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Chair

The Honourable Hedy Fry

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• (1110)

[English]

The Chair (Hon. Hedy Fry (Vancouver Centre, Lib.)): Good morning, everyone. We did such great work last week on getting through some of this. Now you have the new version. We are at paragraph 51.

Up to paragraph 51, everything we did last week, the changes we requested, etc., has been incorporated into the new document you have. I don't know if you had a chance to check and make sure that is so. If you want about three minutes, you can thumb through it and make sure it is so, and then we can start from paragraph 52.

Mrs. Patricia Davidson (Sarnia—Lambton, CPC): Are we in camera?

The Chair: Yes, we always deal with these in camera.

A voice: No, we are public now.

The Chair: Okay. So if you could check it out between now and when we get to start it again, we can start from 52. If you have any comments, you can make them then.

We're doing these motions publicly. I have to report to you first and foremost, before we deal with the motions, that if you recall, Ms. Neville had a motion last week that she very kindly withdrew until today. That motion was that since repeated requests for information have not been responded to, that Status of Women Canada provide the Standing Committee on the Status of Women with a list of those projects that have been approved since February 2006 to date; with the differing sets of criteria used to evaluate proposals for funding by Status of Women Canada since February 2006; and with the number of projects rejected for funding since February 2006.

We had information from the minister's office by the officials, who have said that it was in the minister's office for signature and was going to be distributed. Therefore, as a result, if you recall, Anita withdrew her motion until Thursday. We're going to deal with it today because the minister did not sign anything. Indeed, that would seem to have been erroneous information. The materials, we are now told, are still being worked on and will be given to the committee as soon as possible. This is the official response from an agency that told us that it was on the minister's desk to be signed.

I think that means that Ms. Neville is now ready to deal with her motion.

Hon. Anita Neville (Winnipeg South Centre, Lib.): Madam Chair, I'm not sure whether what you were speaking to is the material requested by the committee or the material requested by me.

Let me speak to the material requested by me. We received many messages that it was in the mail, that it was going to be delivered immediately over the course of two weeks, and then at the last meeting we heard that it was on the minister's desk and it would be signed.

I did receive a package from the minister. The package I received from the minister did not contain all of the information that I had requested in the motion. The material that I received from the minister was some material on gender-based analysis, those countries that the department had done gender-based analysis training for as well as the three sets of criteria that had been used in evaluating programs. I was told that I could go to the web and get the material off the web in terms of the projects that had been approved over \$10,000. I'm not certain when that material went up on the web, but we have been pulling that off the web, Madam Chair.

I did not receive information as to the number of project applications that had come in and been denied. So it was sort of half and half.

I am not going to proceed with my motion at the moment because we've received half of the information, and some of it is on the web and we're currently pulling it off and analyzing it. We did not receive all of the material.

Madam Chair, I am speaking to the motion because I am really—I don't know what the word is—angry, upset—

The Chair: Disappointed?

Hon. Anita Neville: Yes, I'm probably disappointed at the manner in which we are not receiving information and the way information has been miscommunicated to us. We are the official opposition. There are two other opposition parties. We are entitled to have the information. And more importantly, we're entitled to have correct or honest answers when we ask for this information. That has not been the case.

So I am putting it on the record right now that we would still like the rest of the information that we asked for. We have a partial response, but it's not sufficient. I am not proceeding with the motion, but if further information is not forthcoming, I will reintroduce another motion at another date.

The Chair: That's fine.

Ms. Davidson.

Mrs. Patricia Davidson: Thank you, Madam Chair.

The Chair: Since the motion has been withdrawn until further notice, are you speaking to the motion still?

Mrs. Patricia Davidson: I'm not sure, but I want a point of clarification. The motion has been withdrawn, so I don't have it in front of me, but I would like to ask Ms. Neville if the information she was requesting was information that this committee requested. Is that correct?

Hon. Anita Neville: I'm not positive whether it's the same set of information that had been requested.

Mrs. Patricia Davidson: Was that what your motion referred to? Was it the committee—

Hon. Anita Neville: No. My motion was for information that I had requested in a meeting with the minister and in a meeting with the bureaucracy two weeks or so following my meeting with the minister, both of whom advised me that it would be forthcoming shortly.

•(1115)

The Chair: I'm afraid, Ms. Neville, we were under the impression.... When the minister appeared here many people asked for certain information and clarification at that meeting, and we were promised it. As usual, in committee when certain things are requested the chair and the clerk follow up and ask if it can be sent to the clerk so the clerk can distribute the information to everyone. The stuff that had been requested that came out of the committee meeting has not been sent to the committee, and I was under the impression that this was what Ms. Neville was referring to when this motion was brought up.

In theory, Ms. Neville, anything you requested on a one-to-one personal basis from the minister, as a critic, is really not something that was officially requested by an all-party committee of Parliament. If you wish to bring a motion that does not necessarily refer to your personal motions but refers in general to responses you are awaiting, that is something you are free to do. If you had a personal meeting with the minister where you asked for something and it didn't happen I don't think is appropriate to bring up at this committee.

Perhaps you could explain this.

Hon. Anita Neville: Let me explain, Madam Chair.

I had never intended to bring it to this committee. We have documented the number of requests we have made of the minister's office for that material. We did not get a response, or we got misinformation in the response. We were literally at the end of our tools to try to get that information. Therefore, I put forward a motion at this committee asking for that information.

You're talking about the information to the committee. Obviously we need 48 hours' notice, but I'd be happy to reintroduce a motion and bring it forward next week on that.

The Chair: The committee requested that on February 12, and none of it has been responded to yet. We got a response saying that it's still being worked on. We have to ask ourselves that since February 12, March 12, April 12.... Do we think that two or three months is a long time to wait for something? I think this committee has to make a decision. So if you bring a motion addressing that, the committee will discuss it.

I don't believe it is appropriate for the committee to deal with personal information that you requested. As a matter of information, it's my understanding that you should go to your House leader if you do not get those things. Your House leader will deal with the other party's House leader, or the government's House leader.

Hon. Anita Neville: That hasn't worked either.

The Chair: But that's something that probably needs to be dealt with in a different way.

If a committee asks a minister for information or requests information from a department and that is not forthcoming, that is a totally different issue. That is actually disrespect for a committee and does not allow the committee to do its work appropriately. Personal information is a completely different kettle of fish.

You may choose to bring a motion in 48 hours. If not, that's fine.

Hon. Anita Neville: I'll bring one back next week.

The Chair: Okay.

We have two other motions, both of them from Madame Demers.

Which one do you wish me to deal with first, Madame Demers?

[Translation]

Ms. Nicole Demers (Laval, BQ): We could perhaps deal with the motion on the excommunication of the young Brazilian girl.

[English]

The Chair: All right.

The motion is that the Standing Committee on the Status of Women call upon the government to denounce the excommunication approved by the Vatican of the nine-year-old Brazilian girl who had to undergo an abortion after being raped by her stepfather.

Ms. Demers.

[Translation]

Ms. Nicole Demers: Madam Chair, you were absent on Tuesday when I withdrew my first motion pertaining to this matter. My curiosity was aroused by a comment made by Mr. Lemieux, who asked a question regarding the excommunication of the little girl. After having read various press releases, my impression was that the excommunication of all of the parties involved in this matter had been revoked. I however realized that it was not cancelled in the case of the young girl. It was cancelled for the mother, for the doctors, but not for the nine-year-old girl.

This is why I am bringing this motion forward today. It is truly deplorable that a little nine-year old girl who did not choose to become pregnant nor to be raped, nor to carry this heavy burden, be held responsible. We know that Brazil is a very religious country. If this excommunication is maintained, this little girl will probably suffer the consequences of it for her entire life. This is why I am presenting this motion.

