges Program of Canada has been recognized by the Canadian Bar Association. Important decisions on minority-language schooling, access to services, and key issues regarding freedom of expression have

been rendered after interventions funded by the Court Challenges Program. Many of those interventions would have been impossible to initiate without the program's support.

Not hard to initiate, says the association, but “impossible to initiate”. The letter continues:

Quebecers are particularly exposed and sensitive to minority-language questions, both those affecting our communities and those affecting francophone communities in the rest of the country. Any move toward the elimination of the Court Challenges Program would surely be greeted with much opposition in my home province.

The president then respectfully asks the Government of Canada “to do the right thing and announce promptly the continued support of the Government of Canada for the Court Challenges Program”. Let us imagine the disappointment of the writers. Let us imagine their surprise.

On this side of the House, we know that the right thing to do is to put those funds back. We know that we had a \$13 billion surplus and we know that this is a question of priorities. There are many, many good programs seeking funding from this House. There are very, very few programs that help those who are less advantaged in our society have access to the courts to make sure their voices and those whom they represent can have a say in obtaining rights that are theirs.

We did not say, when we gave this country its Charter of Rights and Freedoms, that only wealthy people who could afford lawyers would be able to have access to their rights. We said that this was for one and all. We said that this was for Canadians, that it was something to celebrate. Most of us in this House celebrate the Charter of Rights and Freedoms. Most of us in this House know that legislation has to meet constitutional tests.

I personally do not understand why this program would have been targeted. I do not want to impugn motives to people on the other side. But the reality is that they have cancelled an important program. The reality is that we have equality issues in this country. The reality is that minority language rights have to be upheld throughout the country. And the reality today is that the Conservative government has limited access to the courts through the cancellation of the funding for this program.

These are facts, indisputable facts. Why has the government done this? Because it got great advice from Canadians saying they hate the program? No, that is not the reason. This is ideological. The government is either saying it is perfect and has it right all the time, or it is saying to heck with constitutional rights. If somebody wants to spend their own money, not government money, not taxpayers' money, not in our value system as a nation together, then they can do it on their own time and their own penny. What does that say about the thinking of the current government? What does that say about how it values the access and equity issues among the most disadvantaged Canadians?

I note your signal, Mr. Speaker. I have other letters here. My colleagues and I have lists of organizations that have contacted us. I must put on the record that I have not had one phone call or received one piece of correspondence saying, “Hurrah for the government. It cancelled the program”. Not one. I have not seen that.

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I think that is important. It is not only this area that has been cut off. I see a pattern developing. I see my friends on the other side getting ready to pounce, so I will put it on the record now. I see a pattern developing in which the government is telling Canadians it is protecting law and order in this country just because it is piling up legislation. But as members will know, people are working in this House every day on legislation. Members of the justice committee whom I work with every day are working through legislation. In fact, we just added another weekly meeting to our agenda to be able to work through legislation, and we will make sure that it is constitutional.

• (1250)

Mr. Pierre Poilievre (Parliamentary Secretary to the President of the Treasury Board, CPC): Mr. Speaker, this is a question of laws and a legal debate. That is why I was so curious to hear the member speak for a very lengthy period, yet fail to mention where her party stood on our government's tough new measures to crack down on crime.

We have introduced numerous measures. We are raising the age of sexual consent from 14 to 16. We are bringing in minimum jail time for serious offenders in place of house arrest for those serious criminals.

The member of Parliament is soft on crime and opposes these measures, but she does not want to say so out loud. She does not want her constituents to know where she stands on those issues.

The member does not have any view on our plans to toughen up dangerous offenders laws to keep them in jail indefinitely unless they can prove they are safe. She does not have any views on our decision to ban street racing. She does not have any views on any of those things. She will not tell us where she stands on a single one of those new measures.

She should stand in her place and admit that she is against those tough new measures and that she is against the majority of Canadians who support those measures. She talked about a lot of interest groups that are angry about some of the spending reductions we have made. She did not speak about the victims' groups and the police groups that have stood up very strongly and supported our tough new measures to crack down on crime.

Therefore, I urge her in her response to finally come clean with Canadians and admit that she continues to be soft on crime and that she and her party will continue to oppose our tough new measures all the way through the process.

Hon. Sue Barnes: Mr. Speaker, the debate today is on the court challenges program. That may have escaped the attention of the member on the other side of the House.

I am looking at a letter dated September 27, which has come from a gentleman in Toronto. He said:

I know I am not the only white middle-class male to use the Charter to challenge inequitable laws—I share that distinction with yourself, Mr. Prime minister, who successfully challenged the federal electoral law. The Program is a uniquely Canadian initiative to help make Government more accountable to the people, a goal the Conservative Party has itself put forward and that I certainly share.

If you don't like the way the Program is administered, I suggest an all-party parliamentary committee be convened in order to suggest ways to improve the Program, but please don't throw the baby out with the bathwater.

In relationship to each and every one of the justice legislation that comes before the House, as justice critic for my party, I give a speech in which the position is put not only of myself but of my party. With our votes and consultation, just like every party in the House, we make our decision whether to move a bill through the process of going through the committee stage and coming back into the House. We participate fully on that.

There is no doubt my constituents know where I stand on each and every issue because I tell them. I tell them not only here in the House, but I tell them at home and through my communications. Therefore, the member should not worry himself about issues that are not relevant to the debate on court challenges, because I do take care of my own constituents. Not everyone in the House has the ability to think that all their constituents agree each and every time, on each and every issue. That certainly has not happened in my constituency and I dare say that it has not happened to any other member of Parliament.

Everybody is entitled to their stance on an issue. Over time people come to realize that the laws of the land have to be developed in accordance with the Constitution and in a manner that helps the public safety because they will be effective laws that are passed. If good laws were put forward and not hastily put together and if they were consulted widely on in advance in the preparation, a lot of the problems with the legislation we at the justice committee face today and in the weeks ahead would be much simpler and we could efficiently go through them.

As it is, as of yesterday we just added an extra meeting every week for the justice committee to sit in order to do our work more effectively.

• (1255)

Mr. Joe Comartin (Windsor—Tecumseh, NDP): Mr. Speaker, we have heard the President of the Treasury Board repeatedly, in his bombastic fashion here in the House, say that the Conservatives were happy about getting at this program and killing it because almost all the money went to Liberal lawyers.

We know the facts. A good deal of the money does not go to lawyers at all. It actually goes for court costs and expert witnesses in these court challenges. A great deal of the legal time is donated time by lawyers across the country from all political parties, including my own.

Does the member have any facts that substantiate the accusations that a large number of Liberal lawyers were recipients of funds? What percentage of the money spent on this program actually went to lawyers as opposed to court costs and expert witnesses, et cetera?

Hon. Sue Barnes: Mr. Speaker, we are talking about the fanciful argument that we are used to getting from the new government. Conservatives make things up like this. I have no factual basis to buy into anything of that nature.

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However, the reality is there are court costs and this program, in large measure, helped to fund the availability for access to the courts. The most important issue we should address is the fact that funding has been cut, funding that gave marginalized individuals and groups that had real issues to bring before the courts cases involving their language rights and often education rights.

A lot of these cases have been in my area. *Susan Abbey v. Essex County Board of Education* was a language rights case. The judicial rights case, *R. v. Beaulac* in 1999 was groundbreaking case in the development of judicial rights. Public services section 20 of the charter grants the right, without exception or limitation, to communicate with the central office of institutions of the Parliament and Government of Canada and the legislature and government of New Brunswick and the official language of one choice.

These are cases that were really important in enunciating principles where rights were being trampled and people had to take that right. There is no other way to say it than those access rights are now being taken away. I do not see how any government can defend this situation and how it can take away, summarily, the moneys that go to the heart of upholding our Constitution and our Charter of Rights and Freedoms.

• (1300)

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, earlier a member of the heritage committee from the Conservative Party made the case that we should be making laws in Parliament, that is where we do the scrutiny, that is where we deal with the constitutional issues, that is where we deal with the Charter of Rights and Freedoms. As a consequence, he said there is no need for the court challenges program.

I would think there is an evolution, just like the Supreme Court has said. It is like a tree; it grows. There have been some very important cases that have gone through the court challenges program. It would be useful if the critic would advise the House of a couple more of the cases, which go right to the heart of the rationale for having an effective court challenges program.

Hon. Sue Barnes: Mr. Speaker, *R. v. Beaulac* in 1992 is another case considered key to women's equality. The Supreme Court of Canada dealt with the constitutional validity of the definition of obscenity in section 163 of the Criminal Code. For the first time, the court articulated contextualized harms-based tests for determining when material should be considered obscene.

Now the Conservative government has taken the words "equality" out of the mandate of Status of Women. Therefore, we can participate, but we cannot be equal. Is that what we are saying? Last week, when I was in my university classrooms and on the radio locally, the thing that appalled most people was the fact that equality was taken out of the mandate of Status of Women in the mission statement.

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, I will try to make the most of what little time we have left, but I do appreciate the opportunity, on behalf of the NDP caucus, to enter into the debate.

I would like to recognize and pay tribute to my colleague from Ottawa—Vanier for bringing the issue to the floor of the House of Commons today by moving a concurrence motion to a report from

the heritage committee. It is timely. He is doing a service to the country by bringing this fulsome debate to the House of Commons today.

This is an issue that the government clearly wanted to slip in under the wire, with very little fanfare and very little notice. We are not prepared to let this issue go under the table. We will not let the government slip it under there without having a full scrutiny debate in the House of Commons and without a vote in the House of Commons. We want to shine the light of day on what really is going on with this issue so the government does not get away with it, not if we can help it.

The federal government would have us believe that it is eliminating the court challenge program because it is somehow frivolously funding every Tom, Dick and Harry to sue their own government over legislation that it puts in place. Essentially this is the answer we heard in question period when the President of the Treasury Board was pressed on this issue. We were pressing the minister for the business case. We were pressing him for some reason, some rationale as to why this heavy-handed move was justified. This is a deliberately simplistic and misleading overview of what the court challenge program does.

The one thing that the member for London West has done for us is spell out, not just what the federal court challenge program does, but the things that it does not do. It certainly does not provide funding to anyone who wants to sue the federal government. There are very rigid tests. The bar is set very high as to what type of challenges qualify for any support under the court challenges program.

It is a matter when legislation, by omission or commission, offends the Charter of Rights and Freedoms, or the Constitution of Canada, or it somehow is applied in such a way that a legitimate group of Canadians feel that they are not being treated equally by their own Canadian Charter of Rights and Freedoms. The highest duty of a member of Parliament is to ensure that all Canadians are treated equally.

I am proud to say that this is one country in the world where equality is our main objective, which is not the case everywhere in the world. In Canada we have very meticulously written in to the Charter of Rights and Freedoms the assurance that Canadians can count on being treated equally as far as the application of services, benefits or anything provided by the government. Therefore, it is not a nuisance to the government to have Canadians or organizations test the Charter of Rights and Freedoms by these regular court challenges. It strengthens our rights. Our rights are made more secure by these challenges.

We should keep in mind that the Canadian Constitution is not a rigid document. It is a living, breathing, evolving document that can benefit from these rare and infrequent tests and challenges.

We should at least start from the same base level of information as we ask Canadians to concern themselves with this debate. They should go into this with their eyes open. Clearly the government has tried to sneak this through in a flurry of other activity and other cutbacks, hoping no one will notice this relatively small budget line. Let us be fair. This is a very small amount of money on the global scale of things. Let us also ensure that misinformation is not what is guiding us here. We have to challenge comments from the President of the Treasury Board when he says that all the money just goes to Liberal lawyers anyway.

My colleague from Windsor pointed out that these challenges are often collaborative efforts by non-profit groups and NGOs. They find lawyers to work pro bono. The court challenge money they get, or the enabling money, is often used to pay for court costs, expert witnesses, research, et cetera.

• (1305)

Having laid that foundation, I challenge the veracity of both of the excuses given by the President of the Treasury Board. I think we could then begin to have a proper debate about whether or not we need this assistance in our judicial system.

Let me point to one case to illustrate how valuable this program can be. It is my own personal experience. In Winnipeg Centre the Community Unemployed Help Centre deals with people who are having trouble with their employment insurance. On behalf of one client, Kelly Leisuk, the centre launched a Federal Court challenge sponsored by the court challenge program. The centre maintained that the EI act does not treat women equally, that women suffer a gender imbalance with the application of EI as it was evolved by the Liberal government.

When the EI system went from a weekly based system to an hourly based system, women were disproportionately and negatively impacted in that more women worked low wage part time jobs and so women qualified less often for any EI benefits than men did. The empirical evidence was fairly straightforward. Frequent appeals to the federal government bore no satisfaction at all. We made the case to the federal government that the EI program was affecting women negatively, but the government of the day was deaf to this gender imbalance. The only avenue of recourse was to make a charter challenge under section 15, the equality provisions of the Charter of Rights and Freedoms, that the EI act as contemplated by the Liberal government offended the charter.

Where else would a non-profit workers' organization go? Its total budget, and I know because I sat on its board of directors, is \$250,000 a year. That funded four staff to advocate on behalf of people having trouble with their employment insurance. Where would an organization like that go to launch a massive Supreme Court challenge if not to the court challenge program?

When viewed in that light, it is an issue of natural justice, in this case on behalf of Canadian women. They would not have a voice and would not be able to have legal representation in this compelling matter were it not for the court challenges program. It is not unlike legal aid. We do not allow defendants to go into a courtroom unrepresented. They are given legal aid. No one argues if that is fair. It is a natural justice issue. In that same context, from time to time we need to test the veracity of our Canadian Charter of Rights and

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Freedoms and thereby strengthen it by these court challenges by legitimate groups within Canada.

I condemn the government for cutting the court challenges program. I thank my colleague from Ottawa—Vanier for giving us the opportunity to voice those concerns in the House today.

• (1310)

The Acting Speaker (Mr. Andrew Scheer): It is my duty to interrupt the proceedings at this time and put forthwith the question on the motion now before the House.

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

Some hon. members: Agreed.

Some hon. members: No.

The Acting Speaker (Mr. Andrew Scheer): All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Acting Speaker (Mr. Andrew Scheer): All those opposed will please say nay.

Some hon. members: Nay.

The Acting Speaker (Mr. Andrew Scheer): In my opinion the nays have it.

And more than five members having risen:

The Acting Speaker (Mr. Andrew Scheer): Call in the members.

And the bells having rung:

The Acting Speaker (Mr. Andrew Scheer): The vote will be held tomorrow at the end of government orders.

The House will now resume with the remaining business under routine proceedings.

* * *

[*Translation*]

PETITIONS

SUPPORTING COMMUNITIES PARTNERSHIP INITIATIVE

Mr. Christian Ouellet (Brome—Missisquoi, BQ): Mr. Speaker, first I wish to thank my colleague from the riding of Québec for the two petitions that I will present today regarding SCIPI, the supporting communities partnership initiative.

The first petition is from 119 individuals who signed for Gîte jeunesse inc., a community housing organization which is a centre for the prevention of mischief, vagrancy, and homelessness. This organization provides shelter and assistance to 100 youth almost every day. Consequently about 3,000 individuals in difficult circumstances are helped each year.

The second petition is from Centre femmes aux 3A. According to this petition, it is the government's responsibility to look after the disadvantaged in our society. There is a real need for SCIPI in our society and it is a valuable program for our communities.

Government Orders

[English]

QUESTIONS ON THE ORDER PAPER

Mr. Russ Hiebert (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, I ask that all questions be allowed to stand.

The Acting Speaker (Mr. Andrew Scheer): Is that agreed?

Some hon. members: Agreed.

GOVERNMENT ORDERS

[English]

SOFTWOOD LUMBER PRODUCTS EXPORT CHARGE ACT, 2006

The House resumed from October 16, 2006, consideration of the motion that Bill C-24, An Act to impose a charge on the export of certain softwood lumber products to the United States and a charge on refunds of certain duty deposits paid to the United States, to authorize certain payments, to amend the Export and Import Permits Act and to amend other Acts as a consequence, be read the second time and referred to a committee.

Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC): Mr. Speaker, I begin by thanking the hon. member for Vancouver Kingsway, the Minister of International Trade, for the leadership he has provided on the issue of softwood lumber. It is clear that on this side of the House we have consistently sought to represent the national interest. The leadership which our new Conservative government has shown on this file is a demonstration of a government that protects the interests of those who depend on their government to provide guidance and direction.

I am very pleased to represent the softwood lumber producers not only of my riding of Renfrew—Nipissing—Pembroke and eastern Ontario, but of all of Ontario in this debate.

Until recently, rural Ontario has had the voice of only two members when the policy of antagonizing our largest trading partner was put in place by the old government. Softwood lumber producers and workers are still feeling the repercussions of those disastrous days before.

I am pleased to be joined by many other voices on this side of the House who are not afraid to speak up for Ontario. The time has come to settle.

I have listened very closely to the interventions of members from Ontario who do not represent those areas of the province that have suffered as a result of the softwood lumber dispute. If those members could see the disruption of life in a household of a sole breadwinner where there is no other employment in a remote community, those members might understand why our new Conservative government put such a high premium on resolving the softwood lumber dispute.

Frankly, I am surprised by members from northern Ontario, such as the member for Thunder Bay—Rainy River, who decided to play politics with the future livelihood of forestry workers in their ridings. There is a time for politics and there is a time for statesmanship. I applaud the member for Sault Ste. Marie when he acknowledged the

benefits of the Free Trade Agreement which have been brought to the forestry industry, particularly to northern Ontario. Take the next step. I ask those members to think about the workers in their ridings who will benefit from this agreement when we vote on accepting this implementing legislation.

Considering the volume of trade between Canada and the United States, it is an accomplishment that there are so few trade disputes that do arise from time to time between our countries. Therefore, it was important for our new Conservative government to act and to resolve the softwood lumber dispute.

I appreciate that those softwood lumber workers who have recently experienced job loss look to our government for leadership. If only an agreement had been reached sooner, maybe those workers would not be in the position of being unemployed today.

It is totally insensitive to the plight of the unemployed softwood lumber workers to suggest that they should wait for a ruling that may or may not come, leaving their fate in the hands of some lawyers who have a vested interest in prolonging a dispute rather than seeing it resolved.

Our new Conservative government exchanged uncertainty for certainty, and certainty is what pays the bills.

It is my privilege to speak today as the member of Parliament for a riding where men still work the forest. I recognize the hardships that have been faced by the workers and their families as a result of the softwood lumber dispute.

While it may have been politically expedient for the old government and its left-wing supporters to sacrifice the workers and their families as they prolonged a dispute that in the end would have produced only losers, as we say in Renfrew County and in some other parts of Canada, it was time to either fish or cut bait.

• (1315)

Communities that are dependent on the lumber industry do not have the luxury of waiting for a room full of big city lawyers getting rich on endless litigation to finally say, "We have had enough. Let's settle".

Jobs have been disappearing at an alarming rate in rural Ontario. The need to keep jobs in the lumber industry to maintain our way of life is paramount.

The softwood lumber industry in my riding is characterized by small operations, many of them family owned, and by people who are not looking for handouts, just fair treatment.

The old government's softwood lumber policy caused significant unemployment in my riding. Worried softwood lumber producers called my office on a regular basis with the hope that the softwood lumber dispute was over. Families with their principal breadwinner unemployed wonder how they are going to survive this coming winter. In rural areas jobs are hard to come by.

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Ben Hokum and Son Ltd. in Killaloe; Murray Brothers in Madawaska; McRae Lumber in Whitney; Heideman and Sons in Eganville; D and S Calver Lumber near Pembroke; Gulick Forest Products and Thomas J. Newman Limited in Palmer Rapids; and Bell Lumber in Renfrew are just a few of the businesses in my riding affected directly or indirectly by this softwood lumber dispute.

It is clear this softwood lumber crisis could have been avoided. We all knew the softwood lumber agreement would expire when it did. If the previous government had been paying the slightest attention, it would have known that the American lumber industry was pushing for countervailing duties.

There was some idle talk about building alliances with American consumers and other interested groups to fight the countervailing duty imposed on our industry, but like all the talk on climate change, the old government was all talk and no action.

Softwood lumber is big business in Ontario, exporting \$2 billion worth of goods annually and employing 20,000 people directly, many of whom work in eastern Ontario. The gross regional income of the central and eastern Ontario economy is \$5 billion annually in the forestry industry alone. The region employs 133,000 people.

In the Ottawa Valley the forest industry supports nearly 4,500 jobs. That translates into 2,055 direct jobs, over 1,000 indirect regional jobs and another 1,295 indirect provincial jobs. Primary wood manufacturing is over 10 times the provincial average. In actual dollars and cents, our forest industry output is \$294 million annually. I can identify over 100 forest product companies that make their home in Renfrew County.

What is even more important in this debate over softwood lumber is how it was affecting our trading relationship with the United States. For value added products, the United States market is number one in Ontario. More than half of all forest products in Ontario are exported.

Members will understand why we on this side of the House use the term crisis when we refer to the state of the Canadian softwood lumber industry.

Those products have the largest export market in the United States. Exports from Ontario have increased by more than 100% since 1991.

The United States' construction industry is worth nearly \$700 billion U.S. every year, and it will continue to be the focus of Canadian wood product shipments.

It was imperative that our new government respect the special trading relationship we have had in the past and prioritize the need to resolve this trade dispute.

I urge all members to set politics aside and pass this legislation as quickly as possible.

• (1320)

Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.): Mr. Speaker, I listened with great interest to the hon. member's remarks. I would like to explore some of those remarks, more specifically, the logic that underlies the message the hon. member is sending.

The hon. member seems to be saying that when we are involved in a court case and we are up against a bigger, wealthier opponent, that we should give in as fast as possible, get the best deal that we can possibly get, and cut and run and get out of there. Not only should the weaker party give in and get out with the best deal they can but no one should help them financially to stand up for their rights.

Does the hon. member not see a parallel between her government's position on softwood lumber and her government's position on the court challenges program, where it is abolishing a program that is meant to give financial support to weaker, smaller parties that are standing up to the status quo to have their rights respected?

• (1325)

Mrs. Cheryl Gallant: Mr. Speaker, the return of more than \$4.4 billion U.S. marks a significant infusion of capital for the industry and will benefit workers and communities across Canada.

Even if Canada were ultimately successful in this round of litigation without a negotiated agreement, the U.S. lumber lobby could still launch a new case against imports of Canadian softwood lumber the following day starting a brand new lumber dispute. This agreement prevents that.

To those who continue to say that Canada was on the verge of a complete legal victory, the implications of continued litigation need to be more clearly understood. Even if Canada were to be ultimately successful in litigation, the U.S. industry could file a petition and request the imposition of new duty orders immediately thereafter. Meanwhile, the stability and predictability would continue to elude our softwood lumber industry.

Mr. Peter Julian (Burnaby—New Westminster, NDP): Mr. Speaker, I applaud the member for her courage because she is one of the few Conservative members who is actually willing to speak to this embarrassing, botched agreement, and Bill C-24 in the House of Commons.

We know the Conservative government is invoking closure and shutting down debate on this because it is so embarrassed by what has happened in the past week. However, this member has spoken up and I admire her courage. I know that 123 of her colleagues are going to refuse to speak to this because they are embarrassed, and they know that they have botched it and they dropped the ball.

What happened this week? Twofold. First, we have seen almost 3,000 jobs evaporate because of this agreement. In the first week of its implementation there are job losses in British Columbia, Saskatchewan, Ontario and Quebec. Right across the board it has been a complete disaster.

Second, last Friday the Court of International Trade ruled. We get every single penny back. That is its final judgment and the government was trying to stop that judgment from occurring.

So why are we giving away a billion dollars? Obviously, the member's notes were written before these two events, but I would like to ask this question. In light of the fact that we are now entitled officially, in the final decision of the Court of International Trade, to every single cent back and in light of the disastrous job losses in this past week, is the member willing now to revise her position? How does she justify to her constituents giving away a billion dollars when we do not have to?

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Mrs. Cheryl Gallant: Mr. Speaker, I am extremely proud of the work that the international trade minister has done in obtaining the \$4.4 billion back that had been paid in countervailing duties. This hard won agreement offers a practical and immediate solution, one that is supported by the major lumber producing provinces and a clear majority of the industry. This agreement is the best option for Canada.

Mr. Blair Wilson (West Vancouver—Sunshine Coast—Sea to Sky Country, Lib.): Mr. Speaker, I stand today to continue the debate and discuss a unique event in Canadian history.

Never before has a Government of Canada snatched defeat from the jaws of victory like this minority Conservative government has with the Canada-U.S. softwood sellout. Never before has a government fought a trade dispute in the courts, won every single case, and then turned around and dismissed these victories. Never before has a government thrown the rule of law completely out the window.

Never before has a government given up our leverage in our negotiations before making an agreement. Never before has a minister caved in to meet an artificial timeline that was of his own making. Never before has a minister bullied our own industries to please the United States. Never before has Canada witnessed a government that has gone to bat for political expediency instead of going to bat for hard-working Canadians.

Simply put, this softwood lumber deal is not a deal at all. It is a complete sell out.

Last Friday, the U.S. Court of International Trade ruled that Canadians are entitled to the return of every single penny of our \$5.3 billion that was illegally imposed by the United States and that we have free entry of our product into its markets. We finally have the United States in its own courts, so why is the government wiping away five years of legal victory? Why are we foregoing \$1 billion of the total duty owed and agreeing to a new border charge that can be as high as 22.5%?

This deal reeks either of complete incompetence or of complete inexperience, and I fear it reeks of both. The agreement that the minority Conservative government has rammed down Canadians' throats makes a mockery of free trade and turns over our domestic sovereignty to the United States of America. It also creates a sliding scale export tax that at current price levels is actually higher than the current U.S. duties, 22.5% versus the 8.5% that we were previously paying versus the 0% that we would have been paying after last Friday.

This agreement also abandons all our legal victories and gives up, as I said, \$1 billion to secure the peace. How long are we securing the peace for? For as much or as only two years.

This agreement also seeds our decisions over domestic resource management to the United States. Now Washington will be calling the shots in our very own forests. It caps the share of the American softwood market at 30% when in fact the previous Liberal government turned down a cap of 34%. This deal is actually worse than the deal we previously declined.

This agreement also contains anti-surge provisions that cripple the ability of our forest industry to deal with unexpected circumstances

such as the rise of the pine beetle infestation in British Columbia. It exposes firms to needless uncertainty by agreeing to a monthly measurement for surge protection when U.S. demand is highly variable on a monthly basis.

The agreement encourages other sectors to seek political decisions to get protection from Canadian industries, all but guaranteeing more disputes in the future.

It gets worse. Not only are we giving up more than \$1 billion, but we are returning over half this money, \$500 million, to the very U.S. lumber industry that we are engaged with, money that it will use down the road to attack Canadian industry.

Even American lawyers think the floor crossing minister was suckered in this deal. The inexperienced, incompetent Conservative government took the terms of the surrender and now Canadians will have to pay the price. They will have to pay the price in lost jobs, lost hope, and devastated world communities.

This deal was botched by the member for Vancouver Kingsway and, sadly, it was botched badly. Now our forestry industry, our forestry workers, and our Canadian communities will have to pay the price.

Over 360,000 Canadians are employed in the softwood industry. We have a well-earned international reputation for the quality of our wood and our products. It is not an easy time. They are also facing pressure from a high Canadian dollar, high energy prices, lower housing starts in the United States, and a shrinking demand for global newsprint.

This deal, I am afraid, will only worsen their plight, and has in fact already directly caused the layoff of thousands of workers in just the past 30 days.