• (1120)

[English]

The Chair: Now we go to Ms. Hoepfner.

Ms. Candice Hoepfner (Portage—Lisgar, CPC): Thank you very much, Madam Chair.

Madam Demers, I do believe the girl was not excommunicated. According to canon law, the girl was never excommunicated and she cannot be excommunicated because of her age. I think that is still one of the issues we need to look at. And we need to get facts and obviously not look at the press, because the press will have their own interpretation. We need to look at the actual facts. That's my one concern, that she never was actually excommunicated.

My other concern is that I don't believe the government has any right or any jurisdiction to comment on religious practices. I think we have to be very careful.

But initially we need to make sure that our facts are correct, and she was not excommunicated.

[Translation]

Ms. Nicole Demers: Madam Chair, this is why I referred to canon law and not just to newspaper articles. Canon law is drafted and enacted by the Vatican. This is not a matter of religion but of human rights. This young girl had the right to have an abortion. If we start allowing the Catholic Church to remove the rights of nine-year-old girls when they are raped by their stepfather, we will be seriously distancing ourselves from reality.

[English]

The Chair: Just for information, if you recall when Madame Demers first brought the motion forward, it was postponed—for want of a better word—until she sent us information. And she sent us this information, which is basically canon law rules regarding abortion. This was sent and then Ms. Demers brought back an amended motion of her own to deal with this, and that's what we're speaking to today.

Is anyone else wanting to speak to this issue?

Shelly Glover.

Mrs. Shelly Glover (Saint Boniface, CPC): Thank you, Madam Chair.

And I thank you for recognizing me, because I believe I was after Ms. Hoepfner in the order that was being followed.

The Chair: I'm sorry. I allowed Madame Demers to clarify something that Ms. Hoepfner had said.

Mrs. Shelly Glover: Very good, thank you.

In any event, I'm pleased to speak to this, because of course, if you don't realize, I am a Catholic woman and I'm very distressed by this motion. Never before have I seen a motion coming to a conclusion with regard to a religious group when the questions have not been asked yet. We're asking to move forward and do something without having the facts about whether or not what you're assuming is true.

The information I have is that we have said clearly as Catholics and officials have said very clearly that she was not excommunicated, nor is she under any threat to be excommunicated. So the

motion is putting the cart before the horse and making assumptions. Second, this is religion, this is not federal law, and it's inappropriate for us to be involved in those decisions.

The other point I would like to make with regard to the motion is I'm very surprised, Madame Demers—and I mean no insult or no hard feelings between us, and I want to take partisanship out of it—that the Bloc Québécois voted yesterday to not protect our children and our women here in Canada. I'm just a little surprised to see you bring this forward and not acknowledge that we need to protect our Canadian women and children with the human trafficking issue. But I would like you to take that just as a comment, and not as a....

• (1125)

The Chair: Ms. O'Neill-Gordon.

Mrs. Tilly O'Neill-Gordon (Miramichi, CPC): I too as a Catholic and as an MP feel very adamant about this motion, and I don't think we should be voting in favour of this. It's something we should stay away from until we have more information and we know what the real facts are.

The Chair: Is there any further debate on this?

Ms. Mathysen.

Ms. Irene Mathysen (London—Fanshawe, NDP): Madam Chair, I've been looking at the canon law rules, and I don't see the reference that Ms. Hoepfner is making with regard to age. I'm wondering where that is.

Ms. Candice Hoepfner: I'll find that and I'll clarify that for you.

The Chair: Even if you have a copy of it.

Ms. Candice Hoepfner: I don't.

The Chair: Have you an extra copy so Ms. Hoepfner can be able to look at that? Thank you.

If anyone received a copy in which this is referred to.... I think the person moving the motion can bring forward clarification, but if you wish to speak a little later on, we can allow you to. It's only the mover who can clarify things. In your turn, you can clarify when you have it.

Ms. Mathysen, perhaps we would let Ms. Hoepfner look at this and consult and come back with her clarification in a few minutes.

Ms. Neville.

Hon. Anita Neville: Madam Chair, I'm speaking to the need for more information. We're clearly getting two very different perspectives on what the situation is, and I think before we proceed any further we have to know what the reality is.

The Chair: We have Madame Demers. Is it for clarification, Madame Demers?

[Translation]

Ms. Nicole Demers: Madam Chair, I wish to respond to Ms. Glover.

Ms. Glover's premise that we voted against a bill because we are against women and children is quite a statement. We voted against the bill because current law already includes measures aimed at the holding of women and children against their will and, more particularly, because judges are allowed to ask for denunciatory sentences.

Ms. Smith's bill did not ask for denunciatory sentences. In Quebec, we are opposed to minimum sentences, and all of the women's groups I have spoken with have said that they are in complete agreement with the Bloc Québécois' decision.

I would therefore request of Ms. Glover that she not make accusations with regard to the way in which we deal with bills, nor purport that we are against women and children because we decided to vote against a bill. I find that quite low. She could have asked for explanations before making such claims.

[English]

The Chair: Ms. Hoepfner.

Ms. Candice Hoepfner: Thank you.

The Chair: Before Ms. Hoepfner speaks, I just want to clarify something. Unless we get agreement from the committee to allow Ms. Glover to participate.... We have not yet received the sheet that suggests Ms. Glover is a substitute. So in the absence of that, while we wait for that, there should be an agreement by everyone here that Ms. Glover participate. Do I have that agreement? Good.

So everyone is in agreement that you can. Hopefully, we'll get those sheets.

Ms. Hoepfner.

Ms. Candice Hoepfner: Thanks, Madam Chair.

The canon law that I referenced is "Book VI, Sanctions in the Church, Part I, Offences and Punishments in General". It begins: "The Church has its own inherent right to constrain with penal sanctions Christ's faithful who commit offences." If you go down to canon 1323, "No one is liable to a penalty who, when violating a law or precept: (1) has not completed the sixteenth year of age...".

That was where I received that information from. This girl is nine years old.

The Chair: Thank you.

Ms. Glover, do you wish to respond with regard to the canon law piece?

Mrs. Shelly Glover: I think Ms. Hoepfner has answered it appropriately. It's just that because I'm Catholic, I knew the answer.

The Chair: Thank you.

Is there any further discussion on this motion?

Ms. Neville, do you wish to speak?

• (1130)

Hon. Anita Neville: It's on procedure.

Ms. Hoepfner has read material from the canon. I am not a Catholic; I can't begin to speak to the issue. Ms. Hoepfner has read one set of information to us. Ms. Demers has said something contrary. Is there a way of getting clarification?

The Chair: I suppose we could, with the willingness of the mover of the motion, return with all the clarification we need and discuss this at another time. That is what you're asking, or hoping someone would suggest. At the same time, we have some people, like Ms. O'Neill-Gordon, who have suggested that because this is a religious law, a matter of religion, it should not be discussed.

I want us to come to a conclusion about where we wish to go with this motion, as a matter of process.

I am a Catholic, by the way. I spent many years almost wanting to be a nun at one point in time, but that was a long time ago. So I don't have the most up-to-date version of the canon law, which in fact continues to be changed according to different things. If you look at this, it says there have been some new pieces of the law and new code that distinguishes between the guilty party and the commission of the offence under the terms of legal rule.

If somebody has a newer version.... Is this the newest version?

What I think we're hearing from Ms. Neville is that she wishes to see further clarification of this law and further information as to whether it's true that the young woman has been excommunicated. Both Ms. Hoepfner and Ms. Glover have suggested that indeed the child has not been excommunicated. So we need to clarify (a) if the child has been excommunicated; and (b) the finer points of the canon law that we've heard here, which is not reflected here.

Does somebody have the newest version or the updated version of the canon law? The one we have is the one that Ms. Demers supplied.

Ms. Candice Hoepfner: I have one off a website. I would assume it's the most current. Usually websites are fairly current.

The Chair: Does this...?

Ms. Candice Hoepfner: I don't know where Ms. Demers' source is from. I know mine is....

Ms. Nicole Demers: It's from a website.

Ms. Candice Hoepfner: Can I speak to a comment you made, Madam Chair?

The Chair: Yes, certainly.

Ms. Candice Hoepfner: Thank you very much.

I think you make a valid point. I think we need to come to a conclusion on whether we're in a position to start commenting on religious practices. We have the Islamic religion, where they may have certain practices, certain beliefs regarding even issues like this, which we may or may not disagree with. We are parliamentarians, and I'm very concerned that we are beginning to comment and make judgments. We are making judgments on canon law and on religious practices, and I think we absolutely have no business doing this. We are going down a very slippery slope.

Those are my thoughts, but I would appreciate hearing other thoughts on that.

The Chair: Just as a clarification, I did not make that comment.

Ms. Candice Hoeppner: I'm sorry.

The Chair: I referred to Ms. O'Neill-Gordon's making that comment.

Ms. Candice Hoeppner: Right.

The Chair: The role of the chair at certain times is to pull together so that you have the pieces of information in front of you to make good choices. It's not my choice; I'm only here to facilitate the discussion.

But Ms. O'Neill-Gordon has made that point. Ms. Neville has made a point with regard to clarification of information. It is for you now to look at those two and, as we discuss this issue, decide what it is you wish to do as a committee. We have two things here: one suggestion that we get further information and one suggestion that further information is not particularly relevant, because it is an issue of religion.

This is something that the committee should now discuss. Should we go further because Ms. O'Neill-Gordon's comment was made? Should we wait for further information for Ms. Neville? I need to get from this committee a decision about where we go from here at all, because we have two competing suggestions on the table. I want us to clarify where we move.

Madame Demers.

• (1135)

[Translation]

Ms. Nicole Demers: Madam Chair, I find it rather odd that we not be able to discuss certain issues because they involve the Catholic faith. Are we to accept polygamy for the simple reason that it is practised by Mormons? Are we to accept polygamy and not discuss it because the Mormon faith accepts it? Are we to accept that children die because of the beliefs of Jehovah's Witnesses, whose faith prohibits blood transfusions? Are we to accept these things and never speak out on anything that derives from a religion, or is it simply because we are talking here of the Catholic faith? Unless I am mistaken, there are already debates under way in British Columbia on polygamy as it is practised in the Mormon community. If we can meddle with the Mormon faith, then we can also meddle with the Catholic faith.

[English]

The Chair: Just to clarify, there is not a debate in B.C. on polygamy. In fact, the Attorney General has brought a case against polygamy, so it's not a debate; it's an actual legal action taken by the Government of British Columbia.

Now, how are we doing here?

Ms. McLeod.

Mrs. Cathy McLeod (Kamloops—Thompson—Cariboo, CPC): Thank you, Madam Chair.

Especially for the reason that we seem to have very conflicting and inaccurate information, I would suggest that we need to either defer right this minute or ask for the vote and take it from there.

The Chair: I will allow Ms. Glover to have a comment before we deal with deferring, as was suggested.

Mrs. Shelly Glover: Thank you, Madam Chair.

I just wanted to point out that the information provided by Madame Demers is not from the Catholic books; it's not from the Catholic website. This is a paper that is done on ethics in law, and it's not signed, so I don't know which website. But there are many critics, as she pointed out, of different religions, etc. You can pull these from any website that wants to be critical. What we need is the information from the Vatican, basically.

But I agree with Madam McLeod when she says we need to deal with this quickly. I think we all agree we don't have enough information. We are saying she was not excommunicated, and that motion cannot proceed unless we can show otherwise.

The Chair: Ms. Neville.

Hon. Anita Neville: Thank you, Madam Chair.

I have a number of points, but I'm not sure whether they're all connected or not.

First of all, I thank Madame Demers for bringing the motion forward and for the passion and her willingness to speak out so frequently on the issues related to women and children and the injustices that she sees falling on them. To even suggest that she doesn't care about children is, to my mind, heresy.

Having said that, I have a real problem moving forward with it, certainly without the full information—that in itself. Someone made the comment about what the role of this committee is and what the role of government is. We have issues related to sharia law that could well come before this committee; they have in the past and they are of a significant concern. My own view, and it's my view, is that our role in terms of commenting on the activity of any religious group—Catholic, Muslim, Jewish, whatever—is only pertinent when the role of government and the law intersect with the issue. I believe in this case government does not intersect with it; it's an internal church matter.

As I say, I have great respect for the commitment and passion that Madame Demers brings to the issue.

I have with me some other articles that I have gleaned where there have been many other inappropriate behaviours by the church, whether it relates to children, young women or young boys. I have one particular one as it relates to young boys. I don't know that it's our role to comment on the church's activity unless the government or the legal system impacts on it.

That would be my position, and I was asking for clarification in terms of canon law. We're asked about whether we believe we should comment on it or not; we're asked to make a decision based on conflicting information. So that's my point.

• (1140)

The Chair: Thank you very much, Madam Neville.

Perhaps I could take the prerogative of the chair and try to focus us as to where we move next.

Madame Demers made some important points when she talked about the legal case being brought against polygamy. We heard a very important point made by Tilly about the concept of this being a religious issue. We have heard from Ms. Neville about sharia law. But I think that in the end, Ms. Neville makes the key point here.

I want to refer to one important point, and this is the fact that in Canada now, the Government of Canada federally recognizes that marriage is between two persons to the exclusion of all others. In other words, this country has sanctioned legally, under the law, the ability for same-sex couples to be married. But very clear within that decision is the agreement that a church may decide not to sanctify marriage if it's against the church's law. Canon law is a church law. It is not a law.

Sharia, where it denies the rights of girls and women to be equal, again butts up against our Constitution with regard to equality between men and women in this country.

The issue of same-sex marriage was contravening section 15 of our own charter. This, however, is not that the girl is being penalized by the legal community in Brazil. It is not that Brazil is putting the girl in jail or whatever. The girl is forbidden to participate—if this is true or not, it's moot—in her church. That is a church's religious decision. This is not denying her freedom to walk the streets, to seek redress under the law, in my understanding.

Now, I would have thought that if we had wanted to take something up, we could have said that Brazil denied the girl the right of access to the law, etc. That would be very appropriate for us to do that, as it is appropriate for us to speak against President Karzai and his sharia law because it does deny equality of women and it puts women in a subsidiary, exploitative position.

This is about not being able to participate in your church. And indeed, even if we voted on this, and let us imagine that it passed, I don't know that the Government of Canada could ask a church to go against what we have as section 2 of our charter, which states the freedom of religion to decide with regard to who belongs to that religion, who practises within that religion.

So the points have been made by Ms. Neville and by Ms. O'Neill-Gordon. I think the issue here is not whether we should be debating the problem of the girl being raped or if she had been denied legal access because she was nine years old, etc. In the case of having a religious state, if Brazil was a religious state, as we see in Afghanistan, and the religion was brought to bear on the law of the nation that denied human rights, that's a totally different thing.