● (1330)

Industry associations warned us that this Conservative deal would cause a disaster. The Ontario Forest Industry Association estimates that it would cause 10% of the industry to lose jobs, and we are well on our way. The Bank of Montreal expects more shutdowns of both pulp and paper and sawmill facilities. The Independent Lumber Remanufacturers Association warns that this deal would all but destroy this sector.

To add insult to injury, the minority Conservative government has continued to bully our industries into submission. The Prime Minister has backed Canadian softwood industry representatives into a corner and left them with no choice but to cede to this flawed deal.

There is a better way, however. We do have a choice. Canadians and this Parliament can say no this botched deal, and that is what we should have done from the start.

We should see our NAFTA challenge through to the end, as it has last Friday. We should implement an aid package immediately that will invest in improving our industry's competitive position, that will invest in skills of our workforce, and will work to develop new overseas markets for our wood products.

The Liberal Party cannot support this deal in good conscience, not when the Conservative government leaves \$1 billion on the table, restricts our future free trade with the United States, and results in thousands of layoffs instantaneously.

It is our duty as the official opposition to stand up for the interests of the Canadian lumber producers, for the 360,000 employees, and for the interests of all Canadians.

We stand opposed to the minority Conservative government's humiliating surrender and we oppose this weak deal to which it shamefully has capitulated.

• (1335)

Mr. Peter Julian (Burnaby—New Westminster, NDP): Mr. Speaker, we know that the Conservative government has invoked closure and is shutting down debate in this House. We also know that Conservatives are refusing to speak to the softwood lumber agreement because they are so embarrassed by it.

In fact, there are 123 Conservative sheep that will refuse to speak to it, despite the catastrophic job losses we have seen in the past week in Saskatchewan, British Columbia, Ontario and Quebec. There were nearly 3,000 jobs lost in the first week of this bad deal's implementation.

We also heard last Friday the Court of International Trade say that we have the right to every single penny back on the money that was illegally taken. We are giving away \$1 billion for nothing.

I would like to ask the member two questions. First, how does he react to the fact that we won in the Court of International Trade and we should get every single penny back? The only thing stopping us is the Conservatives and the Bloc working together to try to ram this bad deal through.

Second, given the fact that the Liberals and the trade committee stopped the hearings that were to take place across the country to hear from the public on this bad deal, would he be prepared to bring forward, with his colleagues, an actual proposal for hearings so that the international trade committee could go across the country and hear from the public on this issue?

Mr. Blair Wilson: Mr. Speaker, it gets back down to those three key points, but before I go into those three key issues, the question we all have to ask ourselves is, why would the Conservative government capitulate to a deal right now? We are winning in the courts. We have been winning in the courts. The rate at which duty has been applied has been consistently dropping from 27% to 11% to 8%, and now as of last Friday it was going to go to 0%.

I ask the Conservatives to rethink the process here. We have been winning every single court case that we have entered into.

At the same time, they decide that they want to now get in bed with the Americans and say that maybe they will capitulate to a deal. Of the \$5 billion-plus that was our money in the first place, that is owed to the producers of Canada, they will leave \$1 billion on the

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table for the Americans and \$500 million of which can be used any which way they want. Then they come to Parliament to see if they can ram this down parliamentarians' throats.

We all need to stand up and say no, this deal is not good enough for Canada. It is not good enough for the House of Commons and it is definitely not good enough for our industry.

Mr. Gerald Keddy (South Shore—St. Margaret's, CPC): Mr. Speaker, I listened with some chagrin to the fact that it seems as if the member opposite is not going to support the softwood lumber deal. I am quite shocked because I would expect he would want to support his own riding, and mills in his own riding, including Goat Lake Forest Products that has certainly written to the member and asked him to support the softwood lumber deal. Yet, he states that the deal is not good enough for him and it is not good enough for the country.

What it is, quite frankly, is a much better deal than the previous Liberal minister and government were able to get. It does not put exemptions. It does not pit one region against another. It is a good deal for Canadians, so why is it not a good enough deal for the member?

• (1340)

Mr. Blair Wilson: Mr. Speaker, I thank the hon. member for his question seeing as he is one of the few Conservatives who is willing to come to the House to debate this important Canadian issue today.

The question comes down to this. We have a floor crossing minister who imposed an artificial deadline for himself that he had to meet. Why, when one goes into negotiations, especially with the United States, would one impose a deadline on oneself?

Some hon. members: Oh, oh!

The Acting Speaker (Mr. Andrew Scheer): Order, please. I cannot hear the member's reply. There is a bit too much noise in the House and I would like there to be a little bit of order so I can hear the member's reply.

Mr. Gerald Keddy: Mr. Speaker, I rise on a point of order. The member talked about the floor crossing minister but he must have been talking about those ministers in the previous Liberal government.

The Acting Speaker (Mr. Andrew Scheer): That does not sound like a point of order. I will allow the hon. member to respond to the original question.

Mr. Blair Wilson: Mr. Speaker, what we need to ask ourselves is whether this is a good deal or a bad deal. On the face of the fact that we have been winning case after case against the United States and the fact that duties have been dropping from 23% to 8.5%, why would anyone, let alone Conservative politicians, accept a deal where we would give up \$1 billion and increase duties to our own producers?

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[*Translation*]

Mr. Serge Cardin (Sherbrooke, BQ): Mr. Speaker, it is again with pleasure that I will speak to Bill C-24. The last time I was supposed to speak at second reading but, because of the amendment by the Liberals who wanted to draw out the debate, I had to speak about the amendment. I will now speak directly to the bill at second reading.

Just now I heard something completely absurd from the Conservative member. It is extraordinary that such imagination is used to hide a government that is incompetent in the extreme. She said—and I am not quoting her directly as you can look in the *House of Commons Debates*—that had the members of Parliament accepted an agreement earlier, such as the one negotiated by the Conservatives, there would not be as many unemployed individuals.

In this House, there is no difference between the Liberal and the Conservative Parties. As I just recently became the Bloc Québécois critic for international trade, I decided to do a bit of research. In 2001, almost one year before the agreement expired, the Bloc Québécois proposed several measures to help the forestry industry.

The legal proceedings launched by Canada and by the industry had not yet begun when we proposed measures such as loan guarantees for the companies. At that point, there were not only the countervailing duties that were being paid; there were anti-dumping and anti-subsidy duties. The industry had a need for that kind of support.

All the while, the Bloc Québécois strongly recommended and called for loan guarantees to save the forest industry. Those loan guarantees were refused by the Liberals. One of the Liberal ministers became a Conservative and again the loan guarantees were refused. Such loans would have enabled the industry to survive the crisis while the suits to defend those rights, rights upheld by many tribunals, were pending before the courts.

Now, they tell us that they have an agreement. Normally in any economic transaction, in any agreement between two parties, if one party is adversely affected it is not the other party who gains. One does not give 20% of one's assets to the party that has treated one unfairly for years. Who was the winner in this affair? Who won a billion dollars? It was the United States.

How are we to understand that one party, on the strength of a number of decisions by various tribunals, having to wait perhaps only a few months more until the decisions are implemented, should agree to leave a billion dollars in the hands of our neighbour, who for all practical purposes had been exploiting us for several years? How can you explain such an attitude, unless it was to buy a special friendship with the Bush government?

As a result, the Prime Minister, his acolytes, his members and ministers, got together and prepared an agreement that means the forest industry will continue to depend, probably for many years, on the whims of the Americans.

In fact, we know that the Americans can call an end to this agreement whenever they feel like it, even if it is supposed to be guaranteed for seven years. I heard the Liberal member say earlier that, in fact, if the government had done its work properly, if it had guaranteed loans and provided support to the industry and to

workers in the forest industry, we could have waited and in the end we would have won at the international court, NAFTA and the rest. It was recognized everywhere that there was no dumping and no subsidies.

• (1345)

Now, with the agreement, we are certain that 15% duty will have to be paid and volume will be limited as well. That fact will create two classes within the forestry industry.

Quebec has agreed to option B. There is sometimes also a degree of latitude in the makeup of binational committees. I hope that Quebec will have its representatives on the binational committee. We will work for this to happen because Quebec is where the most business is done in lumber and forestry under option B.

Obviously, Quebec is going to have to defend its interests directly, given that it is the leading partner agreeing to option B. When I began to speak, I referred to the Conservative Party member. The Conservative Party today seems to be laying the blame for all the problems in the forestry industry at the doorstep of environmentalists, and directly targeting Richard Desjardins. But it is the Liberals and Conservatives who are responsible for the decline of the forestry industry.

If the Liberals had had the good fortune to be still in power after the last election, how far would they have gone in an agreement with the United States?

So it is obvious that we in Quebec were virtually unanimous in not wanting this agreement. The constraints manufactured out of thin air by both the Liberal and Conservative governments, one after the other, have strangled not only the industry but forestry workers as well.

Yesterday there was a vote, and one of the measures proposed by the Bloc Québécois was adopted by this House, a measure relating to a support program for older workers.

Today we learn that the program will probably be selective and will give preference to softwood lumber workers, the forestry industry and the textile industry. Are these rumours? There is always a kernel of truth in rumours. This program gains something for the forestry industry and the textile industry. But a worker who is 50 or 55 years old is still unemployed, regardless of what industry the worker comes from.

As the leader of my party recently asked, how can we completely forget about someone who has worked in a particular field for 30 or 35 years, whether it be forestry or the textile industry? We are dismissing these people with a wave of the hand. As well, eligibility for the program will be based on region. This means that we will be creating several classes of older people who are unfortunately facing unemployment and who are unable to find new jobs.

Overall, no matter whether the government was Liberal or Conservative, we can see that both, one after the other, have completely dropped the ball when it comes to the forestry industry. As we have already said, we will be making a point of supporting this bill, because the survival of the forestry industry and of those workers, and, I hope, the revival of that industry, depend on it.

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•(1350)

Mr. Peter Julian (Burnaby—New Westminster, NDP): Mr. Chair, I have the utmost respect for the member from Sherbrooke, who has done good work as part of the Standing Committee on International Trade. I listened with great interest to his speech about Bill C-24.

Despite my respect for the member, I must say that I do not understand the Bloc Québécois' position at all. Seventeen hundred families have been in dire straits for the past week because of this agreement. We all know that this is a botched agreement. Furthermore, it now includes a provision to discourage circumvention by preventing the Government of Quebec from changing its forestry policies without consulting the Bush administration.

Last Friday, the Government of Quebec learned that this provision prevented the government from taking steps to protect the hundreds of families in distress because of this agreement.

André Boisclair, leader of the Parti Québécois, said very clearly that this is a bad deal. He does not support the agreement; he condemned it.

I do not understand the Bloc's position. The Parti Québécois condemned the agreement because it ties Quebec's hands, but the Bloc still seems inclined to support it. I hope that will change.

My question relates to two provisions. As we all know, Bill C-24 was botched. Clause 10 effectively doubles the duties, and clause 18 provides for punitive levies against companies. Is the Bloc ready to work with the NDP and demand—

The Acting Speaker (Mr. Andrew Scheer): I apologize, but I must leave enough time for the member to respond.

The hon. member for Sherbrooke.

Mr. Serge Cardin: Mr. Speaker, when we sit on the Standing Committee on International Trade, the hon. member and I often take the same view on various subjects.

Given that I have supported his requests on several occasions and given the context he has described, I would hope that he will support us when we ask the government to choose some representatives from Quebec—political representatives and forestry industry representatives—to sit on the bi-national committees.

It is still possible to protect the Quebec forestry industry, even though certain provisions suggest that the United States government may put obstacles in the way.

I am convinced that if the hon. member helps us to get some industry and political representatives from Quebec, we will be able to work for the good of the industry.

Ms. Diane Bourgeois (Terrebonne—Blainville, BQ): Mr. Speaker, everyone agrees that the softwood lumber agreement is bad. The Bloc Québécois will support this agreement because our Quebec forestry industries have no choice. Either we support the agreement and the industries can recover part of the five billion dollars, or we do not support it and the agreement does not pass, in which case the companies will have nothing and will have to close down.

I would like my colleague to explain for us how we are losing a billion dollars. Where is this money going? Will some of it be going to our Quebec companies? Are we just losing it outright?

•(1355)

Mr. Serge Cardin: Mr. Speaker, I thank the hon. member.

Who really wins in all of this? As I said earlier, it is the United States government that wins: for all practical purposes, it wins a billion dollars for having forced the forestry companies of Canada and Quebec to go bankrupt, leaving workers unemployed.

That billion dollars is very easily divided up. Five hundred million is going to certain U.S. companies, to benefit the United States in the same sector. A \$450-million fund will be left to the discretion of the Americans. Fortunately Bush does not want and cannot have another term of office, because this would help him get elected. The billion dollars has mainly been used to develop specific friendships with the Bush government. There is \$50 million remaining, which could in the end benefit Canadian business because it is for initiatives designed to promote the use of lumber, from Canadian and U.S. firms alike. Fifty million dollars may seem like a lot of money, but if most of it goes back to the United States, nothing will be left for Quebec and for Canada.

[English]

The Acting Speaker (Mr. Andrew Scheer): It is about four or five minutes before 2 o'clock, so the hon. member for Selkirk—Interlake will have about four minutes before question period and can finish his speech afterward. The hon. member for Selkirk—Interlake.

Mr. James Bezan (Selkirk—Interlake, CPC): Mr. Speaker, I want to thank the Prime Minister and the Minister of International Trade for all the hard work they have done this year to bring about this deal on softwood lumber with our neighbour to the south.

I take great pleasure in speaking in the House to Bill C-24, a bill to implement Canada's obligations under the softwood lumber agreement. I ask all members of the House to support the bill.

Clearly, the softwood lumber agreement is good for industry, good for lumber communities and good for Canada.

I come from a rural riding myself and I know the hard times that rural residents have been facing. Our lumber communities during this long period of dispute have faced mill closures because of the tariffs and a long, drawn out and never-ending litigation.

The bill would bring prosperity back to the industry and back to our rural communities where the lumber industry is the mainstay. The bill would eliminate the punitive U.S. duties and would end the costly litigation that has gone on for far too long. Under this agreement, the U.S. will immediately dismiss all trade actions against our companies. It takes our lumber producers out of the courts and puts them back where they belong: in communities across this country, expanding their businesses and contributing to Canada's economy. It will provide stability for an industry hit hard by years of trade action.

Statements by Members

For the next seven to nine years no border measures will be imposed when lumber prices are above \$355 per thousand board feet. When prices drop below this threshold, the agreement gives provinces flexibility to choose the border measures most beneficial to their economic situation.

I should add that all export charged revenues collected by the Government of Canada through these border measures will stay in Canada. The softwood lumber agreement returns nearly \$5 billion, a significant infusion of capital for the lumber industry, and will bring stability to the workers and communities that rely on it.

We have even developed a creative deposit mechanism to ensure that lumber companies receive their money as quickly as possible. Upon filling out and returning the necessary legal and administrative documents, companies will receive their funding within four to eight weeks.

This is an agreement to be proud of. It is a practical and flexible agreement that ends this long-standing dispute on terms that are highly favourable to Canada's lumber industry and forestry workers.

STATEMENTS BY MEMBERS

[Translation]

COMMUNITY ORGANIZATIONS

Mrs. Sylvie Boucher (Parliamentary Secretary to the Prime Minister and Minister for la Francophonie and Official Languages, CPC): Mr. Speaker, I would like to acknowledge and thank three organizations from my riding which work with the most disadvantaged in society.

These organizations feed the heart as well as the body, and they put a balm on the sorrows of life. The Maison Agapè in Beauport, La Bouchée généreuse in Stadacona and the Salvation Army in Limoilou all work at giving every person in need their dignity back.

My thanks to the leaders and volunteers in these three organizations which, together, can provide assistance to more than 500 persons a week. I also wish to thank all the other organizations dedicated to helping the less fortunate get some dignity back.

* * *

• (1400)

[English]

INTERNATIONAL DAY FOR THE ERADICATION OF POVERTY

Hon. Belinda Stronach (Newmarket—Aurora, Lib.): Mr. Speaker, today is the International Day for the Eradication of Poverty.

At times, the challenges facing so many in the developing world can seem beyond comprehension and far too onerous to solve: the spread of aids, the absence of clean water, the lack of a good education and, at the root of it all, extreme poverty. One in five people around the world live on less than \$1 a day. What can any of us do?

We can help. We can stand as one, we can stand together and we can support some significant efforts, efforts like UNICEF's 25 by 2005, Girls' Education campaign; and efforts like the bed net program, where a \$10 bed net can help prevent malaria and increase a child's chances of survival by 20%.

Through efforts like the Make Poverty History campaign, we see that lives can be saved, living standards can be improved and real hope can be kindled. By joining Make Poverty History, we unleash the power of one and we become the change that the world has been waiting for.

* * *

[Translation]

STATUS OF WOMEN

Ms. Paule Brunelle (Trois-Rivières, BQ): Mr. Speaker, the Bloc Québécois is adding its voice to that of the Fédération des femmes du Québec and every one of its presidents, who denounced the \$5 million cut to Status of Women Canada. To make cuts in this already underfunded program while the government is sitting on a \$13 billion surplus is a sign of being dangerously ignorant and insensitive.

Also, the new funding criteria imposed on women's groups that advocate women's rights and are involved in political lobbying could prove fatal for a number of groups which are doing a tremendous and necessary job.

I say "necessary" because, while enshrined in official documents, women's equality is often de facto non-existent in many regards. Violence against women still prevails. The income of women is significantly lower than that of men. Women represent only 21% of elected representatives in the Parliament of Canada.

In 2006, women's groups are still necessary.

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[English]

NATIONAL HOUSING AND CO-OPERATIVES WEEK

Ms. Peggy Nash (Parkdale—High Park, NDP): Mr. Speaker, I rise in support of National Housing and Co-operatives Week.

There is a crisis of homelessness and a crisis of affordability across this country.

In my city of Toronto, 65,000 households are on a waiting list for assisted housing. It can take up to 12 years for a family to get a three bedroom apartment. In my riding, a project like Green Phoenix, which needs funds for energy efficient, affordable housing to house some of the most needy, may not be able to go ahead due to lack of funding.

We need a national housing strategy that needs all levels of government to make significant investments in affordable and co-op housing.

*Statements by Members***GLOBAL VISION**

Mr. Lee Richardson (Calgary Centre, CPC): Mr. Speaker, I rise to recognize Global Vision, a remarkable Canadian NGO that provides young Canadians with the skills, knowledge and experience they need to succeed as today's global leaders.

Acting locally and thinking globally, these highly motivated youth work hard in their regions as global youth ambassadors to make a difference, while inspiring others to build stronger communities at home and abroad. In 2006, over 2,000 youth participated in the program.

I want to congratulate Global Vision and its supporting partners, which include the University of Ottawa, the Counselling Foundation, EDC, ACOA, BMO, Canadian Heritage, CIDA, York University, True Energy of Calgary and countless others that help young Canadians make their mark and make a difference in the world.

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[Translation]

THE CONSERVATIVE GOVERNMENT

Hon. Robert Thibault (West Nova, Lib.): Mr. Speaker, the Conservatives are not telling Canadians the truth about the big fat contracts they give to their cronies.

Mike Harris' President of the Treasury Board awarded quite a hefty contract to a good Conservative like Marie-Josée Lapointe. He then tells us the contract was cancelled, but not before giving her half the money.

The Minister of Indian Affairs and Northern Development awarded quite a hefty contract to a former Conservative minister, Harvie Andre. How much is the contract worth? The minister tries to reassure us by saying that it was just a measly \$50,000, but his own government's web site says it was more like half a million dollars.

The Prime Minister, the worst of them all, made an offer his campaign manager in Quebec could not refuse: a seat in the Senate and the keys to PWGSC.

When it comes to hefty contracts for Conservative cronies, Canadians know that this government is not telling them the truth.

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● (1405)

[English]

PARLIAMENTARIANS AGAINST CORRUPTION

Mr. John Williams (Edmonton—St. Albert, CPC): Mr. Speaker, the second global conference of the Global Organization of Parliamentarians Against Corruption, which I chaired, was held in September in Arusha, Tanzania.

GOPAC is an organization of parliamentarians from around the world committed to improving the effectiveness of parliaments as democratic institutions of oversight of government.

GOPAC has three pillars supporting its mission: peer support for parliamentarians, education for parliamentarians, and leadership for results.

Coming out of the conference, GOPAC demonstrated leadership by resolving to create task forces to advance a number of politically important agendas such as developing a code of conduct for parliamentarians and engaging governments to ratify and implement the UN Convention against Corruption.

Members will hear much of GOPAC in the years to come as the Arusha agenda of democratic oversight and accountability gains momentum around the world.

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[Translation]

EVA OTTAWA

Mr. Pierre Paquette (Joliette, BQ): Mr. Speaker, today the leader and members of the Bloc Québécois, including the hon. member for Saint-Maurice—Champlain and I had the privilege of meeting the Grand Chief of the Attikamek Nation and the chiefs of the three communities in that nation.

Eva Ottawa won an enviable majority during the September 13 election with more than 75% of the vote. She is a native of Manawan in my riding and was elected Grand Chief of the nation and president of the nation council. She is the first woman to be elected to these positions.

A legal scholar, progressive thinker and humanist, her focus is on the development and emancipation of her nation. She has notably worked as a consultant within the context of the negotiations between the governments of Quebec and Canada.

I want to congratulate her and tell her on behalf of everyone in the riding of Joliette how proud we are of her election. On behalf of the Bloc Québécois, I wish her much success in her new mandate. She can count on the Bloc Québécois' support and mine to back the Attikamek in their claims and to continue real exchanges based on respect from one nation to another.

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INTERNATIONAL DAY FOR THE ERADICATION OF POVERTY

Mr. Steven Blaney (Lévis—Bellechasse, CPC): Mr. Speaker, today is the International Day for the Eradication of Poverty, recognized around the world.

Like all Canadians, our government is committed to helping those less fortunate and implementing action plans not only to address poverty, but to eliminate it. The government is also determined to adopt a new approach to resolve the difficult situation facing many aboriginals. Our goal is to change the current reality of aboriginal peoples to ensure that their communities can count on the basic tools they need to achieve real, significant and long-term changes.

Statements by Members

Thanks to these tools, which we are working hard to develop, we will be able to lay the groundwork for a strong, diversified economy in aboriginal communities. Next week, we will attend the Quebec first nations socio-economic forum, along with the Quebec government and first nations, in order to find lasting solutions to the problems and challenges facing aboriginals.

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[English]

ACCESS TO INFORMATION

Ms. Yasmin Ratansi (Don Valley East, Lib.): Mr. Speaker, in the election platform entitled “Stand Up for Canada”, the Conservative Party made a distinct promise to strengthen access to information legislation.

In fact, on page 12 of their election platform it states that “A Conservative government will implement the Information Commissioner’s recommendations for reform of the Access to Information Act”.

Last April the Conservatives broke this promise when these specific recommendations were left out of the Prime Minister’s so called accountability act.

I understand that the newly elected Prime Minister now believes these recommendations represent an extreme view.

Canadians have a right to access information about their government, but the Prime Minister is denying that right.

Once again, “Stand Up for Canada” just fell flat on its face with yet another broken promise from the Conservatives.

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NOVA SCOTIA

Mr. Bill Casey (Cumberland—Colchester—Musquodoboit Valley, CPC): Mr. Speaker, as members may already be aware, today is Nova Scotia Day here in Ottawa. Our premier, Rodney MacDonald, several of his cabinet ministers, MLAs and business leaders are here to display all that Nova Scotia has to offer.

Nova Scotians take great pride in their shared history and also look to the future with great confidence and determination.

Canada’s new government has worked with the Government of Nova Scotia by investing close to \$72 million in various initiatives through ACOA to help build a strong and competitive economy in our province. These investments are helping to make communities stronger, spur business growth, encourage innovation, and research and development.

Our government has also invested \$1.8 million through the innovative communities fund for community based projects and \$23 million through the municipal rural infrastructure program to help communities upgrade their civic infrastructure.

I am proud to say that the Government of Canada is working closely with the Government of Nova Scotia in getting things done for Nova Scotians, and once again, I welcome the delegation to Ottawa.

● (1410)

CITIZENSHIP AND IMMIGRATION

Mr. David Christopherson (Hamilton Centre, NDP): Mr. Speaker, one of the former Liberal government’s most shameful legacies is an immigration and refugee backlog of over 700,000 applications.

Every day in my Hamilton Centre office we see the heartbreak of separated families and seniors in tears as they are torn away from their grandchildren. After waiting as long as 10 years, they ask me, “Can I become a Canadian or not? Please let me know soon”.

This year’s Citizenship Week gives the Conservative government an opportunity to end the bottomless backlog and to reunite desperate families. Their election platform promised reforms to end the waiting time, but the lines still grow and the reforms have not come.

I agree with the minister’s words that new Canadians make a significant social, economic and cultural contribution to the country. What I want to know is, where are the actions to go with those words?

Our current system is dividing families, crushing spirits, and leaving good people weeping in frustration. Canada can and must do better.

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[Translation]

THE CONSERVATIVE GOVERNMENT

Mr. Pablo Rodriguez (Honoré-Mercier, Lib.): Mr. Speaker, the Conservatives have misled Canadians many times, and have done so once again with their orgy of patronage appointments.

They said they wanted to put a stop to cronyism, but their actions suggest the opposite.

Who is the new consul general in Boston? None other than the former Conservative finance minister, Neil Leblanc.

Who is the new negotiator in the land claims file? The Mulroneycera former Conservative minister, Harvie Andre. It must be pure coincidence that his son-in-law sits on the executive in the riding of the minister responsible.

New judge in Alberta? No problem, they called upon the former money man for the Reform and Alliance parties, Bruce MacDonald, whose daughter just happens to work in the Prime Minister’s Office.

Summit of la Francophonie? Why not pay for a vacation for Gilles Bernier, the father of the current Minister of Industry and a former Conservative MP?

The Conservatives are breaking one promise after another. At this rate, they will soon have no promises left to break and will have to invent new promises so they can break them, too.

Canadians will remember this.

ORDRE NATIONAL DU QUÉBEC

Mr. Yvon Lévesque (Abitibi—Baie-James—Nunavik—Eeyou, BQ): Mr. Speaker, I wish to pay tribute to two exceptional people from my riding, namely Édith Cloutier and Johnny Adams, who were made knights of the Ordre national du Québec last June. They were awarded this honour for their great involvement and commitment within their respective communities.

Ms. Cloutier, executive director of the Val-d'Or Native Friendship Centre, and president of the Université du Québec en Abitibi-Témiscamingue et Nord du Québec, is a passionate and determined woman. She has worked relentlessly for the improvement of the living conditions of native people living in urban environments.

Mr. Adams has devoted his efforts to improving the quality of life and development of the members of his community, but above all his achievements as mayor of Kuujuaq and president of the Kativik regional government have been considerable.

Congratulations, Ms. Cloutier and Mr. Adams, on your generosity and solidarity. You are a great source of inspiration to the people in our riding and especially in your communities.

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[English]

LITERACY

Mr. Blair Wilson (West Vancouver—Sunshine Coast—Sea to Sky Country, Lib.): Mr. Speaker, Conservatives are failing to tell the truth about trashing adult literacy programs. They say adult literacy is important, then they cut \$17.7 million in what, literacy training.

The Prime Minister brags about \$80 million spent on literacy, but wait a minute, that is \$17.7 million less than when he started.

The Mike Harris President of the Treasury Board denies ever saying government should not be trying to do repair work after the fact. Then he is caught on tape.

This is a Prime Minister who cuts the heart out of literacy funding at the exact same time his wife is raising charity money for literacy.

When it comes to adult literacy, how can Canadians not conclude that this minority government is failing to tell the truth?

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YUKON

Hon. Jay Hill (Prince George—Peace River, CPC): Mr. Speaker, on Tuesday, October 10 the citizens of Yukon eagerly embraced the opportunity to exercise their democratic right to vote and they re-elected the Yukon Party to be their territorial government.

Congratulations to government leader Dennis Fentie and his team. They are the first government to secure a re-election in Yukon's history.

To the envy of many in this chamber, an impressive 77% of eligible voters cast a ballot to choose the 18 members of the 32nd Legislative Assembly of Yukon Territory. I commend the people of

Oral Questions

Yukon for this collective demonstration of support for their democracy.

My constituency of Prince George—Peace River shares its northern border with Yukon. My constituents and Yukoners face many of the same issues, challenges and opportunities.

Along with the Government of Canada, I look forward to working with Premier Fentie and his government in building a healthy and prosperous future not only for Yukoners but for all Canadians.

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● (1415)

[Translation]

CHRYSOTILE ASBESTOS

Mr. Serge Cardin (Sherbrooke, BQ): Mr. Speaker, further to pressure from the Bloc Québécois, Canada supported, last week in Geneva, the decision to exempt asbestos from the Rotterdam Convention list of hazardous materials. Thus Canada officially acknowledged the safe and increased use of chrysotile fibre, as had the Government of Quebec in 2002.

Ottawa should, however, show some consistency by ensuring that federal departments and agencies now have uniform regulations that do not categorize chrysotile with hazardous materials.

The government must immediately comply with the recommendations made in the second report of the Subcommittee on International Trade, Trade Disputes and Investment, presented to the House on June 17, 2005, by the Bloc Québécois and adopted unanimously.

This report recommends that the Government of Canada develop a policy based on information about this fibre, its promotion and safe use.

The economy of the communities of Asbestos and Thetford Mines depend on it.

ORAL QUESTIONS

[English]

AFGHANISTAN

Hon. Bill Graham (Leader of the Opposition, Lib.): Mr. Speaker, five months ago today, when the House debated the extension of our mission in Afghanistan, we insisted that the success of the mission and the safety of our troops depended on the essential aid component in Kandahar. The Minister of International Cooperation assured the House that the money for reconstruction was there for Kandahar.

Yesterday we learned that, while our soldiers pay with their lives, the government will not deliver the aid necessary for their success.

When will the government live up to its promises to Parliament, to our valiant troops, to Canadians and the struggling people of Afghanistan and deliver the reconstruction aid necessary for the success of our mission in Kandahar?

Oral Questions

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, I completely reject the premise of the Leader of the Opposition's question. Our mission in Afghanistan involves not just our soldiers from National Defence and diplomacy, but also aggressive development efforts, not just in Kandahar but across the country.

The member knows that the security situation in Kandahar is difficult. That has hampered our efforts to deliver aid, but we continue to deliver it across the country. He will know that President Karzai, in his address to this Parliament, praised us for doing just that.

Hon. Bill Graham (Leader of the Opposition, Lib.): Mr. Speaker, what President Karzai said to the House was a humble demand for help to his people and help for the mission.

How can the Prime Minister stand in his place in the House and say that? One of the responsible generals testified in the other house yesterday that the military was taking money out of its own essential budget to spend for aid reconstruction to protect its troops when it could not get the money from the government department that should have been giving it to them.

It is absolutely unacceptable. We want the truth this time, not these political bromides.

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, the truth is Canadian development officials, defence personnel and diplomats are doing very good work in Afghanistan under very difficult circumstances. No matter how many holes the opposition tries to poke in the job they are doing, we defend the job they are doing and we are proud of them.

[*Translation*]

Hon. Bill Graham (Leader of the Opposition, Lib.): Mr. Speaker, the Prime Minister's problem is that General Howard himself hit the nail on the head today when talking about the difficulties in Afghanistan.

Yesterday, he told us that the government is abandoning our troops as they have to use their own budgets in order to provide the aid required to carry out their mission. If we do not provide the financial support needed by our troops, this mission runs the risk of becoming another Iraq, and everyone knows it.

Why did the government tell us that the money to rebuild Kandahar was coming? Where is the money needed to support our troops and the mission?

• (1420)

Hon. Josée Verner (Minister of International Cooperation and Minister for la Francophonie and Official Languages, CPC): Mr. Speaker, I can assure you that no funds are being withheld by CIDA for projects in Kandahar.

Just last week, I was in Valcartier, in the vicinity of Quebec City, where I had the honour of announcing two rapid action projects specifically for Kandahar: \$3.1 million will be used for medium-sized infrastructure and \$2 million will be used to accelerate the national solidarity program.

That is what is being done in Kandahar and the security provided by our military is critical to development.

Hon. Lucienne Robillard (Westmount—Ville-Marie, Lib.): Mr. Speaker, the women and men of the Royal 22nd Regiment of Valcartier are preparing to go to Afghanistan, and we still do not know what is happening in the field. Yesterday we learned, as this mission cost our soldiers their lives, that the government is not delivering the support that is necessary to ensure success.

Why has the Prime Minister assured this House that development assistance would be a priority, and today he is not delivering the goods? Why not give Canadians the real picture?

Hon. Josée Verner (Minister of International Cooperation and Minister for la Francophonie and Official Languages, CPC): Mr. Speaker, a little earlier this season, the Quebec City region had the honour of hosting a Liberal leadership candidates' debate. None of the candidates bothered to pay a visit to the soldiers of the Royal 22nd Regiment in Valcartier. None of them was so bold as to go and listen to what the soldiers have to say about the work they are doing there.

More recently, 200 women, children and friends of the soldiers going to Kandahar to do excellent work set up a support movement. No Liberal MPs were in attendance—

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

Hon. Lucienne Robillard (Westmount—Ville-Marie, Lib.): Mr. Speaker, the Minister of International Cooperation should tell the truth to all the people of Canada and particularly to our soldiers at Valcartier. Enough talking. It is time for action.

Is she telling us that the general's testimony yesterday was false—that what he told the Senate was incorrect? How is it that the money is not there and projects are not being carried out directly in Kandahar? She is obliged to answer to the people and particularly to the military.

Hon. Josée Verner (Minister of International Cooperation and Minister for la Francophonie and Official Languages, CPC): Mr. Speaker, by the end of the year, close to \$15 million will have been invested in Kandahar. I ask the hon. member for Westmount—Ville-Marie to have the courage to go and listen to the soldiers working there, who know perfectly well the work they are doing and the services they are providing. I ask her to go and support the families and friends of the soldiers who are preparing to leave for Kandahar. I challenge her to wear the bracelet in support of our troops who are going there.

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OLDER WORKERS

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, according to media reports, the government is preparing to table an assistance plan for older workers. Yet yesterday evening, this same government voted against a Bloc Québécois motion calling for an income support program for all older workers. Let us not forget that the government had made a commitment in the throne speech and the budget to create such a program.

Are we to understand that the government is about to introduce a partial assistance program for older workers that does not cover all older workers?

Oral Questions

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, this government has just introduced a plan to help older workers, with the provinces' cooperation. The plan is worth \$100 million over two years and includes a study to plan the next steps.

However, the leader of the Bloc Québécois is asking an interesting question, on the day the founder of the Bloc is saying that Quebecers are not working enough. That is not the problem. The problem is that the Bloc Québécois is not up to the job, and our party has provided assistance for older workers.

• (1425)

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, this is the height of incoherence, but we are starting to get used to that.

The assistance plan that the government plans to introduce would apply only to older workers in the textile and softwood lumber industries. Yet older workers in the clothing industry, such as those at the Cardinal plant, and in the furniture and appliance industries, such as workers at the Whirlpool factory, have all been victims of massive layoffs, and they too urgently need an income support program.

Why does the government not create a real assistance plan for all older workers throughout Quebec, especially since it has the means to do so?

Hon. Maxime Bernier (Minister of Industry, CPC): Mr. Speaker, the assistance plan for older workers that our government has announced today was designed specifically to help unemployed older workers from traditional sectors such as forestry and fisheries and for older workers in communities with only one employer. My colleague should know that we are working with the governments and with the Government of Quebec to make this program a reality. We have invested \$70 million and, with the provinces' involvement, we will reach \$100 million.

Mr. Yves Lessard (Chambly—Borduas, BQ): Mr. Speaker, the Conservative government let slip yesterday that \$30 million would be allocated over two years—we have learned today that it would be more than that—to establishing an older worker assistance program that would provide training to workers from certain target sectors.

How can the government turn its back in this way on thousands of older workers in all the other sectors of the economy who will be left to their sad fates by this government, which nevertheless made promises to older workers that it now, apparently, will not keep.

Hon. Maxime Bernier (Minister of Industry, CPC): Mr. Speaker, this government said during the last election campaign that it was in favour of open federalism, flexible federalism, and that is what we have done here with this program because we are currently negotiating the details of its implementation with the provinces. If the Bloc member wants us to intervene and be very controlling toward the province of Quebec, we will not do so because we have too much respect for jurisdictions and too much respect for the Government of Quebec.

Mr. Yves Lessard (Chambly—Borduas, BQ): Mr. Speaker, what we have here is the art of sowing confusion in a debate that is as specific as can be. Older workers who have been victimized by mass layoffs need an income support program to make the transition to their retirement.

Does the government not understand that the pseudo-POWA it announced today means that thousands of working people will be left in the lurch?

Why did the government decide to turn its back on these people even though it has the means to help them?

Hon. Maxime Bernier (Minister of Industry, CPC): Mr. Speaker, my hon. colleague in the Bloc Québécois claims to defend the interests of Quebecers. I have serious doubt about that now because this program responds specifically to the interests of Quebecers as well as all Canadians.

I am a little surprised to see the Bloc Québécois asking us to intervene and take vigorous action in an area of shared jurisdiction with the provinces. We have great respect for the provinces, we have great respect for the Canadian constitution, we have open federalism, and we are very proud of that.

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[English]

CANADIAN WHEAT BOARD

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, last week the Prime Minister issued a gag order on the Canadian Wheat Board. It is like tying its hands behind its back so it cannot put up a fight. Is that not convenient? The government of Alberta has already spent \$1 million attacking the Wheat Board.

I ask members to consider the hypocrisy. The Prime Minister, in previous positions, attacked the imposition of gag orders on third parties. Now that he has this job, he is putting gags on the Wheat Board.

Will the Prime Minister stop his agriculture minister from interfering in the affairs of the Wheat Board, yes or no?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, as the agriculture minister stated clearly yesterday, the directors of the Wheat Board have the ability to express any opinion they want.

The Wheat Board is an organization that represents farmers who have a range of opinions on this question. They are engaged right now in an electoral process and the Wheat Board has an absolute responsibility to respect the opinions of all western farmers, not just those who agree with it.

• (1430)

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, why is the government removing 16,000 farmers from the voters list for the vote on the Wheat Board?

Let me quote from a letter that we have from the Minister of Agriculture. It states:

I...instruct the Canadian Wheat Board to...take whatever steps are necessary to ensure that permit book holders...are not automatically...on the voters list.

If he wants to have a fight, let us make it a fair fight.

Oral Questions

Will the Prime Minister tell his minister to put those 16,000 farmers back on the list and bring the future of the Wheat Board to a vote in the House, where they will be supported?

Hon. Chuck Strahl (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC): Mr. Speaker, I sent a suggestion to the Wheat Board that only people who actually shipped grain should vote. If they have not shipped grain for the last couple of years, for example, maybe they should not be on the voters list. The Wheat Board agreed with me and said that this was a pretty good idea.

The former NDP cabinet minister, Sidney Green, wrote yesterday:

—when the government prohibits the wheat board from using the wheat board treasury to fight against the government position, it is perfectly right to do so.... The wheat board is not a privately operated organization that is entitled to use its treasury as it deems advisable.

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THE ENVIRONMENT

Hon. John Godfrey (Don Valley West, Lib.): Mr. Speaker, in the environment as well as in foreign affairs the government is becoming a stranger to the truth.

When the Minister of the Environment appeared before the environment committee on October 5, she claimed that the previous Liberal government spent over \$100 million in purchasing hot air credits from foreign countries. The truth is that not one penny has ever been spent by the federal government on hot air credits or foreign credits of any kind.

Will the Minister of the Environment apologize to the House for misleading the committee?

Mr. Mark Warawa (Parliamentary Secretary to the Minister of the Environment, CPC): Mr. Speaker, misleading the people of Canada is the question for that member. Today at the environment committee, he was part of a plan to derail the CEPA review at that committee. He needs to decide and tell the Canadian public why he derailed the CEPA review.

[Translation]

Hon. John Godfrey (Don Valley West, Lib.): Mr. Speaker, perhaps if I ask the question in French I will get better results.

Some hon. members: Oh, oh!

[English]

The Speaker: Order. We have to be able to hear the supplementary question from the hon. member for Don Valley West. He is the one who has the floor so we will have a little order, please.

[Translation]

Hon. John Godfrey: Mr. Speaker, the minister has misled Canadians on the question of purchasing credits. In the former Liberal government's Green Plan it was clearly stated that purchasing hot air credits would never be on the table.

The minister has shown that she is incapable of understanding the most basic elements of Canada's Kyoto commitments. Will she finally admit that the government never intended to purchase hot air credits? Will she finally tell the truth?

[English]

Mr. Mark Warawa (Parliamentary Secretary to the Minister of the Environment, CPC): Mr. Speaker, it was the commissioner who came two days prior to the minister and she said to the committee and the Canadian public that after 13 years of the previous government doing nothing, we need to work together, we need to have a clean air plan. That is what this government will do after 13 years of neglect.

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[Translation]

FORESTRY INDUSTRY

Hon. Jean Lapierre (Outremont, Lib.): Mr. Speaker, all Canadians, and even the Minister of Industry, agree that the Minister of Labour is playing the fool with his clever words.

Now that we have all agreed that he has disgraced himself by blaming environmentalists and singers for the misfortunes of the forestry industry, is the Minister of Labour man enough to rise in his place and offer an apology to the people who care about the future of the forestry industry?

Hon. Maxime Bernier (Minister of Industry, CPC): Mr. Speaker, there are a number of reasons why the forestry industry is experiencing problems at present: the Canadian dollar, restructuring in the industry. I will not list them all, but there are a number of reasons.

One major cause, however, was the failure of the previous corrupt Liberal government to do anything. For 13 years, they did nothing. They did not even pick up the telephone to call the Americans to solve the industry's problem. They did nothing for the industry and they should apologize for that.

• (1435)

Hon. Jean Lapierre (Outremont, Lib.): Mr. Speaker, the Minister of Industry is trying to rewrite industry, but anyone who has followed this issue knows that this government stood up to the American industry. We did not grovel like the Conservatives.

Does the Minister of Industry share the opinion of his colleague the Minister of Labour, that the blame for the problems the Quebec forestry industry is having lies with environmentalists and singers? Does he agree with his colleague in the next office?

Hon. Maxime Bernier (Minister of Industry, CPC): Mr. Speaker, my reply will be short.

I share the opinion of the companies in the forestry industry. Ninety per cent of them said that this agreement was very good for them. It is what they want, and it is what we have delivered. This agreement was delivered in six months, unlike the 13 long years that the Liberal government spent doing nothing about this issue.

Oral Questions

Mr. Paul Crête (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, BQ): Mr. Speaker, one thing is certain. There is confusion in the government concerning the softwood lumber crisis. On one hand, the Prime Minister announces that there will be support for softwood lumber. On the other hand, the Minister of Industry announces that there will not be any. The Minister responsible for the Economic Development Agency of Canada for the Regions of Quebec claims that the environment is the problem. In short, at a time when the regions are suffering through a terrible economic and social crisis, the government doesn't know where it is going.

Are we to understand that the only project the government has to propose is a caricature of POWA, which does not in any way respond to the needs of older workers?

Hon. Maxime Bernier (Minister of Industry, CPC): Mr. Speaker, the forest industry is undergoing major changes and we are aware of that. That is the reason why we are acting. It is easy for my colleague in the Bloc Québécois to propose any kind of measure because they will never have to implement it.

I would like to remind him that Guy Chevette, in an interview on Radio-Canada, said he would prefer one sawmill that is working well rather than two that are not profitable.

Mr. Paul Crête (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, BQ): Mr. Speaker, in the automobile sector, the government quickly announced an emergency assistance plan of \$500 million. The oil companies, friends of the government, benefit from tax benefits of several billion dollars. In the case of the forest industry, which is in crisis, we are still waiting.

Why is the government in no hurry at all to announce an emergency plan for the forest industry? When will the government and the Minister of Industry respond to the needs of Quebecers in all regions of Quebec?

Hon. Maxime Bernier (Minister of Industry, CPC): Mr. Speaker, we were elected to defend the interest of Quebecers and all Canadians. That is why we negotiated an agreement that puts \$5 billion dollars into the pockets of the industry. The Bloc Québécois could never have done that because they are out in the corridors and will always be there.

Mrs. Claude DeBellefeuille (Beauharnois—Salaberry, BQ): Mr. Speaker, there are countless supplementary measures that could be implemented to support and stimulate the forest industry, including biomass energy production.

Implementing incentives for using wood by-products in bioenergy production would benefit us in three ways: the industry would have access to clean energy; it would protect the environment; and, last but not least, it would show the Minister of Labour that the two are not mutually exclusive.

What is keeping the government from acting?

[*English*]

Hon. Gary Lunn (Minister of Natural Resources, CPC): Mr. Speaker, I would like to let the member know that I have said many times in the past that renewable energy is a very important form of energy, something that will play an important role in Canada's energy future mix. Members should stay tuned for more announce-

ments as we unveil our environmental plan, which is made in Canada and will deliver results for Canadians right across the country.

[*Translation*]

Mrs. Claude DeBellefeuille (Beauharnois—Salaberry, BQ): The Minister of Labour claims that protecting the environment hurts forestry. One of the Bloc Québécois' many proposals demonstrates that that is not so.

Will the Minister of Natural Resources admit that a refundable tax credit for improving green technology in the forestry sector would have a definite positive effect on both the forest industry and the environment?

[*English*]

Hon. Gary Lunn (Minister of Natural Resources, CPC): Mr. Speaker, what will have a positive effect is finally, after 13 years of doing nothing, getting the softwood lumber agreement resolved so we can move forward in restructuring the forest industry.

This government has done more for the forest industry in six months than the previous government did in 13 years. It committed \$400 million in the previous budget and the forest industry will succeed because of the actions of this government.

* * *

● (1440)

ABORIGINAL AFFAIRS

Hon. Anita Neville (Winnipeg South Centre, Lib.): Mr. Speaker, the minority Conservative government may have trouble with the truth on aboriginal policy, but numbers do not lie.

Now the numbers show that aboriginal Canadians are over-represented in our prison system. Aboriginals are seven times more likely to end up in jail than non-aboriginals, yet despite the statistical evidence, the Minister of Public Safety rejects this.

Does the Minister of Indian Affairs and Northern Development agree with his colleague? Will he apologize to Canadians for failing to acknowledge the truth contained in the report?

Hon. Jim Prentice (Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians, CPC): Mr. Speaker, there will be no apologies from this side of the House.

It is the hon. member who should be apologizing because in the past week she announced to the world that she no longer supports matrimonial property rights for Indian women. She has been slammed in her own city by a major Canadian newspaper that had this to say, "It may be decades of legal disputes and years of study are not enough for Ms. Neville". Aboriginal people "have been waiting for such a law for too long"—

Some hon. members: Order, order.

Some hon. members: Quote, quote.

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The Speaker: Members are yelling “quote”, but you cannot do indirectly what you cannot do directly. If members are going to read a quote, they have to read the member's title and not the name. Hon. members know this. This is not a new rule. I know the hon. Minister of Indian Affairs and Northern Development, like all other hon. members, will want to comply with the rules in every respect. Is his answer now finished?

Hon. Jim Prentice: I apologize for that transgression, Mr. Speaker. The quote says that the member for Winnipeg South Centre “had nine years to provide to native people the same rights in family law enjoyed by all other Canadians, and chose not to right that wrong. Mr. Harper should”—

The Speaker: The hon. minister will want to get his quotations correct the next time. The hon. member for Winnipeg South Centre.

Hon. Anita Neville (Winnipeg South Centre, Lib.): Mr. Speaker, if he had implemented the Kelowna accord, he would not have time to read all those papers.

The Correctional Investigator found that first nations, Métis and Inuit inmates are routinely classified as higher security risks than non-native inmates. Aboriginal offenders are released later in their sentences and are more likely to have their conditional releases revoked.

Instead of addressing these issues, the government proposes to yet increase the overrepresentation. Will the Minister of Public Safety acknowledge the findings of the Correctional Investigator?

Hon. Stockwell Day (Minister of Public Safety, CPC): Mr. Speaker, I did acknowledge those findings yesterday. We respect the work that has been done by the Correctional Investigator. We do not accept that there is systemic discrimination within the corrections system. There are a number of programs that highlight issues and concerns related to the aboriginal population. I have visited with many of these individuals in the actual institutions and they have told me directly about the programs that are benefiting them. We will continue to look at the report.

* * *

EQUALIZATION PROGRAM

Hon. John McCallum (Markham—Unionville, Lib.): Mr. Speaker, when the Prime Minister says that no province will be adversely affected by changes to equalization, it appears that he may be straying from the truth. In fact, the premier of Newfoundland and Labrador has revealed that his province might be the big loser in this new formula.

Why this change? Does it mean that the Conservative members of Parliament from Newfoundland and Labrador are utterly useless when it comes to defending their province?

• (1445)

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, in budget 2006 and in the papers that were issued with the budget, we set out a process to be followed, and that process is being followed.

We have received reports from various sources, from the municipalities, from the provinces and territories, from their councils, and the report from Mr. O'Brien that the previous government commissioned. Ministers have been consulting with their provincial and territorial counterparts. I anticipate that the

finance ministers will meet again before the end of the year. All of this was planned. All of this is the process. Decisions have not been taken yet. The difference is that we have a principled approach on this side of the House, unlike the previous government's ad hoc approach.

Hon. John McCallum (Markham—Unionville, Lib.): Mr. Speaker, the very simple principle is that there was an election promise that no province will be made off. That is the principle at play.

Fairness forces me to acknowledge that the president of the higher income tax club may be beginning to see the Liberal light now that he seems to be adopting the Liberal plan to cut income tax. But that does not justify a long line of broken agreements, tearing up Kelowna, the child care agreements, and the Canada-Ontario accord. No wonder Danny Williams is nervous.

Will the minister just promise to Danny Williams that Newfoundland and Labrador—

The Speaker: The hon. Minister of Finance.

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, it is remarkable to hear the member opposite and the party opposite getting along so well with the premier of Newfoundland and Labrador. That is something new, which I appreciate.

Liberals love taxes. I know the member opposite does not agree that we should reduce all taxes for Canadians. I know members opposite voted against our budget to reduce the GST by 1%. I know they voted against the reduction of income tax on average for every category of income tax paying Canadian. They even voted against our proposal to remove 655,000 low income—

The Speaker: The hon. member for Lévis—Bellechasse.

* * *

[Translation]

OLDER WORKERS

Mr. Steven Blaney (Lévis—Bellechasse, CPC): Mr. Speaker, for too long the forestry companies of Canada, including those in Quebec, have had to face challenges that arose because of the inaction of the previous Liberal government and Bloc critics who could produce no results. More recently, some softwood lumber companies have had to make the difficult decision to lay off many employees, a great many of them older workers.

Can the Minister of Industry, my honourable colleague the member for Beauce, tell us more about what our new government, the Government of Canada, intends to do to mitigate the impact—

The Speaker: The hon. Minister of Industry.

Hon. Maxime Bernier (Minister of Industry, CPC): Mr. Speaker, I thank my honourable colleague for his question.

I just want to remind this House that this new government has today made public a new program, the targeted initiative for older workers, a cost-shared program with the provinces of over \$70,000 million, to which the Canadian government will be contributing. This is a program of which we are very proud. It is a program of which the Bloc Québécois should also be proud, since the Bloc will never be able to bring in a program of this scope.

* * *

[English]

AFGHANISTAN

Ms. Dawn Black (New Westminster—Coquitlam, NDP): Mr. Speaker, last week, in an attempt to sell their unbalanced mission in Afghanistan, the Conservatives hauled in reporters to brief them on so-called development programs.

An examination of the claims has uncovered that the government has inflated the numbers by as much as \$16 million. It claimed that \$16 million were going to Afghanistan and it simply is not.

Why did the minister wilfully mislead reporters? Did she inflate her numbers to try to sell this unbalanced mission, the war in Afghanistan?

[Translation]

Hon. Josée Verner (Minister of International Cooperation and Minister for la Francophonie and Official Languages, CPC): Mr. Speaker, the operation in Afghanistan, and more specifically in Kandahar, is being conducted with the greatest transparency, including the technical briefings given by the officials in my department. We expect to have spent close to \$15 million in Kandahar province by the end of the year.

For example, 2,000 wells will have been dug and 5,000 kilometres of rural roads built in Kandahar province. Our irrigation projects will include canals, bypasses for dams and drainage, water intakes and aqueducts, and I have—

• (1450)

[English]

The Speaker: The hon. member for New Westminster—Coquitlam.

Ms. Dawn Black (New Westminster—Coquitlam, NDP): Mr. Speaker, transparent it is not. After my office went through the figures the government released last week, it shows that it claimed to have sent \$13.5 million for Afghan development to the Aga Khan Foundation, but we know from CIDA's own website that only 8% of that money is going to Afghanistan.

The government claimed another \$1.5 million were going to MEDA and yet only 6% of those funds will actually get to Afghanistan. That is only \$90,000, not \$1.5 million.

Why will the minister not stand in her place, admit the—

The Speaker: The hon. the Minister of International Cooperation.

[Translation]

Hon. Josée Verner (Minister of International Cooperation and Minister for la Francophonie and Official Languages, CPC): Mr. Speaker, the work done by CIDA in Afghanistan, and specifically in

Oral Questions

Kandahar, is being accomplished in partnership with the NGOs on site and particularly with the local Afghan communities.

Our work consists in ensuring that the Afghans themselves make the decisions that will lead them toward a profitable future, while guaranteeing the safety of humanitarian workers.

* * *

GOVERNMENT PROGRAMS

Hon. Mauril Bélanger (Ottawa—Vanier, Lib.): Mr. Speaker, in the last election campaign, the Conservatives did not tell the truth. During that campaign, the Conservatives took a position toward the Canadian Museums Association by promising, and I quote: “— please be assured that funding for Canada's arts and culture communities would be a priority for a Conservative government.” Instead, the Conservatives have cut \$4.6 million from the museums assistance program.

Is this the Conservative idea of a new museum policy?

[English]

Hon. Bev Oda (Minister of Canadian Heritage and Status of Women, CPC): Mr. Speaker, this government will fulfill the commitments it made in the election campaign.

In fact, when we took office our national museums, after 13 years of neglect, were and are in terrible shape. We must address that first.

We also made a commitment to local and regional museums. We know we need a policy and an approach that will be effective right across Canada.

Hon. Mauril Bélanger (Ottawa—Vanier, Lib.): Mr. Speaker, program evaluations are to be public documents.

Would the Minister of Canadian Heritage table in this House the museum assistance program evaluation that led her to conclude that the program was ineffective and wasteful and therefore to cut it instead of boosting it, as the Conservatives promised?

Hon. Bev Oda (Minister of Canadian Heritage and Status of Women, CPC): Mr. Speaker, we believe that all public documents that should be made public will be made public. I will inform the House as to the intent regarding that request.

* * *

STATUS OF WOMEN

Hon. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): Mr. Speaker, the minority Conservative government is once again failing to tell Canadian women the truth.