It's my understanding that even within Ms. Demers' own motion, this is about the term "excommunication", which is the inability to participate in her religion, to receive the Holy Eucharist, or to be able to participate in all of the rites of the church. So this is purely within religion and no more.

I would like to suggest—and of course you are free to challenge the chair on this—that even if we voted for or against this motion, it would not be an appropriate one to come before a committee or to

request the government to deal with, because we would be in violation of our own charter if we did. I've made this comment.

We now have six members over on the other side. Who is the member signed to represent and to replace?

Mr. Pierre Lemieux (Glengarry—Prescott—Russell, CPC): Well, I think I can participate in the debate.

The Chair: No, unless we have agreement by everyone, you can't participate in debate. Unless you are the signed replacement, you can't. We have just agreed that we thought that Ms. Glover was going to be the person replacing, so we have Shelly Glover as the official replacement.

You may be free to participate as a sixth person, as an observer, as an MP, if the committee agrees that you should.

● (1145)

Ms. Mathysen?

Ms. Irene Mathysen: I'm confused, Madam Chair, because at this point we're almost finished with these motions and are going into examining and working on this report. I'm at a loss to understand why we have six members of the government side, particularly when those of us who were here—

The Chair: No, I'm afraid I will rule that at the moment we are now moving into a resolution of this issue and to decide how this committee should go.

It is my understanding that there is not unanimous agreement for you to participate.

Mr. Pierre Lemieux (Glengarry—Prescott—Russell, CPC): Madam Chair, a point of order.

Or maybe one of you can raise a point of order. I'll just swap in to make some comments.

Ms. Candice Hoepfner: Madam Chair, he will swap in, then, because he would like to make some comments.

The Chair: No, you can't do that either.

Ms. Candice Hoepfner: Well, we've done that before.

The Chair: Is Ms. Gordon leaving the committee?

Mr. Pierre Lemieux: She doesn't have to. She can just step away from the table.

The Chair: Excuse me, please. Are you challenging the chair?

We have an agreement at this committee. When Ms. Mathysen had a replacement who wished to move a motion on her behalf, there was a challenge of this by the party across the way, and we agreed that we have to have unanimous...

Excuse me, Mr. Lemieux. The chair is speaking. Would you please allow the chair to finish?

We challenged this at the committee. It was resolved by unanimous consent. Ms. Glover withdrew her objection, and the committee allowed the member to do so. The committee works by unanimous decision in the case in which we have a member who is an MP and has an absolute right to participate—to sit and observe—and to join in the discussion, provided that the committee unanimously agrees to allow them to do so. That is the rule.

I am asking whether the committee agrees to let you participate, and we have Ms. Mathysen suggesting that it is inappropriate, because we are at a point when we are about to either decide whether we will vote on this motion or withdraw it.

Yes, Ms. Glover.

Mrs. Shelly Glover: This is a point of order. On a number of things that you said, Madam Chair, and with all the respect that I owe you, I need to correct a couple of things on the record.

First of all, I was the first one to bring out the point that you so eloquently brought forward regarding the motion; I want that on the record. Second, with regard to what you just said about the incident when Ms. Mathysen was not present and a motion was brought forward, it was not because of unanimous consent. It was because we followed Marleau and Montpetit's rules, which I had brought forward, and I agreed to withdraw.

The Chair: I did say that.

Mrs. Shelly Glover: It had nothing to do with unanimous consent. It had to do entirely with the fact that I chose to withdraw.

Then, third, I believe it is the clerk's responsibility to advise as to whether or not we are following the rules and procedure here. I believe Marleau and Montpetit addresses this, and I believe it is completely appropriate. I would like the clerk to give direction, as he is entitled to—

The Chair: Certainly.

Mrs. Shelly Glover: Let me finish, please.

I would like the clerk to give direction as to whether or not we can substitute momentarily Monsieur Lemieux for Ms. O'Neill-Gordon, with the use of a document from the whip's office, and allow him to participate in the debate of this motion, please.

The Chair: Excuse me, Ms. Glover. Actually the term “unanimous” means that everyone around the table agrees. When you were here we did not have unanimous consent until you removed your objections; then we did have it. I am afraid I was right when I related the incident.

We did have a ruling from the clerk at that particular time on this issue, and the clerk told us that was what must occur. You therefore removed your objection, so we then had unanimous consent, Ms. Glover. I would ask you to withdraw that you think I misrepresented the case, because I did not.

We now have the clerk giving me the opinion here. I will read this first:

Members of the House attending committee meetings who are not committee members or substitutes may, at the discretion of the committee, participate in the deliberations.

I have asked the committee for its discretion. Ms. Mathysen believes it is not appropriate, so the committee has spoken.

Now, shall we move forward?

Mr. Lemieux is now substituting for Ms. Gordon. Therefore, we now have Ms. Davidson, Ms. McLeod, Ms. Hoepfner, Ms. Glover, and Mr. Lemieux who are the members who are allowed to participate in this discussion. Ms. Gordon will not be participating in the discussion for this particular motion, or for the whole committee meeting, depending upon how this works. Unless we have another substitution, Mr. Lemieux is here for the whole committee meeting.

Ms. Glover, I would like to comment. You began your comment to the chair by suggesting that you were the first person to suggest what the chair “so eloquently” summed up. Ms. Glover, I would like to suggest that if you wish for me not to say that it was Ms. Gordon's comment and that I can add your name to it.... We have behaved in this committee in a manner that is respectful and collegial. If you wish to have credit....

I was merely summing up what I heard. And if I forgot, I will now say it for the record. I apologize, Ms. Glover; you were the first person to say it, so you shall receive credit. In my summation I did not give credit to Ms. Glover; I gave credit to her colleague, Ms. O'Neill-Gordon. I would like to make sure that both people get credit for making that statement.

But I would like to point out that if this is the way we're going to conduct meetings, we will get nowhere, because it is not in the spirit of getting along. It is not in the collegial spirit in which this committee is used to dealing with each other.

I'm sorry, we are either going to get on with committee business or we can continue to nitpick over whether one person's name was not given credit for something. I summed it up, which is what I'm supposed to do.

Now, Mr. Lemieux, I should like to tell you where we are before you speak. We are at the point of deciding whether or not we bring this back when we get further information, or whether it is even appropriate for this committee to be dealing with this issue under section 2 of the charter. The mover has the option to decide how she wishes to proceed. If she wishes to proceed with the motion, you will absolutely be the next person to speak for or against the motion.

Madame Demers.

● (1150)

[Translation]

Ms. Nicole Demers: Thank you, Madam Chair.

As I stated when I presented the motion, I brought this motion back before the Committee following a comment made by Mr. Lemieux and that excited my curiosity. After having listened to Ms. Neville, after having listened to you and after having listened to comments according to which excommunication is the affair of the Church and is not a matter of law, I agree with you, Madam Chair, and I withdraw my motion, if such is the case.

[English]

The Chair: The motion has been withdrawn.

Mr. Lemieux.

Mr. Pierre Lemieux: Thank you.

I'd still like to make some comments. I came before that motion was withdrawn, and I heard your reasoning, Chair, regarding the fact that it's a church matter and that it might not be appropriate for the committee to deal with this. I do agree with you, so I thank you for your comments.

The other part I want to mention, though, in case the motion comes back yet again—to be honest, Chair, I was at the last meeting because I wanted to participate in this debate, and Madam Demers withdrew her motion, so I was surprised when it was tabled again—is that it is a factually incorrect motion. There are statements of fact here that are absolutely incorrect.