During the last federal election campaign, the Prime Minister hypocritically committed to supporting women's human rights and he agreed that Canada has more to do to meet its international obligations to women's equality.

Will the Prime Minister please stand, tell the truth and explain why equality has disappeared from the list of goals of Status of Women when he signed a declaration vowing to protect women's rights?

Oral Questions

Mrs. Lynne Yelich (Parliamentary Secretary to the Minister of Human Resources and Social Development, CPC): Mr. Speaker, this government is very committed to the full participation of women in Canadian society.

We have undertaken initiatives to improve women's economic well-being, including lowering taxes and putting more money in women's pockets; creating more child care spaces; protecting women and children from sexual exploitation, violence and abuse; and increasing the amount Canadians can earn without paying federal income taxes impacts on low income women and women living in poverty. We do believe in making a difference.

[*Translation*]

Hon. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): Mr. Speaker, the majority of women in Canada are poor, and the minority Conservative government has raised the personal exemption and increased the marginal tax rate. That affects poor women in Canada. How can this government claim that there is equality of the sexes? The Prime Minister owes some explanations to Canadian women. He should tell them the truth.

Why did the Prime Minister renege on his promise to women and has he given up on the objective of equality for 52%—

• (1455)

The Speaker: The hon. Minister of Canadian Heritage and Status of Women.

[*English*]

Hon. Bev Oda (Minister of Canadian Heritage and Status of Women, CPC): Mr. Speaker, I can attest that not only women in this government, but all members of this government, male and female, stand up for the rights of women.

Unlike the party opposite, we are not against matrimonial property rights for aboriginal women. It is a fundamental issue that we need to address because it has been neglected for too many years.

* * *

[*Translation*]

GOVERNMENT PROGRAMS

Mr. Maka Kotto (Saint-Lambert, BQ): Mr. Speaker, once again, this government has found the way to upset the cultural community. With the announcement of cuts worth \$11.8 million from the public diplomacy fund, the dance and theatre communities are wondering whether this will affect funding for international tours.

Will the announced cuts put an end to funding for international tours by dance troupes from Quebec and Canada—yes or no?

[*English*]

Hon. Bev Oda (Minister of Canadian Heritage and Status of Women, CPC): Mr. Speaker, we know that every artist and creator in Canada wants to perform not only nationally but on international stages. It benefits not only the creative community but all Canadians. We will ensure they have those opportunities.

[*Translation*]

Mr. Maka Kotto (Saint-Lambert, BQ): Mr. Speaker, my question is clear and simple and it calls for a clear and simple answer.

Will the announced cuts put an end to funding for international tours by dance troupes from Quebec and Canada—yes or no? It is simple.

[*English*]

Hon. Bev Oda (Minister of Canadian Heritage and Status of Women, CPC): No, Mr. Speaker.

* * *

GOVERNMENT POLICIES

Hon. Ralph Goodale (Wascana, Lib.): Mr. Speaker, my colleagues have laid open the minority Conservative government's growing record of blatant contradictions: the promised aid and reconstruction not happening in Afghanistan; the Auditor General and Environment Canada finding the Minister of the Environment to be a stranger to the truth; and written commitments to provinces, to women, to aboriginal people and to museums. Promises broken, truth denied.

Well beyond climate change, why does the government find so many truths to be so inconvenient?

Hon. John Baird (President of the Treasury Board, CPC): Mr. Speaker, the member for Wascana wants to talk about trust. When I hear the member for Wascana's name and trust it makes me think of the income trust scandal.

The real victims, because the then minister of finance would pontificate on the fly, costing pensioners, hard-working taxpayers trying to save for their retirement, literally millions of dollars. When it comes to trust, that member should apologize and that member should resign.

* * *

[*Translation*]

JUSTICE

Mr. Daniel Petit (Charlesbourg—Haute-Saint-Charles, CPC): Mr. Speaker, during the election campaign, the Conservative Party made a firm promise to establish a presumption whereby anyone convicted for the third time of a violent crime or sexual assault is automatically considered a dangerous offender. Today, the Minister of Justice made good on that promise.

Could he elaborate on what this means?

[*English*]

Hon. Vic Toews (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, my hon. colleague is right. In our platform we promised to create a presumption of dangerous offender designation for anyone convicted of three violent or sexual offences. This morning we kept our word and tabled a bill that would do exactly that.

We now call upon the opposition to quit playing politics and start passing bills to make our streets and communities safe.

ABORIGINAL AFFAIRS

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, despite some earlier exchanges, the fact remains that far too many first nations, Métis and Inuit peoples are in Canada's prisons and real answers are needed in the House.

Aboriginal people in Canada account for 3% of our population and yet 18% are inmates. Aboriginal men account for one-fifth of the prison population and aboriginal women make up a shameful one-third of prisoners.

Now that the minister has the cold, hard facts and a list of solid recommendations, when will we get a real plan to tackle this obvious discrimination?

• (1500)

Hon. Stockwell Day (Minister of Public Safety, CPC): Mr. Speaker, while we appreciate the work done by the Correctional Investigator, we do not accept the fact that there is systemic discrimination in the corrections system. As a matter of fact, a considerable amount of investment and resources have gone into programs that are specifically designed for aboriginals.

In terms of their higher recidivism rates, that is a question that needs to be looked at and all members of society should look at that question.

In terms of programs themselves within the corrections systems, I can assure the House that there is no discrimination.

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, we are talking about decades of neglect here.

The Assembly of First Nations said yesterday that poverty breeds hopelessness and despair and without comprehensive programs for education and language and a re-energized focus on aboriginal people, the incarceration statistics will only get worse.

Forty one per cent of people under the age of 25 are part of that prison population, a lost generation.

The government has been long on promises and short on delivery. When and how will it develop a real plan to tackle the poverty gap in aboriginal communities?

Hon. Stockwell Day (Minister of Public Safety, CPC): Mr. Speaker, I have already said and I maintain that there are some valid questions related to why certain populations have high numbers in certain areas, and that is something that needs to be looked at.

However, in terms of the corrections system itself, there is a considerable list of programs that are a tailor made design for the aboriginal population within the system. I have met individually with many of them, and some of the programs that are out there, recently developed, are having very encouraging results in terms of recidivism.

It is not a matter of discrimination. It is a matter of personal responsibility being taken.

Oral Questions

[Translation]

TRANSPORT

Hon. Denis Coderre (Bourassa, Lib.): Mr. Speaker, on September 11, the *Journal de Montréal* published an article by its investigative reporter, Fabrice de Pierrebouge, on the security deficiencies at the Pierre Elliott Trudeau International Airport in Montreal. This reporter, who has never compromised the security of the site and who should have been applauded for serving public interest, is now being investigated as a suspect by Transport Canada. He is even being fined \$5,000 per offence. It is shameful.

Will the Minister of Transport, Infrastructure and Communities order an end to this unacceptable intimidation and protect the freedom of the press in our country? He has the authority to do so and he knows it. What will he do?

Hon. Lawrence Cannon (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, I want to thank the hon. member for his question, although he is a little late since this question was asked last week by the hon. member from the Bloc Québécois.

As I said then, this is not a witch hunt. The report is finished and we will be able to draw the appropriate conclusions in this matter.

* * *

[English]

INTERNATIONAL COOPERATION

Mr. Peter Goldring (Edmonton East, CPC): Mr. Speaker, October 8 marked the first anniversary of the earthquake that hit south Asia and particularly Pakistan.

Canada was quick and successful in responding to relief efforts. We gave support for health care and emergency shelters that saved lives by preventing the spread of disease and protecting people from winter conditions.

The Minister of International Cooperation met with the Chairman of the Senate of Pakistan this morning and showed once again Canada's compassion toward the people of Pakistan.

Would the minister outline Canada's new contribution to the people of Pakistan?

[Translation]

Hon. Josée Verner (Minister of International Cooperation and Minister for la Francophonie and Official Languages, CPC): Mr. Speaker, I want to thank my colleague for his question.

This morning during my meeting with the Chairman of the Senate of Pakistan I informed him that CIDA will provide additional aid of \$40 million to his country for reconstruction activities. These funds will be used to rebuild schools.

This is our government's way of illustrating its commitment to fighting poverty and working with its partners for the long term. CIDA will closely monitor the progress of the situation on the ground and will ensure that these funds are used properly.

Government Orders

[English]

PRESENCE IN GALLERY

The Speaker: Order, please. I would like to draw to the attention of hon. members the presence in the gallery of Mrs. Maria Eagle, Parliamentary Under Secretary of State for Northern Ireland.

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 the Hon. Rodney MacDonald, Premier of the Province of Nova Scotia and the Hon. Angus MacIsaac, Deputy Premier of the Province of Nova Scotia.

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 Ms. Silken Laumann, winner of three Olympic medals and four World Championships in the sport of rowing.

Some hon. members: Hear, hear!

GOVERNMENT ORDERS

● (1505)

[English]

WAYS AND MEANS

MOTION NO. 8

Hon. Jim Flaherty (Minister of Finance, CPC) moved that a ways and means motion to implement certain provisions of the budget tabled in Parliament on May 2, 2006, be concurred in.

The Speaker: Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

An hon. member: On division.

The Speaker: I declare the motion carried.

(Motion agreed to)

* * *

[Translation]

SOFTWOOD LUMBER PRODUCTS EXPORT CHARGE ACT, 2006

The House resumed from October 16 consideration of the motion that Bill C-24, An Act to impose a charge on the export of certain softwood lumber products to the United States and a charge on refunds of certain duty deposits paid to the United States, to authorize certain payments, to amend the Export and Import Permits Act and to amend other Acts as a consequence, be read the second time and referred to a committee.

The Speaker: Before the debate was interrupted for question period, the hon. member for Selkirk—Interlake had the floor.

[English]

There are six minutes left in the time allotted for the hon. member for Selkirk—Interlake to make his submissions to the House and I now call on the hon. member to resume his speech.

Mr. James Bezan (Selkirk—Interlake, CPC): Mr. Speaker, before we broke for question period I was talking about the softwood lumber agreement and how proud I am of it.

I said that it was practical and flexible, and that it was ending this long standing dispute. Moreover, it directly responds to the civic issues and concerns raised by industry and provinces. For instance, it recognizes provincial market based reforms and preserves provincial authorities to manage their forest resources as they see fit. It also excludes from border measures the Atlantic provinces and the territories and 32 companies, including Quebec border mills that were found by the U.S. department of commerce not to be subsidized.

It ensures that independent lumber remanufacturers do not have to pay an extra charge on the value added component of their products. It establishes a process for Canada and the U.S., in consultation with the provinces, to determine the steps regions can take to qualify for exemption from the border measures.

The agreement has the support of two national governments and all of the key lumber producing provinces, as well as an overwhelming majority of industry players. All it needs now is the support of parliamentarians.

Bill C-24 will implement Canada's commitments under this agreement. It gives the provinces the flexibility they need to choose the right border option for their economic situations. The bill also seeks to amend parts of the Export and Import Permits Act to bring into operation the mechanisms we need to meet our commitments under the agreement.

I am happy to be part of a government that has done, in very short order, in less than six months, what no other government could. It has put an end to this dispute and has started to direct our full attention to building a stronger, more competitive Canadian lumber industry.

It is absolutely essential that we bring our lumber towns and this industry back to life by putting this unproductive dispute behind us and getting on with this new deal that will bring prosperity and stability to the softwood lumber industry.

I would ask all members of the House to join me in supporting the bill and putting this dispute behind us once and for all.

● (1510)

Mr. Peter Julian (Burnaby—New Westminster, NDP): Mr. Speaker, I will salute the courage of only the second Conservative member to step forward and actually speak on this issue because we know that this sellout has been badly botched and that the Conservative sheep are basically refusing to speak in the House.

We also know that the Conservatives are invoking closure, shutting down debate in the House because they are ashamed themselves of what has been such a poorly botched negotiation and such an appallingly bad agreement.

Points of Order

As the member knows, since the agreement was forced into place after the companies were bullied last week, we have seen almost 3,000 Canadians lose their jobs in softwood communities in British Columbia, Saskatchewan, Ontario and Quebec. It has been a mess and a catastrophe, as we know.

We also know from the decision that was made last Friday in the Court of International Trade, the final decision, that Canadians are entitled to every single cent back. We have a badly botched agreement, one that is not commercially viable and we have double taxation of companies taking place right now. There is chaos at the border because of the poor implementation of the deal that should never should have been brought in, in the first place, when we have won at the Court of International Trade.

Very simply I would ask, why are the Conservatives so intent on bullying through this bad deal when the Court of International Trade has said that we are entitled to every single cent back? Why did they not take the care to at least be responsible in implementing this, so we would not see the chaos that we have seen at the border over the last few days, and the loss of thousands of jobs in the softwood sector in British Columbia, Saskatchewan, Ontario and Quebec? It is a catastrophe and the Conservatives are responsible for it.

Mr. James Bezan: Mr. Speaker, we do have to ask the question, how serious is that member? Last night he even forgot to vote for the bill when it was in the House. We really have to wonder where he is at on this issue. It just shows that the NDP is becoming very irrelevant.

If we look at what the Quebec Federation of Labour is doing, it is supporting this agreement. The NDP is out of lockstep on this issue with its labour buddies in Quebec. Quebec labour sees this as a good deal. It knows it means the future of its industry and of its jobs. The NDP does not get it.

The NDP members want ongoing litigation. They want to see this kept in the courts into perpetuity. They want to see lawyers getting rich and people losing their jobs, companies shutting down and lumber communities becoming ghost towns.

We do not want that to happen. We are being extremely responsible. We are going ahead to ensure that this deal is put into place and we want to ensure that those communities are protected.

Mr. Larry Miller (Bruce—Grey—Owen Sound, CPC): Mr. Speaker, I would like to thank my colleague, the member for Selkirk—Interlake, for his knowledge and support for all the lumber producers and logging companies in his riding.

I heard earlier today my colleague from the Renfrew-Pembroke area who made comments in the House on the bill. It really showed the kind of support that some of the members of the House have for the lumber producers and the people who are on the ground who rely on the forestry industry to make a living.

The hon. member mentioned the relevance of the NDP. I do not want to comment on that, but if its members do not vote on anything that could be.

I would like to ask the member a question. Just exactly what makes members like the member for Burnaby—New Westminster and the member for Thunder Bay—Rainy River really not care about

the lumber producers in their area? Is it partisan politics? What is it? What is the member's opinion on that?

• (1515)

Mr. James Bezan: Mr. Speaker, I do not know what makes those members tick. They are definitely are not compassionate about the workers in the lumber industry. They do not care whether or not those lumber companies are successful. The only thing they care about is ensuring that money flows into the hands of lawyers so they can carry on ongoing litigation. We want to put this dispute behind us. We want to ensure that our industry is prosperous well into the future.

The Speaker: Before we resume debate, the hon. member for Burnaby—Douglas is rising on a point of order.

* * *

POINTS OF ORDER

CITIZENSHIP ACT—BILL C-14

Mr. Bill Siksay (Burnaby—Douglas, NDP): Mr. Speaker, I would like to respond to the point of order raised on Friday, October 6 by the parliamentary secretary, regarding Bill C-14. I appreciate the opportunity to respond to the concerns raised by the Parliamentary Secretary to the Minister of Citizenship and Immigration in the House on Friday October 6 regarding the admissibility of an amendment to Bill C-14 that was passed when the bill was under consideration in the Standing Committee on Citizenship and Immigration.

As the mover of that amendment at the standing committee, I appreciate the opportunity to respond to the point of order. As we know, the amendment in question adds a new subsection to clause 2 of Bill C-14, which reads:

Any decision of the Minister under this section may be appealed to the Immigration Appeal Division of the Immigration and Refugee Board.

I would first point out that this amendment was found by the chair of the Standing Committee on Citizenship and Immigration to be in order, and it was discussed and debated by the committee and approved by a majority of members of the committee in that context.

I would like to emphasize that the parliamentary secretary made his arguments before the committee at that time.

As well, there was a vote at the committee, after hearing the arguments made by the parliamentary secretary and after hearing from other members, upholding the chair's ruling that the amendment was in order. The committee voted to sustain the chair's ruling.

I appreciate that the committee's actions do not preclude an approach to the Speaker and the House on this issue, but I want it to be clear for the Speaker that these issues were considered by the committee. I know that the Speaker has repeatedly found that in most cases committees know best when dealing with the matters before them, so I thought the fact that this amendment was debated and found in order by the committee is important.

Points of Order

I submit that the amendment does not go beyond the scope of the bill as passed by the House at second reading. Bill C-14 and the amendment in question are amendments to section 5 of the Citizenship Act. Section 5 deals with the question of grants of citizenship and sets out the minister's obligation with regard to the granting of citizenship. It also grants discretionary powers to the minister to waive requirements of the act in certain cases.

Bill C-14 amends this section of the act by adding a new section 5.1 that addresses the citizenship of children adopted by Canadians overseas, granting them citizenship upon application at the time of the finalization of adoption. This removes the discriminatory effects of the current law, which requires adopted children to apply for permanent resident status and then meet the residency requirements before subsequently applying for Canadian citizenship, but grants children born to Canadians overseas immediate Canadian citizenship without such an application.

Section 5 currently establishes criteria for obtaining Canadian citizenship, as well as noting situations where the minister may exercise discretion. Bill C-14 proposes a new section 5.1, which adds new criteria when dealing with children adopted overseas by Canadians. The amendment proposed by the standing committee to Bill C-14, rather than stepping outside the scope of the bill passed at second reading, merely adds a further consideration to the decision making powers of the minister as outlined in sections 5 and 5.1 by allowing an appeal of the minister's decision. I submit that this is in keeping with the principle of the bill as passed at second reading.

With regard to the parliamentary secretary's contention that this amendment provides new powers and a new mandate to the Immigration and Refugee Board beyond what is provided in the Immigration and Refugee Protection Act, I would submit that denial of citizenship to an adopted child is a de facto denial of an immigration visa and permanent resident status to that child and, as such, the Immigration and Refugee Board is exactly the body that exercises judgment and rules on such cases.

The board is the body that understands the issues related to the validity of adoptions of children by Canadians overseas by currently ruling on appeals of the denial of permanent resident status to children adopted overseas. I would maintain that the issues investigated and criteria applied currently to rule on an appeal of permanent resident status to a child adopted by a Canadian overseas will be the same issues and criteria used to rule on an appeal of the denial of citizenship to such a child should Bill C-14 and the amendment be passed into law by Parliament.

This does not, therefore, add new powers or a new mandate to the Immigration and Refugee Board beyond those already mandated and exercised. The final result of decisions appealed will change as a result of a decision, given that under Bill C-14, should this amendment carry, an adopted child will become a Canadian citizen instead of a permanent resident, but the decision making process of the appeal is essentially the same.

In this respect, no new powers or mandate are conferred by the amendment, and no royal recommendation would be necessary since no new activities are being contemplated or undertaken. No new public funds should be required in these circumstances and therefore

I would argue that it does not impinge on the financial initiative of the Crown.

Mr. Speaker, this amendment was presented and its procedural admissibility was approved by the committee. In your ruling on the form and content of report stage amendments, made on March 21, 2001, you implored members to use every possible opportunity at committee to make amendments and therefore save report stage for the purpose it was intended.

• (1520)

Mr. Speaker, you stated:

—I would strongly urge all members and all parties to avail themselves fully of the opportunity to propose amendments during committee stage so that the report stage can return to the purpose for which it was created, namely for the House to consider the committee report and the work the committee has done, and to do such further work as it deems necessary to complete detailed consideration of the bill.

This is exactly what I have been trying to do. The amendment supports both the scope and spirit of the bill, and I contend it achieves the overriding goal the government has stated that the bill is supposed to achieve.

With regard to the contention that this amendment is incomplete, I submit that requirements as to its operation can be delineated in regulations developed to implement the act, and therefore the amendment meets all the tests of completeness. Surely the government is not asking that this House consider that legislation is incomplete unless all regulations are published before report stage. That would fly against all past practices of this place.

Thank you, Mr. Speaker, for hearing my response to the point of order raised by the Parliamentary Secretary to the Minister of Citizenship and Immigration. I would urge you to allow this important amendment to stand and be considered by the House.

The Speaker: Is the Parliamentary Secretary to the Leader of the Government in the House of Commons and Minister for Democratic Reform rising on the same point of order?

LANGUAGE USED BY MEMBERS

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, I rise on a separate point of order. Unless there is other conversation on the first point of order, I would like to raise a point of order arising from question period. I believe that I heard the hon. member for Don Valley West refer to members of the government, ministers of the government, as strangers to the truth. I would suggest that there was a theme coming out of question period today, because I heard not only the member for Don Valley West but also the member for Wascana use the same quote: that members of this House were strangers to the truth.

I suggest to you, Mr. Speaker, that the decorum in this House would improve dramatically if members would address issues rather than addressing items that could be construed as personal attacks. Therefore, I would hope that you would take a look at today's blues. I would ask for a ruling on the words of the member for Don Valley West and would invite you, Mr. Speaker, to address the broader issue of personal, undignified and unjustified attacks on members in the House.

The Speaker: I thank the hon. parliamentary secretary for his intervention on this matter. The words that he mentioned were used several times during question period. Off the top of my head I do not consider them ones that were unreasonable, but I will certainly look at the authorities on this matter and come back to the House in due course with some comments that I hope the hon. parliamentary secretary will find of assistance.

ORAL QUESTIONS

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, very briefly, I do have a point of order that I would like to raise. During question period, the Minister of Indian Affairs and Northern Development, in answering a question from the member for Winnipeg South Centre, made reference, accidentally, I suppose, to the member for Winnipeg Centre not being in favour of matrimonial property rights for aboriginal women.

I would like the record corrected. I believe the Minister of Indian Affairs misspoke and meant to say the member for Winnipeg South Centre, not Winnipeg Centre.

The Speaker: I hope that matter will take care of itself in the blues. I am sure it will be noted in due course.

GOVERNMENT ORDERS

[English]

SOFTWOOD LUMBER PRODUCTS EXPORT CHARGE ACT, 2006

The House resumed consideration of the motion that Bill C-24, An Act to impose a charge on the export of certain softwood lumber products to the United States and a charge on refunds of certain duty deposits paid to the United States, to authorize certain payments, to amend the Export and Import Permits Act and to amend other Acts as a consequence, be read the second time and referred to a committee.

Hon. Brenda Chamberlain (Guelph, Lib.): Mr. Speaker, it is amazing how a change in seating arrangements can change one's mind. The government cannot be the same party that just one short year ago sat on this side of the House decrying the notion of settling for anything less than a complete and outright vindication for Canada.

I wish to quote for members from page 19 of the Conservative platform:

A Conservative government will:

—Demand that the U.S. government play by the rules on softwood lumber. The U.S. must abide by the NAFTA ruling on softwood lumber, repeal the Byrd Amendment, and return the more than \$5 billion in illegal softwood lumber tariffs to Canadian producers.

That is some pretty tough talk, which I think most in the House and most Canadians across this country could get behind. As a matter of fact, my party and I campaigned on roughly the same position, stating that:

The recent string of NAFTA decisions in Canada's favour continue[s] to be valid and must be respected—the United States remains legally obligated to revoke the tariffs and refund, with interest, all duties collected, totalling more than \$5 billion. A Liberal government will continue to wage a vigorous legal and political fight with the United States government and industry and will continue to consult with the

Government Orders

provinces and Canadian industry on the best way to achieve a final and lasting solution.

So here we are in the House to debate legislation which breaks the government's election promise, legislation which settles for a loss instead of a win, and legislation which brings in a politically expedient quick fix at the cost of the future of an industry and a way of life in Canada.

Need I remind the government that Canada's legal position prior to the introduction of the Conservative government was supported by numerous decisions by international trade tribunals and by the courts in both Canada and the United States, and yet the government has settled for less, and a great deal less.

Further, I think this complete surrender to the United States government on this file only sets up this government—and more importantly, future governments—for hardship and failure on any number of issues in the future. I guess Washington knows that in future disputes with Canada the new government may not have the will or the stomach to stand up for Canada and fight when it is right to fight.

This outright abandonment of Canada's position that our softwood industry is not subsidized shreds any notion that the dispute resolution provisions of NAFTA can work. It will only reinforce the will of certain U.S. legislators and bureaucrats that they can flaunt international rules any time they want and anywhere they want on any trade agreement.

This deal is a bad deal for Canada. The criticisms have been articulated here in the House and across this country. It leaves \$1 billion belonging to Canadian companies in the hands of Americans, \$500 million of which is at the disposal of the U.S. lumber industry to use to fund legal attacks against us, against Canadians. They will use money from the Canadian softwood industry to attack that very industry.

This deal creates an export tax that at current price levels is actually higher than current duties and will create an unfair and unprecedented tax regime which will impose crippling export duties on softwood. It limits the government's ability to help the softwood industry, and it undercuts our rules-based trading relationship with the United States. Let me say again that this is a bad deal. If the members opposite say this is the best deal they could get, then I say they were not trying hard enough.

My mother always said that we can't make a silk purse out of a sow's ear, but I want to give credit to the Standing Committee on International Trade. Committee members took a bad agreement and tried very hard to make it better. Some of the committee's recommendations included: advocating more time to conclude a final agreement that would meet the softwood industry's expectations; making sure to obtain an effective mechanism to resolve any disputes that may arise over the interpretation of that agreement; and upholding Canada's legal victories. I will say that again: upholding Canada's legal victories.

Government Orders

We have won a number of legal cases on this issue. It seems to me that when we have won such a number of cases, legally and morally, it is up to both of us to collect upon and enforce this decision. When we do not, we weaken the very reason we would go into arbitration.

• (1525)

When awards are won and parties do not have to live up to the terms, future decisions are threatened and undermined. In this case, this could have far-reaching effects on various other aspects, not only in this industry but also in many other areas of government.

With this agreement, we are letting down our workers in the softwood lumber industry. Further, many other industries face similar trade problems. Therefore, through admitting defeat on this issue, we would be letting down many Canadians from coast to coast. Is this truly what the new government intended to do?

From having served for over 13 years in this House, I know my colleagues from every party are trying, to the very best of their abilities, to do the best jobs they can for Canadians. I truly believe that. However, to not acknowledge the weakness of not enforcing awards is doing very serious damage. That is why it is so very important that we push the new government to try to get international trade rules upheld, acknowledged, accepted and enforced.

The committee's recommendations did not stop there. The fact is that the committee's report also advocated a flexible ceiling under option B. It also advocated flexibility for those under option A. The aim was to ensure that the industry was not excessively penalized for sudden and temporary increases in exports to the United States. The Standing Committee on International Trade also recommended that every measure be taken to ensure that Canadian companies, with interest, would have their due share of countervailing and anti-dumping duties within 90 days of the conclusion of this agreement. These are only a few of the strong recommendations that the Standing Committee on International Trade made.

In the past election, the Conservative Party talked a lot about how important committees were. Conservatives talked about the fact that if they were elected, they would listen to the committees because they believed that the committees represented all parties, many points of view, and most of all, balance.

It is hard for me to understand, when the committee has come out with such very strong recommendations from an extremely rigorous examination of this issue, that the government essentially chooses to completely ignore that report. I am sorry for that. I, too, believe that balance is important in our decision making. We must be willing to weigh the pros and cons of every situation and we know, as parliamentarians, that our final solutions will not please everyone. They rarely, if ever, do, but we as parliamentarians must strive for that balance. We must hear all points of view and we must not tune them out, as the Conservatives are doing at this point.

I would ask the government to revisit that committee report and re-look at some of the committee's recommendations, which were put forth in good faith. I believe Canadians are looking for a government, no matter which party forms it, to give balance, to listen and, at the end of that process, to make the best possible decision for Canada and all Canadians. People want no less of the government.

People are tired of the bickering, and I cannot say that enough. Every time I go into the riding, I hear how people are tired of parliamentarians bickering. They want us to work together for the best solution.

This is an important file. We have worked on it for a long time together, perhaps some would say too long, undoubtedly. However, to sell out is not the proper way to go about this. When there are areas that have been hard fought and have been legally won, we should not abandon those victories.

It is, indeed, a great challenge to try to not only protect this industry but to help ensure it flourishes. The softwood industry is an important part of Canada's economy, particularly in many rural parts of the country. We need to keep this industry strong to help both our national economy and the local economies of the communities where this industry is based.

The industry offers Canadians good jobs, jobs that we need. We must do everything that we can to support it and the Canadians making their living from it. Please, do not sell us out.

• (1530)

Mr. Laurie Hawn (Edmonton Centre, CPC): Mr. Speaker, I doubt the member's mother was the one who coined the phrase "You can't make a silk purse out of a sow's ear" as she will also doubt that it was my mother who said, "You'll know which hill you should die on, but, remember, you're still dead".

I would suggest that the sow's ear would have been a continuation of what we have undergone for the last several years with respect to no resolution of any kind. We may have won decisions at NAFTA, but we were also losing decisions at the WTO on the same issue.

As much as we all would like the perfect solution, does it not make sense that we should listen to every province and the vast majority of the industry, which has said this as a good a solution as we can possibly get and that we should simply get on with business and allow the forestry industry to start prospering again?

• (1535)

Hon. Brenda Chamberlain: Mr. Speaker, first, my mother, and I loved her very dearly, had a lot of sayings. However, I did not say she coined that phrase. I did say she said it and she said a lot more. She often repeated these sayings to me when I was very little. People say to me that I repeat these a lot. That is because I loved my mother a great deal. Therefore, I ask the hon. member's forgiveness.

The issue is this it is not a good deal. We are forgoing legal positions that we have won legal restitution, and that is serious for us.

I am sure members have seen the *Globe and Mail* today. I do not like what it says. It says "The softwood sellout agreement". It goes on to say that the new government has said it would forgo \$1 billion of the total duties owed and agreed to a new border charge as high as 22.5%. The Conservatives are not speaking about this, and that is quite serious. The Canadian people need to know that this is the kind of a deal to which the Conservatives are agreeing.

Government Orders

The hon. member has said that provinces are wanting this or are saying that they may want it. At the moment, there is some truth that. Some of the industry is saying that, but some are quietly saying they are very nervous about these new charges and the fact that the legal situation appears still to be very murky.

To have quiet agreement that industries will choke down it for short term gain for long term pain is very serious.

I know the new Conservative government wants to try to do a good job. I know this file was important for the Conservatives to hold up as kind of mantra and say, "Look it, we did this. We solved this". To solve it incorrectly, to solve it on the backs of an industry, which in a short time will go down because of this deal, is not the right thing. This is why it is so important that we try to get this deal better.

Mr. Peter Stoffer (Sackville—Eastern Shore, NDP): Mr. Speaker, one concern is this. If the Conservative government goes through with its promise of the so-called softwood agreement, in my view, what will be the next thing it will capitulate to the United States after winning legal battles. It is softwood one time. What will it be the next time?

The member is absolutely correct in saying that the U.S. Court of International Trade has stated that Canada is entitled to every penny of that money. Why does she think the Conservative government would allow American companies to keep \$1 billion of its own money? What does she think is next in the trade battles when American companies do not like to go to courts? Will they use heavy-handed tactics and convince the government that this is the way it will go, and to take it or leave it?

Would she comment on that?

Hon. Brenda Chamberlain: Mr. Speaker, that is also one of my main concerns, so I share the hon. member's concern on this. If this, what next? Where next do we go on our knees? Where is the protection?

The *Globe and Mail* today also spoke on the issue and said that we finally had the U.S. in one of its very own courts, it was losing and we quit. We have to ask why do we abandon when we are winning in legal courts?

Mr. Gerald Keddy (South Shore—St. Margaret's, CPC): Mr. Speaker, before I start in on debate, I would like to make a point. I realize a lot of people had questions for the last member and therefore you could not recognize everyone. It is always a difficult job in this place. However, I wanted to ask the hon. member a question, and I think I can answer it myself, about the number of sawmills she had in her riding. I have 15, and every one of them supports this agreement. I believe the answer to my question would be a big zero.

When we talk about the industry, we should have some knowledge about the industry. Members in this place discuss the bill as if they have some knowledge about the softwood lumber industry. In reality, it is simply political posturing, and I really begin to lose patience with it. As Speaker of the House, you have lots of patience, and we certainly try to follow your example, but it is difficult sometimes.

There has been a lot of politics and posturing around the bill, but let us take some of those positions that members in this place have brought forward. Let us take the position that we will continue for litigation. We have had 24 years of litigation, and 24 years is a long time with no end in sight. We will litigate, but as long as the Byrd amendment is in place in the United States, we will continue to have litigation. Therefore, it is important to have some clarity and certainty on this issue. Bill C-24 brings that to the softwood lumber industry.

I spent a good portion of my life working in the lumber industry as a logger. My family members are still loggers. My grandfather owned the local sawmill. I can assure the House that it is a tough life, but it is a good life as long as we have some certainty that we can sell our product.

The Liberals great failure was not reaching an agreement, which is the reason they are not supporting this. For the life of me, I still do not understand our Atlantic Canadian members who are all say they will not support the agreement. The agreement is the future for the sawmill industry and the softwood lumber industry in Atlantic Canada. The agreement allows us certainty for our exemptions, which have been hard fought for outside this place.

The previous international trade minister, under the former Liberal government, put Atlantic Canada's exemptions for countervail and for anti-dumping on the bargaining table to try to get an agreement prior to the last election. The Liberals would have given up Atlantic Canada's hard fought for exemptions. The Liberals did not get those exemptions for the industry. Industry got them by proving to our American counterparts that our industry was on the same basis as theirs. Seventy-two per cent of all the land in Nova Scotia is privately owned. Our mills are exempt from countervail because of that. We do not subsidize the industry. It works on a free market basis, the same basis on which the American industry works.

The great thing about Bill C-24 is that it allows flexibility, it allows for change and it allows for regional differences.

● (1540)

If we allow the bill to pass, I fully expect all my NDP colleagues from Atlantic Canada and all my Liberal Party colleagues from Atlantic Canada to support it because it is a good bill for Atlantic Canada and it is a good bill for the rest of Canada. It recognizes regional differences. It recognizes an industry, to be perfectly frank, which was in a state of collapse because of the mismanagement of this file by the Liberal government.

What does the agreement do? It is good for Canada. It is good for the United States. It eliminates the punitive American duties. It returns more than \$4.4 billion to producers. It provides stability for the industry. It spells an end to the costly litigation and the long-running dispute between Canada and the United States.

Government Orders

Bill C-24 is a good bill. The return of the \$4.4 billion alone will benefit communities, workers, truckers, and the whole sawmill industry from coast to coast in this country. Our deposit refund mechanism has been developed with Export Development Canada and will allow Canadian companies to receive their share of deposits practically immediately, within four to eight weeks after entry into force of this agreement.

Rather than attack the Minister of International Trade, my opposition colleagues should applaud the minister. He more than anyone else worked to bring this agreement to fruition. He went through the tough sloggging. As a former industry person he was able to talk on an equal level with his American counterparts. He knew what was required at the bargaining table. He worked for a just end for the softwood lumber industry right across Canada. He did not do that by pitting British Columbia against Nova Scotia. He did not do that by pitting Ontario against Quebec. He did it by bringing in an agreement that has flexibility and recognizes regional differences. Somehow our counterparts in the opposition cannot seem to wrap their heads around that.

I can tell the House what would happen if we did not have this agreement. We would continue with litigation. The American industry is protectionist. No one is questioning that. We know it, and that is not going to change. We had to get the best agreement we could get. We had to get an agreement that would give surety to the industry and move forward from that point. If not, we would be stuck in litigation forever, and companies and sawmills, loggers and individuals, and communities and families would face devastation across this country.

There are 600 communities that depend upon the softwood lumber industry to survive. I can guarantee that many of those communities would not survive this crisis without this agreement. If the NDP do not want to go along with it, fine. If the Liberals do not want to go along with it, fine. But clearer heads will prevail and this agreement will allow those communities and those families to survive.

• (1545)

The termination clause in the agreement is something else that has been misrepresented in this place. With respect to the criticisms regarding the termination clause, let me note that termination clauses are standard features of international trade agreements. The discussion here is as if this is the only agreement with a termination clause. Under international law, without a specific termination clause, agreements may be terminated at any time with 12 months' notice. This has a minimum of 18 months' notice with a year added on to the end of it. That is two and a half years.

Mr. Speaker, I appreciate being able to speak on this subject today. I fully expect all my opposition colleagues to support this great agreement for Canada.

• (1550)

[*Translation*]

Mr. Guy André (Berthier—Maskinongé, BQ): Mr. Speaker, I listened to my colleague from the Conservative Party making his speech. I would like, however, to repeat the position of the Bloc Québécois, which supports this agreement but in a context where the Quebec industry had told us that they were on their last legs and that

they had to support the agreement because, in the last analysis, they had no choice.

Since 2002, we have had Liberal governments and now a Conservative government who did not support the companies who were dealing with the softwood lumber problem.

The Bloc Québécois, as everyone knows, asked for loan guarantees from the Liberals. During the election campaign, the Conservative Party told us it was going to offer loan guarantees but it did not do that. We called for flexibility in employment insurance to help the workers who were affected by the softwood lumber problem, but there was no flexibility, either from the Liberals or the Conservative Party. We called for support for processing activities in order to provide new opportunities for the Quebec forest sector but no measures were introduced.

I hope that this House will listen to these remarks. I believe this is a bad agreement but we have no other choice than to sign it, because the industry is on its last legs. However, this Parliament should learn a lesson, including the Liberals whom we kept after for months and months to come to the help of these companies and to support them even in terms of legal costs. To date, the legal costs for companies in the forest industry exceed \$350 million. They have received no assistance from the government.

I believe this should be a lesson for the Liberal Party, the Conservatives, and for all members. If we do not support our companies in this kind of dispute, we will wind up with an agreement like this one, which is unsatisfactory for all the companies and all the workers, but in the end we have no choice but to support it.

I would like to hear the member's comments about my remarks.

[*English*]

Mr. Gerald Keddy: Mr. Speaker, I understand that my colleague from the Bloc has a real concern for the industry and certainly the sawmill industry in the province of Quebec. As for the rest of Canada, this is a good deal for Quebec. As a matter of fact, there is enough flexibility built into the agreement that it allows for free trade in lumber, the same as we have in Atlantic Canada, for 32 mills in Quebec. Those border mills will all have free trade in lumber. Furthermore, it allows for enough flexibility in the deal that other provinces can adopt Atlantic Canadian and border mill standards throughout Canada and have free trade in softwood lumber.

The great danger, which has been a danger from the very beginning of discussions with the Americans and the very basis for our exemption in Atlantic Canada, in subsidizing the industry is that those subsidies will then be seen as countervailable and we are back into another trade war and another round of talks. That will go on forever. We will never get away from it.

I understand the concern. It is certainly something we talked about and we were willing to do as a government. However, the best agreement and the best thing we could do for industry was to bring surety, bring this agreement to fruition. That is what the Minister of International Trade has been able to do and that is the lifeblood of the industry and the future for the country.

Government Orders

It is a good agreement and I appreciate the member's support for it.

• (1555)

Mr. Bill Siksay (Burnaby—Douglas, NDP): Mr. Speaker, I am glad that the member has raised the question of the Atlantic exemption.

I must say that I was very surprised when I was participating in the debate on this bill in the House at the end of the September to see another Conservative member from Atlantic Canada rise and say that the government had to amend its own bill because the language around the Atlantic exemption did not actually use the word "exemption", that it was not strong enough, and the bill was so bad that the government was going to have to bring in an amendment to its own bill to include the actual word "exemption" when it came to the situation of the industry in Atlantic Canada.

I know the Atlantic exemption has support in every corner of the House, but how does the member respond to the fact that the bill is so bad in the way that it has been presented to the House that not even something where there was universal agreement could get worded properly in this piece of legislation?

Mr. Gerald Keddy: Mr. Speaker, I will try to be brief, but I am always amazed at the rhetoric from my NDP colleagues. They take something and manage to twist it into another vein altogether that does not resemble at all the point brought forward by the hon. member for Cumberland—Colchester—Musquodoboit Valley. The point was that everyone was here trying to be an expert on this piece of legislation, but all the opposition parties had not read the bill or they would have picked up the same thing that my colleague from Cumberland—Colchester—Musquodoboit Valley picked up.

I am not a lawyer but the intent is there for the exemption. Whether the language is exact, the intent is there.

The issue is that this bill should be embraced by the member from British Columbia because it is a great deal for British Columbia. If they really get their act together out there, they can follow Atlantic Canada's example and have free trade in softwood lumber. It can be done. We have proven it.

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Mr. Speaker, it is both a pleasure and a distress to enter into this debate. Talking of rhetoric, we take no lectures or lessons from other sectors of the industry. British Columbia has a proud forestry tradition. My particular riding takes no lessons or lectures from anyone in the House when it comes to the pain and suffering that has gone on in the forestry sector over the last number of years.

We have watched families in distress. We watched the previous government not show up to the table with the loan guarantees. I know it is difficult for members to listen and to actually participate in the debate but they need to understand that when a government starts to spin on the dance of rhetoric and starts to talk about how other parties are playing politics all of a sudden, it is a good indication that the facts no longer support its cause.

The response about the exemption to Atlantic Canada, that the intention was there but that the language was not, is absolutely dumbfounding to me and to many Canadians, both in Atlantic Canada and across the country. How could such an important

concept as the exemption that was parroted and chirped across the country for Atlantic Canada not make it into the bill and have to be pointed out by other members in the House as opposed to the drafters of the bill, the government itself?

Skeena—Bulkley Valley, in the northwest corner of British Columbia, which is 300,000 square kilometres and is the absolute heart and soul of the softwood industry in the country, understands the deal well. Just recently I was on a tour throughout the western part of my riding, some 900 kilometres on the road. We held open houses and discussions and allowed people to come in and comment. There was no bias on my part. We just simply sat and listened to what people in our communities had to say about the deal.

From across the political spectrum in my region, people who vote all different ways came with absolute disappointment and dismay at the inherent basic flaws communicated in this so-called agreement which, more and more, is a sellout. I wonder if the government has any excuses or reasons for the 3,000 people who just lost their jobs in Quebec and Ontario and the families that they support.

The government just seemed so desperate in its need for victory. However, in April , on the very day the Prime Minister so proudly announced the deal, the Americans were filing more lawsuits against us. The government needed a victory so badly that it left \$500 million in the hands of the American coalition, which has been hurting our communities for so long, to continue to fight us. Somehow the government has twisted itself into believing that it is a good idea, that it is a good idea to get smashed over the head year in and year out.

At the very end, last Friday the Court of International Trade found again for Canada, which is the final place for this decision to go, and Canadians need to know that. There is nowhere else to go for the coalition. However, the government has taken that victory away, has handed the Americans half a million bucks to beat us up some more later and has signed a deal that offers no certainty whatsoever.

I know members from the Conservative benches care for their communities, especially those members who have softwood industries in their ridings. I call upon them to stand in their place today and defend the principles of the bill because they need to be accountable. We have heard so much talk about accountability from the Conservative benches but when we come to a deal like this politics trumps common sense. Why would we leave a half a billion dollars behind for an industry that is dedicated to fighting against any notion of free trade?

The climate for investment in Canada has been destroyed by this deal. Why would an operator who operates on both sides of our borders have any notion of putting money into a mill in Canada when all they need to do is take their money back, place it into a U.S. mill and avoid a self-imposed tariff altogether? I have yet to hear an answer from the government.

Government Orders

I have spoken to the mill managers and the people on the line and they do not get it. They do not understand why the provincial government in Victoria, British Columbia is so keen on raising the export of raw logs thereby raising the export of British Columbian jobs to other places. When I am in my riding I see the trucks drive right past the mills that have shut down and dump the logs in the water, boom them up and send them south.

● (1600)

For heaven's sake, this so-called deal says to a producer, says to a manufacturer, "Do not invest in Canada. It is much smarter to invest in the United States or just about anywhere else, because if you invest in Canada and you value add to any of the wood that Canadians produce, you will be hit with a tariff of up to 24% on your cost of production".

I wish there were someone in the government who could simply answer that basic sense of economic disequilibrium that has been created by the government's one action, the tendency, the nature and the drive for industry to no longer invest in our country at a time when we have lost over 10,000 jobs in this sector. It is not as if we have any more blood to give. We have already given at work and at home. There is no space left in the industry other than its complete collapse.

The true and deep concern I have in this debate is that for the government to secure some sort of improved relations with our American neighbours, which we all want to see, for that so-called victory it has signed a deal that allows Washington to interfere with provincial regulations on how we cut our own wood. This House of Commons does not have that right constitutionally but somehow we have just cut a deal that allows Washington to comment on our own forestry practices at the provincial level.

Many communities have been through so much, with thousands of jobs lost. I would invite members in this place to take a tour through my community and visit those places that have in excess of 90% unemployment. I wonder if anyone in this place can conceive of that in their hometowns, to go back home next week and find 80%, 85%, 90% of the people willing to work in their communities gone, simply unable to work. Imagine the social devastation, never mind the economics, we know that: schools closing down and hospitals no longer able to operate at a time when industries needed the support.

The Conservatives were with us for a moment when we pleaded for loan guarantees for the industry but the previous government was unable to deliver. The Court of International Trade, the last place for the scoundrels who perpetuated this fraud upon Canadians and Canadian communities were heard, the court sided with Canada. Canada has sent our lawyers down to plead on behalf of the American cause. We are asking the court not to settle this case, to not award the entire \$5.4 billion to Canada because we have this incredible deal that gives us foreign change, and which, by the way, perpetuates trade wars into the future.

It is not only remarkable that \$500 million will end up in the coffers of the U.S. coalition's war chest to fight again, but it sends a disturbing signal to other industries that try to compete with Canada. What we are saying is that the Americans were right. They must have been right because why else would we leave money behind? We must subsidize our industry.

Conservative members have stood in this place and made the argument that no, there is no softwood subsidy and we are not operating a subsidized system. However, by capitulating to them we are saying that they are right. If the Americans were able to end up with this much of the Canadian industries' money, we must be subsidizing. This opens up the floodgates to other industries that cannot compete.

I only wish we could have some form of free trade. The lie has finally been put to that concept of free trade in this country. We only need to look at the way the Americans have handled themselves and the way that Canada has now decided to place itself in such an incredible position as to harm Canadian industry and communities by simply admitting, through this deal, that we must have a subsidized industry, and by putting in jeopardy all the other industries in Canada that now must try to compete with the Americans who we know are protectionists. We have seen it. The Conservatives just said so, and it is true. They will subsidize and they will protect. They will try to offer unfair competition to our industries, particularly in an industry like softwood where we know the Americans cannot compete.

Canadian mills are the most efficient in the world. I have those mills in my riding. I have visited those mills and we have talked to the foremen and the people running the shop. They know that they are running the best. All they want is a fair playing field and an opportunity to compete but instead they will be hit with a 24% duty on their wood. We are going to self-impose a duty when we have said that we are not subsidizing and that we are operating a fair game.

● (1605)

The problems with this deal go on and on. A lot of Conservative members would like to ignore the fact that there is an actual cap on the amount of wood that can be produced. However, it is not done by company but by region. We have also assisted some of the larger companies that have the capacity to invest more money against some of the smaller ones because as soon as the cap is reached it hits everybody in that region. It does not hit the individual company that may have flooded a market. It hits everybody. Suddenly the cap goes up. The tipping point on this, the point where the tariffs start to be imposed, the price of a board foot of lumber has been below the trigger point for months.

This is an opportunity for the government to finally stand up and admit some of the absolute flaws in this agreement. We each need to stand up and represent our communities, which is what we were sent here to do. We were sent here to represent the people who work every day or who are trying to get back to work. We need to get the job done and get a better deal because this deal sells our communities and our future down the river.

Government Orders

Mr. Peter Stoffer (Sackville—Eastern Shore, NDP): Mr. Speaker, I have had the opportunity to visit the member's riding. As a former British Columbian and Yukoner, I have gone through Skeena—Bulkley Valley on many occasions, and he is absolutely correct. Not only is it one of the most beautiful areas in Canada but it has some of the hardest working people in those mills and in forestry and, I may say, in many ways in a very environmentally sustainable way because they know the future relies on their jobs in those mills.

It is sad to see a number of businesses in small towns like Fraser Lake, Burns Lake, et cetera, closing down or reducing the number of employment opportunities which has caused people to go elsewhere. He now knows exactly what we on the east coast have been going through with our fisheries. He also knows what the farmers are going through now on the prairies.

I have been here for nine and a half years now and I have seen and heard of countless numbers of farm families shutting their farms down and the large corporate companies taking over. I have seen many fishing communities, like the one in Canso, Nova Scotia, literally shut down and thousands of people having to move away from their homes.

In the last week alone 3,000 jobs have been lost in the lumber industry under the watch of Liberal and Conservative governments. It is a pattern. It does not matter which industry it is, farming, fishing or forestry, which I call the three *f*s that built this country, they are being decimated by the government.

What scared me the most today was when I heard the Minister of Natural Resources, who himself is from British Columbia, say very clearly, "We need this deal so we can restructure the industry". That makes me very nervous. My colleague is right when he says that whole logs are being sent out of British Columbia into the United States to be brought back as a finished product that we buy. It is like the world's largest gypsum mine that is just outside of my riding. Every ounce of gypsum is sent to the United States and we buy it back as Gyproc.

Am I the only one who thinks this is crazy and that we need to turn this around? I would like my colleague to elaborate a bit more on that.

• (1610)

Mr. Nathan Cullen: Mr. Speaker, the consolidation of industries, and the consolidation in particular of this industry, has been staggering. We have watched mill upon mill get bought up. It almost seems like in the last five years, in this particular plight of industry as more and more tariffs were slapped onto Canadian companies, more and more of those sawmills were either shut down or bought outright. When they are bought, it is not as if business continues as usual. Anybody who has been at the bottom end of a consolidation knows what that means. It means job losses. It means losses to entire communities.

If anyone in the Conservative benches would actually like to stand and debate some of these issues about what is going on in northwestern British Columbia, I would urge them to do so, but the interest seems to have been lost. The air is out of the balloon.

The Conservatives just want this thing to coast through and not actually address the concerns of mill owners I just talked to this past

week. They said, "What's the point?" They have been struggling to get their mills up and running and were finally able to do it after some months. Then they looked on the horizon and they saw more dark clouds mounting. The clouds were a self-imposed tariff on their industry. Why? Because George Bush needed a deal and the Prime Minister wanted it so bad he could not wait.

He could not wait after this many years to look at the decision by the Court of International Trade. The court said, "It's all yours Canada. You were right. These communities were right to survive and thrive on the industry that they had built".

Instead, the Prime Minister and the Minister of International Trade needed something so desperately that selling out a few hundred communities, selling out families, was not so bad because in their equation maybe that was worth it in the long run.

As parliamentarians, as people who are elected, we have to go back and look those people in the eye. We cannot have what happened to the Atlantic fishery. All those parliamentarians over the years turned a blind eye to what we knew was happening while the federal government shirked its responsibilities. The cries that came out from those communities that needed a sustainable industry fell on deaf ears. Now, we are watching a repetition of this in the softwood industry. It is an absolute disgrace.

We try our best to look through the legislation, to read this deal, which I have done, and which I hope and pray that the Conservatives at least have done in their blind support for this thing. I cannot find one scintilla of enthusiasm for investing and reinvigorating our softwood industry.

Instead, we have a \$12 million cut to a beetle fund that would help mitigate what was going on with the pine beetle outbreak in British Columbia. That was the answer: sell them out down the river one day and pull back funding to help communities transition the next. That is hardly supportive of rural Canada. We are going to have to switch governments as soon as possible.

* * *

[*Translation*]

MESSAGE FROM THE SENATE

The Acting Speaker (Mr. Andrew Scheer): I have the honour to inform the House that a message has been received from the Senate informing this House that the Senate has passed the following public bill, to which the concurrence of the House is desired: Bill S-211, an act to amend the Criminal Code (lottery schemes).

Government Orders

[English]

SOFTWOOD LUMBER PRODUCTS EXPORT CHARGE ACT, 2006

The House resumed consideration of the motion that Bill C-24, An Act to impose a charge on the export of certain softwood lumber products to the United States and a charge on refunds of certain duty deposits paid to the United States, to authorize certain payments, to amend the Export and Import Permits Act and to amend other Acts as a consequence, be read the second time and referred to a committee.

Mr. Bill Siksay (Burnaby—Douglas, NDP): Mr. Speaker, I appreciate this opportunity to again speak on the softwood lumber products export charge act. I did have the opportunity to address the House earlier in the debate, but needless to say there is a lot more that can be said about this bad deal.

When I ended my speech last month, I gave the final word to the Prime Minister and I would like to start there this time. I want to quote the Prime Minister who said in this House on October 25, 2005:

Most recently, the NAFTA extraordinary challenges panel ruled that there was no basis for these duties, but the United States has so far refused to accept the outcome and has asked Canada to negotiate a further settlement. Let me repeat what I have said before, and let me be as clear as I can. This is not a time for negotiation. It is a time for compliance.

Those were the words of the current Prime Minister here in this House almost a year ago. It seemed like he was making an argument for the United States to comply with the court decisions that were made in the softwood lumber dispute. He was making that argument very clearly.

Sadly, it seems he has reversed his position completely now. It seems he was actually calling for us to fall in line with the desires of the American industry, the American government and the American protectionists. It is a very sad turnabout and a very dramatic one. It is a capitulation to those interests that have been working so hard to destroy the Canadian industry and with it Canadian communities and Canadian jobs.

It is so ironic that the Prime Minister's reversal comes at a time when a just and fair victory for Canada was in sight. It has been said many times that this agreement and this legislation actually snatches defeat from the jaws of victory. That is exactly what is happening here.

Unfortunately, the victory that Canada was on the verge of has been lost because of this proposal and this legislation. That is why it is a bad deal for Canada, a bad deal for British Columbia, and certainly a bad deal for my home riding of Burnaby—Douglas.

The ironies continue. It was just last Friday afternoon that another court case was decided in Canada's favour. That case before the U.S. Court of International Trade, CIT, found in Canada's favour. That court said that every last penny of the \$5.3 billion of illegally imposed duties on softwood lumber exports over the years had to be returned to Canada. That money was taken from Canadian companies, Canadian communities and Canadian workers. That court said every last cent had to be returned. This was just last Friday where there was yet another victory in the courts.

Indeed, we were running out of court opportunities. We were getting down to the wire on every last one of them. Incredibly, it was Canada's Ambassador to the United States, Michael Wilson, when he was before committee this summer who said the opportunities for court action on this were coming to an end. We were absolutely on the verge of a wholesale victory on this issue in the courts. Unfortunately, that has all been thrown by the wayside by this agreement and this legislation.

I want to come back to the speech I had hoped to deliver the first time around and some of the points that I did not have time to talk about.

If this is such a great deal for Canada and for the Canadian industry, I have to wonder why page after page of this bill is devoted to punitive measures to punish Canadian businesses that do not comply or do not agree with this legislation. If this was such a great deal for Canada and for Canadian businesses and communities, why has such emphasis been placed on punitive measures in the legislation?