I think it's fair to point that out, because it is doing no justice to the Catholic Church and to the Vatican to leave the impression that the only reason the committee is not dealing with this motion is because it's a matter of church. It's factually incorrect. The nine-year-old girl was never excommunicated, and certainly never by the Vatican. That's very clear. Canon law is very clear. At the age of nine years old, she does not have full—

The Chair: The points you're making have already been made by others.

[Translation]

Ms. Johanne Deschamps (Laurentides—Labelle, BQ): Madam Chair, on a point or order. We have been trying to finish up with this motion for one hour now. How many players are on the bench? Are there going to be even more? Marleau and Montpetit states clearly, and I quote: “A substitution cannot be in effect while the Committee member is present at the meeting”. How many players do we have? How many more will be added?

• (1155)

[English]

The Chair: Johanne, actually Ms. O'Neill-Gordon can't sit at the table. She is not allowed to participate in the debate unless we get unanimous consent. So we actually have the five members who are signed in: Mr. Lemieux, Ms. Glover, Ms. Hoepfner, Ms. McLeod, and Ms. Davidson. Ms. O'Neill-Gordon may sit as an MP and observe, or if she wishes to speak, we must get the unanimous consent.

Ms. Mathysen.

Ms. Irene Mathysen: Pardon, Madam Chair—

The Chair: Excuse me a minute, Mr. Lemieux had the floor.

Mr. Pierre Lemieux: Sorry—

The Chair: Mr. Lemieux had the floor, Madam Mathysen.

Mr. Pierre Lemieux: That's all I wanted to remind you, that I had the floor.

The Chair: I would like to suggest, Mr. Lemieux, that we have a lot of work to do in this committee. The points you made were already effectively made by Ms. McLeod, Ms. Gordon, Ms. Glover, and by Ms. Hoepfner with regard to the veracity and by Ms. Neville with regard to whether the facts are straight or not.

The question we were then dealing with was if we should get the facts, or if we should withdraw the motion because it's inappropriate. Ms. Demers is withdrawing the motion. We have to get unanimous consent to withdraw the motion and then we will move on.

So while I appreciate it, I would like to ask you to be as quick as you possibly can, because we really need to get on with the work of this committee and those points have been eloquently made by many members on your side of the table already.

Mr. Pierre Lemieux: Thank you, Chair.

As I mentioned, I think part of the confusion.... I didn't mean to cause disruption to the committee, but I was actually here at the last meeting to participate. This is an extremely important debate on a motion, because it involves the committee, and if it actually passes, the government—

The Chair: There's no further debate, Mr. Lemieux. The motion was withdrawn, and we have to decide whether we—

Mr. Pierre Lemieux: I know, Chair, but I sat here before the motion was withdrawn. The clerk had recognized me. He acknowledged the fact that I wanted to speak. You were talking, Chair, and then you immediately turned to Madam Demers and I was the next speaker on the list. I was not given the opportunity to talk, and now that I've been given the opportunity to talk, I've been cut off.

The Chair: Mr. Lemieux, can you please make your point so we can move on?

Mr. Pierre Lemieux: Absolutely. I'd be glad to make my point.

I'm just saying that I was here last time to make these points. I'm not sure what was said before I arrived, but I'd still like to make my points that I'm surprised that Madame Demers brought this motion, that she actually deposited it in front of this committee, when it is so factually incorrect. It's a very bad reflection on Madame Demers to not understand excommunication and to not understand about the role of the Vatican in this.

The point that I was making, Madam Chair, before I was interrupted, was that a nine-year-old girl cannot be excommunicated in this affair because she is not able to exercise her full consent. What is required for excommunication is very clear in canon law. So this is a very critical point, that the nine-year old girl is not excommunicated.

Secondly, the Vatican has made no pronouncement whatsoever on this issue, and it's very important to underline that. There was a bishop who actually commented on this affair, but he was responding to a question. When he commented on the affair, he wasn't asked if he was excommunicating anybody. He was asked what canon law says about excommunication in circumstances such as this. All he was doing was describing what is in canon law. He was not excommunicating her. So she has not been excommunicated, and neither has the mother or the doctors. No one has been excommunicated by fiat, by an actual declared statement. Instead there was some elaboration on canon law.

I think the third point, Madam Chair—

Hon. Anita Neville: Point of order.

The Chair: Ms. Neville.

Hon. Anita Neville: Madam Chair, I appreciate that Mr. Lemieux feels strongly about this issue and I appreciate that he's signed in. The motion has been withdrawn. If he wanted to speak to it, I would suggest he might have arrived on time and participated in the whole debate. But the debate is concluded. I appreciate your courtesy in allowing him to continue, but we do have a full agenda and much work to do. That's my point of order.

The Chair: In fact, I did ask Mr. Lemieux to be quick—

• (1200)

Mr. Pierre Lemieux: I am being quick.

The Chair: Yes, and I will allow you one more minute to finish your discussion.

Mr. Pierre Lemieux: Thank you, Chair.

I guess what I'm saying is that I couldn't have come earlier, because I thought that this whole—

The Chair: Can you finish your discussion, please?

Mr. Pierre Lemieux: Yes, I certainly can.

What I'm saying, Madam Chair, is that this is a factually incorrect motion and that Madame Demers should be better informed on these matters before she puts a motion like this in front of a committee, because this motion could technically have made it to the House, and it would have been a very embarrassing situation for the House, both from the point of view of the factual inaccuracies contained within the motion, but also, as you quite rightly mentioned, Chair, because it is a matter of church affairs, concerning the good standing or not good standing of Catholics, and has no business in the public realm, in the House asking for comment. It shouldn't even be up for debate here in the committee.

I thank you for your indulgence. I thank my committee members for their indulgence in allowing me the opportunity to speak, because I came to the last meeting to speak and was not given the opportunity.

The Chair: I think you made that point, Mr. Lemieux. Thank you very much for your position.

I would also like to clarify, since everyone seems so bent on clarifying everything. You commented that I did not allow you to speak, when you had a signed form. We were discussing this. The signed form came after the discussion; it did not come the moment you arrived, Mr. Lemieux. So I am following the rules to the letter.

Now we have moved on—

Mr. Pierre Lemieux: Chair, can I comment?

The Chair: No, Mr. Lemieux, I will not allow you to comment. Please. I am now calling for...

Ms. Mathysen, is this with regard to procedure about unanimous consent for withdrawal of the motion?

Ms. Irene Mathysen: Well, it has to do with the tone of what's gone on in the last few minutes. Quite frankly, Madam Chair, I'm appalled in many ways: first of all, that a member of our committee has been impugned, that this disruption has been tolerated. I understood Ms. Hoepfner's explanation very well, thank you very much. I did not need to be hit over the head with yet more and more.

Quite frankly, I feel that the abilities of this committee are being questioned when people come and not only disrupt but put into question the intent of committee members. Like my colleague, Madam Neville, I understand Ms. Demers to be a woman of great integrity, and her concern was such that she brought this for discussion. We've discussed it; we've gone through it; now I would like to get on with the business of this committee.

The Chair: Thank you very much, Ms. Mathysen.

I think we will now move to getting on with the business of the committee.

Yes, Mr. Lemieux?

Mr. Pierre Lemieux: On a point of order, I'd like to comment. Please allow me to—

The Chair: Mr. Lemieux, excuse me, but as the chair I would like to comment, because it is my duty as the chair to ensure that this committee behaves with respect for each other.

When we're going to spend the time being personal about each other.... I admit I allowed you to make comments about Madame Demers, but I will tell you, I have been at committees for the last 16 years, and when members of the committee impugn the integrity of other members, the chair has usually stopped the debate and asked for an apology. It didn't matter which side did it.