I was surprised to hear in this House last month a Conservative member from Atlantic Canada say that the government would have to pursue an amendment to its own legislation because the wording of the maintenance of the Maritime lumber exemption was not strong enough or clear enough, and did not actually use the word "exemption".

• (1615)

It is hard to believe that on a part of this whole controversy where there is absolute agreement in every corner of this House around the need to maintain the Atlantic Canada exemption, that the government could not even get the wording right in this legislation on that aspect of the bill. It could not even get it right when everyone agrees how important that is. It could not get it right when its representatives from Atlantic Canada were so involved to maintain this exemption.

I think that is another example of how bad this bill really is. If there is a point where there is no controversy, where there is a clear agreement and where the language has been accepted for some time, why that language could not even make it into this legislation is beyond me. If the government cannot do it on that front, what is happening on the other clauses that are more controversial and more complicated?

Another important flaw in this legislation is that it does nothing to address the serious issue of the export of raw logs. One observer of the forest industry in British Columbia, and someone who has carefully poured over the agreement and the 82 page appendices to the agreement, notes that this legislation goes out of its way to be specific about what is covered, about what aspects of the softwood lumber industry are covered. In fact, he says it is dizzying in its specificity. He also says:

Taxes will apply to "coniferous wood, sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or finger-jointed, of a thickness exceeding six millimetres". In similar minutiae, wood siding, flooring and fencing are discussed.

That is all very well, but not once in this agreement and in this legislation does the word "log" appear. We know that the export of raw logs is a serious issue facing the industry. It is certainly a serious issue for the industry in British Columbia.

Government Orders

To fail to close a loophole around the export of raw logs from private lands is a huge failure. It gives raw logs from private lands a competitive edge over logs processed, for instance, in British Columbia.

This will discourage value added production and jobs in B.C. and will stimulate more raw log exports to the United States where workers will process them. It robs Canada and Canadian workers of opportunities and jobs. Jim Sinclair, the president of the B.C. Federation of Labour, has pointed out that:

More than 3,300 jobs in the forest sector were lost to log exports in 2005 alone and an estimated 27 mills closed at a cost of 13,000 jobs between 1997 and 2004.

This is work that should have remained in Canada, with Canadian workers and in Canadian communities. It is an absolute travesty that this has been allowed to happen. It is further unbelievable that this opportunity to deal with this issue has slipped through our fingers and another reason why this is a bad deal.

When we add those jobs lost to raw log exports, as the president of the B.C. Federation of Labour pointed out, when we look at the fact that 3,000 jobs have been lost in the last week in the forest industry alone, we come to realize just how bad this legislation and this deal truly is.

Bill C-24 also subjects any change in provincial forest policy to approval by the United States. It is incredible that we would give up our sovereignty in that way.

I think that Steve Hunt, the United Steelworkers Western Canadian director, said something that is very instructive with regard to this. He said:

This deal doesn't need tweaking, it needs a complete rewrite. The proposed Agreement was part of a "sell-out strategy". If this is what talks between [the President and the Prime Minister] have achieved, then we'd prefer continued litigation, rather than a Softwood Lumber Agreement that might only last a few years and gives up provincial sovereignty over forest policy.

●(1620)

I think it is very clear that this is a bad deal. It is a bad deal for Canada, for British Columbia and for Burnaby. What will happen with that \$1 billion in illegally collected tariffs, which we will not get back because we will forfeit to the United States? It will go directly to the lumber industry to mount the next campaign against our industry. It is incredible that we should even be discussing the bill at this point in the House.

Mr. John Cannis (Scarborough Centre, Lib.): Mr. Speaker, I listened very carefully to the member from the NDP. NDP members are standing here today saying how bad of a deal it was. It really is shameful that they prematurely overthrew the previous Liberal government when, according to their words, we were this close to making a deal.

The member outlined how the United States of America is now dictating our forestry industry policy in Canada. That is very bad. It is shameful that the new Conservative government does not understand this.

Yesterday the Minister of International Trade, if there is such a department, responded to a question by saying that we would get all of the \$5 billion back. We had heard it was \$4 billion, but the

minister went on record yesterday and said it was \$5 billion. Nobody really knows what it is.

If the member knows, will he enlighten the House on whether we will see a cheque from the United States of America for whatever it is, \$4 billion or \$5 billion? Rumour has it that this money will never arrive in Canada.

●(1625)

Mr. Bill Siksay: Mr. Speaker, I cannot let the beginning comments of the member go without a response. It is quite hilarious how the Liberals are still so heartbroken. It was the decision of Canadians to toss them out of office. It was not the NDP that ended their reign of power. It was the Canadian people who did that, and they did that rather resoundingly in some cases. They should never forget that Canadians made that decision, not the folks who sit in this corner of the House.

He asked if I know if that money will be delivered. I have no faith that the money will be seen by Canada. I find it hard to imagine the photo opportunity with the Prime Minister and the President of the United States standing there, with the handshake and the big smiles for the cameras as the big cheque for the illegally collected softwood lumber levy is handed over to Canada. I just do not think we will see that.

We know that the provisions of the deal mean we are giving \$1 billion of that illegally collected money to the United States, \$500 million which goes to the association that launched the attack on the Canadian industry. It is unbelievable that we would fund the people who brought us this crisis in the first place so they can plan their next attack on Canadian industry. I do not think there is anyone here who does not believe that the protectionists in the United States will make that move.

It is also ironic that we are giving \$500 million to the White House to use as it will. It says it is for reconstruction for Hurricane Katrina victims, but we know that it is a slush fund to be used by the Republicans as their elections approach. There is no way we should be using that to fund the re-election of protectionist American legislators, but that is exactly what we are doing under the terms of the agreement. It is completely unacceptable.

Mr. Peter Stoffer (Sackville—Eastern Shore, NDP): Mr. Speaker, the other day we heard someone from the Conservative government lash out at environmentalists, blaming environmentalists for the decline of jobs in the forestry industry in Quebec. What is next?

My colleague is absolutely right. The deal is so bad it is like robbing the owner of a store of \$100 and a judge saying that the robber only has to pay back \$80 and he can keep the other \$20 for himself. However, for the government or someone who represents the cabinet to blame environmentalists for the decline of jobs in Quebec in the softwood lumber industry is simply unconscionable.

My colleague from B.C. is very concern about this, and I would like his comments on it.

Government Orders

Mr. Bill Siksay: Mr. Speaker, it is the lack of enthusiasm for the deal that I have often heard around the House. We hear that it is the best deal possible under the circumstances. We hear that we will be subject to endless litigation for years and years. We hear that we have to accept this because we cannot do any better. I do not accept that for one second.

When we know we are behind the eight ball, when we know we have done a bad thing, we often lash out at absolutely the wrong people. Some of that has been going on around the House as people try to rationalize their support for a very bad deal. I am very disappointed in that kind of behaviour in the House.

The Acting Speaker (Mr. Andrew Scheer): Order, please. It is my duty pursuant to Standing Order 38 to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Skeena—Bulkley Valley, The Environment; the hon. member Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, Softwood Lumber.

• (1630)

Mr. Tony Martin (Sault Ste. Marie, NDP): Mr. Speaker, I am pleased again to speak to this very important issue on behalf my constituents and people across Canada who are involved in the resource based economic sector of forestry, and to put some thoughts on the record and challenge the government to rethink this agreement, which does not do all the things it anticipates it will. We are already beginning to see some of the results of this play itself out in the thousands and thousands of jobs that are disappearing. Communities are being affected across the country, particularly my region of northern Ontario.

Before I get to that, I want to share this with the folks who are watching. What we are involved with this afternoon is really a process of closure, or ending debate in the House. The government saw that we, as a party, were very concerned about the impact of the agreement on our constituents. It knew we would to speak to it for as long as it took to get all our thoughts on the record and to challenge the government as effectively as we could. This place is all about that. We are here to ask the government to consider amendments to a bill that might improve it and make it better.

However, the government brought in closure. It forced votes in the House on an amendment we brought forward. It forced votes in the House on an amendment the Liberals brought forward. Now we are at a point where there will be no further amendments or opportunities for us, as elected members of the House, to bring forward suggestions that might make the bill, or agreement, better, if that is possible, or to speak on behalf of our constituents in that way.

We are here in this place on Tuesday afternoon, speaking to a bill which the government wants to ram it through. That has been the government's approach to this from the very beginning. The minister was brought across the floor from the Liberals, I suppose because he had some history and some experience with this, to find a way to put together a deal with the Americans, a deal which ignores all the legal decisions made over a number of months and years in our favour. I guess it has been done to curry favour with the Americans. When the governing party was in opposition, there was a sense that the relationship with that country was not as good as it would like it to have been.

I served for 13 years in the Ontario provincial legislature at Queen's Park. I remember this very same closure procedure being used over and over again. From 1995 to 2003, the Conservative government introduced motion after motion. This changed the landscape of that province. The current government is beside itself now on how it can recover some of the wonderful programs that had been put in place, over a number of years, by varying political stripes. These programs improved the lot of communities, families and people. They were put in place to protect industry and the economy of various regions and to turn the province into an industrial heartland, which was the envy of the rest of the country. The Conservatives turned it into a province that is now struggling from one day to the next to support education, health care and all those programs that we know are necessary if we are meet the challenge of participating in the new global economy.

I remember Thursday afternoons because I was usually on duty. Some of my colleagues and I would spend a couple of hours in the legislature debating a closure motion. We are not debating a closure motion here, but the process that we are engaged in is in fact a process of closure.

• (1635)

One cannot be anything but disappointed that the members of the Conservative Party are not standing to speak on behalf of their constituents. They know as well as we do the impact this is having on them.

Since a lot of them come from rural and northern Canada, within their constituencies, they must have small communities that are being affected dramatically and negatively by this agreement. They must be affected by the government's unwillingness to support the industry in its legal challenges, challenges that were successful and within a whisker of forcing the issue of making the free trade agreement work. Many of us had some concerns about the free trade agreement when it was first brought in, but we learned to work with it in the interests of our industry and jurisdictions.

The Conservatives have not taken the time in this place to get up and speak to this agreement. They are not taking the time to talk on behalf of their constituents and communities that are being hammered. Even if it does not affect people directly, it sets a precedent. It creates a pattern. It sends a message on how the government will stand up and fight for other interests for a region that is resource based.

I do not have to look any further than what is going in western Canada right now with regard to the Canadian Wheat Board. This is a vehicle that farmers themselves decided to put together, fund and run in order to get the best value for their investments, for the work they put in and for the products they produced. The Wheat Board has been a successful vehicle over a number of years now. Literally thousands of farmers, who are behind the Wheat Board and support it, are aghast that the government is being so aggressive in doing away with it. They are surprised.

Government Orders

I attended a meeting in Saskatoon this summer of some 250 to 300 farmers. It was held across the street from a very secretive closed door meeting, by invitation only, of supporters of the government who saw this as their opportunity to do in a vehicle that they had ideological differences with for quite some time. The farmers I met with said that nobody was speaking for them. Nobody was bringing their voice to this place to challenge the government on doing away with the very vehicle they put in place to protect their interests, investments and products and to be able sell them for highest value in the marketplace.

I am disappointed that Conservatives are not standing up to speak on behalf of the communities involved in forestry. I am disappointed they do not recognize the impact of this on those communities. In my own area of Algoma in northern Ontario, people pick up the newspaper every day to see that another mill has closed down somewhere, whether it is Nairn Centre, Espanola, Dubreuilville, White River. The list goes on and on. That is just northeastern Ontario.

In northwestern Ontario it is even worse. NDP members met with the leaders of northwestern Ontario a couple of weeks ago when we were in Thunder Bay for our caucus retreat. They shared with us the very devastating reality that confronts them every day. The forestry coalition and leaderships of those communities talked about mill closings. They said that when a mill closed, they would lose population, the value of property would go down and nobody wanted to set up shop. There is instability and no confidence any more in those communities. People do not want to invest in a small business because they do not know what the future will be. It is up in the air.

I hear from people in the communities in my area and in northwestern Ontario. I am surprised Conservative members are not speaking on behalf of their regions, communities or people because they have to be experiencing the same thing. It cannot be just in northern Ontario, northeastern Ontario or northwestern Ontario. I know it is happening in other areas. Members of my caucus, who have spoken on behalf of their constituents and communities, have said that this is already having a devastating effect.

•(1640)

I say never mind looking at the past in terms of this, which is bad enough; let us look for a second at the future. If this agreement continues and the Americans continue to have the kind of control they have and we keep shipping product into the United States at a cost that makes it uncompetitive, how will we ever add value to anything we do? How will we have a future?

That is my concern. That is why I am so disappointed this afternoon that we find ourselves in this process of closure on this important agreement and piece of public business.

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, my colleague's speech was very passionate. I know that he is a strong advocate for people who are suffering the effects of poverty.

In the context of this softwood lumber agreement, could the member for Sault Ste. Marie talk about the fact that what we see with this very bad deal is many companies forced into closure impacting not only on the mill workers but also on the workers who support those industries, all the secondary spin-offs? There are the

transportation and fuel industries and then there are the tertiary industries as well, such as the restaurant and service workers.

I know that many of the communities in northern Ontario are suffering from the impacts of the spin-offs from softwood lumber. I wonder if the member could comment specifically on what he sees as the very real impact that goes out to the second and third levels from the direct workers in the forestry sector.

Mr. Tony Martin: Mr. Speaker, that is an excellent question. It is the kind of question that I was hoping the Conservatives would ask or maybe make a speech about. Everybody knows that in resource based communities, for every one job in the primary sector, there are three or four jobs in the support or service sector. The member is absolutely right when she says that when one of those jobs goes, those other jobs go as well. People then are left behind. They have no work or they have to leave town and leave their families behind, who then live in poverty.

We used to have a social safety net in this country. We used to have employment insurance that worked for people. We used to have social welfare that actually worked for people, but the incursion of this very cold right wing wind that has come into Canada and Ontario over the last 10 or 15 years has made it such that the safety net has been rent asunder. It is not there any more.

Only about 15% or 20% of people who have paid into EI all their lives now qualify for EI when it is their turn to collect for a little while when they are in between jobs. EI is not there. As well, in just the last couple of weeks, the government cut literacy programs, which would have been helpful for these workers as they try to shift gears and get into other work.

As for welfare, in 1995 Mike Harris cut welfare by 21.6% for the poorest of our families and our most at risk and marginalized citizens.

Let us put all of that together: this terrible agreement, plus the impact when plants close and people lose their jobs, plus the multiplier effect with the fact that we no longer have the social safety net that all of us worked so hard to put in place. Then we begin to understand the devastation and the poverty that now exist and will continue to exist.

Mrs. Joy Smith (Kildonan—St. Paul, CPC): Mr. Speaker, I could not help but listen carefully to the member's speech which, with all due respect, was rather sanctimonious.

I have one question for the member.

Our government has just put in \$81 million for literacy programs and I think it is passing strange and somewhat irresponsible to talk about cutting literacy programs. I would ask my colleague this: is \$81 million not something to applaud? Are all the different programs that we have put in for literacy across this country not something to rejoice in and applaud?

Government Orders

Mr. Tony Martin: Mr. Speaker, I thank the Conservative member for actually participating in this debate this afternoon. I will say to her that any investment in literacy is important and helpful good news, except that the government has cut the legs out from underneath all of the volunteer groups, the not for profit groups, and yes, the groups that deliver literacy across this country. They have been cut off at the knees. The member's government has cut millions and millions—

Mrs. Joy Smith: Where?

Mr. Tony Martin: In adult literacy.

We had a committee meeting this morning. We brought in the literacy groups that have been impacted by the cuts made in the last two weeks. They spoke of the cuts they are experiencing. They spoke of the impact this will have on their ability to actually deliver literacy programs.

There will be more of them coming in. I invite you to actually come to the meeting, listen to those people and perhaps ask them questions. I invite you to sit in for one of your colleagues and ask them the question that you are asking me about how this is impacting on them.

There have been very real cuts. Those very real cuts are going to be a problem for older workers, particularly those in forestry centred communities across this country who are losing their jobs because of this terrible agreement.

• (1645)

The Acting Speaker (Mr. Andrew Scheer): I would remind the hon. member for Sault Ste. Marie that we do not refer directly to hon. members. We address our comments through the Chair.

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, I rise on behalf of the New Democratic Party. We are opposing Bill C-24 vigorously. We feel that this is a bad deal for Canadians and I certainly want to talk about it being a bad deal for people from British Columbia.

I want to start by talking about a couple of things. One is how tirelessly the member for Burnaby—New Westminster has worked on this file. One of the things the member has called for is public hearings in which a committee could go out and hear from people from coast to coast to coast. I think it is a grave failing that this has not happened.

That process would have allowed industry, workers, communities and first nations to talk about the very real impact in their own communities. It would have talked about what it is like to be faced with either already lost jobs or the looming prospect of job loss.

It would have provided the committee with an opportunity to hear from municipal councils concerned about the fact that many of our smaller communities in British Columbia are heavily reliant on the forestry sector for their municipal tax base. It would have allowed the committee members to hear directly from council members and from citizens of those communities about what it feels like in their own communities to be worried about their municipal infrastructure being at risk because of the fact that their tax base is threatened.

I think it is a great loss for committee members and for the House not to get that on the ground experience from community members.

I think the other glaring omission in this piece of legislation, and on the current Conservative government's part, is the fact that there are not adequate funds to address the transition currently happening in the forestry sector. Many forestry workers have already lost their jobs. There is a very real need for education and training funds, for pension bridging, for assistance to older workers who may not be able to find employment, and for some recognition that many workers will also need assistance in relocating to other communities. We need an active transition fund in place.

There used to be a program called industrial adjustment, which worked closely with industry, labour and communities when communities were going through transitions. The federal government cut that very good program a number of years ago. There is now no mechanism to get that kind of community driven process. It is the community driven process that can talk about the problems in the community and identify the very concrete solutions that will make a difference.

The other piece that is missing is the whole issue around loan guarantees to industry. We know industry is suffering right now with the lack of certainty in the softwood lumber field. It was incumbent on the past Liberal government and certainly is on the current Conservative government to look for a loan guarantee program that would help industry over this very difficult period. Because no matter what, whether this agreement goes through or not, by the time industry gets cheques in their hands, some of these industry players will already have closed their doors. Then where will the help be for communities suffering from the transition?

There are a couple of other issues I want to touch on in today's debate. I am sure other members have quoted from the article I will mention, but I have a direct link to my own community about this. It says that the softwood deal will spur more raw log exports. It is an article written by Ben Parfitt from the Canadian Centre for Policy Alternatives. He says:

Nearly two-thirds of the 82-agreement is appendices, including one outlining which Canadian products are subject to export taxes.

It is a “dizzying” list, he says. He talks specifically about a glaring omission:

Throughout the appendix, however, one searches in vain for the word “logs”. Yet the on-again, off-again dispute with the US has always been about how provincial governments price publicly owned trees, not whether they somehow underwrote the costs of specific manufacturing processes.

Later on in the article he talks about a “flash forward”. This is really critical for my riding:

Flash forward. Despite the policy changes, the US insists with the current deal on capping our market access. And Canada and BC—to their lasting discredit—have agreed. Once the caps are exceeded, costly export taxes kick in. Except, that is, on logs. Now look at BC's coast. One company—Western Forest Products—directly controls nearly half the logs on public forestlands. It, along with other coastal companies, already has log export approvals from the province.

• (1650)

Now, thanks to the scrapping of provisions linking forest tenures to sawmills, we face the prospect of increased log exports should further coastal sawmills, as is widely anticipated, close. And why wouldn't they? The “reward” for processing US-bound lumber may be a 15 per cent tax when certain export or price thresholds are exceeded. The corresponding tax on logs is zero.

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I have raised that issue because in my riding raw log exports have been a major, major problem for a number of years. There has been a valiant and diligent group of people called the Youbou Timberless Society, a group that sprung up as a result of the Youbou mill closing four years ago. A great number of the people from the Youbou mill never did find permanent full time employment again, which has had an incredible effect on the community of Youbou and the surrounding area of the Cowichan Valley.

One of the chief proponents behind the Youbou Timberless Society is a man by the name of Ken James. These people have been working very hard over a number of years to raise the awareness of the impact of raw log exports on our community and other communities on Vancouver Island and in British Columbia. They decided to count the number of trucks that were leaving the area with logs. They did a tally on Highway 18, between Lake Cowichan and Duncan, and tallied 157 logging trucks in 10 hours.

Over four days, from 6:30 a.m. until 4:30 p.m., Youbou Timberless Society members counted slightly less than 1,000 trucks in my riding, 1,000 trucks loaded with logs. Not all of them were leaving the riding, but many of them were leaving the riding with logs to be processed somewhere else.

Where is the responsibility to our community to make sure that the resources from our community are processed closer to home, producing jobs so that people can support their families and pay taxes? As we know, people who make a good dollar actually pay taxes and are the ones who fuel our economy. They are the ones who make sure our hospitals and our schools stay open. They are the ones who make sure our roads get paved. It seems reasonable and fair that we actually look for ways to make sure that we process the resources from our proud province and from our grand country of Canada as close to home as possible.

Later on in that same article, again quoting James, statistics quoted show a corresponding rise in raw log exports from about a half a million cubic metres in the early 1990s to an annual three million cubic metres since the provincial Liberals took power in 2001. That is an outrageous increase in resources leaving our community and our province. That is a direct loss of jobs and of quality of life.

One of the other items that is omitted, really, in this softwood lumber agreement is first nations. On August 10, the First Nations Leadership Council wrote a letter about the Canada-United States softwood lumber agreement, stating:

—the new SLA [softwood lumber agreement] makes only one reference to First Nations in Article XVII anti-circumvention item 2.(f)...payments or other compensation to First Nations for the purposes of addressing or settling claims...

That is it. That is the only mention of first nations in the softwood lumber agreement.

That is an important issue in British Columbia, because of course in British Columbia, as many members of this House are well aware, there are extensive treaty negotiations under way. Some of them have been under way for decades and one can only dream that they would actually get settled in our lifetime.

The fact is that there are these treaty negotiations under way and many of them are not nearly close to being settled. The leadership council had asked, given the new relationships and transformative

change accord and a number of other unresolved land questions, that there be some consideration in the softwood lumber agreement, and in discussions leading up to it, of the impact on first nations in British Columbia. Of course that was not done. There seems little opportunity at this point in time to do it.

This is one of the things that public hearings would have helped to address. It would have given first nations leadership an opportunity to appear before the standing committee to talk about the impact on their communities.

I urge this House to reject this flawed agreement. I urge this House to look for creative solutions which would ensure that our communities stay healthy and viable, that we retain the right to process our resources close to home and that we retain the say over our industry.

• (1655)

Mr. John Cannis (Scarborough Centre, Lib.): Mr. Speaker, I listened very carefully to the member for Nanaimo—Cowichan, and her reference to the member for Burnaby—New Westminster and his passion on this issue. Let me also confirm that fact. I chaired the committee on international trade and he was a member of that committee and I recall how passionate he was about this issue.

The member for Nanaimo—Cowichan said that the previous Liberal government should have provided “loan guarantees to the industry”. The Liberal government of the day brought forward a report, supported by the member for Burnaby—New Westminster, which indicated that it would provide loan guarantees. I just want to inform the House of that and through you, Mr. Speaker, the nation.

The member said we were reeling because we lost the election. We are not reeling because we lost the election. The people will judge very quickly. Let me assure you that people will judge you. Why? They will judge you because your party and your leader, the member for Toronto—Danforth, struck a deal with the BQ and the Conservatives. Who did they let down? Housing, post-secondary education, urban transit, the environment; the NDP reneged and all that money was gone. How are they going to answer to their constituents in the future not just on softwood lumber, but on all the other issues that I just mentioned?

The Acting Speaker (Mr. Andrew Scheer): I would just remind the hon. member for Scarborough Centre not to address his comments directly to other hon. members. The hon. member for Nanaimo—Cowichan.

Ms. Jean Crowder: Mr. Speaker, I am delighted to talk about the previous government's track record on softwood lumber. The Liberals had years to implement loan guarantee agreements, and in the dying days of their very fragile government, they suddenly had an epiphany.

Although it was not me specifically who talked about Canadians bringing down the former Liberal government, I want to remind the member that the former prime minister had actually already signalled an election. An election was mere weeks away. Whether it happened in January, February or March, we were going to have an election. Canadians are the ones who determined the fate of the Liberal Party.

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It is important that we also remember that we have a responsibility here to make sure that we are talking about forestry workers in this context, not old history.

Mr. Bill Siksay (Burnaby—Douglas, NDP): Mr. Speaker, I want to ask the member for Nanaimo—Cowichan to comment on something I find very ironic about this deal, about the timing of this deal and about other actions of the Conservative government.

We know that almost half of the \$1 billion that Canada is giving up to the American protectionists as a result of this deal is going directly to the U.S. Coalition for Fair Lumber Imports. They are the folks who initiated the campaign against the Canadian softwood lumber industry and who have pursued the attack from the very beginning. We are funding their future activities. We are giving them this money so they can pursue their protectionist ways and other ways down the road.

The irony for me is that at the same time the government is providing this money to the very people who attacked our industry, it cancelled the Canadian court challenges program which allowed minority Canadians to take on the government where questions of Canadian charter rights were involved. Here we have a government that is setting up a court challenges program for American industry while at the same time it is getting rid of a very small but important Canadian program to assist minority Canadians with their charter rights.

I wonder if she could comment on the irony of the juxtaposition of those two items.

• (1700)

Ms. Jean Crowder: Mr. Speaker, I do think it is ironic that we are handing money over to the U.S. government and to the lumber industry down there and part of that money will have no accountability provisions attached to it, and this is from a government that constantly talks about accountability. We are going to hand over huge sums of money without there being any accountability to the Canadian public.

It is ironic that we are cancelling the court challenges program which allowed charter challenges to ensure equality rights in Canada were protected while we hand over this money that has no accountability attached to it and it is going to really impact on our industry here in Canada.

Mr. Dennis Bevington (Western Arctic, NDP): Mr. Speaker, I rise again on the issue of softwood lumber and the agreement that is being pursued by the Conservative government that will leave our industry far short in the future.

It was very interesting to hear the Minister of Natural Resources speak today in the House and admit that the industry was now going to have to be restructured. Quite rightly, if this agreement is carried through, it will create fewer jobs in the industry and more exports of raw material to the United States.

The fact that this agreement has no tariff on raw logs will drive the destruction of our sawmill and related products industry across the country. This is especially so in British Columbia where the value of the logs is so high and the opportunity to export them is so strong.

Despite being right on this issue and supported by every tribunal ruling on softwood, we are going to lay down to the United States on

this. This is not good. This sets a bad precedent. Once we give in on this issue, we can be sure that the United States will be back again on another issue. The U.S. does not recognize weakness, it recognizes strength. Here we are acting in a fashion that is weak, that is insipid and that does not nearly stand up the way we should.

It is so ironic that in this House the Conservative government has berated our leader for cutting and running in Afghanistan, yet at home we see the same Conservative government cutting and running on this issue. I find that to be logically inconsistent and much like the rest of the government's debate on this issue.

This deal declares open season on any Canadian industry that the U.S. wants to target with illegal tariffs. The U.S. knows that it will be rewarded. The Conservatives are as bad as the Liberals were in caving in to American interests. I remember when the Liberals came to power in the early 1990s they said that they were not going to go along with NAFTA. What did the Liberals do as soon as they were elected to power? They went along with it. They definitely went along with it. The Liberals went along with a lot of those types of arrangements which for instance are now driving our energy industry and which are harmful in the long term to our economy.

NAFTA has reinforced inequalities of power across North America and has entrenched an economic model of integration that has resulted in a growing gap between the rich and the poor in North America.

This Harper-Bush sellout of our lumber industry is just the beginning.

• (1705)

The Acting Speaker (Mr. Andrew Scheer): I remind the hon. member for Western Arctic that we do not refer to other hon. members by name, but just by their title or riding.

Mr. Dennis Bevington: Mr. Speaker, the NAFTA promise of secure access to the U.S. market was never anything but an illusion. Nothing but shreds remain of a guarantee of an end to arbitrary U.S. tariffs, yet the takeover of our industries continues apace, from retail to beef, from manufacturing to energy.

NAFTA prohibits the imposition of an export tax on energy or on basic petrochemicals that exceed those applicable to domestic consumption. That is article 605(b). When coupled with quantitative control prohibitions of GATT article XI, this ban on export taxation effectively and entirely removes government control of energy exports.

Not long ago we had a made in Canada price for energy, Canadian oil and gas companies were the primary people in the industry, and a 25 year reserve of gas was set aside for Canada's future needs. That is no longer the case.

The impact of the Alliance pipeline on our gas industry was huge. Yes, it brought immediate wealth to Alberta and British Columbia, but it also exported all the liquids that we need for our petrochemical industry in Edmonton, in the heartland of our oil and gas industry, and now we are short of those. We will see plant shutdowns soon. Just like the export of raw logs, when we export raw energy, as the Alliance pipeline does, down to factories in Chicago, we are exporting jobs south of the border. We are taking them out of the Canadian perspective.

No other country in the world in a time of peace has signed away so completely its energy resources, present and future. Canada, interestingly enough, is the only NAFTA country prevented by the energy exporting provisions in NAFTA. Four years ago the U.S. adopted a national energy policy that emphasized national energy security, self-sufficiency and even support for domestically owned firms. Canada, meanwhile, is required by NAFTA to continue exporting oil and gas to the U.S., even if it experiences shortages.

The interesting development was the liquefied natural gas terminals in Quebec where the company is talking about security of supply with two forms of energy, but when we look at the company's plan, the natural gas that is flowing to Quebec right now will be diverted to the United States once the LNG terminals are in place. Where is the security in that?

The Mexican energy sector under the agreement does not parallel that between Canada and the U.S. because Mexico protected its energy industry. Mexico's actions are given respect in the United States. To quote from the U.S. national energy task force report, "Mexico will make its own sovereign decisions on the breadth, pace and extent to which it will expand and reform its electricity, oil and gas capacity".

Integrating our energy and our economy into that of the U.S. means it is subject to U.S. ownership, decisions, priorities and prices. That is exactly what the softwood lumber deal means to our forest industry. The pattern continues. It was started by the Liberals and is continued by the Conservatives. Let us not wait until our industries and agriculture become completely uncompetitive, until Canadians are left begging for their own energy at 40° below. We need to really look at this deal very carefully. This deal represents a further step down that slippery slope that leads to deep integration of our economies and the loss of Canadian sovereignty, jobs and a secure resource base.

• (1710)

As a northerner, I probably live further away from the U.S. border than most people in this chamber. I feel secure in some ways there, but I do not feel secure when I come into this House of Commons and see the people who are representing Canada making decisions for short term benefit and political gain, and forgetting the long term implications to this country and to our sovereignty, which our fathers, grandfathers and great-grandfathers fought to first obtain and then continue to uphold.

John Diefenbaker would be turning over in his grave right now if he knew what these Conservatives were doing to our country. They are following the Liberal pattern. The Liberals were great at continentalism, always have been. Now all of a sudden we have them all together. I hope Canadians in the next election really realize

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that we have Tweedledee and Tweedledum when it comes to protecting Canadian sovereignty in this country.

The Acting Speaker (Mr. Andrew Scheer): I would just remind all hon. members that cellphones are not to be used in the House. They often disrupt those giving speeches.

Questions and comments, the hon. member for Burnaby—Douglas.

Mr. Bill Siksay (Burnaby—Douglas, NDP): Mr. Speaker, I want to thank my colleague from Western Arctic for his speech this afternoon. I know that, as someone from a resource area of Canada, he understands the importance of a deal like this and how bad this deal is for Canada.

I wanted to ask him about the \$1 billion in illegally collected levies that we give up under the provisions of this deal, that we pass on to the Americans for their use. We have already talked earlier this afternoon about the money that goes to the U.S. Coalition for Fair Lumber Imports to pursue its protectionist ways, but the other half of that \$1 billion goes directly to the White House.

Ostensibly, it is for educational and charitable causes in timber-reliant communities, initiatives related to low income housing and disaster relief, and education and public interest projects addressing forest management issues, but it has been reported widely, and many of us I think agree, that this is really just a slush fund for electing more republican protectionists to Congress in the United States.

It is rather ironic that Canada would agree to establishing that kind of slush fund for the Bush White House, to elect more members to Congress who believe in the things that they believe in. I wonder if the member for Western Arctic might comment on that.

I also think it is rather ironic, and I have used that word a number of times this afternoon, that in the course of this deal there is half a billion dollars for support to American forestry communities, apparently, but there is absolutely nothing in here for support to Canadian communities that have been so devastated by this agreement and by this attack on our industry.

I wonder if he might comment on those issues.

Mr. Dennis Bevington: Mr. Speaker, the member's question triggered in my mind one of the reasons why I worked so very hard to get into Parliament, which was the deal that was struck between multinational diamond companies and the Canadian government on the diamond resources in the north.

What a giveaway we had there. The Liberal Party, in its wisdom when it was in power, chose to give that industry carte blanche in the treatment of our resource there, and certainly as a northerner I railed against that for many years.

However, that is symptomatic of the larger problem. Canadians are wealthy in resources right now and we are willing to sell them off at the lowest price to maintain political promise.

Mr. Bill Siksay: Some of us are.

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Mr. Dennis Bevington: Yes, some of us are. This \$1 billion that is in the hands of the United States now, I am sure will be used for purposes that are not favourable to Canada. If this deal goes ahead, that is the reality of it, and that reality is an unfortunate reality.

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, I want to thank the member for Western Arctic for his intervention. He is very passionate about justice in the House of Commons.

I wanted to specifically ask him about the lack of process around this bill. One of the things that the member for Burnaby—New Westminster had been calling for, for a number of weeks now, was a process around hearings in this country.

The idea was to take the committee out to key communities in Quebec, northern Ontario and British Columbia to actually meet with people to talk about what the impact this would have on their communities, their industries, their municipalities, their workers and first nations.

I wonder if the member could comment about the fact that this has not been done. What will the impacts be in terms of the validity of this bill?

• (1715)

Mr. Dennis Bevington: Mr. Speaker, I had the opportunity for a number of years to sit on the Mackenzie Valley Environmental Impact Review Board where we looked at projects and conducted public hearings on a variety of issues.

In the north, which is quite a colonial state still, the federal government took the recommendations we had and basically ignored them. Apart from that, it is really vital that the public interest in each province and in the territories in economics is understood by the population. The population has the ability, whether it is small business, aboriginal people, or whoever it is, to understand the kinds of decisions that we are making and how they impact on their lives. That is a fundamental aspect of the democratic system.

Interestingly enough, often when we do environmental assessments, we move into economics and find out some of the answers. Therefore, the public hearing process would have helped the government gain a backbone and it would have also helped Canadians.

Ms. Catherine Bell (Vancouver Island North, NDP): Mr. Speaker, I am glad to have the opportunity to speak again about my concerns and the concerns that have been expressed to me in the riding of Vancouver Island North about how this softwood lumber deal is bad for Canada.

I want to reiterate that the Conservatives campaigned on getting tough with the Americans and standing up for Canada and Canadian interests, but instead they got tough with the Canadian lumber companies. With the signing of this deal, the Conservatives have negotiated away all of Canada's wins at the NAFTA tribunals and put workers and communities in jeopardy. So many of those communities are in my riding and are suffering because of this deal.

After five years of legal battles under NAFTA and the U.S. Court of International Trade, the CIT ruled that Canada was entitled to the return of every penny of the \$5.3 billion owed, every penny. That is the amount of illegally imposed duties of our softwood exports over the years. Again, we won.

Why would the government sellout Canadian manufacturers and communities, and capitulate to the pressure of the U.S. government and the lumber lobbyists? Why did the government snatch defeat from the jaws of victory?

The fact is that the recent court ruling, which I might add came only last Friday, is rendered a moot point due to this bad softwood lumber agreement. This agreement should go down in the history of Canada as one very shameful moment for the government. We just gave away \$1 billion. I guess it is just one more way the government trims the fat. It seems to like to do that. Its rush to appease the U.S. lumber lobbyists has sold out ordinary Canadians, especially those who live and work in forest dependent communities.

The other irony about all of this is that about \$500 million of Canadian money will go to the U.S. That is \$.5 billion to the Coalition for Fair Lumber Imports. This money will most likely be used to rekindle the coalition, which is failing, and at some point in the future we will have to fight the U.S. again and it will be with our money.

It will be using our money to fight us. It is a sad irony. What a sellout. Why would anyone agree to this when it is our duty as members of Parliament to stand up for our constituencies and communities, all of whom happen to be Canadian? They are in our ridings.

Let me provide a few other reasons why this is a bad deal, besides the fact that it is based on a falsehood that Canadian softwood lumber industries are subsidized. This falsehood was exposed and rejected in every NAFTA and U.S. commercial court ruling that clearly sided with Canadian industry.

Another reason this is a bad deal is that it can be cancelled unilaterally at any time. It does not go on for seven years. It could last only two years or even 18 months and does not provide stability and predictability to the Canadian softwood lumber industry. This deal constrains trade unreasonably by applying punitive tariffs and quotas that hinder the flexibility of the Canadian softwood industry.

I want to talk about a small flooring manufacturing company in my riding that is devastated by this agreement. It has told me it is going to be losing over \$300,000 a year in revenues because it cannot find a way under this deal as it stands to do business with the U.S. It is going to be shut out. It is a small company and is going to lose out because of this deal.

• (1720)

It will be the dozen or so people who work in small businesses in my community who will probably lose their jobs if this deal goes ahead. Small businesses are very concerned about their future. It is a bad deal because it does not respect small businesses.

The deal kills the credibility of the NAFTA dispute settlement mechanism. Canada won in the courts but by negotiating away all of those wins we have put the dispute mechanism in jeopardy. We might as well say that we did not need it. We capitulate in a heartbeat.

It sets a bad precedent, not only for the softwood lumber industry, but also for other industrial sectors in this country. If the government can capitulate to the Americans on softwood, what can it do in other sectors that are governed by NAFTA? Will we see this again in other industries? It is a bad deal.

The deal does nothing for the thousands of workers who have lost their livelihoods over the past five years. My colleagues and I in the NDP called for loan guarantees from the government so that the industries in our communities could get through this and maintain some of the workers. However, that did not happen. Many of the industries had to lay off workers and many are now gone because of this deal. We also see a further job loss through consolidation caused by the quotas and export taxes.

I have another reason for talking about this agreement. This softwood lumber agreement creates an incentive for exporting raw logs. I live on Vancouver Island and I when I drive up and down the Island highway I see truckload after truckload of raw logs leaving the Island and going to a log dump. We used to have a lot of small mills, mills that were the backbone and the lifeblood of so many small communities. These mills kept those communities going because the logs were tied to the communities. This is not happening any more. This deal does nothing to stop these logs from being exported out of our communities and out of the country. The logs are being processed offshore and in the U.S. Those are family supporting jobs that we have lost in our communities. That is not standing up for our communities.

This continued export of raw logs has to stop. I have spoken about this in my communities and everywhere I go people agree that this is something that has to end. For that reason alone, I would think that people would not support this deal.

This deal does not provide effective protection for Atlantic Canada. The softwood lumber agreement has a fundamental and irreversible impact on the ability of Canada to defend itself within NAFTA and the United States commercial court system. The agreement makes everyone substantially more vulnerable, notwithstanding the Atlantic exemption. The renewal of the exemption is not a guarantee against failure in the future. The Atlantic provinces are still vulnerable to subsidy allegations. There will be nothing to stop the U.S. from alleging that Atlantic Canadians are not living up to this deal.

This is a bad deal because I know much of the industry was not on side. It was pressured into supporting this deal and a lot of bullying tactics went on. Many industries felt forced into signing on to this deal. A lot of them actually did not sign on, but were pressured anyway. I am really standing up for those people in those industries, for the workers in our communities and for the communities in my riding and across this country that will be devastated by this deal.

• (1725)

Mr. Bill Siksay (Burnaby—Douglas, NDP): Mr. Speaker, when the committee looked at this legislation this past summer it agreed

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that there should be public hearings in Quebec, in northern Ontario and in British Columbia but those hearings are not going ahead.

I wonder if the member could comment on the fact that there have not been public hearings on this deal or on this legislation.

Ms. Catherine Bell: Mr. Speaker, it is shameful that the hearings, which the committee agreed to, have not gone ahead. It is quite annoying that the kibosh was put on them because we should have heard from Canadians in all communities about how bad this deal was and how it was affecting them.

The Acting Speaker (Mr. Andrew Scheer): Is the House ready for the question?

Some hon. members: Question.

The Acting Speaker (Mr. Andrew Scheer): 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 (Mr. Andrew Scheer): All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Acting Speaker (Mr. Andrew Scheer): All those opposed will please say nay.

Some hon. members: Nay.

The Acting Speaker (Mr. Andrew Scheer): In my opinion the nays have it.

And more than five members having risen:

The Acting Speaker (Mr. Andrew Scheer): Accordingly, the vote stands deferred until tomorrow at the end of government orders.

It being 5:30 p.m., the House will now proceed to the consideration of private members' business as listed on today's order paper.

PRIVATE MEMBERS' BUSINESS

[English]

DIVORCE ACT

The House resumed from June 5 consideration of the motion that Bill C-252, An Act to amend the Divorce Act (access for spouse who is terminally ill or in critical condition), be read the second time and referred to a committee.

Mr. Rick Casson (Lethbridge, CPC): Mr. Speaker, there have been discussions regarding amendments to my private member's bill and I believe if you seek it you shall find unanimous consent in the House for the following amendment. I move:

That Bill C-252 be amended by replacing clause 1 with the following:

1. Section 17 of the Divorce Act is amended by adding the following after subsection (5):

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(5.1) For the purposes of subsection (5), a former spouse's terminal illness or critical condition shall be considered a change of circumstances of the child of the marriage, and the court shall then ensure that the former spouse is granted access to the child as long as it is consistent with the best interests of that child.

● (1730)

The Acting Speaker (Mr. Andrew Scheer): The House has heard the terms of the amendment. Is it the pleasure of the House to adopt the amendment?

Some hon. members: Agreed.

(Amendment agreed to)

Mrs. Lynne Yelich (Parliamentary Secretary to the Minister of Human Resources and Social Development, CPC): Mr. Speaker, I am pleased to speak today in support of Bill C-252, An Act to amend the Divorce Act introduced by the member of Parliament for Lethbridge.

Before I continue with my remarks, I would like to take this opportunity to applaud the member for his continued advocacy for the protection of society's most vulnerable, our children. Since his initial election to the House of Commons in 1997, the member has been persistent and vigilant in ensuring issues surrounding the welfare of Canada's children remain on Parliament's agenda.

One highlight of his ongoing advocacy includes his private member's bill, Bill C-313, from the 38th Parliament. That bill would have amended the Criminal Code to raise the age of consent from 14 to 16 years of age. Although that particular legislation was unsuccessful, chiefly due to the previous government's opposition, it helped draw national attention to the age of consent issue and it also crystallized in the minds of many Canadians the need for a new approach in Ottawa toward criminal justice, especially where our children are concerned.

I am proud to report that, unlike the previous government, this Conservative government and this Prime Minister are committed to comprehensive criminal justice reform, including raising the age of consent between children and adults from 14 to 16 years of age. As we move forward in implementing this necessary change, I would like to recognize the member for Lethbridge for his laudable contribution and, on behalf of Canada's children and their parents, thank him.

That brings us to the matter under debate here today, legislation which again deals with an issue important to the welfare of children. It involves difficult and emotional matters. It deals with those parts of life we do not necessarily bring up in casual conversations. When we talk about these matters we tend to do so in hushed tones, with long pauses and guarded expressions: Death and divorce.

These are not parts of life we anticipate in any great measure, only accept for we have no choice. While there is the rare exception, these events are saturated in the most wrenching of human emotions for all those involved. This is particularly true for young children. For it goes without saying that neither the break-up of a parent's marriage or the death of a parent are elements we associate with the carefree innocence of childhood. It is a cruel coincidence of fate that would visit both such events on a child, but the destiny of fate knows not of the sorrow it inflicts.

While death is inevitable, the end of a marriage is not, but it is today a distinct possibility. A divorce is not a flippant decision for most people. It represents the lamentable end of earlier promise. Some are mutual and amicable, others are bitter and acrimonious.

According to Statistics Canada, each year approximately 70,000 couples will get a divorce. Furthermore, today almost 40% of marriages will end in divorce by the 30th wedding anniversary. I would like to say that I beat that anniversary.

Mr. Paul Szabo: How many?

Mrs. Lynne Yelich: Over 30 years with the same man.

With the end of marriage, the difficult questions surrounding custody of dependants have to be attended to.

Again the tender of such proceedings can vary, and sometimes custody arrangements will limit the access of one parent to a child. This is not exceptional in itself for it occurs daily in courtrooms throughout the country. The exceptional occurrence, what Bill C-252 seeks to address, is the conditions or privileges granted to a terminally ill or a critical condition parent. The bill before us today seeks to grant such a parent access to their child in this difficult period.

Adding subsection (11) to section 16, custody orders, of the Divorce Act, the proposed subsection reads:

Subject to subsection (8), in making an order under this section, the court shall ensure that a spouse who is terminally ill or in critical condition is granted access to a child of the marriage.

● (1735)

I would like to draw attention to the House a key provision drafted in that amendment which has the effect of ensuring that such access is granted provided it is in the best interests of the child involved.

Proposed subsection (11) is subject to subsection (8), which reads, "In making an order under this section, the court shall take into consideration only the best interests of the child of the marriage as determined by reference to the condition, means, needs and other circumstances of the child". A child would consequently be shielded from possibly being returned to the custody of a parent who may have, or may again, inflict any harm upon the child.

I believe this provision speaks to the fact that the bill seeks to strike a proper balance between parental rights and child protection. Providing a legally entrenched avenue for a dying parent to have access to their child to say a last goodbye with the provision I just mentioned is the decent thing to do.

I cannot, nor do I wish to, imagine facing the prospect of being prevented from looking into the eyes of one's child the last time before the hour of death. More important, robbing a child of such a moment, that final reassurance everything will be all right, is not something that should be facilitated by the state.

The English poet Matthew Arnold wrote, "Truth sits upon the lips of dying men". Most would hold this to be an intrinsic truth. As difficult as it may be to the parent and child, the period before one's expected death represents a final opportunity to impart what a mother or father holds to be true to their child.

Private Members' Business

The language of the dying is usually stripped of generalities and devoid of excess of words, especially when spoken from a parent to their child. There is typically an economy of words used, not because of a lack of things to say, but to ensure the impact of those few spoken are magnified to the fullest extent, often simply limited to three.

The anguish of a child following the death of a parent is inevitable and it is natural. As legislators we have no power or desire to avert that. However, ensuring the welfare of children is not simply limited to sheltering them from harm, but also allowing them the experiences of life.

Bill C-252 can assist in a small way by permitting recourse for parental access at this sensitive time.

In psychology the term “closure” refers to a state of experiencing an emotional conclusion to a difficult life event like the death of a loved one. Bill C-252 will not bring closure, for as the Canadian journalist Robert Fulford once argued that closure cannot be achieved consciously. One cannot arbitrarily shorten the length of time it takes to soften the edges of grief, and this is especially true for a child. But there is solace and comfort inherent to acts of finality, such as the solemn moments of farewell with a dying loved one which, with the passage of time, contribute to the process of closure.

On that basis, I ask my colleagues to support unanimously Bill C-252 proposed by the member for Lethbridge.

● (1740)

[*Translation*]

Mr. Réal Ménard (Hochelaga, BQ): Mr. Speaker, I am pleased to take part in this second hour of debate on the bill introduced by our colleague from Lethbridge, namely Bill C-252.

The Bloc Québécois will support this bill. We are not planning to make a habit of it, but when sensible and balanced bills come along, we are always happy to cooperate, especially where private members' bills are concerned. A member can really show the full extent of his or her talent with legislation like that. In my caucus, I have always maintained that debate on private members' bills should not be limited to one hour; instead, two hours a day should be allocated to debating these bills. I think that would be one way to enhance the role of MPs.

That having been said, Bill C-252 deals with the Divorce Act. Members might remember that, for a long time, divorce was pretty unusual. There was even a time, long ago, when an application had to be made to the Senate or a private bill had to be introduced for a divorce to be granted. In time, divorce has become much more mainstream. In terms of division of powers, one could of course find it somewhat illogical that Quebec has jurisdiction over separation from bed and board and matters relating to civil law, but not divorce. In fact, every Quebec premier from Daniel Johnson to Jean Lesage, and from René Lévesque to Jean Charest has traditionally called for divorce to fall under the responsibility of the Government of Quebec, through its National Assembly. This way, we would have full and complete, integrated and consistent jurisdiction over family matters, even though divorce is admittedly something that is always painful for someone to go through.

What the bill introduced by our colleague from Lethbridge proposes is to amend section 16 of the Divorce Act, which provides for custody orders. Increasingly divorces take place by mutual agreement and the divorce process is not judicialized. There are nevertheless legal and administrative matters that require court intervention. The granting of custody is one of these matters.

Section 16 of the Divorce Act says that a court of competent jurisdiction—in Quebec, this is the Superior Court—may, on application by either or both spouses or any other person, make an order respecting the custody of or the access to, or the custody and access to, any or all children of the marriage. This is subsection 1 of section 16.

Subsection 2 also says that the court may, on application by either or both spouses or by any other person, make an interim order respecting the custody of or the access to, or the custody of and access to, any or all of the children of the marriage, pending determination of the application.

What is also important is that, in our divorce legislation, the issue of the children's interests has always been extremely central. The wish is for the courts, when deciding on shared custody, access and visitation, to do so in the light of the child's best interests.

There is extremely important jurisprudence defining what are the child's interests with respect to his development, emotional stability, growth and education. That is why, contrary to what our fellow citizens think, custody of a child is never automatic. There is always a set of factors that must be assessed by the court. What is central are the child's best interests.

A few years ago, this Parliament created a committee to review the whole issue of children. For the Bloc Québécois, it was the member for Longueuil—Pierre-Boucher who sat on the committee. The committee again specified, confirmed and reconfirmed that the child's interests, the child's best interests with respect to his development, emotional stability, growth and education, must be central to the Divorce Act. Among the factors that a court of justice has to evaluate, this one must be paramount.

● (1745)

Subsection 16(10) of the Divorce Act states, and I believe it is worth quoting:

In making an order under this section, the court shall give effect to the principle that a child of the marriage should have as much contact with each spouse as is consistent with the best interests of the child and, for that purpose, shall take into consideration the willingness of the person for whom custody is sought to facilitate such contact.

We must therefore not assume that the courts will favour one parent over the other. It is established in our laws and set out in the legislation: we recognize that the child should maintain contact as much as possible with both parents, and that it is the responsibility of the parent who has primary custody to facilitate visiting with the other parent.

Private Members' Business

I would like to take this opportunity to congratulate our colleague from Lethbridge on his new responsibilities, since he was elected chair of the sugar caucus. In fact, he and I both have refineries in our ridings. The sugar industry is extremely important and we see a threat on the horizon. The previous Liberal government wanted to negotiate an agreement with Central American countries to bring in even more sugar duty free. Obviously, that creates a problem in terms of competition, particularly concerning production costs for the large refineries in our regions. We will see if the current government also wants to pursue those negotiations.

So, the member for Lethbridge has new responsibilities and I would like to assure him that I will be at his side when the time comes to defend the sugar industry.

The hon. member for Lethbridge has proposed adding a subsection to section 16. This new provision, probably the result of representations made to him by some of his fellow citizens, would constitute subsection 16(11), and would read as follows:

Subject to subsection (8), in making an order under this section, the court shall ensure that a spouse who is terminally ill or in critical condition is granted access to a child of the marriage.

The hon. member for Lethbridge must have received representations from parents living with an incurable or debilitating disease or a degenerative disorder that was an obstacle in the evaluation of their custody rights by a judge or the Superior Court in Quebec's case.

We all know that a person should not be deprived of access to a child of his marriage because of a health problem. To the contrary, this should be a facilitating consideration. The provision suggested by the hon. member for Lethbridge leads us to support this amendment.

The best interests of the child must still be the core of all legal decisions. That is in section 16 of the act. This is how the law has evolved.

We know very well, though, that it would be sad. It is already difficult enough to have health problems and this should not be a reason. So long as other conditions are present in the family environment, the health setbacks of the child's father or mother should not be a reason to stop encouraging contact with this parent, a fruitful relationship that might be an end-of-life relationship for one of the parents.

• (1750)

We know the comfort a child can provide.

We are going to support this bill in principle. If the House so desires, it will be referred to the Standing Committee on Justice and Human Rights. This committee has quite a bit on its plate right now because the Conservative government has introduced seven bills with very different prospects. Most deserve to be voted down, but the Bloc Québécois will give this one a lot of consideration.

I wish the hon. member for Lethbridge the best of luck.

[*English*]

Mr. Bill Siksay (Burnaby—Douglas, NDP): Mr. Speaker, it is a pleasure to participate in the debate this afternoon on Bill C-252, an act to amend the Divorce Act (access for spouse who is terminally ill or in critical condition).

The NDP supported the amendment that the member for Lethbridge brought to his private member's bill. NDP members had some concerns about the original private member's bill, but we are pleased to see that in his amendment he took into consideration many of the concerns that were raised in the first hour of debate and in discussions with other members of the House.

It is a much better proposal in its current form and I look forward to it going to the justice committee for further discussion and perhaps improvement there, although I share the concerns of the member for Hochelaga about the workload of the justice committee. It is extremely significant at the moment and I hope the bill gets the attention that it deserves when it goes to committee. I hope it has that opportunity.

NDP members had some serious concerns with the original bill. Our concerns stemmed mainly around the fact that it seemed to mandate a visit of a child and a terminally or critically ill parent. The language "to ensure that a spouse who was terminally ill or in critical condition is granted access to a child" was of great concern to us. That language flies in the face of the experience of Canadian jurisprudence and families who have faced the situation of divorce and visitation rights over the last many years. Children were not forced in those circumstances to make those kinds of visits, even in that circumstance.

I had concerns with the original wording, but there is some improvement now in the amendment. It clearly recognizes the importance of the best interests of the child in consideration of arranging such a visit when there is a terminal illness or a critical condition.

I am not sure the bill, as amended, really changes the practice of our system now. I am sure that critical or terminal illness could be considered a change of circumstance and would amount to a court hearing arguments around a change in visitation rights. I do not think there is a significant change in the practice and would hope that any court confronted with that situation and the serious concerns about someone whose life is coming to an end might consider this an important reason to revisit the issue of visitation rights. I am sure in most instances that would be the case.

I am not sure this significantly changes the current practice, but if it clarifies it and draws attention to the importance of that circumstance, then perhaps there is no harm in doing this. The key in all of this is that whatever decision is made it be made in the child's best interest. This has been the long established practice and importance of these considerations in the system.