We have to show that as parliamentarians we can deal with each other with mutual respect, that we can run committee work and get on with the business of committee in a respectful manner. When we start disrespecting each other at committees, we cannot work together. We have to respect each other's integrity.

You have accused Ms. Demers of not having done her homework, of not knowing what she's talking about. I consider this to be really impugning the integrity of the committee, of the motion, of the discussions by the committee. Ms. Hoepfner is very eloquent. She said what she had to say. We heard it all, and I think Ms. Mathysen made a point.

Now I would like to move to the orders of the day, and unless you're speaking to—and I will only allow you to speak to—what is on the floor now, which is unanimous consent for withdrawal of a motion.... If you wish to speak to the process of withdrawal of the motion, I will allow you to speak. If you just wish to continue a debate in which we impugn each other, I will not allow it to continue. It is not in the best interests of the committee.

And Ms. Glover, the same goes for you. If you wish to speak to the matter of withdrawal of the motion, then I will allow you to speak. But if you wish to continue this personal kind of fighting that goes on, I will not allow it. It does not allow this committee to work well, and it is my duty to make this committee work well.

So we have a withdrawal of the motion from the mover of the motion, and unless you're speaking to the procedure concerning it...

I will allow you to speak, Mr. Lemieux, to the procedure of withdrawal.

• (1205)

Mr. Pierre Lemieux: Thank you, Chair, for having recognized me.

I actually wanted the opportunity to defend myself against the comments of Ms. Mathysen.

The Chair: No, I am sorry, you cannot have that opportunity.

Mr. Pierre Lemieux: Chair, you're allowing her to—

The Chair: Mr. Lemieux, there is a motion to withdraw by the mover of the motion. I am asking now for unanimous consent to withdraw the motion. You are not speaking to the process of that.

Yes, Ms. Glover, are you speaking to the process of this?

Mr. Pierre Lemieux: A point of order, Chair.

The Chair: Are you challenging the chair?

Mr. Pierre Lemieux: No, I'm not challenging the chair.

The Chair: Then I have asked you to step down from this issue, please, Mr. Lemieux. You are not speaking to the motion to withdraw.

Mr. Pierre Lemieux: Can I state my point of order, Chair?

The Chair: No, it is not a point of order.

Mr. Pierre Lemieux: It is a point of order.

The Chair: No, it is not. It is not a point of order. There is a motion to withdraw on the table, and unless you are speaking to the motion to withdraw, you do not have a point of order. I am sorry.

Now, I will call the question. Is there unanimous consent to withdrawal of this motion? There is.

(Motion withdrawn)

The Chair: We now have a second motion on the table to deal with, and that is another motion from Madame Demers.

The motion reads:

[Translation]

Pursuant to Standing Order 108(2), that the following be reported to the House at the first opportunity:

That the Standing Committee on the Status of Women call upon the government to say what measures it plans to take if President Karzai refuses to repeal the legislation violating the rights of women in Afghanistan.

[English]

Now, Madame Demers, you may open your motion.

[Translation]

Ms. Nicole Demers: Thank you, Madam Chair. The government has already given an opinion on the new law that President Karzai signed without however enforcing it, this winter. We now have President Karzai's promise that the law will be reviewed. We however do not know how it will be reviewed nor whether...

[English]

The Chair: Excuse me, please. A member is speaking to a motion that people are going to have to vote on. I would appreciate it if you could have respect for the person who is speaking at the moment. If you wish to have discussions, could you please do it in a way that

does not disrupt? If you wish to leave the room and discuss what you need to discuss, I would be pleased to let you do that.

Ms. Demers has the floor right now and she's speaking.

Thank you.

Ms. Demers.

[Translation]

Ms. Nicole Demers: The government suggested that it would take measures if the Karzai government refused to abolish the law undermining the rights of women in Afghanistan. I believe that we could ask the Canadian government what measures it has in mind. As you are aware, we have been in Afghanistan for quite some time now. Our soldiers are fighting and they believe in democracy and in the reasons why they are engaged in this fight. I believe that we owe it to them to ensure that democracy is recognized and respected as it should be.

[English]

The Chair: Thank you.

Are there any speakers?

Yes, Ms. Hoepfner.

Ms. Candice Hoepfner: Thank you very much, Madam Chair.

I do want to thank Madame Demers. I think we all share such a strong concern for the women in Afghanistan, and it's very troubling for all of us to see the damage and the potential this could cause for the women in that country.

There are a few concerns, obviously. I think my number one concern is that it's hypothetical, and I think as soon as we deal with hypotheticals.... We are working with the President. I know that President Karzai and his government have indicated they will be reviewing this law. In a way it's kind of like the other motion, where it's presumptuous and not factual, so we cannot deal with a motion that is not factual. We cannot begin to make hypothetical decisions. That is my number one concern. We need to see what happens with this law. If we begin to ask what the government will do if this happens and if that happens, I think that is again very dangerous.

That's what I'd like to say. Thank you.

• (1210)

The Chair: Ms. Glover.

Mrs. Shelly Glover: Thank you, Madam Chair.

I have to support what Ms. Hoepfner has indicated, but I'd also like to add that I, too, am pleased with much of the work of this committee. I must say, having been here only a couple of times, that I don't want my words to have been twisted.

Madame Demers, I meant absolutely no harm in what I said to begin with. I was clear, and it will show on the record, in the blues, that I was clear: I was not attacking you personally. I commented on something that your party had done, not you as an individual, and that I was surprised at it. That was all. Again, I'm a bit surprised at this one.

I hope that Madam Hoepfner's comments are taken to heart, because, again, I feel it's a bit of putting the cart before the horse. I want to acknowledge that other countries have not at this point indicated what they would do. Because it is a hypothetical situation, it's very hard to be in a situation to predict these things.

Since I do have the floor, I want to take this opportunity to say to Madam Chair that she did ask me a question but she didn't allow me to respond. I did not come here to be spoken to in that way, Madam Chair, and to be disregarded in that way. I have no intent to disrupt the committee, but I find your comments have been personally attacking some of us. I'm offended by them. I believe your tone is condescending. For the record, you asked me a question and I would like to answer it, and that is—

The Chair: Well, you may answer the question. Go ahead.

Mrs. Shelly Glover: You had asked about the unanimous consent and then my withdrawal of a motion, and I only wanted it to be in the right order. That was all. I didn't need to be talked to in the way you spoke to me. I simply want that on the record.

The Chair: Madam Glover, I would like to actually take a pause. I know we have Ms. Mathysen yet to speak, but I would like to comment on the tone of this meeting.

We have members speaking to other members in what I consider to be a condescending and lecturing fashion. It is not appropriate for people to believe that they can do so and say to others, "Forgive me for doing it, I didn't mean that". Then when a member politely corrects the chair, and the chair says in fact that the correction was inappropriate because the chair was stating what did happen, and then there was this need to come back to speak to the chair, it doesn't.... You cannot, in a meeting following rules of procedure, which I have done, ever find a way to legislate courtesy. Attitudes stem from attitudes. When people speak to each other in condescending tones, when they speak to each other in a way that presumes the other person has some sort of hidden agenda, it does not create a good feeling among everyone in the room, and it tends to make other people respond when spoken to in a condescending manner.

I would like to suggest, Ms. Glover, without continuing this conversation any more, that when we speak about who is condescending, we need to sometimes look in a mirror and ask ourselves if we often speak to each other and that it's okay for one person to be condescending to another, but when that person responds, it's not okay.

You have been very condescending to me, Ms. Glover, from the day you came to that last meeting and now. You speak in a condescending manner. I will accept that you do not intend to do it, and I will put the matter to rest now.

Thank you.

We have Ms. Mathysen ready to speak.

Ms. Irene Mathysen: Madam Chair, I understand the points that have been made in regard to hypothetical situations, so might I suggest a friendly amendment, if the mover is interested? I'll read it so that it's clear:

That the Standing Committee on the Status of Women call upon the government to say that it will take measures if President Karzai refuses to repeal legislation violating the rights of women in Afghanistan.

That takes the hypothetical out of it, and basically is supporting the government's initial indication of profound concern about the laws that we heard were being contemplated.

The Chair: If Ms. Demers approves of that amendment, then we can speak to the amendment.

Do you approve, Ms. Demers?

• (1215)

Ms. Nicole Demers: Yes.

The Chair: We now have a friendly amendment that Ms. Demers has accepted, so we will now be discussing the amendment. The amendment is to replace the words "to say what measures it plans to take" with the words "that it will take measures if". So we are removing the words, and I'll repeat, "to say what measures it plans to take" with the words "that it will take measures".

Are you speaking to the amendment, Ms. Davidson?

Mrs. Patricia Davidson: Yes, I am. Thank you, Madam Chair.

I understand the dilemma we're in here with the hypothetical situation and the attempt to remove that and to make the motion more palatable. I still have some concerns that we are going to be putting the government in a difficult position when it comes to negotiating and so on, because we have already said that we're already pressing the Afghan government to meet the international obligations, and we're working with them and we're trying to make sure that the respect for the equality of women under the law is maintained in Afghanistan. That's something we're already working towards.

Given those discussions, we're strongly encouraging that government to remove those provisions in this law that they are contemplating, and to uphold that international human rights commitment. I just think we're sending the wrong message if we pass this at this time. I'm not opposed to what the mover is saying. I think we're all extremely appalled by what has happened here. But I think we have to be able to give the government the ability to negotiate in good faith, and I think that's the point we need to remember.

So I'm not so sure I'd like to hear some more debate on the amendment. At this point, I don't think I can support the amendment either.

The Chair: Ms. Neville, debating the amendment.

Hon. Anita Neville: Come back to me. I was going to speak to the amendment and to the tone, and I'm just....

The Chair: If you're speaking to the amendment, go ahead. That's what we're debating, the amendment.

Hon. Anita Neville: I understand what Ms. Davidson is saying. I think it's important that this committee take a position on this issue, that it is unacceptable for the Karzai government to do nothing. While I understand what Ms. Davidson is saying in terms of not hampering the negotiations, I think it's important to give a message from this committee and from our government that it's non-negotiable to do nothing in this situation. I'm trying to think if there is better wording that might be brought forward. I'm not sure, and that's why I was thinking about a delay. I think it is important that a message go from this committee, and I thank Ms. Demers for bringing it forward.

The Chair: Ms. Zarac.

Mrs. Lise Zarac (LaSalle—Émard, Lib.): Ms. Neville—

The Chair: You said you had something else to say, Ms. Neville? Are you finished?

Hon. Anita Neville: I don't want to belabour it, Madam Chair. I've been on this committee since its inception. It would be foolhardy to say I've attended it for every single meeting—I've missed my share of meetings—but I've been on this committee since its creation in 2004. It came about by a motion in the House, supported by the three parties sitting on this side of the House. I have never experienced the kind of tone, manner, events that I saw here today. We haven't always agreed. We come from different bases. We come from different philosophical bases and different life experiences, but there has always been exhibited respect, courtesy, and respect for the procedures of this committee.

We've worked cooperatively. We've been a model in the House of Commons in terms of working cooperatively in a way that virtually no other committee I've served on, and I've served on many, has worked together. I hope the day will come when we can revert to that manner of operating. We've been respectful. We've not brought forward processes as a means of making the committee work. We've allowed one another to speak. We've allowed one another to intervene when it's been appropriate in order to make a point. As I said, I have never experienced something like this morning since this committee was created.

• (1220)

The Chair: Ms. Zarac.

[Translation]

Mrs. Lise Zarac: Like Ms. Neville, I had raised my hand to talk about the tone that we have experienced here today. I would also like to comment on the amendment.

I am new here and I believe the Committee should meet to do some work. We come here to work together. There should be no partisanship. We come here to work on issues that affect women and that are very dear to them. The tone here should be one of cooperation. This is not what I felt today and I am very disappointed to see how we are doing our work. I believe we must change our ways. We cannot continue working like this. We will have to set aside partisanship.

Madam Chair, I congratulate you for the job you are doing. You have shown great patience today.

I am fully in agreement with the amendment. I believe our Committee has a responsibility to convey such messages to the government and that it is part of its role.

[English]

The Chair: You support the amendment.

Yes, Ms. McLeod.

Mrs. Cathy McLeod: Thank you, Madam Chair.

I don't think there was anyone in the House who could say that they were not absolutely stunned and appalled with this particular move by the Karzai government. So in speaking to the amendment, I would like to propose a slightly different amendment: that the Standing Committee on the Status of Women support the government in its efforts to continue to press the Afghan government to meet.... So my proposed amendment is to insert that we're solidly supporting the government's efforts in this regard.

The Chair: We need to deal with the amendment currently on the table before we get a second one to deal with, so we will call the vote—

Mrs. Cathy McLeod: You can't do an amendment to the amendment?

The Chair: Actually, we have to get rid of this first amendment, and then you can bring forward your second amendment.

So we're dealing with Ms. Mathysen's amendment. I'd like to call the vote on the amendment.

I'll reread it. We're not voting on an amended motion because we have to get the amendment passed first—or not. The amendment is to replace the words “to say what measures it plans to take” with the words “that it will take measures”. That's what we're voting on.

Hon. Anita Neville: Where are you going to insert “that it will take measures”? Could you read the whole amendment?

The Chair: No, because then we would be voting on.... Well, I'll read it, but we are not voting on the amended motion; we're just voting on the amendment.

If we vote on the amendment, then the motion will read:

That the Standing Committee on the Status of Women call upon the government to say that it will take measures if President Karzai refuses to repeal the legislation violating the rights of women in Afghanistan.

So we're now voting on the amendment.

Well, colleagues, the vote is tied

I don't want us to stop debating this motion, so the chair is now going to have to decide whether the amendment passes or not. I will vote for this amendment, and I will say why.

I will vote for this amendment because the amendment doesn't necessarily change the intent of the motion. So what we have is a motion as it was intended, with just a clarification of the motion.

Ms. McLeod's amendment would change the intent of the motion, so we're going to have to deal with that separately. So for the moment I'm going to say I agree with the amendment. Then we will vote on the amended motion.

Then, Ms. McLeod, I think what you can do is bring forward an amendment that will give us a new motion, if we vote for or against. Or if you choose, you can vote against the amended motion and then do it the other way. Those options are open to everyone.

So I will vote for the amendment because I think it maintains the intent of the original motion.

(Amendment agreed to)

The Chair: Now we will vote on the amended motion.

Well, if you wish, if you think you want to amend what is amended.... Cathy, is that what you're saying?

Mrs. Cathy McLeod: Yes, thank you, Madam Chair.

What I was hoping to do is, pursuant to Standing Order 108(2), that the Standing Committee on the Status of Women support the government in its efforts to continue to press the Afghan government to repeal the legislation violating the rights of women in Afghanistan.

• (1225)

The Chair: All right. Will that be inserted after the word “government”? Just to clarify, are you suggesting that the Standing Committee on the Status of Women call upon the government...? Support, yes. If you send it to me, we can say....

So will it fit in after “women”?