There are concerns about defining the age of a child with regard to this legislation. We have seen in the past that courts have absolutely refused to order a child 12 years or older to visit a parent when that child has refused to do so. That is a rough rule of thumb for the court, according to my colleague, the member for Windsor—Tecumseh, but is something that we need to take into consideration.

Private Members' Business

I believe there has been an established precedent that children should have some say in the requirement to visit a parent and that probably applies in any circumstance, including one where there is terminal or critical illness. To move to a situation of requiring such a visit of a child would be a serious problem. Children over 12 certainly have the maturity to decide if they are willing to visit a parent or not. In further discussion of the bill, we have to ensure that this is one of the things that is a serious consideration.

It is very clear that visitation rights in Canada are rights of the child, not of the parent. The key factor is that the best interests of the child must guide the court in making a determination. When those visitation rights are enforced or ordered, this still needs to be the key consideration. The rights of the child and what is in the best interest of the child in the circumstances need to be taken into account. That has to have a prime place in the considerations here, even in these difficult circumstances.

• (1755)

I think it is fair to say that all of us would like to see terminally ill people have the ability to perhaps have a last visit with their child. We can all understand why that might be important to someone. However, I do not think there should be a compulsion on a child, especially an older child, to do that nor do I think the need of a terminally ill person to have that final visit should necessarily trump the best interests of the child in this case.

Unfortunately, we know, even at the time of terminal or critical illness, that often people can be as manipulative as they have been at other points in their lives. It is not always a completely altruistic moment in our lives. To make an exception in the case of that circumstance around visitation rights would be a serious problem. This is something that still merits the attention of the committee and members as the bill is discussed further at committee.

It is important that the discretion of the court is maintained in these circumstances. This is why I would argue against the use of words like “ensure” or other words that access is granted. This kind of hard and fast language may impede the ability of the court to take into consideration all the factors that may come into play in a circumstance like this. We want to ensure that every possible circumstance and issue is brought to the attention of the court and discussed in the circumstance of the child, the family and the parents.

It is very important that we maintain the discretion of the courts to deal with these circumstances. While we might offer guidance in the Divorce Act around this circumstance, this needs to be worded in a way that maintains the ability of the court to ultimately make the decision based on the best interest of the child, according to the information the court has at hand at the time.

I am happy to have had the chance to speak to the bill as amended. I think a better version of it is now being discussed. Hopefully it will go forward to the committee where it may have a chance to improve it further and send it back to the House. At that time, we can make a further judgment on private member's Bill C-252. We can see whether it goes forward and allows a more appropriate way to address the circumstances of visitation rights of a critically or terminally ill person.

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I am pleased to participate in the debate on Bill C-252.

Hon. members have well covered the mechanics of what is involved here, but I have some points that I want to make. Whenever I hear of an issue on the floor of the House of Commons that has to do with families and children, I want to be part of it. One of the first bills that I had as a member was to provide income splitting between spouses so that one spouse could stay at home and care for preschool children.

I started to get involved in family and children issues and in fact, I have penned a number of small books on the subject. One of the books I wrote is called *Divorce—The Bold Facts*. It deals with a significant issue called parental alienation syndrome. This is one of the problems when there is a family breakdown and there is a custody issue and it is a nasty one or a confrontational split-up.

One of the things I learned in doing research for that book was that children who witness abuse of their parents are as affected as if the children themselves had been abused. I also found that children who were used as pawns, as it were, in this parental alienation syndrome were also very much affected by the fact that one parent was pitting the children against another parent.

Through all the research and work that I have done, the truism for me is that both mothers and fathers have an important role to play in the lives of their children, even if the parents hate each other. That is important and that is the principle that this bill has raised.

Having said that, the bill itself, as we know, has now been amended. It was a one clause bill. That clause has been deleted and replaced by another clause. It basically addressed the substantive concerns that people had with regard to the bill and that was that it appeared to be putting a greater reliance on a principle that the spouse had a right that may have impinged on the whole concept of the best interests of the child.

About 10 years ago a joint committee of the House of Commons and Senate issued an excellent report called “For the Sake of the Children”. I participated in some of the dialogue. One of the things that came out is that in these custody and access dispute issues the child was the only one in the proceedings that did not have a representative. The mother had a lawyer, the father had a lawyer, but who was taking care of the child? In fact, the child was being used as a pawn. Parental alienation syndrome was part of it. In fact, domestic violence was part of it. It was a number of these issues.

That report contained some excellent recommendations. I am sorry to say that the Divorce Act still has not been amended to take into account some of the important recommendations that were made by the special joint committee of the House of Commons and Senate in its report, “For the Sake of the Children”.

The items in the report deal very frontally with the kinds of things that the hon. member for Lethbridge has raised in his bill.

The bill in its original form was in some difficulty and likely would have not been successful at second reading. I understand that was the reason it was necessary to respond to the points that were raised during the first hour of debate some 30 sitting days ago.

Private Members' Business

Even with the current wording, and I think the member for Burnaby—Douglas also has expressed some concern, there are a couple of things that do not quite work. We are at second reading debate on the bill where we debate the fundamental principles of the bill, the intent. We can deal at committee and at report stage with ensuring that the words are correct. I am not going to mince words that this bill does not technically work in the end result for me and so I am not going to support it; I will support it in principle and I will be recommending that my caucus support the bill in principle and that it be sent to the justice committee.

• (1800)

I should also say that I share the concern that others have. The member for Hochelaga indicated that the justice committee is totally bogged down. It is unfortunate, because it means that good legislation may have some difficulty getting through before there is another election after all the work that parliamentarians have done. It is a possibility. The Minister of Finance will concede it is a possibility, unless he comes up with a darned good budget.

The problem with minority governments is they have a quirkiness in that the legislative process by and large takes a substantial period of time. If a bill does not get introduced early enough in a minority Parliament, it will likely die on the order paper and that is a shame. Let me be specific for the members' purposes and for the committee that will look at it and I hope it will have a chance.

The issue that they will be granted access appears to require to be defined, because in saying they shall be granted access, there are no dimensions. Could it be a day? Could it be a week? Who controls the timing of that? The mechanics of how it works is not in the existing legislation. This bill does not define it. We may have to deal with that in committee and I will urge the committee to make a definition about what it means and how it ties in consistently with the whole family of issues related to custody and access orders.

The second item has to do with children. Children are persons 18 years of age and under. We have to ask ourselves whether or not the provisions of the Divorce Act amended by the bill would actually coerce a 12 to 17 year old to actually visit with a parent when a court may not order that and the child may not want to visit that parent. We have age of reason issues as well. There may be a conflict that has to be dealt with. What if a child of the age of reason does not want to visit that parent? This cannot be black and white. It is like most of our laws in that we have to deal with it on a case by case basis. There may have to be some proviso, for example, where possible, in accordance with orders or what are the rights of the child.

The importance of the bill is that it provides an opportunity to take the first step at making a critical appraisal of the condition of the current Divorce Act and the recommendation of the joint committee that did the report, "For the Sake of the Children", to open up these issues to dialogue and discussion.

I am supportive of the intent. I am a big fan of private members' business. I have had some success, but I can tell the member and all hon. members, in my view the best outcome of a private member's bill is to have the government adopt it as its own so that it can get fast tracked through the appropriate minister. There is nothing better.

For instance, there was a private member's item which provided that if there was a situation of domestic abuse, the penalty related to that would be more than common assault because a trust relationship was being violated. In fact, in the Criminal Code today there are stiffer sentences for those who are convicted of spousal abuse. That happened not as a result of the ultimate discussion and debate and going through the whole private members' business process, but because the minister took it upon himself to do it.

The extension of maternity and paternal leave under EI from six months to a full year was the subject of a private member's bill. I do not even think it had second reading, but it appeared in the very next budget of the minister. The Minister of Finance is here. Maybe there are some opportunities here to do that.

• (1805)

The bill is at second reading in principle and I believe the member was motivated with all the best intentions. I think he has the support of the House and I recommend that the House pass the bill at second reading.

• (1810)

Mr. Dave Van Kesteren (Chatham-Kent—Essex, CPC): Mr. Speaker, it is an honour to speak to this bill. I would like to congratulate the member for Lethbridge for this excellent amendment to the act and I commend him for this being his third private member's bill that involves children. We can see that children are very near and dear to his heart, as they are to mine.

I heard a previous member say that she has been married for 30 years. My wife and I have been married for 31 years and this year the last two of our eight children were married so we are very well acquainted with marriage. However, we also recognize that sometimes in life things do not go the way we planned and divorce is a sad reality.

I am thankful and proud that the member for Lethbridge saw a flaw in the act and saw an opportunity to correct it. It is to this that I rise today to speak to this private member's bill, Bill C-252, an act to amend the Divorce Act which would allow access to the spouse, the divorced parent, who is terminally ill or in critical condition.

We cannot imagine what that would be like. I was speaking to one of my colleagues just a minute ago and we were talking about past experiences. When my father passed away about 12 years ago I remember my whole family being around him and I remember that precious time we had together. I think my father also enjoyed having his children around him. It is hard to think that in this day and age that access could be denied. I believe that providing divorced parents who are terminally ill or in critical condition access to their child or children is important for several reasons.

First, we ensure that a spouse who is terminally ill or in critical condition has access to a child or children during his or her time of suffering. Let us think about how important it would be for a divorced parent, who is lying in a hospital bed or at home suffering, to have the presence of their child or children.

Second, we protect the child or children by considering access if it is in the best interests of the child or children of the marriage. The second part of this is the child. I am glad the member saw fit and, in his wisdom, took it upon himself to ensure that we always remember that it is in the best interests of the children as well.

Third, we allow the child or children to be involved in the overall process of dealing with the impending loss of their parent and the grieving that follows.

Again, we had opportunity to speak as colleagues just a few minutes ago and one of my colleagues was telling us about how his wife, who is an adopted child, had the opportunity to see her adoptive mother on her deathbed but who does not have that opportunity with her birth mother. Of course this is a different matter and it is something that we may want to introduce in another bill, but it strikes home to the reality of closure. If we offer that closure to the child or the children, it is in the best interest of the child and it is a good thing.

After listening to all those who have spoken on this matter, I was pleased to hear that we all agree that this is a bill that must move forward. As parliamentarians, we should be considering ways to allow families to continue to function after a breakdown. Again, these are good things. These are things that the people who elect us to this great House expect us to do.

This amendment should be supported because it demonstrates an understanding toward the strain on the spouses when a divorced parent is terminally ill or in critical condition and the responsibility to involve the child or children in the lives of their parents. Again, that bond that we share with our parents is something that is never broken.

• (1815)

Here again we are moving in a direction which is going to ensure that those things continue on for future generations. If Parliament accepts this amendment to the Divorce Act, it will give parents who divorce the legally entrenched avenues necessary to have access to their child or children only if access does not run contrary to the best interests of the child or children involved.

Again, this is a good amendment, because we recognize that there are times when it is not in the best interests of children, but when it is, we want to be sure they have access. It will allow the court that considers giving access to the parent the right to determine by reference to the condition, means, needs and other circumstances of the child or children that access is in their best interests. The courts would have the ability through the law to determine what is good and what is right.

For these reasons I support this amendment, because due consideration has been given to these issues faced by families in these circumstances. This amendment has a balanced approach, one which I support, as it provides parents who are terminally ill or in critical condition access to their children, while also ensuring that such access is granted by the court according to the best interests of the child or children involved. That sums it up.

We all agree that we need to put through this bill, to go through due process, and we all agree that this bill should be enacted quickly.

Private Members' Business

I am thankful for the opportunity to speak to this private member's bill.

The Acting Speaker (Mr. Royal Galipeau): Resuming debate.

There being no one rising on debate, I recognize the hon. member for Lethbridge, who has five minutes for rebuttal.

Mr. Rick Casson (Lethbridge, CPC): Mr. Speaker, I want to thank the members who spoke in the first two hours of debate: the member for Burnaby—Douglas, the member for Windsor—Tecumseh, the member for Vancouver Quadra, the member for Scarborough—Rouge River, and the member for Charlottetown, as well as the member for Mississauga South, who spoke today. From the Bloc, I thank the member for Châteauguay—Saint-Constant and tonight the member for Hochelaga, and from my own party, I thank the member for Fundy Royal, the member for Blackstrap and tonight the member for Chatham-Kent—Essex.

I would also like to thank the table clerks, Mr. Speaker, and you. I had asked for an amendment and some procedural things that happened. I appreciate the support that is here for members when the need arises.

I would like to thank those back in my riding who brought this issue to my attention. As someone mentioned earlier, it was an issue that was brought to my attention. I looked not just at the particular instance, but at the whole issue of access to critically ill or terminally ill parents. I thought it was something worth bringing forward.

I would like to thank the Minister of Justice and his people. They helped a lot. They helped guide me through this. I appreciate their support. Of course, I thank the staff in both my Ottawa and my Lethbridge offices for their hard work. Hopefully that hard work will continue, and I hope they are listening tonight. I must express my thanks to the Library of Parliament for its work in the legal research and writing.

The spirit of this amendment is to deal with the children and the right of a child to be able to have one last visit. It is for the children. All other things aside, that was the scope of what I was trying to get at here. It is consistent with a couple of other private members' bills. It is interesting that the member for Mississauga South said that the best way to get a bill forward is to get the government to pick it up and put it into law. I agree with that.

That actually happened with one of the first private members' bills I brought through. It dealt with the Criminal Code. I brought forward an amendment so that courts could seize materials used to produce child pornography upon a conviction. It was not in the code. The bill did not actually pass the House, but it is law now. It was picked up by the government of the time and put into law, so I feel pretty good about that.

Then, of course, there is the issue of raising the age of sexual consent from 14 to 16. That was another bill I worked on, with the member for Calgary Northeast, the member for Wild Rose and others, and that too now is in a bill that has been presented in the House.

Adjournment Proceedings

Hopefully with this intervention tonight it looks like this is going to be supported and we can move it on to committee, but before I do that, earlier today we amended the bill, so I would like to make one more request of the House today.

In light of the fact that Bill C-252 was amended earlier today by unanimous consent of the House, it would be useful for the record if the bill could be reprinted with the new text. Therefore, I would ask the consent of the House to order a reprint of Bill C-252 as amended today.

• (1820)

The Acting Speaker (Mr. Royal Galipeau): Is that agreed?

Some hon. members: Agreed.

The Acting Speaker (Mr. Royal Galipeau): Is the House ready for the question?

Some hon. members: Question.

The Acting Speaker (Mr. Royal Galipeau): The question is on the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

The Acting Speaker (Mr. Royal Galipeau): Accordingly, the bill stands referred to the Standing Committee on Justice and Human Rights.

(Motion agreed to, bill read the second time and referred to a committee)

[*Translation*]

The Acting Speaker (Mr. Royal Galipeau): The hon. member for Hochelaga on a point of order.

Mr. Réal Ménard: Mr. Speaker, I believe that if you seek it, you would find unanimous consent to see the clock as 6:30 p.m.

The Acting Speaker (Mr. Royal Galipeau): Agreed?

Some hon. members: Agreed.

[*English*]

The Acting Speaker (Mr. Royal Galipeau): It being 6:30 p.m., in accordance with Standing Order 38 a motion to adjourn the House is deemed to have been made and seconded at this time. Therefore, the question is that this House do now adjourn.

ADJOURNMENT PROCEEDINGS

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

[*English*]

THE ENVIRONMENT

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Mr. Speaker, at various points it was nice to see the House of Commons get along and get something done.

The consideration we have before us is a question I put to the minister some weeks ago. I think all Canadians, once given the evidence, will also agree that there needs to be something done.

Specifically, what we have before us is hypocrisy, which would be the more cynical term, but at the very least a contradiction of ideas.

Year in and year out we see governments providing a tax subsidy to an economic sector that is experiencing its greatest boom perhaps of all time. This is the oil and gas sector of northern Alberta, in particular the tar sands and the development around Fort McMurray. This started with the previous Liberal government, but the Conservative government has chosen to keep it.

There was a moment in last year's budget when there was a huge surplus. We knew there was some \$13 billion extra sitting in the kitty. The government followed this surplus up by cutting another \$1 billion of vital programs to Canadians, programs that people have wanted and used for years, programs to museums, programs to help adults learn to read and write and programs to help women finally achieve some status of equality, both in pay and in quality of life conditions. The government chose to cut programs because I guess it did not see them as a priority, or it did not feel they were important.

It also chose to cut the EnerGuide program, a program that had received credit for having thousands upon thousands of homes achieve better environmental conditions. All the while these cuts were going on, the government still found enough room in the budget to siphon off \$1.5 billion to the oil and gas sector.

When I asked this question some weeks ago, the minister stood up and gave another ministerial response about how important it was to use taxpayer money wisely.

I know the parliamentary secretary will be answering my question. Hopefully he will make an announcement that this ludicrous subsidy is ended. It makes no more sense. There is no incentive needed for companies to go into the oil sector. They are there already. They have massive plans to do more. Yet the government seems committed to shuffling them off some corporate welfare while at the same time not supporting things that we know are important for Canadians.

This is unbalanced because the government has also made its commitment that it will reduce greenhouse gas emissions. In particular, the government has agreed, in full, to the recommendations provided by the Auditor General's office under the Commissioner of the Environment. In those recommendations is the need to attack and aggressively go after the emissions in the tar sands because they will double in the next number of years. It is hypocrisy to suggest it will reduce the pollution while at the same time it subsidizes that pollution.

This is the parliamentary secretary's opportunity to come clean on the issue, to allow his government's plans to stand to the light of day and to suggest that this subsidy is simply no longer required. The industry is one of the healthiest industries in the entire country. To continue to push them down toward unsustainable development is unwise. Even the soon to be retiring Premier of Alberta has recognized that this is unwise. It is time for the government to stand up and agree with that statement, pull the subsidy back and put it into the energy projects that we actually need, the ones for which Canadians are looking.

Adjournment Proceedings

●(1825)

Mr. Mark Warawa (Parliamentary Secretary to the Minister of the Environment, CPC): Mr. Speaker, I would like to thank the member for Skeena—Bulkley Valley who is also my colleague on the environment committee for his questions.

I would like to comment on the \$13 billion surplus. This government decided that we were going to pay down the debt because that was the promise we made. It was a good decision. It does not make everybody happy, but it was the right thing to do. We are going to be saving \$650 million a year in interest that we would have had to pay, which saves a lot of money for hard-working Canadians.

Regarding the oil sands, our government recognizes that the oil sands are important to Canadians and the Canadian economy. This government also recognizes that any development in that area must take into consideration the environmental impacts. Our government is committed to providing real practical long term solutions to cleaning up our air and reducing greenhouse gas emissions.

This week we will be introducing the clean air act. It will cover all industrial sectors, including the oil industry. These efforts will directly reduce air pollution and greenhouse gases. A national long term regulatory strategy will give industry, the provinces, and the Canadian people, certainty and confidence.

It will also provide flexibility and the opportunity to achieve real improvements to air quality, improve the health of Canadians, and reduce emissions of greenhouse gases that cause climate change. Our government is working with the provinces and territories, the oil industry, first nations, environmental groups and other interested parties on this issue. Together we will find ways of reducing emissions.

Currently, this government is working with the Government of Alberta during its public consultation examining the environmental, economic, and social impacts of the oil sands to develop a vision and principles for oil sands development.

In addition, this government continues to be actively involved in the review of the environmental impact assessments for the oil sands development and the regional initiative dealing with the cumulative environmental assessments.

Mr. Nathan Cullen: Mr. Speaker, the point being missed here is that the government has already leaked out the fact that it is going to go after intensity rather than overall reductions in emissions.

What that means for people watching is that any efficiencies made by the sector which are naturally occurring, because industries tend to want to be more efficient with how much pollution they emit, will be counted as having contributed some significant amount to Canada's overall pollution emission. That will not be the case.

If this sector is doubling, why would the government continue to make a priority of subsidizing the sector to the tune of \$1.5 billion? If set aside and put into green energy projects, this would actually work for Canadians and work for our international commitments. We can still meet those commitments if the government resets its priorities.

We look forward to the clean air act, but when action was called for, the government decided to introduce a bill that is going to take four or five years to implement with consultation. That is a bit disappointing.

●(1830)

Mr. Mark Warawa: Mr. Speaker, the government's clean air act will be introduced on Thursday of this week. It will be part of an effective and efficient national framework. This will be key to ensuring predictability and certainty for industry while achieving long term reductions of air pollution and greenhouse gas emissions.

The government intends to initiate action under the existing statutory authorities provided in the Canadian Environmental Protection Act. The hon. member has actually just moved to have the review of CEPA shelved and is now supporting going back to the Liberal plan which the Environmental Commissioner said does not work.

I encourage the hon. member to support this government and its clean air act which indeed will provide cleaner air for the health of Canadians and reduce greenhouse gas emissions.

[*Translation*]

SOFTWOOD LUMBER

Mr. Paul Crête (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, BQ): Mr. Speaker, on September 19, in this House, I questioned the Minister of Industry about whether or not he would implement our assistance plan for the forest industry, still the only plan proposed by a political party in this House to deal with the forest industry crisis.

Fortunately, the Prime Minister has admitted since then, and I quote from *La Presse* of Tuesday, October 17:

That is not enough,...and that is why funds for older workers as well as for the forest industry are included in our budget. We intend to announce our plans for these areas very soon.

The problem is that there has not yet been an announcement. The Minister of Industry continues to state that the refund of amounts due to producers under the agreement with the Americans is enough. For his part, the Minister of the Economic Development Agency of Canada for the Regions of Quebec says that environmentalists and environmental issues have caused the forest industry crisis.

Today, October 17, one month later, I am again asking the government whether it is prepared to go ahead and implement the program proposed by the Bloc Québécois. It is a program that would help communities diversify their economy, help the industry with concrete measures to regain the productivity it needs to compete, and help workers, especially older workers.

Today, we were treated to an alarming display by the Conservative government. We are asking the government to put in place a program for older workers who can no longer find jobs, and again today, the government is responding with a retraining program.

Adjournment Proceedings

I do not know what it will take for the government to understand that when workers reach 56, 57, 58, they do everything they can to find another job. Unfortunately, though, because they do not have the necessary training—often because employers will not hire them, mainly because of their age—if they do not receive help, they slowly sink into misery and poverty and are forced to sell their assets and homes.

I think that people who have worked 25 or 30 years for a company, who have supported a family, deserve to have their government—which accumulated a \$13 billion surplus last year—implement a program that would cost no more than \$75 million a year to help workers, not only those in the forestry sector but in all industrial sectors as well.

That was the motion Parliament adopted yesterday. The three opposition parties, which form the majority in Parliament, told the minority government that Canada needs such a program.

Today, will the government tell us whether or not it intends to follow through with this program, with the Bloc Québécois' plan to help forestry workers in particular, but also industry and communities? There is a crisis in the forest industry and something must be done about it. The federal government has an important responsibility here, given how it negotiated the softwood lumber agreement with the American government.

More is needed. The Prime Minister acknowledged that it is not enough. Will the government take concrete action in the short term?

[*English*]

Mr. Colin Carrie (Parliamentary Secretary to the Minister of Industry, CPC): Mr. Speaker, during question period on September 19, the hon. member for Montmagny—L'Islet—Kamouraska—Rivière-du-Loup questioned our commitment to workers and communities in the forestry sector. Make no mistake, the Government of Canada recognizes the importance of the forest products industry to the Canadian economy. Let me assure the member that Canada's new government is keenly aware and is sensitive to the challenges facing this industry.

From the outset, our government has been committed to the best interests of Canada, our provinces, the industry, forest workers and communities that depend on the forest sector. Resolution of the softwood lumber dispute is just one way the federal government has demonstrated its commitment to workers and the industry.

The softwood lumber agreement gives our producers stable and predictable access to the United States market. It ends years of costly litigation and repays over \$5 billion Canadian in duty deposits to Canadian producers, a significant infusion of capital for the industry that will benefit workers and communities.

I must admit that I am rather puzzled by the hon. member's question. It was originally asked on September 19, the day after the Minister of International Trade tabled a ways and means motion to implement the agreement in this House on September 18.

The motion passed its first vote in the House of Commons with the support of the hon. member's party. The agreement has been in force since October 12. Canada's new government delivered a deal supported by two nations, all the lumber producing provinces and a

clear majority of the lumber companies. This deal clearly shows that the government, which puts Canadians ahead of partisan politics, will always deliver what is in the best interests of Canada.

We all waited for the hon. member's party to figure out its position on the softwood lumber agreement. It consulted, strategized, mused and finally concluded what our government already knew: Quebecers were in favour of the agreement. Lumber producers in Quebec supported the deal. Communities and workers whose livelihoods depended on the critical sector welcomed the agreement as an important step toward protecting jobs and promoting prosperity. All of Canada's key lumber producing provinces, including Quebec, have endorsed it.

Canadians asked this government to come up with a resolution that provided stability for the industry and protected the livelihoods of workers, communities and families, not only in Quebec but across the country. We have done that. We have delivered.

The resolution of the softwood lumber dispute is not the only way that this government has demonstrated its commitment to the forestry industry. As the hon. member will recall, we announced in budget 2006 a \$400 million investment to encourage the long term competitiveness of the forest industry, to address the pine beetle infestation in western Canada, and to assist worker adjustment.

Just today, Canada's new government announced a program to address the needs of older workers who have lost their jobs in communities where the local economy is experiencing ongoing unemployment or industries affected by downsizing and closures, industries like forestry.

Let me conclude by stating that the end of the softwood lumber dispute has been a key priority and an accomplishment for our government. We can finally turn the page and direct our full attention to building a stronger and more competitive Canada.

● (1835)

[*Translation*]

Mr. Paul Crête: Mr. Speaker, I am delighted that my hon. colleague recognizes that the Bloc Québécois is acting responsibly in voting for the agreement. The Bloc is not doing so because this is a good deal, but because it allows companies to get back money they cannot do without, if they want to survive.

I expect the government to act as responsibly in admitting that the deal is insufficient. An additional aid package is needed. The measures he mentioned, particularly those to address the tree disease in British Columbia, may have some positive impact in that regard, but the end result is huge inventories of unsold lumber. It does not resolve the crisis in Quebec or Ontario.

Here again an aid package is needed. The Bloc Québécois is the only party to have proposed one. We hope that the Conservative government will recognize that additional measures are required. The government has to put in place what the Prime Minister talked about. The only answer provided so far was that of the Minister of Industry. And that minister does not believe in government intervention, not at all; he is prepared to let the forest industry hit a brick wall.

Will the government follow through? Can we expect tangible measures to be announced within the next few days?

[English]

Mr. Colin Carrie: Mr. Speaker, Canada's new government delivered an agreement supported by two nations, the lumber producing provinces and a clear majority of lumber companies.

For five years the previous Liberal government played with the lives of 165,000 Canadians and over 260 communities that depended on the lumber industry when it refused to work out the dispute with the United States. When our government took office, we got it right.

Adjournment Proceedings

If the hon. member opposite wants to point fingers and blame, he should point them in the right direction.

Before this deal was secured, the Quebec lumber companies were prepared to accept a return of 75% of duties collected. Our deal delivers 80% and a certainty of market access. Canada's new government delivered a deal that is good for Canadian workers, their families, and communities that depend on this industry.

I think the lumber industry prefers this agreement to the endless litigation and dithering that the previous government seemed fine with. The softwood lumber deal clearly shows that a government that puts Canadians ahead of partisan politics will always deliver what is in the best interests of Canada.

[Translation]

The Acting Speaker (Mr. Royal Galipeau): The motion to adjourn the House is now deemed to have been adopted. Accordingly, the House stands adjourned until tomorrow at 2 p.m., pursuant to Standing Order 24(1).

(The House adjourned at 6:40 p.m.)

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