Mrs. Cathy McLeod: The clerk has my written scrawls.

The Chair: Okay. What I'm hearing you say—I don't want to read your talking points—is that the Standing Committee on the Status of Women support the government in its efforts to continue to press the Afghan government to meet the promise of Mr. Karzai, blah, blah, blah. But then, because we have an amended motion now, it will say “and call upon the government to say that it will take measures if President Karzai refuses”, because that's what you're doing. You're saying that's added to the amended motion.

Mrs. Cathy McLeod: My amendment would compete with the statement that we continue to support.

The Chair: So it's adding that. If you're going to delete to say that it will “take measures”, we've already voted on that amendment, so we now have an amended motion. If you're just adding to the amended motion, that's one thing. Is that what you're doing? The first piece will say that we “support”.

Mrs. Cathy McLeod: I'm amending the motion.

The Chair: Yes. You're amending the amended motion.

Mrs. Cathy McLeod: Yes.

The Chair: Yes, okay—or are you amending the original motion?

Mrs. Cathy McLeod: Sorry, I'm used to Robert's Rules, so perhaps we could have a clarification on amending.

The Chair: Are you suggesting—let me just clarify—that you are adding your amendment after the term “Status of Women”, and you are deleting “call upon the government”?

Mrs. Cathy McLeod: Yes.

The Chair: Okay. As far as I'm concerned, I will have to vote on the amended motion first, because yours changes the intent of the motion entirely. It does because the intent of the motion, as I

understand it, is that it is asking the government to take a step. You are saying we support the step the government has already taken, which is a valid thing for you to say, but you are removing the principle of Ms. Demers' motion. So if Ms. Demers agrees to your amendment, this is okay, but if she doesn't, we will vote on the original amended motion. If it fails, you can bring about your motion as amended.

Ms. Demers, do you agree? This amendment is being brought forward. How do you feel about it? Do you agree with it?

[Translation]

Ms. Nicole Demers: This changes completely the meaning of the motion, Madam Chair. It is difficult to say that we support the government in its efforts when we do not know what it has been doing. We are asking the government to act. It is very different.

[English]

The Chair: Okay, thank you.

As Ms. Demers points out, this changes the whole intent of her motion, so she doesn't accept it. So we have to take it out, and we will now vote on the motion as amended. If you wish to bring forward this other motion, we will deal with that one. All right?

The amended motion we're voting on is that the Standing Committee on the Status of Women call upon the government to say that it will take measures if President Karzai refuses to repeal the legislation violating the rights of women in Afghanistan. I now call the vote on the amended motion.

All right, we have a tie. That's what happened on the very first day of this committee.

I will vote for the motion for the reason that I believe that the motion is clear, in that it is asking the government to take a particular step. Therefore, I will vote for the motion because it fits in with the intent of the motion, asking the government to take a particular step.

(Motion agreed to)

The Chair: Now to Ms. McLeod. And given that we are speaking to the issue of Afghanistan, you do not have to give us 48 hours notice. We're speaking to this.

Did you wish to bring forward now a motion that says what you were proposing—that the Standing Committee on the Status of Women support the government in its efforts to continue to press the Afghanistan government to meet the promises of President Karzai?

That is an appropriate motion for you to bring up at this time.

• (1230)

Mrs. Cathy McLeod: Thank you, Madam Chair. I would like to bring that motion forward.

The Chair: Okay. We now have a motion on the table that the Standing Committee on the Status of Women support the government in its efforts to continue to press the Afghan government to meet its promises with regard to the legislation violating the rights of women in Afghanistan. We are debating this motion.

Would you like to speak to the motion, Ms. McLeod?

Mrs. Cathy McLeod: Again, as I stated when I proposed the amendment, there was not a person in the House that was not appalled by this, knowing our soldiers are over there struggling for the rights of women. It was very distressful for everyone and for Canadians. I think the government has taken this issue very seriously and has stepped up to the table in a very active way. I think we, as a committee, need to acknowledge and support that we recognize and appreciate the best efforts being made by government.

The Chair: Before we continue with the debate, since people are going to get food and nobody is really listening very clearly to each other, I would like to allow for a suspension so that people can go get their food and come back.

I think, Ms. McLeod, maybe everyone didn't hear what you had to say. I'm going to give you a chance to do your thing again, with a shortened version of it if you wish, when everyone gets their food.

Everyone, go get your food and come back.

- _____ (Pause) _____
-
- (1240)

The Chair: Ms. McLeod, I would like you to give us a quick synopsis of what you discussed before.

Mrs. Cathy McLeod: Thank you, Madam Chair.

If I could have the motion reread, my colleague has a friendly amendment I'd be willing to accept.

The Chair: Actually, there is a clarification before we read it. Did Mr. Karzai make a commitment to repeal the legislation, or was it to review the legislation?

Mrs. Cathy McLeod: To review.

The Chair: Okay, thank you. I thought that was what he said.

The motion is that the standing committee support the government in its efforts to continue to press the Afghan government to meet its commitment to review the legislation violating the rights of women in Afghanistan.

[Translation]

That the Standing Committee on the Status of Women support the government in its efforts to continue to press the Afghan government to meet its commitment to review the legislation violating the rights of women in Afghanistan.

[English]

Mrs. Cathy McLeod: Madam Chair, the friendly amendment my colleague....

Mrs. Patricia Davidson: May I give it now?

The Chair: Yes, go ahead.

Mrs. Patricia Davidson: If the mover will accept it, on the last part, where it says "to review the legislation...", we would add "in order to uphold their international human rights commitments". I think that finishes it off.

The Chair: Okay, so there's a friendly amendment that says "to review the legislation violating the human rights".

Mrs. Patricia Davidson: No, "in order to uphold"—

The Chair: Yes, "to review the legislation violating the rights of women in Afghanistan in order to uphold"—

Mrs. Patricia Davidson: —"their international human rights commitments".

The Chair: So that's added to the end.

Mrs. Patricia Davidson: Yes.

The Chair: That's "in order to uphold their international"—

Mrs. Patricia Davidson: —"human rights commitments".

The Chair: All right, has everyone got that?

[Translation]

Ms. Johanne Deschamps: Could you read that again?

[English]

The Chair: You want me to read it again? Okay.

So given that the first part still stands, we're saying:

That the standing committee support the government in its efforts to continue to press the Afghan government to meet its commitment to review the legislation violating the rights of women in Afghanistan in order to uphold their international human rights commitments.

Do you want me to read it in French again, or is that okay? Okay, good.

Ms. McLeod, now you can tell us your bits and pieces.

Mrs. Cathy McLeod: Again, the quick summary is that every parliamentarian is appalled. The commitment of our troops to fight for the rights of women.... It's been a very difficult situation, and the government is working very hard, on many different levels, to make sure this gets rectified. I think this speaks to our supporting the government in their efforts to continue with that work.

The Chair: Thank you.

Is there any debate or discussion?

Nicole.

[Translation]

Ms. Nicole Demers: Madam Chair, I will obviously support this motion. However, I would like to make sure that this motion and the one we discussed previously will be reported to the House, which was not mentioned either in the previous one or in this one. You did not say that they will be reported to the House. But it is important for the House to know that we support the government in its efforts and that we request that it take action.

• (1245)

[English]

The Chair: Is there any further debate on this motion?

Yes, Cathy.

Mrs. Cathy McLeod: Certainly for my motion, to report it to the House is fine.

The Chair: That's good. So we will call the question.

(Motion agreed to)

The Chair: It passed unanimously. That's great.

These both will be reported back to the House.

We will move to the report in camera.

[Proceedings continue in camera]

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